

MINUTES OF THE GENERAL ASSEMBLY

The vote on SJC 2007-11 was:

TE Dominic A. Aquila, Concur  
TE Howell A. Burkhalter, Concur  
RE E. C. Burnett, Concur  
TE David F. Coffin Jr., Concur  
RE Marvin C. Culbertson, Concur  
RE J. Howard Donahoe, Concur  
RE Samuel J. Duncan, Concur  
TE Paul B. Fowler, Absent  
TE Grover E. Gunn III, Concur  
TE William W. Harrell Jr., Concur  
RE Terry L. Jones, Concur  
RE Thomas F. Leopard, Absent

TE William R. Lyle, Concur  
TE John M. McArthur, Jr., Concur  
RE J. Grant McCabe, Concur  
TE Charles E. McGowan, Concur  
TE D. Steven Meyerhoff, Concur  
RE Frederick Neikirk, Concur  
RE Steven T. O'Ban, Concur  
RE Calvin Poole, Concur  
TE G. Dewey Roberts, Disqualified  
RE Olin L. Stubbs, Concur  
RE John B. White, Jr., Concur

20 Concur, 1 Disqualified, 2 absent

**COMPLAINT OF TE DAVID KNISELEY, ET. AL.  
VS.  
ROCKY MOUNTAIN PRESBYTERY  
SJC 2007-13**

**I. SUMMARY OF THE FACTS:**

1. January 25-26, 2007 stated meeting - Rocky Mountain Presbytery received an overture from TE David Kniseley regarding the propriety of using the title "minister" for a woman church staff member in one of RMP's mission churches. The specific title was "Minister of Church Life" (ROC 13). The overture argued that "such usage is not only contrary to our *Book of Church Order* but potentially disruptive to the peace of the Rocky Mountain Presbytery and the PCA."
2. April 1, 2007 - The Session of Village Seven Presbyterian Church overtured Rocky Mountain Presbytery asking that it overture General Assembly that "the *PCA Book of Church Order* be amended by adding the following sentence to 1-4. "In the *PCA Book of Church Order* it is to be understood that the term **minister** is to be interpreted to mean **teaching elder**."
3. April 27, 2007 stated meeting - Presbytery is presented with three papers dealing with the above overtures, two arguing in favor of the use of the term "minister" for non-ordained church staff, and one arguing against. These papers were not adopted by Presbytery, nor

- were they “formally entered into the minutes.” They were made available to presbyters and were included in the record of the case.
4. April 27, 2007 stated meeting - It was moved and seconded “That the Presbytery acknowledge that the title “minister” as used in the *BCO* is synonymous with “pastor” and “teaching elder,” and as such none of these titles may be used to refer to any but ordained teaching elders.” The following substitute was offered. “That the Presbytery acknowledge that the title “minister” as used in the *BCO* is synonymous with “pastor” and “teaching elder,” however, that it also acknowledge that the title “minister” has been used in a general or generic manner and in this general way can be used for unordained church staff members.” The substitute was made the main motion by a vote of 32-27. The new main motion was adopted by a vote of 28-27.
  5. April 27, 2007 stated meeting - Presbytery voted to answer the overtures from TE Kniseley and the Session of Village Seven Presbyterian Church “with reference to the [substitute] motion adopted by the presbytery.”
  6. May 16, 2007 - TE Kniseley complains against the action of Presbytery in adopting the substitute motion, “[a]nd in so taking this action, for failing to forbid City Presbyterian Church (mission) from using the title “minister” for an unordained staff member, and in this connection with denying my overture [of January 2007].”
  7. September 27, 2007 stated meeting - A motion is made to refer the complaint to the Standing Judicial Commission. A substitute motion asks that the complaint be answered at this meeting of Presbytery. The substitute is adopted.
  8. September 27, 2007 stated meeting - A motion is made to sustain the complaint. A substitute motion is made to deny the complaint. The substitute becomes the main motion by a vote of 28-26-1. The main motion to deny the complaint carried by a vote of 28-27. No rationale is given for denying the complaint.
  9. October 5, 2007 - TE Kniseley, et al, complain to General Assembly alleging that Rocky Mountain Presbytery erred on September 27, 2007 in denying TE Kniseley’s complaint.

