



**EPC**

A Global Movement of Evangelical Presbyterian Churches

COMMITTEE REPORT

## **Permanent Judicial Commission**

Report to the 39<sup>th</sup> General Assembly



*David Tyra  
Moderator*

### **Summary of Work, 2018-2019:**

1. Considered standing issue RE: complaint (GA39-13) from First Korean Presbyterian Church of Virginia against Presbytery of the East arising from the Presbytery's decision to dissolve the church. Recommendation GA39-15 (D 14-2B.)
2. Reviewed Overture GA39-12 from the Presbytery of the East to amend *Book of Government* G.19-2A relating to the composition of voting members of the Presbytery 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 GA39-09 from the Presbytery of the Pacific Northwest to amend *Book of Government* G.11-2C relating to the public examination of a Candidate seeking ordination 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).)
4. Reviewed Overture GA39-10 from the National Leadership Team (NLT) to amend *Book of Government* G.9-5A.1 expressly affirming that the office of "co-pastor" is not a constitutionally recognized calling in a local church 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).)
5. Considered the jurisdictional issue presented by the complaint from the Administrative Commission of the Presbytery of the East against certain Teaching and Ruling Elders of First Korean Presbyterian Church of Virginia. (GA39-14).



**Recommendations to the 2019 General Assembly:**

**1. Recommendation 39-13:**

Ratify the decision of the Permanent Judicial Commission that the complainants in the complaint filed by First Korean Presbyterian Church of Virginia lacked standing to complain about the decision of the Presbytery of the East to dissolve that church pursuant to D14-2B, due to the fact that the complainants failed to file “a prompt written dissent or protest to the decision of [the presbytery] made the basis of the complaint that was submitted.”

**2. Recommendation 39-11:**

The Permanent Judicial Commission finds Overture GA39-12 from the Presbytery of the East to amend *Book of Government* section G.19-2A relating to the composition of voting members of the Presbytery 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 39<sup>th</sup> General Assembly **NOT ADOPT**.

**3. Recommendation 39-09:**

The Pacific Northwest Overtures the 39<sup>th</sup> General Assembly to amend *Book of Government* 1-2C, which addresses the examination of candidates for ordination.

<b>Current G. 11-2C</b>	<b>Proposed G. 11-2C Amendment</b> Additions in <b><i>bold italics</i></b>
The Presbytery shall make public examination of the Candidate as to Christian experience and growth, the motive for seeking ordination, and a statement regarding the person’s call to the Ministry.	The Presbytery shall make public examination of the Candidate as to Christian experience and growth, the motive for seeking ordination <b><i>by a Presbytery of the EPC</i></b> , and a statement regarding the person’s call to the Ministry.

**Whereas** a Candidate for ordination is expected to experience both an “inward call” to the ministry per se as well as an external call to a specific church or agency [BoG 10-1], and



**Whereas** there are many Christian churches and agencies with a wide range of theology and polity who offer such calls, and

**Whereas** some who come seeking ordination in the EPC have been previously ordained in non-reformed bodies or unaffiliated churches, and

**Whereas** even within the bodies of churches and agencies that call themselves Presbyterian and reformed there are significant differences of belief and practice;

**Therefore**, it is necessary that the presbytery, when considering a candidate to come under its care to prepare for ministry in a church or agency of the Evangelical Presbyterian Church, carefully consider the candidate’s motivation to not only be an ordained Teaching Elder, but also to be a part of the EPC.

**The Permanent Judicial Commission** finds Overture GA39-09 from the Presbytery of the Pacific Northwest to amend *Book of Government* section G.11-2C relating to the public examination of a Candidate seeking ordination is clear, consistent, and compatible with other provisions of the Constitution of the Evangelical Presbyterian Church, and therefore, recommends that the 39<sup>th</sup> General Assembly **ADOPT**.

**4. Recommendation 39-10:**

The National Leadership Team recommends that the 39<sup>th</sup> General Assembly **APPROVE** an amendment to *Book of Government* 9-5A.1 making explicit that the office of “co-pastor” is not constitutional.

