

RESPONSIBILITIES OF REVIEW OF PRESBYTERY RECORDS (RPR) COMMITTEE

The Forty-second General Assembly amended the Rules of Assembly Operations, which includes the composition and responsibilities of the Committee on Review of Presbytery Records. The pertinent rules are as follows:

RAO 8-5(a) sets the membership of the committee following the formula used for Nominating Committee. [See formula on page 054.]

RAO: ARTICLE VIII.

8-5. Committee on Review of Presbytery Records.

- a. The Committee on Review of Presbytery Records shall be comprised of one representative from each presbytery elected by the Presbytery in the manner set forth in *BCO* 14-1.11 for the election of the Nominating Committee. A person who is serving as a member of or on the staff of one of the permanent or special committees, or boards of the General Assembly shall be eligible to serve on this committee.
- b. The Committee shall be scheduled to meet prior to the opening session of the Assembly.
- c. A chairman and vice-chairman for the following year shall be elected by the committee from members who shall be serving in at least the second year of their term.

RAO: ARTICLE XVI. REVIEW OF PRESBYTERY RECORDS.

16-1. It is the right and duty of the General Assembly to review, at least once a year, the records of the presbyteries of the Presbyterian Church in America (*BCO* 40-1 and 2).

16-2. General Assembly carries out this review through its Committee on Review of Presbytery Records. The operation of this committee shall be considered a General Assembly expense.

16-3. Guidelines for Keeping Presbytery Minutes

- a. The stated clerk of each presbytery is responsible for the custody of the minutes of presbytery.
- b. The minutes should be neat and legible. Minutes should be dated, and the pages numbered. An official copy of the minutes should be printed and either bound or kept in a good binder.
- c. The minutes should contain the following information:
 - 1) The kind of meeting: stated, called, adjourned stated, or adjourned called. In the case of a called meeting the portion of the call stating the purpose of the meeting should be recorded verbatim in the minutes.
 - 2) The name of the presbytery.
 - 3) The date, time and place of the meeting.
 - 4) The name of the moderator, and if someone other than the regular stated clerk served as a clerk pro-tem, his name should be indicated.
 - 5) That sessions were opened and closed with prayer (*BCO* 10-5).

- 6) The names of those present at the meeting, indicating whether they were teaching elders, or ruling elders and the church they represented. The names of alternate ruling elders and their respective churches should also be included, and the names of visitors may be included.
- 7) Teaching elders not attending and churches not represented should be listed as excused or unexcused.
- 8) Approval of current or previous minutes.
- d. The minutes should be signed by the clerk.
- e. Additional guidelines:
 - 1) Points of order ruled against by the chair and appeals from the decision of the chair, whether sustained or lost, together with the reason given by the chair for his ruling, should be included for the sake of any case that may be carried to a higher court and for the protection of a minority. The record of the presbytery's actions should be recorded.
 - 2) When a count has been ordered, or the vote is by ballot, the number of votes on each side should be entered.
 - 3) The proceedings of a committee of the whole should not be entered in the minutes, but the fact that the assembly went into the committee as a whole. The committee report should be recorded.
 - 4) When a commission is charged with carrying out a task prescribed in the Constitution (such as organizing a church or ordaining or installing a teaching elder), the minutes of presbytery should reflect the completion of each action prescribed in the respective constitutional provision. This may be accomplished by reporting the work of the commission using a form provided by the Stated Clerk of the General Assembly, which should be included in or appended to the minutes.
 - 5) Minutes of presbytery relating to examinations must list all specific requirements and trials for licensure and/or ordination which have been accomplished, including that each candidate being examined for ordination was required to "state the specific instances in which he may differ with the *Confession of Faith* and Catechisms in any of their statements and/or propositions" (BCO 21-4). This does not mean that a separate vote on each item must be recorded. Presbytery minutes shall record ministers' and ministerial candidates' stated differences with our Standards in their own words. Each presbytery also shall record whether:
 - a) the candidate stated that he had no differences; or
 - b) the court judged the stated difference(s) to be merely semantic; or
 - c) the court judged the stated difference(s) to be more than semantic, but "not out of accord with any fundamental of our system of doctrine" (BCO 21-4); or
 - d) the court judged the stated difference(s) to be "out of accord," that is, "hostile to the system" or "strik[ing] at the vitals of religion" (BCO 21-4).
 - 6) Minutes of presbytery relating to ministerial calls shall record that the specific arrangements (BCO 20-1) and the call were found to be in order.
 - 7) Minutes of executive sessions are not exempt from the general requirement that presbytery's actions shall be recorded in the presbytery's minutes and that these minutes (even if kept in a separate section on executive sessions) shall be submitted to the General Assembly for review (BCO 13-11; 14-6.c; 40-1). Presbytery may ask that the Committee on Review of Presbytery Records deal with these minutes confidentially. However, any exceptions to these minutes must be submitted to the General Assembly through the normal procedures.

