

Stated Meeting of Mission Presbytery

First Presbyterian Church, Victoria TX
October 25-26, 2019

Presbytery Meeting Convened

Former moderator, RE Judy Ferguson, convened the meeting at 9:02 a.m. with prayer. A quorum was present.

Judy welcomed Charles and Melissa Johnson (Mission Co-Workers, Zambia), Sharon Bryant (Mission Co-Worker, Thailand) and Valerie Young (Synod Executive, Synod of the Sun) to the meeting.

Welcome from Host Church

Rev. Jim Dement brought greetings from First Presbyterian Church of Victoria, TX.

Introduction of the Designated Offering: Charles and Melissa Johnson

Judy Ferguson introduced the offering from this meeting which will go to support the work of Mission Co-Workers Charles and Melissa Johnson in Zambia. The Johnsons will be doing presentations during the breakout time.

Omnibus Motion

The Stated Clerk **MOVED** to approve the docket as amended to include a continuation of the COM report on Saturday, and to include reports from CP Ezekiel Herrera, Commissioned Evangelist for the Rio Grande Valley, and Rev. Lemuel Garcia, Mission Engagement also on Saturday. Seconded. **Motion carried.**

The Stated Clerk **moved** that Presbytery receive all reports as posted on the Mission Presbytery Pre-Presbytery Packet webpage, with the exception of the recommendations or motions annotated as requiring vote on the floor of Presbytery, and to approve the minutes of the June 2019 meeting as found on the webpage. Seconded. **Motion carried.**

Seating of Corresponding Members

The Stated Clerk **moved** the following be seated as corresponding members of this meeting of Presbytery with voice but without vote:

- Valerie Young, Synod of the Sun
- TE Sharon Bryant, Mission Co-Worker- Thailand

Seconded. **Motion carried.**

Presenters with Voice and No Vote

The Stated Clerk **moved** the following be given voice without vote to:

- Charles and Melissa Johnson
- Megan McMillan, to be examined for ordination
- Dhawn Martin, to be examined for ordination
- Susan Montoya, to be examined for ordination
- Larry Sears, to be examined as a commissioned pastor

Seconded. **Motion carried.**

Rev. Tricia Tedrow gave instructions for those visiting the offsite locations. The meeting was recessed until 3:30 for worship as the Presbytery participated in “M2: This Time It’s ‘Victoria-Us’”, serving and learning about mission in the Victoria area.

Worship

The meeting was reconvened at 3:30 p.m. with worship. Rev. Joel Moody, Associate Pastor of Hope Presbyterian Church, Austin preached on Mark 1:1-15 and “A Very Pointy Mission”. Rev. Jim Dement and Rev. Erin McGee officiated at the Lord’s Table.

Mission Co-Workers

Charles and Melissa Johnson, mission co-workers from Zambia presented a report on the work they’ve done building relationships, learning from each other and walking with others.

Order of the Day – Commission on Ministry (Report A)

Rev. Dan Fultz presented on behalf of the committee. Dan called the body's attention to the beginning of their report. He shared that upon hearing the decision of the GAPC, COM moved the following: (enter the motion from the beginning of the report). Rev. David Jones commented on the findings of the GAPJC and asked if COM reviewed all of the findings and is only taking the actions that read. Rev. Dan Fultz reported that COM has only taken the one action at this time and will continue to review its policies.

Rev. Fultz called on Rev. Monica Smith, chair of the COM examination committee to present those needing to be examined on the floor.

Rev. Smith reminded the body of the purpose and process for examinations. She called on RE Larry Sears to be examined for commissioned pastor to serve Grace Presbyterian Church, San Antonio. Larry was asked, "using imagery from Scripture, please describe how God transcends our human understandings of gender." Rev. Dick Kruetzer asked Larry to share the gifts he has to share with the church. Rev. Fultz **moved**, on behalf of the committee, that Larry's examination be sustained and that he be commissioned to serve Grace Presbyterian Church, San Antonio. **Motion carried.**

Megan McMillan was presented to be examined for ordination. Rev. Smith asked her to "choose one of the sacraments, and describe how it both creates and demonstrates the congregation as the Body of Christ." Rev. Matt Gaventa asked Megan what is an associate for ecclesiastical relationships means in regards to the Reformed tradition of Word and Sacrament. Rev. Joel Moody asked what it is about being a Christian in the Presbyterian church brings her joy. Rev. Fultz **moved**, on behalf of the committee that Megan's examination be sustained and that she be ordained as a teaching elder and enrolled into Mission Presbytery. **Motion carried.**

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Susan Montoya was presented to be examined for ordination. Rev. Smith asked, “How can human suffering and anger at God be faithful? And how can you, as a Minister of Word and Sacrament, respond to it?” Rev. Fultz **moved**, on behalf of the committee that Susan’s examination be sustained and that she be ordained as a teaching elder and enrolled into Mission Presbytery. **Motion carried.**

