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**Gracious Separation Policy**  
**Presbytery of Stockton**  
**Adopted January 11, 2014**

**Introduction**

The 218th General Assembly (2008) of the Presbyterian Church (USA), (hereafter “PC (USA)” unless contained within a quote) approved Commissioners’ Resolution Item 04-28 which urged (quoting the then–current Book of Order [09-11]):

..that presbyteries and synods develop and make available to lower governing bodies and local congregations a process that exercises the responsibility and power ‘to divide, dismiss, or dissolve churches in consultation with their members’ (Book of Order, G-11.0103i [09-11]) with consistency, pastoral responsibility, accountability, gracious witness, openness, and transparency. Believing that trying to exercise this responsibility and power through litigation is deadly to the cause of Christ, impacting the local church, other parts of the Body of Christ and ecumenical relationships, and our witness to Christ in the world around us, the General Assembly urges congregations considering leaving the denomination, presbyteries and synods to implement a process using the following principles:

- Consistency*: The local authority delegated to presbyteries is guided and shaped by our shared faith, service, and witness to Jesus Christ.
- Pastoral Responsibility*: The requirement in G-11.0103i [09-11] to consult with the members of a church seeking dismissal highlights the presbytery’s pastoral responsibility, which must not be submerged beneath other responsibilities.
- Accountability*: For a governing body, accountability rightly dictates fiduciary and connectional concerns, raising general issues of property (G-8.0000[09-11]) and specific issues of schism within a congregation (G-8.0600 [09-11]). But, full accountability also requires preeminent concern with ‘caring for the flock.’
- Gracious Witness*: Scripture and the Holy Spirit require a gracious witness from us rather than a harsh legalism.
- Openness and Transparency*: Early, open communication and transparency about principles and process of dismissal necessarily serve

44 truth, order, and goodness, and work against seeking civil litigation as a  
45 solution.”

46  
47 The rationale supporting this resolution stated that it is easy to “emphasize the  
48 property trust responsibilities of presbytery oversight to the exclusion of the  
49 pastoral responsibility of caring for the congregations (members staying and  
50 leaving) and the responsibility of public witness to Christ with the larger body of  
51 Christ and the community and world.”

52  
53 Secondly, it was suggested that presbyteries should be consistent in  
54 communicating how they will respond to congregations seeking dismissal.

55  
56 All parties should engage in a more grace-filled exchange. (The authority of  
57 Presbytery in these matters is now found in G-3.0301, specifically subsection a.).

## 58 59 **1.0- Statement of Values of the Presbytery of Stockton**

60  
61 The Presbytery’s overarching value is the mission of Jesus Christ. This mission  
62 leads us to several values in cases of discord within the Body of Christ as further  
63 delineated in the Foundations of Presbyterian Polity, F-1.01-F-1.0404 in the *Book*  
64 *of Order: Unity, Freedom of Conscience, Mutual Forbearance, Dialogue and*  
65 *Reconciliation*. (See Appendix #3)

## 66 67 **2.0- The Property Trust Clause**

68  
69 2.1 – According to the Book of Order of the PC (USA) (G-4.0203):

70  
71 *All property held by or for a particular church, a presbytery, a synod, the*  
72 *General Assembly, or the Presbyterian Church (USA), whether legal title*  
73 *is lodged in a corporation, a trustee or trustees, or an unincorporated*  
74 *association, and whether the property is used in programs of a particular*  
75 *church or of a more inclusive governing body or retained for the*  
76 *production of income, is held in trust nevertheless for the use and benefit*  
77 *of the Presbyterian Church (USA).*

78  
79 2.2 - The Trust Clause reflects the communal nature of our stewardship  
80 responsibilities for the property entrusted to us by God. The presbytery, as a  
81 middle governing body, has stewardship responsibilities to our member  
82 congregations for the Presbyterian Church (USA) for our congregations.  
83 (For example we have responsibilities to our congregations for donations

84 given to us and through us for the mission of the larger church.) The  
85 presbytery has stewardship responsibilities within its geographical area with  
86 regard to the mission, ministry and witness of our member congregations  
87 and of the PC (USA). The Presbytery should consider both those who came  
88 before and those who will follow.

89  
90 2.3 – Under the Trust Clause, a particular congregation’s church property  
91 including land, buildings, and fixtures, is held in trust for the PC(USA). The  
92 congregation may not sell, lease, or encumber it without the permission of  
93 Presbytery.

