

**The Presbytery of Cincinnati
Reconciliation and Dismissal Policy
(adopted May 8, 2012, revised May 14, 2013, November 10, 2015)**

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Reconciliation and Dismissal Procedure

The Presbytery of Cincinnati is committed to pursuing reconciliation with pastors, sessions, and congregations who are considering dismissal from the denomination. Whether that reconciliation takes the form of dismissal or mutually accepted re-commitment to the Presbytery-congregational relationship, it is the will of this Presbytery to create a gracious context and process in which the will of God is sought for the life, ministry, and calling of the particular congregation. All congregations of this Presbytery are invited to commit to this broad understanding of reconciliation with a graciousness befitting those who claim Jesus as Lord.

The Presbytery and congregations will be continually guided by these four principles:

1. The Mission of God as expressed in the Great Ends of the Church is greater than the PC (U.S.A.). Therefore, we affirm that should Presbytery dismiss a congregation to another Reformed body, the unity of the one Church of Jesus Christ has not been diminished. (F-1.0302 and F-1.0304)
2. The exercise of “mutual forbearance” is of utmost importance in our process. Therefore, all will treat each other with respect regardless of theological and ecclesiological differences.
3. We will work for fairness to all parties in our decisions.
4. We will work as quickly as prudence allows.

It is the Presbytery’s belief that in adopting this Reconciliation and Dismissal Procedure congregations who faithfully follow it as a way of discerning if God would have them affiliate with another Reformed denomination are not engaged in schism and that therefore the Presbytery’s understanding is that G-4.0207 (Property of a Congregation in Schism) does not apply to congregations faithfully following this process.

If a session chooses not to follow this Reconciliation and Dismissal process or abandons these processes before completion, then the “Alternative Process for a Congregation Seeking Dismissal from the Presbyterian Church (U.S.A.)” will apply.

In all matters relating to this subject, discerning answers to the following three questions will be deemed paramount:

1. Is God leading this particular congregation to restore fellowship with the Presbyterian Church (U.S.A.), or to seek dismissal from the Presbyterian Church (U.S.A.)?
2. If God is leading this congregation toward restoration of fellowship with the Presbyterian Church (USA), how can that be accomplished in a way that honors Jesus Christ and strengthens both the congregation and the Presbytery?

3. If God is leading this congregation to seek dismissal from the Presbyterian Church (U.S.A.), how can that be accomplished in a way that honors Jesus Christ and strengthens both the congregation and the Presbytery?

The Presbytery asks that any session seeking or considering dismissal from the denomination to covenant with the Presbytery to enter into this defined process of mutual discernment through the formation of a Discernment Team from the Presbytery and the local congregation (see “Discernment Process” below). As described below, this process should take no less than six months and no more than one year. At the conclusion of the process, the Discernment Team will report and make recommendations to both the congregation and the Presbytery.

Discernment Process

Sessions considering whether to enter the process shall invite representatives from the presbytery (General Presbytery, Stated Clerk, Committee on Ministry) to a called meeting of the session prior to a vote to address any concerns of the session. After meeting with presbytery representatives, a session wishing to initiate this process shall put the matter to a vote. If at a duly noticed meeting with appropriate quorum, the session votes by two-thirds majority to initiate the discernment process, the Clerk of Session shall contact the Presbytery office and inform the Stated Clerk of this desire. The session shall then call a congregational meeting for the purpose of approving participation in the discernment process. At that meeting, the congregation shall vote to establish a quorum of 50% for any future meeting to vote on requesting dismissal from the PC (U.S.A.) If approved, the Stated Clerk of the Presbytery and the Clerk of Session (or their designated representative) will sign a Covenant Agreement (see below).

The Discernment Team shall consist of four representatives from the congregation and four representatives from the Presbytery. The session of the congregation shall select the representatives from the congregation, all of whom shall hold active membership in the congregation/presbytery, one from the staff, one from the session and two at-large active members of the congregation. The Presbytery Council shall select two Ruling Elders and two Teaching Elders from the Presbytery. The Discernment Team shall covenant to meet together a minimum of five times.

