

# **Handbook for Clerks of Session**



**I Timothy 3:1 – “... a noble task.”**

**New Jersey Presbytery Edition  
January 2023**

**Compiled by Staff, Office of the Stated Clerk  
Presbyterian Church in America**

**Adopted by the Office of the Stated Clerk  
New Jersey Presbytery**

## Foreword

In his letter to Pastor Timothy, the Apostle Paul points out that, **“If anyone aspires to the office of overseer [elder, bishop], he desires a noble task.”** (*1 Timothy 3:1 ESV*) Welcome to the office of the Clerk of Session. As an Elder in the Presbyterian Church in America, you have embarked upon this noble task. Now, as Clerk of Session, you hold an important position in your church – not only to strive to maintain the peace and purity of the church along with the other Elders, but also to oversee the orderly management and administration of the congregation. The records you keep will provide an accurate account of the actions of your Session in maintaining the spiritual government of the Church.

As clerk, you will record the history of your church as you write the Session minutes. Your minutes will enable future generations to learn what your church did to carry out the motto of the Presbyterian Church in America: *Faithful to the Scriptures, True to the Reformed Faith, and Obedient to the Great Commission.*

This handbook has been prepared to assist you in keeping the Presbyterian tradition of doing all things “decently and in order.” It contains basic information about your tasks, along with examples to aid you in carrying out your work.

The Handbook does not have constitutional authority, but it does point you to sections of the *Book of Church Order (BCO)* that are relevant to your duties. Material has been drawn from *BCO*, the *PCA Handbook for Presbytery Clerks*, *Roberts Rules of Order* and handbooks from other Presbyterian and Reformed denominations.

Please don’t hesitate to call the Stated Clerk of Presbytery if you have questions. He will help guide you through the complexities of polity. And the Office of the Stated Clerk in Atlanta is also available if you have questions. We are all here to help!

**Presbyterian Church in America**  
**New Jersey Presbytery**  
[www.njpresbytery.org](http://www.njpresbytery.org)

**and**

Office of the Stated Clerk  
Administrative Committee  
1700 North Brown Road, Suite 105  
Lawrenceville, GA 30043-8143  
678-825-1000  
[ac@pcanet.org](mailto:ac@pcanet.org) [www.pcaac.org](http://www.pcaac.org)

## Table of Contents

<b>THE CLERK OF SESSION</b> .....	<b>3</b>
<b>SESSION MEETINGS</b> .....	<b>5</b>
<b>MEMBERSHIP ROLLS</b> .....	<b>9</b>
<b>CONGREGATIONAL MEETING</b> .....	<b>11</b>
Voting In Congregational Meetings .....	12
Election of Ruling Elders and Deacons.....	13
Calling of a Pastor .....	14
<b>JUDICIAL MATTERS</b> .....	<b>16</b>
<b>CORPORATION MEETINGS AND AUTHORITIES</b> .....	<b>17</b>
<b>APPENDIX A – SESSION MEETING TEMPLATES</b> .....	<b>19</b>
Form A1 – Stated Session Meeting Agenda.....	19
Form A2 – Minutes for a Stated Meeting .....	20
Form A-3 – Stated Session Meeting Minutes .....	22
Form A-4 – Called Session Meeting Minutes.....	23
Form A-5 – Called Session Meeting Minutes.....	24
Suggestions for an annual Housing Allowance Resolution.....	25
<b>APPENDIX B – CONGREGATIONAL MEETING TEMPLATES</b> .....	<b>26</b>
Form B1 – Agenda for Election of Officers .....	26
Form B2 – Agenda for Election of Pastor.....	27
<b>APPENDIX C – JUDICIAL MATTERS</b> .....	<b>29</b>
Procedural Checklist for PCA <i>BCO</i> Rules of Discipline .....	30
Sessional Judicial Commissions .....	42
Procedures for a Case without Process BCO 38-1 .....	48
<b>APPENDIX D – COMMON QUESTIONS FROM SESSION CLERKS</b> .....	<b>55</b>
<b>APPENDIX E – SESSION RECORDS GUIDELINES</b> .....	<b>59</b>
<b>APPENDIX F – GUIDANCE REGARDING SESSION MINUTES</b> .....	<b>64</b>

This page remains blank.

## THE CLERK OF SESSION

*The Book of Church Order (BCO)* requires that every court of the PCA have a moderator and a clerk. By his office, the Pastor serves as the moderator of the Session. The clerks of presbytery and General Assembly are called Stated Clerks. Clerks serving a Session are called Clerks of Session. The Elder elected as clerk should understand the responsibilities and duties of the Session, have knowledge of Presbyterian Church government, and be willing to learn basic parliamentary procedure.

The *BCO* outlines the duties of clerks as follows: “*It is the duty of the clerk, besides the recording of transactions, to preserve the records carefully, and to grant extracts from them whenever properly required*” (*BCO 10-4*). The Session will often look to you, as Clerk of Session, for direction in the interpretation and application of the *BCO* in matters related to procedure. You may face situations where you are unsure how to answer. In such cases, the Stated Clerk of New Jersey Presbytery or the Office of the Stated Clerk of the General Assembly can be an invaluable resource.

### Clerk’s Responsibilities at a Glance

- Keep a complete and accurate record of the proceedings of the Session.
- Provide extracts from the minutes whenever properly requested and approved by the Session.
- Keep an accurate and complete roll of the Communicant and non-Communicant membership of the church. (It is permissible to delegate this responsibility to church staff under the clerk’s oversight.)
- Bring all official correspondence to the attention of the Session and respond as directed by the Session.
- Notify the members of the Session of meetings called by the Moderator, carefully stating the business to be conducted.
- Notify the congregation of all meetings called by the Session, carefully stating the business to be transacted at the meeting.
- Prepare the Sessional records for the annual review by presbytery’s review of records committee.
- Be sure that the annual statistical report requested by General Assembly is completed.
- Complete all correspondence in a timely manner.
- If requested, serve as the clerk (recording secretary) of congregational meetings.

**This page remains blank.**

## SESSION MEETINGS

Since the Session is charged with maintaining the spiritual government of the church, most Sessions hold stated meetings every month. Often special meetings must be called to address a specific issue that needs attention. *The Book of Church Order* requires each Session to hold stated meetings at least once a quarter (*BCO* 12-6). Also, the *BCO* encourages the Session and Diaconate to meet jointly at least quarterly to confer on matters of mutual interest. Joint meetings of the Session and Diaconate should be recorded, keeping in mind that no joint actions can be taken during these meetings (*BCO* 9-4).

### Before the Session Meeting

Plan the docket -- The moderator and the clerk should prepare a docket for the meeting, so the business of the Session is conducted in an efficient manner. The docket also becomes an outline for properly recording the minutes of the meeting. (A sample docket can be found in Appendix A.)

Meeting Notices -- The clerk is responsible for notifying all the Session members of the time and place of the meeting. He may also send reminders to committee chairmen of reports that are due.

*NOTE: Notices of called meetings must include the exact purpose for which the meeting is called. No other business may be conducted at a called meeting other than what is stated in the call for the meeting.*

*In the case of a called meeting it is sometimes advisable to make the language of the call broad enough so that business ancillary to the purpose may be conducted. For example, if the purpose is to examine a person for possible membership it may be wise to indicate that the purpose of the meeting is, “to examine a prospect for membership and all matter related thereto.”*

Printed Reports -- When at all possible, committee reports, Diaconate minutes, and the treasurer’s report should be printed and distributed in advance of the meeting. In committee reports, informational items come first and committee recommendations for adoption by the Session come last.

### During the Session Meeting

The accurate recording of the business conducted during the meeting is one of the most important duties of the clerk. This task can be made easier by the use of a template that follows the docket of the meeting. (See Appendix A for samples.) A template can assist the clerk in keeping accurate minutes.

Minutes do not need to be in the form of a verbatim account of all that was said during the meeting. That is, minutes are not a transcript of the meeting. However, the minutes must include all the actions of the Session, including all the motions adopted and business transacted. The clerk should be careful not to editorialize or inject his opinion into the minutes. For historical purposes, the Session may include additional information, as desired.

Every main motion should be clearly recorded and may be in a separate paragraph. Subsidiary and procedural motions should be recorded in the same paragraph as the main motion. Motions that are lost are not ordinarily recorded. If, however, a request to record a vote is made by an elder; then the lost motion must be recorded in the minutes. All actions of the Session must be in accord with the *PCA Book of Church Order*; and in matters of parliamentary procedure not covered in the *BCO*, by *Robert's Rules of Order*.

Sometimes it may be necessary to help members word their motions, so they accurately reflect the action to be taken by the Session. Helpful questions about every motion are:

- What exactly is going to be done?
- Who is going to do it?
- When will the action be completed?
- How much will it cost?
- Where will the money come from?
- Is the action compatible with *The Book of Church Order*?

When the Session acts to receive members, a careful record must be made as to the reason for their reception along with the proper citation from the *BCO*. The record should include the full name of the applicant for church membership, names of their covenant children, and the manner of their reception:

- Profession of faith (*BCO 6-2; 57-3&4*)
- Profession of faith and baptism (*BCO 57-3*)
- Reaffirmation of faith (*BCO 57-6*)
- Certificate of transfer, which includes the name of the church from which they transferred. (*BCO 46-1&2 and BCO 57-6*)

When the Session acts to remove members from the communicant roll, a full record, including the proper *BCO* citation, must be recorded including name, names of their covenant children, and the manner of their dismissal:

- Certificate of transfer to another church including the name of the



- church to which they have transferred. (*BCO 46-1&2*)
- Removal from Roll (*BCO 38-3&4 or BCO 46-2*)
- Church discipline (*BCO 38-3, 38-4, or 46-5*)
- Death

Congregational meeting minutes must also be included in the Minute Book and signed by the Moderator and the Clerk elected for the meeting.

**Session Minutes must include the following, in accordance with the guidelines approved by New Jersey Presbytery:**

- A statement of the date, time, place, and purpose of the meeting (Stated, Called, adjourned stated, etc.) If the meeting is a called meeting the minutes must include the portion of the call that indicates the purpose of the meeting.
- That the meeting was opened and closed with prayer.
- The names of all in attendance or absent from the meeting.
- That a quorum was present for the meeting. (See *BCO 12-1* for quorum requirements.)
- Communications received, and any action taken because of the communications.
- Approval of the minutes from previous meetings.
- A statement that indicates the review and approval of the Diaconate minutes and the receiving of the Treasurer's report as information (if appropriate). (*BCO 9-4*)
- The actions of the Session including all the motions adopted and business transacted.

**When applicable, the minutes shall include the following:**

- A record of all covenant baptisms, baptisms upon profession of faith, and dates of the celebration of the Lord's Supper.
- Election of commissioners to presbytery and General Assembly meetings. (*BCO 12-5&8*)
- A copy of the annual church budget approved by the Session. (*BCO 12-5b*)
- A record of the call and purpose for each congregational or corporation meeting.
- A motion calling for the nomination and election of church officers.
- A record of the officers nominated, trained and examined by the Session. (See *BCO 24-1* for procedure that must be followed.)

- The December or the following January minutes must include a statement that records the pastor's annual housing allowance approved by the Session. (See PCA Retirement & Benefits Inc. for a suggested form.)
- The *BCO* requires Sessions to “. . . keep an accurate record of baptisms, of communing members, of non-communing members, and of deaths and dismissions of church members.” (*BCO 12-8*) (This information should be included in the December minutes. This record will aid in the preparation of the Statistical Report for General Assembly.)
- A copy of the approved operating budget and the yearly statistical report should be attached to December's minutes (*BCO 12-5*).

All minutes should be typed or legibly written in ink. Since the Session's records must be archived, minutes should be kept in a bound or lock-type journal; and not a loose-leaf note book to prevent pages from being lost. The pages should be consecutively numbered, leaving no blank pages between meetings and no records left unattached.

#### **After the Meeting**

- Write the minutes using the minute template upon which you have taken notes as a guide.
- Complete any necessary correspondence as required by actions taken by the Session.
- Send transfer of the communicant's membership certificates to other churches (<https://www.pcabookstore.com/c-112-certificates-forms>).
- Update the church membership records as required by action the Session (Additions, removals, etc.).

