

## Descending Overtures from the 32<sup>nd</sup> General Assembly Evangelical Presbyterian Church

### Descending Overture 12-A

That the *Book of Government* §2-3 and §16-14 be amended to make Associate Member Status mandatory after 2 years for certain ministers unless an exception is made by the Presbytery.

Current Language <i>Book of Government</i> §2-3	Proposed Amendment <i>Book of Government</i> §2-3 (changes in bold <i>italics</i> )
<p>§2-3 A minister who is retired or serving in a capacity which may impede or prevent regular and/or required attendance at Presbytery meetings may, upon request, be granted the status of Associate Member, according to the process stipulated in G.16-14. Associate members are entitled to serve with voice and vote on all committees of Presbytery and General Assembly. Associate Members are entitled to serve with voice but not vote on Commissions to ordain and install pastors and to receive churches. Associate Members shall have voice but not vote at all Presbytery and General Assembly meetings. Associate Members are not eligible to serve as officers of any court but do retain all rights and privileges of ordination and are to be afforded the same pastoral care as Active Members. Any Associate Member called to serve as Stated Supply or Interim Supply shall automatically be returned to active membership status during such service.</p>	<p>§2-3 A minister who is retired or serving in a capacity which may impede or prevent regular and/or required attendance at Presbytery meetings may, upon request <b><i>within two years of this change in call</i></b>, be granted the status of Associate Member, according to the process stipulated in G.16-14. <b><i>Those who are retired, serving in a capacity which prevents regular and/or required attendance, or those without Presbytery approved call for two years will automatically be placed on the Associate Membership roll. Presbytery, by a 2/3 vote, may exempt a Minister from becoming an Associate Member for one year. This exemption may be granted to the minister on an annual basis.</i></b> Associate members are entitled to serve with voice and vote on all committees of Presbytery and General Assembly. Associate Members are entitled to serve with voice but not vote on Commissions to ordain and install pastors and to receive churches. Associate Members shall have voice but not vote at all Presbytery and General Assembly meetings. Associate Members are not eligible to serve as officers of any court but do retain all rights and privileges of ordination and</p>

	are to be afforded the same pastoral care as Active Members. Any Associate Member called to serve as Stated Supply or Interim Supply shall automatically be returned to active membership status during such service.
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<b>Current Language</b> <i>Book of Government §16-14</i>	<b>Proposed Amendment</b> <b><i>Book of Government §16-14</i></b> (changes in bold <i>italics</i> )
§16-14 The Presbytery may establish a roll of Associate Members as defined in G.2-3. Presbyteries may place an ordained Minister of Presbytery on the roll of Associate Members upon that Minister’s request and upon recommendation of the Ministerial Committee and a 2/3 vote of Presbytery. Presbyteries may, by 2/3 vote, receive an ordained Minister from another Reformed body as an Associate Member, following the normal process of examination. (G.13-5).	§16-14 The Presbytery <b><i>shall</i></b> establish a roll of Associate Members as defined in G.2-3. Presbyteries may place an ordained Minister of Presbytery on the roll of Associate Members upon that Minister’s request and upon recommendation of the Ministerial Committee and a 2/3 vote of Presbytery <b><i>when that request is made within two years of a change in call which makes one eligible for Associate Membership. All Ministers who have been retired and pastors without Presbytery approved call for two years will automatically be placed on the Associate Member roll.</i></b> Presbyteries may, by 2/3 vote, receive an ordained Minister from another Reformed body as an Associate Member, following the normal process of examination. (G.13-5).

Grounds: Since its beginning, a distinctive feature of the polity of Evangelical Presbyterian Church has been a 2 to 1 ratio of Ruling Elders to Teaching Elders in the higher church courts. In recent years the number of retired ministers and ministers without presbytery approved calls has increased. This trend is likely to continue, making it much more difficult to maintain the 2 to 1 ratio of Ruling Elders to Teaching Elders. The proposed amendment still permits those recently retired, as well as those who have calls outside the bounds that make it difficult to attend meetings, the choice of requesting placement on the Associate Member roll for a period of two years. However, in the proposed amendment, placement on the Associate Member roll is mandatory after two years, with the Presbytery having the authority to make exceptions where appropriate. Since Associate Members are not counted for the purpose of parity adjustments, the proposed amendment increases the possibility of achieving the desired 2:1 ratio of Ruling to Teaching Elders.

