

The portion of the Complaint quoted above identifies an action or decision of the lower court, namely the calling of a congregational meeting at which the Session would recommend procedures which were alleged to be at odds with the Book of Church Order. We find this part of the Complaint sufficient to identify an “act” or “decision” under *BCO* 43-1. In our view, this allegation was sufficient to present a justiciable issue.

We note that the Complainants also present a number of issues regarding the actions of the congregation which may not be justiciable. We recognize, like the majority, that the *BCO* does not currently contain any express provision for complaint against the act of a congregation. That fact does not impair the viability of the complaint against the act or decision to call the meeting with the purposes and parameters stated by the Session. We express no opinion on the merits of the Complaint or whether the Record of the Case, as compiled to this point, would support or prove the allegations of the Complaint. We simply believe at least one justiciable issue was presented in the Complaint. We would have found the Complaint judicially in order and assigned it to a panel for adjudication.

This dissenting opinion was written by RE Jack Wilson and joined by RE John Bise, RE Steve Dowling, RE E.J. Nusbaum, RE John Pickering, TE Michael Ross, and RE John White.

CASE NO. 2020-02
In the Matter of
***BCO* 34-1 Requests to Assume Original Jurisdiction**
March 3, 2022

The SJC answers the *BCO* 34-1 requests from Central Georgia, Southeast Alabama, and Savannah River Presbyteries (2020 Overtures 2, 4 and 25), by reference to the SJC’s October 21, 2021, Decision in Case 2020-12: *TE Ryan Speck v. Missouri Presbytery* and the SJC’s March 3, 2022, Decision in Case 2020-05: *TE Ryan Speck v. Missouri Presbytery*. RE Mel Duncan requested that his negative vote be recorded.