PROLOGUE

The mission of Presbytery de Cristo is to pray together, worship together and work together to fulfill Christ's commission in the Southwest and beyond. Our journey of faith is lived out in the unity found in the grace of our Lord Jesus Christ, the love of God, and the fellowship of the Holy Spirit (2 Corinthians 13:14).

We confess that as the Church of Jesus Christ “. . . we are all members of one body” (Ephesians 4:25). In his correspondence with the Christians at Corinth, Paul describes the Church of Jesus Christ as being like a human body, in which each part is distinct and important. And so we take very seriously any discussion or desire by a particular congregation to seek dismissal from the Presbyterian Church (U.S.A.). Throughout our history, Presbyterians have honored but also struggled with the tension between unity and diversity. We preach and seek to practice the idea of mutual forbearance, which we find in the Book of Order described in this way:

. . . we also believe that there are truths and forms with respect to which men of good characters and principles may differ. And in all these we think it the duty both of private Christians and societies to exercise mutual forbearance toward each other (F-3.0105).

Nevertheless, in the course of our common life together, there are occasions when a congregation or a portion of a congregation believes that for its own good, health and integrity it must end its relationship with the larger body. Such a decision must be entered into thoughtfully, prayerfully and with profound trust and openness to the work of the Holy Spirit. Such decisions are wrenching and painful for all concerned. This policy is offered for the Presbytery de Cristo and its congregations with deep respect for the gravity of these situations.

Presbytery de Cristo is committed to pursuing reconciliation with pastors, sessions and congregations who are seeking or considering dismissal from the denomination. Whether that reconciliation takes the form of mutually accepted recommitment to the presbytery-congregational-denominational relationship or dismissal to another Reformed body, Presbytery de Cristo is committed to creating a gracious context and process in which the will of God is sought for the life, ministry and calling of the particular congregation and the presbytery. We pledge to respect and love one another in the Spirit of Christ. We seek to further the peace and unity of the Church as we strive to discern Christ’s will for us. Together, we are the body of Christ; we are God’s Church; we are the instruments of the Holy Spirit. Presbytery de Cristo commits itself and invites all its congregations to pursue this understanding of reconciliation with a graciousness befitting those who claim Jesus as Lord.

In all matters relating to this subject, the following three questions are paramount:

1This policy has in part been developed in response to the urging of the 218th General Assembly (2008) of the Presbyterian Church (U.S.A.) that presbyteries develop a process to assist congregations and the presbytery at those times when a congregation considers leaving the denomination and that such process reflect the principles of consistency, pastoral responsibility, accountability, gracious witness, and openness and transparency.
a. Is God leading this particular congregation to seek dismissal from the Presbyterian Church (U.S.A.) or toward renewed and restored fellowship with the Presbyterian Church (U.S.A.)? And,

b. If God is leading this particular congregation to renewed and restored fellowship with the Presbyterian Church (U.S.A.), how can that be accomplished in a way that honors Jesus Christ and strengthens the congregation, Presbytery de Cristo and the denomination? Or,

c. If God is leading this particular congregation to seek dismissal from the Presbyterian Church (U.S.A.), how can that be accomplished in a way that honors Jesus Christ and provides a gospel witness to the broader unity of the Church of Jesus Christ?

The presbytery asks that any session actively considering dismissal from the denomination covenant with the presbytery to enter into a defined process of mutual discernment through the formation of a discernment team from the presbytery and the concerned congregation (see "Discernment Procedure for Seeking Reconciliation"). Such discernment will require significant commitment of prayer, time and energy by all parties, but a matter of this magnitude deserves such attention. The presbytery and the congregation will benefit from the process whatever the specific outcome may be.

**DISCERNMENT PROCEDURE FOR SEEKING RECONCILIATION**

In gratitude to Jesus Christ, Presbytery de Cristo and its congregations strive to be the people of God in this time and place. When a church seeks dismissal from Presbytery de Cristo and the Presbyterian Church (U.S.A.), a primary task will be to develop a plan that cares for and includes the pastor(s) and all members of the congregation. We are all brothers and sisters in Christ and it is our intent that God's grace might be manifest throughout the following discernment process.

This discernment process may be difficult for the local congregation and the presbytery. Paul said, "Love does no harm to its neighbor" (Romans 13:10b). We believe and trust that Christ's love will shape and soften our rough edges as we share our various understandings of God's truth. In the Church, we are bound to people with whom we do not always agree, but with whom we are united by the love of God revealed in Christ Jesus. Our responsibility is to live out that love with one another. We seek and expect of ourselves to have respectful conversations in the discernment process that will bear witness to our shared faith in Jesus Christ.

