

JURISDICTION IN JUDICIAL PROCESS
D-3.0106 WHEN JURISDICTION ENDS (ROD-05)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

Shall D-3.0106 in the current Rules of Discipline be amended as follows?

(Deleted text is in ~~strikethrough~~; added text is in *italics*.)

“D-3.0106 When ~~Jurisdiction~~ Ends Upon Renunciation of Jurisdiction

***Jurisdiction in the* The judicial process ends *does not end* when a person in an ordered ministry or a member renounces the jurisdiction of the church. Should the accused in a disciplinary case renounce the jurisdiction of the church as provided in G-2.0407 or G-2.0509, the clerk or stated clerk shall report to the council both the renunciation and the status of the matter at that time, including the name of the accused, *and* the date and fact of renunciation during an investigation or trial, ~~and the charges filed~~. The judicial process shall then proceed per the Rules of Discipline.”**

Background and Rationale

[Editor’s note: The assembly approved the above proposed amendment to the current Rules of Discipline in the event that the Rules of Discipline will not be replaced by Church Discipline. If Church Discipline is approved by majority vote of presbyteries, it will replace the entire current Rules of Discipline including any amendments to the current Rules of Discipline. The assembly amended D-7.0302e(2) in the proposed Church Discipline to address the underlying concerns (rather than the exact text) of this proposed amendment.]

The stated purposes of the Rules of Discipline are “to honor God by making clear the significance of membership in the body of Christ; to preserve the purity of the church by nourishing the individual within the life of the believing community; to achieve justice and compassion for all participants involved; to correct or restrain wrongdoing in order to bring members to repentance and restoration; to uphold the dignity of those who have been harmed by disciplinary offenses; to restore the unity of the church by removing the causes of discord and division; and to secure the just, speedy, and economical determination of proceedings” (D-1.0101).

Currently in D-3.0106 an accused person may choose to walk away from church nourishment, correction, and restoration by renouncing the jurisdiction of the church. That choice is the individual’s to make. The church cannot and should not prevent that choice. The church should document and report when that choice is made.

However, also currently in D-3.0106, when an accused person renounces the jurisdiction of the church, the accused individual(s) receives the power to deny the wider church full access to promised justice, dignity, and a just, speedy, and economical determination of disciplinary proceedings.

Under the current Rules of Discipline, when the accused renounces jurisdiction, the judicial process ends. Investigating committees stop. ...

This overture seeks to give investigating committees, permanent judicial commissions, and councils the ability to proceed through the remainder of the judicial process, per the Rules of Discipline,

while honoring obligations to the accused. The accused would be informed through every step of the continued process and would be invited to participate. All communication to the accused would still be required. Those who renounce jurisdiction would retain the option to fully participate, to observe but remain silent, or to not participate at all. They may choose to send an advocate to represent them in their absence.

However, the amendments recommended in this overture allow the church and the councils to also honor our obligations to the accusers or those in the wider church who may have suffered harm. ... With this simple overture, councils will be allowed and encouraged to respect and honor all people in and beyond the church, even if one person chooses to break oaths and walk away.

Advice – From the Advisory Committee on the Constitution (ACC)

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove Item ROD-05. ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the Advisory Committee on the Constitution would recommend to the General Assembly that this overture be answered by the Assembly's action on Church Discipline.

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the Advisory Committee on the Constitution advises the General Assembly that ROD-05 should be disapproved.

The advice given by the Advisory Committee on the Constitution to the 211th General Assembly (1999) Assembly when faced with a similar overture stated:

At the time of renunciation of the accused, the church has no further authority over the accused, nor is the accused any longer accountable to the church (D-10.0102, which defines the parties to a disciplinary case and D-11.0301). Further, continuation of discipline after renunciation of membership could result in liability in the secular courts. The 202nd General Assembly (1990) in response to a request for constitutional interpretation unanimously adopted the following interpretation of renunciation in relation to a disciplinary trial: "The trial would cease immediately should the person renounce the jurisdiction of the church" (*Minutes, 1990, Part I, p. 239, paragraph 21.129*). ...

The disciplinary process is not intended nor designed to discipline people who are not members of the PC(USA). An individual who has renounced the jurisdiction of the church has forsaken the Christian fellowship of the PC(USA) and, further, has given up office in the church, including ordination. The ultimate punishment of the church is exclusion from Christian fellowship. It is difficult to rationalize continuation of a process in a case in which the member has already passed ultimate judgment upon himself or herself. The overture is not clear about how completion of the trial in such a circumstance is redemptive for the church or for the victim.