## II. STATEMENT OF THE ISSUES

1. Did Rocky Mountain Presbytery err when it “acknowledge[d] that the title ‘minister’ as used in the *BCO* is synonymous with ‘pastor’ and ‘teaching elder,’”
2. Did Rocky Mountain Presbytery err, that it also 'acknowledge[d] that the title ‘minister’ has been used in a general or generic manner and

in this general way may be used for unordained church staff members.”

### III. JUDGMENT

1. No. The *BCO* uses the title “minister” in a specifically defined manner
2. No. The PCA *BCO* is silent on the general use of the title “minister” for non-ordained staff.

### IV. REASONING AND OPINION

The title “minister” as used in the *BCO* defines and directs the internal operation of the church and is used synonymously with the titles “teaching elder” and “pastor.”

While recognizing that the term “minister” is used in a general sense in many churches, the issue in this case is whether churches are at liberty, in some situations, to use terms in a broader, more informal and non-technical sense which the *BCO* uses in a restricted, formal, and technical sense. The PCA Constitution does not address the fact of the past general or generic use of the title “minister,” but manifestly it has been so used, e.g., *PCA Digest*, 1989, p. 156, 17-82, III, 17. That the advice of the Committee on Judicial Business regarding Constitutional Inquiry #1 be ratified.

Constitutional Inquiry #1: From the Tennessee Valley Presbytery concerning the implementation of *BCO* amendments regarding Assistant Pastors.

The Presbytery's questions were:

“In light of the ratification of item #18 (amendments to *BCO* 22-3 and 22-4). . . .

2. Does this procedure apply to every full-time minister called by the session of a PCA church or does it only apply to those with the title of “Assistant Pastor”? For example, does this apply to one called as a “Pastor of Music,” “Minister of Discipleship,” or “Pastor to Young Adults” if they are called by a Session and work full-time as under their authority?

**ANSWER:** The term “assistant pastor” is used in the *BCO* to refer to those teaching elders who have been called to the ministry of the Word and sacraments by a Session, with the permission and approval of Presbytery, under the provision of *BCO* 20, 21, and 13-2, without

being elected by the congregation (22-3). With regard to the Presbytery's questions. . . .

2. No. Only those assistant pastors as defined above need to comply with the provisions of *BCO* 22-3 and 4. . . . *Adopted*

While recognizing that the *BCO* does not *prescribe* matters involving non-ordained staff hired by local churches (including their titles), it is also important to note that the *BCO* does, at least in some instances, *proscribe* such matters. That is the point of *BCO* 40-2(3) where higher courts are charged to examine “Whether [the actions of a lower court] have been wise, equitable and suited to promote the welfare of the Church.” Any title given to a non-ordained staff member that would lead a competent observer to conclude that the person had the same authority as one who is ordained and/or to conclude that the word “minister” in the staff member’s title was being used with reference to the use of that term in the *BCO* would not be “wise, equitable and suited to promote the welfare of the Church.” The use of the term “minister” (or other such terms from the *BCO* that could be used in a generic sense outside their specific use in the Constitution) for non-ordained church staff members would be proper only where the generic use is made plain to the competent observer by other terms included in the title (e.g., “Minister of Music”), by employing a distinctive means of appointing and commissioning such staff members, and by the way such staff members are publicly acknowledged in relation to the ordained officers of the church.

This decision deals only with the constitutional issue and does not address the *wisdom* or *propriety* of using the title “minister” in a general manner. Our decision is limited to a decision which is based upon the record of the case and the constitutional documents of the PCA. We are not at liberty to decide cases based upon what activities or theological assertions might or might not cause confusion. (For example, our position on predestination is confusing to many, but we certainly would not retreat from our position as a result.) If the PCA *BCO* is silent, then the lower court may use its discretion and wisdom subject to *BCO* 40-2(3).

Based on the foregoing the Complaint is denied.

This decision was written by the full Standing Judicial Commission.