Current G. 9-5A.1	Proposed G. 9-5A.1 (proposed amendment is in <i>bold italics</i> )
<p>Within the office of Teaching Elder there are a variety of callings that require ordination. God distributes to each gifts according to the common needs of the Church. These include:</p> <p>A. Pastor</p> <p>1. Titles</p> <p>A Teaching Elder may be called by a congregation to be a Pastor or Associate Pastor. Sessions may call a Teaching Elder as Assistant Pastor, Transitional Pastor, or invite a Teaching Elder as</p>	<p>Within the office of Teaching Elder there are a variety of callings that require ordination. God distributes to each gifts according to the common needs of the Church. These include:</p> <p>A. Pastor</p> <p>1. Titles</p> <p>A Teaching Elder may be called by a congregation to be a Pastor or Associate Pastor. Sessions may call a Teaching Elder as Assistant Pastor, Transitional Pastor, or invite a</p>



<p>Stated Supply Pastor, or Occasional Supply Pastor. Presbytery must approve all such positions. These are the only recognized callings for Teaching Elders in a congregational setting.</p>	<p>Teaching Elder as Stated Supply Pastor, or Occasional Supply Pastor. Presbytery must approve all such positions. These are the only recognized callings for Teaching Elders in a congregational setting. <b><i>The office of the “co-pastor” is not a constitutionally recognized calling in a local church. Except as otherwise provided in the Book of Government, the Pastor of the church shall be the Moderator of Session.</i></b></p>
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Rationale:

The Fifth General Assembly (1985) “sustained the Permanent Judicial Commission’s opinion regarding the office of co-pastor as being non-existent. Relationships between Teaching Elders and EPC congregations sanctioned by the *Book of Government* are those of Pastor, Associate Pastor, and Assistant Pastor” (**Minutes, 5-40**). The position of the EPC since this 1985 action has remained unchanged.

The reason for the proposed amendment to the *Book of Government* is that churches that have come to the EPC recently have questioned the constitutionality of the prohibition. It has been argued that its “not explicit in the *Book of Government* that co-pastor is prohibited.” This amendment would explicitly declare in the *Book of Government* the position of the EPC since 1985.

**The Permanent Judicial Commission** finds Overture GA39-10 from the from the National Leadership Team (NLT) to amend *Book of Government* section G.9-5A.1 expressly affirming that the office of “co-pastor” is not a constitutionally recognized calling in a local church is clear, consistent, and compatible with other provisions of the Constitution of the Evangelical Presbyterian Church, and therefore, recommends that the 39<sup>th</sup> General Assembly **ADOPT**.

**5. Recommendation 39-14:**

That the 39<sup>th</sup> General Assembly ratify the decision of the Permanent Judicial Commission to refer the disciplinary charges against officers of First Korean Presbyterian Church of Virginia. The Permanent Judicial Commission holds that it is not the proper court of original jurisdiction as defined at *Book of Discipline* 4-1 and based on the decision of the Permanent Judicial Commission to not assume jurisdiction under *Book of Discipline* 4-3, the disciplinary charges must be remanded to the Presbytery of the East.



**Work of the Commission in 2018-2019:**

The Permanent Judicial Commission (PJC) conducted a conference call on May 15, 2019, to consider the above-referenced matters. Each matter was thoroughly considered and discussed and in each instance the recommendation of the PJC is unanimous.

Following this conference call meeting on May 15, 2019, the Permanent Judicial Commission separately considered the jurisdictional question presented by the complaint by Presbytery of the East's Administrative Commission against certain Teaching and Ruling Elders at First Korean Presbyterian Church of Virginia. By consent provided by emails on May 28 and 29, 2019, the Permanent Judicial Commission determined it was not the proper court of original jurisdiction for the aforesaid complaint and remanded the matter to the Presbytery of East.

**Committee Members:**

- RE David Tyra (Moderator), Presbytery of the Pacific Southwest
- RE Yvonne Chapman, Presbytery of the Central South
- RE Amanda Cowan, Presbytery of Florida and the Caribbean
- TE George Dakin, Presbytery of the Pacific Northwest
- TE Neil Ellison, Presbytery of the Mid-Atlantic
- RE Donald 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
- TE Jeff Jeremiah (ex officio)
- TE Jerry Iamurri (ex officio)

**Committee Meeting Dates:**

- May 15, 2019
- May 28-29, 2019

Respectfully submitted,

David Tyra  
Moderator

June 2019