This advice remains sound. Foundational to our church discipline is that the disciplinary process is undertaken against an individual who has consented by joining a congregation or by ordination to ordered ministry to submit to that jurisdiction. Once that consent has been removed by renunciation of jurisdiction, the councils of the church cannot compel an individual to participate in judicial proceedings or to accept any censure imposed.

Advice and Counsel – From the Advocacy Committee for Women's Concerns (ACWC)

The Advocacy Committee for Women's Concerns recommends that the 225th General Assembly (2022) approve ROD-05. As the creators of 222nd General Assembly (2016)-approved resolution 05-09, to Ensure Adoption and Implementation of Child/Youth Protection Policies and Resources in the PC(USA) and 223rd General Assembly (2018)-approved resolution 11-09 on Sexual Misconduct in the PC(USA), the ACWC has long been on the forefront of advocating for policy changes that will prevent sexual abuse within the PC(USA).

ACWC is in strong support of amendment D-3.0106, which prevents pastor abusers from walking away from the impact of that abuse by renouncing jurisdiction.

The Assembly Committee on Rules of Discipline amended and approved Item ROD-05, 14/9. The 225th General Assembly (2022) approved Item ROD-05, 334/50. For the full report on ROD-05, go to <https://www.pc-biz.org/#/committee/3000083/business>.

COMMUNICATE DETERMINATION**D-10.0302 IF CHARGES ARE TO BE FILED (ROD-04 3)**

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

Shall D-10.0302 in the current Rules of Discipline be amended as follows?

(Deleted text is in ~~strikethrough~~; added text is in *italics*.)

“D-10.0302 If Charges Are to Be Filed

“If the investigating committee has decided to file charges, it shall promptly inform the accused in writing of the charges it will make, including a summary of the facts it expects to prove at trial to support those charges. It shall ask the accused if ~~that person~~ *they* wish es to plead guilty to the charges to avoid full trial and indicate the censure it will recommend to the session or permanent judicial commission.”

Background and Rationale

[Editor’s Note: The assembly approved the above proposed amendments to the current Rules of Discipline in the event that the Rules of Discipline will not be replaced by Church Discipline. If Church Discipline is approved by majority vote of presbyteries, it will replace the entire current Rules of Discipline including any amendments to the current Rules of Discipline.]

Accusations are extremely easy to make, whether made by an individual or by a person doing so on behalf of another. When the credibility of those accusations has been substantiated, the Constitution clearly and unambiguously states that an investigative committee “shall promptly inform the accused” if charges are to be made. However, it is silent about the accused’s right to be notified when no charges are to be filed, even though written notice of this outcome is provided to the accuser. When individuals in positions of trust have gone through the protracted ordeal of being forced to defend themselves against charges and accusations that can neither be substantiated by objective facts and/or are deemed to be completely untrue, equity requires they be expeditiously notified of this conclusion as well. This omission constitutes a procedural error and undermines the justice process.

The Constitution’s current language also conveys an impression of bias and partiality, in that it describes one member (the “accused”) by way of labeling but uses supportive and affirming language to describe the other (“the person who submitted the written statement”). Labeling one and not the other is harmful because, consciously or subliminally, it fosters a presumption of guilt on the accused and freedom from guilt on the person making the accusation. Reframing the Constitution’s language removes these false assumptions and more faithfully takes into consideration the purpose of church discipline (D-1.01011).

The additional word revisions would, respectively, promote language consistency throughout the document and provide grammatical clarity.

Advice—From the Advisory Committee on the Constitution (ACC)

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove ROD-04.

ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC would recommend that this overture be answered by the assembly's action on Church Discipline (ROD-03).

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC advises the General Assembly as follows:

The overture proposes three changes to the current Rules of Discipline. Recommendation 3 would amend Section 10.0302 by deleting the phrase, "if that person wishes" to "if he or she wishes." Should the General Assembly change "the accused" to "the person accused," such a change makes grammatical sense but the General Assembly should consider whether gender binary language is necessary. Should the General Assembly not amend as recommended in Recommendation 2, the change in Recommendation 3 would not be necessary.

The Assembly Committee on Rules of Discipline amended and approved Item ROD-04 3, 18/4. The 225th General Assembly (2022) approved Item ROD-04 3, 326/19. For the full report on ROD-04, go to <https://www.pc-biz.org/#/committee/3000083/business>.

