

# BYLAWS

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## Presbytery of Stockton Synod of the Pacific Presbyterian Church (USA)

Approved by the Presbytery of Stockton on November 2, 2013

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## B-1.0000 ARTICLE I – AUTHORITY

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The Bylaws of the Presbytery of Stockton, a council of the Presbyterian Church (U.S.A.) and a California Corporation, shall be subject to Constitution of the Presbyterian Church (U.S.A.) comprised of the Book of Confessions and the Book of Order, as well as to the Constitution and laws of the State of California.

## B-2.0000 ARTICLE II – MEMBERSHIP OF PRESBYTERY

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**2.0100** The members of Presbytery are determined by the Book of Order G-3.0306 (hereafter, BOO).

## B-3.0000 ARTICLE III – THE CORPORATION

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### **3.0100 OFFICERS OF THE CORPORATION**

**3.0101** Those designated to the State of California as officers of the Corporation of the Presbytery of Stockton shall be the currently elected Chair of Council as the President, the currently elected Treasurer as the Treasurer and the currently elected Stated Clerk as the Secretary. The Stated Clerk shall be designated as the agent for service and process.

### **3.0200 TRUSTEES OF THE CORPORATION**

**3.0201** The Trustees of this Corporation shall be the members of the Finance Committee and elected by the Presbytery.

**3.0202** The Trustees are charged with oversight of the real and personal property of the Presbytery of Stockton. Any decisions regarding the sale, encumbrance or transfer of real or personal property remain with the Presbytery at the recommendation of the Trustees.

**3.0300** Annual Meeting of the Corporation (see B-6.0201).

## B-4.0000 ARTICLE IV – ECCLESIASTICAL OFFICERS

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**4.0100** The officers of the Presbytery shall be a Chair of Council, Moderator, Vice Moderator, Stated Clerk and Treasurer.

**4.0100** **Chair of Council, Moderator, Vice-Moderator:**

4.0101

Election

The Chair of Council, the Moderator and the Vice-Moderator shall be elected for one year at the November meeting. The term of service shall begin on January 1 of the following year. The Chair of Council shall also serve as the President of the Corporation.

4.0102

Installation

The Chair of Council will ordinarily install the Moderator and Vice-Moderator at a service held at the November Presbytery meeting. The term of service shall begin on January 1 of the following year.

**4.0200**

**Stated Clerk:**

4.0201

Election

The Stated Clerk shall be elected to service for a term of three years. Ordinarily, election shall be held at the November stated meeting of the third year of the term.(G-3.0104) The Stated Clerk shall also serve as the Secretary of the Corporation.

**4.0300**

**Treasurer:**

4.0301

Election

The Treasurer shall be elected to service for a term of three years. Ordinarily, election shall be held at the November stated meeting of the third year of the term. The Treasurer shall also serve as the Treasurer of the Corporation.

**4.0400**

**Duties:**

The duties of all Presbytery of Stockton Officers shall be those prescribed by the BOO and the Stockton Presbytery Manual of Operations (hereafter, MOO).

B-5.0000

## ARTICLE V – VACANCIES

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**5.0100**

**Resignations:**

At the resignation of any officer, notice shall be given to the Stated Clerk, who shall present that person's resignation to the Moderator.

**5.0200**

**Filling Vacancies:**

5.0201

A vacancy in the office of Moderator or Vice Moderator shall be filled by the regular election procedures.

5.0202

The Presbytery Council shall have the power to make a temporary appointment to the office of Stated Clerk or Treasurer in the event that the office becomes vacant between meetings of the Presbytery. Presbytery shall, in regular manner, elect a permanent Stated Clerk or Treasurer at its earliest convenience.

B-6.0000     **ARTICLE VI – PRESBYTERY MEETINGS**

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**6.0100           Representation:**

When Presbytery meets, each church shall be represented by a rulingelder (or rulingelders) commissioned by its session. At the November meeting of the Presbytery, if there is an imbalance of ruling and teaching elders, the Stated Clerk shall assign, in rotation, churches to provide for an additional ruling elder for the following year to correct the imbalance.

