

Presbytery of West Virginia Policies and Procedures for Dissolving Congregations

Adopted June 16, 2009

1 All systems have a natural life span, some longer than others, and so it is with
2 congregations. That life span may be hundreds, even thousands of years, but it may also
3 be just a few decades. But however long it is, when the time comes for a congregation to
4 dissolve, it will be stressful, grief-filled and unpleasant.

5 In such a time, it is important to have established guidelines so all involved will know
6 what to expect and how to proceed. It also lessens the chance for error or overlooking
7 something important.

8 As the Book of Order of the Presbyterian Church (U.S.A.) has limited guidelines on the
9 process, the Presbytery of West Virginia adopts these policies and procedures for
10 dissolution of congregations.

11 I. GETTING STARTED

12 When it appears that the time has come for a congregation to be dissolved, the
13 session should adopt a motion requesting presbytery appoint an administrative
14 commission for the purpose of dissolving the congregation.

15 This “time” can arrive in any number of ways:

- 16 i. The session discerns that the church no longer has the human or financial
17 resources to continue.
- 18 ii. The session, in consultation with the appropriate entity of presbytery, e.g.
19 the Committee on Ministry or Committee on Congregational
20 Development, concludes that the congregation’s mission in that time and
21 place is concluded.

22 Note that in both instances, it is the session which is driving the decision. While
23 the Book of Order clearly gives presbytery, and presbytery only, the authority to
24 establish and dissolve congregations (G-11.0103h-i), no dissolution will
25 reasonably or ordinarily occur without the agreement of session, and through it
26 the congregation.

27 Such a decision should not be made in haste or in a vacuum. As the Session
28 considers whether to adopt such a motion, it should involve representatives from
29 Presbytery, either the Committee on Ministry or Committee on Congregational
30 Development, to explore all the options available to it. For example, other options
31 might be merger or yoking with another nearby congregation. Other options
32 might include a different model of pastoral leadership, e.g. part-time,
33 commissioned lay pastor, supply, etc.

34 The language of G-7.0102¹, and the congregation’s ability to fulfill it, should
35 always be before the Session.

¹ The particular church carries a vital responsibility in the mission of the church. There God's people perform especially the ministries of worship, proclamation, sharing the Sacraments, evangelism, nurture, counseling, personal and social healing, and service. Without this basic ministry to persons, neighborhoods, and communities, and the support given at the congregational level through prayer, personnel, and money, any other significant ministry of the church becomes impossible. Congregations serve as essential mission arms of the presbytery and of the larger church.

36 Session, and the congregation, should also be reminded of the covenant adopted
37 when the congregation was organized: “We, the undersigned, in response to the
38 grace of God, desire to be constituted and organized as a church to be known as __
39 _____ . We promise and covenant to live together in
40 unity and to work together in ministry as disciples of Jesus Christ, bound to him
41 and to one another as a part the body of Christ in this place according to the
42 principles of faith, mission, and order of the Presbyterian Church (U.S.A.)” (G-
43 7.0201)

44 Once session has adopted the motion, it should immediately be communicated to
45 the stated clerk.

46 **II. PRESBYTERY RESPONSE**

47 *A. Creating the Commission*

48 Once the request from session has been received, the stated clerk will forward
49 it to the Committee on Ministry, which will consider the request, and if it
50 concurs, recommend to presbytery the creation of a commission.² The
51 moderator shall appoint the commission, consisting of seven members, one of
52 whom shall be a member of the dissolving congregation. The moderator shall
53 designate a chair of the commission, who shall convene the commission as
54 quickly as possible.

55 The commission shall be formed according to G-9.0504(b)3. (For the
56 purposes of efficiency, COM may provide the moderator with a list of
57 suggested commission members prior to the actual election.)

58 It is important that the Administrative Commission be given all the authority
59 it needs to accomplish its task, and since a commission only has the authority
60 specifically given it when created (G-90502), the motion from the COM to
61 presbytery should include:

- 62 1. The Presbytery of West Virginia approves the dissolution of the
63 _____ Presbyterian Church, effective __/__/__.
- 64 2. Assign Commission to assist the pastor and/or session to wind up the
65 affairs of the church, transfer of remaining members, plan worship, thanks
66 to God for the ministry of the congregation.
- 67 3. Authorize the Commission (or Stated Clerk) to receive Session Records
68 (list all the records), retain records to wind up affairs, deposit with the
69 Stated Clerk of the Presbytery, who will then forward to Presbyterian
70 Historical Society.
- 71 4. Authorize the Commission (or Stated Clerk) to grant letters of dismissal
72 to members whose names are still on the roll. We would limit this to a one
73 year grant to encourage movement in finding new church homes.

