

2014-2015
BCO AMENDMENTS SENT DOWN TO PRESBYTERIES
BY THE 42nd GENERAL ASSEMBLY
FOR VOTING, and for ADVICE AND CONSENT

(Underlining for new wording; ~~strike through~~ for deletions)

ITEM 1: Amend BCO 5-2 as follows:

5-2. Ordinarily, mission churches are established by Presbyteries within their boundaries. ~~The responsibility for initiation and oversight of a mission church lies with a Presbytery, exercised through its committee on Mission to North America, or by a Session, in cooperation with Presbytery's committee on Mission to North America. However,~~

- ~~a. if an independent gathering of believers desires to form a congregation of the Presbyterian Church in America, they shall submit to the appropriate Presbytery a written request to come under Presbytery oversight. Upon approval of said request, the gathering will be assigned a temporary government (BCO 5-3), which government shall take steps to oversee the election of a pastor according to BCO 5-9.f.(1). The Presbytery will follow BCO 13-8 when it applies.~~
- a. Initiatives to which the Presbytery may respond in establishing a mission church include, but are not limited to, the following:
 - i. The Presbytery establishes a mission church at its own initiative.
 - ii. The Presbytery responds to the initiative of a Session of a particular church.
 - iii. The Presbytery responds to the petition of an independent gathering of believers who have expressed their desire to become a congregation by submitting to the Presbytery a written request.
- b. In the event an existing non-PCA church is interested in coming into the PCA, the Presbytery shall work with the church leadership to determine whether the church should come into the PCA as a mission church or seek Presbytery approval to be received under the provisions of BCO 13-8.
- c. Should it become necessary, the Presbytery may dissolve the mission church. Church members enrolled should be cared for according to the procedures of 13-10.
- ~~b.~~ d. If the mission church is located outside the bounds of a Presbytery, the responsibility may be exercised through the General Assembly's Committee on Mission to North America or Committee on Mission to the World, as the case may be, according to the *Rules of Assembly Operations*. In such a case the powers of the Presbytery in the following provisions shall be exercised by the General Assembly through its appropriate committee.

BCO 5-2 would then read:

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 - i. The Presbytery establishes a mission church at its own initiative.
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- b. In the event an existing non-PCA church is interested in coming into the PCA, the Presbytery shall work with the church leadership to determine whether the church should come into the PCA as a mission church or seek Presbytery approval to be received under the provisions of *BCO* 13-8.
- c. Should it become necessary, the Presbytery may dissolve the mission church. Church members enrolled should be cared for according to the procedures of 13-10.
- d. If the mission church is located outside the bounds of a Presbytery, the responsibility may be exercised through the General Assembly's Committee on Mission to North America or Committee on Mission to the World, as the case may be, according to the *Rules of Assembly Operations*. In such a case the powers of the Presbytery in the following provisions shall be exercised by the General Assembly through its appropriate committee.

ITEM 2. Amend BCO 8-6 as follows:

8-6. When a teaching elder is appointed to the work of an evangelist in foreign countries or where there are no other PCA churches within a reasonable distance, he is commissioned for a renewable term of twelve months to preach the Word, and to administer the Sacraments, to receive and dismiss members of mission churches, and to train potential officers. ~~in foreign countries or the destitute parts of the Church. The Presbytery may by separate acts from that by which it commissioned him, entrust to the evangelist for a period of twelve months the power to organize churches, and, until there is a Session in the church so organized, to instruct, examine, ordain, and install ruling elders and deacons therein, and to receive or dismiss members. By separate actions the Presbytery may in extraordinary situations commission him to examine, ordain and install ruling elders and deacons and organize churches.~~

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distance, he is commissioned for a renewable term of twelve months to preach the Word, to administer the Sacraments, to receive and dismiss members of mission churches, and to train potential officers. By separate actions the Presbytery may in extraordinary situations commission him to examine, ordain and install ruling elders and deacons and organize churches.

ITEM 3. Amend BCO 18-7 as follows:

18-7. The Presbytery may, upon application of the candidate, give a certificate of dismissal to another Presbytery. The candidate may be allowed to retain membership in his home church upon the request of his Session and the approval of both Presbyteries involved. A candidate shall, at his request or at the request of his Session, be allowed to withdraw from the care of the Presbytery. But in such a case sufficient reasons (and any actions taken) must be reported to the Presbytery. The Presbytery may also, for sufficient reasons, remove the name of the candidate from its roll of candidates; but in such a case it shall report its actions and the reasons therefore to the candidate and to the Session of his church. In all cases of a removal or withdrawal of a candidate, the sufficient reason for the action shall be recorded in the minutes of Presbytery.