**6.0200           Stated meetings:**

The Stated meetings of the Presbytery will ordinarily be held as follows:

February	1st Saturday	9AM
May	1st Saturday	9AM
September	Saturday following Labor Day	9AM
November	1st Saturday	9AM

6.0201           The February meeting of the Presbytery shall include the Annual Meeting of the Corporation, at which time the Treasurer shall present the Statement of Financial Position of the Presbytery as well as the financial activity for the previous calendar year.

Also at this meeting the Corporate Officers, as designated in B-3.0101, shall be confirmed.

**6.0300           Procedures and Protocol:**

6.0301           Special meetings of the Presbytery shall be called by the moderator at the request of two ruling elders from different churches and two teaching elders, or at the direction of the Synod. Notice of the meeting shall be sent not less than ten days in advance, and shall set forth the purpose of the meeting. No other business than that listed in the notice shall be transacted.

6.0302           Each meeting of the Presbytery, whether Special or Stated, shall be opened and closed with prayer.

6.0303           Each stated meeting shall include worship with Scripture, the preaching of the Word and prayer.

6.0304           At least one stated meeting annually shall include sharing the Lord's Supper, ordinarily at the May Presbytery Meeting. (G-3.0301b)

6.0305 At the November stated meeting of the Presbytery, the proposed budget for the following year shall be presented by the Finance Committee for Presbytery's approval.

6.0306 All written reports/materials to be considered shall be transmitted with the call to the meeting.

**6.0400 Quorum**

A quorum for all Presbytery meetings shall conform to the Book of Order. (G-3.0304)

**6.0500 Hosting:**

The session of the church where Presbytery meets becomes the hospitality and local arrangements committee for the meeting.

**B-7.000 ARTICLE VII - BOARD REPRESENTATIVES AND SYNOD EXECUTIVES**

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Synod executives, staff members and area representatives of the boards and agencies of the church, if not members of this Presbytery, shall be given permanent status as corresponding members with all the rights and privileges as prescribed in the Book of Order. They shall be [*ex officio*] consulting, non-voting members of the particular committee representing the interest which they serve.

**B-8.0000 ARTICLE VIII – COMMITTEES AND COMMISSIONS**

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**8.0100 Standing Committees**

- a) Presbytery Council
- b) Committee on Ministry
- c) Committee on Nominations and Representation
- d) Committee on Preparation for Ministry
- e) Committee on Healthy Congregations
- f) Committee on Mission
- g) Committee on Finance and Administration
- h) Committee on Personnel

**8.0101 Election**

Members of Standing Committees shall be elected to a term of service in accordance with the committee listing in the Manual of Operations. Ordinarily, elections shall be held at the November stated meeting of the Presbytery.

**8.0102 Duties**

The duties of the Standing Committees of the Presbytery of Stockton shall be referenced in the Manual of Operations.

**8.0200 Permanent Judicial Commission (D-5.000)**

Permanent Judicial Commissions are required by the Book of Order and shall be governed by the provisions found in D-5.000

**8.0201 Election**

Members of the Permanent Judicial Commission of the Presbytery, as required by Book of Order, shall be elected to a term of service six years (D-5.0101). Ordinarily, elections shall be held at the November stated meeting of the Presbytery.

**8.0202 Duties**

The duties of the Permanent Judicial Commission of the Presbytery of Stockton required by the Book of Order shall be those designated by the Book of Order as referenced in the Manual of Operations.

**8.0300 Occasional Administrative Commissions Authorized by Book of Order**

Administrative Commissions are authorized by the Book of Order and shall be governed by the provisions found in G-3.0109b. The decisions of an Administrative Commission shall be the decisions of the Presbytery.

**8.0301 Election**

Members of Administrative Commissions shall be nominated by Council and approved by the Presbytery. They shall have at least five members, with at least one half of the members being ruling elders.

**8.0302 Duties**

The duties of Administrative Commissions of the Presbytery of Stockton authorized by the Book of Order shall be those designated by the Book of Order. The Presbytery shall state specifically the scope of the commission's powers and any restrictions on those powers. The action of a commission shall be the action of the Presbytery. (G-3.0109)

**8.0400 Occasional Committees Authorized by Book of Order**

- a) Committee of Counsel (D-6.0302)
- b) Investigating Committee (D-10.0201)

**8.0401 Appointment**

In accordance with the Rules of Discipline D-6.0302a and D-10.0201b, any three of the following people are empowered to jointly appoint a committee of counsel and/or an investigating committee when needed: Chair of Council, Moderator, Vice Moderator, Stated Clerk, and Treasurer.

