Presbytery of Charlotte Commitment
To Congregations Pursuing Discernment or Gracious Separation

PROLOGUE

The Presbytery of Charlotte is committed to partnering with pastors, sessions, and congregations who are seeking dismissal from the denomination and Presbytery or who are seeking to clarify, study, and enter a conversation regarding issues of disagreement, with the Presbytery and the Presbyterian Church (U.S.A.).

Therefore, it is the policy of the Presbytery of Charlotte to live into a gracious context and by partnering with any church in this process that seeks the will of God for the life, ministry, and calling of the particular congregation. The Presbytery commits itself to join with any of its congregations to pursuing dismissal or discernment with a graciousness befitting those who claim Jesus as Lord.

We recognize each congregation’s discernment will be unique to that congregation. We also recognize each congregation's freedom of conscience, and that “God alone is Lord of the conscience and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith and worship,” (Book of Order, F-3.0101). Yet, we also believe that all sides of an issue should be voiced and understood, that misinformation should be corrected, and that congregations should explore the full theological and practical implications of the decisions they make regarding their relationship to the Presbyterian Church (U.S.A.), to the Presbytery of Charlotte, and to one another. Finally, in all these things, we seek to honor the sovereignty of God, serve the Lord Jesus Christ, and to live by the fruit of the Holy Spirit, which is “love, joy, peace, patience, kindness, generosity, faithfulness, gentleness, and self-control. There is no law against such things. And those who belong to Christ Jesus have crucified the flesh with its passions and desires. If we live by the Spirit, let us also be guided by the Spirit.” (Galatians 5:22-23)

The Presbytery of Charlotte recognizes that many members in its congregations disagree with actions and positions taken by the General Assembly of the Presbyterian Church (U.S.A.) or the Presbytery regarding a range of issues. The Presbytery of Charlotte acknowledges that honest theological differences can exist and that a time of conversation about the extent and depth of points of disagreement can be mutually beneficial.

The Presbytery of Charlotte offers two processes for congregations – one for those who are studying and weighing issues and another for those seeking gracious separation.
A. For Sessions seeking to clarify, study, and enter a conversation regarding issues of disagreement, the Presbytery of Charlotte offers a process for discernment.

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

We acknowledge that a discernment process must be flexible. It will vary greatly with each congregation depending on the congregation's size, context, and the nature of the disagreements. The discernment process is as follows:

1. The discernment process should be initiated with a request to the session. That request may come from members of the congregation, a member of the session, a pastor, the Committee on Ministry, or the General Presbyter. If the session agrees to proceed with this discernment process, it shall notify the General Presbyter in writing of its desire to engage together with the Presbytery in a time of discernment. If the session does not agree to move forward with this discernment process, it shall so inform the requester and the process shall end.

2. Within a reasonable time after receiving notification from the session, the General Presbyter shall appoint at least two representatives of the Presbytery, of whom one is a ruling elder from that congregation’s presbytery cluster, to visit the session and review this discernment process.

3. The session shall then decide whether to move forward with this discernment process.

4. If a session decides to continue this discernment process, a special joint Task Force shall be formed. The joint Task Force shall consist of an equal number of members from the congregation appointed by the session and members of the Presbytery appointed by the General Presbyter. The joint Task Force, numbering no more than eight total members, shall reflect the diversity of the congregation and the Presbytery. The joint Task Force shall select its moderator from among its members. The church’s current pastoral leadership may not be a member of the joint Task Force. The joint Task Force shall identify and report to the session a list of issues and questions around which a congregational conversation can be framed.

5. This joint Task Force shall then arrange a series of informal congregational gatherings to inform the congregation of the issues to be considered, present background information about them, and listen to the views of congregation members. The joint Task Force shall work with the local session to determine the schedule of, and set the agenda for the congregational gatherings. These informal congregational gatherings shall be moderated by the moderator of the joint Task Force and may include breakout groups, Bible studies, and times of prayer for the denomination, the Presbytery, and the congregation. The Presbytery representatives on the joint Task Force shall be afforded full participation in the congregational gatherings.