- 8) Minutes of presbytery dealing with judicial cases shall not be dealt with by Committee on Review of Presbytery Records (*BCO* 40-3) when notice of appeal or complaint has been given the lower court, but still must be submitted for review as part of the record.
- f. The following suggestions are made to clerks and presbyteries for the keeping of minutes:
 - 1) The minutes should record the actions of the presbytery, including all motions adopted and business transacted, together with such additional information as the presbytery deems desirable for historical purposes.
 - 2) Ordinarily in church courts, motions that are lost are not included in the record, unless an affirmative vote for the lost motion is recorded, in which case the lost motion must be shown.
 - 3) Each main motion should normally be recorded in a separate paragraph. Subsidiary and procedural motions may be recorded in the same paragraph with the main motion to which it pertains.

16-4. Guidelines for Submitting of Presbytery Records:

- a. The stated clerk of each presbytery is to provide the Stated Clerk of the General Assembly with copies of all minutes to be reviewed in one of two formats: (1) four bound, paginated hard-copies or (2) two bound, paginated hard-copies and one paginated digital copy (preferably as a single document).
- b. The minutes to be reviewed shall include the unreviewed minutes of all presbytery meetings that have been held through the end of the previous calendar year (*BCO* 40-1).
- c. In addition to the minutes themselves, the presbytery shall submit three (3) copies of the following items:
 - 1) A current Directory of Presbytery, including (1) a list of all teaching elders, with their addresses and their status; and of all churches and missions with the address of the church, and the name and address of the Clerk of Session, (2) a listing of all officers and committee members of the regular committees of presbytery, and (3) a list identifying all candidates under care, interns, and licentiates of the presbytery with their addresses and their status.
 - 2) An up-to-date copy of the Standing Rules of the presbytery.
 - 3) A letter stating presbytery's response to the Assembly concerning disposition of any exceptions of substance taken by the past Assembly.
- d. The minutes are to be reviewed and the items listed under 14-4c shall be mailed to the office of the Stated Clerk of the General Assembly by March 15 each year.
- e. If a presbytery repeatedly fails to submit its minutes, or its responses to exceptions of substance, the Committee on Review of Presbytery Records may recommend to the General Assembly that the provisions of *BCO* 40-1, 4, & 5 be applied.

16-5. The stated clerk of each presbytery, or his representative, should be prepared to meet with the committee to answer questions and to clarify any possible discrepancy. The committee should make every reasonable effort to consult with the clerk of the presbytery (or his designee) on any questions before finalizing the report to the General Assembly.

16-6. Guidelines for Examining Presbytery Records:

- a. Presbytery minutes shall be examined for conformity to:

