

The Presbytery of Santa Barbara

Revised Policy for a Process for Reconciliation or Gracious Dismissal of a Congregation from the Presbyterian Church (U.S.A.)

This Revised Policy replaces in full the Gracious Separation Policy previously approved by the Presbytery of Santa Barbara on May 4, 2013.

INTRODUCTION

The 218th General Assembly (2008) of the Presbyterian Church (U.S.A.), hereinafter PC(USA), approved Commissioners' Resolution Item 04-28 which urged (adapted for the 2011-2013 Book of Order): "that presbyteries and synods develop and make available to lower governing bodies and local congregations a process that exercises the responsibility and power 'to divide, dismiss, or dissolve churches in consultation with their members' (Book of Order, G-3.0301a) with consistency, pastoral responsibility, accountability, gracious witness, openness, and transparency. Believing that trying to exercise this responsibility and power through litigation is deadly to the cause of Christ, impacting the local church, other parts of the Body of Christ and ecumenical relationships, and our witness to Christ in the world around us, the General Assembly urges congregations considering leaving the denomination, presbyteries and synods to implement a process using the following principles:

- Consistency: The local authority delegated to presbyteries is guided and shaped by our shared faith, service, and witness to Jesus Christ.
- Pastoral Responsibility: The requirement in G-3.0301a to consult with the members of a church-seeking dismissal highlights the Presbytery's pastoral responsibility, which must not be submerged beneath other responsibilities.
- Accountability: For a governing body, accountability rightly dictates fiduciary and connectional concerns, raising general issues of property (G-4.0201) and specific issues of schism within a congregation (G-4.0207). But, full accountability also requires preeminent concern with 'caring for the flock.'
- Gracious Witness: ... Scripture and the Holy Spirit require a gracious witness from us rather than a harsh legalism.
- Openness and Transparency: Early, open communication and transparency about principles and process of dismissal necessarily serve truth, order, and goodness, and work against seeking civil litigation as a solution."

Since the Presbytery of Santa Barbara (hereinafter known as "the Presbytery") adopted its Gracious Separation Policy in 2013, further guidance regarding the requirements and application of gracious dismissal policies has been provided from several denominational resources and authorities, including the Book of Order Annotated Edition, Office of General Assembly, General Assembly Permanent Judicial Commission (GAPJC) decisions, Synod of Southern California PJC (SPJC) decisions, and a Recommendations from the Synod Commission of Assembly to Presbyteries of the Synod of Southern California and Hawaii Concerning Dismissal

46 Decisions, dated May 10, 2016 (Synod Recommendations). This Revised Policy is undertaken
47 with reference to the most recent authorities and directives.

48
49 From the first request for the Presbytery Response Team (PRT) from Trinity Presbyterian
50 Church (in 2013) to our most recent request from El Montecito Presbyterian Church, the
51 Presbytery has grown in its understanding in how to implement the five principles listed above.
52 This new document will reflect a better way for the Presbytery to work with churches in their
53 discernment process in deciding to leave the PC(USA), which will occur prior to the
54 establishment of a PRT.

55 56 CONSTITUTIONAL REQUIREMENTS AND THE TRUST CLAUSE

57
58 All processes and actions under this Policy shall be undertaken in accordance with the principles
59 of Scripture, Book of Order, Book of Order Annotated Edition, GAPJC and SPJC decisions and
60 most current ecclesiastical and fiscal directives from the PC(USA) and the Synod of Southern
61 California and Hawaii (“Synod”).