1 I trust in God the Son, Jesus, fully human, fully God. I accept that Jesus is my Savior and Lord. I believe
2 in my heart and confess with my mouth that Jesus Christ alone delivers me from my sins. Jesus proclaims
3 Good News to the poor by word and deed. He heals the brokenhearted. He announces that captives shall
4 be released and the blind shall see.
5

6 He blesses the children and eats with the poor, the marginalized, and the outcasts. He forgives me and
7 calls me to repent and believe the gospel. He wants me to love my neighbor as a witness to His love and
8 mercy. He wants me to stand against hate and support those on the margins in my community. He
9 announces that the downtrodden shall be freed from their oppressors and that God will bless those who
10 come to God by grace through faith in Christ to the glory of God alone. Unjustly condemned for
11 blasphemy and sedition, Jesus is crucified. "He is wounded and bruised for my sins. He is pierced for my
12 transgressions. He is crushed for my iniquities. By his wounds, I am healed. I have gone astray. I have
13 turned to my own way. My guilt is laid on Jesus." (Isaiah 53:5-6).
14

15 He died for my sins. He broke the power of sin and evil in me. He delivered me from eternal death to
16 eternal life. He rose from the dead. He returned to heaven.
17

18 I trust in God the Father, whom Jesus calls Abba (Daddy), Father. God is all-sufficient, eternal,
19 unchangeable, incomprehensible, present everywhere, almighty, sovereign, knowing all things, most wise,
20 most holy, most just, most merciful and gracious and loving, long-suffering and abundant in goodness and
21 truth. Like a mother who comforts her child, God will comfort me. Like a father who shows compassion
22 to his child, so the Lord shows compassion to me. In the beginning, God created the heavens and the earth
23 and all that God made and declared that it was very good. God created humanity in God's own image, in
24 the image of God we were created. God created us male and female. But I sin against God in thought,
25 word, and deed. I hide from Abba Father. I ignore God's commandments to love God with all my heart,
26 soul, mind, and strength and to love my neighbor as myself. I deserve God's condemnation. Yet God acts
27 with justice and mercy by sending Jesus to die on the cross, to rise from the dead, to pay the penalty for
28 my sins, and to purchase a place in heaven for me. Because of this, I am a child of God, adopted into
29 God's family.
30

31 I trust in God the Holy Spirit. The Holy Spirit is the counselor, the advocate, the helper, the teacher, and
32 the intercessor. The Spirit draws me to a relationship with Jesus Christ. The Spirit makes me right with
33 Jesus by grace through faith. The Spirit frees me to accept myself and others. The Spirit connects me
34 with other believers with cords that cannot be broken in the one body of Christ, the Church. The Spirit
35 rules my faith and life in Jesus through the Word of God which is the unique and authoritative witness to
36 Jesus Christ in the Church universal, and God's Word to me; speaks to me through the Word of God
37 proclaimed; claims me in the waters of baptism; and feeds me with the bread of life and the cup of
38 salvation. In a broken and fearful world, the Spirit gives me courage to go and make disciples in my
39 neighborhood, baptizing them in the name of the Father and of the Son and of the Holy Spirit and teaching
40 them to obey everything that Jesus has taught. The Spirit gives me courage to hear and listen to
41 theological voices that are different than mine.
42

43 The Spirit gives me courage to work with others for justice. In gratitude to God, empowered by the Spirit, I
44 desire to glorify God and enjoy God forever, even as I wait for God's new heaven and new earth. I desire to
45 see the "Holy City, the new Jerusalem, coming down out of heaven from God, prepared as a bride
46 beautifully dressed for her husband." (Revelation 21:2). I desire to hear a "loud voice from the throne
47 saying, 'Now the dwelling of God is with humankind, and God will live with them. They will be God's
48 people, and God will be with them and be their God. God will wipe every tear from their eyes. There will
49 be no more death or mourning or crying or pain, for the old order of things has passed away.'" (Revelation
50 21:3-4).

