

THE PERMANENT JUDICIAL COMMISSION  
of  
The Synod of the Trinity  
of  
THE PRESBYTERIAN CHURCH (U.S.A.)

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**DECISION**

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Session of First Presbyterian Church of Washington, 1793  
Session of First Presbyterian Church of Charleroi  
The Reverend Jeffrey A. Kisner  
The Rev. Frances Lane-Lawrence  
The Rev. D. Jay Losher  
The Rev. Robert Miller  
The Rev. Kenneth E. Nolin  
The Rev. Charles Puff  
The Rev. John Rankin  
The Rev. Susan Vande Kappelle  
The Rev. Robert Vande Kappelle  
The Rev. Betty Voigt  
Commissioned Lay Pastor Robert Randolph  
Commissioned Lay Pastor Linda Mankey  
Complainants

v.

CASE NO. 07.02

The Presbytery of Washington  
Respondent

**ARRIVAL STATEMENT**

This is a remedial case which has come before this Permanent Judicial Commission as a result of a complaint filed by the above named complainants against the Presbytery of Washington.

**JURISDICTION STATEMENT**

The Permanent Judicial Commission finds that it has jurisdiction, that the complainants have standing to complain, that the complaint was properly and timely filed, and that the complaint states a claim upon which relief can be granted.

## HISTORY

At a meeting of Washington Presbytery on March 13, 2007, Washington Presbytery adopted "Proposed Resolution (A)," a copy of which is attached hereto as Exhibit "A", and "Biblical Standards for Christian Leaders Within Washington Presbytery," a copy of which is attached hereto as Exhibit "B".

Following this action, the Complainants, believing that the foregoing actions constituted irregularities under the Constitution of the Presbyterian Church (U.S.A.), filed a complaint with the Stated Clerk of the Synod of the Trinity concerning the following allegations:

### **Irregularity 1 is the adoption of Resolution A.**

**Irregularity 1 is sustained by a vote of 10-0 for the reasons stated in the rationale below:**

The first assignment of irregularity is that the adoption of "Resolution A" by Washington Presbytery was improper for five reasons. The first and second reasons are related and will be discussed together. They assert that Resolution A is irregular because it designates certain ordination and installation standards as "essentials" which are not subject to a case-by-case process and thus establish "essential" requirements without reference to individual circumstances.

The requirement for case-by-case determination of what is an essential of Reformed faith and polity has long been recognized in our denomination (Adopting Act of 1729; the Report of the Special Commission of 1925, adopted in 1927; *Bush et al vs. Presbytery of Pittsburgh*, Synod of the Trinity Case 06.09 decision of May 16, 2007).

It is also noted that "any self-acknowledged practice which the confessions call sin," if unrepented, will preclude ordination and/or installation pursuant to Book of Order G-6.0106b. This broad and ephemeral requirement is stated in "mandatory" terms as defined in Resolution A. Accordingly, Resolution A would provide an unqualified bar to ordination or installation in Washington Presbytery of anyone who is unrepentant of any act or thought that the Confessions call sin. Since it is impossible to read the Confessions without encountering

allegations of sin for thoughts or actions which may no longer be considered sin, or at least no longer be considered the "serious" departure referred to in the Book of Order, G-6.0108a (such as provisions pertaining to Sabbath observance and interest on loans), Resolution A is in conflict with G-60108a and the long-established policy that what is essential must be determined by case-by-case consideration rather than by blanket and unviable prohibitions.

The third reason is that Resolution (A) contravenes the express terms and spirit of the 217<sup>th</sup> General Assembly Authoritative Interpretation of G-6.0108 and its invitation to Presbyterians to engage in dialogue and discernment on divisive issues.

We find that the Presbytery of Washington complied with this invitation only minimally, if at all. The testimony was that the Bentleyville Church introduced Resolution (A) at the January 20, 2007 Presbytery meeting as new business. It was referred to the Committee on Ministry where the Committee voted 4-7, with one abstention, to not recommend the Resolution for approval. The Resolution was, however, approved at the March 13, 2007 meeting. Other than the discussions in the Committee on Ministry and in Presbytery, no dialogue and discernment occurred in the Presbytery. We recommend that the Presbytery provide appropriate opportunities for dialogue and discernment in the hope that additional litigation will not be necessary.