62
63 God has called us to be a Body in Christ. We are to be unified in community, loving, forgiving,
64 and seeking reconciliation. We seek to practically live out Paul’s calling to the Philippians
65 church to “do nothing out of selfish ambition or vain conceit but in humility to consider others
66 better than ourselves – looking not only to our own interest but also to the interest of others.”
67 (Phil.2:3-4) The Presbytery of Santa Barbara recognizes that the Presbytery has the fiduciary
68 responsibility under the Trust Clause (G-4.0203) to consider the interest of the PC(USA) as a
69 beneficiary of the property and the interests of the Presbytery even as we prayerfully consider the
70 fiduciary needs and interests of a current congregation seeking dismissal. The Trust Clause in the
71 Book of Order (G-4.0203) states that “all property held by or for a congregation, a presbytery, a
72 synod, the General Assembly, or the Presbyterian Church (U.S.A.), whether legal title is lodged
73 in a corporation, a trustee or trustees, or an unincorporated association and whether the property
74 is used in programs of a congregation or of a higher council or retained for the production of
75 income is held in trust nevertheless for the use and benefit of the Presbyterian Church (U.S.A).”
76 Also, according to the Book of Order (G-4.0201), the Property of the Presbyterian Church
77 (U.S.A), of its councils and entities, and of its congregations, is a tool for the accomplishment of
78 the mission of Jesus Christ in the world.

79
80 The following summary of pertinent authorities and decisions shall be considered when pursuing
81 such conversations and actions. See also the full versions of the referenced authorities.

82 A. When dismissing a particular congregation within its geographic region, the Presbytery must
83 fulfill its fiduciary duty under the trust clause and consider the PC(USA) as a beneficiary of the
84 property and the interests of the Presbytery.

85 B. Each case must be considered on a case-by-case basis. Tom et al v. San Francisco Pby,
86 GAPJC.

87 C. Requirement of case-by-case analysis precludes a policy setting dismissal terms as a set
88 percentage of church assets for dismissal.

- 89 D. A full fiduciary review must be undertaken in all cases. Tom et al v. San Francisco Pby,
90 GAPJC
- 91 E. Payments for per capita or mission obligations are not satisfactory substitutes for valuation of
92 property held in trust. Tom et al v. San Francisco Pby, GAPJC
- 93 F. The interests of the Presbytery to be considered include the possibilities of continuing divine
94 worship or other ministry in the subject real property; the Presbytery must also consider the
95 possibility of transferring the “value” stored in the real property to another or new ministry more
96 responsive to the needs within the geographic area encompassed by the Presbytery; this inquiry
97 must not be perfunctory and should engage other committees within the Presbytery, Locke et al
98 v. Presbytery of San Diego, SPJC.
- 99 G. A self-implemented dismissal policy rooted in a congregational decision is a violation of that
100 exclusive right and responsibility of the Presbytery to dismiss a congregation. NYC Pby v.
101 McGee et al., GAPJC
- 102 H. A presbytery is obligated to determine if one of the factions is entitled to the property
103 because it is the “true church within the PC(USA),” majority notwithstanding. Any negotiation
104 and decision about the disposition of the property must inquire into and consider the interests of
105 the true church, NYC Pby v. McGee et al., GAPJC. The Presbytery cannot do the inquiry
106 required in a perfunctory manner. Locke et al v. Presbytery of San Diego, SPJC
- 107 I. It is important for the Presbytery to prayerfully discern and consider the mission of the church
108 in its district and of the whole church as it decides whether to dismiss or dissolve a congregation
109 (G-3.0301; G-3.0303a).
- 110 J. The full Presbytery, meeting in plenary, has exclusive right to determine the final terms of
111 dismissal/dissolution (G-3.0301a). Amendments to a proposed motion to dismiss under agreed
112 terms cannot be prohibited. Locke et al v. Presbytery of San Diego, SPJC

113

114

115

INTRODUCTION TO THE PROCESS

116 The Presbytery of Santa Barbara seeks to facilitate worship, mission, and other shared ministries
117 by engaging all of the churches in our bounds to be united in carrying out our vision and mission.
118 As we have experienced the dismissal process the past four years, we have recognized that our
119 current structure and organization has not facilitated strength in our unity, vision and missions.
120 This new process will create a better structure for seeking unity and health prior to pursuing a
121 formal dismissal process with individual churches. Our hope is this process will create a stronger
122 Presbytery. For the sake of our witness to Christ in the world, we hope to help churches stay in
123 the PC(USA). However, in some cases, a congregation, through a process of discernment, may
124 determine to seek dismissal from the PC(USA) to another Reformed body. This new process
125 creates a gracious way for churches to leave as partners in ministry.