94  
95 2.4 – A Congregation departing the PC (USA) may not take property with it  
96 to another denomination unless Presbytery releases its claim upon the  
97 property.

98  
99 2.5 – The Trust Clause should not and will not be used as a weapon to  
100 threaten civil action against a congregation. In considering enforcement of  
101 the provisions of the Trust Clause, it is important that Presbytery and its  
102 member congregations act graciously and biblically toward one another.

103  
104 2.5.1 – Scripture calls us to seek in all humility to resolve our  
105 disagreements and avoid the harm that is done to the Gospel and  
106 Christ’s body when Christians resort to civil litigation and public  
107 disputes over property.

108  
109 2.5.2 – Presbytery will **not** preemptively initiate civil litigation based  
110 on the Trust Clause. The Presbytery may take legal action to defend  
111 the use of that property for the benefit of the Presbyterian Church  
112 (USA).

### 113 114 **3.0 – Process for Engagement with Presbytery Concerning Possible Dismissal**

115  
116 3.1 Step 1 – Council appoints a Review Team

117  
118 3.1.1- When the Teaching Elders and Session of a congregation  
119 become aware of discontent with the Presbytery and/or the  
120 denomination, the session shall direct the Clerk of Session to send a  
121 written report of such discontent to the Stated Clerk of the Presbytery.  
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3.1.2 – Upon the receipt of such a report the Presbytery Council will appoint a Review Team of two or more elders (at least one teaching and one ruling elder) to contact the pastoral staff of the congregation and, if generally confirmed by the pastoral staff, determine the nature and seriousness of dissent, and the likelihood of reconciliation.

3.1.3 – During this initial period of review, the congregation will be identified only as “Congregation X” in Presbytery’s communications.

3.1.4 – The persons assigned to the Review Team will seek a time of prayerful conversation with Teaching Elders and Session (separately if desired by the Review Team) focused upon ascertaining the validity of the reported dissent, and if it exists, understanding the basis of it, and further exploring the likelihood of reconciliation.

3.1.5 – After the completion of the initial meeting with the Teaching Elders and the Session, the Review Team may require further meetings with the Teaching Elders and/ or Session and/or others in congregational leadership such as the Board of Deacons, the trustees (if any), and other Ruling Elders not then serving on Session, to determine the nature and extent of the dissent in the congregation.

3.1.6 – These reviews shall be informal and shall not include general discussions with the members of the congregation at this stage of the process.

3.1.7 – The Review Team shall report their findings to the Council.

3.2 Step 2 – Council and Review Team consider Reconciliation

If the report of the Review Team indicates any likelihood that the congregation in question, or any substantial part of the congregation, would be interested in exploring paths toward reconciliation, the dismissal process shall be placed on hold while the Review Team gives assistance to the Teaching Elders and Session to explore such paths.

3.3 Step 3 – Council appoints a Presbytery Engagement Team (PET)

162 3.3.1 - Once the consideration of reconciliation has been fully  
163 exhausted and the Review Team reports that fact to the Council, the  
164 Council shall appoint a Presbytery Engagement Team (PET).  
165

166 3.3.2 – The PET will be comprised of two teaching elders and two  
167 ruling elders who are representative of the Presbytery as a whole and  
168 may be drawn from any of those active in the Presbytery and not  
169 considering leaving the denomination. At least one member of the  
170 PET shall be a strong advocate for the PC (USA). The membership of  
171 the PET, together with the identity of the congregation, will be  
172 reported to Presbytery.  
173

174 3.3.3 – The PET shall elect its own moderator.  
175

#### 176 3.4 – Step 4 – Session MAY appoint a Coordinating Team (CT) 177

178 3.4.1- The Session of the congregation may appoint a committee to  
179 coordinate its interactions with the PET and the subsequent meetings  
180 with the Session and congregation, however all formal actions  
181 required of the Session shall be undertaken by the Session.  
182

183 3.4.2 – This committee shall be known as the Coordinating Team  
184 (CT)  
185

186 3.4.3 – The CT shall include at least two members of Session and may  
187 include Ruling Elders not then serving on Session.  
188

189 3.4.4 – The CT may include a Teaching Elder of the congregation.  
190

191 3.4.5 – The Session may choose not to have a CT, but to function as a  
192 committee of the whole in this function.  
193

#### 194 3.5 – Step 5 – PET and Session/CT Call an Exploratory Meeting with 195 Advisory Poll 196

197 3.5.1 - The Teaching Elders and Session / CT, in consultation with  
198 the PET, will arrange for an Exploratory Meeting giving at least three  
199 weeks' notice to the entire congregation, to discuss with them the  
200 issues in question and the Presbytery Policy regarding disagreement  
201 and dissent. The PET and Session shall agree on the information sent

202 to the congregation with the notice of the meeting, and it shall be  
203 adequate for the congregation to be well informed before the meeting.  
204 There shall also be adequate time for questions and answers with the  
205 congregation, with both the PET and Teaching Elders/Session having  
206 full opportunity to respond.