**Descending Overture 12-B**

That the *Book of Government* §6-1B be amended by adding the following words to the end of the last sentence: “and their names placed on the Baptized Roll.”

<p style="text-align: center;"><b>Current Language</b> <i>Book of Government §6-1B</i></p>	<p style="text-align: center;"><b>Proposed Amendment</b> <i>Book of Government §6-1B</i> (change in bold <i>italics</i>)</p>
<p>B. Baptized Members: All those whose parent(s) are members in good standing in a congregation are to be considered members of the covenant by right of birth and adoption. As such, they are entitled to pastoral oversight, to instruction, to nurture, and to encouragement to embrace Jesus as Lord and Savior. Such persons are entitled to receive the sacrament of Baptism. Upon reception of that sacrament, they shall be enrolled as Baptized Members.</p>	<p>B. Baptized Members: All those whose parent(s) are members in good standing in a congregation are to be considered members of the covenant by right of birth and adoption. As such, they are entitled to pastoral oversight, to instruction, to nurture, and to encouragement to embrace Jesus as Lord and Savior. Such persons are entitled to receive the sacrament of Baptism. Upon reception of that sacrament, they shall be enrolled as Baptized Members <b><i>and their names placed on the Baptized Roll.</i></b></p>

Grounds: There is potential confusion between current G.6.1B, which restricts Baptized Members to those whose parents are members in good standing in a congregation, and G. 9-1B in which the “Baptized Roll” is to contain names of children of members along with names of others who received baptism upon profession of faith. The proposed amendment links and clarifies the two sections.

## **Descending Overture 12-C**

That *Book of Government* §10-6.E be amended by adding a new section 6 regarding the transfer of lay pastors from other Reformed bodies.

<b>No Current Language</b>	<b>Proposed new <i>Book of Government</i> §10-6E(6)</b>
	6. A Ruling Elder previously commissioned as a lay pastor by another Reformed body may become a Commissioned Pastor as deemed appropriate by the Presbytery and subject to the same requirements of the EPC Commissioned Pastor.

Grounds: Some congregations transferring to the EPC are served by a Ruling Elder designated as a Commissioned Lay Pastor (or similar title). In some situations, requirements of other bodies for those commissioned lay pastors may exceed those of the EPC. Further, some of those commissioned lay pastors may have years of effective ministry experience with the transferring congregation. The *Book of Government* currently has no provision for the transfer of commissioned lay pastors who wish to continue ministry to their congregation as an EPC Commissioned Pastor (G.10-6E). The proposed amendment addresses that situation.

## **Descending Overture 12-D**

That *Book of Government* §12-2 be amended by adding a new section I, providing procedures for Candidates from other Reformed bodies to accept calls from EPC congregations.

<b>No current Language</b>	<b>Proposed Amendment Adding new §12-2I to the <i>Book of Government</i></b>
	I. A Candidate from another Reformed denomination who has been under care for at least one year in that denomination, has met EPC educational requirements for ordination, and is pursuing a call from an EPC congregation shall be examined in the manner prescribed in G.13-2.

Grounds: Congregations may desire to call Candidates from other Reformed bodies that have completed seminary and the required educational preparation for ministry. Currently, such individuals must become members of an EPC congregation for six months, be received by an EPC Presbytery as a Candidate Under Care, and complete the requirements of that Presbytery before being qualified for ordination (*Book of Government* chapters 12 and 13) even though requirements of candidacy in other Reformed bodies may exceed the requirements of the EPC. By contrast, an ordained minister from a non-Reformed tradition who does not meet the same educational qualifications may be called by an EPC congregation without that minister being required to go through membership and candidacy. This proposed amendment addresses that discrepancy by establishing a means by which a candidate from another Reformed body may be called by a congregation and examined by the Presbytery without additional requirements of membership and candidacy.

**Descending Overture 12-E**

That *Book of Government* §16-27B.2 be amended to change the deadline for submitting proposed amendments to the Constitution to the Stated Clerk of the General Assembly from 30 to 60 days prior to the convening of the next session of the General Assembly.