**See the New Jersey Presbytery Guidelines for Session Minutes on page 54 – Appendix E**

## MEMBERSHIP ROLLS

The Membership Rolls of the church should contain information about those who are members of the local church. It is the Clerk of Session's responsibility to maintain or to oversee the maintenance of the Rolls as required by *The Book of Church Order (BCO 12-8)*. These Rolls should be kept in addition to the entries made as part of the Session minutes. Names of members shall be placed upon, removed, or deleted from these Rolls only by the action of the Session.

### **The Session shall maintain the following membership rolls:**

- **Communing Members** – A Communing Member of the Church is one who has made a profession of faith in Christ, has been baptized, and has been received by the Session into the membership of the church. (*BCO 6-2*)

Record the name, date received into membership, and method of reception (profession of faith, profession of faith and baptism, reaffirmation of faith, or certificate of transfer.) Record the date of removal from the roll and whether by death, transfer to another church, removal from Roll, or discipline (*BCO 46-1, 38-a, 38-b & 38-4*).

- **Non-communing Members** – The children of believers are, through the covenant and by right of birth, non-communing members of the church. As children of the covenant they are entitled to Baptism and to the pastoral oversight, instruction, and government of the Church. (*BCO 6-1*)
- **Associate members** – Believers temporarily residing in a location other than their permanent homes may become associate members of a church without transferring membership from their home church. An example of an associate member would be a member of the military or college student living nearby. Associate members may not be elected to church office or vote in a congregational meeting. (*BCO 46-4*) Be sure to record name, date of affiliation, name of home church, and date of return to home church.

This page remains blank.

## CONGREGATIONAL MEETING

**Call to Meet** – A congregational meeting may only be called by the Session or when it is properly requested to do so by a percentage of the congregation. (*BCO 25-2*)

**Notice of Meeting** – A public notice shall be given at least one week before the meeting. A notice of four weeks must be given if officers are being elected. The notice must clearly state the purpose of the meeting. No other business may be conducted at the meeting except what is stated in the notice. (*BCO 25-2*)

NOTE: The call to the congregational meeting should be specific yet broad enough to permit the conduct of all business related to the purpose of the meeting. For example, if the call is to consider the election of a pastor, elders or deacons, it might say, “The purpose of the meeting is to consider the election of a pastor (or elders or deacons), and all matter pertaining thereto.”

**Minutes** – Minutes of the meeting are recorded by a clerk (recording secretary) elected by the congregation. Congregations may elect a clerk to serve for one year or for the instant meeting. The congregation may elect the Clerk of Session as clerk of the congregation to serve for one year or for the instant meeting because he is familiar with the *BCO*.

**The minutes must include the following:**

- Date, time, and the purpose of the meeting.
- Opening and closing of the meeting with prayer.
- The election of a clerk and, in the absence of the Pastor, a Moderator.
- A declaration by the Moderator or Clerk of the presence of a quorum.
- A record of the actions taken during the meeting.
- If elders or deacons are elected, private ballot or voice vote may be taken. In either case, a majority of those present shall be required to elect. (*BCO 24-4*)
- When the meeting is called for the election of a Pastor then a private ballot is recommended but not required. This enables everyone to vote his own conscience
- Action taken by the congregation to approve each pastor’s terms of call.
- If the congregation does not approve the minutes before adjournment, then an indication of either the Session’s appointment to approve the minutes or a committee elected for that purpose.

### **Voting In Congregational Meetings**

- All communicant members in good and regular standing (regardless of age) are eligible to vote in a congregational meeting. Proxy or absentee voting is never permitted.
- It is important to remember that local church bylaws may not contradict *The Book of Church Order*. For example, a local church could not have a bylaw to allow absentee balloting or one that would prevent communicant members under a certain age from voting.
- By contrast, voting in Corporation meetings (see section on Corporation Matters, page 17), is limited NJ Rev Stat § 16:1-1 (2013) which requires that members be over the age of 18.

### **Election of Ruling Elders and Deacons**

*BCO 24* provides direction for the nomination, training, examination, election, and ordination of church officers. Each step in the process should be carefully recorded in the minutes of the Session including:

1. The call for nominations from the communicant members of the congregation.
2. That the nominees were informed of their nomination and required training classes.
3. That the candidates were examined in all the areas required by the BCO:
  - a. Christian Experience
  - b. Knowledge and views of English Bible
  - c. Knowledge and views of the System of Doctrine
  - d. Knowledge and views of the form of government
  - e. Duties of the office
  - f. Willingness to give assent to the ordination questions.
4. The calling of congregational meeting 30 days in advance of the election.
5. The requirements for the conduct of the congregational meeting are found in 24-2 to 24-5. A few points to remember:
  - a. The congregation determines the number of officers to be elected either by the size of the Session or Diaconate or the number they choose to elect. It is permissible for the Session to recommend the number to be elected; however, the congregation must approve the Session's recommendation.
  - b. A simple majority of those present and voting is required for election.
  - c. The minutes of the meeting should record the results of the election.

The ordination and installation of the newly elected officers is an action of the Session that is to take place during a duly constituted Session meeting (See *BCO 24-6*). The ordination and installation of Pastors is the jurisdiction of the Presbytery. (See *BCO 21*)

## Calling of a Pastor

*This Handbook covers only the basic outline of the calling process. Please refer to the PCA Administrative Committee webpage and the Clerk of Presbytery for additional details on this process.*

The PCA believes that each congregation has the right of electing its leaders (Pastor, Elders, and Deacons). This principle is based upon the clear teaching of Scripture and stated as one of the Preliminary Principles of the PCA. When a church is without a Pastor, the responsibility of finding a new Shepherd falls upon the congregation, not the Presbytery or General Assembly. The *BCO* contains specific instructions concerning the formation of the pulpit committee and the election of the Pastoral Candidate.

### 1. Election of the Pulpit Nominating Committee

*BCO* 20-2 states: “A church shall proceed to elect a pastor in the following manner. The Session shall call a congregational meeting to elect a pulpit committee . . .” The committee is a nominating committee since it only recommends a pastoral candidate to the congregation for election.

*BCO* 20-2 provides that the committee “. . . may be composed of members from the congregation at large or the Session, as designated by the congregation.” The Session may make recommendations as to the size and shape of the committee, but the congregation must elect its members. (The Stated Clerk’s Office has published “A Manual For Calling a Pastor” to assist congregations in this process. Go to <http://www.pcaac.org/get-involved/pastor-search-information/churches-seeking-a-pastor/>)

### 2. Election and Call of the Pastoral Candidate

When the committee is ready to recommend a pastoral candidate to the congregation they should first notify the Session. The Session will then call a meeting for the “purpose of receiving a report from the Pulpit Committee and to conduct any business that may arise from it”. It is important to remember that the Session’s responsibility is to call a congregational meeting, but it is not their right to veto the committee’s recommendation.

*BCO* 20-3 recommends that a PCA minister or ruling elder should be elected to preside, but if that is not possible then any male member of the congregation may preside. The following sections give directions as to how the nomination should be presented and how the election is to be conducted. (See Appendix B for a sample docket.)



After prayer for guidance, the Moderator shall ask “Are you ready to proceed to the election of a Pastor?” If the congregation declares themselves ready, then the moderator calls for nominations and proceeds to voting by ballot. A majority of those present shall be required to elect. When the congregation has voted to issue a call, it must first appoint those who will sign the call as well as those who will prosecute the call before presbytery.

A sample form of call can be found in Appendix J in the *BCO*. Also, PCA’s Retirement and Benefits, Inc. has prepared PCA Call Package Guidelines to assist congregations in the formulation of a call. (<https://pcarbi.org/wp-content/uploads/2014/09/RBICallPackage17-2.pdf>)

## **JUDICIAL MATTERS**

The *BCO* states that “Discipline is the exercise of the authority given to the church by Jesus Christ to instruct and guide its members and to promote its purity and welfare.” It goes on to instruct that it “. . . is for building up, and not for destruction. It is to be exercised as under a dispensation of mercy and not wrath.”

Whenever the Session finds it necessary to exercise church discipline, the “Rules of Discipline” should be carefully studied by the entire Session, so that it is conducted according to guidelines set forth in the *BCO*. A procedural checklist for the Rules of Discipline can be found in Appendix C.

If discipline is administered, a careful record of the case *must be* included in the minutes according to the instructions in *BCO* 32-18.

Some PCA churches have established “Judicial Commissions” to adjudicate cases of church discipline. (See Appendix C for helpful guidelines.)

## **CORPORATION MEETINGS and AUTHORITIES**

Churches incorporated under their State laws and regulations must conform to the requirements of the constitution of the Presbyterian Church in America. (*BCO 25-7 & 8*)

**Voting in Corporation Meetings** – All the communing members on the roll of that church shall be members of the corporation. However, in New Jersey, the voting age is prescribed by State statute, NJ Rev Stat § 16:1-1 (2013). Only those communing members over the age of 18 are eligible to vote in a meeting of the corporation.

**Corporation Officers** – The officers of the corporation, whether they be given the title trustee or some other title, shall be elected from among the members of the corporation in a regularly constituted congregational meeting. The powers and duties of such officers must not infringe upon the powers and duties of the Session or the Board of Deacons.

**Corporation Funds** – All funds collected for the support and expense of the church and for the benevolent purposes of the church shall be controlled and disbursed by the Session and the Board of Deacons as their relative authorities may from time to time be established and defined.

**Corporation Authority** – To the officers of the corporation may be given by the charter and bylaws of the corporation any or all of the following responsibilities:

- the buying, selling and mortgaging of property for the church,
- the acquiring and conveying title to such property, the holding and defending title to the same,
- the managing of any permanent special funds entrusted to them for the furtherance of the purposes of the church, provided that such duties do not infringe upon the powers and duties of the Session or of the Board of Deacons. In buying, selling, and mortgaging real property such officers shall act solely under the authority of the corporation, granted in a duly constituted meeting of the corporation.

**Property Ownership** – The corporation of a particular church, through its duly elected trustees or corporation officers, (or, if unincorporated, through those who are entitled to represent the particular church in matters related to real property) shall have sole title to its property, real, personal, or mixed, tangible or intangible, and shall be sole owner of any equity in any real estate, or any fund or property of any kind held by or belonging to any particular church, or any board, society, committee, Sunday school class or branch thereof. The superior courts of the Church may receive monies or properties from a local church only by free and voluntary action of the latter.

This page remains blank.

## **APPENDIX A – Session Meeting Templates**

### **Form A1 – Stated Session Meeting Agenda**

\_\_\_\_\_ (Day), \_\_\_\_\_ (Date), \_\_\_\_\_ (Time), \_\_\_\_\_ Location

1. Call to Order & Opening Prayer
2. Roll Call & Determination of a Quorum
3. Adoption of Docket
4. Approval of Minutes
5. Communications
6. Pastor's Report (including dates for celebration of the Lord's Supper)
7. Board of Deacon's Report
8. Additions or Deletions to the Church Roll
9. Standing Committee Reports
10. Unfinished Business
11. New Business
12. Election of Commissioners to Presbytery or General Assembly
13. Appointment of Elder to attend Diaconate Meeting
14. Adjournment & Closing Prayer

Respectfully submitted, \_\_\_\_\_ Clerk of Session

**Form A2 – Minutes for a Stated Meeting**

**Stated Session Meeting**

\_\_\_\_\_ **Presbyterian Church**  
\_\_\_\_\_(City), \_\_\_\_\_(State)  
\_\_\_\_\_(Day), \_\_\_\_\_(Date), \_\_\_\_\_Time

The Stated Session meeting was called to order by the moderator, TE\_\_\_\_\_.  
\_\_\_\_\_ led in the opening prayer.

A quorum was declared present with the following in attendance:

TE\_\_\_\_\_, Moderator, and TE\_\_\_\_\_,  
Associate Pastor; REs \_\_\_\_\_, \_\_\_\_\_,  
and\_\_\_\_\_. TE\_\_\_\_\_, Assistant  
Pastor (if there is one)\_\_\_\_\_ and Diaconate Representative  
\_\_\_\_\_ (if in attendance) were also present. (List here  
guests and visitors as well.)

The moderator reviewed the docket, and it was approved as presented/amended.

The minutes of the\_\_\_\_\_ Stated Meeting and\_\_\_\_\_ Called  
Meetings were approved as presented/amended.

The following communications were received:

Membership Roll Changes:

(List any births, deaths, baptisms, losses or gains by transfer of letter, losses by  
removal from roll or discipline, new communing and new non-communing members.)

