



ECO

A Covenant Order
of Evangelical
Presbyterians

ECO Synod Business Meeting Booklet

February 1, 2024

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PRAYERS OF PREPARATION

January 19, 2024

Please pray specifically for your fellow Commissioners and all of those who are attending the National Gathering. Pray for their families, travel logistics, and for their preparation. Please also pray for breakout speakers and their preparation. Pray for your own hearts and ask God to prepare your hearts for what the Lord may teach and show you during this National Gathering week.

January 20, 2024

Please pray for Ordination Candidates and Commissioned Lay Pastors. Please pray for the emerging pastors who have said “yes” to God’s call on their life. Pray for their spiritual and emotional growth; their Biblical and theological competency; their ministry and leadership skills. Above all else, pray that they each abide daily in Christ and understand their primary identity as children of God. Pray that they will lead their churches into transformation for the sake of the Kingdom.

January 21, 2024

Please pray for our global guests from around the world. Give thanks for the witness that they bring to our National Gathering and the fruit of their partnerships with our ECO churches. Pray for safe and hassle-free travel from places like Egypt, Brazil, and the United Kingdom. Ask the Lord to use this week of fellowship with ECO pastors and leaders to bless and strengthen their work for the gospel around the world, and for their witness to embolden our commitment to make disciples of all nations.

January 22, 2024

Please pray today for the ECO Synod Staff as they are finishing their work and putting the final touches on the preparation for the National Gathering. Please pray for their families, their travel, their work, and their presentation. Pray for inspiration and boldness, compassion and discernment, as important work and meetings take place over the next two weeks.

January 23, 2024

Please pray today for ECO Presbytery Leaders, almost all of whom volunteer their time to lead their presbyteries well. Pray for their leadership, vision, discernment, and preparation. Pray for their families and for their volunteer service. Pray for their faith walks with Christ and their imaginations as they lead well.

January 24, 2024

Please pray today for ECO Congregations, many who will be represented at the National Gathering and some that are unable to be there. Pray for their clarity of mission and focus to make disciples of Jesus Christ. Pray for the growth of congregations both deep and wide. Pray for unity, vision, compassion, and deep rootedness in Christ.

January 25, 2024

Please pray today for the Elders, Deacons, and paid/unpaid staff serving in ECO Congregations. Pray the Lord’s protection over them as they discern the Lord’s will, care for people, and lead with intelligence, imagination, and compassion. Pray for vision and boldness, risk-taking, and clarity of mission to God’s glory.

January 26, 2024

Please pray today for ECO Pastors. Pray for God's protection upon them and their families. Pray for their leadership and creativity. Pray for their compassion and their walk with Christ. Pray for their discernment, their times of prayer and sabbath, and pray for their health and burdens. Pray for the Lord to continue to grant them vision and clarity of mission as they lead well.

January 27, 2024

Please pray today for Church Planters and new Church Plants. Pray that the Lord would send us laborers (Lk 10:2). Please pray for the planters' marriages. Pray for their children. Pray for financial provision. Pray for protection, boldness, courage, and leadership for each planter and their teams. Pray that the Spirit would anoint and encourage ECO planters. Pray for opportunities to lead people to Christ. Pray for the Lord to advance his Kingdom as new people hear the Gospel for the first time. Pray for the Lord to grow his church through these plants and missional communities. Pray for communities on fire for the Gospel.

January 28, 2024

Please pray today for the National Elected Positions in ECO on the Synod Executive Council, Permanent Judicial Commission, and Nominating Committee. Pray for their leadership and discernment. Pray for their wisdom and imagination. Pray for their families as they travel to serve each of us as they lead and support ECO in all different ways.

January 29, 2024

Please pray today for Rev. Dr. Claire Ripley, ECO's incoming President and Moderator of the 2024 Synod Business Meeting. Please pray for her in her preparation and leadership. Please pray for her husband, Todd, and their beautiful family. Pray for her ministry as the Associate Pastor of Discipleship at First Presbyterian Church in Greenville, SC. Pray for the next two years under her leadership as she moderates the Synod Executive Council and together leads ECO and supervises the Executive Staff. Please also pray for outgoing ECO President and Moderator Keon Abner. Please pray for him that he may feel the gratitude of all of ECO for his leadership over the last two years.

January 30, 2024

Please pray today for all of the Main Session Speakers at the National Gathering: Alan Hirsch, Rob Kelly, Rich Robinson, Grant Skeldon, Rebecca McLaughlin, Vivian Mabuni, and Dana Allin. Pray for their messages; that the Holy Spirit will guide and communicate through them the message God is giving to each one who hears it. Please pray for all of those who will be speaking, praying, preaching, and leading from the main stage. Pray for the worship leaders and musicians and all of those working behind the scenes to make this event happen.

January 31, 2024

Please pray today for the First Presbyterian Church of Greenville staff and congregation who have provided much of the volunteer labor for the week. Pray for their congregation as they continue to live into ECO's value of risk-taking in areas of outreach and discipleship. Please pray for their ministry to Greenville, the greater Greenville area, and to the ends of the earth as they follow where the Lord leads them. Pray that they may experience the love of Christ from each of us. Pray also for the employees at the many hotels and restaurants that we frequent; that they

may experience more joy, peace, grace, and love as they interact with each of us who are ambassadors of Christ to them. Please pray for their salvation.

February 1, 2024

Please pray today for each Commissioner as they gather to do the business we are called to do as a denomination. Pray for wisdom and discernment, grace, mercy, and love. Pray for unity and levity. Pray for the power of the Holy Spirit to permeate every heart and for powerful prayers to be prayed. Pray for the work that is completed to be joyfully welcomed by each ECO Presbytery who will be ready to receive and act on it at their spring gatherings. Pray for new insight and vision and a renewed sense of call and purpose as many leave the National Gathering on this day.

2024 SYNOD BUSINESS MEETING AGENDA

1. Welcome – Rev. Nate Dreesmann, Executive Director of Ecclesiastical Support
2. Time of Worship – 8:00am
 - a. Preaching Rev. Dr. Radi Soliman, Moderator, Synod of the Nile EGYPT
3. Call to Order – 8:30am – Keon Abner, ECO President
4. Installation of New ECO President-Rev. Dr. Claire Ripley, Incoming ECO President
5. Report of the Credentials Committee (ORG-1)
6. Parliamentary Recognition and Address the Assembly
7. Report of the Standing Rules Committee (ORG-2)
8. Statement on Agenda
9. Introduction to Electronic Voting System and Practice Questions
10. Declaration of Organization
11. Report of the 2022 Synod Convention Minutes Review Committee (ORG-4)
12. Greetings from Ecclesiastical Guests
13. ECO State of the Union Address – Rev. Dr. Dana Allin, Synod Executive
14. Synod Financial Report (F-1)
15. Presbytery Voting Results from 2022 Synod Constitutional Changes
16. Standing Theology Committee Report – Rev. Dr. Eric Laverentz
17. Report of the Synod Permanent Judicial Commission
18. Report of the Synod Nominating Committee for Synod Officers
 - a. NE-1 Synod Executive Council members
 - b. NE-2 Synod Permanent Judicial Commission members
 - c. NE-3 Synod Nominating Committee members
19. Resolution Referred to the Synod Executive Council
 - a. R-1: Congregational Accountability Resolution regarding a conducted study into Mission Affinity Groups
20. Consideration of *ECO Polity* Changes
 - a. PD-1: Amend Polity #1.0104 regarding A Strengthened, Flexible Congregation Accountability and Encouragement Process:
 - b. PD-2: Amend Polity #1.0104 regarding Accountability within Mission Affinity Groups
21. Consent Agenda
 - a. PD-3: Amend Polity #2.0503 regarding the status of Lay Pastors in retirement
 - b. PD-4: Amend Polity #1.0603 regarding The Authority of the Session in Finalizing Terms of Call
 - c. PD-5: Amend Polity #6.02 with the addition of section #6.03 and amend Polity #3.0202c and #3.0204 regarding Interpretation of This Constitution
 - d. PD-6: Amend Polity #1.0503 regarding The Role of the Congregation in the Creation of a Pastor Nominating Team

22. Consideration of ECO Rules of Discipline Changes

- a. PD-7: Amend ECO Rules of Discipline Section 2.4 regarding disclosure of Pastor Renunciation

23. Closing Announcements

24. Closing Hymn and Prayer

25. Adjournment – No later than 12:00pm

2024 PROPOSED SYNOD CONVENTION STANDING RULES

Introduction and Philosophy of Deliberation:

ECO has always sought to position and maintain itself as an authentic gospel movement in the midst of a post-Christian culture. Our mission is “to build flourishing churches that make disciples of Jesus Christ.” We have both a polity as well as a theology that has been developed to create an environment in which churches may flourish. These are living documents and are not considered inerrant in and of themselves.

As changes are considered, within presbyteries and the Synod as a whole, it is our hope that there will be a healthy spirit behind considering these changes. Deliberative bodies can often be set up in an adversarial stance or in a “win-lose” stance. It is our hope that within ECO there will be a different ethos. Our hope is that proposals will be made and considered based on the question of whether or not a proposal helps us, both nationally and individually, fulfill our mission to build flourishing churches that make disciples of Jesus Christ.

If we are clear and singularly focused on our mission, then we can have robust dialogue about proposals and how they may or may not help us fulfill our mission. If we are singularly focused on our mission and the position we advocate for does not carry the day, it will allow us to continue to maintain our unity as we fulfill our mission.

The following Standing Rules for the ECO Convention Business Meeting are proposed to help ECO live out the philosophy of deliberation outlined above.

1. **COMMISSIONERS:** Only commissioners may be seated in the section designated for commissioners in the assembly hall.
2. **BADGES:** Identification badges issued by the registration committee shall be worn for admission to all meetings. Badges may not be transferred without proper action by the registration committee.
3. **CONVENTION COMMITTEES:** The Moderator shall appoint all committees for the functioning of the Synod Convention.
4. **MINUTES APPROVAL COMMITTEE:** The Synod Executive Council shall approve the minutes of the convention after its conclusion.
5. **VOTING:**
 - a. At the time of registration, the registration committee shall issue to each commissioner a Blue ECO VOTING CARD which they will sign at registration. Commissioners who lose this card must report to the registration desk to obtain a

replacement. Voting keypads shall not be removed from the assembly hall. At the conclusion of the business meeting or when leaving the assembly hall for any other reason, commissioners shall drop off their keypad and Blue ECO Voting Card in the baskets on their way out of the meeting hall.

- b. When directed by the Moderator, commissioners, while remaining seated, shall vote by using the electronic voting device or by raising the Blue ECO voting card as directed by the Moderator. Except for elections, electronic voting shall be open for 15 seconds for voting on each question for which it is used.

6. COMMISSIONER RECOGNITION:

- a. Any commissioner wishing to address the meeting shall go to a microphone and line up. For this purpose, there shall be two microphones in each of the aisles. One shall be labeled PRO and the other CON. There shall be a monitor at each microphone. Any member who wishes to offer a motion shall go to Microphone #5 for this purpose. If a commissioner wishes to offer a motion that would interrupt business, the commissioner may go to the head of the line at Microphone #5 and inform the microphone monitor who shall raise an Orange card to inform the Moderator.
- b. Upon recognition by the Moderator, a commissioner shall state his or her name and the presbytery he/she represents.
- c. The maker of a motion may use any microphone for the moving of the motion and giving the first speech in debate.
- d. Commissioners seeking the floor to request information will not be given any special preference in recognition but may obtain the floor in the same manner as those wishing to speak in debate.

- 7. **DEBATE:** For each debatable motion a commissioner shall be limited to one (1) speech of not more than two (2) minutes. Total time for consideration on each main motion or resolution shall be limited to no more than twenty (20) minutes. The Moderator will recognize speakers in alternating order, as much as possible, between those who are in favor of a proposal and those who are opposed to it. Those who are in favor of the proposal should speak to how the proposal will advance the mission of ECO. Those who are against the proposal should speak to why the proposal does not help advance the mission of ECO. If debate is finished on a motion before the allotted 20 minutes has expired and no commissioner is claiming the floor to speak further on it, the Moderator may put the motion to vote. The assembly may adopt a motion to close debate at any time regardless of whether the 20 minutes has expired by a two-thirds (2/3rds) vote of those commissioners voting.

- a. The time for debate may be extended beyond the allotted 20 minutes by a motion to extend the time. Such a motion will require a two-thirds (2/3rds) vote of those commissioners voting to be approved.
- 8. **AGENDA:** The Moderator shall formulate and adjust the agenda as required. Therefore, the printed agenda is for guidance only and shall not be considered either general or special orders.
- 9. **TECHNICAL AND CONFORMING CHANGES TO GOVERNING DOCUMENTS:** The Synod Executive Council shall be authorized to correct article and section designations, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the intent of the Synod in connection with any amendments to governing documents adopted at this Synod Convention.
- 10. **MOTIONS:** All main motions, amendments, and motions to refer shall be submitted in writing on forms available at each microphone station, signed by the maker, with three (3) copies delivered to the Moderator before or at the time the motion is offered for the consideration of the convention.
- 11. **AMENDMENTS:** As provided in the Synod's parliamentary authority, Robert's Rules of Order Newly Revised, there may be no more than one amendment to a main motion pending at one time nor more than one amendment to an amendment pending at one time. Amendments may be to strike out words, to insert words or to strike out and insert words within the proposed change. All such amendments must relate to contiguous words.
- 12. **CONSULTATION:** Any commissioner planning to offer an amendment should consult with the parliamentarian at least one day prior to the business meeting to assure that the proposed amendment is presented in proper form.
- 13. **OVERTURES:** In ECO polity, a high-level process is given to make amendments to the constitution. This high-level process is spelled out in Section 6.02 of our Constitution: Presbyteries may overture the Synod of ECO for changes in this Constitution as follows:
 - a. Two presbyteries must concur in the proposed changes and overture the larger body with changes.
 - b. The Synod may amend and transmit the proposed changes to the Constitution to the presbyteries for their affirmative or negative vote. A two-thirds majority of the presbyteries shall be required for adoption.
 - c. Any amendment to the Essential Tenets and Confessional Standards shall require an affirmative vote of two-thirds of the voting members of the Synod present and

voting. In addition, the affirmative vote of each presbytery for such amendment shall require an affirmative vote of two-thirds of the voting members of such presbytery present and voting.

All overtures, whether related to the polity or not, must come by way of the presbytery to the Synod, or be proposed by the Synod Executive Council. All overtures shall include a clear and properly written resolution. If the overture seeks to amend the documents that constitute the constitution or the bylaws of the Synod, it shall clearly state the text that is to be inserted or struck out. A rationale shall also be included. Because our meetings are short and the agenda needs to be clearly defined in advance, no new business can be brought onto the floor of the Synod.

Presbyteries must submit overtures 120 days in advance of a particular Synod meeting and concurrence by another presbytery must be made 90 days in advance of the Synod meeting for the item to be considered at the Synod.

Presbyteries or Sessions planning to submit overtures for the consideration of the Synod business meeting shall submit them in advance of Presbytery consideration to the Synod Overture Review Committee. This committee shall be appointed by the Synod Executive Council as a standing committee of the Synod. It shall be the committee's responsibility to offer comments on the proposed overtures and assist with form and style prior to these overtures being presented in good form to the Presbytery for approval. This committee shall have authority to suggest harmonization of similar overtures in consultation with their proposers so that the subject matter contained in these overtures may be given proper consideration by each Presbytery and ultimately by the Synod.

For the Synod to be held in January 29, 2026, overtures should be submitted to the Overture Review Committee by June 30, 2025 and then in final form must be submitted to the Synod office no later than October 1, 2025 and must have been concurred in by October 31, 2025.)

All overtures that require Synod action will be passed on to the Synod. The Synod Executive Council, and other related Synod entities can comment on the submitted overture. Unless otherwise stated in the polity, Synod approval is given by a majority vote of those commissioners present and voting.

Some overtures may be able to be handled by the Synod Executive Council in a more timely fashion. If the Synod Executive Council cannot handle the overture to the satisfaction of the submitting presbytery, then the overture will be passed on to the Synod for its consideration.

Some overtures may not require a change to The Polity and Rules of Discipline and the Essential Tenets and Confessional Standards but be related to a rule or procedure. In these cases, if the overture is approved by the Synod by a majority vote of those commissioners present and voting, it does not require concurrence of the presbyteries. Therefore, the result of the overture goes into effect at the close of the Synod meeting.

Some overtures, if approved at the Synod, require approval of presbyteries. The presbyteries will have 180 days after the close of the Synod meeting to vote affirmatively or negatively on those overtures. If the overture is approved by the required number of presbyteries, it will go into effect on the 181st day after the close of the Synod meeting. (In the case of the 2024 Synod, the effective date is July 31, 2024.)

14. RESOLUTIONS TO REFER TO STUDY: When the Synod votes to send something to their Executive Council for study, the Synod Executive Council shall create a taskforce to complete the study on its behalf. The taskforce shall be appointed by the Synod Executive Council with recommendations from Synod Executive Staff and Presbytery Leadership. The Synod Executive Council will direct the Synod Executive to assign an Executive Director to staff and support the taskforce. The Synod Executive Council will report back to the following Synod its findings and recommendations.

15. CONSENT AGENDA: Items deemed by the Moderator to likely meet with broad approval, and which are not controversial shall be placed on the Consent Agenda. When the Consent Agenda is called up, any member may request that any item on the Consent Agenda be moved to the regular agenda. Items remaining on the Consent Agenda after this process is completed shall be deemed to have been adopted by unanimous consent. Any item(s) pulled from the Consent Agenda will be considered in numerical order.

16. QUESTIONS OF PRIVILEGE: Questions of Privilege regarding temperature, difficulty hearing, and voting device problems shall be addressed to the convention coordinator at the table in the rear of the Convention meeting room and shall not interrupt the proceedings of the assembly.

