

1                                   **Presbytery of Charlotte Commitment**  
2   **To Congregations Pursuing Discernment or Gracious Separation**  
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5   **PROLOGUE**  
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7   The Presbytery of Charlotte is committed to partnering with pastors, sessions, and  
8   congregations who are seeking dismissal from the denomination and Presbytery or who are  
9   seeking to clarify, study, and enter a conversation regarding issues of disagreement, with  
10   the Presbytery and the Presbyterian Church (U.S.A.).  
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12   Therefore, it is the policy of the Presbytery of Charlotte to live into a gracious context and  
13   by partnering with any church in this process that seeks the will of God for the life,  
14   ministry, and calling of the particular congregation. The Presbytery commits itself to join  
15   with any of its congregations to pursuing dismissal or discernment with a graciousness  
16   befitting those who claim Jesus as Lord.  
17

18   We recognize each congregation's discernment will be unique to that congregation. We also  
19   recognize each congregation's freedom of conscience, and that "God alone is Lord of the  
20   conscience and hath left it free from the doctrines and commandments of men which are in  
21   anything contrary to his Word, or beside it, in matters of faith and worship," (*Book of*  
22   *Order*, F-3.0101). Yet, we also believe that all sides of an issue should be voiced and  
23   understood, that misinformation should be corrected, and that congregations should  
24   explore the full theological and practical implications of the decisions they make regarding  
25   their relationship to the Presbyterian Church (U.S.A.), to the Presbytery of Charlotte, and to  
26   one another. Finally, in all these things, we seek to honor the sovereignty of God, serve the  
27   Lord Jesus Christ, and to live by the fruit of the Holy Spirit, which is "love, joy, peace,  
28   patience, kindness, generosity, faithfulness, gentleness, and self-control. There is no law  
29   against such things. And those who belong to Christ Jesus have crucified the flesh with its  
30   passions and desires. If we live by the Spirit, let us also be guided by the Spirit." (Galatians  
31   5:22-23)  
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33   The Presbytery of Charlotte recognizes that many members in its congregations disagree  
34   with actions and positions taken by the General Assembly of the Presbyterian Church  
35   (U.S.A.) or the Presbytery regarding a range of issues. The Presbytery of Charlotte  
36   acknowledges that honest theological differences can exist and that a time of conversation  
37   about the extent and depth of points of disagreement can be mutually beneficial.  
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39   **The Presbytery of Charlotte offers two processes for congregations – one for**  
40   **those who are studying and weighing issues and another for those seeking**  
41   **gracious separation.**  
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43 **A. For Sessions seeking to clarify, study, and enter a conversation regarding**  
44 **issues of disagreement, the Presbytery of Charlotte offers a process for**  
45 **discernment.**  
46

47 The purpose of this discernment process is to identify the issues, to become informed about  
48 them (theologically, historically, and practically), to allow members of the congregation to  
49 voice their concerns and opinions, and then to faithfully respond.  
50

51 We acknowledge that a discernment process must be flexible. It will vary greatly with each  
52 congregation depending on the congregation's size, context, and the nature of the  
53 disagreements. The discernment process is as follows:  
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- 55 1. The discernment process should be initiated with a request to the session. That request  
56 may come from members of the congregation, a member of the session, a pastor, the  
57 Committee on Ministry, or the General Presbyter. If the session agrees to proceed with  
58 this discernment process, it shall notify the General Presbyter in writing of its desire to  
59 engage together with the Presbytery in a time of discernment. If the session does not  
60 agree to move forward with this discernment process, it shall so inform the requester  
61 and the process shall end.
- 62 2. Within a reasonable time after receiving notification from the session, the General  
63 Presbyter shall appoint at least two representatives of the Presbytery, of whom one is a  
64 ruling elder from that congregation's presbytery cluster, to visit the session and review  
65 this discernment process.
- 66 3. The session shall then decide whether to move forward with this discernment process.
- 67 4. If a session decides to continue this discernment process, a special joint Task Force shall  
68 be formed. The joint Task Force shall consist of an equal number of members from the  
69 congregation appointed by the session and members of the Presbytery appointed by the  
70 General Presbyter. The joint Task Force, numbering no more than eight total members,  
71 shall reflect the diversity of the congregation and the Presbytery. The joint Task Force  
72 shall select its moderator from among its members. The church's current pastoral  
73 leadership may not be a member of the joint Task Force. The joint Task Force shall  
74 identify and report to the session a list of issues and questions around which a  
75 congregational conversation can be framed.
- 76 5. This joint Task Force shall then arrange a series of informal congregational gatherings to  
77 inform the congregation of the issues to be considered, present background information  
78 about them, and listen to the views of congregation members. The joint Task Force shall  
79 work with the local session to determine the schedule of, and set the agenda for the  
80 congregational gatherings. These informal congregational gatherings shall be moderated  
81 by the moderator of the joint Task Force and may include breakout groups, Bible  
82 studies, and times of prayer for the denomination, the Presbytery, and the  
83 congregation. The Presbytery representatives on the joint Task Force shall be afforded  
84 full participation in the congregational gatherings.
- 85 6. Upon completion of the congregational gatherings, the joint Task Force shall work with  
86 the local session to arrange for an open, called session meeting for the purpose of  
87 formally receiving comments from congregation members. The session shall then meet  
88 separately to consider the comments from the congregation and will decide how to  
89 faithfully respond to the issues identified and explored during the congregational  
90 gatherings.
- 91 7. Following the open called session meeting, the joint Task Force shall make a final report  
92 to the General Presbyter and the session, and then be dissolved.  
93

