

**Permanent Judicial Commission**  
Report to the 38th General Assembly



*David W. Tyra*  
*Moderator*

**Summary of Work, 2017-2018**

1. Reviewed proposal from Interim Committee on Ministerial Education (ICME) to amend Book of Government section 9-11 relating to Ruling Elders as Commissioned Pastors for “clarity and consistency of language and for compatibility with other provisions of the Constitution of the Evangelical Presbyterian Church.” (See G.21-3D.2(a).)
2. Reviewed Overture 18-B from the Presbytery of the Mid-Atlantic to amend Book of Government section G.18-1 relating to the Sessions of local churches for “clarity and consistency of language and for compatibility with other provisions of the Constitution of the Evangelical Presbyterian Church.” (See G.21-3D.2(a).)
3. Reviewed Overture 18-C from the Presbytery of the Mid-Atlantic to amend Book of Government section G.9-5A.2 relating to the authority and responsibilities of the office of Teaching Elder for “clarity and consistency of language and for compatibility with other provisions of the Constitution of the Evangelical Presbyterian Church.” (See G.21-3D.2(a).)

**Recommendations to the 2018 General Assembly:**

1. **RECOMMENDATION 38-04:**  
The Permanent Judicial Commission finds ICME’s proposed amendments to Book of Government section 9-11 relating to Ruling Elders as Commissioned Pastors are clear and consistent as to language, and are compatible with other provisions of the

Constitution of the Evangelical Presbyterian Church, and therefore, recommends that the 38<sup>th</sup> General Assembly **adopt** the ICME proposal to amend **G.9-11**.

**2. RECOMMENDATION 38-05:**

The Permanent Judicial Commission finds the amendment to Book of Government Book of Government section G.18-1 relating to the Sessions of local churches, as proposed by the Presbytery of the Mid-Atlantic in Overture 18-B, lacks clarity and consistency of language, and is incompatible with other provisions of the Constitution of the Evangelical Presbyterian Church, and therefore, recommends that the 38<sup>th</sup> General Assembly **NOT ADOPT**.

**3. Recommendation 38-07:**

The Permanent Judicial Commission finds the amendment to Book of Government Book of Government section G.9-5A.2 relating to the authority and responsibilities of the office of Teaching Elder, as proposed by the Presbytery of the Mid-Atlantic in Overture 18-C, lacks clarity and consistency of language, and is incompatible with other provisions of the Constitution of the Evangelical Presbyterian Church, and therefore, recommends that the 38<sup>th</sup> General Assembly **NOT ADOPT**.

**Work of the Committee in 2017-2018:**

The Permanent Judicial Commission (PJC) received a proposal from ICME to amend Book of Government section 9-11 relating to Ruling Elders as Commissioned Pastors. Members of the PJC exchanged emails, in which they shared their thoughts regarding ICME's initial proposal. RE Yvonne Chapman volunteered to revise ICME's proposal to address comments raised by members of the PJC regarding the clarity, consistency, and compatibility of its language. Upon the completion of her work, Ms. Chapman circulated her draft, which was considered by the PJC during a video conference call that took place on March 9, 2018. During this video conference call, further revisions to Ms. Chapman's draft were proposed, some of which were adopted by the PJC. Based on these further revisions, the PJC approved ICME's proposal consistent with the PJC's responsibility under G.21-3D.2(a). Following this approval, ICME proposed additional minor changes, which were considered, and approved, during the PJC's video conference call of April 25, 2018.

During this same April 25, 2018 video conference call, the PJC considered Overtures 18-B and 18-C from the Presbytery of the Mid-Atlantic. For the reasons stated below, the PJC found these proposals did not meet the criteria in G.21-3D.2(a).

**Recommendations to the 2018 General Assembly:**

**RECOMMENDATION 38-04:**

The PJC found the final language of ICME's proposal to amend Book of Government section 9-11 to be clear, consistent, and compatible with other provisions of the Constitution of the EPC. On that basis only, the PJC recommends adoption of the proposed amendment by the General Assembly. The PJC takes no position regarding the merits of the proposed constitutional amendment.

**RECOMMENDATION 38-05:**

Overture 18-B from the Presbytery of the Mid-Atlantic seeks to amend Book of Government section G.18-1 regarding local church Sessions. That section currently reads, “The Session is composed of the Pastor and Associate Pastor(s) and all the Ruling Elders on active service.” The proposed amendment would revise the section to read, “The Session is composed of at least the Pastor and at least two Ruling elders on active service, with at least two Ruling Elders for each Associate Pastor(s).” The PJC found this proposed amendment failed to meet the clarity, consistency, and compatibility standards of G.21-3D.2(a). Among other things, the proposed amendment conflicts with the constitutional authority of local churches to determine the number of its officers. (See BOG § G.6-3.) Furthermore, the constitutional 2:1 standard for Ruling Elders to Teaching Elders applies only to the election of Presbytery Commissioners and does not apply to local church Sessions. (See BOG § G.19-2A.4(a).) Accordingly, the PJC recommends that the 38<sup>TH</sup> General Assembly **NOT ADOPT** this overture.

**RECOMMENDATION 38-07:**

Finally, Overture 18-C from the Presbytery of the Mid-Atlantic seeks to amend Book of Government section G.9-5A.2. That section currently reads, “Teaching Elders shall be diligent to serve actively in the courts of which they are members.” The proposed amendment would revise the section to read, “Teaching Elders shall be diligent to serve in the courts of which they are members, *and shall make an annual report to the Presbytery of faithfulness in preaching the Word and the proclamation of the Gospel.*” The PJC finds the language of the proposed amendment to be unclear. The proposed amendment fails to include an express standard for determining what constitutes “faithfulness in preaching the Word and the proclamation of the Gospel.” Furthermore, beyond this somewhat vague and ambiguous phrase, no guidance is provided to Teaching Elders regarding the content of the report contemplated in the proposed amendment. Finally, the amendment conflicts with the authority of the Presbyteries over Teaching Elders (BOG § 19-4.B), the authority of Ministerial Committees to oversee pastoral relations in local churches (BOG § 21-2), and the responsibility of the Pastor and Session to “protect the pulpit in the local church.” (BOW § 2-6.D.) Accordingly, the PJC recommends that the 38<sup>TH</sup> General Assembly **NOT ADOPT** this overture.

**Committee Members:**

RE David W. Tyra (Moderator), Presbytery of the Pacific Southwest

RE Yvonne Chapman, Presbytery of the Central South

TE George Dakin, Presbytery of the Pacific Northwest

TE Neil Ellison, Presbytery of the Mid-Atlantic

RE Don Flater, Presbytery of the Rivers and Lakes

RE Anson Keller, Presbytery of the East

TE Dana Opp, Presbytery of the Alleghenies

RE Ken Roberts, Presbytery of the West

RE Ken Wynne, Presbytery of Gulf South

TE Jeff Jeremiah, *ex officio*

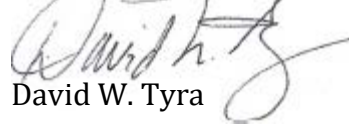
TE Jerry Iamurri, *ex officio*

**Committee Meeting Dates:**

March 9, 2018 (Video Conference)

April 25, 2018 (Video Conference)

Respectfully submitted,



David W. Tyra

Moderator

June 2018