17. RECONSIDERATION: No action that has been finally adopted or defeated may be reconsidered during the current Synod.

18. PROPOSING OVERTURES: Any presbytery or the Synod Executive Council may overture the Synod of ECO for changes to the text of an ECO confession. For overtures originating with a presbytery, at least one additional presbytery must concur with the proposed overture. Any amendment to the text of an ECO confession shall require an affirmative vote of two-thirds of the voting members of the Synod present and voting. In

addition, the affirmative vote of each presbytery for such amendment shall require an affirmative vote of two-thirds of the voting members of such presbytery present and voting. The ratification by the presbyteries must occur within 180 days of the adjournment of the Synod meeting during which the initial vote occurred unless an alternative time period is approved by the Synod.

19. RECESS: The Chair shall be authorized to determine when a recess shall occur and for how long without a vote of the assembly.

20. ELECTION RULES: Nominations for any position shall be made by the nominating committee after which nominations from the floor will be in order. Any commissioner wishing to nominate an individual for any office must submit the name of that person with a qualifications statement to the Synod business meeting secretary prior to the Nominating Committee Report. The nominee must be present, or the commissioner nominating must submit a written statement from the nominee indicating willingness to serve. If no nominations are made from the floor for any position, the election for that position shall be conducted by acclamation. If there are nominations from the floor for any position, the election for that position shall be conducted using the electronic voting devices as directed by the Moderator. In this case, a commissioner may not vote for more nominees than positions to be filled and may not vote for the same nominees twice for the same position. A plurality vote shall be considered sufficient for election.

21. PERSONAL ELECTRONIC DEVICES: Mobile communication devices shall be placed in silent or vibrate mode. Video cameras and audio or video recording equipment, including cameras contained in mobile phones, other than that approved by the Moderator, shall not be used in the assembly hall.

22. ANNOUNCEMENTS: All announcements shall be submitted to the convention coordinator, in writing. The convention coordinator shall present these announcements at appropriate times during the convention.

23. DURATION OF THESE RULES: These standing rules shall remain in effect until amended by a future Synod business meeting

2022 SYNOD BUSINESS MEETING MINUTES

The Minutes of the 2022 ECO Synod Business Meeting can be found on pages 49 to 79 of this Business Meeting booklet.

The 2024 Synod Financial Report is a separate document.

STC REPORT TO SYNOD DECEMBER 2023

Rev. Dr. Eric Laverentz (Chair)
Pastor/Head of Staff
First Presbyterian Church
Edmond, OK

Rev. Jos Smolik
Pastor/Head of Staff
Fredericksburg Presbyterian, OH

Rev. Emily Hamilton
Assistant Pastor
Christ Presbyterian Church
Edina, MN

Rev. Dr. Rachel Stahle
In Validated Ministry

Dr. Meredith Riedel
Medical Retirement from Duke Divinity,
Certified Ready to Receive a Call in ECO

Rev. Michael Thornton
Associate Pastor
First Presbyterian Church
Colorado Springs, CO

Rev. Dr. Bobby Griffith
Pastor/Head of Staff
Westfield Presbyterian Church
New Castle, PA

Rev. Dr. Troy Onsager
Pastor/Head of Staff
Escalon Presbyterian Church
Escalon, CA

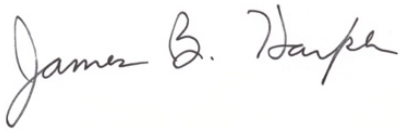
Rev. Dr. Greg Wagenfuhr
ECO Theology Coordinator

PJC REPORT TO SYNOD DECEMBER 2023

Since the last Synod meeting, one case has been filed before, and disposed of by, the Synod Permanent Judicial Commission.

On January 27, 2022, an Appeal was filed in *White and Davis v. Presbytery of Florida* Case No. 2022-A-0001. After appropriate proceedings, the matter was resolved by a Summary Judgement entered of record on March 16, 2022, a copy of which is available through your presbytery's Stated Clerk.

All filings to initiate (or in) cases before the Synod Permanent Judicial Commission must be filed through the office of the Director of Ecclesiastical Support at the Synod Office.

A handwritten signature in cursive script that reads "James B. Harper".

James Harper
Moderator, ECO Synod Permanent Judicial Commission

**ECO: A COVENANT ORDER OF EVANGELICAL PRESBYTERIANS SYNOD
PERMANENT JUDICIAL COMMISSION**

BARBARA WHITE and DONNA DAVIS,
Appellants-Complainants,

vs. No: 2022-A-001

PRESBYTERY OF FLORIDA,
Appellee-Respondent

Synod Permanent Judicial Commission Member Lucky Arnold recused himself from this case and took no part in its consideration or determination.

Per curiam:

SUMMARY

ECO's Rules of Discipline do not provide for an appeal by persons or entities who are not parties to a case before a presbytery permanent judicial commission. Appellants¹ may be considered victims, witnesses, or "original accusers" under Rule 5.18, but they are not parties for purposes of Rule 7.1. Accordingly, they have no legal standing to appeal, and we have no jurisdiction to adjudicate their claims of error. The attempted appeals are therefore dismissed. In addition, we take an unusual step by making a Pastoral Comment below, suggesting several ways that ECO, at all levels, might address Appellants' legitimate concerns in future cases and in the life of the church generally.

PROCEEDINGS BELOW

This case arises on two appeals from a disciplinary case before a presbytery permanent judicial commission ("PJC"), Presbytery of Florida vs. the Rev. Mr. Hudson (Sonny) Stroud, in which the accused, an associate pastor, pled guilty to charges of Plagiarism (White appeal, styled as Case A in the presbytery) and Pastorally Insensitive Behavior (Davis appeal, styled as Case B in the presbytery).

The following additional information is taken from documents submitted by both Appellants. At

¹ "Appellant" and "appeal" are terms used by White and Davis. As explained herein, their appeals are not permitted by the Rules of Discipline, but we accept and adopt their use of these terms for clarity and consistency in this case.

At this stage of the appeal process, we have not yet heard from the Presbytery of Florida. However, the allegations before us are sufficient for our decision, and we see no reason to require the presbytery to respond.

1. Following pleas of guilty by the accused, sentencing on both offenses took place on November 29, 2021.
2. In Case A, the presbytery PJC ordered “censure and permanent removal from the pastoral duty of preaching.” Rev. Stroud was required to take certain actions, including to make a list of all his plagiarized sermons, to confess to the pastors who originally preached or wrote those sermons, and to inform the congregation in a manner prescribed by the session. It was further ordered that he not preach again at any ECO church, not have a role in arranging the preaching, and “notify the session and the MPT of his stated intention to retire within two years.”
3. In Case B, the PJC ordered Rev. Stroud to apologize for his words and behavior on two occasions, after approval by the Investigating Team, and to meet with a counselor. The PJC also “strongly encouraged both parties” to pursue mediation and seek reconciliation.
4. On January 27, 2022, both White and Davis filed 20-page documents with the Synod Office, purporting to appeal. These documents go far beyond the requirements for a notice of appeal in Rule 7.6, including autobiographical material, other factual allegations, and legal arguments that should be presented later (if necessary), *after* certification of the record under Rule 7.9, as part of briefing this case under Rules 10 and 11. Although White asserts that she is “considered a party,” Appellants do not explain why they are “parties” within the meaning of Rule 7.1.

DISCUSSION

Rule 7.1 of the Rules of Discipline provides that “[e]ither party may initiate an appeal by the filing of a written notice of appeal.” No other rule provides a right to appeal.

The phrase “[e]ither party” seems to imply that there are two parties, which would ordinarily be the presbytery (through the prosecuting committee) and any “accused.” This phrase also seems inconsistent with the idea that witnesses and victims, who may be numerous and important as participants in the process, are additional “parties.”

Reviewing other provisions of the Rules of Discipline, it appears that the terms “party” and “parties” can be used in different ways, or the concept may be used without the term. See Rule 3.6 (applicable to both remedial cases and disciplinary cases, listing parties and witnesses as separate and distinct entities); Rule 4.3 (in remedial cases, listing who can file a case and

against whom, thus arguably defining all possible parties); Rule 5.6 (in disciplinary cases, arguably including victims in “all parties” by implication, but only “prior to filing charges,” in the process for alternative forms of resolution); Rule 5.16 (in disciplinary cases, arguably not including victims and witnesses among the “parties” entitled to make opening and closing statements at trial); Rule 5.18 (distinguishing “either party” and “the original accuser” but including both in a short list of those who may present evidence after conviction).²

In these other disciplinary rules, therefore, the meaning of the term “party” may sometimes depend on the language, function, procedural setting and context of the particular rule. “Party” can reasonably be construed broadly in some places³ and narrowly in others, depending on these factors. However, Appellants have identified no such factors supporting a broad construction of Rule 7.1 to provide a right of appeal for original accusers, victims or witnesses.

Both Appellants insist that they were denied their “rights” under Rules 5.15 and 5.18, based on language describing the duties of a presbytery PJC during the sentencing phase of a disciplinary case. They emphasize the subheading following the caption to Chapter One of our ECO Polity (“the subheading”), which states essentially that “shall” means mandatory, “should” means expected best practices, and “may” means permissible but not required. Mindful that we do not have the benefit of arguments from adverse parties based on specific facts established below, we address this claim briefly.

In Rule 5.15, the PJC, after a plea of guilty, “shall proceed to hear evidence of harm . . . and to determine the degree of censure to be imposed.” In Rule 5.18, this evidence “may be offered by either party or the original accuser” Rule 5.18 also provides that the “person who was directly harmed by the offense may submit a victim impact statement.” Even using the subheading, however, it is not entirely clear how “shall” and “may” are to be understood in these rules.

² This cursory overview of the cited rules is illustrative only. There is no implication or prediction as to how we might construe any of these rules in a future case.

³ Perhaps a better collective term for including both parties and non-parties would be “participants,” as in Rule 1.2.

For example, in Rule 5.15, does “shall” *require* a PJC to hear every piece of evidence offered on the issue of harm, no matter how irrelevant, repetitive, or lacking in credibility? If not, the term is not “mandatory” in any absolute sense of the word. In Rule 5.18, does the first “may” mean that a PJC *must* allow the listed participants to submit the evidence? If so, the rule is apparently “permissive” for the participants but “mandatory” for the PJC. Accordingly, the language of the subheading is really a starting point for further legal analysis, which will usually focus on contextual factors in the case. In any event, nothing in Rule 5.15 or Rule 5.18 sheds any light on whether appellants are “parties” for purposes of the appeal right in Rule 7.1.

We believe that the total historical context of these rules is also important. This total context includes the background of our society’s legal system. The American criminal justice system has a long tradition that may clarify what is meant by the term “party” in an ECO disciplinary case.

In ECO, the presbytery is analogous to the state or federal government as the plaintiff in a criminal case. An individual or corporate entity charged with a crime in the secular courts is the defendant, similar to the “accused” in ECO. Victims and witnesses have important roles to play in American courts, but they are not parties to a case and generally have no right to appeal. An ECO covenant partner who submits a written statement of an alleged offense at the beginning of a disciplinary case, as provided in Rule 5.1, initiates a preliminary fact-finding process similar to a grand jury proceeding, but neither a grand jury witness nor the grand jury itself is considered a party in American criminal cases.

As noted above, the Rules of Discipline contain no provision expressly stating that witnesses and victims are “parties” for purposes of appeal, and we see no clear implication to that effect. In the absence of any clear language, we decline to expand the term to include Appellants here. To adopt such a rule would depart substantially from our understanding of the nature and purpose of an appeal in the American legal tradition, with no reason to believe that ECO has intended the departure. If such an appeal right is desirable, it should be granted only if enacted after careful consideration by an ECO Synod.

Significantly, Appellant White urges that, in her case, “[e]very covenant partner of [First Presbyterian Church Jacksonville] is a victim” If hundreds of victims are “parties,” each having a right to be heard and to appeal the terms of a censure, serious administrative and practical policy issues need to be addressed. Should every one of a hundred victims have an individual “right” to speak regarding the sentence? Should they or their church be required to choose a representative for the whole class of victims? The Synod is in the best position to weigh such factors and to decide whether and how to amend the Rules of Discipline, if appropriate. We will not presume to take on the Synod’s role.

On the very limited record before us, and without hearing from the presbytery, we express

no precedential opinion on the legal issues regarding sentencing in this case. None of these issues is properly before us unless the presbytery or the accused has filed a notice of appeal and raised them.

PASTORAL COMMENT

Based on their allegations, Appellant White has rendered extraordinary service to the church by detecting the plagiarism in this case. Appellant Davis has been the victim of “bullying,” which may be a much more widespread problem needing more serious attention in the church. Assuming the truth of these allegations, which essentially have been admitted by the guilty plea, we offer Appellants our thanks and our sympathy, respectively.

Appellants have also raised a legitimate question about whether the accused’s sentence complies with the Rules of Discipline. Rule 6.3 provides, “During the period of temporary exclusion from ordained office, the person found guilty shall refrain from the exercise of any function of ordained office.” Rule 6.4 provides for permanent removal from office, stating that “the person is removed from all offices without removal from membership [in the governing body].”

It is difficult to see how sentencing an accused to “permanent removal from the pastoral duty of preaching,” while allowing the performance of other pastoral duties, is consistent with the above principles. We must leave this legal question open, to be decided when it has been properly raised by a party on a future appeal, but we commend Appellants for calling attention to it and highlighting the problem for future cases.

Assuming the truth of Appellants’ allegations, the presbytery PJC may not have perfectly navigated the difficult terrain between biblical principles of reconciliation, justice in sentencing under our constitutional system, and compassion for victims. We sense from the filings that they were trying to do so. We also recognize, especially in a new denomination like ECO, that it can be difficult to find volunteers for church duties that are time-consuming and often thankless.

At the same time, we urge our ECO governing bodies to support and equip volunteers in our disciplinary system as well as possible before the litigation process begins in a particular case. We need to find more and better ways to train volunteers who will serve on PJC’s and as attorneys for the parties. The ECO Judicial Commission Manual should be widely distributed and read carefully by stated clerks and others. All participants should be encouraged to read the rules and given opportunities to do so and to ask questions.

Finally, in the church’s life as well as in the disciplinary system, we all need to listen more carefully and truly hear the concerns of victims. In some situations, it may be enough just to know that someone cares. In others, intentional listening may prevent a premature or inappropriate attempt to force reconciliation, thereby undermining justice and causing distress

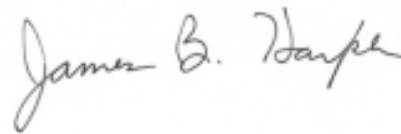
for the victim. If we are centered in Christ, we can believe that the Holy Spirit will guide us in this area.

CONCLUSION

If one is not a party within the meaning of Rule 7.1, that person lacks standing to appeal. Appellants here are not parties and therefore lack standing. Furthermore, in the absence of a proper appeal, we have no jurisdiction to review the decisions of the presbytery PJC. The appeals must be dismissed.

It is therefore ORDERED that these appeals from the Presbytery of Florida Permanent Judicial Commission are DISMISSED.

ALL CONCUR



Dated: 3-16-2022 _____ James Harper
Moderator, ECO Synod Permanent
Judicial Commission

**Synod PJC Members
2022-2023**

Elder Elizabeth “Libby” Cahalan First Presbyterian Church Edmond, OK Presbytery of Mid-America		Class of Synod 2024
Rev. James B. Harper First Presbyterian Church Douglasville, GA Presbytery of the South	PJC Co-Moderator	Class of Synod 2024
Elder William Brafford Westminster Presbyterian Church Charlotte, NC North Carolina Presbytery	PJC Co-Moderator	Class of Synod 2024
Elder Dorothy Alvarez First Presbyterian Church Colorado Springs, CO Presbytery of the West		Class of Synod 2026
Elder Hardie Morgan Grace Presbyterian Church Houston, Texas Presbytery of Texas		Class of Synod 2026
Rev. Walter “Lucky” Arnold North Palm Beach Presbyterian Church North Palm Beach, FL Florida Presbytery		Class of Synod 2026
Rev. Bob Davis (joined the Church Triumphant 3/2/23) First Presbyterian Church Carson City, NV Presbytery of Northern California		Class of Synod 2028
Elder Tiffany Melchers First Presbyterian Church Houston, TX Presbytery of Texas		Class of Synod 2028
Elder Charles Shreffler Hope Presbyterian Church Richfield, MN Presbytery of the Upper Midwest		Class of Synod 2028

NE-1, 2, 3 REPORT OF THE SYNOD NOMINATING COMMITTEE

The Synod Nominating Committee offers the following nominees for the positions indicated for the class of 2030 unless otherwise stated:

NE-1 Synod Executive Council members:

1. Linda Behmke
2. Rev. Paul Yang
3. Rev. Dr. Julia Leeth

NE-2 Synod Permanent Judicial Commission members:

1. David Kim
2. Herbert Schmidt
3. Rev. Jenn Arnold
4. Linda Simpson (Class of 2028)

NE-3 Synod Nominating Committee members:

1. Rev. Melissa Schaser
2. James Marden
3. Rev. Dr. Chris DiVietro

The biographic sketches of each of these nominees can be found on the following pages.