207  
208 3.5.2 - It is expected that both the PET and the Session/CT will use  
209 their best efforts to ensure that all communications with the  
210 congregation will include both sides of every issue, and that each side  
211 is being addressed fairly and accurately.

212  
213 3.5.3 - The PET's communication with the congregation will be  
214 guided by the following:

215  
216 3.5.3.1– Prayerful and respectful conversation to achieve clear  
217 understanding of the issues and positions of all participants;

218  
219 3.5.3.2 – Clarification of the services and benefits provided to  
220 the congregation and its leadership by its affiliation with  
221 Presbytery of Stockton and the PC (USA);

222  
223 3.5.3.3 – General explanation of the process of dismissal from  
224 the PC(USA) and its likely consequences, including financial,  
225 property and other related matters;

226  
227 3.5.3.4 – Exploration of whether reconciliation is feasible;

228  
229 3.5.3.5 – If it appears reasonable that progress can be made  
230 toward reconciliation through continued and constructive  
231 engagement, the Session or its CT and the PET will establish a  
232 mutually agreeable timeline for talks to be held, and proceed to  
233 engage in such dialogue.

234  
235 3.5.4 – If it appears to the PET and Teaching Elders/Session or CT  
236 toward the conclusion of the Exploratory Meeting that the  
237 congregation is still undecided, or has sufficient additional questions,  
238 or would benefit from further discussion, a second Exploratory  
239 Meeting may be called for with the same stipulations as in 3.5.1  
240 above. At the conclusion of that second Exploratory Meeting, an  
241 Advisory Poll shall be taken as stipulated below.

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3.5.5 – At the conclusion of the Exploratory Meeting, an Advisory Poll shall be taken of the active members of the congregation then present, by secret written opinion ballot upon the two questions substantially as follows:

- 1) Shall the Congregation of this church seek dismissal from the PC (USA) to another reformed entity?
- 2) If the Congregation seeks dismissal from the PC (USA), will you plan to depart the congregation and remain in the PC (USA)?

The results of the poll (both questions) shall be announced at the meeting.

3.5.6 - Following the completion of the Advisory Poll, the PET will report its findings, including the Advisory Poll results regarding dismissal, to the Presbytery Council. The Council, in consultation with the PET, shall consider the implications of the Advisory Poll (G-4.0207).

3.6 – Step 6 – PET and Session/CT Determine Financial Terms of Dismissal

These terms should reflect the mission strategy of Presbytery and should, to the greatest extent possible, facilitate successful ongoing ministry by both Presbytery and the congregation.

3.6.1 – The PET shall work with the Session/CT to obtain the following documents:

- 1) Title search of all real properties pertaining to the congregation
- 2) Appraised value of all properties (appraiser to be agreed upon by both Presbytery Council and Session)
- 3) 501(c) 3 papers
- 4) Documentation relative to any loans on properties
- 5) Documentation relative to any loans, debts or encumbrances (secured or unsecured, wherein any element of the PC (USA) is named
- 6) Investments in the Presbyterian Foundation
- 7) Investments with Synod of the Pacific

- 282 8) Most current statements for any/all bank accounts,  
283 investments, endowments, trusts  
284 9) Current Board of Pensions statements  
285 10) Congregation Tax I.D. number  
286 11) Articles of Incorporation for the congregation  
287 12) Bylaws of the congregation  
288 13) Insurance documents on all policies carried by the  
289 congregation  
290 14) Current roll of active members  
291 15) Current roll of candidates and inquirers under care of this  
292 congregation  
293

294 3.6.2 – The PET shall work with the Session/CT and Presbytery  
295 Treasurer to ascertain ALL PC(USA) mission payments and per  
296 capita payments for the past five years (as records are available,  
297 including defaulted amounts and anticipated payments through end of  
298 the current calendar year), as well as per capita projections for the  
299 next three years.  
300

