

2021-2022
BCO AMENDMENTS SENT DOWN TO PRESBYTERIES
BY THE 48th GENERAL ASSEMBLY
FOR VOTING, and for ADVICE AND CONSENT

ITEM 1: Amend BCO 12-6 and 13-4 to allow Presbyteries and Sessions to establish rules for holding virtual meetings. (New wording underlined.)

[Note: The 48th GA answered in the affirmative as amended Overture 26 from Philadelphia Metro West Presbytery. The Overtures Committee had amended the overture by striking the originally proposed addition to BCO 10-7 and by adding the following language to BCO 12-6 and 13-4:

12-6. The Session shall hold stated meetings at least quarterly. Moreover, the pastor has power to convene the Session when he may judge it requisite; and he shall always convene it when requested to do so by any two of the ruling elders. When there is no pastor, it may be convened by two ruling elders. The Session shall also convene when directed so to do by the Presbytery. The Session, in its discretion, may for itself and its subordinate committees, commissions, adopt rules determining when videoconference or telecommunication arrangements may be used for meetings and regulating how meetings using telecommunications arrangements shall be conducted.

13-4. Any three ministers belonging to the Presbytery, together with at least three ruling elders, being met at the time and place appointed (which may include a teleconference or videoconference place), shall be a quorum competent to proceed to business. The Presbytery, in its discretion, may for itself and its subordinate committees, commissions, adopt rules determining when videoconference or telecommunication arrangements may be used for meetings and regulating how meetings using telecommunications arrangements shall be conducted.

Grounds: The original Overture proposed a complex series of regulations for the holding of a completely “virtual” General Assembly, as well as virtual Presbytery meetings. The Administrative Committee has not yet been able to study and report to the Assembly its opinion as to what would be required or most helpful in order to hold a virtual General Assembly. The amended version allows Presbyteries and Sessions the liberty to establish rules for holding virtual meetings. It will allow that needed flexibility while giving the Administrative Committee an opportunity to study the issue of a virtual General Assembly.

ITEM 2: Amend *BCO* 16 by adding a clause (16-4) that prohibits ordination of men who self-identify as “gay Christians,” “same sex attracted Christians,” “homosexual Christians,” “or like terms.” (New wording underlined.)

[Note: The 48th GA answered in the affirmative as amended **Overture 23** from Gulf Coast Presbytery. The Overtures Committee had amended the overture by striking the originally proposed addition to *BCO* 17 and by adding a new clause (16-4) to *BCO* 16:

16-4. Officers in the Presbyterian Church in America must be above reproach in their walk and Christlike in their character. Those who profess an identity (such as, but not limited to, “gay Christian,” “same sex attracted Christian,” “homosexual Christian,” or like terms) that undermines or contradicts their identity as new creations in Christ, either by denying the sinfulness of fallen desires (such as, but not limited to, same sex attraction), or by denying the reality and hope of progressive sanctification, or by failing to pursue Spirit-empowered victory over their sinful temptations, inclinations, and actions are not qualified for ordained office.

ITEM 3: Amend *BCO* 20-4, 24-3, and 24-4 regarding election of pastor, associate pastor, and officers. (New wording underlined.)

[Note: The 48th GA answered in the affirmative as amended **Overture 5** from Calvary Presbytery. The Overtures Committee had amended the original proposals by adding the parenthetical phrase “(excluding blanks and abstentions)” to each section.]

Amend *BCO* 20-4 as follows:

20-4. Method of voting: The voters being convened, and prayer for divine guidance having been offered, the moderator shall put the question:

Are you ready to proceed to the election of a pastor?

If they declare themselves ready, the moderator shall call for nominations, or the election may proceed by ballot without nominations. In every case a majority of all the ~~voters present~~ votes cast (excluding blanks and abstentions) shall be required to elect.

Amend *BCO* 24-3 as follows:

24-3. All communing members in good and regular standing, but no others, are entitled to vote in the election of church officers in the churches to which they respectively belong. A majority of ~~those present~~ votes cast (excluding blanks and abstentions) is required for election.

ITEM 3, continued

Amend BCO 24-4 as follows:

24-4. The voters being convened, the moderator shall explain the purpose of the meeting and then put the question:

Are you now ready to proceed to the election of additional ruling elders (or deacons) from the slate presented?

If they declare themselves ready, the election may proceed by private ballot without nomination. In every case a majority of all the ~~voters present~~ votes cast (excluding blanks and abstentions) shall be required to elect.

ITEM 4: Amend BCO 21-4; 24-1 (Overture 37) clarifying moral requirements for church office
(Note: Overtures 16 and 30 were answered with reference to Overture 37.)

[Note: The 48th GA answered in the affirmative as amended Overture 37 from Eastern Pennsylvania Presbytery. The Overtures Committee had amended the original proposals by removing from both added paragraphs the parenthetical phrase “(e.g., homosexual desires, etc.)” after the words “...he must not be known by reputation or self-profession according to his remaining sinfulness.”