Respectfully submitted,

Rev. KC DiNardo, Chair Synod Nominating Committee

Synod Executive Council

Class of 2024 (Outgoing)

Rev. Marnie Crumpler (Heritage)
Keon Abner (Great Lakes)
Rev. Kyu Q Kim (NE Coast)

Class of 2026

Rev. Dr. Claire Ripley (South Carolina)
Rev. Israel Gonzales (Mission)
Edmund Martin (Mid-America)

Class of 2028

Rev. Dr. Charles Dunn (Texas)
Joyce Mosely (Florida)
Kristin Rahenkamp (West)

Synod Permanent Judicial Commission

Class of 2024 (Outgoing)

Elizabeth Cahalan (Mid-America)
Rev. James Harper (South)
William Brafford (North Carolina)

Class of 2026

Rev. Walter Arnold (Florida)
Dorothy Alvarez (West)
Hardie Morgan (Texas)

Class of 2028

Charles Shreffler (Upper Midwest)
Tiffany Melchers (Texas)
Vacant Seat

Synod Nominating Committee

Class of 2024 (Outgoing)

John Bard (Heritage)
Rev. KC DiNardo (Upper Midwest)
Rev. Dr. Eric Laverentz (Mid-America)

Class of 2026

Rev. Dr. Jenn Graffius (Southern CA)
Ruth McKee (West)
Rev. Dr. Howard Griffin (Texas)

Class of 2028

Janie Beaver (North Carolina)
Rev. Dr. Barbara Brice (Florida)
Rev. Dr. Andrew Smith (Great Lakes)

NE-1 SYNOD EXECUTIVE COUNCIL NOMINEES (6-YEAR TERMS)

Linda Behmke



Linda Behmke is from King of Prussia, PA and has been worshipping at Narberth Presbyterian Church since 1992. Over the years at Narberth, and at her previous church, Linda has been a youth group volunteer and a Deacon, and is currently an active Elder serving as Chair of the Personnel Committee and on the Pastoral Nominating Committee. She is also active in the Heritage Presbytery, serving on the Mission Preparation Team, and beginning in 2024 will be serving as Vice-Moderator. Linda has a strong passion for helping people. Although now retired, this comes out in her church work as it did in the work she did professionally, having worked in Human Resources for many years, including 23 years at Quest Diagnostics in various HR roles. In addition to HR work Linda spent several years both employed and as a full-time volunteer with Habitat for Humanity first in Philadelphia and then in Americus, GA. She is also an active volunteer with her community cupboard. Linda is single, living in the home she grew up in. She currently has one housemate, however over the years there have been several other women living in the house that Linda considers her "ministry to single women".

Rev. Paul Yang



Rev. Paul C. Yang was born in South Korea and grew up in a faith-oriented family where his praying parents guided him to seek and serve Christ. He accepted Christ as his personal Lord and Savior at the age of 12. Paul immigrated to Chicago, Illinois with his family, attended and graduated from the University of Illinois Urbana-Champaign and worked as a chemical engineer for the Amoco Oil Research Center in Naperville, IL before receiving the call to full-time Ministry. In 1997 he became the Founding and Senior Pastor of Pilgrim Church in New Jersey, whose name was changed to Pilgrim Mission Church (PMC) later in 2017. PMC began with ten families and has now grown to over 2,000 members. As someone who is genuinely bilingual and bicultural, Paul is able to relate to people of many different backgrounds and ethnicities. He has been effective in pastoring the First-Generation Koreans, Second-Generation Koreans, Third-Generation Koreans, and many others who have become a part of the Pilgrim Church community. PMC has been transformed into missional church under Paul's leadership; this church has planted two independent churches, and has a vision to plant more missional communities in the future. The church is currently located in Hackensack, NJ. Pastor Paul is a man who loves God, His people and His Word. He is passionate about preaching the truth of God with power and conviction and He longs to see more lost souls saved for the Kingdom. He gets excited about raising up a new generation of disciples and leaders, and he is often invited to speak at conferences and seminars on the topic of missional church and leadership. Paul Yang has studied at University of Illinois (B.S.), Princeton Theological Seminary (M.Div), Calvin Theological Seminary (Th.M) and the New York Theological Seminary (D.Min). He is recognized and loved as a pastor, a teacher and a community leader in the Korean-American communities nationwide. He lives in Paramus, NJ with his wife Jeannie and he has three daughters.



Rev. Dr. Julia Leeth

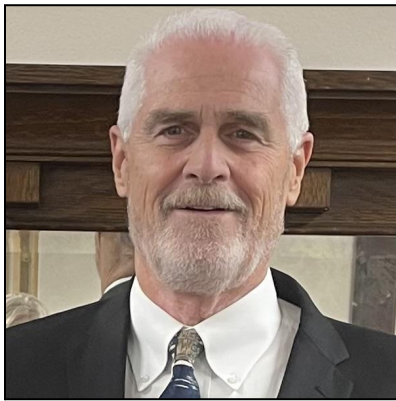
Julia Leeth serves as the Senior Pastor at Grace Presbyterian Church in Houston, TX. Before coming to Houston, she served in a variety of church leadership roles, including pastor, transitional pastor, and executive presbyter. She has a Doctorate of Ministry from Gordon Conwell Seminary and a Master of Divinity from Fuller Seminary. She is a leadership coach and consultant and enjoys working with pastors and leadership teams. Julia has served the Lord in ECO'S ordination process as assessor and spiritual formation small group leader and as a facilitator in ECO's Biblical Peacemaking. She throws a great dinner party, travels extensively, and is an enthusiastic yet inconsistent golfer. She is excited to see how God is moving in and through ECO.

NE-2 SYNOD PERMANENT JUDICIAL COMMISSION NOMINEES (6-YEAR TERMS)



David Kim

David D Kim lives in the Bay Area with his wife and two college aged children. Menlo Park Pres has been their home church since 2002 and he has served as Chair of the Elder Board and on the Elder Board since 2012. David recently completed the Commissioned Lay Pastor program. He leads a micro expression of church at one of the largest Martial Arts / Taekwondo studios in the Bay Area. David's professional experiences include investment banking, corporate law, and venture capital in New York and Silicon Valley. His non profit board experiences include OMF (Overseas Missionary Fellowship) and Wheaton College



Herbert "Lee" Schmidt

Lee was born in Greeley, Colorado, moving to Oklahoma in 1975 to attend Law School at the University of Oklahoma. There he met his wife of 43 years, Julie, at the Oklahoma Attorney General's Office in 1978. They have two boys, Josef and Levi who also live in Edmond, OK. Their 'boys' (40 and 37) have blessed them with four wonderful grandchildren (Oliver, Liam, Lorelai and Jake) who are a constant joy and challenge. Lee was an Assistant U.S. Attorney in the District of Colorado and the Western District of Oklahoma for 28 years. Lee and Julie worship at First Presbyterian Church, Edmond, OK (FPCE), having joined January 27, 2013 (the morning of our congregational meeting to vote on FPCE's request for gracious dismissal from PCUSA to ECO). Lee is an ordained Elder at FPCE and is beginning his sixth year as Clerk of Session. Julie has served as a Deacon and is involved in ministry at OKC's Infant Crisis Center as well as "hosting" Lee's classes. Lee has been committed to Adult Christian Education at several area churches and is currently halfway through a fall/spring 24-week teaching on Psalm 119, "The Greatness and Glory of God's Word." Lee's teachings focus on the beauty, sufficiency, primacy, inerrancy and vibrancy of the Word, and its essential and beneficial application to everyday life. Our pets are 11 lovely and entertaining chickens, led and protected by Kyle the Rooster.



Linda Simpson

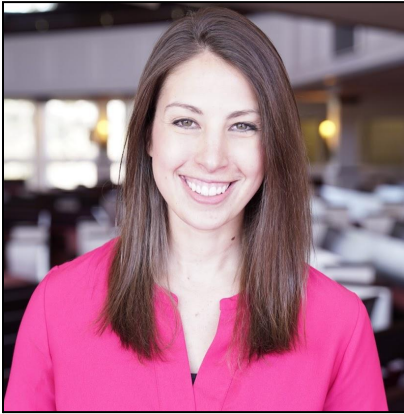
Linda W. Simpson has lived in Charlotte, North Carolina since 1985 where she is a covenant partner at Westminster Presbyterian Church. Her favorite and longest service at Westminster is as an adult Sunday school teacher. She has also served ECO presbyteries as a member and chair of presbytery nominating committees as well as advising ECO presbyteries and teams regarding church disciplinary matters. Linda received a B.S. degree from Westminster College in Pennsylvania and a J.D. degree from The University of North Carolina at Chapel Hill. She is now engaged in practicing law part-time having retired from over twenty years employed by the federal courts. With a love of hospitality, Linda enjoys hosting meals with family, friends, neighbors, and church groups. Linda also dabbles in gardening and woodworking and cherishes the time spent with her three young grandchildren.



Rev. Jenn Arnold

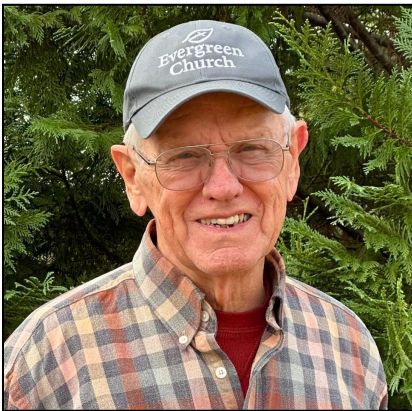
Jenn E. Arnold has been an Associate Pastor of Mandarin Presbyterian Church in Jacksonville, FL for the last 16 years. With a passion for Next Gen, her mission is to partner with parents to grow enduring faith that is known and fully alive. She oversees the staffing team and ministries for children, students and families. She has served on the committee that examines candidates coming into the Presbytery, is a mentor in our ECO ordination process, and serves as a Head Spiritual Director for the North East Florida Great Banquet and Awakening communities. Jenn and her husband Jeff (also a pastor) have three daughters ages 21, 17, and 15. Her favorite thing is traveling with all of them together.

NE-3 SYNOD NOMINATING COMMITTEE NOMINEES (6-YEAR TERMS)



Rev. Melissa Schaser

Melissa Schaser serves as the Pastor of Groups & Community Life at Christ Presbyterian Church in Edina, Minnesota. Melissa is also the chair of the Ministry Partnership Team for the Presbytery of the Upper Midwest. Melissa is passionate about preaching, teaching, and developing healthy teams and leaders. In recent years she implemented a discipleship strategy at CPC that has created easy opportunities for invitation while also allowing longtime members to deepen their faith. This strategy has mobilized lay members and volunteers while cultivating a supportive and healthy staff team. Melissa will begin her doctoral work at Fuller Seminary in 2024, researching how churches and denominations can leverage the adaptive leadership challenges surrounding egalitarian ministry to more fully live out the biblical witness to the Kingdom of God. She hopes to develop practical resources that pastors, sessions, and presbyteries may use to understand and advocate for the co-partnership of men and women in ministry.



James "Jim" Marden

Jim Marden grew up in Macon, GA. After his High School graduation he attended Auburn University and received his Bachelors of Science in Aviation Engineering in 1968. While working for General Electric in their manufacturing management program, he obtained his MBA from the University of Louisville in 1974. Jim was married during this time and he and his late wife had three children. They now have the blessings of six grandchildren and one great grandchild. After working in the major appliance industry for many years, He purchased a small manufacturing business and operated that for ten years before selling out and retiring. He has felt a call to do more within his church and denomination. He has served as Elder and committee chair on many occasions. Jim is currently serving as the Chair of the MPT for the Presbytery of the South, and during his tenure he has worked with all of his Presbytery's 33 churches. During this past year he worked with ECO to be trained and accepted as a CLP-1. He is now serving within the ministry of his home church.



Rev. Dr. Christopher DiVietro

Chris DiVietro is married to his best friend Liz and together they have three children: Aletheia, Judah, and Evangeline (four if you count their yellow lab, Samson). Chris has been the Senior Pastor/Head of Staff at Park Road Presbyterian Church in Reading, PA since 2017 and has served as both the Vice-Moderator and Moderator of Heritage Presbytery. He earned a PhD in Organizational Leadership from Johnson University and is an adjunct professor at Eastern University, Toccoa Falls College, and at the Flourish Institute of Theology. Chris loves ECO's passionate combination of robust theology, adventurous innovation, and relational discipleship. Motivated by curiosity and discovery, Chris enjoys hiking, cooking, and indoctrinating his kids into Philadelphia sports fandom.

DECEMBER 2023

Connie M. Deford
Professional Registered Parliamentarian

500 S. Wenona Street
Bay City, MI 48706-4557

Phone 989-450-6375

Email: conmd413@gmail.com

To: Rev. Nate Dreesmann, Executive Director of Ecclesiastical Support ECO

Re. Parliamentary Opinion

Date: December 13, 2023

Question: You have asked for a parliamentary opinion providing references from the ECO parliamentary authority regarding the following:

How is the order of consideration determined when there are multiple proposals for amending the same section of the Polity?

Background:

Two proposed amendments (Overtures) were presented for consideration at the 2024 Synod—both seek to amend Chapter 1, Congregations and Their Covenant Partners, Polity #1.0104, Accountability within Mission Affinity Groups, with a consequential amendment to Chapter 3, Councils of ECO, Polity #3.0103 Duties, subsection m. Additionally, one of the proposed Overtures also includes a new Polity #1.0105, Participation in Presbytery's Annual Review Process.

Proposed Amendment #1.

1. The following are proposed amendments to Polity 1.0104:
 - a.** Inserts words into the title of 1.0104 (words in bold) ***Mission Accountability and Mutual Encouragement** within Mission Affinity Groups.*
 - b.** Inserts words in Paragraph 1: A congregation shall also be part of a Mission Affinity Group, **or other presbytery developed and approved process in order** to increase accountability and encouragement and spur one another on to love and good deeds.
 - c.** Strikes out a word and inserts a different word in Paragraph 2: Mission Affinity Groups shall ~~include~~ **address** the questions provided in the Narrative on the Health of Congregations but may appropriately individualize these questions for their particular context.
 - d.** Adds words to Paragraph 3: Mission Affinity Groups may be formed beyond presbytery boundaries. It is the responsibility of the presbytery to ensure that all congregations within its jurisdiction are appropriately participating in these groups **or process for mission accountability and mutual encouragement.**

2. The following is the proposed amendment to Polity 3.0103, *Duties*, Subsection m:

Add the following sentence to the subsection: Promote and encourage the missional effectiveness of its congregations. m. Each presbytery shall develop an instrument to assist its congregations in their annual review and narrative report of their ministry and mission. These annual reports shall be reviewed and discussed by the presbytery with each congregation's session. **Where congregations have not been able to use Mission Affinity Group participation as part of their review of ministry and mission effectiveness, the presbytery may develop and direct alternative processes that assess the congregation's ministry and mission effectiveness and that provides them with spiritual encouragement.**

Proposed Amendment No. 2.

1. The following is the proposed amendment to Polity 1.0104:
Strike out existing language and substitute the following language:
1.0104 Participation in Mission Affinity Groups
Congregations are expected to enter into covenantal relationships with one another around common mission and ministry interests. Such relationships are meant not only to further the work of the Kingdom through collaborative effort, but also for mutual encouragement as we spur one another on to love and good deeds. Such mission affinity groups could be as few as two congregations seeking to minister to the homeless, or as many as five or six congregations seeking to plant a church. Other affinity groups might form between similarly sized congregations, geographic, cultural, or demographic similarities, or future ministry goals. The desire is for churches to relate to one another through session-to-session relationships in whatever organic and creative ways help promote flourishing churches.
2. The following is a new Polity 1.0105:
1.0105 Participation in Presbytery's Annual Review Process
Section 3.0103 (m) requires each presbytery to develop a process for each of their congregations to conduct an annual review of the effectiveness of their ministry and mission and their adherence to the "Great Commission" (Matthew 28: 18-20). Each congregation shall complete their presbytery's annual review process.
3. The following is the proposed amendment to Polity 3.0103, *Duties*, Promote and encourage the missional effectiveness of its congregations. Subsection m:
Strike out existing language and substitute the following language:
m. **Develop a process to assist its congregations in an annual review of their ministry and mission. It is expected the appropriateness of this process will vary based on a presbytery and their congregations' situation and context.**

Examples of these processes include, but are not limited to, participation by the congregation in a congregational health self-study process or participation in a congregational health peer review process where two congregations review each

other. The results of this annual process shall be reviewed and discussed by the presbytery with each congregation's session.

References Cited:

Robert's Rules of Order Newly Revised, 12th Edition (RONR). Amendment of Bylaws

The governing document of ECO, equivalent to bylaws, is contained within the ECO Constitution, more particularly, the Polity. All references in the parliamentary authority, therefore, apply to amendments to the Polity.

Section 57 Amendment of Bylaws, Paragraph 1: A motion to amend the bylaws is a particular case of the motion to Amend Something Previously Adopted; it is therefore a main motion, and it is subject to the same rules as other main motions with the following exceptions:...

4) The rule that, when a main motion is adopted, no other conflicting main motion is thereafter in order is not applicable to the motion to amend the bylaws, since several notices of proposals representing different approaches to the same problem may have been given, and all such bylaw amendments are entitled to be considered.

Section 57 Amendment of Bylaws, Paragraph 6. Procedure of Consideration. ...If notice is given of several amendments which conflict so that all cannot be given effect, the chair should arrange them in a logical order, much as in the case of filling blanks, generally taking the least inclusive amendment first and the most inclusive last so that the last one adopted is given effect.

Section 57 Amendment of Bylaws, Paragraph 7. However, as already stated in 57:1(4), all bylaw amendments of which notice was given are entitled to be considered, as a matter of the rights of their proposers, and a bylaw amendment is not dropped simply because it would conflict with one previously adopted.

Section 57 Amendment of Bylaws, Paragraph 8. If an amendment that has not been considered no longer presents a rational proposition because it was applicable only to language which has disappeared from the bylaws in this process, such a bylaw amendment must, of course, be dropped; but this situation should generally not arise if the amendments are taken up in proper order as indicated above.

REVIEW

1. In accordance with RONR, Section 57, Paragraph 1, both proposed amendments should be considered.
2. Proposed Amendment #1 seeks to keep most of the current language with some amendment (by including additional words or striking out a word and inserting a new word) within the current text, and by including additional words at the end of current text in Polity 1.0104 and Polity 3.0103 m.

Proposed Amendment #2 seeks to strike out all of the current language in both Polity 1.0104 and Polity 3.0103 m, and replace it with substitute language. Additionally, a new Section 1.0105 is included.

In accordance with RONR, Section 57, Paragraph 6, Amendment #1 is the least inclusive amendment, and Amendment #2 is the most inclusive amendment.

3. In accordance with RONR Section 57, Paragraph 7, a proposed bylaw amendment is not dropped simply because it conflicts with one previously adopted.
4. If Amendment #1 is considered first and is adopted, the proposed language amended by the synod would still be subject to amendment by Amendment #2, as it seeks to strike out all existing language and substitute new language as well as a new Polity 1.0105.

If Amendment #2 is considered first and is adopted, Amendment #1 would no longer be able to be considered as it would no longer present a rational proposition because it is applicable only to language that has now disappeared from the bylaws in the amendment process.