The Pastor brought the following matters to the attention of the Session.

\_\_\_\_\_, Diaconate Representative presented the Deacon’s Report.  
After discussion the \_\_\_\_\_ minutes were approved and the  
\_\_\_\_\_ Financial Report was received as information.

**Form A2 (continued)**

Presbytery/General Assembly Commissioner’s Report:  
Committee Reports were received as follows:

Unfinished Business:

New Business:

Elder \_\_\_\_\_ to attend the Board of Deacons’ Meeting and  
\_\_\_\_\_ the WIC Executive Board Meeting.

Motion made, seconded that the following be elected as commissioners for  
presbytery/General Assembly meeting on \_\_\_\_\_. Principals and Alternate  
\_\_\_\_\_.

Motion made, seconded, and carried that the meeting adjourn. \_\_\_\_\_ led  
in the closing prayer.

Respectfully submitted by

\_\_\_\_\_, Clerk of Session

**Form A-3 – Stated Session Meeting Minutes**

**SAMPLE Presbyterian Church  
Stated Meeting of the Session  
March 13, 2000**

The session met for its stated meeting on Tuesday, March 13, 2000 at 7:00 pm in the conference room of the church.

Those in attendance were: TE John Smith, Moderator; REs Elder One; Elder Two and Elder Three. REs Elder Four and Elder Five were excused. A quorum was present. Mr. Visitor One was present as a visitor.

The moderator opened the meeting with prayer following a Scripture reading.

**Minutes Approved**

It was moved and carried to approve the minutes of (whenever the last meeting was).

**Old Business**

1. It is noted that the Lord's Table was celebrated on Sunday, March 4, 2000.
2. Second item of business.
3. Third item of business.
4. Fourth item of business.

**New Business**

1. It was moved and carried to elect REs One and Two to be voting delegates to the Presbytery meeting scheduled for (some date).
2. New business item number 2.
3. New business item number 3.
4. New business item number 4.
5. New business item number 5

**Committee Reports**

1. Committee report number 1.
2. Committee report number 2.

**Membership Changes or Concerns**

1. Changes to the roll (list BCO citation as well).
2. Item number 2 regarding members.

**Adjournment**

There being no further business to conduct, it was moved and carried to adjourn at 8:05 pm, following prayer by RE Feehan.

Respectfully submitted:

John Smith  
Clerk of Session



**Form A-4 – Called Session Meeting Minutes**

**SAMPLE Presbyterian Church  
Called Meeting of the Session  
March 13, 2000**

The session met for a called meeting on Thursday, March 13, 2000 at 6:30 pm in the conference room of the church.

The purpose of the meeting was to (here detail the purpose of the meeting such as interviewing a prospective member, discussion of an emergent problem or other reason for the called meeting).

Those in attendance were: TE John Smith, Moderator; REs One, Two and Three. REs Four and Five were excused. A quorum was present.

Visitor present: (possibly person being interviewed for membership).

The moderator called for a season of prayer and opened the meeting with prayer following opportunity for each elder to pray.

**Business**

1. First item of business.
2. Second item of business.
3. Third item of business.

NOTE: no business may be entertained other than the item(s) detailed in the purpose for the call to the meeting, stated above.

It was moved and carried that the Session (here you may indicate any actions that were approved regarding the items of business).

**Adjournment**

There being no further business to conduct, it was moved and carried to adjourn at 9:20 pm, following prayer by RE Two.

Respectfully submitted:

Elder Smith  
Clerk of Session

**Form A-5 – Called Session Meeting Minutes**

**Called Session Meeting**

\_\_\_\_\_ Presbyterian Church  
(City) \_\_\_\_\_, (State) \_\_\_\_\_  
(Day) \_\_\_\_\_, (Date) \_\_\_\_\_, (Time) \_\_\_\_\_

The Called Session meeting was called to order by the moderator, TE \_\_\_\_\_.  
\_\_\_\_\_ led in the opening prayer. A quorum was declared present with the  
following in attendance:

TE \_\_\_\_\_, and REs \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. Diaconate  
Representative \_\_\_\_\_, and \_\_\_\_\_, Assistant  
Pastor (if there is one) were also present.

The meeting was called by the Moderator for the purpose of (state the purpose, such as,  
receiving new member.

The moderator introduced \_\_\_\_\_ to the Session. Each was given an  
opportunity to relate their Christian Experience.

(Or describe the business and actions taken.)

Motion made, seconded and carried that they be received as follows:

The Session takes note that they had completed the Inquirer’s Class. They will  
affirm the Communicant Membership vows before the congregation.

Motion made seconded and carried that the meeting adjourn.

\_\_\_\_\_ led in the closing prayer.

Respectfully submitted,

\_\_\_\_\_  
Moderator

\_\_\_\_\_  
Clerk of Session

## **Suggested Annual Resolutions**

At the December meeting of each year the Session should adopt the resolution for the housing allowance for the next year. The Session should also adopt a resolution for banking authority, especially if those authorized to sign checks and financial documents have changed. Here are some suggestions for the housing allowance.

### **Housing Resolution**

*Whereas, Internal Revenue Code Section 107, as well as the associated Regulation and Revenue Rulings, provide that the portion of a minister's remuneration, designated as a rental/housing allowance by the employing church or other qualifying organization, is excludable from the minister's gross income under Section 107 of the Code; and*

*Whereas, the Session of [Insert Church] (PCA) is a qualifying organization,*

*Now, Therefore, be it Resolved that [Insert Amount] of the compensation paid the Reverend [Insert name] during [Insert year] is designated as a rental/housing allowance in accordance with the provisions of Section 107 of the Internal Revenue Code.*

*Now, Therefore, be it Resolved that the amounts so designated as rental/housing allowance are excludable from gross income of the recipient only to the extent that said amounts are used to rent or provide a home. Further, the amount eligible for the Section 107 exclusion may not exceed the fair rental value of the minister's home (including furnishings and appurtenances) plus the cost of utilities. To the extent a greater amount is designated as rental/housing allowance, the designation will be ineffectual with respect to such amount.*

*Further, this resolution shall remain in effect for all future years unless otherwise provided by the Session.*

{Ed Note: the last sentence of this resolution is a safety provision so that if the housing allowance is not set for a particular year the previous action remains valid for IRS purposes.}

### **If your Pastor has opted out of Social Security**

In the situation where your Pastor has opted out the Social Security (this is not recommended – see RBI advice on this matter), you may consider this as an initial paragraph for the resolution above.

*WHEREAS, having entered into an agreement with the Reverend [Insert Name], a minister of the Gospel, to be engaged by this corporation in the capacity of minister of the Gospel, and such compensation of [Insert Name] shall be computed on an annual basis, and that this agreement stipulates that [Insert Name] be an employee whose withholding status is "exempt" by statute, and that he has voluntarily elected to continue to be exempt from participation in Social Security coverage; and,*

## **APPENDIX B**

### **CONGREGATIONAL MEETING TEMPLATES**

#### **Form B1 – Agenda for Election of Officers**

#### **CONGREGATIONAL MEETING FOR THE ELECTION OF OFFICERS**

1. Call to Order and Opening Prayer (*BCO 24-2*)
2. Election of a Recording Clerk
3. Explanation of the Procedure and statement of the call as announced previously
4. Prayer for God’s Guidance
5. Question Posed – “Are you ready to proceed to the election of Officers?” (*BCO 20-4*)
6. Report of the Session concerning the Candidates for Office
7. Determination of the number of Officers to be elected
8. Voting by Ballot (*BCO 20-4*)
9. Announcement of the results of the balloting
10. Adjournment and Closing Prayer (Signed by Moderator and Clerk of the Congregation)

**Form B2 – Agenda for Election of Pastor**

**CONGREGATIONAL MEETING FOR ELECTION OF A PASTOR**

1. Call to Order and Opening Prayer (*BCO 20-3*)
2. Election of a Moderator and Recording Clerk (*BCO-25-4 & 25-5*)
3. Determination of a Quorum (*BCO 25-3*)
4. Explanation of the Procedure and statement of the call as previously announced
5. Prayer for God’s Guidance
6. Question Posed–“Are you ready to proceed to the election of a Pastor?” (*BCO 20-4*)
7. Nomination of Pastoral Candidate by the Pulpit Committee
8. Voting by Ballot (*BCO 20-4*)
9. Approval of the Minister’s Terms of Call (*BCO 20-6*)
10. Election of Signers of the Call (*BCO 20-7*)
11. Dissolve the committee with thanks pending the pastoral candidate’s acceptance of the call and approval of the call by presbytery.
12. Adjournment and Closing Prayer (Signed by Moderator and Clerk of Congregation)

This page remains blank.

## APPENDIX C – JUDICIAL MATTERS

### Procedural Checklist for PCA BCO Rules of Discipline

by T. David Gordon

*“The following checklist is, to the best of our knowledge, complete and accurate as of April 2015. Since the Book of Church Order is subject to revision at each meeting of the General Assembly, the checklist may not be accurate beyond the next meeting of the Assembly. Updated checklists are available, upon request, from the Stated Clerk’s Office in Atlanta.”*

#### TABLE OF CONTENTS

PRIOR TO FIRST MEETING OF COURT .....	30
FIRST MEETING OF COURT .....	30
SECOND MEETING OF COURT .....	31
THE TRIAL .....	32
IF ACCUSED IS A MINISTER .....	33
INFLICTION OF CHURCH CENSURES .....	34
REMOVAL OF CHURCH CENSURES .....	35
GENERAL REVIEW AND CONTROL .....	36
REFERENCES.....	36
APPEALS .....	36
COMPLAINTS .....	38
DISSENTS, PROTESTS, AND OBJECTIONS.....	39
JURISDICTION.....	40
PRESBYTERY JUDICIAL COMMISSIONS ACTING AS APPELLATE COURTS .....	41

**Procedural Checklist for PCA BCO Rules of Discipline**  
(This information to be used in connection with the SJC Manual)

**Prior to First Meeting of Court**

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
1.			Process entered before Session of church to which alleged offender belongs (unless offender is a minister, or process is an appeal)	33-1
2.			Injured party has tried means of <b>reconciliation</b>	31-5
3.			<b>Instruction</b> has been given to offender	31-5,7
4.			Consider <b>character</b> of person bringing accusations	31-8
5.			Give warning to voluntary prosecutor regarding slander	31-9
6.			Suspend official functions of church court members while under process (at discretion of court)	31-10
7.			In case of scandal, process shall commence within one year after offense committed	32-20
			<u>Cases without process:</u>	
8.			If any person comes forward and makes his offense known to the court, a full statement of the facts shall be recorded and judgment rendered without process.	38-1
9.			If a minister believes God has not called him to the ministry, see <i>BCO</i> 38-2 and 46-8	38-2; 46-8
10.			<ul style="list-style-type: none"> <li>a. If a member or officer joins another evangelical church, see <i>BCO</i> 38-3a</li> <li>b. If a member or officer joins another body judged as failing to maintain the Word and Sacraments, see <i>BCO</i> 38-3b.</li> <li>c. If a member or officer willfully neglects the church for a period of one year, or makes known no intention of fulfilling church vows, see <i>BCO</i> 38-4.</li> </ul>	38-3a 38-3b 38-4

**First Meeting of Court**

1.			Gal 6:1 reiterated	32-1
2.			Charge made out	32-2
3.			Charge reduced to writing	32-3
4.			<b>Prosecutor</b> appointed by court	31-2; 32-3.1
5.			<b>Indictment</b> prepared	31-2,4;32-3.2
6.			Times, places, circumstances particularly stated	32-5
7.			All parties and witnesses <b>cited</b> to appear and be heard at another meeting	32-3.3
8.			Attention called to Rules of Discipline ( <i>BCO</i> 27-46)	32-3



9.			At least 10 days elapse between citation and next meeting	32-3.3; 32-7
10.			Citation issued and signed by moderator or clerk by order and in name of the court.	32-4