The Roll Call vote on 2007-13 was:

TE Dominic A. Aquila, Disqualified

TE Howell A. Burkhalter, Concur

RE E.C. Burnett, Dissent

TE William E. Lyle, Concur

TE John M. McArthur, Jr., Concur

RE J. Grant McCabe, Concur

MINUTES OF THE GENERAL ASSEMBLY

TE David Coffin, Concur  
RE M. C. Culbertson, Abstain  
RE J. Howard Donahoe, Dissent  
RE Samuel J. Duncan, Concur  
TE Paul B. Fowler, Absent  
TE Grover Gunn, Concur  
TE William W. Harrell Jr., Concur  
RE Terry Jones, Concur  
Re Thomas F. Leopard, Absent

TE Charles E. McGowan, Concur  
TE D. Steven Meyerhoff, Concur  
RE Frederick Neikirk, Concur  
RE Steven T. O'Ban, Concur  
RE Calvin Poole, Concur  
TE G. Dewey Roberts, Dissent  
RE Olin L. Stubbs, Dissent  
RE John B. White, Jr., Concur

15 Concur, 4 Dissent, 1 Disqualified, 1 Abstain, 2 Absent

**CONCURRING OPINION  
COMPLAINT OF TE DAVID KNISELEY, ET AL  
VS.  
ROCKY MOUNTAIN PRESBYTERY  
SJC 2007-13**

I concur in the result reached by the majority and believe that the following reasoning further clarifies the decision.

The fourth vow that members of the Standing Judicial Commission take is “I will judge according to the Constitution of the Presbyterian Church in America, through my best efforts applied to nothing other than the record of the case and other documents properly before me.”

*BCO 39-3* states:

To insure that this Constitution is not amended, violated or disregarded in judicial process, any review of the judicial proceedings of a lower court by a higher court shall be guided by the following principles:

1. A higher court, reviewing a lower court, should limit itself to the issues raised by the parties to the case in the original (lower) court. Further, the higher court should resolve such issues by applying the Constitution of the church, as previously established through the constitutional process.

It is within the framework of this vow and principle that the Standing Judicial Commission decided this case. In making our decisions, we are limited by

what the Constitution states and what it does not state, not on our wishes or desires. This decision should not be construed or interpreted in any way as a weakening of or deviation from *BCO* 7-2, which states “[i]n accord with Scripture, these offices [elder and deacon] are open to men only.”

/s/ Samuel J. Duncan.

**DISSENTING OPINION  
COMPLAINT OF TE KNISELEY  
VS.  
ROCKY MOUNTAIN PRESBYTERY  
SJC 2007-13**

This case involved the propriety of publicly giving the title “Minister” to a non-ordained female staff person in one of Presbytery’s mission churches. Her specific title was “Minister of Church Life.” We respectfully disagree with the SJC’s Judgment on Issue 2. We believe Presbytery erred when it ruled the title “Minister” can properly be given to a non-ordained church staff member.

Presbytery clearly acknowledged that the title “minister” as used in the *BCO* is synonymous with “pastor” and “teaching elder.” The SJC agreed in Judgment 1. However, in Judgment 2 the SJC ruled:

The *BCO* is silent on the general use of the title “minister” for non-ordained staff.

And the SJC concluded their Reasoning and Opinion by declaring:

If the PCA *BCO* is silent, then the lower court may use its discretion and wisdom subject to *BCO* 40-2(3). [...wise, equitable, and suited to promote the welfare of the church – “WESP”]

We concur that when the *BCO* is silent, there is usually liberty – and the *BCO* is silent about many things. It does not specify how many elders a church should have, whether it should have a Sunday evening service, the age at which elders should interview children for the Lord’s Supper, how often that Supper should be celebrated, the length of training for prospective church officers, how Presbytery committees should be organized, etc. But the *BCO* is not silent on the definition or use of the title “minister.” In fact, the noun “minister” is used synonymously for “teaching elder” and “pastor” in 98

MINUTES OF THE GENERAL ASSEMBLY

paragraphs (below). The *BCO* is neither ambiguous nor silent on how this word should be used in the PCA – either as a descriptive term or as a formal title.