In accordance with RONR, Section 57, Paragraph 8, if Amendment #2 is considered first and adopted, Amendment #1 would not be able to be considered.

OPINION

For the above cited reasons, it is my parliamentary opinion that Amendment #1 should be considered first. Whether Amendment #1 is adopted or lost, Amendment #2 should be considered next.

Disclaimer

This document is the parliamentary opinion of Connie M. Deford, Professional Registered Parliamentarian. It is based solely on review of the ECO governing documents and their parliamentary authority, *Robert's Rules of Order Newly Revised*, 12th Edition. Nothing in this opinion should be construed as interpretation of law. Such an opinion should be obtained from an attorney licensed in the state where incorporated.

Connie M. Deford

Connie M. Deford
Professional Registered Parliamentarian

R-1 Submitted by the East Central Presbytery

Congregational Accountability Resolution:

Background. The Covenant Order of Evangelical Presbyterians was formed to correct a decline in the old order, one that was more than an institutional and financial problem – it reflected a loss of biblical faithfulness¹. “The authority and relevance of Scripture throughout church history was the key issue.”²

Accountability to God is a theme of Scripture from Adam and Eve to Laodicia. Accordingly, ECO has accountability as the subject and objective of ¶1.0104 in the 2022 *Polity*, that is, top of the second page. Accountability is fundamental to the meaning of *Covenant*. The tool given in our *Polity* for congregational accountability is Mission Affinity Groups (MAGs); MAGs are not an end in themselves.

MAGs have not been universally accepted. The complexity of the social, cultural, geographic, missional, and other factors influencing MAG effectiveness is recognized but not objectively understood.

Resolution: (1) It is resolved that, to develop a better tool for congregational accountability, Synod Council & Staff shall have conducted a research study to document the problems and find solutions before the next *Polity* overture opportunity in 2026. (2) As an interim measure, a minimal *Polity* overture for alternate accountability measures pending the study results is separately offered.

Research Study: A comprehensive research study shall be commissioned to determine reasons for the lack of broad implementation of MAGs and to identify long-term remedies. The study shall:

- (1) Determine by survey, interviews, and other empirical data collection the current state of Mission Affinity Group implementation;
- (2) Identify the contextual factors that influence the rate of implementation. e.g., church size, regional culture, years since ECO entry, presence of presbytery “MAG Advocate”, clergy support, and congregation-to-presbytery reporting compliance of financial reviews (¶1.0603g) and of ministry and missions reports (¶1.0603h & ¶3.0103m);
- (3) Include within its scope:
 - (3.1) the history of congregational mission and ministry accountability in the American presbyterian churches;
 - (3.2) such methods in other American and international denominations;
 - (3.3) mission accountability in other institutions that are also ideal-driven to ever greater performance in the society, e.g., academia, medicine, and other professional spheres; and
 - (3.4) the scriptural and creedal bases for the questions of the Narrative on the Health of Congregations, i.e., the “Narrative Questions”;
- (4) Recommend adjustments or improvements to enable universal implementation of MAGs or alternative processes to accomplish useful assessments of accountability and encouragement of congregation mission and ministry for overture consideration in the 2026 Synod Meeting;
- (5) Be conducted by a team having members with doctoral-level expertise in church history; theology; organization management (“public administration”); and research techniques of social and political science;

¹Stafford, Tim, and Wagenfuhr, GP: *ECO Ten Years In - Past, Present, and Future*; ECO, Edition of 16 Oct 22, p7, 2nd ¶: “[conservative Presbyterians] ... felt that the decline was more than an institutional and financial problem – it reflected a loss of biblical faithfulness.”

²Stafford & Wagenfuhr, p9, 4th¶: “For the renewalists, the push for homosexual ordination was not the key issue; it was yet another symptom. The authority and relevance of Scripture throughout church history was the key issue.”

- (6) Be performed by a contracted research seminary or university, by a volunteer team from across ECO, or by some combination;
- (7) Conclude within two years; and
- (8) Provide a manual that instructs presbyteries and sessions on the practices that produce successful Mission Affinity Groups, e.g, a manual that could be added as a section to the ECO MPT Manual.

2024 PROPOSED AMENDMENTS TO ECO POLITY DOCUMENT

PD-1 Submitted by the East Central Presbytery

Toward A Strengthened, Flexible Congregation Accountability and Encouragement Process

Amend Chapter One, Congregations and Their Covenant Partners, Section 1.0104 *Accountability within Mission Affinity Groups*, by substitution.

Current Language	Proposed Language	If Adopted, It Will Read:
<p><i>1.0104 Accountability within Mission Affinity Groups.</i> A congregation shall also be a part of a Mission Affinity Group in order to increase accountability and encouragement and spur one another on to love and good deeds. These Mission Affinity Groups are ordinarily comprised of three to five congregations who share similar ministry settings and contexts. These contexts may include but are not limited to: size, geographic location, cultural or demographic similarities, or future ministry goals.</p> <p>Mission Affinity Groups consist of session-to-session relationships. They shall meet together face-to-face at least once a year. They are also encouraged to find ways to connect throughout the year. During the annual meetings, each session should have at least 1/3 of the current elders in attendance. Mission Affinity Groups shall include the questions provided in the Narrative on the Health of Congregations, but may appropriately individualize those questions for their particular context.</p> <p>Mission Affinity Groups may be formed beyond presbytery</p>	<p><i>1.0104 Mission Accountability and Mutual Encouragement within Mission Affinity Groups.</i> A congregation shall also be a part of a Mission Affinity Group, or other presbytery developed and approved process in order to increase accountability and encouragement and spur one another on to love and good deeds. These Mission Affinity Groups are ordinarily comprised of three to five congregations who share similar ministry settings and contexts. These contexts may include but are not limited to: size, geographic location, cultural or demographic similarities, or future ministry goals.</p> <p>Mission Affinity Groups consist of session-to-session relationships. They shall meet together face-to-face at least once a year. They are also encouraged to find ways to connect throughout the year. During the annual meetings, each session should have at least 1/3 of the current elders in attendance. Mission Affinity Groups shall include address the questions provided in the Narrative on the Health of Congregations, but may appropriately individualize those</p>	<p><i>1.0104 Mission Accountability and Mutual Encouragement within Mission Affinity Groups.</i> A congregation shall also be a part of a Mission Affinity Group, or other presbytery developed and approved process to increase accountability and encouragement and spur one another on to love and good deeds. These Mission Affinity Groups are ordinarily comprised of three to five congregations who share similar ministry settings and contexts. These contexts may include but are not limited to: size, geographic location, cultural or demographic similarities, or future ministry goals.</p> <p>Mission Affinity Groups consist of session-to-session relationships. They shall meet together face-to-face at least once a year. They are also encouraged to find ways to connect throughout the year. During the annual meetings, each session should have at least 1/3 of the current elders in attendance. Mission Affinity Groups shall address the questions provided in the Narrative on the Health of Congregations, but may appropriately individualize those questions for their particular context.</p>

boundaries. It is the responsibility of the presbytery to ensure that all congregations within its jurisdiction are appropriately participating in these groups.	questions for their particular context. Mission Affinity Groups may be formed beyond presbytery boundaries. It is the responsibility of the presbytery to ensure that all congregations within its jurisdiction are appropriately participating in these groups or processes for mission accountability and mutual encouragement.	Mission Affinity Groups may be formed beyond presbytery boundaries. It is the responsibility of the presbytery to ensure that all congregations within its jurisdiction are appropriately participating in these groups or processes for mission accountability and mutual encouragement.
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Rationale:

If adopted the following consequential amendment will also be adopted.

Amend Chapter Three, Councils of ECO, Section 3.0103, *Duties*, Subsection m. by substitution.

Current Language	Proposed Language	If Adopted, It Will Read:
<p><i>3.0103 Duties</i> <i>The presbytery has the authority and pastoral responsibility to:</i></p> <p>m. Promote and encourage the missional effectiveness of its congregations. Each presbytery shall develop an instrument to assist its congregations in their annual review and narrative report of their ministry and mission. These annual reports shall be reviewed and discussed by the presbytery with each congregation's session.</p>	<p><i>3.0103 Duties</i> <i>The presbytery has the authority and pastoral responsibility to:</i></p> <p>m. Promote and encourage the missional effectiveness of its congregations. Each presbytery shall develop an instrument to assist its congregations in their annual review and narrative report of their ministry and mission. These annual reports shall be reviewed and discussed by the presbytery with each congregation's session. Where congregations have not been able to use Mission Affinity Group participation as part of their review of ministry and mission effectiveness the presbytery may develop and direct alternative processes that assess the congregations' ministry and mission effectiveness and that provides them with spiritual encouragement.</p>	<p><i>3.0103 Duties</i> <i>The presbytery has the authority and pastoral responsibility to:</i></p> <p>m. Promote and encourage the missional effectiveness of its congregations. Each presbytery shall develop an instrument to assist its congregations in their annual review and narrative report of their ministry and mission. These annual reports shall be reviewed and discussed by the presbytery with each congregation's session. Where congregations have not been able to use Mission Affinity Group participation as part of their review of ministry and mission effectiveness the presbytery may develop and direct alternative processes that assess the congregations' ministry and mission effectiveness and that provides them with spiritual encouragement.</p>

Rationale:

For a new denomination with ‘covenant’ in the name and to which ‘accountability’ is essential, the Mission Affinity Group was to be the ‘congregation of congregations’, an arena of peer sessions each sharpening and encouraging one another. We must undertake careful research and study to learn why there has been success in some presbyteries and sessions and not in others.

This overture suggests short term adjustments to add flexibility in meeting MAG requirements and the resolution suggests a longer-term rigorous research study to assess factors and attributes influencing MAG successes and shortfalls.

Simply weakening the ¶1.0104 *Accountability* structure for MAGs is a step away from ECO’s reason for being: integrity to Holy Scripture.

Accountability within Mission Affinity Groups

Amend Chapter One, Congregations and Their Covenant Partners, Section 1.0104 *Accountability within Mission Affinity Groups*, by substitution and adds Section 1.0105 *Participation in Presbytery's Annual Review Process*.

Current Language	Proposed Language	If Adopted, It Will Read:
<p><i>1.0104 Accountability within Mission Affinity Groups.</i> A congregation shall also be a part of a Mission Affinity Group in order to increase accountability and encouragement and spur one another on to love and good deeds. These Mission Affinity Groups are ordinarily comprised of three to five congregations who share similar ministry settings and contexts. These contexts may include but are not limited to: size, geographic location, cultural or demographic similarities, or future ministry goals.</p> <p>Mission Affinity Groups consist of session-to-session relationships. They shall meet together face-to-face at least once a year. They are also encouraged to find ways to connect throughout the year. During the annual meetings, each session should have at least 1/3 of the current elders in attendance. Mission Affinity Groups shall include the questions provided in the Narrative on the Health of Congregations, but may appropriately individualize those questions for their particular context.</p>	<p><i>1.0104 Participation in Mission Affinity Groups.</i> Congregations are expected to enter into covenantal relationships with one another around common mission and ministry interests. Such relationships are meant not only to further the work of the Kingdom through collaborative effort, but also for mutual encouragement as we spur one another on to love and good deeds. Such mission affinity groups could be as few as two congregations seeking to minister to the homeless, or as many as five or six congregations seeking to plant a church. Other affinity groups might form between similarly sized congregations, geographic, cultural or demographic similarities, or future ministry goals. The desire is for churches to relate to one another through session-to-session relationships in whatever organic and creative ways help promote flourishing churches.</p> <p><i>1.0105 Participation in Presbytery's Annual</i></p>	<p><i>1.0104 Participation in Mission Affinity Groups.</i> Congregations are expected to enter into covenantal relationships with one another around common mission and ministry interests. Such relationships are meant not only to further the work of the Kingdom through collaborative effort, but also for mutual encouragement as we spur one another on to love and good deeds. Such mission affinity groups could be as few as two congregations seeking to minister to the homeless, or as many as five or six congregations seeking to plant a church. Other affinity groups might form between similarly sized congregations, geographic, cultural or demographic similarities, or future ministry goals. The desire is for churches to relate to one another through session-to-session relationships in whatever organic and creative ways help promote flourishing churches.</p> <p><i>1.0105 Participation in Presbytery's Annual Review Process</i></p>

Mission Affinity Groups may be formed beyond presbytery boundaries. It is the responsibility of the presbytery to ensure that all congregations within its jurisdiction are appropriately participating in these groups.	<i>Review Process Section 3.0103 (m) requires each presbytery to develop a process for each of their congregations to conduct an annual review of the effectiveness of their ministry and mission and their adherence to the “Great Commission” (Matthew 28:18-20). Each congregation shall complete their presbytery’s annual review process.</i>	Section 3.0103 (m) requires each presbytery to develop a process for each of their congregations as conduct an annual review of the effectiveness of their ministry and mission and their adherence to the “Great Commission” (Matthew 28:18-20). Each congregation shall complete their presbytery’s annual review process.
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If adopted the following consequential amendment will also be adopted.

Amend Chapter Three, Councils of ECO, Section 3.0103, *Duties*, Subsection m. by substitution.

Current Language	Proposed Language	If Adopted, It Will Read:
<p><i>3.0103 Duties</i> <i>The presbytery has the authority and pastoral responsibility to:</i> m. Promote and encourage the missional effectiveness of its congregations. Each presbytery shall develop an instrument to assist its congregations in their annual review and narrative report of their ministry and mission. These annual reports shall be reviewed and discussed by the presbytery with each congregation’s session.</p>	<p><i>3.0103 Duties</i> <i>The presbytery has the authority and pastoral responsibility to:</i> m. Develop a process to assist its congregations in an annual review of their ministry and mission. It is expected the appropriateness of this process will vary based on a presbytery and their congregations’ situation and context.</p> <p>Examples of these processes include, but are not limited to, participation by the congregation in a congregational health self study process or participation in a congregational health peer review process where two congregations review each other. The results of this annual process shall be reviewed and discussed by</p>	<p><i>3.0103 Duties</i> <i>The presbytery has the authority and pastoral responsibility to:</i> m. Develop a process to assist its congregations in an annual review of their ministry and mission. It is expected the appropriateness of this process will vary based on a presbytery and their congregations’ situation and context.</p> <p>Examples of these processes include, but are not limited to, participation by the congregation in a congregational health self study process or participation in a congregational health peer review process where two congregations review each other. The results of this annual process shall be reviewed and discussed by the presbytery with each congregation’s session.</p>

	the presbytery with each congregation's session.	
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Further resolved that the ECO Synod Executive Council shall direct the ECO staff to implement a process that works to develop a set of best practices to assist churches and presbyteries in meeting the requirements for an annual review of their ministry as contained in the proposed revisions of Polity sections 1.0105 and 3.0103 (m).

Rationale: The current polity Section 1.0104 Accountability within Mission Affinity Groups attempts to establish an accountability process for congregations in the form of a Mission Affinity Group with a prescribed format. Many ECO congregations and presbyteries have found this provision to be difficult to implement and to monitor and often did not produce the desired accountability. Current polity section 3.0103 (m) also seeks to implement a congregational accountability process through mandatory narrative reports from each congregation.

The proposed revision encourages congregations to participate in a Mission Affinity Group instead of requiring participation. The revision also expands the definition of a Mission Affinity Group to include a broad array of collaborative efforts. The goal of the revision is to change the stated purpose of participation in a Mission Affinity Group from that of accountability to that of mutual spurring and Kingdom collaboration.

The proposed amendment also revises polity section 3.0103 (m) to provide presbyteries with more flexibility as to how they design and implement accountability processes for their congregation.

Granting Commissioned Lay Pastors serving as Pastor/Head of Staff Honorably Retired Status

Amend Chapter Two, Ordained and Commissioned Ministry, Section 2.0503 Service within a congregation as the Pastor/Head of Staff by adding: if these officers retire after completing their commissioned service, they may by written request and with the permission of the presbytery, remain members of the presbytery as “Honorably Retired Lay Pastors” with voice and no vote in the presbytery.

Current Language	Proposed Language	If Adopted, It Will Read:
<p>2.0503 <i>Service within a congregation as the Pastor/Head of Staff</i> The presbytery, in consultation with the session or other responsible committee, may authorize an elder or deacon to be commissioned to serve in the role of pastor/head of staff of a local congregation or a church plant. With approval of the presbytery, these individuals could moderate session and congregational meetings, administer the sacraments and, where allowed by law, perform marriages. The presbytery shall ensure training to include theological education, and ministry skill development as well as continued mentorship during this commission. This commission shall be for a period of twelve months and may be renewed indefinitely. Because these officers are fulfilling the pastoral role for a congregation, they shall be enrolled as members of presbytery during their commission and be given voice and vote at presbytery meetings.</p>	<p>2.0503 <i>Service within a congregation as the Pastor/Head of Staff</i> The presbytery, in consultation with the session or other responsible committee, may authorize an elder or deacon to be commissioned to serve in the role of pastor/head of staff of a local congregation or a church plant. With approval of the presbytery, these individuals could moderate session and congregational meetings, administer the sacraments and, where allowed by law, perform marriages. The presbytery shall ensure training to include theological education, and ministry skill development as well as continued mentorship during this commission. This commission shall be for a period of twelve months and may be renewed indefinitely. Because these officers are fulfilling the pastoral role for a congregation, they shall be enrolled as members of presbytery during their commission and be given voice and vote at presbytery</p>	<p>2.0503 <i>Service within a congregation as the Pastor/Head of Staff</i> The presbytery, in consultation with the session or other responsible committee, may authorize an elder or deacon to be commissioned to serve in the role of pastor/head of staff of a local congregation or a church plant. With approval of the presbytery, these individuals could moderate session and congregational meetings, administer the sacraments and, where allowed by law, perform marriages. The presbytery shall ensure training to include theological education, and ministry skill development as well as continued mentorship during this commission. This commission shall be for a period of twelve months and may be renewed indefinitely. Because these officers are fulfilling the pastoral role for a congregation, they shall be enrolled as members of presbytery during their commission and be given voice and vote at presbytery meetings. If these officers</p>

	meetings. If these officers retire after completing their commissioned service, they may by written request and with the permission of the presbytery, remain members of the presbytery as “Honorably Retired Lay Pastors” with voice and no vote in the presbytery.	retire after completing their commissioned service, they may by written request and with the permission of the presbytery, remain members of the presbytery as “Honorably Retired Lay Pastors” with voice and no vote in the presbytery.
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Rationale:

The rationale for this amendment is to open a path to retired CLP2s for voice and participation in a Presbytery. CLP2s have faithfully served particular congregations as solo pastors, some for decades. Currently, retired CLP2s have no Presbytery status unless they happen to be an elected elder delegate/commissioner for a particular church. The “honorably retired lay pastor” designation is a way to recognize their years of service, to validate their calling to serve Christ’s church, and to ensure that the Presbytery continues to benefit from their experience and gifts.