**Second Meeting of Court**

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
1.			<b>Charges read</b> to the accused	32-3
2.			Counsel assigned to accused if necessarily absent	32-3
3.			<b>Accused responds</b> with "guilty" or "not guilty"	32-3
4.			If "guilty" then court may deal with discretion	32-3
5.			If "not guilty" then trial date shall be scheduled no sooner than 14 days after citation	32-3
6.			<b>If accused refuses</b> to obey citation, cite a second time	32-6a
7.			Refusal to plead or cooperate will be dealt with for contumacy	32-6b
8.			<b>When accused found contumacious</b>	33-2
9.			Accused immediately suspended from the sacraments for contumacy (and if officer from office)	33-2
10.			Censure made public if Session deems expedient	33-2
11.			<b>If charge is of gross crime or heresy</b> , court may proceed to inflict highest censure	33-3
12.			<b>If impracticable</b> immediately to commence process, Session may <b>fence the Table</b> from the accused until examination.	33-4
13.			<b>If offense took place at a distance</b>	
14.			Court may appoint a commission of its body or request coordinate court where facts occurred to take testimony	32-8
15.			If offense not likely to become known to court of jurisdiction, Court of location sends notice to court of jurisdiction which shall proceed against accused; or whole case may be remitted to court of location.	32-9

**The Trial**

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
			Prior to trial:	
1.			Court ascertains that citations duly served	32-10
2.			Judicial Committee appointed if expedient	32-11
3.			Challenge for cause by either party on the right of any member to sit in trial. Other members of court decide the question	32-16
4.			Disqualification of any member considered	32-17
			In trial:	
5.			1. Moderator <b>charges</b> the court	32-12, 32.15.1
6.			2. <b>Indictment</b> read, <b>Answer</b> of accused heard	32-15.2
7.			3. <b>Witnesses examined</b> in presence of the accused	32-13
			<b>Witnesses for Prosecutor</b>	32-15.3
8.			Oath of 35-6 administered by Moderator	35-6
9.			Witnesses examined by Prosecutor party	35-5
10.			Witnesses cross-examined by Accused party	35-5
11.			Additional interrogatories by parties or court members	35-5
12.			More than one witness necessary to establish charge, unless corroborative evidence is produced in addition to one witness.	35-3
			<b>Witnesses for Accused</b>	32-15.3
13.			Oath of 35-6 administered by Moderator	35-6
14.			Witnesses examined by Accused party	35-5
15.			Witnesses cross-examined by Prosecutor party	35-5
16.			Additional interrogatories by parties or court members	35-5
			<b>Pertaining to All Witnesses</b>	
17.			Witnesses are of proper age and intelligence, and believe in the existence of God, or a future state of rewards and punishments.	35-1
18.			Either party has the right to challenge a witness whom he believes to be incompetent; to be decided by court.	35-1
19.			Husband or wife not compelled to bear testimony against one another	35-2
20.			No witness afterwards to be examined, unless a member of the court, shall be present during the examination of another witness on the same case, if either party object.	35-4
21.			Permission granted by Moderator for all questions before being put or answered, subject to appeal to the court.	35-5

22.			All testimony shall be recorded (transcription, audiotape, videotape, or some other electronic means) and witnesses informed of such prior to testifying. (See also <i>BCO</i> 32-18)	35-7
23.			Testimony may be taken by commission or coordinate court if necessary due to distance, per <i>BCO</i> 35-10.	35-10
24.			Professional counsel prohibited to appear	32-19
25.			<i>BCO</i> 35-7, as amended, now requires recording all testimony.	35-7
26.			<b>4. Parties heard</b>	32-15.4
27.			Prosecutor first	
28.			Accused next (not compelled to testify, 35-1)	
29.			Prosecutor closes	
30.			<b>5. Roll</b> is called—members may express opinion in the case	32-15.5
31.			<b>6. Vote</b> is taken	32-15.6
32.			Verdict announced	
33.			Judgment entered on records	
34.			Minutes of trial kept by clerk	32-18;35-7
35.			Record of the Case assembled by clerk	32-18

-

**If Accused is a Minister**

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
1.			Scandalous charges not received on slight grounds.	34-2
2.			Minister warned in private if guilty of private offense	34-3
3.			When accused found to be contumacious:	32-6
4.			Immediately suspended from sacraments and office	34-4a
5.			Record made of fact and of charges	34-4a
6.			Censure made public	34-4a
7.			If accused persists in contumacy, he shall be deposed and excommunicated	34-4b
8.			Errors carefully considered for heresy and schism	34-5
9.			Measures taken to remove scandal if appropriate	34-6
10.			Definite suspension or deposition imposed if minister makes confession pending trial	34-7
11.			Pastoral relation dissolved in case of deposition	34-9
12.			Assessment of dissolution in case of suspension from office	34-9
13.			For failure to discharge official functions, see 34-10	34-10

**Infliction of Church Censures**

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
1.			Court proceeds with tenderness (Gal 6:1)	36-1
2.			<u>Censure of Admonition</u>	36-3
3.			Administered in private if offense is private	
4.			Administered in presence of court if offense is public	
5.			Announced in public if court deems expedient	
6.			<u>Definite Suspension from Office</u> [see also <i>BCO</i> 33-2; 34-4(a)]	36-4
7.			Administered in presence of court alone or in open session of court, as court deems best	
8.			Public announcement made at court's discretion	
9.			<u>Indefinite Suspension from Office or Sacraments.</u> [see also <i>BCO</i> 33-2; 34-4 (a); 30-1; 30-3]	36-5
10.			Administered in presence of court alone or in open session of court, as court deems best	
11.			Public announcement made at court's discretion	
12.			Administered with added solemnity	
13.			Administered under blessing of God for repentance	
14.			Address offending brother per <i>BCO</i> 36-5	
15.			<u>Excommunication</u> [see also <i>BCO</i> 33-3; 34-4(b)]	36-6
16.			If accused persists in contumacy, shall be excommunicated	33-3
17.			Administered in presence of court alone or in open session of court, as court deems best	
18.			Public announcement made at court's discretion	
19.			Moderator reiterates steps of discipline taken	
20.			Explain authority of Church to excommunicate from Matt 18:15-18, and 1Cor 5:1-5	
21.			Administer censure in words of <i>BCO</i> 36-6	
22.			<u>Deposition</u>	36-7
23.			Administered by Moderator in words of <i>BCO</i> 36-7	
24.			If deposed without excommunication, Presbytery assigns him to membership in some particular church, subject to the approval of the Session of that church	46-8
25.			If includes suspension or excommunication, add appropriate words from <i>BCO</i> 36-7	36-7

**Removal of Church Censures**

1.		<u>Definite Suspension from Office</u>	37-1
2.		Offender repents of contumacy	33-2
3.		Gives satisfaction in relation to his charges	34-4a
4.		Declare words of <i>BCO</i> 37-1	
5.		<u>Indefinite Suspension from Sacraments</u> (see <i>BCO</i> 30)	37-2,3
6.		Rulers of church frequently converse with him and pray for God to grant repentance	
7.		Offender repents of contumacy	33-2
8.		Gives satisfaction in relation to his charges	34-4a
9.		Court satisfied with reality of repentance	37-3
10.		Offender admitted to profess repentance	
11.		Restoration declared by words in <i>BCO</i> 37-3	
12.		<u>Excommunication</u>	37-4
13.		Session obtained sufficient evidence of sincere repentance	
14.		Questions of <i>BCO</i> 37-4 posed to excommunicated person, with affirmative response given	
15.		Exhortation of encouragement and comfort given	
16.		Sentence of restoration pronounced (from <i>BCO</i> 37-4)	
17.		<u>Deposition from Office</u>	37-5,6
18.		Public confession made	
19.		Restoration announced by words of <i>BCO</i> 37-5	
20.		Absolved ruling elder or deacon re-elected by people before resumption of office	37-6
21.		<u>Restoration of Minister</u> [see also <i>BCO</i> 34-4a]	
22.		Minister exhibits for a considerable time such an eminently exemplary, humble and edifying life and testimony as shall heal the wound made by his scandal.	34-8
23.		General sentiment of the church is strongly in minister's favor and demands his restoration	34-8
24.		Presbytery proceeds with great caution	37-8
25.		Admitted to Sacraments	37-8
26.		Granted privilege to preach on probation for a time	37-8
27.		See <i>BCO</i> 37-9 for jurisdiction in removal of censures	37-9
28.		Restoration pronounced	37-8,9

**General Review and Control**

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
1.			<u>Areas Reviewed:</u>	40-2
2.			Proceedings correctly recorded	40-2.1
3.			Proceedings regular and in accordance with Constitution	40-2.2
4.			Proceedings wise, equitable, suited to promote welfare of Church	40-2.3
5.			Lawful injunctions of higher court obeyed	40-2.4
6.			Higher court records approval or disapproval, and corrections of lower court records	40-3
7.			Requirement communicated for review and correction of serious irregularities	40-3
8.			If appeal or complaint is in process, judicial case proceedings not dealt with under review and control	40-3
9.			Gross negligence of lower court examined, deliberated and judged by higher court.	40-4
10.			In case of delinquency or unconstitutional proceedings:	40-5 (cf. BCO)
11.			Offending court cited to appear	
12.			Offending court show what it has done or failed to do	
13.			Court issuing citation may:	
14.			Reverse or redress lower court's proceedings	
15.			Censure delinquent court	
16.			Remit whole matter with injunction to delinquent court	
17.			Stay all further proceedings in the case	
18.			Process against lower court conducted according to rules for process against individuals	40-6

**References**

1.			Reference deemed <b>necessary</b> by lower court	41-5
2.			All testimony and other documents duly prepared	41-6
3.			Reference presented to higher court, accompanied by necessary records	41-4

**Appeals**

1.			Appeal made only to next higher court	42-1
2.			Regular trial has taken place	42-2
3.			Legitimate grounds of appeal established	42-3
4.			Notice of Appeal given	42-4
5.			Filed by appellant with clerk of lower court and clerk of higher court, within thirty (30) days of notification of the last court's decision.	

Line Nbr	Date or N/A	Initials	Item	BCO #
6.			No attempts made to circularize courts	
7.			Clerk of lower court file Record of the Case with clerk of higher court, not more than 30 days after receipt of notice of appeal	42-5
8.			<u>Record of the Case Includes:</u>	42-5
9.			Copy of all proceedings in connection with case	
10.			Notice of appeal and reasons therefore	
11.			Response of lower court	
12.			Evidence	
13.			Any papers bearing on the case Admissibility of Audio/Video recordings	OMSJC 7.2B3
14.			If Record not filed, rebuke given by higher court	42-7
15.			No information other than Record of the Case taken into consideration by higher court	42-5;32-18; but see 35-14
16.			Judgment of lower court suspended pending higher court's decision	42-6
17.			Suspension, excommunication or deposition may be put into effect for sufficient reasons until final decision	42-6
18.			Higher court decision whether appeal is in order	42-7
19.			Higher court hears the case	42-8
20.			Record of the Case is read	
21.			Each side allotted not over 30 minutes for oral argument	
22.			Appellant given right to open and close argument	
23.			Suitable rebuke given by appellate court if appellant manifests litigious or unChristian spirit	42-12
24.			Court or commission enters closed session	42-8
25.			Court or commission discuss merits of the case	42-8
26.			Vote taken, without further debate, on each specification:	42-8
27.			<b>Shall this specification of error be sustained?</b>	42-8
28.			Minute explanatory of court's action written, and entered into Record of the Case	42-8
29.			Decision of higher court made:	42-9
30.			Affirm in whole or in part	
31.			Reverse in whole or in part	
32.			Render decision that should have been rendered	
33.			Remand the case to lower court for new trial	
34.			Written opinion prepared	
35.			Copy of opinion and judgment delivered personally or mailed to the <b>lower court</b> , with written receipt required.	
36.			Copy of opinion and judgment delivered personally or mailed to the <b>appellant</b> , with written receipt required.	

