

## Selected 2023 Revisions to the Book of Order

Seattle Presbytery, December 2023

The Book of Order is divided into four categories:

F – Foundations of Presbyterian Polity

G – Form of Government

W –Worship Directory

D – Discipline Rules

The whole is Section D was substantially re-written, so be aware of that if you have to handle a disciplinary matter. The other sections received some updates, but far less than Section D. The printed version of the Book of Order actually puts the newly changed language in bold typeface, so it is easy to see what is new. The following is a non-comprehensive list of changes to the Book of Order for your convenience, accompanied by my annotations. If you need a hard copy of the Book of Order please let me know, so I can arrange to get you a copy... hopefully at the next presbytery meeting on January 16, 2024 (Location TBD). In the meantime, if you need to reference the Book of Order here is a link to the online version: [https://www.pcusa.org/site\\_media/media/uploads/oga/pdf/boo\\_2023-2023\\_publishedversion\\_cover\\_and\\_boo\\_complete.pdf](https://www.pcusa.org/site_media/media/uploads/oga/pdf/boo_2023-2023_publishedversion_cover_and_boo_complete.pdf)

### FOUNDATIONS OF PRESBYTERIAN POLITY

F-1.0404 – Openness. “... As it participates in God’s mission, the Presbyterian Church (USA) seeks: ... a new openness in its own membership, becoming in fact as well as in faith a community of **all people** of all ages, races, ethnicities, **abilities, genders**, and worldly condition....”

### FORM OF GOVERNMENT

G-1.0501 – Meetings.

“Meetings shall be opened and closed with prayer. Unless the congregation shall designate another parliamentary authority in its bylaws, meetings shall be conducted in accordance with the most recent edition of Robert’s Rules of Order Newly Revised, except when it is in contradiction of this constitution. *[Stated Clerk’s Note: The current edition is the 12th edition]*

In accordance with the requirements of Robert’s Rules of Order Newly Revised, **congregations and their committees may meet electronically** at the discretion of their sessions, provided that the technology employed allows for all members present to hear and be heard simultaneously. This includes joining one or more persons electronically to an otherwise in-person meeting. Congregations should adopt special rules of orders and standing rules to govern such meetings.”\*

\*Revised Code of Washington (RCW) 24.03A.390 – Meetings, also allows for electronic meetings: “... (5) **The... bylaws may provide** that an annual or regular meeting of members may be held in a specified location and, if so, provided under the articles or bylaws, through one or more means of **remote communication** through which members not physically present may participate in the meeting substantially concurrently, vote on matters submitted to the members, pose questions, and make comments. ...”

G-1.0504g – Business Proper to Congregational Meetings. Now includes a new subsection g: “**receiving a disciplinary decision against a member of the congregation as required by D-9.0102.**”

G-3.0104 – Officers. “... **It is appropriate for councils to adopt procedures that may allow for electronic session meetings.**” *[Stated Clerk’s Note: Please see the Clerk’s page on the Seattle Presbytery website for sample language]*

G-3.0105 – Meetings. “... In accordance with the requirement of Robert’s Rules of Order Newly Revised, **councils and their commissions and committees may meet electronically**, provided that the technology employed allows for all members present to hear and be heard simultaneously. This includes joining one or more persons electronically to an otherwise in-person meeting. Councils should adopt special rules of order and standing rules to govern such meetings.”

G-3.0106. “... **All councils shall adopt and implement the following policies: a sexual misconduct policy, a harassment policy, a child and youth protection policy, and an antiracism policy.** Each council’s policy shall include requirements for boundary training which includes the topic of sexual misconduct, and child sexual abuse preventative training for its members at least every thirty-six months.”

*[Stated Clerk’s Note: My office will be working on policies suitable for the presbytery and the individual churches.]*

## **DISCIPLINE**

Handling disciplinary matters is an important, if hopefully rare, part of the clerk’s job. Clerks are responsible for making sure that everyone involved in the disciplinary process is properly and fully advised regarding the applicable rules. To this end, if in doubt, be quick to contact the Stated Clerk’s Office for assistance.

Section D, regarding Church Discipline, has some significant changes. In addition to reviewing the new provisions, clerks are encouraged to contact the Stated Clerk of the Presbytery for guidance on the new provisions. With that in mind, the following are some selected provisions for consideration.