126

127 The Presbytery and congregations will be continually guided by these principles:

128

129 The Mission of God as expressed in the Great Ends of the Church is greater than the
130 PC(USA);

131

132 Affirm that should the Presbytery dismiss a congregation to another Reformed body, the unity
133 of the one Church of Jesus Christ has not been diminished. (F-1.0302 and F-1.0304)

134

135 The exercise of “mutual forbearance” is of utmost importance in our process. Therefore, all
136 will treat each other with respect regardless of theological and ecclesiological differences. We
137 will pray and work for fairness to all parties in our decisions.

138

139 In matters of controversy, a larger part of the Church,(or a representation of it) shall govern a
140 smaller. Our system of councils in regular gradation reflects this understanding (F-3.0203).

141

142 THE PROCESS

143

144 The example of the apostles and of the early Church is authoritative in dealing with such matters.
145 The Council at Jerusalem engaged in a process of discernment as it exercised leadership and
146 oversight over the missionary activities of Paul and Barnabas. The role of testimony, prayer,
147 discussion, deliberation, and collective discernment of the will of God were, and are, important.
148 The process by which a congregation comes to discern whether it is being called by God to seek
149 dismissal and realignment shall respect dissent and should safeguard and provide sufficient time
150 and opportunities so that the will of God can be discerned by the whole congregation. A rush to
151 judgment is not consistent with Biblical principles or Reformed polity.

152

153 In accordance with G-4.0207, the Presbytery has the right and responsibility to assess the
154 situation in cases of conflict in a congregation.

155

156 In the Presbyterian tradition, an inter-connected relationship is assumed between the Presbytery
157 and its congregations. Therefore, no congregation will be dismissed to another Reformed body
158 unless and until, at a minimum, the following process is followed. A congregation can be
159 dismissed with property only to another Reformed body recognized by the PC(USA) and the
160 Presbytery of Santa Barbara; it cannot be dismissed to “independency.”

161

162 Throughout the process, a team from the Presbytery will companion members of the church
163 considering dismissal. The purpose is to be a friend along the way and listen to the heart of the
164 church, to listen and help the congregation discern God’s will for the congregation.

165

166

167

168 DISCERNMENT PHASE

169

169 When the Presbytery becomes aware that a congregation may be considering withdrawal from
170 the PC(USA), this information should be brought immediately to the attention of the Stated
171 Clerk who will refer the matter to the Presbytery Council. The initial response of the Presbytery

172 shall be pastoral and relational, seeking to listen to the concerns of the congregation and to
173 engage in dialogue regarding those concerns as sisters and brothers in Christ.

174

175 After hearing from the Stated Clerk, the Presbytery Council shall form a Presbytery Discernment
176 Team (PDT) to meet with the Session and individually with the pastors to listen and understand
177 the following:

- 178 1) Overall spiritual health of the organization and leadership of the church, and
- 179 2) History of the church's relationship with the Presbytery. Accordingly, the Presbytery needs to
180 inquire and make an informed judgment as to the possibilities of reconciliation.

181

182 Some of the ways to help determine this are:

- 183 1) what or who is preventing reconciliation; approximately how many people are
184 determined to leave and how many wish to remain in the PC(USA);
- 185 2) does the congregation understand what it is being asked to consider and have the
186 implications of leaving the PC(USA) been fully and fairly explained;
- 187 3) and has the process been open and fair to all concerned?

188

189 This assessment shall be made via open forums and discussion. It is important that the process
190 of discernment be conducted in a way that seeks the truth and is fair to all parties. Requests
191 made by the congregation will not be considered valid unless the Presbytery has first met with
192 and received the cooperation of the session and any installed teaching elders and determined that
193 the principles and procedures herein outlined will be fairly implemented.

194 The Presbytery Council will appoint a PDT consisting of 3 to 5 members, including but not
195 limited to a member of Committee on Ministry, a member of Presbytery Council and possibility
196 a member-at-large, a member of the specific region, and/or a teaching elder.

197

198 After meeting with the Session and pastoral leadership, the PDT will give an assessment to the
199 Session of what they have heard in the process. This assessment will not determine the viability
200 of leaving, rather it will express the PDT's understanding of the current state of health of the
201 church and leadership as well as the church's history to the Presbytery.

