

Presbytery of Southern New England

Presbytery Roundtable – Stated Meeting – January 10, 2019

Report of the Stated Clerk

The Office of the General Assembly has published the **amendments to the PC(U.S.A.) Constitution** proposed by the General Assembly for ratification by the presbyteries at the following web address:

http://oga.pcusa.org/site_media/media/uploads/oga/pdf/ga223_proposed_amendments_to_the_constitution2018.pdf

(I am also including a copy of this document with the materials for our January Roundtable meeting.)

In advance of our consideration of these proposed amendments at the February Stated Meeting of the Presbytery, I have prepared the following summary:

18-A. This proposed amendment would require that a **majority of the members of a congregational nominating committee** consist of members of the congregation who are **not currently in active service on the session**. (This requirement was in place prior to the adoption of the New Form of Government in 2010.)

18-B. These are two proposed amendments (18-B.1 & 18-B.2) which address the circumstances where a **PC(U.S.A.) minister has renounced the jurisdiction of the church and now wishes to return to ordered ministry**. A process is provided whereby the former minister may face any disciplinary accusations that were pending at the time of renunciation, with the usual time limits waived, and—should the outcome of the disciplinary process permit it—be restored to ministry in the PC(U.S.A.).

Among the concerns raised as these amendments were considered at General Assembly was the distinction between *removal* from ordered ministry through disciplinary process, and *abandonment* of ordered ministry through the minister's renunciation of the jurisdiction of the church. This amendment allows for treating these situations in a similar way. Should someone who has *avoided* discipline for

some time be given the same treatment as someone who remained within the church and *submitted* to discipline?

- 18-C. This proposed amendment is an attempt to **codify in our polity** an element of civil law that the authors of this amendment feel is under threat. The **Johnson Amendment** prohibits charitable organizations, including churches, from advocating for or against the election of candidates for public office. This proposed amendment to the Book of Order goes somewhat further than this, not only forbidding statements for or against specific candidates, but also acts that “otherwise encourage or discourage others to vote for or against an individual running for public office.”

One’s view of the merits of this amendment may hinge on how broadly these words might be interpreted in particular cases. If an avowed white supremacist were running in a political race, could a pastor who speaks from a Christian perspective in opposition to the ideology of white supremacy, without mentioning the candidate, be subject to discipline under this rule?

Another factor is one’s assessment of the likelihood of the repeal of the Johnson Amendment—there is currently no legislation under consideration to do this.

- 18-D. This proposed amendment seeks to restore to the current Book of Order language that was present in the old Form of Government (prior to 2010) addressing the **granting of permission to ministers to labor outside the bounds** of their presbyteries of membership, and within the bounds of another presbytery.
- 18-E. This proposed amendment clarifies the role of the Presbytery as a “**Pastor, Counselor, and Advisor**” to **all of its Ministers of Word and Sacrament** (G-3.0307). The current language is simply “pastors,” but nearly every presbytery includes ministers who do not serve as pastors.
- 18-F. This proposed amendment seeks to clarify that **children are to be welcomed to the Table** for the celebration of the Lord’s Supper, and that this welcome does not need to be a formal ceremony, such as a “First Communion.” This section of the Book of

Order will continue to include language strongly encouraging that the session provide ongoing instruction in the meaning of the Sacraments to children.

18-G. This proposed amendment **explicitly defines sexual abuse as an offense** under the Rules of Discipline, for which church members and officers can be censured. (It should be noted that the original text of the overture to the General Assembly sought to define *any violation of a council's sexual misconduct or child protection policy* as an offense. This overture was prompted by the ruling of a synod permanent judicial commission, which held that violating a sexual misconduct policy is not an offense, unless the conduct is also an act or omission prohibited by Scripture or the Constitution of the church, in accordance with D-2.0203b.) The amendment refers to the definition of sexual abuse set forth in D-10.0401c.

18-H. These are two proposed amendments to the Rules of Discipline that involve sexual abuse.

18-H.1. The Rules of Discipline provide a period of five years from the time of an alleged offense in which someone may be charged, but they also waive the time limit in cases of sexual abuse. **This proposed amendment would also waive the time limit in cases where the accused is alleged to have known about sexual abuse**, or the risk of sexual abuse, and failed to act.

18-H.2. This proposed amendment **clarifies language in the definition of sexual abuse** regarding the capacity to consent to sexual conduct.

Respectfully submitted,

Rev. David A. Baer, Stated Clerk