

**ASSOCIATION OF STATED CLERKS**

***Analysis of Amendments to the Constitution  
Proposed by the 217th General Assembly (2006)***

November 2006

## INTRODUCTION

As in prior years, the Association of Stated Clerks is publishing this *Analysis of Amendments* to assist presbyteries in studying and acting on the amendments proposed by this year's General Assembly.

Our effort has been to present all arguments made in favor of and against each amendment both in meetings of the assembly committee that considered the overture leading to the amendment and in the floor of the General Assembly. It is not our role to make a recommendation either in favor of or against any amendment.

Many presbyteries provide copies of this booklet to their committees responsible for making a recommendation on presbytery action, and we have been told that this has assisted those committees as they have done their work. We are glad that these materials are used in that way. Please note that you are free to use them as you wish. We assert no copyright and do not require advance approval of their use.

2006 has been remarkable for the absence of partisan debate on any of the proposed amendments. We hope this spirit of tranquility will persist.

Thanks to the ASC members who diligently attended committee meetings and provided information about what the pros and cons of each amendment were.

*Soli Deo Gloria!*

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**Amendment 06-A**  
**Revision of Form of Government, Chapter XIV**  
**with Additional Amendments to Book of Order Preface**  
**and G-6.0500, G-6-0600, G-6.0700, G-9.0405,**  
**G-11.0405 G-11.0408 and G-11.0405**

Background

The 216<sup>th</sup> General Assembly (2004) directed the Office of the General Assembly (OGA) to engage in consultations across the denomination about the desire for revisions to the Form of Government. These consultations led to a recommendation by the 217<sup>th</sup> General Assembly (2006) that a task force be appointed to draft a proposal for a simplified Form of Government, a proposal for an immediate simplification of Chapter XIV, which is Amendment 06-A.1, related amendments to other parts of the Form of Government, which are amendment 06-A.2, and a proposal for six other amendments to Chapter XIV, which are Amendment 06-B.

**Amendment 06-A.1**

Brief Description

Amendment 06-A.1 proposes a simplification of Chapter XIV of the Form of Government to provide more flexibility to presbyteries in candidacy and minister placements. It is not intended to make any substantive change in Chapter XIV or the practices that have grown up under it.

Amendments 06-A.2.a adds provisions relating to advisory handbooks “to guide synods and presbyteries in procedures related to the oversight of ministry.”

These are to be developed by GA agencies, in consultation with the OGA and middle governing bodies. Their use is commended, but not mandatory

Amendment 06-A.2.b moves language relating to dissolution of the relationship of elder or deacon to a new section G-6.0500.

Amendment 06-A.2.c moves provisions relating to release from the exercise of ordained office to a new section G-6.0600.

Amendment 06-A.2.d moves provisions relating to employment of a minister of another denomination in a temporary relationship to a new section G-11.0405c.

Amendment 06-A.2.e makes existing section G-11.0408 subsection a of G-11.0408 and moves provisions relating to a call to a validated ministry to new subsections b and c of G-11.0408.

Assembly Action

The proposed amendments were considered by the Assembly Committee on Church polity, which approved them by a vote of 40/6/1. The committee’s recommendation was approved by the General Assembly by a show of hands.

### Arguments Supporting an Affirmative Vote

- The amendments within 06-A make no substantive change in existing provisions and practices.
- The proposed amendment responds to the call of the Church for simplification and condensation of Chapter XIV.
- The revision allows flexibility and restores much of the decision making to presbyteries.
- The revision consolidates provisions relating to certification and makes them uniform.

### Arguments Supporting a Negative Vote

- Rather than developing their own policies and procedures, presbyteries would become dependent on ““advisory handbooks”” written by GA entities. This would give the GA entities authority to make changes that are implemented by governing bodies without approval by any governing body.
- Presbyteries need the standardized processes and procedures that the current Chapter XIV provides.

## **Amendment 06-B.1**

### Brief Description

Amendment 06-B.1 moves ordination, installation and commissioning questions to a new section W-4.0400 of the Directory for Worship, noting that all of the questions, except the final one which is office-specific, are identical. It also states in a uniform manner other provisions relating to the service of ordination and installation.

### Assembly Action

This amendment was referred to the Assembly Committee on Church Polity, which approved it by a unanimous vote. The General Assembly approved the committee’s recommendation by a show of hands.