A session wishing to initiate this discernment procedure shall put the matter to a vote. If three-quarters of the ruling elders in active service on the session vote to initiate the discernment procedure, the clerk of session shall notify the stated clerk and the moderator of the presbytery's committee on ministry or its successor of that desire. The session and the committee on ministry shall then recruit members for a discernment team.

If presbytery leaders should become aware that a congregation is in serious disagreement with the denomination prior to any such session action described in the previous paragraph, presby-
tery’s committee on ministry shall offer visitation to the session and/or congregation, as may be most appropriate. The purpose of the visitation is to provide an opportunity for conversation between the parties with the goal of maintaining peace, unity and healthy fellowship within the Presbyterian Church (U.S.A.). The session is not obliged to accept the offer of visitation and, if it decides to not accept the offer, the session’s or congregation’s privileges under this policy are neither compromised nor diminished.

The discernment team shall be composed of eight members: four members from the requesting congregation and four members appointed by the moderator of the committee on ministry. The four members from the congregation shall be appointed by the session, with two members being ruling elders in active service on the session and two members from the greater congregation. The team members appointed by the moderator of the committee on ministry shall consist of two teaching elders and two ruling elders, of which two shall be in active service on the committee on ministry and two from the greater presbytery.

The discernment team shall select its own moderator from outside the discernment team itself, but this person may not be a member or teaching elder associated with the concerned congregation nor a current member of the presbytery’s committee on ministry or board of trustees. The moderator is not a voting member of the discernment team. The sole purpose of the moderator is to facilitate conversation within the discernment team and to ensure that each team member has an equal and adequate chance to participate.

The moderator and moderator-elect of presbytery, the stated clerk, and the moderator of the requesting church shall be ex officio members, with voice but without vote, of the discernment team and may attend all meetings as available.

The committee on ministry shall report to presbytery the decision and action to form a discernment team, “the purpose of which is to address the concerns of ‘Congregation X’ that is exploring dismissal from the Presbyterian Church (U.S.A.)” At this point in the process, the report shall not disclose to the presbytery the identity of the congregation seeking discernment.

The discernment team shall covenant to meet together for as much time and as frequently as necessary in order to achieve consensus on a path forward. The discernment process should take no less than four months and may require as long as one year, but, with the concurrence of the committee on ministry, the discernment process may be shortened or lengthened to meet the needs of a current set of circumstances.

The content of initial meetings of the discernment team shall include but not be limited to the subjects outlined below. At the discretion of the discernment team, members of the concerned congregation who are not serving on the discernment team may attend discernment team meetings in order to listen to the content of the discussion. The discernment team may elect to listen to feedback from any observing congregants. Topics and questions for discussion at initial discernment team meetings shall include:

- Extended introductions by each discernment team member, sharing their faith stories and their understandings of the issues at stake in the difficulty between and among the congregation, presbytery and denomination.
- What are the reasons and major issues for the congregation’s expressed desire to separate from the Presbyterian Church (U.S.A.)?
What are the foundational theological issues underlying the request for dismissal?

How much common theological ground exists between and among the congregation, presbytery and denomination?

Are the theological differences confined to certain specific issues or do the differences run deeper to Christological, ecclesiological or other foundational theological issues?

In what ways does the Constitution of the Presbyterian Church (U.S.A.) assist in the discernment process and in the clarification of the reasons and issues surrounding the request for dismissal?

What are the opportunities and avenues for reconciliation between and among the congregation, presbytery and denomination?

In light of the foregoing topics of discussion, is reconciliation a realistic option between and among the congregation, presbytery and denomination?

These initial discussions are predicated on the understanding that, consistent with the polity of the Presbyterian Church (U.S.A.) and decisions of the General Assembly Permanent Judicial Commission, a congregation can be dismissed, with or without property, only to another Reformed body recognized by the Presbyterian Church (U.S.A.) as a member of the World Communion of Reformed Churches. A congregation cannot be dismissed to independent status.

Subsequent to these initial discussions, the discernment team shall make a written report and recommendation to the session and to the presbytery’s committee on ministry regarding reconciliation.