The Authority of the Session in Finalizing Terms of Call

Amend Chapter One, Congregations and Their Covenant Partners, Section 1.0603 The Responsibilities of the Session, Subsection f. by striking out “and shall publish it to the congregation” and inserting “including all ordained clergy terms of call packages. The session shall make a budget summary available to covenant partners.

Current Language	Proposed Language	If Adopted, It Will Read:
f. The session shall adopt and administer an annual budget and shall publish it to the congregation. The session shall purchase appropriate casualty and liability insurance for program, officers, and property. The session shall ensure the congregation’s full-time pastor(s) and by law, full-time lay employees medical, short- and long-term disability, and life insurance. Sessions shall meet the minimum terms of call set by their presbyteries for all called and installed pastors, and by their own rule assistant pastors.	f. The session shall adopt and administer an annual budget and shall publish it to the congregation. including all ordained clergy terms of call packages. The session shall make a budget summary available to covenant partners. The session shall purchase appropriate casualty and liability insurance for program, officers, and property. The session shall ensure the congregation’s full-time pastor(s) and by law, full-time lay employees medical, short- and long-term disability, and life insurance. Sessions shall meet the minimum terms of call set by their presbyteries for all called and installed pastors, and by their own rule assistant pastors.	f. The session shall adopt and administer an annual budget including all ordained clergy terms of call packages. The session shall make a budget summary available to covenant partners. The session shall purchase appropriate casualty and liability insurance for program, officers, and property. The session shall ensure the congregation’s full-time pastor(s) and by law, full-time lay employees medical, short- and long-term disability, and life insurance. Sessions shall meet the minimum terms of call set by their presbyteries for all called and installed pastors, and by their own rule assistant pastors.

Rationale:

Congregations in ECO have created different patterns of consistency as it relates to ordain clergy’s terms of call. ECO’s Polity has been clear that this responsibility lies with the session, but practically this has inconsistently been implemented as some congregations who transferred into ECO followed their previous traditions versus ECO’s Polity as it was interpreted. This change makes explicit what was implicitly understood by the original ECO Polity taskforce and subsequent revision teams.

Interpretation of this Constitution

Amend Chapter Six, The Constitution, by adding a new Section 6.03 *interpreting This Constitution.*’

If the amendment is adopted, consequential amendments will also be adopted to

1. Amend Chapter Three, Councils of ECO, Section 3.0202c by striking out “and Essential Tenets of ECO” and inserting “(Essential Tenets, Polity, and Rules of Discipline), as prescribed in Sections 6.01, 6.02, and 6.03. and
2. Amend Chapter Three, Councils of ECO, Section 3.0204 by adding a new subsection i. to read: “Interpret ECO’s Constitution (Essential Tenets, Polity, and Rules of Discipline) between Synod Business Meetings as presented in Sections 6.01, 6.02, and 6.03.

Current Language	Proposed Language	If Adopted, It Will Read:
	<p>The Synod, its Council, and its Permanent Judicial Commission may interpret this Constitution in the following ways described below. Such interpretation shall be binding on all ECO officers and councils. Any such interpretation shall not conflict with this Constitution or any ruling of the Synod Permanent Judicial Commission.</p> <p>a. The Synod, when requested by a presbytery may, by resolution, interpret this Constitution.</p> <p>b. The Synod Executive Council shall interpret this Constitution when requested by a presbytery. Any interpretation of this Constitution by the Synod Executive Council shall be placed on the next Synod Business Meeting</p>	<p>The Synod, its Council, and its Permanent Judicial Commission may interpret this Constitution in the following ways described below. Such interpretation shall be binding on all ECO officers and councils. Any such interpretation shall not conflict with this Constitution or any ruling of the Synod Permanent Judicial Commission.</p> <p>a. The Synod, when requested by a presbytery may, by resolution, interpret this Constitution.</p> <p>b. The Synod Executive Council shall interpret this Constitution when requested by a presbytery. Any interpretation of this Constitution by the Synod Executive Council shall be placed on the next Synod Business Meeting docket for the Synod’s</p>

	<p>docket for the Synod's concurrence. If the Synod rejects the Synod Executive Council's interpretation of ECO's Constitution, the Synod may amend the interpretation at the same meeting.</p> <p>c. The Synod Permanent Judicial Commission shall have the authority to determine if the interpretation offered by the Synod is Constitutional when a remedial case is filed by a presbytery. A stay will automatically be issued pending the outcome of the case. If the Synod Permanent Judicial Commission rules that the Synod's interpretation is unconstitutional, the interpretation is void and will be reported at the next Synod Business Meeting.</p>	<p>concurrence. If the Synod rejects the Synod Executive Council's interpretation of ECO's Constitution, the Synod may amend the interpretation at the same meeting.</p> <p>c. The Synod Permanent Judicial Commission shall have the authority to determine if the interpretation offered by the Synod is Constitutional when a remedial case is filed by a presbytery. A stay will automatically be issued pending the outcome of the case. If the Synod Permanent Judicial Commission rules that the Synod's interpretation is unconstitutional, the interpretation is void and will be reported at the next Synod Business Meeting.</p>
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Consequential amendments:

Amend Chapter Three, Councils of Eco, Section 3.0202c by striking out "and Essential Tenets of ECO" and inserting "(Essential Tenets, Polity, and Rules of Discipline), as prescribed in Sections 6.01, 6.02, and 6.03.

Current Language	Proposed Language	If Adopted, It Will Read:
c. Maintain the Constitution and Essential Tenets of ECO.	c. Maintain and interpret the Constitution and Essential Tenets of ECO (Essential Tenets, Polity, and Rules of Discipline), as prescribed in Sections 6.01, 6.02, and 6.03.	c. Maintain and interpret the (Essential Tenets, Polity, and Rules of Discipline), as prescribed in Sections 6.01, 6.02, and 6.03.

Amend Chapter Three, Councils of Eco, Section 3.0204 by adding a new subsection i. to read: “Interpret ECO’s Constitution (Essential Tenets, Polity, and Rules of Discipline) between Synod Business Meetings as presented in Sections 6.01, 6.02, and 6.03.”

Current Language	Proposed Language	If Adopted, It Will Read:
	i. Interpret ECO’s Constitution (Essential Tenets, Polity, and Rules of Discipline) between Synod Business Meetings as presented in Sections 6.01, 6.02, and 6.03.	i. Interpret ECO’s Constitution (Essential Tenets, Polity, and Rules of Discipline) between Synod Business Meetings as presented in Sections 6.01, 6.02, and 6.03.

Rationale:

ECO’s Parliamentarian, Dr. Leonard Young, in December of 2020 gave an opinion that ECO’s Synod Executive Council has the authority to interpret the Constitution under P 3.0204h and Robert's Rules Newly Revised (12th Edition) Section 49: Paragraph 3, Paragraph 5, Paragraph 6 and Paragraph 7. Dr. Young further recommended that ECO add the clarification that the Synod Executive Council has the authority to interpret the Constitution as a matter of function.

The change to the Constitution provides multiple checks and balances when interpreting the Constitution by a Synod or in real time by the elected Council members with the accountability of the entire Synod affirming or not the Council's interpretation of the Constitution and to immediately vote on an interpretation of the Constitution going forward. It further provides authority to the Permanent Judicial Commission to ensure that a Synod cannot declare something constitutional that is not, thereby circumventing P-6.02 Amending the Constitution.

While the request to interpret the Constitution has not happened often in ECO’s history, it has happened in the past and the Synod Executive Council has been guided by its understanding of its responsibilities under P-3.0204h, last interpreted by ECO’s previous parliamentarian. The Synod Executive Council concurs with Dr. Young that this responsibility should be explicit in the Constitution.

Should this be approved, going forward, once a Synod concurs or amends an interpretation of the Constitution, the ECO Constitution will be footnoted with this action. If a remedial case is filed by a presbytery for the Synod PJC to rule on the constitutionality of the interpretation an automatic stay will be enforced pending the outcome of the case.

The Role of the Congregation in the Creation of a Pastor Nominating Team

Amend Chapter One, Congregations and Their Covenant Partners, Section 1.0503 Business that shall be conducted at a Congregational Meeting, Subsection a. by striking out “and trustees (as well as deacons, if the congregation chooses (see 2.03))” and inserting “deacons (if the congregation chooses [See 2.03]), trustees, and if required by a congregation’s own rule, Pastor or Assistant Pastor Nominating Committees.”

Current Language	Proposed Language	If Adopted, It Will Read:
The following business items shall be conducted at a congregational meeting, but not necessarily at every congregational meeting, nor are congregational meetings limited to just the following: a. Electing elders and trustees (as well as deacons, if the congregation chooses (see 2.03))	The following business items shall be conducted at a congregational meeting, but not necessarily at every congregational meeting, nor are congregational meetings limited to just the following: a. Electing elders and trustees (as well as deacons, if the congregation chooses (see 2.03)) deacons (if the congregation chooses [See 2.03]), trustees, and if required by a congregation’s own rule, Pastor or Associate Pastor Nominating Committees.	The following business items shall be conducted at a congregational meeting, but not necessarily at every congregational meeting, nor are congregational meetings limited to just the following: a. Electing elders, deacons (if the congregation chooses [See 2.03]), trustees, and if required by a congregation’s own rule, Pastor or Associate Pastor Nominating Committees.

Rationale:

A congregation calls a pastor and associate pastors. The Polity is silent on whether the congregation or the session creates a search team. This clarification to the Polity makes it explicit that a congregation establishes which body creates a search team by its own rule.

PD-7 Submitted by the Presbytery of the South

The Presbytery of the South respectfully overtures the 2024 Synod to amend the ECO Rules of Discipline in section 2.4 by striking the final clause which reads: “the nature of the complaint or alleged offense,” and replacing it with new language as follows: “the fact that an investigation was in process at the time of renunciation, commensurate with state and local reporting laws. Such investigation should be acknowledged in responding to inquiries in a way that would encourage due diligence on the part of another body in conversations with the candidate.”

The amended provision would read: “Judicial process ends when a church officer or a member renounces the jurisdiction of the church. Should the accused in a disciplinary case renounce the jurisdiction of the church, the clerk or stated clerk shall report to the governing body both the renunciation and the status of the matter at that time, including the name of the accused, the date and fact of renunciation during an investigation or hearing, and the charges filed or, if the renunciation occurs prior to the filing of charges, ~~the nature of the complaint or alleged offense~~ the fact that an investigation was in process at the time of renunciation, commensurate with state and local reporting laws. Such investigation should be acknowledged in responding to inquiries in a way that would encourage due diligence on the part of another body in conversations with the candidate.”

Current Language	Proposed Language	If Adopted, It Will Read:
“Judicial process ends when a church officer or a member renounces the jurisdiction of the church. Should the accused in a disciplinary case renounce the jurisdiction of the church, the clerk or stated clerk shall report to the governing body both the renunciation and the status of the matter at that time, including the name of the accused, the date and fact of renunciation during an investigation or hearing, and the charges filed or, if the renunciation occurs prior to the filing of charges, the nature of the complaint or alleged offense.”	“Judicial process ends when a church officer or a member renounces the jurisdiction of the church. Should the accused in a disciplinary case renounce the jurisdiction of the church, the clerk or stated clerk shall report to the governing body both the renunciation and the status of the matter at that time, including the name of the accused, the date and fact of renunciation during an investigation or hearing, and the charges filed or, if the renunciation occurs prior to the filing of charges, the nature of the complaint or alleged offense <u>the fact that an investigation was in process at the time of renunciation, commensurate with state and local reporting laws. Such investigation should be acknowledged in responding to inquiries in a way that would encourage due diligence on the part of another body in conversations with the candidate.</u> ”	“Judicial process ends when a church officer or a member renounces the jurisdiction of the church. Should the accused in a disciplinary case renounce the jurisdiction of the church, the clerk or stated clerk shall report to the governing body both the renunciation and the status of the matter at that time, including the name of the accused, the date and fact of renunciation during an investigation or hearing, and the charges filed or, if the renunciation occurs prior to the filing of charges, the fact that an investigation was in process at the time of renunciation, commensurate with state and local reporting laws. Such investigation should be acknowledged in responding to inquiries in a way that would encourage due diligence on the part of another body in conversations with the candidate.”

Rationale:

While a person may choose to renounce the jurisdiction of one of the ECO presbyteries to avoid a final adjudication of “guilty” of the complaint as originally filed, it is also possible that one might decide that renunciation might be a merciful way of protecting both one’s family and/or the accuser from pain. Disclosing the nature of the allegation without adjudication beyond the bounds of the immediate governing council implies guilt by the fact of renunciation alone and can ruin the reputation and ministry of an innocent person without cause.

When an inquiry is made from a body outside of ECO about the fitness of a candidate seeking to serve in its bounds, disclosing that renunciation has occurred or that charges were pending alerts that body to address the accusations with the candidate. State and local mandatory reporting laws should be observed and are usually sufficient in a new investigation, if warranted.

The originally amended language, while well intentioned, seeks to avoid the notable excesses of both those communions with an episcopal polity, which protected clergy, and those with a congregational polity, which sought to protect the reputations of the congregation. Presbyterians need to know how to distinguish between proper information and gossip. The amended language tries to share responsibility among the governing councils of ECO, the credentialing bodies of other communions and the person seeking a new ministry.

2022 SYNOD BUSINESS MEETING MINUTES

The following Minutes of the 2022 ECO Synod Business Meeting were reviewed and approved by the Synod Executive Council. These minutes are presented to the 2024 Synod to be part of the official record and no further action on these minutes is now required.

OFFICIAL MINUTES ECO: A Covenant Order of Evangelical Presbyterians 2022 National Synod February 3, 2022

Call to Order 12:30 p.m. Bob Reich	The 2022 Synod of ECO: A Covenant Order of Evangelical Presbyterians was called to order by Synod Moderator Bob Reich at 12:30 p.m. on Thursday, February 3, 2022. Dr. Leonard M. Young and Rev. Dr. Claire Ripley served a Secretaries <i>Pro Tem</i> for the meeting.
Installation of Moderator	Dr. Dana Allin recognized Bob Reich for his service to the Synod and presented him with a gift. The Assembly showed their appreciation by rising and applauding. Bob Reich called the 2022 Moderator Keon Abner forward. Elder Reich offered a prayer of blessing on the Moderator and installed him in office. The Chair was then relinquished to Moderator Keon Abner.
Greetings – Keon Abner	Moderator Keon Abner gave opening remarks to the Synod.
Credentials Committee Report	<p>The Chair then recognized Rev. Dr. Claire Ripley to give the Credentials Report on behalf of the Synod Executive Council. The report indicated that 457 voting commissioners were present.</p> <p>On behalf of the Synod Executive Council, it was moved to “approve Item ORG-1, the Credentials Committee Report, with the proviso that the committee be authorized to continue to seat commissioners as full participants in the Synod in accordance with the Constitution of ECO and the Standing Rules to be adopted by this Synod.” The motion was then put to the vote and adopted by the required majority vote.</p>
Parliamentarian	The Chair then introduced the parliamentarian for the Synod Meeting, Dr. Leonard M. Young, a Professional Registered Parliamentarian from Independence, Missouri. Dr. Young then reviewed the proposed Synod Business Meeting Standing Rules found beginning on page 6 of the Synod Business Booklet.
Synod Business Meeting Standing Rules	<p>The Moderator the offered the following statement:</p> <p>“For the information of the commissioners, Dr. Young is now working with the Synod also between Conventions and is available to answer your parliamentary questions or assist you with issues related to your congregational business meetings. To access his services, please contact Rev. Nate Dreesmann at any time you need help.”</p>