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
37.			An appellant shall be considered to have abandoned his appeal if he fails to appear before the higher court, in person or by counsel, for a hearing thereof, after he has been properly notified; but an appellant may waive, in writing, his right to appear with permission of the court and not be considered to have abandoned his case. In case of such failure to appear, the judgment of the lower court will stand unless the appellant gives to the court a prompt and satisfactory explanation.	42-11

**Complaints**

1.			Written notice of complaint, with supporting reasons, filed with clerk of court within 60 days following meeting of the court	43-2
2.			Court consider complaint at next meeting	
3.			No attempt made to circularize the court	
4.			Complainant may take complaint to next higher court if:	43-3
5.			Court alleged to be delinquent denies complaint	
6.			Court fails to consider complaint by next stated meeting	
7.			Complainant files written notice of complaint together with supporting reasons, with both the clerk of the lower court and the clerk of the higher court within thirty (30) days notification of the last court's decision.	
8.			Action against which the complaint made <b>not suspended</b> , unless 1/3 of the members vote for suspension, until final decision in the higher court.	43-4
9.			Representative(s) appointed to defend action of lower court	43-5
10.			Clerk of lower court files following documents with clerk of higher court, not more than 30 days after receiving notice of complaint	43-6
11.			Copy of all proceedings in connection with the complaint	
12.			Notice of complaint and supporting reasons	
13.			Response of the lower court, if any	
14.			Any papers bearing on the complaint.	
15.			Rebuke from higher court in case of failure to thus file	43-6
16.			Complainant waives right to appear with permission of court	43-7



Line Nbr	Date or N/A	Initials	Item	BCO #
17.			Complainant has abandoned complaint if fails to appear without waiving right or giving satisfactory explanation	43-7
18.			Higher court hears complaint if considers complaint in order	43-8
19.			Higher court may appoint commission to hear complaint	43-8; 15-2,3
20.			Court notifies complainant and respondent in writing of the date set for the hearing	43-8
			<u>At the Hearing:</u>	43-9
21.			All papers bearing on complaint are read	
22.			Complainant given opportunity to present argument	
23.			Respondent given opportunity to present argument	
24.			Complainant given right of opening and closing the argument	
25.			Court or commission enters closed session	
26.			Discusses and considers merits of the complaint.	
27.			Vote taken as to what disposition should be made of the complaint	
28.			Complainant notified of the court's decision	
29.			Respondent notified of the court's decision	
30.			Court may annul whole or any part of lower court's action	43-10
31.			Court may send matter back to lower court for new hearing	43-10

**Dissents, Protests, and Objections**

1.			(For definitions of D, P, & O, see <i>BCO</i> 45-2,3,4)	45-2,3,4
2.			D/P filed by one who had right to vote in the case	45-1
3.			O filed by one who did <i>not</i> have right to vote	45-1, 4
4.			D/P/O filed with clerk of lower court within 30 days following meeting of lower court, or with clerk of the General Assembly before its adjournment.	45-1
5.			D/P/O filed with reasons (generally, but <u>not necessary</u> )	45-2,3,4
6.			D/P/O in temperate language, respectful to court	45-5
7.			D/P/O recorded by court	45-5
8.			Court records answer to D/P/O if deemed necessary	45-5

**Jurisdiction**

1.		When church member removes his residence beyond bounds:	46-1
2.		Certificate of dismissal obtained from old Session	
3.		Certificate of dismissal presented to new church	
4.		If Certificate of dismissal not possible:	
5.		Received by the Session upon other testimonials	
6.		Old church duly notified	
7.		Elders of old church continue oversight until transfer	46-2
8.		Elders of old church inform on duty to transfer	
9.		Old church notify session of church in new bounds	
10.		If transfer neglected for 1 year, name removed from roll, unless special permission granted	46-2, 38-4
11.		Regular connection with new church formed	46-3
12.		Associate Members:	46-4
13.		All rights and privileges afforded	
14.		Barred from voting in congregational or corporate mtgs.	
15.		Barred from holding office	
16.		If a member or officer joins another evangelical church, see <i>BCO</i> 38-3a	38-3a
17.		If a member or officer joins another body judged as failing to maintain the Word and Sacraments, see <i>BCO</i> 38-3b	38-3b
18.		Member who has willfully neglected church for 1 year, or has made known he/she has no intention of fulfilling vows:	38-4
19.		Session follows Scriptural procedures (Matt 18, Gal. 6:1)	
20.		Session reminds member of solemn covenant	
21.		Session erases name from church roll	
22.		Session notifies person whose name was erased	
23.		Minister/Licentiate/Candidate dismissed from Presbytery:	46-6
24.		Name of Presbytery to which dismissed, in certificate	
25.		Remains under jurisdiction until received by the other Presbytery	
26.		Certificate of Dismission valid testimony of good standing for only 1 year	46-7
27.		Minister divested of his office without censure, or deposed without excommunication:	46-8
28.		Presbytery assigns him membership in some particular church, subject to approval of Session of that church	

**Presbytery Judicial Commissions Acting As Appellate Courts**

1.			See APPENDIX H of <i>BCO</i>	15, Appendix H
----	--	--	------------------------------	----------------

## Sessional Judicial Commissions

L. Roy Taylor

Stated Clerk of the General Assembly, PCA

In April 2002, the Stated Clerk asked the advice of the Committee on Constitutional Business regarding the validity of sessions using judicial commissions. The CCB concurred with the Stated Clerk in his opinion on the matter.

May a Session use a Judicial Commission to adjudicate a judicial case, or must all judicial cases be heard by the entire Session?

Context: Some churches with thousands of members and dozens of elders on the Session have found it impractical to conduct try all judicial cases before the entire Session. I have been asked the same question by several unrelated parties, namely “**Is it constitutional for a Session to use a judicial commission to adjudicate judicial cases?**” It should be noted that I am speaking only to the constitutionality of a Session’s using a judicial commission; I am not addressing the wisdom or advisability of doing so. That is a discretionary decision of the Session.

Clerk’s response: The primary, though not exclusive, section of the *BCO* relating to the issue of commissions is 15-1.

**15-1.** A commission differs from an ordinary committee in that while a committee is appointed to examine, consider and report, a commission is authorized to deliberate upon and conclude the business referred to it, except in the case of judicial commissions of a Presbytery appointed under *BCO* 15-3. A commission shall keep a full record of its proceedings, which shall be submitted, to the court appointing it. Upon such submission this record shall be entered on the minutes of the court appointing, except in the case of a presbytery commission serving as a session or a judicial commission as set forth in *BCO* 15-3. When a commission is appointed to serve as an interim Session, its actions are the actions of a Session, not a Presbytery. Every commission of a Presbytery or Session must submit complete minutes and a report of its activities at least once annually to the court which commissioned it.

My response is, yes; a Session may elect to use a judicial commission to adjudicate judicial cases. I answer in the affirmative for several reasons.

- Chapter fifteen of the *BCO* deals with “Ecclesiastical Commissions” for all three levels of the courts of the church. The Presbytery is explicitly named in 15-1, 15-2,

and 15-3. The General Assembly is explicitly named in 15-4, 15-5, and 16-6. The Session is explicitly named in 15-1 in the last sentence. In that reference, it is not a commission of Presbytery *acting* as a Session, but a commission *of the Session*. “Every commission of a Presbytery or Session [emphasis added] must submit complete minutes and a report of its activities at least once annually to the court which commissioned it.”

- The *BCO* is not exactly analogous to secular civil and criminal law. The *BCO* is not written as an exhaustive catalog of most possible eventualities, but is primarily a set of principles, with deference to lower courts, and the expectation that courts will use their discretion. Indeed, our constitution (*The Westminster Standards* and the *Book of Church Order*) is written in such a way that it sets forth general principles, setting forth acceptable parameters on many instances, and gives exacting details in a few instances. For example, on the issue of baptism, *WCF* XXVIII.7 states that, “Baptism is but once to be administered unto any person.” Therefore, it would not be proper for a PCA minister to rebaptize someone who had previously received a valid Christian baptism. A church member might ask a PCA pastor for a baptism by immersion because he or she had been baptized by pouring and now wanted to be immersed. The PCA pastor would refuse to rebaptize such a person. But what about the validity of Roman Catholic baptisms? The issue has been addressed by General Assemblies in America in the 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> centuries each coming to the same conclusion, that some sessions may accept Roman Catholic baptisms, and some may reject Roman Catholic baptisms. *WCF* chapter II “Of God and of the Holy Trinity” is very exacting, following the Ancient Creeds; chapter III, “Of God’s Eternal Decree,” however, may be interpreted to be infralapsarian, or supralapsarian, though sublapsarianism is definitely excluded. *The Directory of Worship* was originally written as a replacement for the *Book of Common Prayer*. The *BCP* was prescribed worship, a prescribed liturgy that is to be followed word-for-word, with little variation allowed, with a premium set on uniformity; the *DW* is directed worship, essentially setting forth a collection of rubrics, or directions to be followed, allowing for variations, with a premium set on liberty of conscience. The PCA has taken it a step further by adding a preface to the *DW*, declaring only chapters 56, 57, 58 to be part of the constitution. It has been my observation over a period of years, that some erroneously look on our constitution in a quasi-congregational perspective, thinking of it as simply advisory in all respects and binding in no respects. It is also erroneous to look upon our constitution as if it were canon law of an hierarchical Church or a secular law code that is highly detailed. The insistence that a Session may not erect a Judicial Commission is, in my opinion, based on the latter erroneous perspective.

*BCO* 32-11 speaks of a “Judicial Committee”

In every process, if deemed expedient there may be a committee appointed, which shall be called the Judicial Committee, and whose duty it shall be to digest and arrange all the papers, and to prescribe, under the direction of the court, the whole order of the proceedings. The members of this committee shall be entitled, notwithstanding their performance of this duty, to sit and vote in the case as members of the court.

That Judicial Committee of *BCO* 32-11 is *not* a commission. The role of the Judicial Committee is explicitly stated. The erection of a Judicial Committee by any level of the church courts does *not* negate the right of the church court to form a Judicial Commission, if it so desires.

Having given a rationale for the constitutional permissibility of the use of a sessional judicial commission, it would be helpful to deal with some objections.

- It may be objected that only Presbytery and General Assembly Judicial Commissions are explicitly named in the *BCO*. The Presbytery is explicitly named in 15-1, 15-2, and 15-3. The General Assembly is explicitly named in 15-4, 15-5, and 16-6. The answer is that the Session having the power to erect commissions is explicitly named in 15-1 in the last sentence. In that reference, it is not a commission of Presbytery *acting* as a Session, but a commission *of the Session*. A commission may be erected by the Session to fulfill virtually any of the responsibilities of the Session (see *BCO* 12-5) including, “To inquire into the knowledge, principles and Christian conduct of the church members, under its care; to censure those found delinquent.”
- It may be objected that, since there are no step-by-step procedures for an appeal arising from a trial conducted by a Judicial Commission of the Session, like there are for a Presbytery Commission (15-3) or the General Assembly’s Standing Judicial Commission (15-5, c.[4]), then no Sessional Judicial Commission is possible. The answer is that *BCO* 15-1 gives the power to the Session to erect a judicial commission. Exact detailed procedures for handling cases by a Sessional Judicial Commission need not be included in the *BCO*. Though appellate civil or criminal procedures are codified in law, the *BCO* is not written as an exhaustive catalog of most possible eventualities, but is primarily a set of principles, with deference to lower courts, and the expectation that courts will use their discretion. Even the General Assembly’s Standing Judicial Commission specifies most of the details of its procedures in the “Operating Manual of the Standing Judicial Commission.” Some Presbyteries use the “Operating Manual of the Standing

Judicial Commission” as guidelines for their procedures. It seems to me that a Session could have similar appellate procedures, 1) the Sessional Judicial Commission would make its report to the Session on each given case committed to the Sessional Judicial Commission, 2) the Session would then, without debate, approve or disapprove the judgment, following the principles of *BCO* 15-3, 3) if the Session disapproved the judgment, it could appoint another commission to try the case, or the Session could elect to try the case before the Session as a whole, 4) or the Session could refer any strictly constitutional issue(s) to a study committee to report back to the Session, 5) A Session that uses a Sessional Judicial Commission, may be well advised to use the procedures of the Standing Judicial Commission, of a review of each Sessional Judicial Commission’s decision, and/or a rehearing of the case by the full Session (See section 18 of the “Operating Manual of the Standing Judicial Commission”), 6) if the decision of the Sessional Judicial Commission were averse to a church member, and the Session approved the judgment, the church member in question, could appeal directly to Presbytery, following the procedures of *BCO* 42. A particular church member’s appellate rights are not removed or diminished by the use of a Sessional Judicial Commission as long as just procedures are followed.

