

**Proposed 2011/ 12 Amendments to  
DISCERNING THE WAY**

A Process for Discerning God's Future for the Relationship  
Between Particular Churches and the PC(USA)

The Presbytery of Southern New England (Approved -- May 2007) **Amended August 2010**

**PREAMBLE** <sup>1</sup>

The Presbytery of Southern New England acted to approve the *Discerning the Way* process in May 2007. Subsequently, the 218<sup>th</sup> General Assembly (2008) approved a Commissioner's Resolution (item 04-28) urging a "*gracious, pastoral response to churches requesting dismissal from the PC (USA).*"

The Commissioner's Resolution indicates 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 ... pastoral responsibility, accountability, gracious witness, openness, and transparency.*"

In order to comply with the "*will of the Assembly*", the Presbytery of Southern New England amends its *Discerning the Way* process to incorporate the spirit of the Commissioner's Resolution. The intention of the Presbytery is to provide a process that will fulfill the following goals:

- discern God's will for the future for the relationship between particular churches and the PC(USA), and
- discern the way for a gracious, pastoral response to **congregations facing serious discomfort of conscience in their relationship with the PC(USA)** in accordance with the aforementioned principles of pastoral responsibility, accountability, gracious witness and openness and transparency.

The processes described in this document are based on the willingness of all parties to be in joint discernment of God's will and to work towards a mutually agreeable implementation of what they discern God's will to be. The following describes some principles of discernment that guide this document:

**An expectation that God desires to guide us** -- The church's practice of discernment rests on God's identity as a self-revealing God, One who wants to be made known. Not elusive or capricious, the God who created us has not abandoned us but desires to be in an ongoing relationship with us. Thus our practice of

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<sup>1</sup> Portions of the Preamble have been taken directly from *Commissioner Resolution 04-28*. And the Presbytery is indebted to the work of other presbyteries whose documents inform this document: the Presbyteries of New Covenant, Wabash Valley, San Francisco, and Western North Carolina.

discernment is rooted in a belief in the Triune God who is present with us and will reveal what is needed for the church to be faithful. Therefore openness in prayer at all gatherings is essential.

**A willingness to listen** -- A basic capacity required for discernment is a willingness to listen, a readiness to be open to the inner and outer promptings of God's Spirit and to be open to the ways God speaks to us through others. In fact, we benefit greatly from the listening hearts of others, especially those with whom we may disagree, for they help us accurately to hear God.

**A response of obedience** -- Because discernment is where prayer and action meet, it is necessary for those who listen to God to respond with obedience. After a group has done its best to discern God's way and has received a shared sense of God's leading, it is essential to test that discernment in the context of the larger Christian community. Only then can it move forward in faithfulness and with confidence. Even though the entire way may not be clear, the group can move toward the future, trusting that God will make further revelations or corrections as needed. When a group finds itself divided and still unsure how God is leading, it is important not to move ahead but to wait for further guidance. More prayer and listening, both to each other and the larger community of faith, are required.

***Adapted from "DISCERNMENT: A RIVER RUNS THROUGH IT  
Flowing with the Current of the Spirit in Church Meetings"***  
***By Marlene Kropf, Congregational and Ministerial Leadership***  
**Mennonite Church U.S.A.**

Mutual discernment requires a high level of trust, communication and openness. It is expected that in all phases of this process the parties shall abide by the following:

- Give a gracious witness that honors and glorifies Jesus Christ.
- The congregation and the Presbytery (including clergy, officers, and team members) are open, transparent and honest in all their dealings with each other.
- The congregation and the Presbytery (including clergy, officers, and team members) provide all requested information and documents to each other on a timely basis.
- The congregation's clergy and officers are willing to protect the rights of the officers and members in the congregation who desire that the congregation remain part of the PC(USA), or who desire to remain congregants of another PC (USA) church.
- The Presbytery (including clergy, officers, and team members) is willing to protect the rights of officers and members of congregations as they discern whether they will remain part of the PC (USA), **seek new forms of ecclesial belonging within the PC(USA)**, or seek dismissal to another Reformed body.
- The congregation and the Presbytery (including clergy, officers, and team members) refrain from any unauthorized, unilateral changes in the way their assets are held or managed and do not initiate civil or ecclesiastical legal proceedings against the other party.

- Be consistent with the mission & vision of the Presbytery.

If at any time any of the Presbytery's Teams determines that the above expectations are not being met by themselves or others a report shall immediately be made to the congregation and the Presbytery Council. The Council may then initiate appropriate measures in the manner and with the authorities described in the Book of Order (G-9.0503).

