

2026-2027
BCO AMENDMENTS SENT DOWN TO PRESBYTERIES
by the 53rd GENERAL ASSEMBLY
for ADVICE AND CONSENT

NOTE: The Stated Clerk's Office sends the proposed amendments only in their final form as approved by the General Assembly. Each Item must be voted upon as a whole and may not be divided, even when multiple sections of the *BCO* are being amended.

FOR INFORMATION ONLY
NOT FOR VOTE

BCO 29-1 was corrected as below (underlining for additions). This was an editorial correction made in response to Overture 42 upon the advice of the Committee on Constitutional Business.

29-1. An offense, the proper object of judicial process, is anything in the doctrines or practice of a Church member professing faith in Christ which is contrary to the Word of God. The *Confession of Faith* and the *Larger and Shorter Catechisms* of the Westminster Assembly, together with the formularies of government, discipline, and worship are accepted by the Presbyterian Church in America as standard expositions of the teachings of Scripture in relation to both faith and practice. Nothing, therefore, ought to be considered by any court as an offense, or admitted as a matter of accusation, which cannot be proved to be such from Scripture as interpreted in these Standards.

ITEM 1: Amend BCO 12-7, 13-9, and 25-5 to explicitly require minutes of congregational meetings be included in Session records (~~striketrough~~ for deletions, underlining for additions)

[Overture 57 was answered in the affirmative.]

12-7. Every Session shall keep an accurate record of its proceedings and the proceedings of congregational meetings, which record shall be submitted at least once in every year to the inspection of the Presbytery.

13-9.b. To review the records of church Sessions (including minutes of congregational meetings), redress whatever they may have done contrary to order and take effectual care that they observe the Constitution of the Church;

25-5. A clerk shall be elected by the congregation to serve at that meeting or for a definite period, whose duty shall be to keep correct minutes of the proceedings and of all business transacted and to preserve these minutes in a permanent form, after they have been attested by the moderator and the clerk of the meeting. He shall also send a copy of these minutes to the Session of the church to be included in the record of the church Session.

ITEM 2: Add a new **BCO 12-8** to require recording of Session and Diaconate members in Session minutes (~~striketrough~~ for deletions, underlining for additions)

[Overture 72 was answered in the affirmative as amended by the Overtures Committee.]

12-8. Every Session shall annually record in its minutes a list of all persons who comprise the Session and the Diaconate.

~~12-89.~~ Every Session shall keep an accurate record of baptisms, of communing members, of non-communing members, and of the deaths and dismissions of church members.

~~12-910.~~ Meetings of the Sessions shall be opened and closed with prayer.

ITEM 3: Amend BCO 15-2 regarding Session commissions (~~striketrough~~ for deletions, underlining for additions)

[Overture 13 was answered in the affirmative as amended by the Overtures Committee.]

15-2. Among the matters that may be properly executed by commissions are the taking of the testimony in judicial cases, the ordination of ministers, the installation of ministers, the visitation of portions of the church affected with disorder, and the organization of new churches.

Every commission appointed by Presbytery shall consist of at least two teaching elders and two ruling elders, and the quorum shall be one more than half its membership unless otherwise determined by the Presbytery. However, should a Presbytery clothe a commission with judicial powers and authority to conduct judicial process, or with power to ordain or install a teaching elder of the Gospel, the quorum of such commission shall not be less than two teaching elders and two ruling elders. The quorum for a commission appointed as an interim session need not conform to the requirements of a judicial commission, but only to those of a session (*BCO 12-1*). When the ordination of a minister is committed to a commission, the Presbytery itself shall conduct the previous examination.

Every commission appointed by a Session shall consist of at least two elders, with any combination of teaching or ruling elders, and the quorum for such a commission shall be the greater of a) two elders or b) one-half of the membership of the commission.

ITEM 4: Amend BCO 32-18 and 42-5 to clarify the contents of the Record of the Case in judicial cases (~~striketrough~~ for deletions, underlining for additions)

[Overture 69 was answered in the affirmative.]