- It may be objected that *BCO* 15-3 speaks of a Presbytery’s Judicial Commission but does not mention a Sessional Judicial Commission. The answer is that this is an argument from silence. *BCO* 15-3 is written for Presbytery use. The Session is explicitly named in 15-1 in the last sentence. In that reference, it is not a commission of Presbytery *acting* as a Session, but a commission *of the Session*. Though *BCO* 15-3 refers only to Presbytery, *BCO* 15-1 does include the Session and gives Sessions the authority to erect many sorts of commissions, including judicial commissions authorized to deliberate upon and conclude the business [judicial cases] referred to them.
- It may be objected that *BCO* Chapter 30 refers to censures inflicted by “church courts,” that a Sessional Judicial Commission is not a court, and, therefore, a Session may not utilize a Sessional Judicial Commission. The answer is that a commission is authorized by the court appointing it to deliberate and conclude the business referred to it. The actions of a commission are the actions of the court itself.
- It may be objected that the court of original jurisdiction of members of particular churches is the Session (*BCO* 33-1, 33-2) that a Sessional Judicial Commission is not a court, and, therefore, a Session may not utilize a Sessional Judicial Commission. The answer is that a commission is authorized by the court appointing it to deliberate and conclude the business referred to it. The actions of a commission are the actions of the court itself. Again, this goes back to *BCO* 15-

1 and *BCO* 15-1 does include Session and gives Sessions the authority to erect many sorts of commissions, including judicial commissions authorized to deliberate upon and conclude the business [judicial cases] referred to them.

- It may be objected that the use of a Sessional Judicial Commission is merely a pragmatic expedient, particularly in larger churches that may have thousands of members and scores of elders. That, of course is not a constitutional argument; the issue is whether the use of a Sessional Judicial Commission is *constitutional*. To assert that sheer pragmatism and mere expediency lie at the root of the use of a Sessional Judicial Commission, is to question the motives of fellow elders. It could be argued, on the other hand that larger churches may either ignore church discipline due to the magnitude of the task of trying dozens of cases before the full Session, or they may use Sessional Judicial Commissions to fulfill justly and responsibly the duty of church discipline.



This page remains blank.

## Procedures for a Case without Process BCO 38-1

L. Roy Taylor, Stated Clerk, PCA

### Differences between Cases with Process & Cases without Process

#### Cases with Process

- *BCO* 31-2 investigation resulting in a strong presumption of guilt to a chargeable offense (*BCO* 29-1).
- Full trial procedures, process, standards of evidence, prosecutor, defender, witnesses, etc., resulting in a verdict of guilty or not guilty.
- Upon conviction, a guilty person may appeal to a higher court concerning both the guilty verdict and the censure imposed and may cite several bases for appeal (*BCO* 42-1, 2, 3, and 4).
- Notice of appeal has effect of suspending the judgment (*BCO* 42-6), i.e., holding the censure in abeyance until the appeal is settled by the higher court.

#### Cases without Process (*BCO* 38-1)

- Person comes forward and makes a “confession of guilt” (Cf. *BCO* 29-1)
- No full trial procedures, process, standards of evidence, prosecutor, defender, witnesses, etc., because the person makes a “confession of guilt.”
- After the court had rendered a judgment (i.e. imposed a censure), the person may file a complaint concerning the judgment, *BCO* 38-1; 43-1 (i.e. against censure that was imposed based on his confession of guilt). In making such complaint, he is not retracting his “confession of guilt.”
- Filing a complaint does *not* suspend the censure unless the court acts to do so (*BCO* 43-4).

**Procedural Checklist for Cases without Process**

<b>Line Nbr</b>	<b>Date or N/A</b>	<b>Initials</b>	<b>Item</b>	<b>BCO #</b>
1.			Person comes forward and makes known his offense to the court.	38-1; 29-1
2.			<b>A statement of facts</b> is prepared for the record, specifying the sins or also the violations of the PCA Constitution ( <i>Westminster Standards, Book of Church Order</i> ) to which the person makes a <b>confession of guilt</b> . It is wise to be as specific and concise as possible, including references to Scripture and the PCA	38-1; 29-1
3.			The person agrees that he <b>intends to make a confession of guilt</b> , that the statement of facts is accurate, and <b>that he permits the court to render a judgment</b> (impose a censure) without process based on his confession of guilt and statement of facts. It is wise to have the person sign such a statement and that a copy be retained by the clerk.	38-1
4.			If the <b>person</b> who is making a confession of guilt <b>wishes to make a statement to the court</b> the court may not use such a statement as a basis for judgment without the person’s permission. Therefore, it is wise for the court to have the person certify in writing that he wishes to make a statement to the court and that he gives his permission for the court to use his statement as a basis for judgment (imposition of censure).	38-1
5.			It is appropriate that the moderator remind the court of their responsibilities (Gal. 6:1). Disciplinary procedures ordinarily are conducted in executive session.	32-12 & 15-1 may be adapted to the occasion.

6.			The court decides <b>whether the person is repentant and is making such restitution as is appropriate</b> to the offenses to which he has made a confession of guilt.	30-1
7.			If the person is <b>a minister</b> , the court decides <b>whether the offense</b> to which the person made a confession of guilt is <b>base</b> (vile, contemptible) <b>and flagitious</b> (heinous, extraordinarily wicked, flagrantly wicked).	34-7
8.			The court deliberates as to <b>whether a censure is called for, which censures are available, and which censures are appropriate</b> to the case.	38-1; Ch. 30; Ch. 36
9.			If, in the opinion of the court, <b>the person is repentant and makes such restitution as is appropriate</b> , the censure of <b>admonition</b> may be imposed. Such censure may be administered in private by a member of the court or in the presence of the court by the moderator.	30-1; 30-2; 36-3
10.			If, in the opinion of the court, <b>the person is repentant and makes such restitution as is appropriate</b> , the censure of <b>definite suspension from office</b> may be imposed, when the credit of religion, the honor of Christ, and the good of the penitent require it. Such censure is administered in closed session or open session of the court.	30-1; 30-3 ¶ 3; 36-4
11.			If, in the opinion of the court, <b>the person remains impenitent or has not made appropriate restitution</b> , even though he has made a confession of guilt, the court may impose the censure of <b>indefinite suspension from the sacrament</b> . (There is no definite suspension from the sacrament, BCO 30-3, ¶ 1). Such censure is administered in closed session or open session of the court with added solemnity.	30-1; 30-3 ¶ 1; 36-5

12.			<p>If, in the opinion of the court, <b>the person who is a deacon, ruling elder, or minister remains impenitent or has not made appropriate restitution</b>, even though he has made a confession of guilt, the court may impose the censure of <b>indefinite suspension from office</b>. Such censure is administered in closed session or open session of the court with added solemnity.</p>	<p>30-1; 30-3 ¶4; 36-5 (See also 34-8 for a minister)</p>
13.			<p>If, in the opinion of the court, <b>the person remains impenitent or has not made appropriate restitution</b>, even though he has made a confession of guilt, the court may impose the censure of <b>excommunication</b>. Such censure is administered in closed session or open session of the court, or in public by the moderator</p>	<p>30-1; 30-3 ¶4; 30-4; 36-6</p>
15.			<p>If, in the opinion of the court, <b>the person who is a deacon, ruling elder, or minister remains impenitent or has not made appropriate restitution</b>, even though he has made a confession of guilt, the court may impose the censure of <b>deposition from</b></p>	<p>30-1; 30-3 ¶4; 30-5; 36-7</p>

**Form C1 - Sample**

**Required Statement of Facts and Confession of Guilt for a  
BCO 38-1 Case without Process**

I \_\_\_\_\_ [insert name] agree that the following statement of facts is accurate:

[List accurately and concisely the actions, statements, or attitudes to which the person is making a confession of guilt. Cite circumstances, events, and dates as may be relevant and appropriate. Cite scriptural references or quotations that are applicable. Cite sections of the *Westminster Standards* or the *Book of Church Order* that are applicable. *The Westminster Larger Catechism* is particularly helpful in this regard in its exposition of the Ten Commandments, *WLC* 91-151].

I confess that I am guilty of the sins of [list].

I confess that I am guilty of violating the PCA constitution [cite sections] by [cite offenses committed].

I affirm that I intend to make a confession of guilt as specified above.

In grant my permission for the [Session of \_\_\_\_\_ or Presbytery of \_\_\_\_\_], to whose oversight I am subject, to use the statement of facts to which I have agreed and the confession of guilt which I have made to render a judgment and impose whatever censure or censures the church court considers to be appropriate in my case.

I realize that, though I may not appeal to a higher church court regarding my confession of guilt which I am making (*Book of Church Order* 42-2) because I have not submitted to a regular trial, I do, nevertheless, retain the right to file a complaint regarding the judgment (censure or censures) that this church court may impose (*Book of Church Order* 38-1).

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Form C2 - Sample**

**Permission Form for a Voluntary Statement in Addition to the Required Statement of Facts and Confession of Guilt for a BCO 38-1 Case without Process**

I \_\_\_\_\_ hereby indicate my desire to make a statement to the \_\_\_\_\_ [Session of or Presbytery of] to whose oversight I am subject, for its consideration in determining the censure or censures in my case without process (*Book of Church Order* 38-1). The statement I wish to make is in addition to the statement of facts which I have approved and confession of guilt which I have made in my case without process presently being considered.

Moreover, I give my consent to the church court to which I am subject to use the statements I make in the presence of the court as a basis of judgment without process.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

This page remains blank.



**APPENDIX D – COMMON QUESTIONS FROM SESSION CLERKS**

1. *May a Ruling Elder who is not presently serving on the session of the church of which he is a member (due to his rotating off active service on the session in a church with a rotating system of officers) serve on a Presbytery or General Assembly committee or commission?*

"Dr. Taylor, Stated Clerk's Response: Yes. In such a case the Ruling Elder is still ordained; he did not lose his ordination when he rotated off the session. He is still an elder though not presently a member of the session. His situation would be similar to a Teaching Elder without a call or a Ruling Elder Emeritus (*BCO* 24-9). He would be eligible to serve on a Presbytery or General Assembly committee or commission in the service of the higher court.

2. *May a Ruling Elder who was ordained in one church and subsequently joins another church, but is not elected to the session of the second church serve as a commissioner to Presbytery or General Assembly representing the second church?*

"Dr. Taylor, Stated Clerk's Response: No. Ruling Elder commissioners to Presbytery and General Assembly represent the congregations and Sessions of which they are members (*BCO* 13-3, 14-2). A basic principle of our polity is that the congregation has the right to elect their representative leaders (*BCO*, Preface, Preliminary Principles, II-6). If a congregation has not elected a Ruling Elder to serve on its particular session, that Ruling Elder is not a representative of that particular church and may not represent the particular church in the service of the particular church as a commissioner to a higher court."

The CCB concurred with Dr. Taylor's advice on both questions. So, your questions have been considered by the CCB.

The Committee on Constitutional Business gives advice to the Stated Clerk upon request. I have received questions regarding the status of Ruling Elders Emeritus. I have asked the advice of the CCB regarding my opinions on the matter. On April 5, 2004, I asked the advice of the CCB on two questions regarding elders emeritus.

3. *Does the BCO permit Sessions to give final approval for the annual church budget?*

One of the changes made in the *PCA Book of Church Order* from the old PCUS book is that under the *PCA BCO* the session, not the congregation, approves and adopts the budget (*BCO* 12-5 b.). Under our current *BCO*, there is no need to call a congregational meeting to get the congregation to approve and adopt the budget.

4. *May the moderator vote in a Session meeting?*

*The Book of Church Order* does not explicitly specify whether or not the moderator of the session may vote in a session meeting. The *BCO* does state that the pastor is a member of the session along with the associate pastors and ruling elders (*BCO* 12-1). The pastor, by virtue of his office is the moderator of the session (*BCO* 12-2). All members of the session have the right to vote. As a member of the session, the pastor has a right to vote.

Most sessions follow *Roberts Rules of Order Newly Revised* as a secondary parliamentary authority (if there are no standing rules adopted by the session) or as a tertiary authority (if there are standing rules adopted by the session). *Roberts Rules of Order* states:

- If the presiding officer is member of the assembly, he can vote when the vote is by ballot (see also p. 400). In all other cases the presiding officer, if a member of the assembly, can (but is not obliged to) vote whenever his vote will affect the result – that is, he can vote either to break or cause a tie; or in a case where a two-thirds vote is required, he can vote either to cause or to block the attainment of the necessary two-thirds (*RONR* [10<sup>th</sup> ed.] p. 393, l. 18-25).
- The presiding officer, if a member of the assembly, can always vote in the case of a ballot at the time other members do. Should he fail to vote before the polls are closed, he cannot then do so without the permission of the assembly (*RONR* [10<sup>th</sup> ed.] p. 400, l. 25-28).
- **PROCEDURE IN SMALL BOARDS.** In a board meeting where there are not more than about a dozen members present, some of the formality that is necessary in a large assembly would hinder business. The rules governing such a meeting are different from the rules that hold at other assemblies in the following respects (*RONR* [10<sup>th</sup> ed.] p. 470, l. 17-22). . . The chairman can speak in discussion without rising or leaving the chair; and, subject to rule or custom within the particular board (which should be uniformly followed regardless of how many members are present), he can make motions and usually votes on all questions (*RONR* [10<sup>th</sup> ed.] p. 47, l. 7-11).