301 3.6.3 – The PET shall then meet with the Council and the Council  
302 shall determine the acceptable range for determining the financial  
303 terms of dismissal. The final financial terms shall consist of 1)  
304 payment for the release of the property based on assessed value of all  
305 real property and all assets, and 2) payment for the loss of mission and  
306 per capita income. The final terms shall also take into account the  
307 historical relationship of the congregation with the PC (USA), as  
308 delineated in Appendix #1 and also take into account the desired  
309 presence of the PC (USA) in the local community as described in  
310 Appendix #2.  
311

312 3.6.4- A non-negotiable part of the dismissal process shall be the  
313 receipt by the PET of documentation that all loans and encumbrances  
314 on all properties, as well as all investments and other holdings have  
315 been transferred away from any liability to Presbytery of Stockton,  
316 Synod of the Pacific or PC(USA).  
317

318 3.6.5 - If it has not already done so, the Session may appoint a CT at  
319 this time. A previously appointed CT may be restructured,  
320 augmented, or replaced. The Session may appoint itself to serve as  
321 the CT.



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3.6.6 –The Session/ CT (as it was or as newly configured) shall begin discussion with the PET on the terms for dismissal. The Session/CT should include Teaching Elders and Ruling Elders desiring to depart. It should also include members of the congregation’s finance, property and personnel committees, and should be representative of the broader congregation.

3.6.7 – Once the Session/CT has been named as the team, they shall meet with the PET to determine specific terms, a tentative timeline for dismissal should be agreed upon, and the process shall proceed as expeditiously as possible.

3.6.8 – The PET shall meet with the Session and the Session must approve this settlement.

3.7 - Step 7 - Session calls a Special Congregational/Corporate Meeting

3.7.1 - After the PET and Session/CT have determined the preliminary terms of dismissal, and the Session has approved them, the Session, in consultation with the PET, shall formally call a Special Congregational/Corporate Meeting.

3.7.2 – Notice for the Special Congregational/Corporate Meeting should be at least forty–five (45) days in advance, and every reasonable effort must be taken to maximize participation of the active members in this meeting.

3.7.3 –The terms of the agreement for dismissal, along with the PET report, shall be distributed at the time of the call of the Special Congregational/Corporate Meeting. It is expected that representatives of the PET and Session/CT will address the congregation and discuss any specific issues that will enable the congregation to make an informed decision based on facts and prayerful discernment.

3.7.4 – Appropriate steps shall be taken to ensure that only active members of the congregation are permitted to vote, and voting shall be by secret written ballot.

362 3.7.5 – Teaching and Ruling Elders seeking dismissal who serve on  
363 Presbytery committees or as Presbytery officers shall have their terms  
364 end officially on the day the congregation votes affirmatively to  
365 approve the terms of dismissal.  
366

367 3.8 – Step 8 - PET assists in determining status of Members Under Care of  
368 the Presbytery  
369

370 3.8.1 – Special attention should be given to members of the  
371 congregation who are preparing for ministry and are under the care of  
372 Presbytery. Each member under care, together with his/her liaison  
373 from the Committee on Preparation for Ministry (CPM), should be  
374 advised immediately of the congregation’s desire to seek dismissal.  
375 The member under care will be given the option of being dismissed  
376 with the congregation or transferring their membership to another  
377 congregation within Presbytery and/or the PC (USA). If transfer to  
378 another congregation within Presbytery/the PC (USA) is requested,  
379 PET and the CPM liaison will assist the member in seeking a waiver  
380 of the usual six–month requirement for church membership in order to  
381 maintain care status.  
382

383 3.9 Step 9 – PET reports to Council  
384

385 3.9.1 – Once the congregation has voted to accept the terms of the  
386 settlement agreement for dismissal, the PET will submit a written  
387 report to the Council on the discernment process, the results of the  
388 Advisory Poll (Step 5), terms of financial settlement approved by the  
389 congregation (from Step 7), and desired status of members under care  
390 (from Step 8).  
391

392 3.9.2 – Council shall give particular attention to the number of  
393 members wishing to remain in PC (USA), and consider whether or not  
394 there is sufficient division in the congregation to warrant further  
395 consideration of the final disposition of the property.  
396

397 3.10 – Step 10 - Council calls Special Presbytery Meeting to consider  
398 Dismissal  
399

400 3.10.1 – When satisfied with all considerations in Step 9, the Council  
401 shall duly call a Special Presbytery Meeting to consider the dismissal,

402 and notice shall be sent at least ten days prior to the meeting. The  
403 written report of the PET, as approved by the Council, shall  
404 accompany the call to the meeting, as well as the motions in 3.10.2. If  
405 a stated meeting of the Presbytery is pending but the call has not yet  
406 been issued, this action may be added to the pending agenda if  
407 approved by the Council.