4-5	5-8	8-8	10-3	10-6	11-4	12-2	12-3
12-5e	13-2	13-4	13-5	13-6	13-7	13-9a	13-9d
13-13	14-6f	15-2	19-1	19-14	20-1	20-2	20-3
20-7	20-10	20-11	21-1	21-3	21-5.7	21-6	21-7
21-9	21-10	21-11	22-5	22-6	23-1	23-2	23-3
24-2	24-6	25-4	31-1	32-20	33-1	34-1	34-2
34-3	34-4	34-6	34-7	34-8	34-9	34-10	37-4
37-8	37-9	38-2	38-3	46-6	46-8	48-6	49-3
50-1	50-2	50-4	51-5	52-1	52-2f	52-4	53-1
53-3	53-4	53-5	56-1	56-3	56-4	56-5	56-6
57-5	58-4	58-5	58-7	59-2	59-4	59-6	59-7
60-1	61-1	61-2	62-3	62-6	App A	App B	App D
App F	Preliminary Principle 2						

Presbytery argues that even though the *BCO* clearly uses “minister” to mean “teaching elder,” the *BCO* does not explicitly restrict the use of the term in that way. Similarly, the SJC reasons the *BCO* “does not prescribe matters involving non-ordained staff hired by local churches (including their titles)...” (Underlining added.) However, rules of language dictate that when a word/title is defined, it is not necessary to list all the other ways it *cannot* be used. Doing so would be unrealistic. When a dictionary or a Constitution defines a term, that definition is inherently prescriptive. And if a word is used contrary to how it is defined, it is an improper use. It is particularly improper when used in a formal and public way, which was the context of the complaint against Rocky Mountain Presbytery.

Not only was the term “minister” used contrary to its *BCO* definition, it was used contrary to the definition found in highly-regarded English dictionaries. The manner in which the mission church used “minister” is not even listed as a tertiary, remote, or possible meaning in those dictionaries. For example, the Oxford College Dictionary defines the noun “minister” as:

1. a member of the clergy, especially in Protestant churches; the superior of some religious orders
  2. the head of a government department (in some countries); a diplomatic agent representing a state or sovereign in a foreign country.
- [Oxford College Dictionary, 2<sup>nd</sup> ed. (NY: Oxford University Press, 2007). See also: American Heritage Dictionary of the English Language, 4<sup>th</sup> ed. (NY: Houghton Mifflin, 2006); Random House Unabridged Dictionary, 2<sup>nd</sup> ed. (NY: Random House, 2001); Webster’s New World Dictionary, 2<sup>nd</sup> ed. (Cleveland: Wiley Publishing, 2002)]

Granted, some of the technical and restricted titles in the *BCO* have generic forms, particularly verbal or adjectival forms. Deacons “minister” to those in need. A woman can provide “pastoral” care to women who need counseling. A ruling elder can “pastor” his community group. A person could volunteer in the youth “ministry.” But that does not change the non-generic, restricted sense of the root words. For example, it is surely permissible to refer informally to someone who actively witnesses to the Gospel as being an “evangelist,” but that is different than publicly titling someone as “Evangelist,” which has a clearly restricted sense in the *BCO* (8-6, 13.9.d, 21-11).

Last year at the 2008 General Assembly, the GA adopted a recommendation from the Committee on Review of Presbytery Records and cited one Presbytery with an exception of substance shown below:

. . .The newly installed Session of the particularized church “commissioned” unordained men and women for a body which the Presbytery minutes called the “diaconate” . . . However, *BCO* 9 is clear that only ordained and elected men can be members of a “diaconate.” (*M36GA*, p. 253)

It seems the GA ruled the use of the term “diaconate” should be restricted to its formal, technical *BCO* usage. It did not qualify its ruling by saying, for example, it would be proper to use the term in a non-*BCO* way as long as context clarifies the term is used in a “generic” sense. And “diaconate” is a term used *only twice* in the *BCO* (19-15 & 24-10). Regardless, if a Presbytery or Session is free to use terms contrary to how they are used in the *BCO*, then review of their records could be a challenge. Review committees might be unsure whether a lower court erred procedurally, or whether it just used a word in a way contrary to the *BCO* definition. This could include words like pastor, associate pastor, elder, deacon, ordination, etc.