### **THE OUTLINE OF THE PROCESS**

Mutual respect and deep conversation and prayer form the basis for three teams in the discerning work of the congregation and the Presbytery: the **Listening Team**, the **Review Team** and the **Implementation Team**. The Presbytery will also form a **Mission Strategy Team** for its own purposes of discernment.

### **LISTENING STEP**

When the leadership of the Presbytery becomes aware, either through formal congregational action, communication from the session, or through informal contacts with congregational leaders or members, that a congregation or its leadership are seriously questioning their continued relationship with the PC(USA), the Council or Executive Presbyter will offer a pastoral visit by a **Listening Team**. Team members and their leaders will be appointed by the Moderator with the advice and consent of the Council.

The purpose of this team is to **engage the session and congregation in mutual listening: a listening to the concerns of the leaders and congregation and to ask them to listen to the team as they respond from the PC(USA) perspective to the issues that are raised. All this is to be done to mutually discern God's leading for the relationship.** The **Listening Team** will share with the leaders and members of the congregation the process outlined in this document, titled, "Discerning the Way," and, if appropriate, seek to create an informal covenant between all parties to abide by this process or something similar jointly agreed upon.

Normally, this listening will be a time of prayer and conversation aimed at understanding the concerns of the congregation **and the Presbytery** and identifying steps toward how the congregation **may or may not** remain in communion with the PC(USA) **including an explanation of various existing or potential ecclesial orders or relationships within the PC(USA) or with other Reformed bodies.** Team size will be dictated by the anticipated scope of effort, e.g., meeting with several small groups will require a bigger team than meeting with a session only. If, during the initial visits, the team determines that progress can be made toward reconciliation through continued dialogue, the team will make recommendations to the Presbytery Council for conducting this continued dialogue. If this team effort leads to resolution of the situation, no further action is required and to God be the glory!

## REVIEW STEP

If through mutual conversation there continue to be serious questions about the congregation's place in the PC(USA), or at the request of the session and the listening team, the Moderator of the Presbytery with the advice and consent of the Presbytery Council will appoint a Review Team to further the discernment process. The basic objective of the Review Team will be to mutually engage the congregation, its leaders, and the Review Team in a prayerful discernment process seeking a mutual understanding of what God may will for the relationship between the congregation and the PC(USA). It is the intent of this process that all parties will seek an amicable and equitable agreement about how the congregation may either remain in the PC(USA), including new forms of ecclesial orders or relationships within the PC(USA) or with other Reformed bodies, or be dismissed. The following steps are expected to be a part of that process:

- To study and assess the situation in the congregation;
- To engage in discussion to clarify issues of concern of both the congregation and the Presbytery, with particular attention to the following:
  - The guidance of Holy Scripture and the Holy Spirit;
  - The call of God to church unity;
  - The value of being a PC(USA) congregation;
  - Mutual clarity of the beliefs, practices, and theology of the PC(USA);
  - Constitutional processes;
  - The existence of or potential for new ecclesial orders or relationships within the PC(USA) or with other Reformed bodies;
  - The exercise of mutual discernment disciplines; and
  - The extent of disaffection with the PC(USA) in the congregation.
- To recommend the next appropriate actions mutually discerned and developed by the Review Team and the congregation.

The Review Team shall consist of 3-7 members, balanced as evenly as may be practicable, given its number, between Ministers of Word and Sacrament and elders/deacons, representing various theological perspectives of the Presbytery as best as possible. It shall make regular updates to the Council, and a full report to the Presbytery Council upon the completion of its work, and its recommendations shall require action by the Presbytery. The decision to appoint this team will be communicated by the Presbytery to the session and all members of the congregation immediately. Such communication shall set forth the rationale for the appointment of the Review Team and the expected steps to be taken and the time frame for those steps.

If the Presbytery Council learns that action by the session or congregation has resulted in an irregularity or delinquency (G. 9.0408), the **Review Team** may be granted all the powers of an Administrative Review Team under G-9.0409. Prior to the granting of such powers, the Presbytery shall promptly advise the session of the alleged irregularity/or delinquency and the session shall have a 15 day period to answer or correct such allegations. The **Review Team** will not in any case,

however, be an Administrative Commission, and will not have power to negotiate settlement matters on behalf of the Presbytery. The **Review Team**, however, may be given certain constitutional authority by the Council or Presbytery as it seeks to study and assess the situation in the congregation regarding the alleged irregularity or delinquency:

- to request records of the session (G-11.0103x) (G-9.0409);
- to look at whatever records may be relevant (e.g., how money is held, title to property, insurance documents, mortgages or other loan documents, corporate officers, corporate articles, bylaws, deeds, charters – especially recent changes in any of these); and
- to give directives (G-9.0410) on behalf of the Presbytery to correct the irregularity or delinquency.