	Then on behalf of the Synod Executive Council, Secretary Claire Ripley moved the approval of Item ORG-2, the Standing Rules of the 2020 Synod.
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Reference	<p style="text-align: center;">2022 Proposed Synod Convention Standing Rules</p> <p>Introduction and Philosophy of Deliberation:</p> <p>ECO has always sought to position and maintain itself as an authentic gospel movement in the midst of a post-Christian culture. Our mission is “to build flourishing churches that make disciples of Jesus Christ.” We have both a polity as well as a theology that have been developed to create an environment in which churches may flourish. These are living documents and are not considered inerrant in and of themselves.</p> <p>As changes are considered, within presbyteries and the Synod as a whole, it is our hope that there will be a healthy spirit behind considering these changes. Deliberative bodies can often be set up in adversarial stance or in a “win-lose” stance. It is our hope that within ECO there will be a different ethos. Our hope is that proposals will be made and considered based on the question of whether or not a proposal helps us, both nationally and individually, fulfill our mission to build flourishing churches that make disciples of Jesus Christ.</p> <p>If we are clear and singularly focused on our mission, then we can have robust dialogue about particular proposals and how they may or may not help us fulfill our mission. If we are singularly focused on our mission and the position, we advocate for does not carry the day, it will allow us to continue to maintain our unity as we fulfill our mission.</p> <p>The following Standing Rules for the ECO Convention Business Meeting are proposed to help ECO live out the philosophy of deliberation outlined above.</p> <ol style="list-style-type: none"> 1. COMMISSIONERS: Only commissioners may be seated in the section designated for commissioners in the assembly hall. 2. BADGES: Identification badges issued by the registration committee shall be worn for admission to all meetings. Badges may not be transferred without proper action by the registration committee. 3. CONVENTION COMMITTEES: The Moderator shall appoint all committees for the functioning of the Synod Convention. 4. MINUTES APPROVAL COMMITTEE: The Synod Executive Council shall approve the minutes of the convention after its conclusion.
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	<p>5. VOTING:</p> <ul style="list-style-type: none"> a) At the time of registration, the registration committee shall issue to each commissioner AN ORANGE VOTING CARD. Commissioners who lose this card must report to the registration desk to obtain a replacement. Voting keypads shall not be removed from the assembly hall. At the conclusion of the business meeting or when leaving the assembly hall for any other reason, commissioners shall leave their keypads on their desks. b) When directed by the Moderator, commissioners, while remaining seated, shall vote by using the electronic voting device or by raising the orange voting card as directed by the Moderator. Except for elections, electronic voting shall be open for 15 seconds for voting on each question for which it is used. <p>6. COMMISSIONER RECOGNITION:</p> <ul style="list-style-type: none"> a) Any commissioner wishing to address the meeting shall go to a microphone and line up. For this purpose, there shall be two microphones in each of the aisles. One shall be labeled PRO and the other CON. There shall be a monitor at each microphone. Any member who wishes to offer a motion shall go to Microphone #5 for this purpose. If a commissioner wishes to offer a motion that would interrupt business, the commissioner may go to the head of the line at Microphone #5 and inform the microphone monitor who shall raise a colored card to inform the Moderator. b) Upon recognition by the Moderator, a commissioner shall state his or her name and the presbytery he/she represents. c) The maker of a motion may use any microphone for the moving the motion and giving the first speech in debate. d) Commissioners seeking the floor to request information will not be given any special preference in recognition, but may obtain the floor in the same manner as those wishing to speak in debate. <p>7. DEBATE: For each debatable motion a commissioner shall be limited to one (1) speech of not more than two (2) minutes. Total debate on each main motion or resolution shall be limited to no more than twenty (20) minutes.</p> <ul style="list-style-type: none"> a) The Moderator will recognize speakers in alternating order, as much as possible, between those who are in favor of a proposal and those who are opposed to it. Those who are in favor of the proposal should speak to how the proposal will advance the mission of ECO. Those who are against the proposal should speak to why the proposal does not help advance the mission of ECO. b) If debate is finished on a motion before the allotted 20 minutes has expired and no commissioner is claiming the floor to speak further on it, the Moderator may put the motion to vote. The assembly may adopt a motion to close debate at any time regardless of whether the 20 minutes has expired by a two-thirds (2/3rds) vote of those commissioner voting. c) The time for debate may be extended beyond the allotted 20 minutes by a motion to extend the time. Such a motion will
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	<p>require a two-thirds (2/3rds) vote of those commissioners voting to be approved.</p> <p>8. AGENDA: The Moderator shall formulate and adjust the agenda as required. Therefore, the printed agenda is for guidance only and shall not be considered either general or special orders.</p> <p>9. TECHNICAL AND CONFORMING CHANGES TO GOVERNING DOCUMENTS: The Synod Executive Council shall be authorized to correct article and section designations, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the intent of the Synod in connection with any amendments to governing documents adopted at this Synod Convention.</p> <p>10. MOTIONS: All main motions, amendments, and motions to refer shall be submitted in writing on forms available at each microphone station, signed by the maker, with three (3) copies delivered to the Moderator before or at the time the motion is offered for the consideration of the convention.</p> <p>11. AMENDMENTS: As provided in the Synod's parliamentary authority, <i>Robert's Rules of Order Newly Revised</i>, there may be no more than one amendment to a main motion pending at one time nor more than one amendment to an amendment pending at one time. Amendments may be to strike out words, to insert words or to strike out and insert words. All such amendments must relate to contiguous words and shall not be in multiple locations.</p> <p>12. OVERTURES: In <i>ECO Polity</i>, a high-level process is given to make amendments to the constitution. This high-level process is spelled out in Section 6.02 of our Constitution:</p> <p><i>Presbyteries may overture the Synod of ECO for changes in this Constitution as follows:</i></p> <ul style="list-style-type: none"> <i>a. Two presbyteries must concur in the proposed changes and overture the larger body with changes.</i> <i>b. The Synod may amend and transmit the proposed changes to the Constitution to the presbyteries for their affirmative or negative vote. A two-thirds majority of the presbyteries shall be required for adoption.</i> <i>c. Any amendment to the Essential Tenets and Confessional Standards shall require an affirmative vote of two-thirds of the voting members of the Synod present and voting. In addition, the affirmative vote of each presbytery for such amendment shall require an affirmative vote of two-thirds of the voting members of</i>
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	<p><i>such presbytery present and voting.</i></p> <p>All overtures, whether related to the polity or not, must come by way of the presbytery to the Synod, or be proposed by the Synod Executive Council. All overtures shall include a clear and properly written resolution. If the overture seeks to amend the documents that constitute the constitution or the bylaws of the Synod, it shall clearly state the text that is to be inserted or struck out. A rationale shall also be included. Because our meetings are short and the agenda needs to be clearly defined in advance, no new business can be brought onto the floor of the Synod.</p> <p>Presbyteries must submit overtures 120 days in advance of a particular Synod meeting and concurrence by another presbytery must be made 90 days in advance of the Synod meeting for the item to be considered on the at the Synod.</p> <p>Presbyteries or Sessions planning to submit overtures for the consideration of the Synod business meeting shall submit them in advance of Presbytery consideration to the Synod Overture Review Committee. This committee shall be appointed by the Synod Executive Council as a standing committee of the Synod. It shall be the committee's responsibility to offer comments on the proposed overtures and assist with form and style prior so these overtures being presented in good form to the Presbytery for approval. This committee shall have authority to suggest harmonization of similar overtures in consultation with their proposers so that the subject matter contained in these overtures may be given proper consideration by each Presbytery and ultimately by the Synod.</p> <p>For the Synod to be held in January 2024, overtures must be submitted to the Overture Review Committee by June 30, 2023 and then in final form must be submitted to the Synod office no later than September 30, 2023 and must have been concurred in by October 31, 2023.)</p> <p>All overtures that require Synod action will be passed on to the Synod. The Synod Executive Council, and other related Synod entities can comment on the submitted overture. Unless otherwise stated in the polity, Synod approval is given by a majority vote of those commissioners present and voting.</p> <p>Some overtures may be able to be handled by the Synod Executive Council in a timelier fashion. If the Synod Executive Council cannot handle the overture to the satisfaction of the submitting presbytery, then the overture will be passed on to the Synod for its consideration.</p> <p>Some overtures may not require a change to the <i>ECO Polity and Rules of Discipline</i> and the <i>ECO Essential Tenets and Confessional Standards</i> but be related to a rule or procedure. In these cases, if the overture is approved by the Synod by a majority vote of those commissioners present and voting, it does not require concurrence of the presbyteries.</p>
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	<p>Therefore, the result of the overture goes into effect at the close of the Synod meeting.</p> <p>Some overtures, if approved at the Synod, require approval of presbyteries. The presbyteries will have 180 days after the close of the Synod meeting to vote affirmatively or negatively on those overtures. If the overture is approved by the required number of presbyteries, it will go into effect on the 181st day after the close of the Synod meeting. (In the case of the 2022 Synod, the effective date is August 4, 2022.)</p> <p>13. CONSENT AGENDA: Items deemed by the Moderator to likely meet with broad approval and which are not controversial shall be placed on the Consent Agenda. When the Consent Agenda is called up, any member may request that any item on the Consent Agenda be moved to the regular agenda. Items remaining on the Consent Agenda after this process is completed shall be deemed to have been adopted by unanimous consent.</p> <p>14. QUESTIONS OF PRIVILEGE: Questions of Privilege regarding temperature, difficulty hearing, and voting device problems shall be addressed to the convention coordinator at the table in the rear of the Convention meeting room and shall not interrupt the proceedings of the assembly.</p> <p>15. RECONSIDERATION: No resolution that has been finally adopted or defeated may be reconsidered during the current Synod.</p> <p>16. PROPOSING OVERTURES: Any presbytery or the Synod Executive Council may overture the Synod of ECO for changes to the text of an ECO confession. For overtures originating with a presbytery, at least one additional presbytery must concur with the proposed overture. Any amendment to the text of an ECO confession shall require an affirmative vote of two-thirds of the voting members of the Synod present and voting. In addition, the affirmative vote of each presbytery for such amendment shall require an affirmative vote of two-thirds of the voting members of such presbytery present and voting. The ratification by the presbyteries must occur within 180 days of the adjournment of the Synod meeting during which the initial vote occurred unless an alternative time period is approved by the Synod.</p> <p>17. RECESS: The Chair shall be authorized to determine when a recess shall occur and for how long without a vote of the assembly.</p> <p>18. ELECTION RULES: Nominations for any position shall be made by the nominating committee after which nominations from the floor will be in order. Any commissioner wishing to nominate an individual for any office must submit the name of that person with a qualifications statement to the Synod business meeting secretary prior to the Nominating Committee Report. The nominee must be present or the commissioner nominating must submit a written statement from the nominee indicating willingness to serve. If no nominations are made</p>
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	<p>from the floor for any position, the election for that position shall be conducted by acclamation. If there are nominations from the floor for any position, the election for that position shall be conducted using the electronic voting devices as directed by the Moderator. In this case, a commissioner may not vote for more nominees than positions to be filled and may not vote for the same nominees twice for the same position. A plurality vote shall be considered sufficient for election.</p> <p>19. PERSONAL ELECTRONIC DEVICES: Mobile communication devices shall be placed in silent or vibrate mode. Video cameras and audio or video recording equipment, including cameras contained in mobile phones, other than that approved by the Moderator, shall not be used in the assembly hall.</p> <p>20. ANNOUNCEMENTS: All announcements shall be submitted to the convention coordinator, in writing. The convention coordinator shall present these announcements at appropriate times during the convention.</p> <p>21. DURATION OF THESE RULES: These standing rules shall remain in effect until amended by a future Synod business meeting.</p>
Vote	The vote was taken and the standing rules were approved by the required Two-Thirds vote.
Agenda	Next the Chair drew the attention of the assembly to the printed agenda for today's meeting found on pages 4-5 of your Synod Business Booklet and indicated that with the approval of Standing Rule #8, there would no need for this agenda to be adopted and that it was the Chair's intention to following the printed agenda as closely as possible.
Into to Electronic Voting	The Chair then recognized Beth Allin who led the assembly through an orientation to the use of the electronic voting devices.
Declaration of Organization	With the adoption of the Report of the Credentials Committee, the approval of the Standing Rules, and the approval of the agenda, the Chair "officially declared the 2022 Synod of ECO organized and ready to transact the business of the church."
Report of the 2020 Synod Convention Minutes Review Committee	The Chair then drew attention to the report of the 2020 Synod Convention Minutes Review Committee, Item ORG-4 found on Pages 10-23 of the Synod Business Booklet. The report indicated that the Synod Executive Council serving as the Minutes Review Committee had approved these minutes as correct. The Chair indicated that these were being provided for the record and for the information of the commissioners and that no further action on them is required.
Greetings from International Guests	The Moderator called upon Rev. Dr. Jen Haddox who introduced Rev. Dr. Majid Abel, Moderator of the Presbyterian Church in Pakistan. Shadi Fatehi, Associate Director of Pars Theological Centre, and Rev. Dr. Hani Hanna, President of ETSC in Cairo. Each offered greetings to the Synod.

Introduction of Ecclesiastical Guests.	The Moderator then called upon Rev. Dr. Dana Allin who introduced the following Ecclesiastical Guests: Dean Weaver and Jerry Iamurri, Stated Clerk and Assistant Stated Clerk and CEO of the EPC. Each offered greetings to the Synod.
State of the Synod Report Dana Allin	The next item of business was the State of the Synod Report by Synod Executive, Rev. Dr. Dana Allin. The Moderator indicated that Dana would record this report and it would be posted.
Synod Financial Report (F-1)	The Chair then recognized John Terech, Executive Director of Operations, to present item F-1, the Synod Financial Report (See Appendix A), found beginning on Page 112 of the Synod Business Booklet. The Moderator thanked Mr. Terech for the report and indicated that if there were any questions, commissioners could see Mr. Terech following the meeting.
Results of the Constitutional Changes from the 2020 Synod	<p>The Chair officially declared that all of the Constitutional Changes approved by the 2020 Synod Convention were approved by the Presbyteries and are in effect. This can be found in the additional materials provided the commissioners</p> <p>This information was provided for the record and no action on it was required.</p>
Theological Standing Committee Report	The next item of business was the report of the Theological Standing Committee Report presented by Rev. Dr. Mark Patterson and Rev. Dr. Greg Wagenfuhr. A summary of their report can be found on pages 127-128 of the Business Booklet.
Report of the Permanent Judicial Committee	The Moderator drew the Synod's attention to the Report of the Permanent Judicial Committee found beginning on page 114 of the Business Booklet (See Appendix B). The Moderator indicated that the printed report was for the information of the commissioners and no action on the report was required.
Report of the Nominating Committee for Synod Officers	<p>At this juncture, the Moderator called up the Report of the Nominating Committee for Synod Officers and indicated this report could be found on page 129 of the Synod Business Booklet. The Rev. Dr. Brian Stewart, Chair of the Nominating Committee, then presented the report and placed the following names in nomination for the offices indicated:</p> <p>NE-1 Synod Executive Committee members: Rev. Charles Dunn (6 year term) Joyce Moseley (6 year term) Kristin Rahenkamp (6 year term)</p> <p>NE-2 Synod Judicial Committee members: Rev. Robert Davis (6 year term) Tiffany Melchers (6 year term) Charles Shreffler (6 year term)</p> <p>NE-3 Synod Nominating Committee members:</p>

	<p>Janie Beaver (6 year term)</p> <p>Rev. Dr. Barbara Brice (6 year term)</p> <p>Rev. Andrew Smith (6 year term)</p>
Nominations from the Floor	<p>The Chair then called for nominations from the floor and none were received. The following persons were nominated for the positions indicated:</p> <ul style="list-style-type: none"> • NE-1 Synod Executive Committee members: Rev. Charles Dunn, Joyce Mosely, and Kristin Rahenkamp • NE-2 Synod Judicial Committee members: Rev. Robert Davis, Tiffany Melchers, Charles Shreffler • NE-3 Synod Nominating Committee members: Janie Beaver, Rev. Dr. Barbara Brice, Rev. Andrew Smith
Election by Acclamation	<p>Since there were no nominations received from the floor, therefore, without objection, all nominees were elected for the terms indicated by acclamation.</p>
Consent Agenda	<p>The Moderator indicated that the eight overtures would be considered as a consent agenda and that any commissioner could pull any of these and that those remained out be adopted by unanimous consent.</p> <p>Overtures PD-4 and PD-8 were pulled out for separate consideration. All the others were approved by unanimous consent.</p>
Reference PD-1	<p><i>PD-1 Submitted by the ECO Presbytery of Texas</i></p> <p>Expansion of Ordination Questions for Pastors Being Ordained into Validated Ministries and Clarification of Role of Ordination Questions in Installations.</p> <p>Amend Polity Section 2.0104 by striking out paragraph b and inserting a new paragraph b & c and adding new Section 2.0105 Installation of Officers as follows:</p> <p>b. (for pastor, associate pastor, and assistant pastor) Do we, the covenant partners of this congregation, accept (name) as our pastor (associate pastor, assistant pastor), called by God through the voice of this church to lead us in the way of Jesus Christ, according to the Word of God and the Constitution of ECO?</p> <p>Do we agree to pray for him (her), to encourage him (her), to respect his (her) decisions and to follow as he (she) guides us, serving Jesus Christ, who alone is Head of the Church?</p> <p>Do we agree to pay him (her) fairly and provide for his (her) welfare as he (she) works among us?</p> <p>Will we listen to the word he (she) preaches, welcome his (her) pastoral care, and honor his (her) servant leadership and authority as he (she) seeks to honor Jesus Christ?</p>

	<p>c. (all other pastors) Do we, the covenant partners and members of presbytery, accept (name) as a pastor (pastor in validated ministry, presbytery/synod officer), called by God to lead in the way of Jesus Christ, according to the Word of God and the Constitution of ECO?</p> <p>Do we agree to pray for him (her) and to encourage him (her) as he (she) follows and serves Jesus Christ, who alone is Head of the Church?</p> <p>Will we listen to the word he (she) preaches, welcome his (her) pastoral care, and honor his (her) servant leadership and authority as he (she) seeks to honor Jesus Christ?</p> <p>Having answered these questions in the affirmative, the candidate to be ordained and/or installed shall kneel, if able, and the presbytery shall, with prayer and the laying on of hands, ordain the candidate to the ministry of the Gospel of Jesus Christ and install him (her) to the particular pastoral responsibility. The presbytery will invite other ordained pastors and elders to join in the laying on of hands.</p> <p>The presiding member of the presbytery will say: You are now a minister of the Gospel of Jesus Christ, a pastor (associate pastor, assistant pastor, pastor in validated ministry) for this congregation (in this presbytery). Whatever you do, in word and deed, do everything in the name of the Lord Jesus, giving thanks to God the Father through Him. Amen.</p> <p>2.0105 Installation of Officers.</p> <p>Officers that have been previously ordained as elders, deacons, and pastors are not ordained again upon a change in call but are installed into the new call. Elders and Deacons shall be installed by the session. Pastors/Heads of Staff and Associate Pastors shall be installed by the presbytery. The Ordination vows (2.0103) and Questions to the Congregation (2.0104) are used for installation of these officers. Assistant pastors and transitional pastors may be installed by the session. Pastors in validated ministry may be installed by the session of a sponsoring congregation or by the presbytery.</p>
Reference PD-2	<p><i>PD-2 Submitted by the ECO Presbytery of Texas</i></p> <p>Creation of Additional Pastor Category When a Pastor Is In Between Calls</p> <p>Amend Polity Section 2.0401 Categories and Responsibilities of Pastors by inserting a new paragraph h to read as follows:</p> <p>h. Pastor in between Calls - Pastors may be authorized to remain members of the presbytery in between one call and another for one year after the last date of service to a congregation or validated ministry. This date may be extended by the presbytery up to six additional months, for a total of eighteen months. A Pastor in between calls has voice and no vote.</p>
Reference PD-3	<p><i>PD-3 Submitted by the ECO Presbytery of Texas</i></p>