408  
409 3.10.2 – The following motions shall be made by the Council:

- 410 a) Move to allow \_\_\_\_ (congregation) to be dismissed at their  
411 request to the \_\_\_\_\_(reformed denomination).
- 412 b) Move to approve the following terms of financial settlement as  
413 agreed by vote of the congregation on \_\_\_\_ (date). (List  
414 details)
- 415 c) Move to approve the following requests of Teaching Elder  
416 members regarding their desire to remain with PC (USA) or to  
417 leave, as approved by COM on \_\_\_\_ (date): (list).
- 418 d) Move to approve the following requests of members under care  
419 of Stockton Presbytery regarding their desire to remain with  
420 PC(USA) or to leave, as approved by CPM on \_\_\_\_ (date):  
421 (list).
- 422 e) Move that the effective date of dismissal shall be \_\_\_\_ (60 days  
423 after date of above affirmative votes).

424  
425 3.10.3 – If anyone wishes to speak to any of the motions, there shall  
426 be a three minute time limit for each speaker, and speakers shall  
427 alternate between pro and con. If there is no answering request to  
428 speak, debate on that motion shall be concluded.

429  
430 3.10.4 – It should be noted that changes to the terms for dismissal  
431 through use of amendments from the floor of Presbytery would  
432 invalidate months of work between the PET and the congregation.  
433 Therefore, the proposal shall be presented as a whole, with the  
434 understanding that the final agreement has been reached in good faith  
435 between the PET and the congregation.

436  
437 3.10.5 – The motions to accept the terms of the settlement and dismiss  
438 the congregation shall require a majority vote. Amendments to the  
439 terms of the agreement shall not be in order unless and until the  
440 motion has failed to gain a majority vote. Thereafter, amendments  
441 shall be in order on reconsideration at the same meeting of Presbytery.

442 If an amended agreement is adopted by the Presbytery, the matter  
443 shall be returned to the congregation for consideration. If approved,  
444 the congregation shall be dismissed upon the modified terms.

445  
446 3.10.6 – It is hoped that, by all parties committing to follow the above  
447 process in good faith, our differences can be reasonably and civilly  
448 resolved, without resorting to litigation.

449  
450 3.10.7 – The effective date of the dismissal shall be sixty (60) days  
451 after the affirmative vote of Presbytery.

452  
453 3.10.8 – If a congregation is to be dismissed by the affirmative vote of  
454 the Presbytery, a Service of Blessing, affirming our connection as  
455 servants of Jesus Christ, shall be held before the conclusion of the  
456 Presbytery meeting. Recognizing that the departure of valued  
457 colleagues in ministry will be a matter of pain for all parties, the  
458 Presbytery shall hold a time of prayer giving thanks for prior shared  
459 ministry and prayers for the ongoing witness of both the departing  
460 congregation and of all the parties for the ongoing witness of both the  
461 departing congregation and of all the other congregations in the  
462 Presbytery and the Presbyterian Church (USA).

463  
464 3.11 – Step 11 - PET assists with determination of Members Desiring to  
465 remain with PC (USA)

466  
467 3.11.1 - It is important that, throughout the dismissal process, both the  
468 Session/CT and PET communicate carefully so that divisiveness is  
469 minimized between those in the congregation who wish to withdraw  
470 and those members who want to remain in the PC (USA). After  
471 formal voting by the congregation and Presbytery has been completed,  
472 all members of the congregation shall be contacted regarding their  
473 membership status.

474  
475 3.11.2 – Within thirty (30) days of the Presbytery’s vote approving  
476 dismissal of the congregation to another reformed body, Council will,  
477 in conjunction with the Session, prepare a letter to members of the  
478 church informing them of their option to be dismissed with the  
479 congregation or to remain in the PC (USA).