First Meeting

The first meeting of the Discernment Team shall be convened by the Stated Clerk of the Presbytery (or the Clerk’s designated representative) to review this process and select a facilitator. The facilitator shall not be one of the eight members of the Discernment Team and shall have voice but not vote during the discernment process. The Discernment Team will share extended introductions. Following the first meeting, the Discernment Team will meet at least four more times. The expected content of the meetings is outlined below.

Second Meeting

The Discernment Team members will share their faith stories and their understanding of the spiritual and theological issues at stake between the congregation and the Presbyterian Church (U.S.A.). This meeting will primarily be a listening and sharing session.

Third Meeting

The facilitator of the Discernment Team will guide a dialogue on foundational theological issues. The purpose of this discussion is to determine how much common theological and ecclesiastical ground exists between the congregation and the denomination.

Fourth Meeting

The Discernment Team will create a process to listen to the concerns, sensitivities and questions of congregation members.

Fifth Meeting

Upon completion of the listening process the Discernment Team will discuss the concerns, sensitivities and questions of congregation members.

Additional Meetings

The content of additional meetings will be determined mutually by members of the Discernment Team.

Upon completion of the above meetings, the Discernment Team will make a report with recommendations to the congregation in a “town hall” meeting.

If the session determines the congregation is still called by God to remain in covenant relationship with the Presbyterian Church (U.S.A.), both parties will work together to heal any broken relationships (see “Guidelines for Restoration of Fellowship and Recommitment to Presbytery-Congregational Relationship” below).

If the session votes to call a congregational meeting to recommend dismissal to another Reformed body, the session shall follow the “Procedure for Seeking Dismissal.” These policies and procedures shall take effect immediately upon approval by the Presbytery.¹

Guidelines for Restoration of Fellowship and Recommitment to Presbytery-Congregational Relationship

If the Session or congregation determines that it is called into a continued or transformed relationship with the Presbytery of Cincinnati, the Discernment Team will create and conduct

¹ NOTE: If a congregation or its leadership preemptively files suit in a civil court against the Presbytery, the Presbytery of Cincinnati will answer the suit and defend the position of the presbytery. Likewise, if a congregation or its leadership abandons these processes before completion, the Alternative Process for a Congregation Seeking Dismissal from the Presbyterian Church (U.S.A.) will apply.

a process for continuation/transformation of fellowship and reaffirmation to the Presbytery-congregational relationship. The following are presented as minimal guidelines for marking and sealing that reaffirmation:

1. The Discernment Team will assist the Session in writing a covenant of reaffirmation articulating the nature and specifics of the future relationship between the congregation, Presbytery and the PC (U.S.A.).
2. Conducting a public service of worship and reaffirmation to shared fellowship and ministry, with participation from Presbytery and congregation.
3. Sharing of story and testimony from members of the Discernment Team and congregation at the congregational and Presbytery level (and beyond, if appropriate).
4. Blessing and commissioning of any minority that leaves the local congregation (to the extent possible), in the hope of maintaining bonds of peace.

Procedure for Seeking Dismissal

Upon completion of the discernment process described in the “Commitment to Reconciliation,” a session and congregation desiring to enter into the process of seeking dismissal shall follow this procedure:

1. The session shall provide the office of the stated clerk an accurate and current list of the congregation’s roll of active members.
2. The session shall call for a meeting of the congregation. Advance notice for the meeting shall be by written letter to each member on the active roll of the congregation who is eligible to vote at the meeting, as well as through three Sunday worship announcements. The letter shall be mailed at least thirty (30) days in advance of the meeting date and shall include:
 - a. the motion from the session to be dismissed to a particular Reformed body
 - b. a written statement from the Discernment Team majority and minority (if applicable)

Public announcements of the congregational meeting shall be made at all worship services between the date of the call and the actual congregational meeting.

Representatives of the Presbytery (which may include members of the Discernment Team, Presbytery Council, Stated Clerk, and General Presbyter) shall also be invited to the meeting, with the right to address the body gathered.

3. Members eligible to vote at the congregational meeting shall be active members as of the date of the letter calling the congregational meeting. The quorum for the congregational meeting shall be the designated quorum of the congregation or 50%, whichever is higher.