- a) A Committee of Counsel shall have no more than three persons.
- b) An Investigating Committee shall have no more than five but no less than three members.

**8.0402 Duties**

The duties of Occasional Committees of the Presbytery of Stockton authorized by the Book of Order shall be those designated by the Book of Order as referenced above.

**8.0500 Temporary Committees:**

8.0501 Presbytery may elect or instruct the Moderator to appoint such temporary committees as may be needed to expedite the work of Presbytery.

**8.0600 Subcommittee Organization:**

8.0601 Subcommittees or task forces may be formed for specific purposes by any committee. Committees are responsible for the actions of their subcommittees and task forces. Persons selected to serve only on subcommittees and task forces may vote only in subcommittee or task force.

**8.0700 Committee Meetings**

8.0701 The Chairperson of each committee and subcommittee shall be responsible for calling meetings of the committee and notifying members to attend.

8.0702 Committees and subcommittees shall report to Presbytery after their meetings. All recommendations shall be directed to the Presbytery Council for Presbytery's action.

**8.0800 Committee Membership:**

8.0801 The number of members of each committee is listed along with the committee responsibilities in the MOO. Additional non-voting members may be co-opted as needed to serve.

8.0802 The quorum for all committee meetings shall be a majority of its elected membership.

8.0803 With the exception of the Commissions and Committee of Counsel, all committees shall have three classes, each serving a three-year term and being ineligible to serve more than six years consecutively.

- a. The chairperson shall be elected by the committee from among its members of whom have served at least one year.

- b. Members of the Permanent Judicial Commission shall be elected to a six-year term. The Moderator and the Clerk of the PJC will be elected by members of the commission. (D-4.000)

8.0804 With the exception of the Commissions and Committee of Counsel, all committee members shall assume office as of January 1st each year and shall serve until December 31st of the year ending their term of office. All officers or committee members elected to serve an unexpired term shall assume office upon election and serve until the expiration of that term.

8.0805 Absences

Committee chairpersons shall contact any committee member who fails to share in the committee's work. If the chairperson fails to reactivate the member, the Committee on Nominations shall be requested to acquire that person's resignation and to nominate to Presbytery a replacement.

8.0806 Vacancies

a. Resignations from committees and commissions shall be reported to the Stated Clerk through Presbytery Council in order that the Committee on Nominations may nominate to Presbytery a replacement at the following Presbytery Meeting.

b. In the event that it is necessary to promptly fill a vacancy or vacancies to a committee or a commission, any three of the following persons are empowered to jointly appoint a replacement or replacements until, if required by the Book of Order, the Presbytery shall vote on such action at the following Presbytery Meeting: Chair of Council, Moderator, Vice-Moderator, Stated Clerk, and Treasurer.

**8.0900 Committee Expenses:**

8.0901 All reasonable expenses of committees shall be borne by Presbytery. Members of committees should submit expense vouchers to their respective chairperson. The chairperson shall give expense vouchers to the Treasurer for payment.

8.0902 If a committee's expenses exceed the budget allotment adopted by Presbytery, the committee may present to Presbytery, through the Presbytery Council, a request for additional funds.

## B-9.0000 ARTICLE IX - PRESBYTERY COUNCIL

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**9.0100 Membership:**



The Presbytery Council shall consist of chairpersons of committees and Moderator, Vice-Moderator, and the Moderator of Presbyterian Women of Stockton Presbytery. The immediate past Moderator of Presbytery will be the Chairperson. If this person is not available, the current Moderator or the most recent past Moderator available will serve. The Stated Clerk of the Presbytery shall serve as a non-voting secretary. The Presbytery Executive and Treasurer of the Presbytery shall serve as non-voting consultants. All members of Council have a vote at Presbytery.

**9.0200 Duties:**

The Presbytery Council shall perform the duties prescribed in the Book of Order and the Stockton Presbytery Manual of Operations.

**9.0300 Quorum:**

A quorum of Council for the Presbytery of Stockton shall consist of a simple majority of the voting members of Council.