D-2.01, et seq. addresses Judicial Process. **There are two primary types of Judicial Process:** (1.) Remedial Process to hold councils accountable for irregularities and/or omissions in their processes and (2.) Disciplinary Process to hold individuals accountable. (See, D-2.0201 and D-2.0202) *[Stated Clerk’s Note: Section D-7 addresses Disciplinary Process against individuals]*

Chapter Four addresses Remediation (D-4.01, et seq.). As a clerk of session you will not need to deal directly with Remediation cases. Those cases will come to the stated clerk of the presbytery, or the stated clerk of the Synod. **HOWEVER**, if you are contacted by someone who wishes to file a complaint in a remedial case you should be aware of the time limitations for doing so under D-4.0205. Deadlines for filing can be as short as 30 days, so in addition to advising potential filers of this you should be quick to refer them to the stated clerk’s Office if you become aware of a potential filing.

Chapter Seven addresses Discipline (D-7.01, et seq.). As a clerk of session this is the form of discipline most likely to fall directly under your responsibility. However, if it is a complaint regarding a pastor or commissioned ruling elder that should be directed to the Presbytery Stated Clerk’s Office (See, D-7.03, et seq., Jurisdiction). Complaints against anyone else in your church will be handled pursuant to D-7.0501. It is important to follow the rules precisely in order to avoid a remedial complaint. This is because there are certain divisions of responsibility in a discipline case that need to be preserved. For example, your session could end up being both jury and judge in a disciplinary matter, so it is important to follow the

rules about maintaining separation. Once an investigating committee has a disciplinary case they have one year to decide whether or not to file charges (See, D-7.1501 and generally Review of Investigating Procedures, D-12, et seq.)

Remember, in disciplinary cases allegations of sexual abuse have their own parallel rules, as contained in D-7.09.

When advising investigating committees and others regarding the rules, be aware that there can be NO FREESTYING in the disciplinary process. The ONLY discipline that can be applied is one of four types of censure, as set forth in D-9.01, et seq. There are four degrees of church censure: “rebuke, rebuke with supervised rehabilitation, temporary exclusion from exercise of ordered ministry (for deacons, ruling elders, and ministers of the Word and Sacrament) or membership rights (for non-ordained church members ), and removal from the ordered ministry or membership.”

In addition to the above, clerks have additional responsibilities for notifying parties and making a record of the proceedings, including trial proceedings (See, D-8.10-12 and D-9.0102, reporting decisions).

D-7.0302e – “Jurisdiction in a disciplinary process ends when a church member or a minister of the Word and Sacrament against whom an allegation has been filed renounces the jurisdiction of the Presbyterian Church (U.S.A.) in accordance with G-2.0407 or G-2.0509. In this case, the clerk of session or stated clerk of the presbytery shall report to the council both the renunciation and the status of the matter at that time....”

D-7.0302e(1) – A person alleged to have been harmed may make the request for a **pastoral inquiry** in accordance with G-3.0109b(6) at any time to the clerk of session or stated clerk, and it shall be brought to the council for consideration. ... . *[Stated Clerk’s Note: This provision provides for something new: “pastoral inquiry.” This grows out of work done at the 226<sup>th</sup> GA, which was intended to make it harder for an accused to simply leave the PC(U.S.A.) without any accountability, or even a record of what they were accused of.]*

D-7.0302e(2) – If an accused has died or is no longer under the jurisdiction of the Presbyterian Church (U.S.A.), the investigating or prosecuting committee shall ask the accuser, and if reasonably possible, those alleged to have been harmed, if they request the council to continue a **pastoral inquiry** under the provision in G-3.0109b(6) or to undertake a separate pastoral inquiry for other offence(s). If they choose to make that request, or if the investigating or prosecuting committee deems it necessary, the investigating or prosecuting committee deems it necessary, the investigating or prosecuting committee shall communicate it to the clerk of session or stated clerk, who shall bring the matter before the council for consideration. **Any information collected in the course of such a pastoral inquiry shall be retained by the council and shall be make available as evidence if at some point the circumstances related to D-7.1501c apply.** *[Stated Clerk’s Note: This builds on subsection (1), above, by making sure that a record is made and preserved regarding the proceedings and findings of a pastoral inquiry, so that if an accused tries to return to the PC(U.S.A.) there is a record of the circumstances under which they departed.]*