If the moderator of the session is someone other than the pastor of that particular church, for example, an assistant pastor moderating under *BCO* 12-4, or a minister of the same presbytery moderating under *BCO* 12-2; 12-3, he may *not* vote because he is not already a member of that session (an associate pastor or ruling elder) elected by that congregation to govern it (*BCO*, Preface, II. Preliminary Principles, 2, 6).

5. *What role does Robert's Rules of Order play in our parliamentary authority?*

The General Assembly, presbyteries and sessions have the following hierarchy of parliamentary authorities: (1) the PCA Constitution (*Westminster Standards, BCO*), (2) Standing Rules (in the case of the Assembly, the “Rules of Assembly Operation”), and (3) *Robert's Rules of Order*. The Constitution is the primary authority, the Standing Rules are the secondary authority, and *RRO* is the tertiary authority. It is nowhere stated that *RRO* supersedes the Constitution.

6. *When does a church member have access to a session's minutes?*

References to church members' access to minutes are in *BCO* 10-4 and 12-7, and yet neither of those references settles the issue of whether a church member may have access to session minutes, other than to extracts from the minutes “whenever properly required” (*BCO* 10-4). A session may adopt a standing rule that supersedes and is different from *RRO*, but not contrary to the *BCO*. If the standing rules of a session do not address the issue, then *Robert's Rules of Order*, Chapter XV, Section 47, page 444, Tenth Edition, should be consulted: “Any member [of a society] has a right to examine the minutes of the society at a reasonable time and place, but this privilege must not be abused to the annoyance of the secretary. The same principle applies to the minutes of the boards and committees, their records being accessible to members of the boards and committees but to no other.” If a person is denied an “extract” of the session minutes by the session, under (*BCO* 10-4), a complaint could be taken to presbytery and if denied by presbytery, could be filed with the Standing Judicial Commission of the General Assembly.

7. *What are the proper procedures for rescinding, repealing or annulling actions of a previous Session meeting?*

A motion to reconsider an action would be out of order if it were made by someone who voted with the minority: “The motion can be made by any member of the committee who *did not vote with the losing side*; or, in other words, the maker of the motion to *Reconsider* can be one who voted with the prevailing side, or one who did not vote at all, or even was absent” (*Robert's Rules of Order*, 10<sup>th</sup> ed. §37). At a later meeting, however, a person who voted in the minority may make a motion to rescind a previous action...In contrast to the case of the motion to *Reconsider*, there is no time limit on making these motions after the adoption of the measure to which they are applied, and they can be moved by any member, regardless of how he voted on the original question.” It would, however, require an affirmative vote of a majority of the entire membership to pass. Moreover, there are limitations on what may be rescinded (*RRO*, 10<sup>th</sup> ed. §35). In short, anyone can make the motion to rescind regardless of how he voted on the matter at the previous meeting. It must be seconded. It is

debatable. If no prior notice is given, or if there is no statement of the intention of making the motion given in the call of the meeting, a two-thirds vote is needed to pass the motion. If prior notice is given, or if there is a statement of the intention of making the motion given in the call of the meeting, a simple majority vote is needed to pass the motion.

8. *How are we to understand BCO 38-3, 4?*

*BCO 38-3, 4* allows for a member to withdraw his membership from a church. Both sections also indicate that the session should seek to work pastorally with the member before acceding to the request. If pastoral efforts do not persuade the member, then the session should take no further action but erase his name from the roll and record the circumstances in the minutes. If there are no charges pending or judicial process already begun, the session cannot begin judicial process after receiving the request to withdraw. If a judicial process had already begun, then the session could either erase the name or proceed with and conclude judicial process even in the member's absence. With regard to dealing with a spouse who desires to withdraw while the other spouse does not, the session has to treat the request on its own merit, not as a family issue (of course, pastoral care should be attempted as mentioned above).

9. *How do we understand the timing of distributing the record of the case to all parties in an appeal. According to BCO 32-18 once a clerk has assembled the record of the case the parties shall be allowed copies at their own expense if they demand them. However, in Appendix H outlining procedures as an Appellate Court, #6 says the record of the case is delivered to the Commission members and the parties in the case. So, which is it?*

The quick answer: if no appeal process is under way, the party must request and pay for the Record of the Case (32-18). If an appeal has been filed and is being adjudicated, the Court should provide all parties to the case with a copy of the Record of the Case that it has received (Appendix H).

Explanation:

The provision in *BCO 32-18* precedes the filing of an appeal or complaint. Upon completion of the trial, the clerk of the court of original jurisdiction assembles a Record of the Case. The parties involved have the right to request the full Record of the Case at their own expense. No right of either party requires the Record of the Case be automatically provided, only that it be available to them. Appendix H speaks to when an appeal or complaint has been filed and is being adjudicated. At that point, the onus is no longer on the parties of the case to request the Record. As the appeal is based solely on the Record of the Case, the appellate court (through its clerk) should provide all parties of the case with a copy of the Record of the Case so that they have the opportunity to perfect the Record prior to the case being heard.

## Appendix E – Session Records Guidelines

Nothing in the *BCO* addresses *the* duties of the Clerk of the Session other than *BCO* 10-4, 12 (specifically 12-6, 7, 8) and 32-18.

- I. DUTIES OF THE CLERK [from *BCO* 10-4; *BCO* 12-6,7,8; *BCO* 32-18]
1. A clerk or clerks shall be elected by the Session, Presbytery and General Assembly to serve for a definite period of time as determined by the court. *BCO* 10-4
  2. It is the duty of the clerk, besides recording the transactions, to preserve the records carefully, and to grant extracts from them whenever properly required. Such extracts under the hand of the clerk shall be evidence to any ecclesiastical court, and to every part of the court. *BCO* 10-4
  3. The Session shall hold stated meetings at least quarterly. *BCO* 12-6
  4. Every Session shall keep an accurate record of its proceedings, which record shall be submitted at least once in every year to the inspection of the Presbytery. *BCO* 12-7
  5. Every session shall keep an accurate record of baptisms, of communing members, of non-communing members, and of the deaths and dismissals of church members. *BCO* 12-8
  6. (In the case of judicial proceedings) Minutes of the trial shall be kept by the clerk, which shall exhibit the charges, the answer, record of testimony, as defined by *BCO* 35-7, and all such acts, orders, and decisions of the court related to the case, as either party may desire, and also the judgement. *BCO* 32-18
  7. (In the case of judicial proceedings) The clerk shall without delay assemble the Record of the Case which shall consist of the charges, the answer, the citations and returns thereto, and the minutes herein required to be kept. *BCO* 32-18
- II. DUTIES OF THE SECRETARY/CLERK [from *RRO*, 11th Edition, pages 458-9]
1. To keep a record of all the proceedings of the organization--usually called the *minutes*.
  2. To keep on file all committee reports.
  3. To keep the organization's official membership roll (unless another officer or staff member has this duty); and to call the roll where it is required.
  4. To make the minutes and records available to members upon request (see below)
  5. To notify officers, committee members, and delegates of their election or appointment, to furnish committees with whatever documents are required for the performance of their duties, and to have on hand at each meeting a list of all existing committees and their members.
  6. To furnish delegates with credentials.
  7. To sign all certified copies of acts of the society, unless otherwise specified in the bylaws.
  8. To maintain record book(s) in which the bylaws, special rules of order, standing rules, and minutes are entered, with any amendments to these documents properly recorded, and to have the current record book(s) on hand at every meeting. [Sessional Record Books can be obtained from the Christian Education Bookstore, 1-800-283-1357, [www.cepbookstore.com](http://www.cepbookstore.com). They contain acid free paper for archive purposes.]
  9. To send out to the membership a notice of each meeting, known as the *call* of the meeting, and to conduct the general correspondence of the organization--that is, correspondence that is not a function proper to other offices or to committees.

10. To prepare, prior to each meeting, an order of business for the use of the presiding officer, showing in their exact order, under the correct headings, all matters known in advance that are due to come up and--if applicable--the times for which they are set.
11. In the absence of the president and vice-president, to call the meeting to order and preside until the immediate election of a chairman pro tem.

### III. GUIDELINES FOR KEEPING AND EXAMINING SESSION MINUTES

“Minutes” are a permanent record in an orderly form.

#### PERMANENT

- All minutes should be typed.
- All minutes, including digital minutes, must be printed and kept in a bound volume for permanent record with the name of the Church appearing on the cover of the volume. Loose-leaf notebook is acceptable.

#### RECORD

- Include the date of celebration of the Lord’s Supper, record of baptisms, the manner of reception and dismissal of members. If a member is admitted to or dropped from the rolls, the Clerk must state the reason and refer to the appropriate article in the *BCO* (*BCO* 12-5).
- A copy of the annual budget approved by the Session and the PCA Annual Statistical Report should be attached annually (*BCO* 12-5).
- Joint meetings of the Session and Diaconate should be recorded, keeping in mind that no joint actions can be taken (*BCO* 9-4) and that notations should be made when the Session approves the minutes of the Diaconate (*BCO* 9-4; 12-5).
- The minutes should include the names of delegates to Presbytery or General Assembly as well as the report they make to the Session after Presbytery or General Assembly (*BCO* 12-5).

#### ORDERLY

- Every Session must meet at least once quarterly (*BCO* 12-6) and submit their minutes annually for Presbytery’s review (*BCO* 12-7).
- Follow Parliamentary procedure in accordance with *The Book of Church Order* and *Robert’s Rules of Order* as approved by the General Assembly.
- Each action should be put in the form of a motion, with a second and notation of whether the motion passed or failed. The Clerk should not write his personal opinion in the minutes, but notes may be made for historical purposes.
- The minutes of each meeting should be approved at that meeting or at the following meeting by way of a motion indicating the date of the minutes approved.
- The Clerk must sign each set of Session minutes. Congregational minutes must be included chronologically and signed by the Moderator and the elected Clerk.
- Congregation and or Corporate minutes must be approved at the instant meeting. Alternatively, a motion may authorize the session or other named individuals to approve the minutes following the meeting within a reasonable time (usually not more than a month following the meeting).

#### FORM

- Opening - At every meeting the Clerk should record the date, time, and place of the meeting, the names of those present, absent, and excused. The names of visitors should be recorded. The Clerk should note whether a given meeting is Stated or Called.

- Pages should be consecutively numbered, leaving no blank pages between meetings and no records left unattached.
- The minutes are to show that the meeting was opened and closed with prayer (*BCO 12-9*).
- Presbytery's Committee to Examine Session Minutes shall report its findings using the terminology employed by the General Assembly in its *Rules for Assembly Operations (RAO)*, Article 16 (exceptions of form and exceptions of substance), and Sessions shall respond to exceptions of substance Presbytery finds by the same procedure specified in the *RAO*.