4. All members present, as well as the representatives of Presbytery, shall have the right to speak. When the discussion is concluded, the vote shall be taken by written ballot. At least two-thirds of those present voting must vote in favor of requesting dismissal to another Reformed body in order for the proposal to pass.
5. If at least two-thirds of those voting request dismissal, the presbytery's moderator shall appoint an administrative commission to continue the presbytery's work with the congregation.

The commission shall work to understand the congregation's concerns and actions and make any recommendations it deems necessary to the presbytery about the dismissal of the congregation to another Reformed body, including 1) the appropriate disposition of all assets, including but not limited to real property, 2) the care and support of congregation members who may decide to remain members of the Presbyterian Church (U.S.A.), and 3) the continued use of the congregation's name.

6. To allow the Presbytery and the departing congregation to act graciously to one another, the administrative commission and the session shall negotiate clear and specific terms by which the Presbytery may make a gift of all or a portion of the assets to the congregation and the congregation may make a financial contribution to the Presbytery. These exchanges will tangibly recognize the congregation's and Presbytery's history of ministry together, and will bless one another for their future ministries. Prior to reaching an agreement, the administrative commission shall consult with the presbytery's Board of Trustees regarding a financial analysis of the value of the congregation's assets and liabilities, which shall be reported to the presbytery.

Also,

- Consideration shall be given to any denominational grants made to the congregation, either to plant the congregation or to further its mission and ministry.
 - Reasonable terms of payment shall be negotiated (e.g., paid over three years, five years maximum), ensuring that the departing congregation's payment is properly secured prior to departure.
 - Being careful not to burden either the congregation or the Presbytery, final terms shall be determined using one of the following guidelines:
 - five times current year's assessed per capita
 - 10% of total assets (cash, investments, property and equipment)
 - 20% of prior year's actual offerings
 - consideration of any outstanding denominational loans.
7. In order to carry out its work, the commission is entrusted by the presbytery with these powers.
 - to call session meetings (G-3.0203) and congregational meetings (G-1.0502) and to contact the membership directly. The commission shall have the opportunity to speak at any and all meetings.
 - to have access to pertinent congregation records (G-3.0108).

- to consult with the congregation concerning all matters related to its possible dismissal by the presbytery (G-3.0303b, G-3.0301a).
 - to communicate with those who will be affected by its decisions (G-3.0109b).
- The commission shall have the authority to consult with Presbytery, Synod, and General Assembly staff when necessary. It may retain legal counsel and consult with appropriate committees of the presbytery in order to do its work.
8. In the event that any congregation's request for dismissal is approved under the terms of this Procedure, the Presbytery shall, in conjunction with the congregation, hold a final worship service of commissioning, to celebrate our common life in Jesus Christ and to pray for the effectiveness and well-being of both the congregation and the Presbytery. Those departing the Presbyterian Church (U.S.A.) will be commissioned by the Presbytery to further their work for the kingdom as they go forward in ministry. The service will be jointly planned by members of Presbytery Council and the session, and all congregations of the Presbytery of Cincinnati shall be invited.
 9. The dismissal of a congregation shall be contingent upon the removal by any and all lenders of the Presbytery of Cincinnati as a loan guarantor, and in addition the congregation shall pay off any loans outstanding to any entity of the Presbyterian Church (U.S.A.).
 10. A congregation being dismissed will be required to take a roll of its membership as of the official date of dismissal, to transfer the memberships of all those on the roll who request transfer to another congregation, and to file all reports required by the Presbytery for statistical record-keeping.
 11. A congregation being dismissed will be required to work with the Presbyterian Board of Pensions to determine the effective date of the dismissal.
 12. There are some practical considerations to be addressed, should a congregation be approved for dismissal. These are listed for information, and are not all-inclusive or binding for the purposes of this Procedure.
 - a. The status of the teaching elders(s) currently called by the congregation: whether they shall remain with the congregation and transfer their ministerial status to the new denomination, or whether they choose to remain within the PC (U.S.A.), and thus need to look toward seeking a new call.
 - b. The status of any insurance policies held by the congregation with instrumentalities of the PC (U.S.A.) may need to be changed.
 - c. The corporate status of the congregation shall be revised to reflect its dismissal.
 - d. The minutes and registers of a congregation being dismissed are the property of the presbytery (G-3.0107, Remedial Case 221-08, NYC Presbytery v McGee). A

congregation at its own expense may retain copies of the records for historical purposes.