94 **B. For congregations seeking dismissal to another Reformed body, the Presbytery**  
95 **of Charlotte offers a Gracious Separation process.**  
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97 The Gracious Separation process is as follows:  
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- 99 1. The session shall notify the Presbytery in writing of its intent to seek dismissal to  
100 another Reformed body.
- 101 2. Within a reasonable time after receiving notice from the session, the General Presbyter  
102 shall appoint at least two representatives of Presbytery, of whom one is a ruling elder  
103 from that congregation's presbytery cluster, to visit the session, to listen to and enter  
104 into dialog regarding the reasons the session is seeking dismissal, and to review this  
105 dismissal process. If the Session remains convinced that God's will for the particular  
106 congregation is to seek dismissal, then it shall proceed to step three below. If at any  
107 point the session decides not to seek dismissal, then it is encouraged, if it has not  
108 already done so, to initiate the process for discernment. (See Page 1)
- 109 3. After meeting with the representatives of Presbytery, the session shall schedule a  
110 congregational gathering for the purpose of mutual dialog between the Presbytery  
111 representatives, as appointed by the General Presbyter above, and members of the  
112 congregation and session to clarify the concerns leading the session to seek dismissal.  
113 After listening to all concerns, the Presbytery representatives shall address questions  
114 raised and shall review with the congregation this dismissal process.
- 115 4. Following the congregational gathering, the session shall call for a separate meeting of  
116 the congregation. Advance notice for this meeting shall be by written letter to each  
117 member on the active roll of the congregation, as well as through Sunday worship  
118 announcements. The letter shall be mailed at least thirty days in advance of the meeting  
119 date, and public worship announcements shall be made at all worship services between  
120 the date of the call and the actual congregational meeting. The Congregational Meeting  
121 to consider dismissal will be moderated by a member of Presbytery (other than the  
122 congregation's installed/temporary pastor). The two representatives from Presbytery  
123 shall be invited to the meeting.
- 124 5. By agreement to this process, a special quorum for this congregational meeting shall be  
125 one-half of the congregation's active membership, the attendees being recorded by  
126 name. If there is anyone who claims active membership in the church but whose name  
127 is not on the role, they shall be allowed to attend the congregational meeting without  
128 voice and may cast a provisional ballot. Final determination as to the validity of any  
129 provisional ballot will be decided by the General Presbyter after hearing from the  
130 individual and the session.
- 131 6. The session shall make written proposals to the congregation recommending dismissal  
132 to another specified Reformed body. All members present, as well as the  
133 representatives of Presbytery, shall have the right to speak. When the discussion is  
134 concluded, the vote shall be taken by written ballot of the active members of the  
135 congregation present. At least two-thirds of those present and voting must vote in favor  
136 of requesting dismissal to another specified Reformed body in order for the proposal to  
137 be passed.
  - 138 a. If a motion requesting dismissal is passed with at least the requisite two-thirds  
139 majority, then an Administrative Commission on Dismissal (ACD) of Presbytery  
140 shall begin a process of negotiation with the session to determine the terms of  
141 dismissal. This process should be concluded within a reasonable time, but no  
142 more than six months from the time of the congregational vote for dismissal.
  - 143 b. If the terms of dismissal involve the transfer of any property by the congregation,  
144 then those terms must be returned to the congregation for a subsequent