	<p>Revision of ECO Polity Document to Reflect Revised ECO Ordination Preparation and Assessment Process and Establishment of ECO's Flourish Institute: Graduate School of Ministry</p> <p>Amend Policy Section 2.4 by striking out the entire section and inserting the following in its place:</p> <p>In addition to adherence to ECO Essential Tenets, presbyteries, working together and with the synod, shall ensure that candidates for ministry are adequately trained for their task. Training shall include a bachelor's degree (or equivalent) and demonstrated competency in ministry proficiency, theological integration, spiritual and emotional health, and leadership skill accomplished with a master's degree from an accredited theological seminary in biblical or theological studies or ECO's Flourish Institute of Theology: School of Ministry or similar program established by ECO and ECO's Pastoral Ordination Preparation and Assessment. In extraordinary circumstances, a presbytery may waive the master's degree requirement of a candidate that demonstrates competency as described, completes ECO's Pastoral Ordination Preparation and Assessment, and receives a two-thirds affirmative vote from their first call presbytery Ministry Partnership Team and Presbytery Council. All pastors as defined in 2.0401, serving an ECO congregation, must hold their ordination in ECO or be received as affiliate pastors by the presbytery of jurisdiction.</p>
Reference PD-5	<p><i>PD-5 Submitted by the ECO Presbytery of Texas</i></p> <p>Dissolution of Pastoral Call</p> <p>Amend ECO Polity Section 1.0503.b by adding at the end the following: "unless the dissolution has already been affected by the resignation or retirement of the pastor/head of staff, associate pastor where such resignation or retirement has been accepted by the session and presbytery."</p>
Reference PD-6	<p><i>PD-6 from the ECO Great Lakes Presbytery</i></p> <p>Ensuring Medical and Disability Insurance for Full-time Pastor(s), and Full-time Lay Employees</p> <p>Amend ECO Polity Section #1.0603f by replace the word "offer" with the word "ensure"</p>
Reference PD-7	<p><i>PD-7 Submitted by the ECO Presbytery of Texas</i></p> <p>Clarification of Time to File Remedial Complaints</p> <p>Amend ECO Rules of Discipline Section 4.3 by striking out the entire section and inserting the following in its place:</p> <p>4.3 Remedial complaints shall be filed within ninety days. Those eligible to file such a complaint are: (a) a pastor or an elder enrolled as a member of a</p>

	<p>presbytery, or one who has been dismissed by a presbytery in the same 90 days, against that presbytery, and the complaint is filed with the synod; (b) a session against the presbytery, and the complaint is filed with the synod; (c) any council against any other council of the same level, and the complaint is filed with the council immediately wider than the council complained against; (d) a covenant partner of a church, or one who has been dismissed by a session or in the same 90 days, against the session of that church, and the complaint is filed with the presbytery; (e) a presbytery against the synod, and the complaint is filed with the synod.</p>
<p>Overture Re Polity and Discipline</p> <p>PD-4</p>	<p>The Moderator then called up Overture PD-4 which was found on page 137 of your Business Booklet.</p> <p>The Moderator then recognized Rev. Joel Moore on behalf of the Texas Presbytery who moved the approval of Overture PD-4.</p> <p>After debate the motion was approved by a vote of 386 in favor and 10 opposed.</p>
Reference	<p><i>Clarification of Joint Presbytery and Synod Role in Training and Equipping Candidates for Pastoral Ministry</i></p> <p>Amend Polity Section 3.0109 by striking out “training” in the first paragraph and inserting after the first paragraph the following: “Presbyteries shall work together and with the Synod to train and equip candidates for pastoral ministry.”</p>
<p>Overture Re Polity and Discipline</p> <p>PD-8</p>	<p>The Moderator then called up Overture PD-8 which was found on page 143 of your Business Booklet.</p> <p>The Moderator then recognized Rev. Joel Moore on behalf of the Texas Presbytery who moved the approval of Overture PD-8.</p> <p>After debate the motion was approved by a vote of 227 in favor and 161 opposed.</p>
<p>Overture Re Polity and Discipline</p> <p>PD-8</p>	<p><i>PD-8 Submitted by the ECO Presbytery of Texas</i></p> <p>Renunciation of the Jurisdiction of the Church ECO Presbytery of Texas</p> <p>Amend ECO Rules of Discipline Section 2.4 by adding at the end the following: “or if the renunciation occurs prior to the filing of charges, the nature of the complaint or alleged offense.”</p>
Closing Announcements	All scheduled business having been completed the Moderator asked if there were any final announcements. There were none.
Closing Prayer and Benediction	A closing prayer was offered by Rev. Osnir Pires Menezes.

Chair: Adjournment	Having come to the completion of the business of this Synod, the Moderator declared the 2022 Synod Business Meeting of ECO adjourned <i>sine die</i> at 2:15pm.
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APPENDIX A

2022 SYNOD FINANCIAL REPORT

As we gather in early February of 2022, that will mark our 10-year anniversary of being a new movement called ECO. Our first churches entered in May of 2012. We've come a long way! And we, like the world around us, are also adjusting to what they are calling a "new normal." A global pandemic wasn't something we saw coming or accounted for. But in the ten years we've been together doing this we certainly have felt God's faithfulness. We looked at our strategy, our mission, and values, made the adjustments a few years ago and even in the face of a pandemic we wanted to maintain course, push forward boldly, and see things through. Our budget has come a long way in ten full years as well. We thank God for calling us into this movement and we present this budget that will propel us forward into a time of ministry that will be entrepreneurial, adventurous, and perhaps asking us to do things a little different than "the way we've always done them." Amen!

As a reminder, our strategy, which answers the leadership question of "how?" is best viewed through this graphic.



One-On-One Coaching – the list of services provided by the Synod staff and partners of ECO is long. Whether it is church planter assessment, the ordination process, succession planning, or just the day-to-day work of presbytery organization, the budget for personnel costs are resources that are servicing the local church.

Peer-Based Groups – this piece includes CLP training, Pastor Learning Communities, and other cohorts that have been offered such as Coach Training and Mission Community Training and new opportunities in development.

National and Regional Gatherings – although not listed directly in the operating budget, the National Gathering takes many man hours from our staff to organize throughout the year. Regional gatherings, mostly presbytery meetings or presbytery leader meetings also reside here. One of the highlights of 2021 was ordination retreats where candidates were given maps at Retreat #1 and put forward for ordination in Retreat #2.

The Synod Staff and its budget are funded by the churches for the purpose of assisting the local churches in their unique mission.

Income: ECO is funded by its covenanted churches and by gifts of individuals and churches above and beyond the 1% support structure. There is also modest income with respect to ministry services offered and in good market years, investment income. With 403 congregations in ECO currently, our conservative estimate for support income is the same as 2020 and 2021 **\$2,832,000**. We can expect roughly **\$100,000** in additional funding from services rendered through Flourish, **\$300,000** in grant funding from 2021 (separate from Flourish Institute grants) and other income of **\$5,000** for a total of **\$3,237,000**.

Expenses:

2022 SYNOD FINANCIAL REPORT

Staff: In 2022, expenses for staff are projected at **\$2,060,788**. This includes the salaries and benefits, and all other taxes related to staff. In addition to the names listed on our website, we also have funds in this line item for contract labor.

Presbyteries: The Synod of ECO will continue to support its presbyteries through 2022 at the same level as 2021. We will remain with 22 presbyteries funded at \$20,000 each per year. **\$520,000** was budgeted for this line item, which includes those direct payments to the presbyteries and other leader meetings and direct resources throughout the year.

Other Expenses: A rather broad category here encompasses all the other costs of doing business. Travel expenses, rent for our Goleta office, the supplies, website, database management software, dues to other Reformed organizations, bank related costs, legal expenses, board expenses all reside in this part of our budget. **\$532,120** is where we expect this to be in 2022.

Ministry Catalyzation: All the resources you hear about in the Flourishing Church initiative are found here. We have budgeted **\$115,000** for these programs:

- Leadership development (CLP and Pastor Learning Communities, etc.)
- Work of the Standing Theological Committee
- Coaching supplementation
- Church Transformation
- Church planting training
- Global Engagement
- MissionInsite tools

In summary, our balanced budget is as follows:

<i>Income</i>		
Dues	\$2,832,000	
Other	\$405,000	
		\$3,237,000
<i>Expenses</i>		
Staff	\$2,060,788	
Presbyteries	\$520,000	
Other Expenses	\$532,129	
Ministry Catalyzation	\$115,000	
Total		\$3,227,908
Income over Expenses		\$9,092

Blessings,



John Terech
Executive Director of Operations

APPENDIX B

2022 SYNOD PERMANENT JUDICIAL COMMISSION REPORT

SPJC REPORT TO SYNOD DECEMBER 2021

Since the last Synod meeting, two cases have been filed before, and disposed of by, the Synod Permanent Judicial Commission.

On January 28, 2020, a Remedial Complaint was filed in *Armistead v. North Carolina Presbytery*, Case No. 2020-R-001. After appropriate proceedings, the matter was resolved by a Summary Judgement entered of record on November 23, 2020, a copy of which is available through your presbytery's Stated Clerk.

On February 10, 2021, a Remedial Complaint was filed in *Leslie v. Presbytery of South Carolina*, Case No. 2020-R-001. After appropriate briefing and consideration, the Complaint was dismissed for failure to state a claim upon which relief could be granted on May 18, 2021. A copy of that decision is available through your presbytery's Stated Clerk.

All filings to initiate (or in) cases before the Synod Permanent Judicial Commission must be filed through the office of the Director of Ecclesiastical Support at the Synod Office.

**ECO: A COVENANT ORDER OF EVANGELICAL PRESBYTERIANS
SYNOD PERMANENT JUDICIAL COMMISSION**

REV. DR. MICHAEL ARMISTEAD,	:	
	:	Case No. 2020-R-001
Complainant,	:	
	:	DECISION ON MOTION OF
vs.	:	RESPONDENT FOR
	:	<u>SUMMARY JUDGMENT</u>
NORTH CAROLINA PRESBYTERY,	:	
	:	Released: 23 November 2020
Respondent.	:	

Synod Permanent Judicial Commission Member William Brafford recused himself from this case and took no part in its consideration or determination.

Per curiam:

1. This is a Remedial Case, the original Complaint in which was filed on January 27, 2020. After the filing of an Amended Complaint and Answer thereto, the bulk of the action was dismissed as untimely pursuant to the limitations period imposed by Rule 4.3.¹

2. A single claim, rooted in a letter from the North Carolina Presbytery Ministry Partnership Team to Complainant Rev. Dr. Michael Armistead dated December 6, 2019, survived the initial dismissal.

3. Respondent North Carolina Presbytery filed a Motion for Summary Judgment on the remaining claim, supporting that Motion with a pair of Affidavits authenticating certain documents and setting forth certain facts foundational to the Motion. Complainant Dr. Armistead has filed a responsive memorandum captioned "Motion to Reject Summary Judgment Request . . .", and Respondent has filed a Reply. Neither party requested oral argument on the Motion and the Commission has concluded that it has adequate information to resolve the pending Motion without the need for further submissions.

¹ ECO Disciplinary Rule 4.3 states, in part: "Remedial complaints must be filed within ninety days."

4. The background of this matter may be succinctly stated. Complainant Dr. Armistead previously served a call as Pastor of Flat Branch Covenant Presbyterian Church, Bunnlevel, North Carolina ("Flat Branch"), which church is a part of the ECO North Carolina Presbytery. As a result of difficulties and disputes at Flat Branch and at the request of Dr. Armistead, the North Carolina Presbytery Ministry Partnership Team ("MPT") became involved at the church. On October 6, 2019, at a Flat Branch congregational meeting, a motion to dissolve Dr. Armistead's call as pastor was defeated. But, on October 8, Dr. Armistead tendered his resignation as Pastor of Flat Branch via a letter directed to the Flat Branch Session, Members, and Friends. Another congregational meeting was held, and a vote accepting the resignation was taken on October 27, 2019, with Presbytery consent (through its MPT). Thereupon Dr. Armistead's call at Flat Branch was dissolved effective October 31, 2019.

5. The facts relevant and material to the pending motion may also be simply stated. On December 6, 2019, the MPT wrote to Dr. Armistead a two page letter, recounting its view of events leading up to the resignation and stating the MPT's position on his current status as a "Pastor Without Call". The letter went on to state:

You [Dr. Armistead] are not eligible at this time to accept another call or validated ministry. This is a tenable position as long as you work with the MPT. You must work with us in these four areas:

1. Seek counselling for the loss and grief you feel, and to examine your ministry and calling, and your denial of your role in these events.
2. Cease and desist all continuing conversations regarding [Flat Branch] and your ministry there with current or former members and friends, or other interested parties, of [Flat Branch], of any age, and by any means, including social media streams. As an ECO pastor, you are no longer the pastor of [Flat Branch] or of former members however constituted.
3. Not seek other ministry calls until such time as MPT deems that advisable.
4. Remain in communication with MPT's designated liaison regarding your progress toward healing and restoration.

6. Dr. Armistead asserts, in paragraph 8 of his Amended Complaint, that the December 6 letter specifically, and the MPT's actions generally, evolved into a disciplinary case against him which was beyond the proper scope of MPT activity and which was without the normal safeguards required in disciplinary actions, culminating in the December 6 letter which, he argues, imposes discipline upon him in the form of the restrictions and requirements described therein. This, he contends, violates ECO Polity and Rules in various ways and requires, as a remedy, the lifting of the restrictions upon him.

7. ECO's Constitution includes Rules of Discipline the use of which is mandatory where disciplinary action is to be considered against any officer or covenant partner of any ECO church or council. Those Rules are carefully designed to assure that restorative and redemptive discipline is imposed only after due process and in the presence of significant protections for the rights of all involved. Whether the matter be remedial or disciplinary, those Rules must be followed where they apply.

8. However, not every action of an ECO council imposing some requirement or restriction on an ordained officer or covenant partner of ECO is necessarily disciplinary.

9. ECO Polity, Chapter Three, establishes and describes the various councils of ECO. Section 3.01 deals with the Presbytery and its functions. Paragraph 3.0103 states, in pertinent part:

The Presbytery has the authority and pastoral responsibility to:

...

g. Receive, dismiss, examine, install, provide pastoral care for, and discipline pastors.

h. Enroll, dismiss, and examine candidates and ordain them to called service.

i. Validate the call of pastors to service beyond a congregation.

j. Settle differences between congregations and pastors.

....

10. Paragraph 3.0105(a) requires each ECO Presbytery to establish a Ministry Partnership Team, and states that such team:
- shall have broad responsibility for the pastoral relationships of the presbytery. . . .
The presbytery shall, by its own rule, delegate and determine the authority and functions of the Ministry Partnership Team.
11. The North Carolina Presbytery has adopted both a Presbytery Operations Manual and a Ministry Partnership Team Manual, both of which illuminate and further define the broad responsibility referred to in the Polity by describing the specific delegations of authority and function to the MPT in that particular presbytery.
12. Among the delegations of authority made by the North Carolina Presbytery to its MPT is the responsibility to provide advice, counsel, and when needed peacemaking/mediation for congregations in conflict,² to provide advice and counsel with congregations regarding pastoral calls,³ and to consent to the call of Pastors and the dissolution of pastoral relationships.⁴
13. The North Carolina Presbytery Ministry Partnership Team Manual sets out in more detail the composition of those delegations, noting that they include reception, dismissal, examination, installation, and provision of pastoral care for pastors and the enrollment, dismissal, and examination of candidates and their ordination to called service,⁵ and describing in detail the expectations of the Presbytery toward its MPT in the performance of those duties.⁶
14. While it is thus clear that the North Carolina Presbytery MPT has close-to-plenary authority over pastoral relationships in the presbytery, it is also clear that the MPT's disciplinary authority ends at making the recommendation therefor, following all of the required steps in the

² NC Presbytery Operations Manual, ¶8.2.3.

³ NC Presbytery Operations Manual, ¶8.2.4.

⁴ NC Presbytery Operations Manual, ¶8.2.8.

⁵ NC Presbytery Ministry Partnership Team Manual, pp. 2-3.

⁶ NC Presbytery Ministry Partnership Team Manual, *passim*.

Disciplinary Rules.⁷

15. The North Carolina MPT's broad responsibilities for the "pastoral relationships" in the presbytery begin before a call is approved (possibly even before it is made) and do not end when the call is dissolved. While the MPT ordinarily concerns itself principally with the pastor him- or herself, its consideration must also have a broader focus for the good of the other bodies and people (session, congregation, pastoral covenant group, outside ministry, etc.) involved in the relationship, and even more broadly in some situations, for the presbytery itself.

16. For example, in considering whether or not consent to a call should be given, the MPT must attempt to discern whether the needs and personality of the calling congregation or ministry and the gifts, skills, interests, and personality of the candidate are a reasonable match. The MPT that fails to examine such a candidacy carefully and prayerfully shirks its duty and may condemn the congregation or ministry and the pastor to avoidable difficulties and potentially to ultimate (and needless) failure of the relationship.

17. This is especially true when considering a call to a pastor with a history of difficulties. It is not MPT's portfolio to set up pastors or congregations for failure.

18. Dr. Armistead's call at Flat Branch was dissolved by mutual agreement on October 27, 2019 when the congregation voted to accept his October 8 resignation letter and the Presbytery, through its MPT, consented to that dissolution. Four days later, when the agreed effective date of October 31, 2019 was reached, Dr. Armistead was no longer serving a call within ECO.

19. Approximately five weeks thereafter, the North Carolina Presbytery MPT wrote its letter of December 6, 2019 to Dr. Armistead, setting forth in its penultimate paragraph the four conditions under which the MPT saw his path forward given his stated desire, as reflected in

⁷ NC Presbytery Ministry Partnership Team Manual, pp. 2, 15.

that letter, to remain an ECO Pastor.