6. Upon completion of the congregational gatherings, the joint Task Force shall work with the local session to arrange for an open, called session meeting for the purpose of formally receiving comments from congregation members. The session shall then meet separately to consider the comments from the congregation and will decide how to faithfully respond to the issues identified and explored during the congregational gatherings.

7. Following the open called session meeting, the joint Task Force shall make a final report to the General Presbyter and the session, and then be dissolved.
B. For congregations seeking dismissal to another Reformed body, the Presbytery of Charlotte offers a Gracious Separation process.

The Gracious Separation process is as follows:

1. The session shall notify the Presbytery in writing of its intent to seek dismissal to another Reformed body.

2. Within a reasonable time after receiving notice from the session, the General Presbyter shall appoint at least two representatives of Presbytery, of whom one is a ruling elder from that congregation’s presbytery cluster, to visit the session, to listen to and enter into dialog regarding the reasons the session is seeking dismissal, and to review this dismissal process. If the Session remains convinced that God’s will for the particular congregation is to seek dismissal, then it shall proceed to step three below. If at any point the session decides not to seek dismissal, then it is encouraged, if it has not already done so, to initiate the process for discernment. (See Page 1)

3. After meeting with the representatives of Presbytery, the session shall schedule a congregational gathering for the purpose of mutual dialog between the Presbytery representatives, as appointed by the General Presbyter above, and members of the congregation and session to clarify the concerns leading the session to seek dismissal. After listening to all concerns, the Presbytery representatives shall address questions raised and shall review with the congregation this dismissal process.

4. Following the congregational gathering, the session shall call for a separate meeting of the congregation. Advance notice for this meeting shall be by written letter to each member on the active roll of the congregation, as well as through Sunday worship announcements. The letter shall be mailed at least thirty days in advance of the meeting date, and public worship announcements shall be made at all worship services between the date of the call and the actual congregational meeting. The Congregational Meeting to consider dismissal will be moderated by a member of Presbytery (other than the congregation’s installed/temporary pastor). The two representatives from Presbytery shall be invited to the meeting.

5. By agreement to this process, a special quorum for this congregational meeting shall be one-half of the congregation’s active membership, the attendees being recorded by name. If there is anyone who claims active membership in the church but whose name is not on the role, they shall be allowed to attend the congregational meeting without voice and may cast a provisional ballot. Final determination as to the validity of any provisional ballot will be decided by the General Presbyter after hearing from the individual and the session.

6. The session shall make written proposals to the congregation recommending dismissal to another specified Reformed body. All members present, as well as the representatives of Presbytery, shall have the right to speak. When the discussion is concluded, the vote shall be taken by written ballot of the active members of the congregation present. At least two-thirds of those present and voting must vote in favor of requesting dismissal to another specified Reformed body in order for the proposal to be passed.

   a. If a motion requesting dismissal is passed with at least the requisite two-thirds majority, then an Administrative Commission on Dismissal (ACD) of Presbytery shall begin a process of negotiation with the session to determine the terms of dismissal. This process should be concluded within a reasonable time, but no more than six months from the time of the congregational vote for dismissal.

   b. If the terms of dismissal involve the transfer of any property by the congregation, then those terms must be returned to the congregation for a subsequent
congregational meeting, called and announced in the same manner as required for the prior meeting, and with at least one-half of the active congregation present. The terms of dismissal must be approved by a two-thirds majority of those present and voting.

7. In the event that the vote for the terms of dismissal, as agreed upon by the (ACD) and the session, does not attain the required level of affirmative votes, then the time for concluding this process shall be extended as appropriate and two choices remain open to the congregation at this time.
   a. It may, through the session, continue to negotiate with the (ACD) to seek different terms of dismissal, and then offer these to the congregation for another vote (under the same rules as the previous meeting and voting requirements); or
   b. It may choose not to pursue dismissal further, in which case it must, by appropriate congregational meeting and vote (under the same rules outlined above for congregational meetings), rescind its request for dismissal. Should this take place, the Presbytery shall continue to work with the congregation with the goal of reducing dissatisfaction and enhancing the relationship between the Presbytery and the congregation.