### Arguments Supporting an Affirmative Vote

- Placing this material in the Directory for Worship embodies the theological teaching that ordination and installation of officers must always occur in the context of worship.
- Ordination is to function, and everyone being ordained answers the same questions, except for the final one, which is directed to each office individually.
- Having all of the information concerning ordinations, installations and commissioning in one location would simplify planning the services.

### Arguments Supporting a Negative Vote

None were expressed.

## **Amendment 06-B.2**

### Brief Description

Amendment 06-B.2 reinstates the old concept of licensure, but restricts it to licensure of candidates who have the preparation process, except for passing all ordination examinations.

### Assembly Action

The proposed amendment was referred to the Assembly Committee on Church Polity, which unanimously recommended approval. The General Assembly approved the committee's recommendation by a show of hands.

### Arguments Supporting an Affirmative Vote

- Licensure allows candidates to have hands-on experience while preparing to finish their exams outside the academic setting. Since the exams are designed to test assimilation of academic training with pastoral sense, this experience may aid them in passing the exams.
- This amendment allows presbyteries to allow qualified candidates to administer the sacraments. This will allow candidates to pastor small congregations, where they may remain for a few years even after they are ordained.

### Arguments Supporting a Negative Vote

None were expressed.

## **Amendment 06-B.3**

### Brief Description

Amendment 06-B.3 removes the requirement of synod approval of a presbytery's alternate examination procedures for candidates who have failed one or more examinations twice or have a documented disability.

### Assembly Action

The proposed amendment was referred to the Assembly Committee on Church Polity, which unanimously recommended approval. The General Assembly approved the committee's recommendation by a show of hands.

### Arguments Supporting an Affirmative Vote

- The amendment restores final approval of alternate ordination exams to presbyteries, where it belongs.
- The requirement of synod approval creates a bureaucratic delay in a candidate's progress, without being a safeguard of the process.

### Arguments Supporting a Negative Vote

None were expressed.

**Amendment 06-C**  
***Enabling a New General Assembly Council Structure***  
**On Amending G-9.0703, G-13.0107 and G-13.0202**

Brief Description

The General Assembly Council (GAC) completed a self-evaluation in 2003, reaching the conclusion that the GAC needed a closer relationship with middle governing bodies and congregations and that its size was too large. In addition, the move to biennial assemblies has changed terms of office and altered the functions of the GAC. This amendment proposes changes in the structure of the GAC that are responsive to the conclusions of the self-evaluation.

Background

The amendment seeks to make the GAC more responsive to middle governing bodies and congregations by reducing its size and emphasizing cooperation and communication with presbytery and synod executives. The new structure also is intended to support the four goal areas that are now the structure of the General Assembly's Mission Work Plan. It removes from the GAC its oversight and coordination responsibilities and redirects it toward providing resources to support the work of middle governing bodies.

Specifically, G-9.0703 is amended to remove the requirement that the GAC concur in the election of executives of General Assembly agencies; G-13.0201 is amended to provide that each synod will name a member of the GAC and all the GA permanent committees and to eliminate GAC responsibility for coordinating the work of GA agencies and lower governing bodies, GAC review of the work of GA agencies and bodies, budget preparation, and matters relating to administrative staff, compensation, and personnel policies at the GA and middle governing body levels. It amends G-13.0202 to grant to the General Assembly responsibility for the membership, terms of office, and officers of the GAC, eliminating the specification of voting members previously in this section and moving them to a GAC Manual of Operations.

Assembly Action

The proposed amendment was approved by a show of hands in the Assembly Committee on Mission Coordination. The General Assembly approved the committee's recommendation by a show of hands.

Arguments Supporting an Affirmative Vote

- The amendment realigns the GAC's role consistently with the move away from a top-heavy denominational structure toward a structure centered in the presbyteries.
- The reduced size of the GAC will enable it to work more efficiently and with greater accountability.

- The amendment eliminates the role of the GAC in the election of executives of General Assembly agencies, as well as its responsibilities for administrative staff, compensation, and personnel policies.

#### Arguments Supporting a Negative Vote

- The amendment takes away GAC responsibilities without assigning them elsewhere. It is likely that the responsibilities will be assumed by the Louisville staff, rather than by elected officers.
- By removing the requirements that govern the composition of the GAC from the *Form of Government* to a Manual of Operations, these requirements will no longer be subject to review and approval of the presbyteries.
- It is not clear that each GA committee needs a representative from each synod.