The fourth reason relates to the disposition of Overture 73 to the 217<sup>th</sup> General Assembly. However, no proof was offered as to General Assembly's action and we find the reason of no effect.

The fifth reason is covered under Procedural Matters hereafter.

The use of words and their intent are issues of importance when writing documents intended to define belief and/or behavior in the church. This responsibility cannot be approached with a cavalier attitude. Within our American Presbyterian tradition the words "essential" and "subscribe" convey significant meaning for members of the Presbyterian Church (USA).

The term "essential" has had a specific meaning in the Presbyterian church beginning with the Adopting Act of 1729 and confirmed by the Special Commission of 1925 report in 1927. It has special relevance to a determination of whether a candidate's disagreement with a constitutional standard is of such importance in a specific situation so as to make a candidate "incapable of communion"

within the denomination if the candidate persists in his or her opposing view (Adopting Act of 1729). A distinction must be made between what is mandatory and what is essential. They serve two distinct purposes. Mandatory standards are generally those that pertain without reference to a specific case and provide the general rule. Disobedience of such standards is ordinarily addressed by repentance or disciplinary action, not by exemption or scruple. Essential pertains to specific situations and must be determined specifically candidate by candidate.

**Irregularity 2 is the adoption of Biblical Standards for Christian Leaders Within Washington Presbytery.**

**Irregularity 2 is sustained by a vote of 10-0 for the reasons stated in the rationale below:**

We find the Biblical Standards for Christian Leaders (hereafter, the BSCL) to be unconstitutional in its application of subscriptionism which is a practice prohibited in the church since the Adopting Act of 1729 and reaffirmed by the Swearingen Commission of 1925 [*Rankin et al v. National Capital Union Presbytery*, Remedial Case #193-10].

The signature page of the BSCL requires that the signer read, understand, and *subscribe* to a limited catalog of "personal," "spiritual," and "leadership" standards. The catalog is based ostensibly on seven biblical passages and was apparently adapted from a document used by a congregation in Washington, D.C. for its leaders. A complainant witness testified that in his view these standards themselves were more consistent with the holiness tradition than the Reformed tradition in their approach to such theological issues as sin, redemption, and sanctification and that he, therefore, would refuse to sign the document. Other witnesses also stated their reluctance to sign the document on theological and scriptural grounds.

One witness' uncontradicted testimony quoted the Executive Presbyter as telling a presbytery gathering in July 2006 that "not everybody will sign, but we will know who they are." Another witness was told by the Executive Presbyter that if he had not already come into the presbytery earlier he would not have been admitted as a member because he would have refused to sign the document. This is precisely the kind of abuse which the rule against subscriptionism was designed to avoid.

While the BSCL may be a useful tool for congregational study, presbyteries cannot establish and adopt standards of behavior for ministers of word and sacrament, elders, or deacons that are different from those set forth in the *Book of Order*; nor can their examination be based on standards other than those set forth in the *Book of Order*.

### **Procedural Matters**

Confusion arose as to the manner in which Resolution A was brought to the floor of the presbytery for consideration. The history of the matter was that the Resolution was proposed as new business by one of the sessions within the presbytery. In accordance with presbytery procedures, the resolution was referred to the Committee on Ministry. When the Committee considered the resolution, a motion was made to recommend its adoption. When that motion failed the Committee was unable to arrive at a recommendation. The manner in which the resolution was returned to the body for its deliberation remains clouded. The minutes of the presbytery fail to shed much light on the process, because their handling and subsequent adoption were fraught with confusion and misdirection.

The *Book of Order* provides, at G-9.0302, that meetings of governing bodies shall be conducted in accordance with the most recent edition of *Robert's Rules of Order*. When a matter has been referred to a committee, it is the obligation of the committee to report back to the referring body. [RONR (10<sup>th</sup> ed.) p 499]. It may do so with or without a recommendation and the body's consideration and determination on the matter should proceed as a part of the committee's report. There is no need to re-introduce the matter as new business; it is already before the body. The risk in failing to follow proper procedure in bringing a matter back to the referring body is to sow confusion into the body's deliberations. There is some question with respect to the adoption of Resolution A as to whether there was such confusion that it may not have been clear to the presbyters as to what they were voting on. In addition, there is some question as to whether there was adequate notice to all presbyters with respect to when Resolution A would be considered. Certainly this fractured process denied the presbyters the opportunity to engage in the meaningful dialogue and discernment on divisive issues called for by the Task Force on Peace, Unity, and Purity in its report to the 217<sup>th</sup> General Assembly. In addition to detracting from the body's careful and prayerful deliberation of important business, such confusion risks the perception of chicanery, damaging the trust level within the

presbytery. It would behoove the officers of Washington Presbytery to pay closer attention to *Robert's Rules of Order*.