32-18.

a. Minutes of the trial shall be kept by the clerk, which shall exhibit the charges, the answer, record of the ~~testimony~~ proceedings, as defined by BCO 35-9, the citations and returns thereto, the documents or other materials submitted to or admitted to the court in the trial proceedings (all of which should be properly marked and identified), and all such acts, orders, and decisions of the court relating to the case, as either party may desire, and also the judgment.

b. The clerk shall without delay assemble the Record of the Case ~~which shall consist of the charges, the answer, the citations and returns thereto, and the minutes herein required to be kept~~ as defined by BCO 42-5.

c. The parties shall be allowed copies of the Record of the Case at their own expense if they demand them.

d. When a case is removed by appeal or complaint, the lower court shall transmit “the Record” thus prepared to the higher court with the addition of the notice of appeal or complaint, and the reasons therefor, if any shall have been filed.

e. Nothing which is not contained in this “Record” shall be taken into consideration by the higher court.

f. On the final decision of a case in a higher court, the judgment shall be sent down to the court in which the case originated.

42-5.

a. It shall be the duty of the clerk of the lower court to file with the clerk of the higher court, not more than thirty (30) days after receipt of notice of appeal, a copy of all ~~proceedings in connection with the case~~ minutes of the trial proceedings as prescribed by BCO 32-18 (including a transcription of the trial proceedings), including minutes of any meeting of the court pursuant to BCO 32-3 and 32-5, the notice of appeal, and reasons therefor, the response of the lower court, the evidence, and any papers bearing on the case submitted to or admitted by the court before the conclusion of the trial, and minutes pertaining to any censure imposed, which together shall be known as “the Record of the Case,” ~~and~~

b. ~~¶~~The higher court shall not admit or consider anything not found in this “Record” without the consent of the parties in the case.

c. Should new evidence come to light the case shall be remanded to the lower court from which the appeal was made, unless both parties consent to admit the new evidence and proceed with the case.

So that the new provisions would read as follows:

32-18.

- a. Minutes of the trial shall be kept by the clerk, which shall exhibit the charges, the answer, record of the proceedings, as defined by *BCO* 35-9, the citations and returns thereto, the documents or other materials submitted to or admitted to the court in the trial proceedings (all of which should be properly marked and identified), and all such acts, orders, and decisions of the court relating to the case, as either party may desire, and also the judgment.
- b. The clerk shall without delay assemble the Record of the Case as defined by *BCO* 42-5.
- c. The parties shall be allowed copies of the Record of the Case at their own expense if they demand them.
- d. When a case is removed by appeal or complaint, the lower court shall transmit “the Record” thus prepared to the higher court with the addition of the notice of appeal or complaint, and the reasons therefor, if any shall have been filed.
- e. Nothing which is not contained in this “Record” shall be taken into consideration by the higher court.
- f. On the final decision of a case in a higher court, the judgment shall be sent down to the court in which the case originated.

42-5.

- a. It shall be the duty of the clerk of the lower court to file with the clerk of the higher court, not more than thirty (30) days after receipt of notice of appeal, a copy of all minutes of the trial proceedings as prescribed by *BCO* 32-18 (including a transcription of the trial proceedings), minutes of any meeting of the court pursuant to *BCO* 32-3 and 32-5, the notice of appeal, any papers submitted to or admitted by the court before the conclusion of the trial, and minutes pertaining to any censure imposed, which together shall be known as “the Record of the Case.”
- b. The higher court shall not admit or consider anything not found in this “Record” without the consent of the parties in the case.
- c. Should new evidence come to light the case shall be remanded to the lower court from which the appeal was made, unless both parties consent to admit the new evidence and proceed with the case.

ITEM 5: Amend BCO 34-1 regarding GA assuming original jurisdiction (~~striketrough~~ for deletions, underlining for additions)

[Overture 27 was answered in the affirmative as amended by the Overtures Committee.]

34-1. Process against a minister shall be entered before the Presbytery of which he is a member. However, if the Presbytery ~~refuses to act~~ finds no strong presumption of guilt or otherwise declines to indict in doctrinal cases or cases of public scandal and ~~two~~ twenty percent (20%) of the other Presbyteries request the General Assembly to assume original jurisdiction (to first receive and initially hear and determine), the General Assembly shall do so.