The SJC cites 20-year old advice from the Judicial Business Committee (JBC) adopted by the 17<sup>th</sup> General Assembly in 1989 in La Mirada, CA, on a constitutional inquiry from Tennessee Valley Presbytery. But this citation is unconvincing. Advice adopted by a single Assembly is neither binding nor authoritative. It is the advice of those who met in La Mirada in 1989. More importantly, it is not clear the citation even pertains to the propriety of titling non-ordained staff people as “Minister.” This is seen from the context of the question, which spanned four GAs from 1986-1989. The string seems to indicate ordained ministers are in view the whole time. (All underlining is added.)



MINUTES OF THE GENERAL ASSEMBLY

In 1986, two constitutional inquiries were filed with the 14<sup>th</sup> GA in Philadelphia. Below are Inquiry 1 from Gainesville Presbyterian Church and the JBC's recommended answer, which was adopted by the GA:

Q: As we have read the *BCO*, we cannot find any rule that forbids us from having several pastors on the staff of our church (as opposed to associate and assistant pastors) . . . If there is something in our standards that prohibits this practice, please inform us of it.

A: The PCA *BCO* 4-3 reads "Its jurisdiction, being a joint power, is lodged in the church session, which consists of its Pastor, Pastors, its Associate Pastor(s) and its Ruling Elders." *BCO* 12-1(4) reads "The church Session consists of the pastor, associate pastor(s), if there be any, and the Ruling Elders of a church." Thus the *BCO* is not consistent. PCA practice has been to recognize one pastor as the 'senior pastor' in churches served by multiple pastors. (See *BCO* 12-1 and 23-1, 3) Since the *BCO* makes no specific provision for co-pastors, various sections which clearly envision a single pastor would cause difficulties for which the *BCO* provides no solution (e.g. the Moderator of the Session, succession to the Senior Pastor). On the principle of plurality of elders, the concept of co-pastor would not be inimical to Presbyterianism. That 'multiple pastors' or 'co-pastors' have historical precedent in Presbyterianism is found in *What is Presbyterian Law?* by J.A. Hodge, 1903 ed., p. 49: "What are co-pastors? Ministers associated as pastors over one or more churches, having equal authority." The *BCO* of the PCUS, 1932, XIV.64 reads: "In churches where there are 2 or more Pastors, they shall, when present, alternately preside (at a session meeting)." In view of this, the use of multiple pastors should be avoided. The Session may want to ask the presbytery to overture the GA for a constitutional change to allow such. (*M14GA*, pp. 329)

Inquiry 13 came to the same GA from Faith Presbyterian Church, Akron, OH and the 14<sup>th</sup> Assembly adopted the JBC's recommended response:

Q: May a session call an assistant pastor whom they judge to be acceptable doctrinally but whose ordination is from another denomination without the call being approved by presbytery

and the candidate being first examined and approved by the presbytery?

A: The question of an ordained assistant pastor not being a member of the PCA presbytery of which the church is a member is not specifically addressed in the *BCO*. The validity of a man's ordination as a Teaching Elder must be determined by the court charged with such ordinations, i.e. the Presbytery. Therefore, by inference and by historical precedent any ordained Teaching Elder should become a member of the presbytery in which he serves. [*BCO* 20-1; 21-1: a call must come through Presbytery. *BCO* 21-5, 9: an assistant pastor is to be ordained and/or installed by the presbytery: inferred by the questions in these two sections. *BCO* 21-6, 10: The questions (propounded by the presbytery) to the congregation are in this case directed to the session. *BCO* 21-7: an assistant pastor is declared by the presbytery to be ordained and/or installed and that in this case the charge is to the session and not the congregation.]

We recommend that the GA clarify the *BCO* regarding this subject (e.g. *BCO* 22-3 says an assistant pastor is not a member of the session, yet 12-4 says he may moderate the session; 22-3 indicates the call is by the session, yet 22-4 and 23-1 indicate that the dissolution is by the presbytery.)

(*MI4GA*, pp. 335 & 128)

Both these inquiries dealt with men who were ordained ministers. The 1986 Philadelphia GA also adopted a recommendation from the JBC related to the inquiry above:

That the JBC be instructed to prepare language to clarify the role of Assistant Pastor. (*MI4GA*, p. 130)

The JBC prepared that language and the next year in Grand Rapids, the 15<sup>th</sup> GA adopted their recommendation and it was sent down to the presbyteries for their vote.