202

203 This anticipated initial process shall take eight(8) to twelve (12) weeks, but no longer than three
204 (3) months. The PDT will then make a recommendation to the Presbytery Council as to how to
205 proceed.

206

207 As noted under "Other Provisions" below, failure to follow this process may result in the
208 appointment of an Administrative Commission and assumption of original jurisdiction in
209 accordance with G-3.0109b.

210

211 DISMISSAL PHASE

212

213 The Session and the Presbytery Response Team

214

215 If after the discernment process, the Session, with its pastors/moderator vote by a minimum of
216 2/3 (two-thirds) vote to move into a dismissal process, the Session will notify the Presbytery so

217 it may form a Presbytery Response Team (PRT) in order to engage the congregation in
218 discussions about potential resolution or dismissal. Once action has been initiated to form a PRT,
219 the Session shall provide the PRT with the membership roll. All deletions and additions of
220 active members of the congregation shall be open to review by the PRT to determine the
221 appropriateness of these changes.

222

223 The PRT will consist of a Chairperson appointed by the Presbytery Council in consultation with
224 the Committee on Ministry skilled in conflict resolution; and at least two others chosen by the
225 Council, including at least one ruling elder and one teaching elder. The PRT may include some
226 people from the PDT; however, the PRT should not include any members from the congregation
227 seeking dismissal. When the PRT meets with the Session, the PRT Chairperson will moderate
228 such meetings. On occasion, the PRT Chairperson may ask the pastor(s)/session moderator to
229 excuse him or herself from a particular meeting.

230

231 The PRT will promptly report the results of the initial meeting with the Session and its
232 recommendations to the Presbytery Council.

233

234 Financial Review

235

236 Immediately upon its formation, the PRT shall begin working with the Session to review the
237 property and financial records of the congregation. The PRT may provide a checklist of required
238 documents and information to the Session; any such check list shall not replace or modify the
239 requirements of this Policy.

240 A. The Session will provide to the PRT copies of all executed documents concerning the
241 congregation's incorporation and by-laws, real property and other assets including, but not
242 limited to, current deeds of trust, loan agreements (both past and present), liens, property and
243 casualty insurance, and statements of tangible and intangible assets. Representatives of the
244 Session and the PRT will review these documents to determine whether the Presbytery, the
245 Synod or any Presbyterian Church (U.S.A.) body is named therein and/or is exposed to any
246 liability claims which exist or may arise under these documents.

247 B. The PRT shall obtain a preliminary title report for all real property owned or used by the
248 church. If the Synod (including under its original corporate name "Presbytery of Los Angeles")
249 is in the title or is involved in any fashion in the language of any recorded reversionary deed (or
250 similar document), the Synod must be contacted immediately, in order to be adequately involved
251 in the process. In such a circumstance, no dismissal decision can be finalized without Synod
252 approval.

253 C. The PRT shall obtain from a title company a chain of title (along with copies of all recorded
254 documents effecting title transfers) back to the point before each portion of the real property was
255 first owned by an entity of the Presbyterian Church (U.S.A.) (including its predecessor
256 denomination(s)). It is critical that the involvement of any council of the connectional church in
257 acquisition of the real property and growth of the church be acknowledged.

258 D. The PRT shall review past support provided by the Presbytery, including but not limited to,
259 purchase of land, payment of staff salaries, support of mission programs via operating budget,
260 grants or other means, as well as financing and/or contributions to existing buildings.