So that the amended version would read:

34-1. Process against a minister shall be entered before the Presbytery of which he is a member. However, if the Presbytery finds no strong presumption of guilt or otherwise declines to indict in doctrinal cases or cases of public scandal and twenty percent (20%) of the other Presbyteries request the General Assembly to assume original jurisdiction (to first receive and initially hear and determine), the General Assembly shall do so.

ITEM 6: Amend BCO 42-4 and 43-3 to clarify the deadline for filings (~~striketrough~~ for deletions, underlining for additions)

[Overture 15 was answered in the affirmative.]

42-4. Notice of appeal may be given the court before its adjournment. Written notice of appeal, with supporting reasons, shall be filed by the appellant with both the clerk of the lower court and the clerk of the higher court, within thirty (30) days of written notification of the last court's decision.

Notification of the last court's decision ~~shall be deemed to have occurred~~ occurs on the day of mailing (if certified, registered or express mail of a national postal service or any private service where verifying receipt is utilized), the day of hand delivery, or the day of confirmed receipt in the case of e-mail or facsimile. Furthermore, compliance with such requirements shall be deemed to have been fulfilled if a party cannot be located after diligent inquiry or if a party refuses to accept delivery. No attempt should be made to circularize the courts to which appeal is being made by either party before the case is heard.

43-3. If, after considering a complaint, the court alleged to be delinquent or in error is of the opinion that it has not erred, and denies the complaint, the complainant may take that complaint to the next higher court. If the lower court fails to consider the complaint against it by or at its next stated meeting, provided that the complaint has been filed with the clerk at least ten (10) days in advance, the complainant may take that complaint to the next higher court. If the complaint is filed with less than ten (10) days' notice, the court may consider

the complaint at a later meeting not more than 60 days later. Written notice thereof shall be filed with both the clerk of the lower court and the clerk of the higher court within thirty (30) days of written notification of the last court's decision.

Notification of the last court's decision ~~shall be deemed to have occurred~~ occurs on the day of mailing (if certified, registered or express mail of a national postal service or any private service where verifying receipt is utilized), the day of hand delivery, or the day of confirmed receipt in the case of e-mail or facsimile. Furthermore, compliance with such requirements shall be deemed to have been fulfilled if a party cannot be located after diligent inquiry or if a party refuses to accept delivery.

ITEM 7: Amend BCO 43-2 and 43-3 to clarify circularizing the court (~~strike through~~ for deletions, underlining for additions)

[Overture 16 was answered in the affirmative.]

43-2. A complaint shall first be made to the court whose act or decision is alleged to be in error. Written notice of complaint, with supporting reasons, shall be filed with the clerk of the court within sixty (60) days following the meeting of the court. The court shall consider the complaint at its next stated meeting, or at a called meeting prior to its next stated meeting, provided that the complaint has been filed with the clerk at least ten (10) days in advance. If the complaint is filed with less than ten (10) days' notice, the court may consider the complaint at a later meeting not more than 60 days later. ~~No attempt should be made to circularize the court to which complaint is being made by either party.~~

43-3. If, after considering a complaint, the court alleged to be delinquent or in error is of the opinion that it has not erred, and denies the complaint, the complainant may take that complaint to the next higher court. If the lower court fails to consider the complaint against it by or at its next stated meeting, provided that the complaint has been filed with the clerk at least ten (10) days in advance, the complainant may take that complaint to the next higher court. If the complaint is filed with less than ten (10) days' notice, the court may consider the complaint at a later meeting not more than 60 days later. Written notice thereof shall be filed with both the clerk of the lower court and the clerk of the higher court within thirty (30) days of notification of the last court's decision.

Notification of the last court's decision shall be deemed to have occurred on the day of mailing (if certified, registered or express mail of a national postal service or any private service where verifying receipt is utilized), the day of hand delivery, or the day of confirmed receipt in the case of e-mail or facsimile. Furthermore, compliance with such requirements shall be deemed to have been fulfilled if a party cannot be located after diligent inquiry or if a party refuses to accept delivery.

No attempt should be made by any party to circularize a higher court reviewing a complaint.