That the *BCO* be amended in the following way:

- 1) *BCO* 22-3 shall read: An Assistant Pastor is called by the Session, by the permission and approval of Presbytery, under the provisions of chapter 20, 21 and 13-2, with presbytery membership being governed by the same provisions that apply to Pastors. He is not a member of the Session, but may be appointed on special occasions to moderate the Session under the provisions of 12-4.

MINUTES OF THE GENERAL ASSEMBLY

- 2) *BCO* 22-4 shall read: The relationship of the Associate Pastor to the church is determined by the congregation. The relationship of the Assistant Pastor to the church is determined by the Session. The dissolution of the relationship of both is governed by the provision of Chapter 23. (*MI5GA*, p. 174)

During the following year, Presbyteries voted 34-8 in favor of the proposed change and it was incorporated into the *BCO* (*MI6GA*, Knoxville, 1988, p. 109). This has continued to be the language of *BCO* 22-3 and 22-4 since 1988. After the 16<sup>th</sup> GA, Tennessee Valley filed their inquiry (which the SJC now references in their Reasoning). However, the full text of the TVP inquiry seems to indicate they were speaking about ordained ministers, not non-ordained staff members. Below are the inquiry and the JBC-recommended answer adopted by the 17<sup>th</sup> GA in La Mirada, CA, in 1989.

Q: In light of the [change to *BCO* 22-3 and 22-4] . . . our questions are:

1. Is this change retroactive, i.e., does this mean that we should seek to bring each Assistant Pastor (not a member of Presbytery) who is presently serving in one of our churches into Presbytery membership being governed by the same provisions that apply to Pastors (in chapters 20, 21, and 13-3 of the *BCO*)?
2. Does this procedure apply to every full-time minister called by the session of a PCA church or does it only apply to those with the title of "Assistant Pastor"? For example, does this apply to one called as a "Pastor of Music," "Minister of Discipleship," or "Pastor to Young Adults" if they are called by a Session and work full-time as under their authority?
3. Should a lesser examination procedure be developed for such Assistant Pastors? i.e., should they be expected to meet the same qualifications of any member of Presbytery, including being examined on the same level and subjects?"

A: The term "assistant pastor" is used in the *BCO* to refer to those teaching elders who have been called to the ministry of the Word and sacrament by a Session, with the permission and approval of Presbytery, under the provision of *BCO* 20, 21 and 13-2, without being elected by the congregation (22-3). With regard to Presbytery's questions:

1. Yes. A Presbytery shall seek to bring each assistant pastor, as defined above, who is not a member of your presbytery and

who is presently serving in one of your churches into membership in your presbytery under *BCO* provisions applying to pastors.

2. No. Only those assistant pastors as defined above need to comply with the provisions of *BCO* 22-3 and 4.

3. Assistant pastors, as defined above, are governed by the same provisions that apply to pastors. (*MI7GA*, p. 156-157)

There is nothing in the wording of TVP Question 2 or the GA answer that implies the Pastor of Music, Minister of Discipleship, or Pastor to Young Adults should be understood as non-ordained persons. On the contrary, the first part of Question 2 implies otherwise, that the person is a “minister” – ordained, but not yet a member of Presbytery. It seems the 17<sup>th</sup> GA was saying that if a church had a secondary staff person who was an ordained minister (non-PCA) but who was not yet a member of Presbytery, they should follow the process to bring him into Presbytery membership if he was to be an Assistant Pastor (i.e., a TE “called to the ministry of the Word and sacrament”). However, if his job description was otherwise, he could remain on staff as an ordained minister (non-PCA) with the title “Minister of \_\_\_\_\_,” but the church should not title him as Assistant Pastor (since he was not called by the Session to the ministry of the Word and sacrament.) But regardless of what is the best interpretation, such counsel adopted by a single Assembly is neither binding nor authoritative.

Rocky Mountain Presbytery asserts that some PCA churches have used “minister” in the public titles of some staff members who are not teaching elders (e.g., Minister of Music, Youth Minister). Such use is still irregular, confusing, and improper. Absent a compelling reason, terms should be used as intended and defined by the *BCO* – especially titles, and especially when used publicly. In this case, there was no compelling reason for using the title “Minister” in a way not intended by the *BCO*.