- 261 E. The PRT shall review past support from the church for per capita, mission giving and any
262 other support given to the Presbytery, the Synod or General Assembly.
- 263 F. The PRT shall obtain a Fair Market Value (Current Use and Best Use) appraisal by a licensed
264 appraiser in order to have an understanding of the value of the property held in trust. (The county
265 property tax assessed value is not sufficient as an appraisal, nor is the insured value of any
266 improvements.)
- 267 G. The PRT shall obtain at least three years of full financial statements, along with the most
268 recent audit or financial review.
- 269
- 270 H. The PRT shall evaluate in detail any financial assets (in addition to the real property), all of
271 which must be considered during negotiations.
- 272 I. Any indebtedness owed to or guaranteed by the Presbytery, the Synod, or the Presbyterian
273 Church (U.S.A.) or to refinance such indebtedness through an independent creditor without
274 support from Presbytery, Synod, or Presbyterian Church (U.S.A.) must be paid in full prior to
275 finalization of the dismissal process.
- 276 J. Appropriate action must also be taken to amend any organizational documents, as necessary,
277 and to ensure that adequate insurance coverage of all property and activities of the church is
278 maintained until dismissal/dissolution is completed.
- 279 K. The PRT shall separately identify and evaluate any accounts being held by the Presbyterian
280 Foundation. Based upon the restrictions of each gift, the interest entitlement will be redirected to
281 an appropriate PC(U.S.A.)-related entity
- 282 L. If the congregation has established a foundation or received grants or endowment(s), related
283 documentation must be examined to identify any terms or restrictions affected by the proposed
284 dismissal/dissolution or involving the Presbytery, the synod or the Presbyterian Church (U.S.A.).
285 Corrective action must be taken as appropriate.
- 286
- 287 M. Expenses incurred in taking the above stated actions will be paid by the congregation
288 requesting dismissal/dissolution.
- 289 N. The PRT shall determine the amount of delinquent and future per capita and mission giving.
290 As part of its fiduciary duty to PC(U.S.A.), a presbytery must share any amounts of per capita
291 and mission giving (both past and future) paid by a church being dismissed proportionately with
292 the Synod and G.A.
- 293
- 294 O. The PRT shall separately evaluate the value of all of the congregation's property (real
295 property and other assets). A set formula in a GDP is not appropriate. While no particular result
296 is required (what is required is an "evaluation"), a token evaluation (e.g. setting a nominal value
297 for the property) is not constitutionally adequate.
- 298
- 299 P. The PRT shall prepare a dismissal report that expressly acknowledges (as part of the
300 Presbytery's fiduciary duty) consideration of the value of the contributions (not just financial, but
301 any other benefits of having been part of the connectional organization) of the denomination
302 (including financial contributions from all levels) to the individual church and its property.
303 While a presbytery may elect to not require recoupment of any or all such financial contributions

304 made by the denomination (particularly if made many decades before), at a minimum,
305 recognition of those contributions is essential.

306
307 The PRT may then work with the Session to convene a congregational gathering for the purpose
308 of hearing from the members and discerning how many members desire that the congregation be
309 dismissed to another Reformed body with which the Presbytery deems itself to be in fellowship.

310

311

312 The Initial Gathering of the Congregation

313

314 The PRT expects that at least 2/3(two-thirds) of the active membership will participate in this
315 initial gathering meeting which will be moderated by a teaching or ruling elder appointed for this
316 purpose by the Presbytery Council. The members of the PRT will attend this gathering and will
317 be allowed sufficient time to speak on behalf of the PC(USA). During this gathering the PRT
318 will ensure that the members of the congregation have been informed regarding the polity and
319 practice of the Reformed body to which they may be going, including any practical implications
320 this might mean for the congregation.

321

322 If the PRT determines that a significant proportion (at least $\frac{3}{4}$ (three-fourths)75%) of the
323 attending members wish to be dismissed, a second gathering will be convened. After the initial
324 congregational gathering, at least three months will pass before this second gathering. This
325 allows the PRT to carry out the following functions:

326

327 1. Negotiate the terms of dismissal with the Session in accordance with the provisions of
328 this Policy and the most current requirements of the Presbytery, Synod, and General
329 Assembly. These agreed upon terms will be voted on at the second congregational
330 gathering as an integral part of any request for dismissal.

331

332 2. Meet with the members of the congregation who wish to remain within the PC(USA) to
333 listen and work together to best strategize how to either maintain an existing mission
334 presence, incorporate members into nearby Presbyterian congregations, or create a new
335 entity and/or other appropriate measures.