481 3.11.3 – The church shall mail the letter to all active members of the  
482 congregation promptly and will bear all costs associated with this  
483 mailing. The letter will direct that responses are to be returned to the  
484 Stated Clerk of the Presbytery. The Presbytery, through the PET, will  
485 then ensure that contact is made with those members wishing to  
486 remain in the PC (USA). Individual members may waive this  
487 provision by prior signature of a waiver of notice statement prepared  
488 and provided by Session and approved by the PET.

489  
490 3.11.4 – Members not responding will be deemed to have elected to  
491 remain with the congregation and be dismissed with it.

492  
493 3.12 – Step 12 – Session/Congregation Completes their portion of the  
494 Dismissal Process

495  
496 3.12.1 – The Session shall revise the Articles of Incorporation and the  
497 Bylaws of the Congregation to remove any reference to the PC  
498 (USA), and cause the amended Articles to be filed with the State of  
499 California. A copy of both documents shall be given to the Presbytery  
500 of Stockton on the date set by the Stated Clerk to conclude the  
501 dismissal process.

502  
503 3.12.2 – Both revised Articles and Bylaws must be approved by the  
504 congregation before submission to the Presbytery.

505  
506 3.12.3 – In order for the dismissal process to proceed, steps must be  
507 taken to repay in full any indebtedness owed to or guaranteed by  
508 Presbytery, the Synod, or the PC (USA) or to refinance such  
509 indebtedness through an independent creditor without support from  
510 Presbytery/Synod/PC (USA).

511  
512 3.12.4 – Funds deposited with the Synod of the Pacific shall be  
513 withdrawn and evidence of compliance with this requirement shall be  
514 prepared for the Presbytery.

515  
516 3.12.5 – Similarly, congregational funds deposited with the  
517 Presbyterian Foundation shall be withdrawn and evidence of  
518 compliance with this requirement shall be prepared for the Presbytery.

519

520 3.12.6 – Appropriate action must also be taken to amend any  
521 organizational documents, as necessary, and to ensure that adequate  
522 insurance coverage of all property is maintained until dismissal is  
523 completed.

524  
525 3.12.7 – Similarly, if the congregation has established a foundation or  
526 received grants or endowment(s), related documentation must be  
527 examined to identify any terms or restrictions affected by the  
528 proposed dismissal or involving Presbytery, Synod or the PC (USA).  
529 Corrective action must be taken as appropriate, and documentation  
530 presented to the Presbytery.

531  
532 3.12.8– Prior to finalization of the dismissal process, legal counsel  
533 may be retained by the congregation to review the settlement  
534 agreement, prepare a Quitclaim Deed to be signed by the Presbytery  
535 for any real property being released, and prepare an indemnification  
536 by the congregation to Presbytery against any and all future claims  
537 that may arise related to the property.

538  
539 3.12.9 –The complete records of the Session including, but not limited  
540 to its minutes, may be copied by the congregation and retained as  
541 required for its corporate records, but all original records of the  
542 congregation shall remain the property of Presbytery and shall be  
543 delivered to the Stated Clerk of Presbytery prior to the effective date  
544 of the dismissal and as a condition to it.

545  
546 3.12.10 – All legal costs associated with this and any other corrective  
547 action noted above shall be borne by the congregation.

### 548 3.13 – Step 13 – The Presbytery completes the Dismissal Process

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550  
551 3.13.1 – The Stated Clerk of the Presbytery shall determine a time and  
552 location to meet with representative(s) of the departing congregation  
553 to conclude the dismissal process. Also present shall be the  
554 Moderator of the Presbytery (or designee) and at least one corporate  
555 officer to sign the Quitclaim Deed, as well as a Notary Public. This  
556 shall occur at a time as close as possible to the effective date of the  
557 dismissal.

559 3.13.2 – At that meeting, the Stated Clerk shall receive the documents  
560 indicated on the attached “Checklist for Departing Congregation”,  
561 including payment as agreed upon by the congregation and the  
562 Presbytery in compensation for the property and mission contribution.  
563 The Stated Clerk shall forward such payment immediately to the  
564 Presbytery Treasurer.

565  
566 3.13.3 – Following receipt of all documents and payments, and the  
567 Stated Clerk and Moderator being satisfied that all requirements have  
568 been properly fulfilled, the Stated Clerk shall instruct the Notary  
569 Public and the Corporate Officer to sign the Quitclaim Deed. The  
570 Presbytery shall retain a copy of the Quitclaim Deed.