### **Mission Strategy STEP**

Concurrent with the appointment and work of the Review Team, the Council shall appoint a team of persons from the Presbytery, and most especially from the PC(USA) congregations in close proximity to the congregation, for the purpose of reviewing the mission strategy of the Presbytery in the geography currently served by the congregation (G-11.0103a). This team will be known as the **Mission Strategy Team**. Particular attention will be given to the question of what the continuing mission and ministry presence of the PC(USA) should be and how it might be funded in the event the congregation is dismissed to another Reformed body, or becomes a part of a new ecclesial order or relationship within the PC(USA) or with another Reformed body. Attention will be given to define specific mission initiatives or challenges that could be undertaken in the future by the Presbytery. The Mission Strategy Team will regularly report to the Council and may collaborate and share information with the Review Team. The Mission Strategy Team will seek to have its work completed by the time the Review Team makes its full report to the Council.

### **IMPLEMENTATION STEP**

Ultimately, if through the mutual discernment process the Holy Spirit does not bring to light a way for the congregation and the Presbytery to continue to serve God together through the current relationship in the PC(USA), and the findings of the **Review Team** so warrant, the Moderator of the Presbytery will nominate and the Presbytery will elect an appropriate group to implement the actions approved by the Presbytery in accordance with provisions in the Book of Order. The duties and authorities delegated to this group will be tailored to address the specific situation of the congregation. The **Implementing Team** shall keep the Presbytery informed of actions taken, and shall make recommendations directly to Presbytery for any actions that require Presbytery approval.

Some of the principles that guide the work of the Implementation Team will be the following:

- That the discerning process for each congregation in the Presbytery that enters the process may be unique and different from those of other congregations. Thus, the outcomes may be different and are not to be tied to any precedent set by previous or current discernment processes in this Presbytery or another presbytery of the PC(USA).
- That both the congregation and the Presbytery have a commitment to avoid civil or ecclesiastical litigation in keeping with Scriptural injunctions to resolve disagreements between themselves in a manner that avoids harm to the Gospel or the Body of Christ.
- That with regard to the “held in trust” provision in the Book of Order regarding church property (G-8.0201) which states that wherever "legal title to property is lodged" ... it "is held in trust nevertheless for the use and benefit of the Presbyterian Church (U.S.A.)", the Presbytery believes that all property is a tool for advancing the Gospel and for the mission of Jesus Christ and that the overriding concern shall be for maintaining and strengthening the Church's organic unity as it fulfills “The Great Ends of the Church.” Thus, whatever recommendation results from the negotiations between the congregation and the Review Team, they shall seek to minimize the negative impact, whether financial, spiritual, or otherwise, on the mission and ministry of both the congregation and the Presbytery.
- That clarity will be sought on how the potential transfer of ministers and members to either a new Reformed body denomination or another congregation of the PC(USA) can be achieved.
- That there is a commitment to dialog, transparency and openness between all parties (Presbytery, session and congregation) without any threat of punishment or reprisal recognizing that no matter what the end result of the discernment process may be that we will all continue to be sisters and brothers in Christ.

### **Validation and Action on a Congregation's desire and discernment to request dismissal**

If after the **Implementation Team** and the team negotiating on behalf of the congregation have met and negotiated the terms of a dismissal, the next steps in the process are these:

- The congregation shall vote to validate the terms of the dismissal.
  - There shall be at least 50% of the total membership of the congregation present at the meeting
  - Representatives from the Presbytery will be present and allowed to speak
  - The vote taken will be by secret ballot

- For the vote to be considered valid the total voting for dismissal shall be 75% or more of those voting
- The Presbytery shall then vote on the request for dismissal at a regular or special meeting of the Presbytery.
  - The Presbytery shall hear from representatives of the congregation, including those, if any, wishing to remain within the PC(USA)
  - The Presbytery shall hear from the Implementation Team and the Mission Strategy Team
  - The proposal shall be presented as a whole, and acted upon without amendment
  - The final vote shall be preceded by 2/3rds vote required to limit debate
  - The final vote shall be considered passed by 2/3rds of those commissioners present and voting in favor of the dismissal

Should the Presbytery vote down the proposal, the Implementation Team will be requested to confer with the Presbytery and congregation to identify the reasons for the vote and whether an amended proposal would be in order. In such a case it will be assumed that there is not sufficient clarity to identify the will of God on this issue and continued discernment is necessary before any action is taken by Presbytery or congregation.

1st reading at Presbytery, 2/11/2012