If the discernment team perceives that the congregation and the presbytery are still called by God to serve together in covenant relationship and recommends renewal and restoration of fellowship between and among the congregation, presbytery and denomination, and if confirmed by the committee on ministry, the discernment team shall continue to work together to craft a process to heal the broken relationship (see Appendix A). The committee on ministry shall report this decision to presbytery.

If, however, after completing initial discussions, the discernment team perceives that God is no longer calling the congregation and presbytery to serve together in covenant relationship and recommends dismissal to another Reformed body, and if confirmed by the committee on ministry, the discernment team shall continue to work together to implement the process for seeking dismissal as outlined in Appendix B. The committee on ministry shall at this point in the process report this decision to presbytery, with the report disclosing to the presbytery the identity of the congregation seeking dismissal.

If a congregation or its leadership abandons these processes before completion, the committee on ministry will nominate, for election by the presbytery, a nine-member administrative commission to resolve these matters with the congregation according to G-3.0109b, G-3.0301, G-3.0303 and G-4.02. The presbytery may wish to invest this administrative commission with the authority of original jurisdiction. If a congregation seeking dismissal or that congregation’s leadership preemptively files suit in a civil court against the Presbytery, Presbytery de Cristo will an-
swer the suit.

These policies and procedures shall take effect immediately upon approval by the presbytery.
APPENDIX A

Guidelines for Renewal and Restoration of Fellowship and Recommitment to Presbytery/Congregational/Denominational Relationship

In the hope that God leads those involved to seek a restored and renewed fellowship and a recommitment to the presbytery/congregational/denominational relationship, the following are presented as minimal guidelines for marking and sealing that recommitment:

1. Conduct a public service of worship and recommitment to shared fellowship and ministry, with participation from the presbytery and the congregation. Representatives of the Office of the General Assembly of the Presbyterian Church (U.S.A.) also shall be invited to participate in this service of worship and recommitment.

2. Share stories and testimonies from members of the discernment team and congregation at the congregational and presbytery level (and beyond, if appropriate).

3. In the hope of maintaining the bonds of love, peace and friendship, bless and commission (to the extent possible) any minority that leaves the congregation.
APPENDIX B

Process for Seeking Dismissal to Another Reformed Body

Upon completion of the process described in “Discernment Procedure for Seeking Reconciliation,” a session and congregation desiring to enter into the process of dismissal shall follow this procedure:

1. The session, together with the committee on ministry, shall provide notice of a gathering of the congregation to hear and discuss the session’s proposal that the congregation be dismissed to another denomination, with the name of the proposed receiving denomination explicitly stated. The proposed receiving denomination shall be another Reformed denomination recognized by the Presbyterian Church (U.S.A.) as a member of the World Communion of Reformed Churches. Advance notice for the gathering shall be by written letter to each “active member” (G-1.0402) of the congregation. The letter shall be mailed at least thirty days in advance of the gathering date. Public announcements shall be made at all worship services between the date of the notice and the congregational gathering. Reminders of the forthcoming congregational gathering may also be sent by Internet communication. Representatives of the presbytery (moderator and moderator-elect of presbytery, members of the discernment team, committee on ministry, and board of trustees and the stated clerk) also shall be invited to the gathering, with the right to address the body gathered. To the extent technologically feasible, contemporaneous and simultaneous aural communication shall be provided for individuals not able to be present.

2. The congregational gathering will provide an opportunity for the session to explain and answer questions regarding its proposal, which shall have been distributed to the active members in the notice of the gathering described in Paragraph 1 of this Appendix B. All members present or participating by alternative technology as well as the representatives of the greater presbytery shall have the right to speak. When the discussion is concluded, the gathering shall be closed and no further action shall be taken at that time.

3. Subsequent to the congregational gathering, the session and the committee on ministry shall together poll the active membership of the congregation by way of a mailed opinion survey, with the purpose of determining the opinions of the active members regarding the proposal of the session that the congregation be dismissed to another Reformed denomination. If less than 51 percent of the active members support the session’s proposal, further discussion of dismissal shall cease and the committee on ministry and the congregation shall renew efforts toward reconciliation.