**B-10.0000 ARTICLE X - COMMISSIONERS TO THE GENERAL ASSEMBLY**

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**10.0100 Date of Election:**

Commissioners to the General Assembly shall be elected at the November stated meeting in the year preceding the General Assembly.

**10.0200 Nomination of Commissioners:**

10.0201 Prior to September first of the year preceding a General Assembly, the Stated Clerk shall send to teaching elders, Clerks of Session, presbytery officers, chairs of permanent committees, and Presbytery Council members:

- a. A seniority list of teaching elders in active service in the Presbytery in descending order of length of service since each attended the General Assembly as a commissioner from this Presbytery, or since the beginning of ordained ministry in the Presbyterian Church (U.S.A.), whichever is more recent.
- b. A list of the churches in descending order of the length of time since each church last provided a ruling elder commissioner to the General Assembly, or since its organization, whichever is more recent.

10.0202 The church with the greatest elapsed time since last providing a ruling elder commissioner to the General Assembly will be allowed to present a ruling elder who is an active member of that church to be presented to the presbytery for service as the

presbytery's ruling elder commissioner to the General Assembly. Should this church decline to present a ruling elder for such service, they will notify the Stated Clerk of this decision not later than one month following the notification described in Section 10.0201. Upon receiving such notification, the Stated Clerk will notify the church next on the list described in Section 10.0201 b. of their eligibility to present a ruling elder who is an active member of their church to be presented to the presbytery for service as the presbytery's ruling elder commissioner to the General Assembly. This process will continue until a church presents a ruling elder to Presbytery. The church on the list immediately below the church presenting a ruling elder for service will be requested to nominate a ruling elder to be available as an alternate commission, if required. As in every election, nominations shall be open from the floor of Presbytery.

10.0203 The teaching elder with the greatest elapsed time since last serving as this Presbytery's teaching elder commissioner to the General Assembly will be invited to serve as the Presbytery's teaching elder commissioner to the General Assembly. Should this teaching elder accept the invitation, he or she will be presented to the Presbytery for service as the Presbytery's teaching elder commissioner to the General Assembly. Should this teaching elder decline the invitation, he or she will notify the Stated Clerk not later than two weeks after receiving the invitation. Upon receiving such notification the Stated Clerk will notify the teaching elder next on the list described in Section 10.0201 a. of their eligibility to serve. If this teaching elder accepts the invitation to serve, he or she will be presented to the Presbytery for service as the Presbytery's teaching elder commissioner to the General Assembly. This process will continue until a teaching elder has agreed to serve. The teaching elder on the list immediately below the teaching elder agreeing to serve will be requested to be available as an alternate commissioner, if required. As in every election, nominations shall be open from the floor of Presbytery, in this case, as long as the teaching elder has been a member of this Presbytery for at least one year.

10.0204 In order to be confirmed as the Presbytery's commissioners to the General Assembly, both the teaching elder and ruling elder must agree to report to the Presbytery at a meeting following the General Assembly and to be available for contact with churches and Presbytery committees during the year following the General Assembly.

10.0205 Neither a teaching elder nor a ruling elder will be eligible to serve as a commissioner to the General Assembly until a period of ten years since last serving in that capacity has elapsed.

**10.0300 Term:**

For the sake of continued interpretation, Stockton Presbytery's commissioners to the General Assembly shall be deemed to continue in office until the election of their successors.

**10.0400 Young Adult Advisory Delegates:**

10.0401 In the year preceding the General Assembly, prior to September 1<sup>st</sup>, the Stated Clerk shall send to each ruling elder, clerk of session, Presbytery officer, permanent committee chair and Presbytery council member a list of the past Young Adult Advisory Delegates to General Assembly, their home churches, the location of the upcoming meeting, and nomination forms for the Young Adult Advisory Delegate to General Assembly.

10.0402 Any session may nominate one delegate in a manner that includes participation of young adults of the church in the selection process.