571  
572 3.13.4 – The Stated Clerk shall arrange for the records of the  
573 congregation and all documents related to the dismissal process to be  
574 delivered to the Presbytery office pending final disposition. The file  
575 of process and documents shall be made a part of the permanent  
576 record of the Presbytery. The successful completion of this final step  
577 in the process of dismissal shall be reported to the Presbytery at its  
578 next stated meeting.

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### **CHECKLIST OF STEPS**

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- 582
- |     |           |      |   |
|-----|-----------|------|---|
| 583 | Step 1 -  | 3.1  | Council appoints a Review Team  |
| 584 | Step 2 -  | 3.2  | Council and Review Team consider Reconciliation                                   |
| 585 | Step 3 -  | 3.3  | Council appoints a PET  |
| 586 | Step 4 -  | 3.4  | Session MAY appoint a Coordinating Team (CT)                                      |
| 587 | Step 5 -  | 3.5  | PET and Session /CT Call an Exploratory Meeting with<br>588 Advisory Poll         |
| 589 | Step 6 -  | 3.6  | PET and Session /CT Determine Financial Terms of<br>590 Dismissal                 |
| 591 | Step 7 -  | 3.7  | Session calls Special Congregational/Corporate Meeting                            |
| 592 | Step 8 -  | 3.8  | PET assists in determining status of Members Under<br>593 Care of Presbytery      |
| 594 | Step 9 -  | 3.9  | PET reports to Council  |
| 595 | Step 10 - | 3.10 | Council calls Special Presbytery Meeting to consider<br>596 Dismissal             |
| 597 | Step 11 - | 3.11 | PET assists with determination of Members Desiring to<br>598 remain with PC (USA) |

- 599 Step 12 - 3.12 Session/Congregation Completes their portion of the  
600 Dismissal Process  
601 Step 13 - 3.13 The Presbytery completes the Dismissal Process  
602

### **APPENDIX #1**

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604  
605 The history of financial contributions by the Presbytery, the Synod, and/or  
606 the General Assembly to the church, both direct (e.g. loans and grants, in  
607 each case whether or not repaid) and indirect (e.g. participation by the  
608 church in programs of PC (USA.)), including the extent to which financial  
609 resources of the denomination had been utilized to acquire and/or develop  
610 the property may be considered in the dismissal settlement.  
611

### **APPENDIX #2**

612  
613  
614 Consideration of the PC (USA)'s desire to maintain the presence of the  
615 denomination to meet the needs of that affected community including that  
616 portion of the church membership that wishes to remain within the PC  
617 (USA) and to exercise its commitment and responsibility to those who will  
618 follow shall be discussed by the Presbytery. The Presbytery may ask  
619 whether or not the PC (USA) would be likely to plan an additional church in  
620 the vicinity of the church seeking dismissal in the future and the feasibility  
621 of such a venture.  
622

### **APPENDIX # 3**

#### **Foundations of Presbyterian Polity**

##### **1.1– Unity**

623  
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629 1.1.1 – The congregations and members of the Presbytery of Stockton seek  
630 to uphold one another and to respect each other's integrity, even as we  
631 acknowledge we may have significant differences in our views of what the  
632 Bible teaches about a number of issues.  
633

634 1.1.2 – In all that we do, it is our prayer to strive to be a church modeled on  
635 the body of Christ, a church made up of many different parts, all of which  
636 are necessary for its mission to the world (F-1.0301). Our spiritual unity is



637 derived from the grace of the Lord Jesus Christ, the love of God and the  
638 fellowship of the Holy Spirit. (2 Corinthians 13:14)

639  
640  
641 **1.2 – Freedom of Conscience and Mutual Forbearance**

642  
643 1.2.1 – We affirm the freedom of conscience of each member of the body of  
644 Christ. We desire to encourage peace and unity, while minimizing  
645 confrontation between our congregations and members, as we seek together  
646 to find and represent the will of Christ

647  
648 1.2.2 – Presbyterians have always celebrated and recognized significant  
649 differences of opinion on issues that matter. This ethos is currently noted in  
650 the historic language found at F-3.0105: “[W]e also believe that there are  
651 truths and forms with respect to which men of good characters and  
652 principles may differ. And in all these we think it the duty both of private  
653 Christians and societies to exercise mutual forbearance toward each other.”