336

337 3. Meet with Teaching Elders currently called or employed by the congregation to
338 determine whether they shall remain with the congregation and transfer their ministerial
339 status to the new denomination, whether they shall remain within the PC(USA) and need to
340 request permission from the Committee on Ministry to serve in another Reformed body, or
341 whether they shall remain in the PC(USA) and have been enrolled as a member at large of
342 the Presbytery. Teaching Elders shall be encouraged to review the Board of Pension
343 policies. Reasonable steps shall be taken to provide support and care to those Teaching
344 Elders wishing to stay in the PC(USA) and not desiring to serve in a congregation of the
345 other Reformed body.

346

347 4. Meet with any members of the congregation who are preparing for ministry and are
348 under the care of Presbytery. Each member under care together with his/her liaison from
349 the Committee on Preparation for Ministry shall be advised immediately of the

350 congregation's possible dismissal. The member under care will be given the option of
351 being dismissed with the congregation or transferring their membership to another
352 congregation within the PC(USA). If transfer to another congregation within the PC(USA)
353 is requested, Presbytery and the CPM liaison will assist the member in seeking a waiver of
354 the usual six-month requirement for church membership in order to maintain care status.

355

356 The Second Gathering of the Congregation

357

358 After the PRT has completed these functions, a second gathering will be convened. Written
359 notice shall be given by mail to all members at least 30 days prior to the time of the gathering, as
360 well as announced from the pulpit of the church at regular church services on four successive
361 Sundays immediately prior to the meeting. The gathering shall take place after 3:00 p.m. in the
362 church sanctuary to give the members of the PRT and those traveling from other places sufficient
363 time to attend. A concerted effort should be made to maximize the participation of the
364 congregation in this gathering. There shall be at least $\frac{3}{4}$ (three-fourths,) of the current active
365 membership in attendance. An affirmative vote of at least $\frac{3}{4}$ (three-fourths) of those in
366 attendance is required in order to further the dismissal process. The Session must provide to the
367 Presbytery a list of members not wanting to leave the PC(USA) within 60 days of any vote by
368 the Presbytery to dismiss the congregation.

369

370 The PRT shall conduct the gathering, which is technically a meeting of the PRT, not a
371 congregational meeting (since the Book of Order does not include seeking dismissal as a purpose
372 for which a congregational meeting may be called). The PRT members shall again be allowed
373 sufficient time to speak on behalf of the PC(USA). A member of the Committee on Ministry, the
374 Executive Presbyter, or the Stated Clerk of Presbytery, or a member of the Presbytery Council
375 will moderate this meeting in order to allow the members of the PRT to fulfill their advocacy
376 role.

377

378 The Session will outline in detail the terms of the proposed dismissal including the financial
379 terms. A written copy of these terms shall be provided to all attendees at the meeting.

380

381 The privilege of the floor is limited to persons who are appointed by the Presbytery, active
382 members in good standing of the particular congregation and Teaching Elders currently called
383 and or employed by the congregation. Others will not be heard or allowed to cast a ballot
384 regarding the request for dismissal. After a full and fair discussion, in which each person with
385 the privilege of the floor present who wishes to speak (for up to five minutes) has had an
386 opportunity to do so, a secret ballot of the congregation members will be taken on the categorical
387 question: "Shall the membership of the _____ Presbyterian Church (U.S.A.) request
388 dismissal as a body by the Presbytery of Santa Barbara to _____, another Reformed
389 body in accordance with the terms, including the financial terms as negotiated by the Presbytery
390 and Session?" This motion may not be separated.

391

392 Two elders from the congregation and two representatives of the Presbytery shall count the
393 ballots. Only ballots clearly legible shall be counted. In case of ambiguity, the ballot will be
394 counted as "No." Abstentions count as "No" votes. The ballots shall be counted twice and the

395 results shall be announced at the meeting, and the results shall be communicated in writing by
396 the PRT to the stated clerk of the Presbytery.

397
398 Within ten days of the second gathering of the PRT with the congregation, any person of the
399 unsuccessful side may contest the regularity of the call for, or the conduct of, or the manner of
400 the request made at the meeting by a written notice to the Presbytery. The Presbytery Council
401 shall review the questions at issue and, if the contest is sustained, it shall direct the calling of a
402 new meeting of the PRT with the congregation. The congregation shall continue to be a member
403 church of the PC(USA) until such time as the required meeting takes place and the Presbytery
404 votes on any request for dismissal. Once the manner of the request is determined to be fair and
405 regular, the decision of the Presbytery Council shall be affirmed and, ordinarily, no further action
406 should be taken to reconsider the matter for at least 24 months.