BCO 18-7 would then read:

18-7. The Presbytery may, upon application of the candidate, give a certificate of dismissal to another Presbytery. The candidate may be allowed to retain membership in his home church upon the request of his Session and the approval of both Presbyteries involved. A candidate shall, at his request or at the request of his Session, be allowed to withdraw from the care of the Presbytery. But in such a case sufficient reasons (and any actions taken) must be reported to the Presbytery. The Presbytery may also, for sufficient reasons, remove the name of the candidate from its roll of candidates; but in such a case it shall report its actions and the reasons therefore to the candidate and to the Session of his church. In all cases of a removal or withdrawal of a candidate, the sufficient reason for the action shall be recorded in the minutes of Presbytery.

GROUNDS: As we are charged to shepherd our candidates and interns, this amendment helps ensure that we do so and helps close some gaps in dealing with candidates who do not pursue vocational ministry.

ITEM 4. Amend BCO 43-3, 8, and 9 as follows [to be voted on as a unit]:

43-3. If, after considering a complaint, the court alleged to be delinquent or in error is of the opinion that it has not erred, and denies the complaint, the complainant may ~~make~~ take that complaint to the next higher court. If the lower court fails to consider the complaint against it by or at its next stated meeting, the complainant may ~~make~~ take that complaint to the next higher

court. Written notice ~~thereof of complaint, together with supporting reasons,~~ shall be filed with both the clerk of the lower court and the clerk of the higher court within thirty (30) days of notification of the last court's decision. Notification shall be deemed to have occurred on the day of mailing (if certified, registered or express mail of a national postal service or any private service where verifying receipt is utilized), the day of hand delivery, or the day of confirmed receipt in the case of e-mail or facsimile. Furthermore, compliance with such requirements shall be deemed to have been fulfilled if a party cannot be located after diligent inquiry or if a party refuses to accept delivery.

43-8. ~~Subject to the provisions below, after~~After the higher court has decided that the ~~complaint~~ notice filed with its clerk is was timely and that the complaint is otherwise in order for it to be heard by the higher court, ~~the court~~ it shall hear the complaint, or in accordance with the provision of BCO 15-2 and 15-3, appoint a commission to do so. Ordinarily the court or its commission shall schedule a hearing in a manner that reasonably accommodates the schedules of the respective parties and affords each party a prior opportunity to file a written brief upon such terms and in accord with a briefing schedule established by the court or its commission in the reasonable exercise of its discretion. If the date of the hearing shall, for good cause, be other than the same day it is presented, the court shall notify the complainant and respondent in writing of the date set for the hearing.

43-9. At the hearing, after all the papers bearing on the complaint have been read, the complainant and respondent will be given the opportunity to present argument, the complainant having the right of opening and closing the argument. After the hearing has been concluded, the court or the commission should go into closed session, and discuss and consider the merits of the complaint. The vote should then or later be taken as to what disposition should be made of the complaint, and the complainant and respondent notified of the court's decision.

BCO 43- 3, 8, and 9 would then read:

43-3. If, after considering a complaint, the court alleged to be delinquent or in error is of the opinion that it has not erred, and denies the complaint, the complainant may take that complaint to the next higher court. If the lower court fails to consider the complaint against it by or at its next stated meeting, the complainant may take that complaint to the next higher court. Written notice thereof shall be filed with both the clerk of the lower court and the clerk of the higher court within thirty (30) days of notification of the last court's decision. Notification shall be deemed to have occurred on the day of mailing (if certified, registered or express mail of a national postal service or any private service where verifying receipt is utilized), the day of hand delivery, or the day of confirmed receipt in the case of e-mail or facsimile.

Furthermore, compliance with such requirements shall be deemed to have been fulfilled if a party cannot be located after diligent inquiry or if a party refuses to accept delivery.

43-8. Subject to the provisions below, after the higher court has decided that the notice filed with its clerk was timely and that the complaint is otherwise in order for it to be heard by the higher court, it shall hear the complaint, or in accordance with the provision of *BCO* 15-2 and 15-3, appoint a commission to do so. Ordinarily the court or its commission shall schedule a hearing in a manner that reasonably accommodates the schedules of the respective parties and affords each party a prior opportunity to file a written brief upon such terms and in accord with a briefing schedule established by the court or its commission in the reasonable exercise of its discretion.

43-9. At the hearing, after all the papers bearing on the complaint have been read, the complainant and respondent will be given the opportunity to present argument, the complainant having the right of opening and closing the argument. After the hearing has been concluded, the court or the commission should go into closed session, and discuss and consider the merits of the complaint. The vote should then or later be taken as to what disposition should be made of the complaint, and the complainant and respondent notified of the court's decision.

GROUND: The proposed amendments to Chapter 43 of the *Book of Church Order* would serve to clarify the process of adjudicating in a higher court a complaint that has been denied in a lower court.