8. If the majority percentage is between sixty-six and two-thirds percent and ninety percent in favor of requesting dismissal, then the congregation and the (ACD) shall agree upon a fair money and/or property amount to be given to Presbytery, in order for the congregation to depart with its property. Several suggested methods of resolution are offered for consideration by the (ACD) and the congregation in resolving the matter, but are not stipulated as mandatory:
   a. The congregation may be dismissed and take with it property equal in value to the percentage of members present and voting (i.e. if eighty per cent voted to seek dismissal, the congregation may retain and take with it eighty percent of the value of its assets, and must prepare a schedule in conjunction with the (ACD) for the time frame for remitting the remaining twenty percent to the Presbytery. Alternatively,
   b. The congregation may volunteer to make payments of money to the Presbytery over a five year period to replace the lost mission and per capita money that the Presbytery would otherwise have expected to receive during those five years, either on a straight line basis or on a declining basis (i.e. 100% the first year, 80% the second year, etc.). Alternatively,
   c. A congregation that attains a greater than ninety percent vote, and is thus to be permitted to depart with all of its property, shall be encouraged to voluntarily make some monetary contribution to the Presbytery. This contribution is a way of expressing its gratitude for the historic work of its life as a congregation of the Presbyterian Church (U.S.A.) through the Presbytery of Charlotte.

9. If more than ninety percent of those present and voting in item 6.a. above, vote at the congregational meeting to request dismissal, the Presbytery shall agree to the dismissal, permitting the congregation to depart with all of its property intact.

10. The session of a congregation voting in favor of requesting dismissal shall work with the (ACD) of the Presbytery to address the following:
   a. Church’s name: A congregation that is approved for dismissal may take its name with it, except that it shall take appropriate action to remove any reference to the Presbyterian Church (U.S.A.) from its formal legal name.
   b. Membership: Prior to the final vote of Presbytery for dismissal, the presbytery and the congregation shall take all steps possible in order to provide for the pastoral care and congregational life of those members who do not wish to depart the Presbyterian Church (U.S.A.). Their protection and nurture shall be a matter
of paramount concern to both the departing congregation and to the Presbytery.

c. Prior to the final vote of the Presbytery for dismissal the congregation and/or
Presbytery will hold a worship service to pray for the effectiveness and well being
of both the congregation and the Presbytery.

d. Prior to the final vote of Presbytery for dismissal, a congregation will be required
to pay off any loans outstanding to any entity of the Presbyterian Church
(U.S.A.). Matters of loans of the congregation held by non-Presbyterian entities
are the responsibility of the congregation, and the Presbytery shall be legally
relieved of any responsibility related to such loans.

e. Prior to the final vote of Presbytery for dismissal, a congregation will be required
to close out its financial and membership books as of the official date of dismissal,
and to file all reports required by the Presbytery for statistical record-keeping.

f. Prior to the final vote of Presbytery for dismissal, a congregation will be required
to work with the Presbyterian Board of Pensions to effect a clean break as of the
time of dismissal.

g. Prior to the final vote of Presbytery for dismissal, a congregation will work closely
and diligently with the (ACD) to assist in the transfer of membership of members
who do not desire to remain with the disaffiliating congregation.

h. There are some practical considerations to be addressed, should a congregation
request dismissal. These are listed for information, but are not binding for the
purposes of this policy.

1. The status of the minister(s) currently called by the congregation: whether
they shall remain with the congregation and transfer their ministerial status
to the new denomination, or whether they choose to remain within the
Presbyterian Church (U.S.A.), and thus need to look forward to seeking a
new call.

2. The status of any insurance policies held by the congregation with
instrumentalities of the Presbyterian Church (U.S.A.) may need to be
changed.

3. The tax status of a congregation as a 501c(3) non-profit tax-exempt
organization may need to be re-established under the new denomination to
which the congregation is being dismissed.

4. The corporate status of the congregation may need to be revised.

Upon the final report of the (ACD) to the Presbytery that these and any additional items
have been resolved or appropriately addressed, the Presbytery shall vote to dismiss the
congregation in accordance with the dismissal terms agreed upon by the congregation and
the (ACD).

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