Healing Prayer Ministry Network of Redstone Presbytery – March 28, 2023

Brief Scriptural Background for Directed Prayer for Healing

- A. According to Luke 9:1-2, Jesus' ministry and that of the 12 disciples was one of teaching, preaching and healing.
- B. Forty-nine percent of New Testament verses are related to "spiritual experiences." About one-fifth of the four Gospels is devoted to Jesus' healings and discussions about them.
- C. Grace healing: Two-thirds of the Gospel accounts have no mention of needing "faith" for healing. See *Psychology, Medicine and Christian Healing* by Morton T. Kelsey.
- D. In our modern times, the New Testament world-view should at least be considered without prejudice.
- E. Jesus did not only offer the opportunity for healing. He offered people a deeper relationship with the true and living God.
- F. We set aside a time and space. Just as Jesus often "turned aside" to talk with and minister to a person, here we are open to God's love and can make specific requests and can together face the darkness within and without.

Possible Flowchart of a Prayer Session

1. Appoint one point-person to direct the praying. Many of the team should pray with eyes open to notice facial changes, breathing patterns, etc.
2. Brief interview to find the reason for what to pray. (Examples: personal health issue, someone else, an institution, God knows what I need)
3. Give praise for all of the Lord's goodness.
4. "Lord, please come here as you have promised (Matthew 18:20) and to this your precious servant. Bless us with your Shalom and cover us with your blood." (I John 1:7)
5. "Reaffirm our baptism and our commitment to Christ under the Covenant."
6. General and personal prayers of confession, for we are entangled in the web of the world, the flesh and the devil. "Renounce those. Forgive others who have hurt you."
7. Receive God's forgiveness. "...forgiveness is a change of regime.... Assurance of pardon is ultimately to be understood as exorcism." Reformed Theologian Eduard Thurneysen *A Theology of Pastoral Care* (p. 316) See also Mark 3:22-27 and 4:15 and Luke 10:17 ff.
8. Anoint with oil with permission. (James 5:14)
9. Lay-on-hands with permission, in neutral areas, as a means of blessing. (Mark 6:5)
10. Pray
11. Some find this helpful. The point-person may say the following:
"We stand behind Jesus. Under the authority of Jesus, **anything** not of the Most High God, Father, Son and Holy Spirit causing this condition" (and other things in the physical, mental, relational, spiritual, generational and realms of the tyrannies of darkness):

- a. "Come to attention!"
- b. "Look at me and this cross."
- c. "I cut the power of any enemy of Christ and all helpers."
- d. "Stop completely what you are doing in Jesus' name and authority."
- e. "See that this precious person belongs to Jesus."
- f. "Lord Jesus, please pour out your blood upon these enemies of your kingdom (Revelation 12:10-11) and send them to your feet and seal what you have done."

12. The point-person may ask at any time: "What is happening? Is the Lord saying anything to you?"
13. Sometimes prayer team members use a post-it note to inform the point-person of an insight.
14. When the prayer time is complete for this session, the point-person may say: "Come Lord Jesus Christ and fill the emptiness with the opposite of what the tyranny has left. Please restore any lost giftedness. We praise you and give you all the glory."
15. Ask the person to contact someone on the prayer team within 48 hours to check in.

Some leaders in the Presbyterian tradition believe that the "wonders" of Christian healing ended with the death of the last of the twelve apostles. We believe that this has been proven to be wrong.

When the main body of Christians has neglected healing prayer, other groups have often come forth with an emphasis on healing. Some of these groups or personalities exhibit unusual formats and techniques which we believe are unnecessary trappings.

Lloyd Ogilvie of Hollywood Presbyterian Church, later chaplain to the US Senate, had church elders pray for folks after each service.

Those in the Reformed Tradition have a long history of faithful research into the Holy Spirit.

In 1960 the General Assembly of the Presbyterian Church published a fine survey in the booklet *The Relation of Christian Faith to Health*.

PRMI (Presbyterian Reformed Ministries International) has long provided in-depth Biblical studies and practical training through its Dunamis Project retreats which have been offered several times within the bounds of Redstone Presbytery.

What forms of Biblical prayer do we typically neglect? Laments from Psalm 13, etc. (in both personal and corporate worship), discernment (Mark 14:38 for waiting and watching), healing, and authoritative prayers vs. evil (Luke 10:17, John 14:12, Numbers 8:24 in the Hebrew, and Ephesians 6)

For in-depth Inner Healing and Deeper Level Healing, a revised format is necessary and specific training is advised.

You are welcome to attend the Healing Prayer Ministry Network which meets the second Thursday of the month from 4:30 until 6:00 P.M. at the Presbytery Center. Some bring a "bag supper." We catch up, learn, and pray for people, institutions, and each other.

To host a district-wide healing service based on the *Book of Common Worship* etc., contact the Healing Prayer Team through Jim Farrer 814 629-5211.