- a. The young adult nominated shall be currently an active member in the church, be able to attend General Assembly, be able to participate in the Presbytery or Synod and the General Assembly orientation, and have sufficient knowledge of the structure of the Presbyterian Church (U.S.A.) to understand the General Assembly proceedings.
- b. The nominee shall meet the age requirement as set by General Assembly (17-25). Previous delegates are not eligible for nomination.
- c. The nominee must indicate availability to report to the Presbytery at the meeting following the General Assembly and to be available for contact with churches' youth groups and Presbytery committees during the year following General Assembly.

10.0403 Nomination forms shall be returned to the Nominations Committee by November 1<sup>st</sup> in the year preceding the General Assembly.

10.0404 In the year preceding the General Assembly, the committee will submit the list of nominees along with the agenda for the November Presbytery meeting.

10.0405 The election of the Young Adult Advisory Delegate shall take place at the November stated meeting of the Presbytery in the year preceding the General Assembly, and shall be by secret ballot. The YAAD candidate receiving the greatest number of votes shall be elected and the candidate receiving the next greatest number of votes shall be ~~elected~~ designated as the alternate.

**B-11.0000 ARTICLE XI - COMMISSIONERS TO THE SYNOD**

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**11.0100 Date of Election:**

Commissioners to the Synod of the Pacific shall be elected by a majority vote at the May stated meeting of Presbytery.

**11.0200 Eligibility of Commissioners:**

Any teaching or ruling elder with at least one year of active Presbytery experience shall be eligible for election.

**11.0300 Election of Commissioners:**

In the year of election, at the May stated meeting, the Nominating Committee shall nominate commissioners according to the request of the Synod Stated Clerk. Additional nominations may be made from the floor. The nominee receiving the most votes shall be the elected commissioner and the nominee receiving the next highest number of votes shall be the alternate.

**11.0400 Report of Synod Commissioners:**

Ordinarily, Synod Commissioners shall report to Presbytery at the stated meeting immediately following Synod meetings.

**B-12.0000 ARTICLE XII - ANNUAL APPORTIONMENT (PER CAPITA)**

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The amount per member of the annual apportionment (per capita) for contingent funds of Presbytery, Synod and General Assembly shall be based on the membership of the churches of the Presbytery reported the preceding year to the General Assembly.

The per capita rate for Stockton Presbytery shall be recommended by the Council and voted on by the Presbytery at its November Meeting.

**B-13.0000 ARTICLE XIII - MILEAGE**

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13.0100 Mileage shall be allowed for all meetings of Presbytery and Presbytery business. Mileage requests may be submitted to the Treasurer.

13.0200 All persons required to attend Presbytery shall be authorized to submit mileage claims for attendance at Presbytery meetings and Presbytery business not compensated by the church.

13.0300 The rate for round trip shall be recommended to Presbytery by the Presbytery Council.

## B-14.0000 ARTICLE XIV - SUSPENSION OF BYLAWS

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These Bylaws may be suspended by a two-thirds vote of the members present at any meeting of Presbytery

## B-15.0000 ARTICLE XV - QUORUM

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15.0100 A quorum for a properly called meeting of Presbytery shall consist of any three teaching elders and three ruling elders representing three different churches.(G-3.0304)

For any elected body of Presbytery where a quorum has not been designated, the quorum shall be a simple majority.

## B-16.0000 ARTICLE XVI – RECORDS OF THE PRESBYTERY

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Minutes and all other official records of the presbytery, including all financial records, are the property of the Presbytery, and are to be maintained in the Presbytery office. Current working files may be kept for the current year only with the Presbytery officers responsible for them. (See G-3.0305)(See Appendix \_\_\_)

## B-16.0000 ARTICLE XVI - AMENDMENTS TO THE BYLAWS

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The Bylaws may be amended by a two-thirds vote of any regular meeting of Presbytery, a quorum being present, provided the amendment either has been studied by the Presbytery Council and previously read to the Presbytery or was included in the call for the meeting.

## B-17.0000 ARTICLE XVII–PARLIAMENTARY AUTHORITY

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Parliamentary authority for the Presbytery of Stockton shall be the most recent edition of Robert’s Rules of Order, Newly Revised, except in those cases where these Bylaws or the statutes of the State of California provide otherwise.

These Bylaws duly approved at a called meeting of Presbytery of Stockton, February 2011.

These Bylaws amended at a called meeting of Presbytery of Stockton, November 2, 2013.

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