Amend BCO 21-4 to add a new sub-paragraph 21-4.e, as follows, with the subsequent sub-paragraphs [21-4.e-h] re-lettered [to be 21-4.f-i]:

BCO 21-4

e. In the examination of the candidate’s personal character, the presbytery shall give specific attention to potentially notorious concerns, such as but not limited to relational sins, sexual immorality (including homosexuality, child sexual abuse, fornication, and pornography), addictions, abusive behavior, racism, and financial mismanagement. Careful attention must be given to his practical struggle against sinful actions, as well as to persistent sinful desires. The candidate must give clear testimony of reliance upon his union with Christ and the benefits thereof by the Holy Spirit, depending on this work of grace to make progress over sin (Psalm 103:2-5, Romans 8:29) and to bear fruit (Psalm 1:3; Gal. 5:22-23). While imperfection will remain, he must not be known by reputation or self-profession according to his remaining sinfulness, but rather by the work of the Holy Spirit in Christ Jesus (1 Cor. 6:9-11). In order to maintain discretion and protect the honor of the pastoral office, Presbyteries are encouraged to appoint a committee to conduct detailed examinations of these matters and to give prayerful support to candidates.

ITEM 4, continued

Amend BCO 24-1 by the addition of a second paragraph (addition underlined):

24-1. Every church shall elect persons to the office of ruling elders and deacon in the following manner: At such times as determined by the Session, communicant members of the congregation may submit names to the Session, keeping in mind that each prospective officer should be an active male member who meets the qualifications set forth in 1 Timothy 3 and Titus 1. After the close of the nomination period nominees for the office of ruling elder and/or deacon shall receive instruction in the qualifications and work of the office. Each nominee shall then be examined in:

- a. his Christian experience, especially his personal character and family management (based on the qualifications set out in 1 Timothy 3:1-7 and Titus 1:6-9),
- b. his knowledge of Bible content,
- c. his knowledge of the system of doctrine, government, discipline contained in the Constitution of the Presbyterian Church in America (*BCO* Preface III, *The Constitution Defined*),
- d. the duties of the office to which he has been nominated, and
- e. his willingness to give assent to the questions required for ordination (*BCO* 24-6).

In the examination of each nominee's personal character, the Session shall give specific attention to potentially notorious concerns, such as but not limited to relational sins, sexual immorality (including homosexuality, child sexual abuse, fornication, and pornography), addictions, abusive behavior, racism, and financial mismanagement. Careful attention must be given to his practical struggle against sinful actions, as well as to persistent sinful desires. Each nominee must give clear testimony of reliance upon his union with Christ and the benefits thereof by the Holy Spirit, depending upon this work of grace to make progress over sin (Psalm 103:2-5; Romans 8:29) and to bear fruit (Psalm 1:3; Gal. 5:22-23). While imperfection will remain, he must not be known by reputation or self-profession according to his remaining sinfulness, but rather by the work of the Holy Spirit in Christ Jesus (1 Cor. 6:9-11). In order to maintain discretion and protect the honor of church office, Sessions are encouraged to appoint a committee to conduct detailed examinations into these matters and to give prayerful support to nominees.

If there are candidates eligible for the election, the Session shall report to the congregation those eligible, giving at least thirty (30) days prior notice of the time and place of a congregational meeting for the elections.

If one-fourth (1/4) of the persons entitled to vote shall at any time request the Session to call a congregational meeting for the purpose of electing additional officers, it shall be the duty of the Session to call such a meeting on the above procedure. The number of officers to be elected shall be determined by the congregation after hearing the Session's recommendation.

ITEM 5: Amend BCO 22-2 regarding process for Assistant to Associate Pastor.

[Note: the 48th GA answered in the affirmative as amended **Overture 31** from Northwest Georgia Presbytery. The Overtures Committee had removed the phrase “who has provided satisfactory service for one-year in this congregation,” after the words “An existing assistant pastor.”]

Amend BCO 22-2 by the addition of a new second sentence as follows:

22-2. The pastor and associate pastor are elected by the congregation using the form of call in *BCO* 20-6. An existing assistant pastor may be elected by the congregation as an associate pastor at the recommendation of the Session without the election of a pulpit committee. Being elected by the congregation they become members of the Session.

ITEM 6: Amend BCO 24-1 to clarify that a session has discretion on the timing of some parts of the exam of officer nominees.

[Note: the 48th GA answered in the affirmative as amended **Overture 18** from Pacific Northwest Presbytery, giving Sessions discretion on the timing of some parts of the exam of officer nominees. The Overtures Committee had amended the original proposal by removing from the first paragraph the phrase “After the close of the nomination period” and adding to the an introductory phrase “Notwithstanding the above,” to the new second paragraph.]
(Note: Overture 6 was answered by reference to Overture 18.)

