

**PRESBYTERY OF WEST VIRGINIA  
POLICY FOR DISMISSAL**

Of Congregations seeking dismissal to another Reformed body

Policy Statement - In the spirit of Christ, seeking to assist congregations in difficult times, this document proposes a policy of dismissal from the PC(USA) that expresses the love of Christ for all involved. The PWV has no desire to bring disagreements before civil courts (1 Corinthians 6:1-7), instead, we seek to love one another as Christ has loved us (John 15:12). May this policy and how we enact it be an offering pleasing unto our Lord and to the glory of God.

Purpose – to set forth the process to be followed regarding the separation of a church from the Presbyterian Church (USA). To facilitate such congregational action through a process of “graceful separation” while seeking to protect the rights of minority members.

*According to the Constitution (G-11.0103i BOO and G-3.0303b of nFOG ) the presbytery has been given the responsibility and authority for dismissing a congregation, and therefore has the power to do so. It is the sole body that has that power constitutionally.*

General Policy statements:

1. The presbytery may approve the transfer of affiliation of a congregation to another reformed denomination and, in that transfer, the matter of the disposition of property will be negotiated.
2. The presbytery cannot transfer the affiliation of a congregation to a non-reformed body. The presbytery may approve the dissolution of a congregation and subsequently dispose of the property.
3. Requesting to be dismissed to another denomination is not a valid subject for a called congregational meeting by the Session (G-1.0503). The presbytery calls the meeting through the COM special committee working with the congregation.

Procedures:

1. Upon receiving notification from the church session of the desire to be dismissed, the presbytery through its Committee on Ministry shall appoint a special committee to meet with the congregation. The presbytery committee members will be allowed to speak at the congregation’s meeting. No vote is to be taken at this meeting, but the committee is to gauge the “will of the body” to determine whether or not to pursue dismissal.
2. Should the presbytery committee determine that the will of the body is to pursue dismissal, a special called meeting of the congregation may then be called by the Presbytery’s COM special committee to vote on the issue. A quorum of 50% plus one of the congregation’s membership, with such membership being determined from the congregation’s official records, must be present for a meeting called for the purpose of voting on leaving the Presbyterian Church (USA) PC (USA) in order for the Presbytery to consider dismissal of the congregation to another Reformed body. The vote of a congregation is an advisory vote to the Presbytery, therefore the vote is a request to the Presbytery to be dismissed to a particular Reformed body.

Approved: December 3, 2011

3. Voting must be by secret ballot by members on the active rolls (on the date above) of the congregation present at the meeting. No proxy or absentee voting is permitted. Members of the Presbytery shall be present as observers. A security system to prevent double voting and nonmember voting must be in place. The ballot will include space for an “Abstain” vote. Abstentions will be considered as present for quorum purposes. The congregational vote will occur at a called or special congregational meeting. There would be discussion and voting at each session. PWV representatives would attend and have a right to participate in the discussion. There shall be no counting or announcement of any voting prior to the collection of all ballots.
4. A vote to be dismissed must be passed by at least 66% of those members present and voting.
5. If any member, present and voting, contests the regularity and constitutionality of the meeting, he or she may send the details of the allegation to the Stated Clerk of the PWV, who shall convene the Permanent Judicial Commission to render a decision within the timeframes and requirements set by the Book of Order (D-6.0202).
6. A place shall be identified in advance for those in the minority to meet for prayer and support following the congregational vote.
7. PC(USA) pastors must be able to make individual and personal decisions about their call; therefore, the pastor shall be guaranteed a year’s continued employment or compensation in lieu of such employment, paid by the congregation, if the pastor chooses to remain in the PC(USA).
8. Seminarians supported by the congregation must make individual decisions about their sense of call and shall be given time to work with the Presbytery’s Committee on Preparation for Ministry to make any arrangements necessary for transferring their church membership within the PC(USA). If they are being financially supported by the congregation, that level of support shall be continued by the departing congregation for one year, if the seminarian remains in the PC(USA).
9. All memorials and endowment funds need to be reviewed by the congregation (Session or appointed body) and Presbytery representatives and residual trust concerns taken into account to insure compliance with the donor’s intentions.
10. If the Presbytery of West Virginia has assisted the congregation in obtaining loans or otherwise become financially responsible to a third party, then, and in such event, the congregation must obtain a release of any responsibility of Presbytery before a dismissal will be considered.
11. All financial property issues (fiscal and physical) and ongoing mission support issues must be negotiated with Presbytery prior to a vote by Presbytery on dismissal. In the event of a sufficient congregational vote for dismissal, the Presbytery and the session will each authorize particular persons (three from each body) to serve as a negotiating team.
12. Correspondence from the prospective receiving denomination indicating that they will receive this congregation must be received by PWV prior to the matter going to presbytery for a vote.
13. The vote of the Presbytery on the request to dismiss shall require a simple majority of those present and voting.

## **OTHER ISSUES**

A Permanent Judicial Commission decision states **that a presbytery is not permitted to dismiss a church to an independent status.** The proper procedure is to dissolve the church. This would allow the presbytery to sell the property to the congregation for fair market value or for the congregation to arrange to lease the property from the presbytery for a fair rental fee.

Commissioned Lay Pastors/Commissioned Ruling Elders (CLP/CRE) are reminded that the authority of their commission rests with the Presbytery. Should a congregation served by a CLP/CRE be dismissed, the commission to serve that congregation ceases to be valid.

## **QUESTIONS TO CONSIDER**

What has been important to us in terms of the historical connection of this congregation to the PC(USA) and the local presbyteries? What relationships have enabled our mission and ministry to be effective and meaningful?

What will we lose by severing our connection to the Presbytery of West Virginia? (Bluestone Camp), (Presbyterian Women), (Resource Center), (Collegial Relationships)?

What is the ordination status of women elders in the receiving denomination?

Who will provide pastoral leadership to this congregation after dismissal from the Presbytery of West Virginia?

From where will we receive resource support for education programs?