Finally, in its Reasoning the SJC establishes criteria for determining whether using a word contrary to its *BCO* definition is “wise, equitable and suited to promote the welfare of the Church” (*BCO* 40-2.3):

The use of the term “minister” (or other such terms from the *BCO* that could be used in a generic sense outside their specific use in the Constitution) for non-ordained staff members would be proper only where the generic use is made plain to the competent observer

-- by other terms included in the title (e.g., Minister of Music),

## MINUTES OF THE GENERAL ASSEMBLY

- by employing a distinctive means of appointing and commissioning such staff members, and
- by the way such staff members are publicly acknowledged in relation to the ordained officers of the church.  
(Underlining added.)

Given the freedom allowed by the SJC in Judgment 2, we commend the SJC's attempt to limit that freedom by establishing criteria for evaluating propriety whenever terms are used contrary to their *BCO* meanings. At the same time, this further highlights the problem. Such limitation requires the creation of extra-constitutional criteria. And these criteria have several shortcomings.

1. *BCO* Chapter 40 refers to “General Review and Control” and the first four paragraphs refer to the normal process of reviewing Session and Presbytery records, not appellate review of a complaint or appeal arising from a lower court. *BCO* 40-2 begins: “In reviewing records of a lower court...” If the WESP standard (“wise, equitable, and suited to promote the welfare”) is one which the SJC can apply in appellate review, it seems the power of the court has broadened considerably.
2. It is not clear what makes someone a “competent” observer. The adjective implies it is less important to clarify the confusing use of the title to an observer who is less than competent. But it is our children, visitors, and those less-versed in PCA polity to whom we owe more sensitivity and clarity in our communication.
3. Regardless of competency, many observers will reasonably conclude the title “Minister of Music” or “Youth Minister” refers to an ordained teaching elder. And that conclusion was probably reached by many in the present case (especially since the woman had an M. Div. from a respected Presbyterian seminary).
4. Many church members and regular attenders will not have attended the ceremony at which the staff person was commissioned and therefore would be unable to witness the “distinctive means of appointing” the non-ordained “Minister.” These commissionings often occur in evening services where only a minority of the congregation is present. And obviously, no future member or visitor will have witnessed it.
5. It is unclear what sort of ongoing, differentiating “public acknowledgment” is intended, particularly if ordained and non-ordained staff are both publicly titled “Minister.”

## **Conclusion**

All things considered, even if *BCO* 40-2.3 is the standard for judging this matter (WESP), it is more reasonable to rule it is **not** “wise, equitable, or suited to promote the welfare of the church” to publicly bestow the title “Minister” on anyone who is not an ordained minister. Sessions should refrain from titling staff as “Ministers” or “Pastors” unless they are ordained teaching elders and members of Presbytery. And Presbyteries should encourage them to exercise this restraint.

/s/ RE Howie Donahoe /s/ RE E. C. Burnett /s/ TE Dewey Roberts  
/s/ RE Olin Stubbs

## **APPEAL OF TE JOHN GRADY VS SOUTHWEST FLORIDA PRESBYTERY SJC 2007-16**

### **I. SUMMARY OF FACTS**

In January 2006, TE John Grady had been pastor of Faith Presbyterian Church, Sarasota for 26 years. Over the next 14 months, three senior lay staff people and all nine ruling elders resigned, leaving the Session without a quorum in March 2007. Just prior to the final two RE resignations, the Session invited the Shepherding Committee of Southwest Florida Presbytery to consult. Two months later, at a stated meeting on May 8, Presbytery heard a report from the Shepherding Committee highly critical of TE Grady, which included the committee’s judgment that TE Grady needed to repent of sins and errors and resign as pastor. After discussion in executive session for over two hours, Presbytery adopted four recommendations from the Shepherding Committee, including one recommending TE Grady resign. Later in the meeting, he announced his plan to do so and announced this to the congregation two weeks later. He later changed his mind, informed the congregation, and they voted June 11 against petitioning Presbytery to dissolve the call.

At a called meeting June 30, three TEs from different churches presented Presbytery with a four-page document containing charges against TE Grady with a list of potential witnesses and recommended Presbytery indict. On motion and vote, Presbytery: a) appointed a nine-judge