### **Amendment 06-D Opening COM to Access by Commissioned Lay Pastors On Amending G-11.0503**

#### Brief Description

Commissioned lay pastors (CLP) serve the function a minister to a particular congregation. The CLP, although an elder, may not be a member of the session of the church he or she is serving. The amendment provides access by the CLP to the committee on ministry on the same basis as elders who are members of sessions and ministers.

#### Assembly Action

The proposed amendment was approved by a show of hands in the Assembly Committee on Mission Coordination. The General Assembly approved the committee's recommendation by a show of hands.

#### Arguments Supporting an Affirmative Vote

- The amendment corrects an oversight that was made when CLP provisions were added to Book of Order.
- It is appropriate for the Committee on Ministry to have the same relationship with commissioned lay pastors and ministers serving a particular congregation.

#### Arguments Supporting a Negative Vote

None were expressed.

## **Amendment 06-E Members of the Synod On Amending G-12.0101**

### Background

The *Book of Order* permits presbyteries to enroll officers, committee chairpersons and council members during their respective terms of office. The synods have lacked this authority. This amendment allows persons in the specified positions to have voice and vote at synod meetings.

### Assembly Action

The proposed amendment was approved by unanimous vote of the Assembly Committee on Church Polity and as part of the consent agenda of the General Assembly.

### Arguments Supporting an Affirmative Vote

- The amendment grants authority to synods to enroll officers, committee chairpersons and council members as voting members of the synod during their terms of office.
- This measure gives voice and vote to a group of ministers and elders who are actively engaged in the work of the synod.

### Arguments Supporting a Negative Vote

None were expressed.

**Amendment 06-F**  
***Naming Certified Christian Educators as Mandated Reporters***  
**On Amending G-14.0701**

Brief Description

Amendment 06-F would mandate certified Christian educators and certified associate Christian educators in the course of their service to report to ecclesiastical and civil legal authorities harm or risk of harm, abuse, or neglect of a minor or of an adult who lacks mental capacity, “when such information is gained outside of a privileged communication” or when the reporting person “reasonably believes there is risk of future physical harm or abuse.”

Background

In the shadow of public revelations of clergy abuse in the national media, the 216<sup>th</sup> General Assembly (2004) approved, as did a majority of presbyteries, the inclusion in Form of Government Chapter VI sentences mandating ministers of Word and Sacrament, elders, and deacons to report abuse or neglect of a minor or of an adult who lacks mental capacity. Amendment 06-F would extend that mandated reporting responsibility to certified Christian educators and certified associate Christian educators. The inclusion of certified Christian educators and certified associate Christian educators as mandated reporters recognizes that it is ethically consistent for them to adhere to the same reporting standards as church officers in that they serve in the same environment and often have more contact and supervision of the children, minors and adults who lack mental capacity than many church officers.

Assembly Action

The Assembly Committee on Church Growth and Christian Education recommended approval of this amendment by a vote of 36/6/4. The General Assembly approved the committee’s recommendation by a vote of 440/18/4.

Arguments Supporting an Affirmative Vote

- Once the tragic damage that can flow from abuse and neglect by even one person was more widely seen, the church through amendment of its Constitution responded by mandating minister of Word and Sacrament, elders and deacons to report “... *harm, or risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of privileged communication; or (2) he or she reasonably believes that there is risk of future physical harm or abuse.*” This reporting responsibility should be extended by amendment 06-F to include Certified Christian Educators and certified associate Christian educators for the same reasons.
- The church’s ministry of love in Christ’s name minimally includes the protection from harm of children and others who are at risk of abuse and neglect in the community.

- This amendment gives structure and responsibility to persons called and employed in congregations and governing bodies to report suspected wrongful behaviors thus extending the care of the church to the most vulnerable of God's children and making the church's intent to do so more visible.

#### Arguments Supporting a Negative Vote

- Many states already have laws that require persons working with children, minors, or adults who lack mental capacity to report suspected abuse or neglect to a state authority thus making this amendment redundant and unnecessary.
- All citizens have the right and responsibility to report suspected child or mentally limited adult or elderly adult abuse or neglect to civil authorities. Similarly, church members and officers may report suspected abuse or neglect to church authorities.
- The targeted group, certified Christian educators and certified associate Christian educators, includes some persons who are not Presbyterians and are, therefore, not under the ecclesiastical jurisdiction of the PC(USA).
- Certified Christian educators, unlike other mandated reporters, are not officers of the church by reason of such a position and are not bound by ordination vows. They have no argument that a communication with them is privileged.