² While Presbytery has delegated to COM some authority to act in its stead, this is not an area that should be delegated. COM can recommend an AC be created, and nominate the members, but only presbytery should elect it. (Authoritative Interpretation approved by the 207th GA (1995))

74 5. RECITE: Under Form of Government, Chapter VII, Section 2 and
75 Section 4 (G-8.0200, and G-8.0400) all property of the _____
76 Presbyterian Church is held in trust for the Presbyterian Church (U.S.A.).
77 The Administrative Commission of Presbytery of West Virginia, appointed
78 ___/___/___, is authorized to take possession of all real and personal
79 property, financial records, inventories of equipment, (list other assets if
80 there are others) and arrange for transfer of title to the Presbytery of all
81 accounts and real property known to be in the possession of _____
82 Presbyterian Church.

83 6. Authorize the Commission to consult with the session regarding
84 requests the congregation may have relating to the disposition of
85 equipment and memorials and other property of the _____
86 Presbyterian Church, and from the date of the action to approve the
87 disposition of property or to arrange for its retention and storage for
88 future use at the direction of the presbytery.

89 7. Authorize the Commission (and/or the Trustees) to assert claim of the
90 presbytery to any property of the _____ Presbyterian Church not
91 known at this time or property which may come to the _____
92 Presbyterian Church as the beneficiary of a will or trust not known at this
93 time.

94 *B. Duties of the Commission*

95 (Note: Each of the following duties should be executed in consultation with the
96 Session of the church which is to be closed, if possible.)

97 **1. Arrange for the pastoral care of church members**

- 98 a. Work with the Session to identify where members wish their
99 membership to be transferred.
- 100 b. Appoint a pastor to be responsible for pastoral care until membership
101 is transferred or a clear decision is made to cease being an active
102 member of any congregation.
- 103 c. Membership is held by the Stated Clerk of the Presbytery for one year if
104 not transferred prior to dissolution of the congregation.
- 105 d. If the member wishes to transfer membership before the church is
106 dissolved, the Clerk of Session of that church will send the letter of
107 transfer. If the membership is transferred after the dissolution of the
108 church, the Stated Clerk of Presbytery will send the letter.

109 **2. Plan a closing worship service celebrating the life and ministry**
110 **of the congregation.**

- 111 a. Set the date and the time for the service.
- 112 b. Aim for the warmer months whenever possible.
- 113 c. Allow ample time for the date to be publicized and invitations issued.
- 114 d. Decide what special features the service should include.

- 115 e. Determine whether the celebration of the Lord's Supper would be
116 appropriate.
- 117 f. Consider structuring the service as a Service of Witness to the
118 Resurrection, using resources from the *Book of Common Worship*.
- 119 g. Identify a possible preacher and other participants.
- 120 i. Former pastors/preachers might be invited.
- 121 ii. At least one representative from the church should be included.
- 122 iii. At least one representative from the Commission should be
123 included.
- 124 iv. The Executive Presbyter (or other Presbytery Representative)
125 should be included.
- 126 h. Identify favorite hymns of church members.
- 127 i. Consider possibilities for special music, including:
- 128 i. the church choir, if one exists.
- 129 ii. Soloists, from church, presbytery, or community.
- 130 iii. A community or presbytery choir (existing or ad hoc).
- 131 iv. Instrumentalists.
- 132 v. A bagpiper (if in the church's tradition).
- 133 j. Have the Session designate where the proceeds from the Offering will
134 go (generally some local concern such as a hunger program or
135 woman's/homeless shelter).
- 136 k. Arrange for ushers, "car parkers", and elders to serve Communion (if
137 needed).
- 138 l. Type and print bulletins.
- 139 m. Arrange for preparation of communion elements, if needed.
- 140 n. Arrange for any needed cleaning of facility before the service

141 **3) Publicize the closing service**

- 142 a. Have church members make a "guest list" of relatives, friends, former
143 members, etc. whom they wish to invite to the celebration.
- 144 b. Have invitations printed and give to church members to send out
145 (stamps should be paid for out of church treasury.)
- 146 c. Design a flier and write accompanying letter to be distributed to the
147 churches and members of the Presbytery.
- 148 d. Send flier and letter to Presbytery office with ample time for
149 duplication and distribution.

150 e. Arrange for local newspaper coverage and photographer (picture might
151 also go on the cover of the worship service bulletin).

152 **4. Arrange for the reception following the worship service**

153 a. Identify the location for a reception.

154 b. Decide how the food will be provided (Caterers? Church members?).

155 c. Determine what financial resources the congregation has to pay for
156 this.

157 d. Appoint a "sub-committee" to take charge of decorating and other
158 arrangements.

159 e. Gather memorabilia to display.

160 f. Plan any type of program, toasts, etc.

161 **5. Ascertain the financial status and outstanding financial**
162 **obligations of the session.**

163 a. Conduct a financial review of the Treasurer's books for the last 12
164 months.

165 b. Determine location of checking accounts, savings accounts,
166 endowment accounts, Sunday School accounts. Women's group
167 accounts, and any other financial resources.

168 c. On endowment or memorial accounts determine if there are any
169 bequest stipulations

170 d. Have all accounts closed, transferring any balances to the primary
171 checking account of the Session

172 e. Submit new signature card(s) for accounts with at least two members
173 of the Administrative Commission designated as signatories

174 f. Determine any outstanding debts/obligations

175 g. Publish in local paper a public notice to the effect:

176 *The _____ Church of _____,*
177 *West Virginia will cease operation on or about (date). Any*
178 *outstanding debts/financial obligations must be submitted in writing*
179 *to the church treasurer at (address) by the close of the business day*
180 *(date).*

181 h. Oversee the discharge of all financial obligations by the church
182 treasurer.