4. If 51 percent or more of the active members support the session’s proposal to seek dismissal to another Reformed denomination, then the presbytery’s committee on ministry shall begin a process of prayerful and considerate negotiation with the session to determine the terms of dismissal. A thorough written record of these negotiations shall be maintained in the files of the presbytery. The parties shall during these negotiations be mindful of the interests of the Presbyterian Church (U.S.A.) as expressed in the property trust clause (G-4.0203):

All property held by or for a congregation, a presbytery, a synod, the General Assembly, or the Presbyterian Church (U.S.A.), whether legal title is lodged in a corporation, a trustee or trustees, or an unincorporated association, and whether the property is used in programs of a congregation or of a higher council or retained for the production of income, is held in trust nevertheless for the use and
In addition, in negotiating the terms of dismissal, the parties shall be instructed by the decision
of the Permanent Judicial Commission of the Presbyterian Church (U.S.A.) in Remedial Case
221-04, Wilbert Tom, David Hawbecker, and Thomas Conrad, Appellants (Complainants) v.
Presbytery of San Francisco, Appellee (Respondent) as well as by subsequent decisions of the
Permanent Judicial Commission of the Presbyterian Church (U.S.A.) and Authoritative Interpre-
tations and other decisions of the General Assembly. The negotiations shall also make specific
provision for the continuing care by Presbytery de Cristo of any minority that does not want to
depart from the Presbyterian Church (U.S.A.), with said provision including monetary and/or
property considerations as may be necessary. Finally, negotiation of the terms of dismissal shall
give consideration to the economic value of the property to the presbytery and the denomina-
tion. The determination of economic value may consider mitigating factors such as, but not lim-
ited to, the financial health of the congregation, existing financial encumbrances on the property,
proportion of active members favoring departure from the Presbyterian Church (U.S.A.), and
any alternative plans by the presbytery for the property.

5. The committee on ministry shall continuously consult with the board of trustees of Presby-
tery de Cristo and the stated clerk regarding the negotiations. The terms of dismissal agreed
upon in this negotiation process, subsequent to approval by the board of trustees of the Presby-
tery de Cristo of any financial, monetary or property elements in the terms of dismissal, shall
then be presented to the congregation for their consideration at a congregational meeting. The
session, together with the committee on ministry, shall call a meeting of the congregation to
hear, discuss and act on the terms of dismissal. Advance notice for the meeting shall be by writ-
ten letter to each active member of the congregation. The letter, which shall state the terms of
dismissal, shall be mailed at least thirty days in advance of the meeting date. Public announc-
ements shall be made at all worship services between the date of the notice and the congrega-
tional meeting. Reminders of the forthcoming congregational meeting may also be sent by In-
ternet communication. Representatives of the presbytery (moderator and moderator-elect of
presbytery, members of the discernment team, committee on ministry, and board of trustees
and the stated clerk) also shall be invited to the meeting, with the right to address the body
gathered. To the extent technologically feasible, contemporaneous and simultaneous aural
communication shall be provided for individuals not able to be present. At the conclusion of dis-
cussion, the active members of the congregation shall vote by paper ballot on the question of
accepting the terms of dismissal. In order to be the effective decision of the congregation, the
terms of dismissal shall be approved by 2/3rds of those voting, but in any case not less than 51
percent of the active membership.

In the event that the congregation’s vote on the terms of dismissal does not attain the required
level of affirmative votes, then two choices remain open to the congregation at this time.

a. It may, through its authorized representatives, continue to negotiate with the
committee on ministry to seek different terms for dismissal, and then offer those
terms (subsequent to approval of the terms by the board of trustees of Presby-
tery de Cristo) to the congregation for another vote (under the same terms and

\[ \text{Total value shall be calculated by averaging two current market appraisals of all land, buildings, fixtures and con-
tents held by the congregation. Two independent appraisers shall conduct the two appraisals, with one appraiser
being selected by the congregation and one appraiser being selected by the presbytery, but both appraisers shall be
selected from a list of pre-qualified appraisers maintained by a major governmental entity such as The University of
Arizona, the City of Tucson or Pima County. The congregation and the presbytery shall share the cost of the apprais-
als equally.} \]
voting requirements as the previous meeting); or

b. It may choose not to pursue dismissal further at this time, in which case it shall, by appropriate congregational meeting and vote, rescind its earlier action requesting dismissal. Should this all take place, the committee on ministry shall continue to work with the congregation with the goal of reducing dissatisfaction and enhancing the relationship between the presbytery, congregation and denomination.

6. In order for the negotiation process (Paragraphs 4 and 5 of this Appendix B) to proceed in an orderly fashion, a congregation seeking dismissal will provide to the presbytery copies of session records (e.g., minutes and registers) and all executed documents concerning the congregation's incorporation and bylaws, real property and other assets, including, but not limited to, current deeds of trust, loan agreements, liens, property and casualty insurance, and statements of tangible and intangible assets. Representatives of the congregation and the presbytery, in particular the presbytery's board of trustees, shall review these documents to determine if Presbytery de Cristo, Synod of the Southwest or any Presbyterian Church (U.S.A.) entity are named therein and/or are exposed to any liability claims which exist or may arise under these documents.