- 145 congregational meeting, called and announced in the same manner as required  
146 for the prior meeting, and with at least one-half of the active congregation  
147 present. The terms of dismissal must be approved by a two-thirds majority of  
148 those present and voting.
- 149 7. In the event that the vote for the terms of dismissal, as agreed upon by the (ACD) and  
150 the session, does not attain the required level of affirmative votes, then the time for  
151 concluding this process shall be extended as appropriate and two choices remain open  
152 to the congregation at this time.
- 153 a. It may, through the session, continue to negotiate with the (ACD) to seek  
154 different terms of dismissal, and then offer these to the congregation for another  
155 vote (under the same rules as the previous meeting and voting requirements); or  
156 b. It may choose not to pursue dismissal further, in which case it must, by  
157 appropriate congregational meeting and vote (under the same rules outlined  
158 above for congregational meetings), rescind its request for dismissal. Should this  
159 take place, the Presbytery shall continue to work with the congregation with the  
160 goal of reducing dissatisfaction and enhancing the relationship between the  
161 Presbytery and the congregation.
- 162 8. If the majority percentage is between sixty-six and two-thirds percent and ninety  
163 percent in favor of requesting dismissal, then the congregation and the (ACD) shall  
164 agree upon a fair money and/or property amount to be given to Presbytery, in order for  
165 the congregation to depart with its property. Several suggested methods of resolution  
166 are here offered for consideration by the (ACD) and the congregation in resolving the  
167 matter, but are not stipulated as mandatory:
- 168 a. The congregation may be dismissed and take with it property equal in value to  
169 the percentage of members present and voting (i.e. if eighty per cent voted to  
170 seek dismissal, the congregation may retain and take with it eighty percent of the  
171 value of its assets, and must prepare a schedule in conjunction with the (ACD) for  
172 the time frame for remitting the remaining twenty percent to the Presbytery.  
173 Alternatively,
- 174 b. The congregation may volunteer to make payments of money to the Presbytery  
175 over a five year period to replace the lost mission and per capita money that the  
176 Presbytery would otherwise have expected to receive during those five years,  
177 either on a straight line basis or on a declining basis (i.e. 100% the first year,  
178 80% the second year, etc.). Alternatively,
- 179 c. A congregation that attains a greater than ninety percent vote, and is thus to be  
180 permitted to depart with all of its property, shall be encouraged to voluntarily  
181 make some monetary contribution to the Presbytery. This contribution is a way of  
182 expressing its gratitude for the historic work of its life as a congregation of the  
183 Presbyterian Church (U.S.A.) through the Presbytery of Charlotte.
- 184 9. If more than ninety percent of those present and voting in item 6.a. above, vote at the  
185 congregational meeting to request dismissal, the Presbytery shall agree to the dismissal,  
186 permitting the congregation to depart with all of its property intact.
- 187 10. The session of a congregation voting in favor of requesting dismissal shall work with the  
188 (ACD) of the Presbytery to address the following:
- 189 a. Church's name: A congregation that is approved for dismissal may take its name  
190 with it, except that it shall take appropriate action to remove any reference to the  
191 Presbyterian Church (U.S.A.) from its formal legal name.
- 192 b. Membership: Prior to the final vote of Presbytery for dismissal, the presbytery  
193 and the congregation shall take all steps possible in order to provide for the  
194 pastoral care and congregational life of those members who do not wish to depart  
195 the Presbyterian Church (U.S.A.). Their protection and nurture shall be a matter

- 196 of paramount concern to both the departing congregation and to the Presbytery.  
197  
198 c. Prior to the final vote of the Presbytery for dismissal the congregation and/or  
199 Presbytery will hold a worship service to pray for the effectiveness and well being  
200 of both the congregation and the Presbytery.  
201 d. Prior to the final vote of Presbytery for dismissal, a congregation will be required  
202 to pay off any loans outstanding to any entity of the Presbyterian Church  
203 (U.S.A.). Matters of loans of the congregation held by non-Presbyterian entities  
204 are the responsibility of the congregation, and the Presbytery shall be legally  
205 relieved of any responsibility related to such loans.  
206 e. Prior to the final vote of Presbytery for dismissal, a congregation will be required  
207 to close out its financial and membership books as of the official date of dismissal,  
208 and to file all reports required by the Presbytery for statistical record- keeping.  
209 f. Prior to the final vote of Presbytery for dismissal, a congregation will be required  
210 to work with the Presbyterian Board of Pensions to effect a clean break as of the  
211 time of dismissal.  
212 g. Prior to the final vote of Presbytery for dismissal, a congregation will work closely  
213 and diligently with the (ACD) to assist in the transfer of membership of members  
214 who do not desire to remain with the disaffiliating congregation.  
215 h. There are some practical considerations to be addressed, should a congregation  
216 request dismissal. These are listed for information, but are not binding for the  
217 purposes of this policy.  
218 1. The status of the minister(s) currently called by the congregation: whether  
219 they shall remain with the congregation and transfer their ministerial status  
220 to the new denomination, or whether they choose to remain within the  
221 Presbyterian Church (U.S.A.), and thus need to look forward to seeking a  
222 new call.  
223 2. The status of any insurance policies held by the congregation with  
224 instrumentalities of the Presbyterian Church (U.S.A.) may need to be  
225 changed.  
226 3. The tax status of a congregation as a 501c(3) non-profit tax-exempt  
227 organization may need to be re-established under the new denomination to  
228 which the congregation is being dismissed.  
229 4. The corporate status of the congregation may need to be revised.

230 Upon the final report of the (ACD) to the Presbytery that these and any additional items  
231 have been resolved or appropriately addressed, the Presbytery shall vote to dismiss the  
232 congregation in accordance with the dismissal terms agreed upon by the congregation and  
233 the (ACD).  
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237 Revised 10/03/2012