<p style="text-align: center;"><b>Current Language</b> <i>Book of Government §16-27B.2</i></p>	<p style="text-align: center;"><b>Proposed Amendment</b> <i>Book of Government §16-27B.2</i> (change in bold <i>italics</i>)</p>
<p>2. All proposals requesting amendment to the Constitution shall be communicated in writing to the Stated Clerk of the General Assembly no later than 30 days prior to the convening of the next session of the General Assembly. The Stated Clerk shall refer all such proposed amendments to the Permanent Judicial Commission, which shall examine the proposed amendment for clarity and consistency of language and for compatibility with other provisions of the Constitution of the Evangelical Presbyterian Church. The Permanent Judicial Commission shall report its findings to the General Assembly along with its recommendations, which may include an amended version of any proposed constitutional changes as well as advice to accept or decline the proposals referred to the Commission. The General Assembly shall not consider any amendment until there has been a report from the Permanent Judicial Commission.</p>	<p>2. All proposals requesting amendment to the Constitution shall be communicated in writing to the Stated Clerk of the General Assembly no later than <b>60</b> days prior to the convening of the next session of the General Assembly. The Stated Clerk shall refer all such proposed amendments to the Permanent Judicial Commission, which shall examine the proposed amendment for clarity and consistency of language and for compatibility with other provisions of the Constitution of the Evangelical Presbyterian Church. The Permanent Judicial Commission shall report its findings to the General Assembly along with its recommendations, which may include an amended version of any proposed constitutional changes as well as advice to accept or decline the proposals referred to the Commission. The General Assembly shall not consider any amendment until there has been a report from the Permanent Judicial Commission.</p>

Grounds: As the EPC grows, the workload of the Permanent Judicial Commission has increased significantly. The current thirty-day deadline for submitting amendments to the Constitution places an undue burden on the Commission, which must review all proposed amendments to the Constitution. The proposed sixty-day cutoff will ensure that time is available more adequate notice of the workload of the Commission for its May meeting.

## **Descending Overture 12-F**

That Book of Discipline §3-5 be amended by deleting the second paragraph.

<b>Current Language</b> <i>Book of Discipline §3-5</i>	<b>Proposed Amendment</b> <i>Book of Discipline §3-5</i>
<p><b>§3-5 Termination of Jurisdiction</b></p> <p>Jurisdiction in judicial cases ends upon receipt of written notice of renunciation by the Clerk or Stated Clerk of the court of original jurisdiction. In the event an individual orally renounces jurisdiction, this fact shall be confirmed by letter from the court acknowledging that renunciation. The letter shall be delivered in person or by form of mail requiring a written receipt. If the court receives no written response within ten days, the acknowledgement of renunciation of jurisdiction shall be deemed final. In such instances, a case already begun may be concluded only with the permission of the accused.</p> <p>A “Renunciation of Jurisdiction” shall have the effect of terminating membership in the church and removing an officer from membership and ordained office in the Evangelical Presbyterian Church and terminating that person’s exercise of office. Though a court may pronounce a judgment of admonition, suspension, removal from office, or excommunication against a person who has renounced jurisdiction, it need not do so unless the court deems it necessary for the purity and welfare of the church or the benefit of the offender and may not do so without first giving written notice to the person making such renunciation and providing that person an opportunity to respond within fifteen days of the written notice.</p>	<p><b>§3-5 Termination of Jurisdiction</b></p> <p>Jurisdiction in judicial cases ends upon receipt of written notice of renunciation by the Clerk or Stated Clerk of the court of original jurisdiction. In the event an individual orally renounces jurisdiction, this fact shall be confirmed by letter from the court acknowledging that renunciation. The letter shall be delivered in person or by form of mail requiring a written receipt. If the court receives no written response within ten days, the acknowledgement of renunciation of jurisdiction shall be deemed final. In such instances, a case already begun may be concluded only with the permission of the accused.</p>

Grounds: The existence or use of the second paragraph of current D.3-5 undermines or negates the effect of an accused party's renunciation of membership, i.e. the termination of jurisdiction in any judicial case(s) against the accused in the Church Court. The case **Guinn v. Church of Christ** (775 P2d 766 (Oklahoma 1989)) underscores the liability a church may incur if it implemented the second paragraph of current **D.3-5**. The court held the church liable for invasion of privacy and intentional infliction of emotional distress for actions taken after the plaintiff had notified the church she was withdrawing her membership. The court said, "Parishioner voluntarily joined the Church of Christ and by doing so consented to submit to its tenets. When she later removed herself from membership, petitioner withdrew her consent, depriving the church of the power actively to monitor her spiritual life through overt disciplinary acts. No real freedom to choose religion would exist in this land if under the shield of the first amendment religious institutions could impose their will on the unwilling and claim immunity from secular courts for their tortuous acts."