Adding to the confusion was the fact that it was not determined prior to adoption whether the BSCL was an amendment to the presbytery's standing rules, an amendment or appendage to the Manual, or some other designation. Furthermore, it was unclear how the BSCL would relate to the existing ethics policy, "Life Together in the Community of Faith," an appendix to the Presbytery Manual. The presbytery is certainly free to assign any documents or policies that it adopts as it wishes, but it is important to the understanding of the presbyters in their deliberations that the use of policies and their place among other documents and policies of the presbytery be made clear.

## **ORDER**

IT IS THEREFORE ORDERED that Resolution "A" and "Biblical Standards for Christian Leaders Within Washington Presbytery" are set aside and of no present effect.

IT IS FURTHER ORDERED that the Stated Clerk of the Presbytery of Washington report this Decision to the Presbytery at its first meeting, that the Presbytery enter the full Decision upon its minutes, and that an excerpt from those minutes showing entry of the Decision be sent to the Stated Clerk of the Synod. (D-7.0701)

IT IS FURTHER ORDERED that the Stated Clerk of the Synod of the Trinity report this Decision to the Synod at its first meeting, that the Synod enter the full Decision upon its minutes.

### **ABSENCES AND NON-PARTICIPANTS**

Debbie O'Dell Seneca, William Chancellor, Jay Lewis, Jestyn Payne, and Susan Evans were not present and took no part in the proceedings.

**Dated this fourteenth day of August, 2007**

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David M. Rice, D.Min.  
Moderator, Permanent Judicial Commission

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John A. Matta  
Clerk, Permanent Judicial Commission

## RESOLUTION A

WHEREAS the 217<sup>th</sup> General Assembly of the Presbyterian Church (USA) adopted an Authoritative Interpretation of section G-6.0108 of the Book of Order, declaring that ordaining and installing bodies of the church have the responsibility to examine candidates for ordination as ministers, elders and deacons to determine:

*“Whether a candidate being examined for ordination and/or installation as elder, deacon, or minister of Word and Sacrament has departed from scriptural and constitutional standards for fitness for office”;*

and,

*“Whether any departure constitutes a failure to adhere to the essentials of Reformed faith and polity under G-6.0108 of the Book of Order, thus barring the candidate from ordination and/or installation”;* and,

WHEREAS the Presbytery of Washington is such an ordaining and installing body; and,

WHEREAS the aforementioned Authoritative Interpretation has caused considerable confusion within and without the church regarding what, precisely, constitutes the “essentials of Reformed faith and polity”;

THEREFORE, for the sake of the peace, unity, and purity of the church, the Presbytery of Washington adopts and shall function according to the following resolution: *It is an essential of Reformed polity that the Presbytery of Washington comply with and adhere to the standards for ordination adopted by the whole church and expressed in the Book of Order. Therefore, any departure from ordination standards mandated\* in the Book of Order, unless repented of, shall bar a candidate from ordination and/or installation by the Presbytery of Washington.*

[\*ordination standards mandated in the Book of Order include those instructions designated by the terms “shall”, “is/are to be”, “requirement” or “equivalent expression”.]

1 **BIBLICAL STANDARDS FOR CHRISTIAN LEADERS WITHIN WASHINGTON PRESBYTERY**

2 (Adapted from National Presbyterian Church, Washington D.C.)

3  
4 *It is a true saying that if someone wants to be a church leader they have a good ambition. For a*  
5 *leader must be a good person whose life cannot be spoken against. ... Those who do well as*  
6 *leaders will be well rewarded both by respect from others and also by developing their own*  
7 *confidence and bold trust in the Lord. (1 Timothy 3:1-2a, 13)*

8  
9 Leadership in the church is a responsibility and not a right. It is extended to those who come  
10 under the authority of the church's teaching as expounded in the Bible and Book of Confessions.  
11 It has always been a demanding calling. Today, the gap between Christian and societal values  
12 makes this particularly challenging. As we serve Christ in leadership, we model what we really  
13 believe about our faith. Both our beliefs and our lifestyles are critical to the way we serve Christ  
14 and project Christian leadership.