654  
655 1.2.3 – However, we also recognize that mutual forbearance is bound by the  
656 principle that, “truth is in order to goodness... no opinion can either be more  
657 pernicious or more absurd than that which brings truth and falsehood upon a  
658 level, and represents it as of no consequence what a man’s [person’s]  
659 opinions are.” (F-3.0104)

660  
661 1.2.4 – Our covenant requires that we strive to work together in peace and  
662 unity, even in the midst of our diversity. The first duty is always to attempt  
663 to bring the estranged member back into the covenant community, and we  
664 promise to carry out that duty in our ordination vows. Through our theology  
665 we understand that “Presbyters are not simply to reflect the will of the  
666 people, but rather to seek together to find and represent the will of Christ.  
667 Decisions shall be reached in councils by vote, following opportunity for  
668 discussion, and a majority shall govern” (F-3.0204 and 3.0205).

669  
670 1.2.5 – At the same time, the church is committed to being open to voices  
671 sharing minority opinions. At several points in our history, minority views  
672 eventually became those of the majority. Thus, the Constitution of the PC  
673 (USA) recognizes “‘The church reformed, always to be reformed according  
674 to the Word of God’ in the power of the Spirit” (F-2.0200). Again, however,  
675 we recognize that true reformation must always draw closer to, and not away  
676 from, scripture, so these processes may be in tension.

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1.2.6 – There are also times when members find it impossible to go along with the majority. The Presbytery encourages all presbyters and congregations to “concur with or passively submit to” the vote and wisdom of the majority (footnote to G-2.0105).

1.2.7– If their consciences will permit neither, the Presbytery will be generous in allowing congregations and presbyters with strong issues of conscience to pursue peaceable withdrawal through dismissal to another Reformed body in accordance with our interpretation of the Trust Clause as found in Section 2.0 et. seq. above.

### 1.3 – **Dialogue and Reconciliation**

1.3.1 – The goal of this Presbytery will always be reconciliation and continued engagement in relationship for all congregations within the Presbytery, without the threat of isolation, estrangement, blame, retribution, or litigation, either ecclesiastical or civil.

1.3.2 – The Presbytery is to be a servant to the congregations God has entrusted to it, encouraging and supporting them toward becoming healthy, growing congregations. This is especially true for those congregations for whom the bonds of unity are questioned over issues of conscience to the point of considering disaffiliation.

1.3.3 – 1 John 4:18 states: *“There is no fear in love, but perfect love drives out fear. For fear has to do with punishment, and he who fears is not perfected in love.”*

1.3.3.1 – The Presbytery’s commitment to this passage in how we relate with each other means that the Presbytery, its officers, Commissions, Committees, and members are committed to engage the leaders of a congregation or the congregation as a whole, as the case may be, without threat of punishment. It is likewise incumbent upon the leaders of congregations wrestling with issues of conscience to share their concerns with Presbytery leadership in a timely manner, being assured that the response will not be hostile, but instead one of prayerful discussion, consideration, and a commitment to act in love and in the best interests of the congregation, its pastors, leaders and members, as well as the Presbytery’s mission.

## Presbytery of Stockton

### Checklist for Meeting with Departing Congregation

*Verification that activities required by the Presbytery of Stockton's Gracious Separation Policy have been completed prior to the release of claim on property held in trust for the Presbyterian Church (USA).*

Congregation \_\_\_\_\_

Date of Presbytery vote to dismiss \_\_\_\_\_

GSP Reference	Checklist Item	Document Received
3.12.2 b	The terms for financial settlement agreed upon by the congregation and the Presbytery have been fulfilled	
3.13.2&3	Letters to all members giving opportunity to remain with PCUSA have been sent	
3.14.1&2	Articles of Incorporation and Bylaws of the congregation have been properly amended to remove reference to PCUSA	
3.14.3	Any indebtedness owed to, or guaranteed by, the Presbytery of Stockton, the Synod of Pacific or PCUSA has been satisfied	
3.14.4	Funds deposited with Synod of Pacific have been withdrawn	
3.14.5	Funds deposited with Presbyterian Foundation have been withdrawn or disbursed as appropriate	
3.14.6	A Quitclaim Deed for all real properties held by the congregation has been presented for notarization and corporate signature	
3.14.7	The original records of the session and congregation have been delivered to the Presbytery	
3.14.8	An indemnification agreement has been properly executed by the congregation to the Presbytery of Stockton	
	<i>I hereby certify that all of the documents and other items required by the Presbytery of Stockton's Gracious Separation Policy have been submitted and have been verified to be accurate and complete, and that the release of claim on the property may be executed.</i>	
	Moderator of Presbytery _____	Date _____