Amend BCO 24-1, first paragraph, by the deletion of the introductory phrase in sentence three and one word (“then”) in the last sentence, and by the addition of one sentence after 24-1.e, as follows (addition underlined):

BCO 24-1. Every church shall elect persons to the offices of ruling elder and deacon in the following manner: At such times as determined by the Session, communicant members of the congregation may submit names to the Session, keeping in mind that each prospective officer should be an active male member who meets the qualifications set forth in 1 Timothy 3 and Titus. ~~After the close of the nomination period, a~~ Nominees for the office of ruling elder and/or deacon shall receive instruction in the qualifications and work of the office. Each nominee shall ~~then~~ be examined in:

- a. his Christian experience, especially his personal character and family management (based on the qualifications set out in 1 Timothy 3:1-7 and Titus 1:6-9),
- b. his knowledge of Bible content,
- c. his knowledge of the system of doctrine, government, discipline contained in the Constitution of the Presbyterian Church in America (*BCO* Preface III, *The Constitution Defined*),

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- d. the duties of the office to which he has been nominated, and
- e. his willingness to give assent to the questions required for ordination.
(BCO 24-6)

Notwithstanding the above, the Session may render a decision on Christian experience at any point in the process, and based on that decision, may judge him ineligible for that election.

If there are candidates eligible for the election, the Session shall report to the congregation those eligible, giving at least thirty (30) days prior notice of the time and place of a congregational meeting for elections.

If one-fourth (1/4) of the persons entitled to vote shall at any time request the Session to call a congregational meeting for the purpose of electing additional officers, it shall be the duty of the Session to call such a meeting on the above procedure. The number of officers to be elected shall be determined by the congregation after hearing the Session's recommendation.

ITEM 7: Amend BCO 32-20 regarding time considerations for offenses, by deleting the current paragraph (32-20) and substituting the following paragraph.

[Note: the 48th GA answered **Overture 22** in the affirmative as amended. The OC had amended the overture's substitute paragraph by deleting its first sentence as well as the first word of the second sentence.]

Amend BCO 32-20 by deleting the current paragraph 32-20 and substituting the following:

32-20. The accused or a member of the court may object to the consideration of a charge, for example, if he thinks the passage of time since the alleged offense makes fair adjudication unachievable. The court should consider factors such as the gravity of the alleged offense as well as what degradations of evidence and memory may have occurred in the intervening period.

ITEM 8: Amend BCO 38-1 regarding confession document for case without process.

[Note: the 48th GA answered in the affirmative **Overture 33** from Pacific Northwest Presbytery, regarding a Confession Document for a case without process.]

Amend BCO 38-1 be amended as follows. (Strike-through for deletions, underlining for new wording.)

38-1. When any person shall come forward and make his offense known to the court, a full statement of the facts shall be recorded and judgment rendered without process. In handling a confession of guilt, it is essential that the person intends to confess and permit the court to render judgment without process. Statements made

ITEM 8, continued

by him in the presence of the court must not be taken as a basis of a judgment without process except by his consent. In the event a confession is intended, ~~a full statement of the facts should~~ a written Confession (i.e., a sufficient summary of the facts, the person's specific confession, and any expression or evidence of repentance) must be approved by the accused, and by the court, before the court proceeds to a judgment, and the co-signed document shall be appended to the minutes (regular or executive session). No other information may be presented without written consent from the accused and the court, and this prohibition includes individuals, prosecutors, committees, and commissions. The accused person has the right of complaint against the judgment.

Rationale: In two SJC cases this year, the presbyteries allowed investigative or judicial commissions to present “reports” in addition to the agreed-upon confession document. The SJC ruled that was contrary to *BCO* 38-1.¹ This revision makes the prohibition clearer, and should help avoid a recurrence of the mistaken procedures in those cases.

In addition, it provides examples of the three most important components to a “Confession” document. This is helpful because the current phrase “full statement of the facts” doesn’t explicitly reference the confession of sin or any expression or evidence of repentance. These items should be in the Confession document, which is the lone document on which the court is to base censure.²

Adopted and filed by a Commission of Presbytery on March 20, 2021

Attested by TE Nathan Chambers, Presbytery Interim Stated Clerk

¹ Case 2019-10 *TE Evans v. Arizona*. SJC sustained the complaint on 7/20/20 by a vote of 18-3.
Case 2019-04 *TE Williams v. Chesapeake*. SJC sustained the complaint on 8/24/20 by a vote of 13-5.
And a third Case, 2020-07 *TE Wilbourne v. Pacific*, is pending.

² For discussion of the difference between a Commission *presenting a report* and a Commission “submitting a full record of its proceedings” (*BCO* 15-1), see Dissenting Opinion from RE Donahoe, et al. in Case 2020-04, *Complaint of Marusich v. Central Indiana*. It’s found in the SJC’s 2021 report to GA, and via link below.
https://drive.google.com/file/d/1yL6rOaH8CWvS3mEx9uL6e_BGSWgksx1N/view?usp=sharing