15  
16 The lack of clear moral guidelines in our society leaves many confused; this confusion extends  
17 often to church life. In an effort to bring some clarity, we have distilled some Biblical principles  
18 for the selection, training and development of those who serve the church as leaders. We want to  
19 be faithful to Biblical standards yet avoid being judgmental. All of us have sinned, with failings  
20 both public and private. At the same time, believing that our leadership and lifestyles must  
21 demonstrate our beliefs, we should be able to say with Paul, "follow me, as I follow Christ."

22  
23 There are three principal passages in the New Testament that explicitly discuss the guidelines for  
24 Christian church leaders. They are: 1 Timothy 3:1-13; Titus 1:5-9; and 1 Peter 5:1-5.  
25 Christian life standards are described well in 2 Corinthians 6:3-10 and Ephesians 5:1-5  
26 instructions on Christian service are found at Ephesians 4:11-13, 15-16 & Philippians 2:1-4.  
27 The Christian leader should continually seek the Lord's help in achieving the standards set forth  
28 in these passages. We have drawn from them the following guidelines.

29  
30 All who seek to lead in the Christian community will strive with the help of the Holy Spirit to  
31 exemplify the following Biblical standards of Christian living:

32  
33 Personal Standards

34  
35 **Integrity:** The Christian leader shall be committed to the highest ethical standards in both  
36 personal and professional conduct.

37 **Speech:** Christian leaders speak the truth in love and are not quarrelsome. Their speech  
38 should reflect their commitment to Christ.

39 **Self Control:** The Christian leader exercises self control in speech and action and is free  
40 from substance abuse (alcohol, drugs and other dependencies).

41 **Sexual Behavior:** The Christian leader is committed to fidelity in the covenant of marriage  
42 between a man and a woman, and chastity in singleness.

43 **Distinctive Lifestyle:** The Christian leader will demonstrate in lifestyle what is desirable in  
44 all believers, the fruit of the spirit: love, joy, peace, patience, kindness, generosity,  
45 faithfulness, gentleness, and self-control.

46 Our leaders seek to illustrate a ministry of grace in their own lives.

47

48 Spiritual Standards

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50 **Personal Faith:** The Christian leader requires a mature, vibrant and Christ-centered faith.  
51 That faith includes a personal grasp of basic Christian beliefs; an active, ongoing relationship  
52 with God, rooted in prayer; obedience to Scripture; and a commitment to growth in love,  
53 holiness, service and fellowship. Christian leaders should not be recent converts.

54 **Lordship of Christ:** In short, the Christian leader is one who acknowledges Jesus Christis  
55 Lord over all areas of life.

56 **Servants:** Christian leaders are to be the servants of others, and be willing to help those in  
57 need.

58 **Christian Growth:** Christian leaders make spiritual growth a continuing priority, reflected in  
59 Bible study, fellowship with other Christians, worship and involvement in Christian  
60 community.

61 **Confession:** Christian leaders are able to confess and repent of their sins. They lead the  
62 church in demonstrating humility and the need for God's grace.

63 **True to the Word of God:** Those who lead are teachers in the Christian community. They  
64 must teach with doctrine faithful to the Scriptures and the guidance of the Book of  
65 Confessions. They come under the authority of the Bible in their own lives.

66 **Commitment to Local Church:** Christian leaders are to be active participants in their local  
67 congregation, regularly attending worship and faithful to the extra commitments their  
68 positions require.

69 **Stewardship:** Christian leaders are to have a growing commitment to progressive and  
70 disciplined giving, proportional to resources. They are to be generous in giving of their time,  
71 talents and financial resources.

72

73 Leadership Standards

74

75 **Balance:** The Christian leader makes an ongoing effort to balance quality relationships  
76 among family, occupation and church responsibilities.

77 **Concern for Others:** Christian leaders have a heart for seeing people come to know Christ  
78 and develop their Christian walk; they cultivate an ability to share their faith.

79 **Commitment to Training Leaders:** The Christian leader is committed to training others,  
80 encouraging them, and giving them opportunities to use their gifts.

81

82

83 Washington Presbytery has established these standards, encouraging our Churches to led by them  
84 as they call, commission, and train their own leadership.

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86 I have read, understand, and subscribe to the "Biblical Standards for Christian Leaders" as  
87 described above.

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(Date)

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