

## **FOR INFORMATION ONLY**

### ***OPERATING MANUAL OF THE STANDING JUDICIAL COMMISSION*** **AMENDMENTS ADOPTED BY THE 49th GENERAL ASSEMBLY** **2022**

**ITEM 1.** Amend ***OMSJC 2.6*** as follows (new wording underlined):

**2.6.** So long as he complies with Section 2.5 above, a member may make public or private statements in the course of his duties as a presbyter or Session member with respect to biblical teaching, confessional interpretation, the principles of the form of government and discipline, the requirements of the *BCO*, the *Rules of Assembly Operation*, *Robert's Rules*, and may explain Commission procedures. If such statements seem to the member especially liable to be construed to address a pending or impending matter before the Commission, a member making such public or private statements shall expressly qualify the statements indicating that they are limited to the subject matters permitted by this subsection and are not made with a view to any pending or impending matter.

**ITEM 2.** Amend ***OMSJC 17.2*** as follows (new wording underlined):

**17.2** A judgment of the Standing Judicial Commission shall be effective from the time of its announcement to the parties in accordance with *BCO* 15-5(b). except in the case of a minority report in accordance with *BCO* 15-5(c). Any SJC decision can be announced immediately to the parties if approved by 2/3 of voting members in such case. Otherwise, the Decision will not be announced until after the procedures of *OMSJC* 18.12 have been completed

**ITEM 3.** Amend ***OMSJC 17.8.h-i*** by striking h, relettering current i to h, striking j, relettering current k to i, and amending 17.8.h.i by deletion (strike-through) and addition (underlining):

**17.8.**

- g. All qualified members present should participate in the vote and the vote of each member shall be included in the written decision.
- ~~h. After the vote on the decision on the whole, the Chairman of the Commission will communicate the judgment to the parties; and the Stated Clerk shall mail a copy of the decision to the parties.~~
- ~~ih.~~ Upon such review, if parts 1, 2 and 3 of the decision have been perfected but part 4 - the Reasoning and Opinion of the Court -- needs to be rewritten and cannot be done at that meeting of the Commission, the Chairman of the Commission shall designate a member or a committee of members voting with the majority on the other 3 parts to write the proposed reasoning and

opinion based on the decisions on the other 3 parts. The Chairman, upon consulting with the members of the Commission present, shall:

- (1) set a date and time for a telephone conference call for the perfecting and voting on the "Reasoning and Opinion" part of the decision;
- (2) this date shall be at least 30 days in advance and not more than 45 days in advance;
- (3) the members or committee of members appointed to write "The Reasoning and Opinion" shall agree to have a proposal in the hands of the Stated Clerk of the General Assembly within 15 days;
- (4) the Stated Clerk shall mail the proposal to each member of the Commission at least 10 days before the date set for such telephone conference call;
- (5) the Stated Clerk shall in the same mail send to each Commission member a written ballot;
- (6) if any Commissioner cannot participate in the telephone conference call, his vote on the decision as a whole will be counted so as to be consistent with his vote on the other parts. If he wishes to change his vote, he may fax a copy of his signed written ballot to the Stated Clerk at or before the time of the telephone conference call;
- (7) when "The Reasoning and Opinion" part of the decision has been perfected, then the Chairman shall call for a roll call vote on the decision as a whole and announce the decision;
- (8) the other 3 portions of the decision previously approved may not be altered or revised on this telephone conference call.
- (9) After all 4 parts have been approved individually, then the decision as a whole shall be voted on by roll call without change or amendment.

~~j. When a decision has been approved under this Manual by the Full Commission, a copy thereof shall be mailed immediately to the parties and shall then be public.~~

ki. After a decision has been reached by the Full Commission, any member may file, within 14 days after the date the text of the decision is sent by the Secretary to the members of the Commission, a concurring or dissenting opinion, which, if it conforms with the requirements of *OMSJC* 18.12, shall be promptly sent to the parties as an appendix to the decision included as an appendix to the decision when it is sent to the parties. The decision and any concurring or dissenting opinions shall be sent to the parties and released to the public at the same time and only after the procedures of *OMSJC* 18.12 have been completed. (See also 17.2)

**ITEM 4.** Amend ***OMSJC 18.12*** by the addition of two sub-sections, d and e.

**18.12**

- d.** Members may join in pending concurring or dissenting opinions at any time until the 14-day deadline to request the meeting described in *OMSJC 18.12.c*.
- e.** No concurring or dissenting opinion shall be circulated to anyone outside the SJC or the PCA Clerk's office, until the completion of the procedure described in Section 18.12.c or the passage of the deadline established in 18.12.c in the event no such meeting is requested.