20. Given the rather unfortunate phrasing of the penultimate paragraph of the December 6 letter, it is perhaps somewhat understandable that, reading it with the eyes of the person to whom it is directed, Dr. Armistead saw therein the imposition of punishment upon him. Setting aside his rather intemperate comparisons – “a heretic, adulterer, abuser, or thief”⁸ – that paragraph does exhibit some characteristics of a paragraph imposing sentence upon a disciplinary judgment.

21. However, the fact that a writing communicating a point is unwisely phrased does not render the point made invalid or incorrect. It is the substance of the fact, not the form of the writing, that determines the character of the action.

22. In this case, the North Carolina MPT had responsibility to care for Dr. Armistead and help him to prepare himself for a new call or a validated ministry after his departure from Flat Branch. His expressed desire to remain an ECO Pastor merely reinforced that responsibility.

23. The MPT’s December 6 letter, in stating the four points, was simply the exercise of the MPT’s appropriate administrative authority over the pastoral relationships of Dr. Armistead within the North Carolina Presbytery and an effort to fulfill MPT’s responsibility to help Dr. Armistead prepare himself to move forward.

24. There is no doubt – if for no other reason than that Dr. Armistead has pursued this case – that his departure from Flat Branch was an extremely painful experience for him, and likely for others as well. The MPT’s direction that Dr. Armistead seek counselling to help him deal with his pain and grief, and to examine with the assistance of a counsellor’s more objective eyes what happened at Flat Branch and how he might have contributed to the outcome (or alternatively obtained a different one by behaving differently along the way) is plainly an effort

⁸ Amended Complaint, ¶8 (p.5).

to help him understand the situation better and thus to move him to a more healthy place in regard to his ministry. In no way can this be considered punitive or disciplinary; rather it is loving and caring and precisely in accord with what the MPT is chartered to do.

25. The MPT's direction that he cease contact with people at Flat Branch is no more than seeking compliance with the statement of ethics for departing pastors set forth in the North Carolina Presbytery Ministry Partnership Manual, which statement is obviously designed to facilitate a smooth transition for former pastor, church, and new leadership by assuring that there is a clean break with the former pastor and his influence, thus paving the way for new leadership to carve out its own niche as comfortably as possible without the complicating factors of the former pastor's continued "presence". Again, there is simply no disciplinary aspect to this.

26. The MPT's direction that Dr. Armistead not seek further calls to ministry until the MPT deems it advisable would perhaps be more clearly stated if it confined itself more tightly to the exact responsibilities of MPT, but the gist of the point is made nonetheless. The North Carolina MPT simply stated that it would not be willing to consent to a call for Dr. Armistead until he satisfactorily completed his healing and restoration; thus there would be no point for him seeking a call prior to that completion. Far from being disciplinary in nature, this statement saves Dr. Armistead from unnecessary and fruitless effort seeking calls to which Presbytery consent cannot be obtained.

27. And the MPT's final direction – that Dr. Armistead remain in communication with its liaison during the healing process can in no way be considered punitive. MPT needs such contact to discharge its responsibilities both to the Presbytery and to Dr. Armistead himself.

28. Thus, although the December 6 letter from MPT could perhaps have been better written – more gently phrased, perhaps, or tied more tightly to MPT responsibilities, the form of

that communication cannot control over its substance – which is clearly and unequivocally an exercise of the proper administrative responsibilities of the North Carolina MPT.

29. The North Carolina Ministry Partnership Team has been charged with broad responsibility for the pastoral relationships within the presbytery, and has been granted fairly similarly broad authority to discharge those responsibilities. It is in the best position to know (or learn) what the problems have been and are in any given pastoral situation in that presbytery and to determine the best response to such situation. Given the breadth of that responsibility and authority, and in the absence of evidence of an improper motive or an error of constitutional dimensions, the MPT is entitled to make those judgments and take those actions without the unwarranted interference of the judicial bodies of ECO.

30. A remedial action is one in which an erroneous decision or action, or an omission or failure to act by an ECO body or council can be corrected.⁹

31. We find that there is no genuine issue as to any material fact in this case – Dr. Armistead resigned his call, the congregation accepted the resignation, and the Presbytery consented; the MPT then sent a letter detailing the steps necessary to place Dr. Armistead in a healthy position to seek and accept a new call – and also find that there is no error here – the North Carolina Presbytery Ministry Partnership Team appropriately exercised its administrative authority over the preparation of Dr. Armistead for a subsequent call to pastoral service; therefore we find well taken the Respondent’s Motion for Summary Judgment on the remaining claim asserted in Complainant’s Amended Complaint.

All concur.

⁹ ECO Disciplinary Rule 4.1.

**ECO: A COVENANT ORDER OF EVANGELICAL PRESBYTERIANS
SYNOD PERMANENT JUDICIAL COMMISSION**

REV. DR. MICHAEL ARMISTEAD,	:	
	:	Case No. 2020-R-001
Complainant,	:	
	:	
vs.	:	ENTRY ON MOTION OF
	:	RESPONDENT FOR
NORTH CAROLINA PRESBYTERY,	:	<u>SUMMARY JUDGMENT</u>
	:	
Respondent.	:	

Synod Permanent Judicial Commission Member William Brafford recused himself from this case and took no part in its consideration or determination.

On the basis of the reasoning set forth in the Decision on Motion of Respondent for Summary Judgment of even date herewith, Complainant's claim as asserted in paragraph 8 of his Amended Complaint is hereby dismissed. There being no further claims remaining pending, this case is hereby dismissed.

SO ORDERED.

Dated: 11/23/20



Mark H. Klusmeier, Moderator SPJC

REV. TIMOTHY M. LESLIE,	:	
	:	Case No. 2021-R-001
Complainant,	:	
	:	DECISION AND ENTRY ON THE
vs.	:	MOTION OF RESPONDENT
	:	PRESBYTERY OF SOUTH
PRESBYTERY OF SOUTH CAROLINA,	:	CAROLINA TO DISMISS FOR
	:	FAILURE TO STATE A CLAIM
Respondent.	:	UPON WHICH RELIEF CAN BE
	:	GRANTED

1. This is a remedial case, filed on February 10, 2021. It was properly served on Respondent which timely filed its answer together with a Motion to Dismiss (hereafter “Motion”) on March 26, 2021. It is that Motion which is the subject of this decision.
2. On April 9, 2021, Rev. Leslie further pled in response to the Motion, in a document titled Memorandum in Opposition (hereafter “Memorandum”). For purposes of this decision, we have considered only that portion of the Memorandum which was responsive to the Motion.¹
3. Allegations of the Presbytery’s error or omission in this remedial case arise from other proceedings involving a written statement of alleged offenses against two named presbyters filed by Rev. Leslie with the Presbytery. The first two causes of action in the complaint here involve firstly, an allegation of failure to timely process the initial statement and, secondly, to timely appoint an Investigating Committee (hereafter “IC”). The third cause of action alleges that, when appointed, the IC breached its duty to interview each person identified by Rev. Leslie’s statement before it determined that no charges should be filed.
4. The specific relief initially requested by Complainant in this remedial proceeding is an “appropriate rebuke” of the Presbytery for its failure to follow the ECO Rules of Discipline (hereafter “ROD”) in processing the initial statement. Rebuke is a specific

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discipline which may result from a disciplinary conviction of an individual subject to the ROD.² However, it is not authorized against councils of the church nor in remedial cases.³ Respondent noted this issue as a portion of its Motion.

5. In his Memorandum, Rev. Leslie responded to that portion of the Presbytery's Motion by explaining that he used the word "Rebuke" merely in a general sense. Presumably in an attempt to cure this issue, Rev. Leslie then further explained his complaint by recasting the relief he requested as follows:

"The practical relief would necessitate the reopening of the disciplinary case which requires the reconvening of the appointed investigating committee...and process the material gleaned from witnesses..."

The ROD requires that Remedial Complaints contain certain elements within their four corners. One such element is a statement of the relief requested.⁴ Rev. Leslie included a statement of the relief he requested – an "appropriate rebuke." Rebuke is a word with a specific meaning under the ROD, and the use of that word with other meanings in proceedings under the ROD is not to be desired. Normally, recasting a request for relief such as Rev. Leslie attempts here would require leave to amend the Complaint, which has been neither requested nor granted in this case. But, given Rev. Leslie's recast request for relief, even if we granted leave to amend, or alternatively permitted an inordinately broad reading of "rebuke" to include what he now requests, his Complaint remains problematic.

6. The Rules of Discipline sets out eight sets of specific duties for an investigating committee.⁵ One of those duties requires an IC to "ascertain all available witnesses and inquire of them".⁶ Complainant would have us adopt his strict interpretation of the provision to mean that every individual identified by him was required to be examined. Respondent argues that the whole of 5.5, indeed the whole of the Rules of Discipline should be read together when interpreting its provisions. We agree with Respondent.
7. Disciplinary cases must be proved beyond a reasonable doubt. In its investigation an IC may conclude that witnesses or documents suggest that proof beyond a reasonable doubt is not possible. Exculpatory or explanatory evidence may be received from sources completely unknown to Complainant. If such a conclusion is reached additional investigation may reasonably be halted by an IC.

² ECO Rules of Discipline §6.1

³ ECO Rules of Discipline §2.1

⁴ ECO Rules of Discipline §4.4(e).

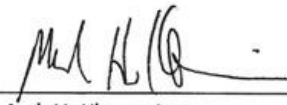
⁵ ECO Rules of Discipline §5.5

⁶ ECO Rules of Discipline §5.5(d)

8. The Rules of Discipline requires that an IC deciding not to bring charges file a written report simply indicating that no charges are to be filed.⁷ There is no preserved record, documents, witness transcripts, notes, or rationale. The ROD assumes the good faith of an IC in such a decision, and functionally precludes a review of its substantive and deliberative actions. Consequently, we find that the decision of an investigating committee to file no charges is not an action which may be reviewed by judicial process, absent some other constitutional violation. Thus, even if we permitted Rev. Leslie to amend his Complaint in accord with his recast request for relief, the Complaint would still fail for lack of an available remedy.
9. Because the decision of the IC which investigated the allegations brought by Rev. Leslie in the underlying disciplinary case not to file charges is not reviewable, there is no remedy which this body may provide to him even if he were to prevail on the merits. We conclude therefore, that the Complaint does not state grounds upon which relief may be granted, and thus the action may not be sustained.⁸
10. Respondent's Motion to Dismiss is granted on the grounds stated above and the Complaint is hereby dismissed.

ALL CONCUR

Dated: 5/28/21



Mark H. Klusmeier
Moderator, ECO Synod PJC

⁷ ECO Rules of discipline §5.8

⁸ ECO Rules of Discipline §4.4 (e)

APPENDIX C

2022 STANDING THEOLOGICAL COMMITTEE REPORT

STC REPORT TO SYNOD DECEMBER 2021

Like many across the church the last year (two years) has made the work of the STC challenging. In the past we had depended upon two face to face meetings over a period of a couple days. COVID has made this impossible for most of the last two years and while we had Zoom our work efficiency has been affected. Not only by our inability to meet together but by the extra demands the pandemic has placed on our team in their regular jobs.

That said, we were able to meet in August of 2021 and our time together was very productive. We were able to make some solid plans for the coming year and set priorities for our work. The largest part of our attention has been on the pre-conference event on ecclesiology and the published resource that will be a part of it. This project has filled most of our time and work since our meeting together in August.

Ecclesiology Pre-Conference Seminar: The question “What is the church?” It is a good question on many levels and a vital one, for numerous reasons. Arguably the answer has never been less clear or agreed upon in western culture than today. And this is true for both those inside and those outside of the church. The fact that we now live—and have lived for several decades—in a post-Christian culture is undeniable. This unprecedented reality has had profound effect on how the church is perceived. On the one side of the equation, is a culture that is unimpressed with the church, its claims, and what it offers. In the eyes of many—and the numbers are growing—the church is, at best, archaic, irrelevant, and unnecessary. At worst, the church is seen as harmful to society, as it is perceived as judgmental, bigoted, unscientific, and seeking political power that would shape culture in its design. From the side of the secular world the church has little (nothing?) good to offer for the bettering of society and much to harm it.

On the other side of the equation, we see confusion within the church itself as it wrestles to determine its purpose and work and its response to the challenges before it. The church in America today is a struggling church, a church wavering in its faith, uncertain of its ethic, divided in its fellowship, distracted from its purpose, and anemic in its witness. In a post-Christian environment, it becomes ever more difficult to maintain Christian distinctives, as the church increasingly reels under (and is increasingly shaped by) the forces of secularism. This has had a variety of effects: some churches rise to aggressively take on secularism, often (ironically!) uniting with or relying upon the secular government to restore Christian values and ethics. Other churches take the opposite approach, becoming increasingly timid and reclusive. Still others acquiesce. But in all this, the nature and purpose of the church becomes more and more uncertain not only to the larger culture but the church itself.

Nearly two years of life under pandemic restrictions have only made things more difficult and confusing. Meeting online has brought both unprecedented outreach and participation as people are able to simply “click” and join a worship service. Many churches are seeing more “attending” their services than ever before. Participation has never been easier or more acceptable. Yet this is not without problems or questions. First, many of these online “attendeers” are those who used to physically participate in corporate worship and larger life of the church but now find it easier, more enjoyable, relaxed, etc. to watch online. Even as some churches see new participants online most churches are seeing their lowest attendance in live worship. Second, what is the church in this context? Is “online church” really the church? Is it possible to be the church and part of the larger church if one remains isolated from most or all others in the body? If so, how might this side of the church be cared for, disciplined, and sent out in mission? And if none of these happen in a person’s life, regardless of how often they attend and online service, may we rightly (i.e., from Scripture, theology, and polity) see them as part of the church. Countless other questions remain and burst from all this. But in them all and over them all is the one overriding question: what, exactly, is the church? The shape, mission, and effectiveness in the coming decades will be shaped more by how we answer this question than perhaps any other before us.

2022 STANDING THEOLOGICAL COMMITTEE REPORT

Our pre-conference event will look at these questions and issues head on, seeking to provide answers, here of best practices, and learn how best to be the church in these days. This gathering will include a number of speakers looking together, but from different perspectives, at the question, “What is the Church?” We will have at least one international speaker looking at the American church from “outside.” We will also have a number of speakers looking at some of the details outlined above and working to build conversation around them.

As part of this preconference the STC is publishing a written resource with numerous articles addressing the questions and issues above.

Curriculum on the Essential Tenets: Perhaps the most common request we receive is that we provide practical teaching on the *ECO Essential Tenets*. While there is profound support and respect for these it is also clear that the content is beyond the theological acumen of many of our pastors, elders, and church family. The goal then would be to provide curriculum and study guides that allow our essential tenets to be more broadly used and understood across the church. This curriculum will (hopefully) take a number of approaches, including confirmation classes, classes for new covenant partners, officer training, and adult Sunday school. We are working first on confirmation first and will expand from there. This is one of the areas that has been impacted by additional demands the pandemic has placed on our team members and we are behind on this project.

(Re)creation of Presbytery Standing Theology Committees: Our former iteration of the STC, the Theological Task Force, formed local task force groups in each presbytery to help prepare and lead the church in discerning its confessional standards. These were very effective and numerous overtures were sent to Synod for consideration. It is the desire of the Synod Executive Council that these be restarted and that each presbytery have a Standing Theology Committee. This remains a work in progress, and we still have many presbyteries without this. We have concluded that we probably don’t need a full committee and are working to have at least one person in each presbytery that serves as the STC liaison. If that person is able to assemble a small committee, so much the better.

Ordered Prayer and Reflection: At our founding the idea of being an *ordered* fellowship of believers. This has seen little actual attention, but it has been suggested that one way to initiate this would be to unite the church in regular (daily?) prayer and reflection. This might be done on an app and/or other means. This is being written with some good progress made but we have not figured out how best to get it on an app. We applied for, and did not receive, a grant to help cover the costs of this.

APPENDIX D

2022 SYNOD NOMINATING COMMITTEE REPORT

NE-1, 2, 3 REPORT OF THE SYNOD NOMINATING COMMITTEE

The Synod Nominating Committee offers the following nominees for the positions indicated:

NE-1 Synod Executive Council members:

1. Rev. Charles Dunn
2. Joyce Moseley
3. Kristin Rahenkamp

NE-2 Synod Permanent Judicial Commission members:

1. Rev. Robert Davis
2. Tiffany Melchers
3. Charles Shreffler

NE-3 Synod Nominating Committee members:

1. Janie Beaver
2. Rev. Dr. Barbara Brice
3. Rev. Andrew Smith

The biographic sketches of each of these nominees can be found on the following pages.

Respectfully submitted,

Jason Schepp, Rev. Dr. Brian Stewart, Sara McDonnell, John Bard, Rev. KC DiNardo, Rev. Dr. Eric Laverentz, Rev. Dr. Jennifer Graffius, Ruth McKee, Rev. Dr. Howard Griffin

Synod Executive Council

Class of 2022

Rev. Susan Finck (Texas)
Karen Hook (Northwest)
Bob Reich (Cornerstone)

Class of 2024

Rev. Marnie Crumpler (Heritage)
Keon Abner (Great Lakes)
Rev. Kyu Q Kim (NE Coast)

Class of 2026

Rev. Dr. Claire Ripley (South Carolina)
Rev. Israel Gonzales (Mission)
Edmund Martin (Mid-America)

Synod Permanent Judicial Commission

Class of 2022

Patrick Singer (Southern CA)
Ken Robbins (Northern CA & Nevada)
Mark Klusmeier (Great Lakes)

Class of 2024

Elizabeth Calahan (Mid-America)
Rev. James Harper (South)
William Brafford (North Carolina)

Class of 2026

Rev. Walter Arnold (Florida)
Dorothy Alvarez (West)
Hardie Morgan (Texas)

Synod Nominating Committee

Class of 2022

Jason Schepp (Rivers of Life)
Rev. Dr. Brian Stewart (South Carolina)
Sara McDonnell (Florida)

Class of 2024

John Bard (Heritage)
Rev. KC DiNardo (Upper Midwest)
Rev. Dr. Eric Laverentz (Mid-America)

Class of 2026

Rev. Dr. Jenn Graffius (Southern CA)
Ruth McKee (West)
Rev. Dr. Howard Griffin (TX)