Approval and Amendment of This Procedure

This Procedure shall be effective after a preliminary reading/discussion of the Procedure at a Presbytery meeting and ratification by a majority of those voting at a subsequent Presbytery meeting. Amendments to the Procedure are in order at the Presbytery meeting where the vote takes place.

Subsequent to the adoption of this Procedure, it may only be amended or rescinded by the same procedure stated above: after a preliminary reading/discussion of the Procedure at a Presbytery meeting and ratification by a majority of those voting at a subsequent Presbytery meeting.

The Procedure in effect on the date of the covenant agreement between the session and the Presbytery shall remain in effect throughout the process for that particular congregation even if the Procedure is amended or rescinded by the Presbytery during the process.

Covenant Agreement

In order to: promote the ongoing faithfulness of our members in the work of the Mission of God through Jesus Christ; exercise “mutual forbearance”; treat others with respect regardless of theological and ecclesiological differences; and work for fairness to all parties in our decisions, therefore, the Presbytery Council of the Presbytery of Cincinnati and the congregation of the _____ Church of _____, Indiana/Kentucky/Ohio, covenant to follow the Reconciliation and Dismissal Procedure and abide by its terms as a way of discerning God’s will for the relationship between the congregation and the Presbytery of Cincinnati.

Moderator of the Session

Moderator of the Presbytery of Cincinnati

Clerk of the Session

Stated Clerk of the Presbytery of Cincinnati

Alternative Procedure for a Congregation Considering or Seeking Dismissal from the Presbyterian Church (U.S.A.)

The Presbytery of Cincinnati has established a Reconciliation and Dismissal Procedure for member congregations considering dismissal from the denomination and strongly encourages pastors, sessions and congregations to engage in the process outlined in that Procedure.

Recognizing that there may be congregations that either choose to seek dismissal from the PC (U.S.A.) without covenanting to abide by the Reconciliation and Dismissal Procedure or that may choose to abandon that process before completing it while continuing to seek dismissal from the denomination, the Presbytery establishes this Alternative Procedure for Congregations Seeking Dismissal from the PC (U.S.A.).

The intent of this Alternative Procedure is to provide guidelines for a gracious, decent, and orderly interaction between the Presbytery and congregations seeking dismissal outside of the process defined in the Reconciliation and Dismissal Procedure.

Alternative Process

When the Presbytery is notified that a congregation has taken steps to request dismissal from the PC (U.S.A.) without complying with the Reconciliation and Dismissal Procedure or that a congregation that was proceeding under the Reconciliation and Dismissal Procedure fails to complete it but is requesting dismissal, then the Presbytery will respond by following these guidelines.

A. Administrative Commission

1. Pursuant to G-3.0109b(5), the Moderator of Presbytery shall nominate and the Presbytery shall elect, an Administrative Commission (“AC”). The primary task of the AC is to “attempt to inquire into and settle the difficulties” of the congregation in question. The authority of the AC will be specifically defined for the situation. Powers of the AC may include authorization for the AC to assume jurisdiction in whole or in part over the affairs of the congregation with the power to act in place of the session.
2. The Stated Clerk of Presbytery will conduct a training session for members of the AC to apprise them of the powers that are delegated to the AC, and the facts and circumstances that prompted the formation of the AC.
3. Powers granted to the AC by the Presbytery may include the authority for the AC:
 - a. to determine whether a schism exists within the congregation (see the *Book of Order*, G-4.0207);