183 i. Oversee the provision of a "statement of contribution" to all current
184 year contributors.

185 j. If the church owns any stocks, bonds, certificates, or other financial
186 instruments have ownership of such transferred to the Presbytery of
187 West Virginia.

188 k. Following the dissolution, transfer all remaining balances to the
189 Presbytery of West Virginia and close all remaining accounts.

190 **6. Secure the session records**

191 a. Locate all Session minutes, the church register, and other financial and
192 legal records to be transferred to the Presbytery Historical Society.

193 b. The Clerk of Session will hand these symbolically to a representative of
194 the Presbytery (Stated Clerk) at the conclusion of the Closing
195 Celebration.

196 **7. Secure the legal rights to the property**

197 a. Secure a Clear Title to the property

198 b. A copy of the deed may be obtained from the county courthouse. A
199 copy of the deed should be sent to the Presbytery Trustees.

200 c. Ascertain if there are any deed restrictions or stipulations.

201 d. Transfer title of the property to the Presbytery of West Virginia.

202 e. Have the property listed on the Presbytery's property and liability
203 insurance coverage, terminate any current insurance coverage.

204 f. At the time of the sale of property, Presbytery must notify the County
205 Assessor's Office that the property is no longer used as a church.

206 **8. Secure the building and property**

207 a. Arrange for the disposition of furnishings

208 1. The Session, with the concurrence of the Administrative
209 Commission, needs to arrange for the disposition of furnishings,
210 communion ware, hymnals, Sunday School supplies, pulpit, lectern,
211 and communion table, etc. These may be given away, sold by the
212 piece, or bids may be received for the entire lot of furnishing. It is
213 recommended that at least one appraisal by an antiques
214 dealer/estate assessor be obtained before accepting any bids.

215 2. These decisions should be documented in detail in both Session and
216 Commission minutes.

217 b. Ascertain which utilities should remain connected and which may be
218 disconnected and make these arrangements with the proper
219 companies. Have the billing for the utilities transferred to the
220 Presbytery of West Virginia following the closing service.

221 c. It may be necessary to maintain heat during the winter to avoid
222 damage.

223 d. Electricity and water (if available) should remain on until the closing
224 celebration.

225 e. Arrangements should be made to drain the pipes when utilities are
226 turned off.

- 227 f. Secure the building and recover keys from anyone who does not need
- 228 access.
- 229 g. If distribution of keys is widespread and any contents are valuable,
- 230 consider having the locks changed.
- 231 h. Make provisions for a caretaker until the final disposition of the
- 232 property, including mowing of lawn and maintenance of any sidewalks.

233 **9. Attend to matters of insurance (with Trustees)**

- 234 a. All insurance coverage should be maintained at least until the final
- 235 worship service.
- 236 b. Liability coverage should be maintained until the final disposition of
- 237 the property.
- 238 c. Once the church is dissolved, coverage should be moved to the
- 239 Presbytery's policy.

240 **10. Disposition of buildings and grounds (with Trustees)**

- 241 a. Have the property surveyed if this is needed.
- 242 b. Obtain an appraisal from at least one real estate agency.
- 243 c. If the building is to be sold, make decisions about how it will be placed
- 244 on the market.
 - 245 1) If sold to third party, it is the Trustees that normally sign the deed
 - 246 and handle the sale (including hiring professionals - attorney, real
 - 247 estate persons, appraisers, etc.)
 - 248 2) If the real estate is going to be retained by the presbytery, the
 - 249 commission needs to see that the title to the property is put in the
 - 250 presbytery's name. It is probably better to have the session do this
 - 251 as one of its final acts. However if that doesn't happen, the
 - 252 Commission can do it, so long as it has been given the power.
- 253 d. Recommend to the Presbytery Trustees any stipulations regarding the
- 254 sale of building and property (for example, that it should be used in a
- 255 "manner respectful of its heritage", that buyers have the wherewithal to
- 256 maintain the building, that a liquor license never be granted to any
- 257 establishment using the premises.)
- 258 e. After the closing worship service remove any identifying signage and
- 259 the cornerstone, if possible (checking for a time capsule.)

260 **11. Dissolution of the commission**

- 261 a. Commission asks to be dissolved on an effective date.
- 262 b. Commission reports to the Presbytery. The report should briefly recite
- 263 the congregation's history, lifting up the highlights and giving Thanks
- 264 for the ministry. Next the report needs to describe the process and
- 265 actions the Commission has taken (including the action making the
- 266 presbytery the "successor in interest" to the congregation.) Finally the

267 report needs to give a full accounting of the transfer of members (and
268 listing those remaining on the roll so Stated Clerk can thereafter keep
269 the roll) and of the distribution of the assets.

270 c. Commission submits minutes to the Stated Clerk.