#### IV. PROCEDURES FOR EXAMINATION OF SESSIONAL RECORDS.

1. All sessional records shall be examined by the Minutes Committee annually. The Sessional minutes for the preceding year are usually due at the March meeting of Presbytery.
2. Clerks shall photocopy two (2) sets of the annual minutes which are due and deliver them to Presbytery no later than the annual March meeting. The Clerk of Session shall provide a letter or other certification to the Minutes Committee attesting that the copies are true and accurate copies of the minutes as they appear in the official Minute book of the church.
3. The Minutes Committee shall examine the minutes and record any exceptions, notation and comments. Each set of minutes shall be reviewed by two members of the Minutes Committee.
4. Exceptions are matters of substance wherein the minutes deviate from Scripture or the Constitution of the PCA. Notations are minor infractions of form but not of substance. Comments are just that.
5. Only exceptions identified by the Minutes Committee and approved by Presbytery are to be responded to by the Session. There is no requirement to respond to notations or comments.
6. The Minutes Committee shall report its findings to Presbytery. Presbytery will review the findings and the final adopted report of the committee will be transmitted to each Church. All exceptions of substance require a response by the Session to Presbytery.
7. Sessions may respond:
  - a. By agreeing with the exception and correcting the record (if possible), correcting its actions (if possible) and promising to be more careful in the future. Or,
  - b. By respectfully disagreeing with the exception, stating its grounds and referring the exception back to the Presbytery.
8. If the Session responds by respectfully disagreeing with the exception and has not corrected or redressed the identified problem, and the Minutes Committee (after reviewing the Session's response and grounds) continues to believe that the Session has persisted in error;
  - a. the Minutes Committee shall report to the Presbytery the continuing exception and shall make a recommendation as to whether Presbytery should seek a more acceptable response. Or,
  - b. the Minutes Committee may request that Presbytery appoint a representative to present its case and refer the matter to a Judicial Commission, citing the Session to appear in accordance with *BCO 15*.
9. If a Session refuses to submit its minutes, or has failed to submit its minutes for two consecutive years, or has habitually failed to submit its minutes for review, the Minutes Committee may request that Presbytery appoint a Judicial Commission, citing the Session to appear in accordance with *BCO 15*.

**REVIEWERS REPORT FORM**  
**for Annual Review of Sessional Records**

INSTRUCTIONS: Answer either "yes" or "no" in the first blank and record page numbers where applicable in the second blank. Make two (2) copies. The original is reported to Presbytery and remitted to the Church. The copy is kept by the Minutes Committee.

NAME OF CHURCH \_\_\_\_\_

Reviewed pages \_\_\_\_\_ thru \_\_\_\_\_. Reviewed Period (dates) \_\_\_\_\_ thru \_\_\_\_\_.

	Y/N	PAGE
# (S)		
1. Church name is affixed to the minutes.	_____	_____
2. "Guidelines for Keeping Session Minutes" posted inside front cover.	_____	_____
3. A. The pages are numbered.	_____	_____
B. Each page contains information (no blanks).	_____	_____
4. A. The date of each meeting is recorded.	_____	_____
B. The place of each meeting is recorded.	_____	_____
C. The type (stated or called) of each meeting is recorded.	_____	_____
5. A. Record of quorum present at each meeting (BCO 12-1,7)	_____	_____
B. There is a record of the names of elders present or absent and the name of the Moderator listed.	_____	_____
C. There is a record of invitation to seat non-members.	_____	_____
6. A. When the pastor (moderator) was absent, there is a record of appointment of a moderator. (BCO 12-2, 3)	_____	_____
B. When the clerk of session was absent, record election of acting clerk.	_____	_____
7. A. Each meeting was opened with prayer. (BCO 12-9)	_____	_____
B. Each meeting was closed with prayer. (BCO 12-9)	_____	_____
8. A. When new members are enrolled, there is a record of how received (profession of faith, transfer of letter, or re-affirmation of faith).	_____	_____
B. When new members are enrolled by transfer of letter, there is a record of the name and location of the church from which they came.	_____	_____
C. When members are dismissed, there is a record of the name and location of the church to which they were transferred.	_____	_____
9. A. Record of election of ruling elder commissioner(s) to Stated Presbytery meetings. (March, May, September, November)	_____	_____
B. Record of reports to Session by commissioners to Presbytery.	_____	_____
10. A. Record of election of commissioner(s) to General Assembly. (June)	_____	_____
B. Record of report to session by commissioner to General Assembly.	_____	_____
11. Record of an annual (quarterly or monthly) examination of the minutes of the Board of Deacons. (BCO 9-4)	_____	_____
12. Record of Session approval and inclusion of PCA Annual Statistical Report and a copy of the approved annual budget.	_____	_____
13. Record of stated times the Lord's Supper was observed during the year. (BCO 58-1)	_____	_____



- 14. A. Record of the Call and Purpose of each congregational meeting. \_\_\_\_\_
- B. Record of names of officers elected, their examination \_\_\_\_\_  
and/or date to be installed. \_\_\_\_\_
- 15. Minutes of any ordination and/or installation services as Called meetings \_\_\_\_\_  
of the Session in the presence of the congregation for the officers elected \_\_\_\_\_  
by the congregation.
- 16. A. Signature of the clerk at the end of **all** minutes. \_\_\_\_\_
- B. Signature of the Moderator at the end of all minutes of the \_\_\_\_\_  
Congregation/corporation. Minutes of the Corporation may \_\_\_\_\_  
be signed by the President and Secretary of the Corporation.
- 17. Session held at least four stated meetings during the year (BCO 12-6) \_\_\_\_\_
- 18. In a judicial case before the Session, there is a record of full \_\_\_\_\_  
proceedings as required in the rules of discipline. (BCO, Part II) \_\_\_\_\_
- 19. Note of its annual review and accuracy, of its record of "baptism of \_\_\_\_\_  
communing members, of non-communing members, and of deaths \_\_\_\_\_  
and dismissal of church members." (BCO 12-8)
- 20. Minutes of previous meetings were read and approved by Session. \_\_\_\_\_
- 21. Are there loose sheets among the minutes? \_\_\_\_\_
- 22. Are there erasures of interlineations? \_\_\_\_\_

21. OTHER COMMENTS:

Signed by  
Reviewer: \_\_\_\_\_

Date  
Reviewed: \_\_\_\_\_

## APPENDIX F – GUIDANCE REGARDING SESSION MINUTES

*Note that this section is simply guidance and information for Clerks of Sessions. It is designed to be a help and provide suggestions regarding the nature of minutes and their importance to the local church as well as the denomination. May the Lord bless your labors in His name to bring glory to Him and to His kingdom.*

The minutes of the Session of a local congregation are far more than a list of action items. The minutes are an historical and legal document. They are a **permanent record** of the local church and need to be carefully preserved in the church archives after five years. In addition to the minutes, the session should maintain a permanent record of the communicant membership roll (including details regarding admissions to membership and removals from membership), the non-communicant membership roll, the record of baptisms (which includes a record of birth dates and places) and a record of officers. Both the minutes and the records of the church must be made available to members upon request.

### A. Session Minutes are:

1. A complete and accurate account of all actions adopted by the session.
  - a. The Clerk must refrain from bias, opinion or editorialization in taking minutes.
  - b. The Clerk must keep in mind that the minutes are not a transcript of the meeting, but a full and accurate record of the decisions and actions adopted by the session.
2. A legal record which may be referred to:
  - a. By the civil court
  - b. By the Internal Revenue Service
  - c. By the church's insurance carrier
  - d. By future sessions to review policies or decisions
  - e. By current and future congregations
  - f. In order to provide credentials to delegates (for presbytery or GA).
3. An historical record of the local church
  - a. Minutes may record marriages, births, baptisms and deaths
  - b. Minutes will have valuable data regarding members of the church.
4. A permanent record of the business conducted
  - a. The minutes, once approved, may not be edited or changed. If error is found or there is need to rescind an action recorded in an approved set of minutes the procedures of Robert's Rules of Order must be maintained.
    - i. A motion may be made to amend or rescind a previous action. If that motion is adopted it is recorded in the minutes of the instant meeting. The clerk may then make a note in the margin of the previous minutes near the previous action indicating the date of

amendment or action to rescind. The clerk must initial the note in the margin (and may refer to a page number if appropriate). No change may be made to the previous minutes.

- ii. A motion may be made to rescind and expunge a previous action if such a motion meets the requirements of Robert’s Rules of Order. In such as case, the motion to rescind and expunge a previous action must be recorded in the minutes of the instant meeting. The clerk will then place a single line through the action recorded in the previous minutes and make a note in the margin recording the date it was rescinded (and the page number if appropriate) along with his initials. No more than one line may be used to mark the original action so that the reader will be able to see that no additional language was struck beyond that which was rescinded and expunged by action of the session.

### **B. Criteria for formatting:**

There are several criteria adopted by the Presbytery and by the PCA with respect to session minutes.

1. The minutes must be typed
2. The minutes must be in a permanent binder (three-ring binders are acceptable but not preferred. Presbytery and the PCA prefer that sessions use a “Wilson-Jones” type minute binder with acid-free paper. These binders permit the pages to be inserted in a printer and are capable of being locked when they are full to prevent pages from being removed or replaced.
3. Pages must be numbered. There is some freedom as to the numbering format. While the pages may be consecutively numbered, some sessions number their pages by year or some other format. But the pages must be numbered so that it will be easy to refer to a part of the minutes.
4. There may be no blank pages in the minute binder. There may be no large blank sections on a page in the minute binder. Such blank sections or pages must be marked with a single line across the space or page and initialed by the clerk.
5. There may be no loose pages in the permanent binder. All pages must be “punched” and numbered.
6. There may be no erasures, interlineations or footnotes except in the case of motion to amend, rescind or rescind and expunge (see A. Session Minutes are, 4, above).

### **C. Required data:**

There are several essential pieces of data what must be recorded in the minutes of a session meeting. These include:

1. No actions may be taken which are inconsistent with Scripture or the Constitution of the Presbyterian Church in America, including the Book of Church Order.
2. In the heading of the minutes:
  - a. Record the name of the church
  - b. The type of meeting (stated, called or special)
  - c. The date of the meeting
3. In the opening paragraphs or opening section
  - a. The name of the church
  - b. The type of meeting
    - i. If the meeting is a called or special meeting the minutes must indicate the purpose for which the meeting was called. No business other than that which is stated in the purpose may be conducted at that meeting.
  - c. The date of the meeting
  - d. The place of the meeting
  - e. The time the meeting began
  - f. The names of those session members present, absent or excused
  - g. A list of visitors
  - h. The fact that the meeting was opened with prayer.
4. In the closing paragraph
  - a. The time of the closing
  - b. The fact that the meeting was closed with prayer
5. During the meeting
  - a. Carefully record the motions and the results of any votes
    - i. If this is a small session you may choose to use the short form which does not necessitate to record the maker of the motion. You may also record that the motion was adopted by common consent or without objection.
  - b. Committee reports submitted in writing should be recorded in the minutes verbatim.
  - c. Record the date of celebration of the Lord's Supper.
  - d. Record all baptisms
  - e. Record the manner of reception and dismissal of members (citing BCO).
6. In the case of Judicial Action (including reception and dismissal of members)
  - a. In all judicial actions, the session must cite the appropriate section of BCO.
  - b. All judicial actions must be carefully recorded in strict accord with the requirements of the BCO.

**D. Approval of Minutes:**

Each set of minutes must be approved by the session:

1. Minutes may be read and approved at a subsequent regular meeting of the session. Such approval must show the date of each set of minutes approved.
2. Minutes may be immediately approved at the end of a session meeting if appropriate. (This is rare unless the minutes are typed, printed and distributed for reading at the same meeting.)
3. Minutes of each meeting must be signed by the Stated Clerk or by the Moderator of Session.

**E. Special and Annual Requirements:**

1. Session should record the election or appointment of commissioners to meetings of Presbytery or to General Assembly.
2. Session must include a copy of the PCA Annual Statistical Report in its minutes.
3. Session must include a copy of the annual budget and any amendments, changes or updates to the budget throughout the year.
4. Session should record, annually, the housing allowance permitted for its Pastor(s). The IRS requires that such approval be recorded prospectively and may not be retroactive. It is recommended that the housing allowance be stated in the December minutes for the following year or in the January minutes of the current year.
5. Joint meetings of the Session and Diaconate should be recorded, keeping in mind that no joint actions can be taken (BCO 9-4) and notation should be made when the session approves the minutes of the Diaconate.

**F. Congregation/Corporation Minutes:**

1. All minutes of the congregation or corporation must be approved in one of the following ways:
  - a. The congregation/corporation may adopt a motion to permit approval of the minutes after the meeting (within a reasonable time, not more than one month) by a committee or by the session.
  - b. The congregation/corporation may hear the minutes read at the end of the meeting and approve them before adjournment.
2. All minutes of the congregation/corporation must be signed both by the Clerk elected by the congregation at the meeting (or elected to serve for a definite period such as one year) and by the Moderator of the meeting. Corporate meeting minutes may be signed by the President and Secretary of the Corporation.
3. If the budget is discussed at the congregational/corporation meeting the full budget must appear in the minutes of the meeting along with all reports distributed for the meeting.