407 408 REPORT OF THE PRT

409
410 The Presbytery Response Team shall submit a written report to the Presbytery, to include the
411 following:

412 A. The results of its full fiduciary review including describing the efforts made to engage wider
413 Presbytery committees in this assessment.

414 B. What recommendations the PRT brings regarding the request for dismissal/dissolution, based
415 on the guidelines noted above.

416 C. What recommendations the PRT brings regarding (1) any financial transactions to occur
417 between the congregation, the Presbytery, the synod and/or all General Assembly entities, (2)
418 what provisions have been made and will be made for those members who wish to remain within
419 the Presbyterian Church (U.S.A.), and (3) what provision will be made for any Teaching Elders,
420 Christian Educators, inquirers, candidates, or Commissioned Ruling Elders associated with the
421 congregation who request to remain within the Presbyterian Church (U.S.A.).

422
423 D. An assessment from the PRT regarding how the congregation's dismissal/dissolution may
424 affect the larger mission and ministry of the Presbytery including describing the efforts made to
425 engage wider Presbytery committees in this assessment.

426 E. The report shall acknowledge the involvement of any council of the connectional church in
427 acquisition of the real property and growth of the church.

428
429 F. If the PRT and the Session of the Church seeking dismissal/dissolution have been unable to
430 reach negotiated terms for dismissal/dissolution, the PRT may recommend to Presbytery
431 approval for the Administrative Commission to assume original jurisdiction of the Session in
432 order to seek resolution of the situation. (G-3.0303)

433 434 THE MEETING OF THE PRESBYTERY

435
436 The Presbytery shall act in response to the congregation's action. Following notice of any
437 request for dismissal, the Moderator will follow the normal procedures for calling a meeting of
438 Presbytery, provided that there is not already a scheduled stated meeting of Presbytery within 90
439 days of the congregational request for dismissal.

440

441 The PRT shall report the results of its meeting with the congregation, and the Presbytery shall
442 determine whether the process for requesting dismissal was fair and represents the will of the
443 congregation. If so, the congregation shall be dismissed to another Reformed denomination,
444 subject to any agreements that may be reached regarding the fair treatment of those members
445 who do not wish to leave the denomination.

446

447 The Presbytery affirms its fiduciary responsibility to review the terms negotiated by PRT and the
448 congregation requesting dismiss/dissolution and reserves the right to modify said terms as it
449 deems necessary.

450

451

OTHER PROVISIONS

452

453 A. If a congregation or its leadership preemptively files suit in a civil court against the
454 Presbytery, the Presbytery of Santa Barbara may answer the suit. The Presbytery may seek to
455 preserve its assets and assert its rights.

456

457 B. If the staff or session of a congregation has initiated specific, concrete action to withdraw
458 from this Presbytery or the PC(USA), without prior consultation with the Presbytery and the
459 initiation of the above-described process, the Presbytery may initiate an administrative
460 commission. Such actions could include, but are not limited to, calling a meeting of members of
461 the congregation to discuss the church's withdrawal from the denomination or the session voting
462 to move toward membership in another denomination. The Presbytery, at its next stated or called
463 meeting, whichever occurs first, may appoint an administrative commission to address the
464 situation at that church and attempt to modify the church's activities to follow the processes
465 described above. The administrative commission may be granted any authority permitted in the
466 Book of Order.

467

468 C. If, as of the effective date of this Revised Policy, any congregation has previously begun and
469 not completed dismissal from the Presbytery under the previous Gracious Separation Policy
470 dated May 4, 2013, the Presbytery may determine by vote of the Presbytery at a Stated or Special
471 meeting that certain phases or portions of phases of this Revised Policy are not necessary and/or
472 have been fulfilled.

473

474 **Approved by the Presbytery of Santa Barbara: May 20, 2017**

475