- 1) The Scriptures and the Constitution of the Presbyterian Church in America as to the substance of the actions recorded (*BCO* 40-2), and
- 2) The Assembly Guidelines for Keeping Presbytery Minutes, as to form, structure, and minimum content (*RAO* 16-3).
- b. Each set of presbytery minutes and other materials submitted under *RAO* 16-4c should be read by at least two members of the Committee on Review of Presbytery Records.
- c. The findings of the committee with respect to the minutes of each presbytery shall be noted under the following categories as appropriate:
 - 1) Exceptions of substance: Apparent violations of the Scripture or serious irregularities from the Constitution of the Presbyterian Church in America, actions out of accord with the deliverances of the General Assembly, and matters of impropriety and important delinquencies, should be reported under this category.
 - 2) Exceptions of form: Violations of the Assembly's Guidelines for Keeping Presbytery Minutes (*RAO* 16-3), rules of order, etc. should normally be reported under this category. When a minor irregularity from a *BCO* provision or requirement is noted, it may be treated as an exception of form (*BCO* 40-3). If subsequent minutes continue to reflect the same particular exception of form, it may become an exception of substance.
 - 3) Notations: The committee may report to the clerk of presbytery any typographical errors, misspellings, improper punctuation and other minor variations in form and clarity. These are to be given as advice for the respective clerks.

16-7. Guidelines for Reporting on Presbytery Records: The report of the committee shall be concise. It shall include the following:

- a. A list of the minutes, by presbyteries, received by the committee.
- b. A list of the presbyteries which have not submitted minutes, if any.
- c. A recommendation concerning the minutes of each presbytery, which shall include:
 - 1) Minutes approved without exception;
 - 2) Minutes approved with exceptions of form, which shall be reported directly to the presbytery;
 - 3) Minutes approved with exceptions of substance which shall be presented to the General Assembly, which presentation shall include citation of any relevant scriptural and/or constitutional references, and provide the committee's rationale for finding the exception of substance;
 - 4) Responses to exceptions of previous Assemblies, if any;
 - 5) Recommendations concerning all responses to exceptions taken by previous Assemblies that have not been disposed of suitably.
- d. Any other recommendation to the Assembly.
- e. A statement of the division of the vote on each recommendation.
- f. Any recommendation which may affect the budget of the Assembly shall be referred to the Committee of Commissioners on Administrative Committee.
- g. A list of members present.
- h. Minority Reports
 - 1) With respect to any recommendation, prior to a recess or adjournment of the Review of Presbytery Records Committee following the adoption of said recommendation, any member of the committee may indicate an intention to file a minority report by giving notice to the chairman.

- 2) The minority report, from at least six (6) members of the committee, must be filed with the chairman of the committee and the office of the Stated Clerk of General Assembly not more than seven (7) days after the adjournment of the RPR Committee meeting.

16-8. The report of the committee shall be prepared and handled in the same manner as reports of committees of commissioners as set forth in *RAO 14-8*. Neither the report of the committee nor the General Assembly's approval or disapproval of this report establishes doctrinal precedent.

16-9. No partial report of the committee shall be presented without the consent of the Assembly.

16-10. Guidelines for Responding to General Assembly

- a. Presbyteries shall be advised of exceptions of form; however, they shall take note in their minutes of exceptions of substance taken by the Assembly, together with their responses adopted by the presbytery to these exceptions. These responses should normally be adopted by Presbytery in the same calendar year as the exceptions were taken by the Assembly. Regardless, responses must be filed no less than one month prior to General Assembly.
- b. Presbyteries shall correspond with the next General Assembly the disposition they have made of the exceptions of substance (including general), with specific reference to presbytery's action as recorded in its minutes. Responses shall be in one of the following forms:
 - 1) Presbytery agrees with the exceptions and corrects its record (if possible), corrects its actions (if possible) and promises to be more careful in the future. Or,
 - 2) Presbytery respectfully disagrees with the exception, states its grounds and refers the exception back to the Assembly.
- c. If, in responding to an exception of substance, a presbytery reports that it disagrees with the conclusion of the Assembly and/or has not corrected or redressed the identified problem; and, the committee (after reviewing the presbytery's response and rationale, and, if a majority so desires, consulting with the Committee on Constitutional Business) continues to believe that the presbytery has persisted in an error that is significant enough to require an Assembly response; then, the committee shall notify the Assembly of the continuing exception, and shall make recommendation as to whether the Assembly should again seek a more acceptable response from the presbytery, or should appoint a representative to present its case and refer the matter to the Standing Judicial Commission to cite the presbytery to appear for proceedings according to *BCO 40-5*.