7. If the motion requesting dismissal is approved by the active members of the congregation with at least the requisite majority, the terms of dismissal shall be presented to the presbytery for its approval at either a regular or specially called meeting. The terms of dismissal shall be debated and acted on according to a special rule of order such that no amendment of the terms shall be in order.

8. Prior to finalization of the dismissal process, presbytery's board of trustees shall retain legal counsel to review the settlement agreement, prepare a quit claim by Presbytery de Cristo to the congregation for any real property being released, and prepare an indemnification by the congregation to Presbytery de Cristo against any and all future claims that may arise related to the property. All legal costs associated with this counsel shall equally be borne by the congregation and the presbytery.

9. Whether a congregation that is approved for dismissal may take its name with it is subject to the negotiation process described above in Paragraph 4 of this Appendix B, but in any case the name of the departing congregation shall not include reference to the Presbyterian Church (U.S.A.) or any of the variant forms of the denomination's name.

10. In the event that any congregation is approved for dismissal under the terms of this policy, the presbytery and the congregation shall take all steps possible to provide for the pastoral care and congregational life of those members who do not wish to depart the Presbyterian Church (U.S.A.). Their protection and nurture shall be a matter of paramount concern to both the departing congregation and the presbytery.

11. In the event that any congregation's request for dismissal is approved under the terms of this policy, the presbytery shall, in conjunction with the congregation, hold a final worship service of commissioning, to celebrate our common life in Jesus Christ and to pray for the effectiveness and well being of both the congregation and the presbytery. Those departing the Presbyterian Church (U.S.A.) will be commissioned by the presbytery to further their work for the kingdom as they go forward in ministry. Members of presbytery's committee on ministry and the session shall jointly plan the service, and all congregations of Presbytery de Cristo shall be in-
12. A congregation being dismissed shall be required to pay off all loans outstanding to any entity of the Presbyterian Church (U.S.A.) or to have entered into a schedule of payments or other agreement to satisfy or discharge all such loans, with said schedule or agreement satisfactory to all parties. Matters of loans of the congregation held by non-Presbyterian entities are the responsibility of the congregation, and the presbytery shall be legally relieved of any responsibility related to such loans.

13. A congregation being dismissed shall be required to close out its financial and membership books as of the official date of dismissal, and to file all reports required by the presbytery for statistical record-keeping.

14. A congregation being dismissed shall be required to work with the Presbyterian Board of Pensions to affect a clean break as of the time of dismissal.

15. A congregation being dismissed shall work closely and diligently with the presbytery to assist in the transfer of membership of members who do not desire to remain with the congregation approved for dismissal.

16. There are some practical considerations to be addressed if a congregation is approved for dismissal. These include but are not limited to:

   a. The status of the pastor(s) currently called by the congregation: whether they shall remain with the congregation and transfer their ministerial status to the new denomination, or whether they choose to remain within the Presbyterian Church (U.S.A.), and thus need to look forward to seeking a new call (see Appendix C).

   b. The status of any insurance policies held by the congregation with instrumentalities of the Presbyterian Church (U.S.A.) may need to be changed.

   c. The tax status of a congregation as a 501(c)(3) non-profit tax-exempt organization may need to be re-established under the new denomination to which the congregation is being dismissed.

   d. The corporate status of the congregation may need to be revised.
Appendix C

Status of Teaching Elders Associated with Congregations Being Dismissed

If a congregation is approved for dismissal from the presbytery and the Presbyterian Church (U.S.A.), a teaching elder serving the congregation may choose to continue serving the congregation or seek another call within the Presbyterian Church (U.S.A.). If a teaching elder requests transfer to the Reformed body to which the congregation is requesting dismissal, this transfer will normally be approved unless the teaching elder is the subject of a pending judicial or investigatory action (D-10.0105). If the teaching elder chooses to stay within the Presbyterian Church (U.S.A.), the call to the congregation shall be dissolved at the time of the congregation’s dismissal and the teaching elder shall be enrolled as an at-large member of presbytery, which will allow the teaching elder to continue to seek calls within the Presbyterian Church (U.S.A.). The teaching elder must make this choice at the time of the congregation’s dismissal.