- b. If schism exists, to determine if one of the factions of the congregation represents *the true church within the PC (U.S.A.)* (see the *Book of Order*, G-4.0207);
- c. to make recommendations to the Presbytery to dissolve pastoral relationships or to place pastors on administrative leave. When requisite authority is given by the Presbytery, the AC may dissolve pastoral relationships (see the *Book of Order*, G-3.0109b);
- d. to request records of the session (see the *Book of Order*, G-3.0108b), “*If a higher council learns at any time of any irregularity or delinquency by a lower council, it may require the lower body to produce any records and take appropriate action.*”;
- e. to examine and copy whatever records of the congregation that may be relevant (*e.g.*, how money is held, title to property, title policies, surveys, insurance documents, financial statements and records, budgets, tax returns, bank and account statements, mortgages or other loan documents, corporate articles, bylaws, and charters – especially changes in any of these).
- f. to assume original jurisdiction (in whole or in part) in any case in which it determines that the session is unable or unwilling to manage wisely the affairs of its congregation (see *Book of Order*, G-3.02 and G-3.0201);
- g. to freeze the assets of the congregation and approved expenditures;
- h. to secure the building, grounds and other property of the church for the use and benefit of the PC (U.S.A.);
- i. to determine if and when a meeting of the congregation is appropriate for the purpose of voting to seek dismissal from the PC (U.S.A.);
- j. to call that congregational meeting, and provide the moderator and clerk for that meeting and to report results of the congregational vote to the Presbytery;
- k. to authorize oversight of the congregation, its ministry and its property by a group within the congregation that has been identified as “*the true church within the PC (U.S.A.)*” (G-4.0207);
- l. to propose to the Presbytery any recommendation for the disposition of the property held by or for the congregation, and the assumption of the liabilities of the congregation, if there is no group within the congregation that has been identified as *the true church within the PC (U.S.A.)*, or if such group cannot or does not assume responsibility for the congregation, or its property or liabilities;
- m. to consider the conformity with the PC (U.S.A.) (in matters of doctrines and order) of the proposed receiving body or denomination to which a congregation has, or may, request dismissal, and to propose to the Presbytery any recommendation regarding same for the Presbytery’s consideration and action.

- n. to fulfill any other responsibilities as assigned by the Presbytery, or as may be necessary or appropriate in connection therewith or in connection with those set forth above.

B. Congregational Meeting

1. The AC shall keep the Presbytery informed of significant actions taken and shall make recommendations directly to the Presbytery for all actions that require the Presbytery's approval.
2. One of the powers of the AC is to determine when or if a meeting of the congregation is appropriate for the purpose of voting to seek dismissal from the PC (U.S.A.) to another Reformed denomination. Prior to any such vote, the leadership of the congregation shall furnish to the AC written verification that they will receive the congregation upon dismissal from the PC (U.S.A.). The Presbytery or AC may request any other written information about that denomination, such as doctrine, governance and permanence. The call for the congregational meeting shall be in accordance with the notice and quorum requirements of that congregation.
3. A request for withdrawal shall be by two-thirds vote of the active membership of the congregation as recorded in the Annual Statistical Report for the immediately preceding year. By such vote the congregation must adopt a resolution requesting that the Presbytery dismiss the congregation to a specified Reformed denomination that is in correspondence with the General Assembly of the PC (U.S.A.) and is a member of ecumenical bodies in which the PC (U.S.A.) is also a member. The resolution shall specify whether dismissal is sought with all or part the church's property or without the church's property. If dismissal is sought with part of the property then the resolution shall specify the property to be retained.

C. Disposition of Church Property

1. Disposition of the property of the church shall be resolved in accordance with the provisions of G-4.0207 (Property of Congregation in Schism) and G-4.0208 (Exceptions) of the *Book of Order*.
2. A minority of the congregation may choose to elect new leadership and assume responsibility of the property subject to the jurisdiction of the AC or sell the property to the majority with the approval of the Presbytery (if required).

If the minority does not or cannot assume responsibility for the property within a reasonable period of time (as determined by the AC), then the AC may recommend that the Presbytery dismiss or dissolve the congregation, or dispose of the property, or take other appropriate action.

3. The AC may consider the following options for the disposition of the church property if there is no faction of the congregation that can or does assume responsibility for the church property as a continuing congregation of the PC (U.S.A.):
 - a. Sell, transfer, lease or otherwise dispose of the property to a third party;
 - b. Retain the property for a new congregation development, or hold, use and apply the property for another mission of the Presbytery;
 - c. Sell, lease or transfer the property to the membership of the dismissed congregation upon terms acceptable to the Presbytery on condition that the congregation is dismissed to another Reformed denomination.