Dhawn Martin was presented to be examined for ordination. She was asked, “How does your calling as an educator fulfill the pastoral ministry of Word and Sacrament?” Rev. Fultz **moved**, on behalf of the committee that Dhawn’s examination be sustained and that she be ordained as a teaching elder and enrolled into Mission Presbytery. **Motion carried.**

Rev. Smith welcomed those teaching elders who have transferred into Mission Presbytery since the last meeting:

- Rev. Seth Saathoff, Holy Trinity Presbyterian Church, San Antonio

Mission Co-Worker

Rev. Sharon Byrant, mission co-worker from Thailand, brought greetings to the presbytery. She talked about the volunteer program she works with that teaches English in schools in Thailand.

The meeting recessed at 6:00 p.m. and will reconvene at 8:30 Saturday morning.

Morning Prayer

The meeting reconvened at 8:3 a.m. with morning prayer led by Rev. Peter Crouch

General Presbyter Report

Rev. Sallie Watson presented her report. Sallie commented on “what time we’re in”. She asked for prayers for the Dallas community recovering from tornados. Some of our congregations are dealing with messes, small and large. She invited the body to give each other a hug and say “It’s going to be okay.” God is doing a new thing and

the plans God's has for us are for good and not evil. The glimpses of good included: leaders from 20 congregation will be attending the Vital Congregations, John Knox Ranch is rocking it, 123 congregations (92.5%) have paid their per capita, mission giving is up, and a new worshipping community is taking shape in the Rio Grande region. She asked members from First Alice to stand and be recognized. First Alice will be closing on Nov. 24 at 2:00 p.m. and their last offering will go to the Christmas Joy offering.

She thanked the presbytery staff for all their hard work. She thanked Claudia Smith and the HR Team for all their hard work.

General Council Report (Report B)

RE Judy Ferguson, Chair of General Council gave the report. The General Council approved creating a standing committee called the Disaster Preparedness Committee. The council **moves** that the presbytery approve an amendment to the Manual of Operations to include the chair of the Disaster Preparedness Committee on General Council. **Motion carried.**

Stewardship and Fiscal Oversight Committee (Report C)

RE Rita Livingston, Chair, presented the report. She invited Rev. Allen Mosiman, chair of the Stewardship team to share information. Allen talked about the Stewardship Kaleidoscope event and shared there was scholarship money available for next year's event. He encouraged the body to be an advocate for the work of Mission Presbytery to their sessions as they work on the budgets for next year.

Rita thanked the committee members who have worked hard over the past three years. The committee has worked to put policies and procedures in place, and to provide the financial information to the presbytery. She thanked the body for their patience and support. She highlighted some of the accomplishments:

- A new handbook and new policies that will be placed on the website.

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- There is a new policy regarding the revenues from the Broadway building.
- There is a new policy for Mission Presbytery credit cards.
- They are monitoring the investments.
- The Trustees now receiving funding for their work.
- The audit for the 2018 books is progressing and there are no unusual findings to date.
- John Knox Ranch's books are now being maintained through the Mission Presbytery.
- Simple financial statements will be included in the presbytery newsletter.

One uncompleted goal to is make the financial reports user-friendly. The committee will evaluate the findings from the audit and revise policies as needed.

She challenged the body to match the level of shared mission support that was given in 2015 of \$450,000. Moderator Peter Crouch encouraged the minister members to make their own personal commitment to shared mission support.

John Knox Ranch Report (Report D)

Henry Owen, Executive of John Knox Ranch, presented the report. He introduced Lori Burns, the office administrator for John Knox Ranch. He reported that 2019 was a fantastic summer at JKR.

He announced that JKR has received a pledge challenge for any donation from any source from Nov, 1, 2019 – Dec. 31, 2020 up to \$400,000. The goal is to raise \$400,000 in 2020. The committee will be casting a wide net. The initiative is to renovate and rebuild JKR to better meet the needs of attendees, replenish the camp scholarship funds, to establish a reserve fund to strengthen the sustainability of the camp. A portion of the campaign will go to support the work for youth and young adults throughout Mission Presbytery.

Committee on Representation and Participation (Report E)

CP Kris Bair, co-chair, presented the report.

CP Bair placed into nomination the names found in their report. The following names were also placed into nomination:

For CDE: TE Caz Minter (Class of 2022), RE Caren Cobb (Class of 2020)

For COM: Class of 2020 – RE Joyce Batty

TE Regina Maas

Class of 2022 - TE Dhawn Martin

For HR: TE Frank Seaman (Class of 2022)

For MOJC: Chair – TE Andries Coetzee

Class of 2022: RE Jeff Cunningham

RE Lucy Oblesby

TE Jane Pettit

RE Nikki Roberson

For PCC: Class of 2022: TE Kristin Huffman, RE Mary Lee

For Moderator-Elect: RE Carlos Baladez

For ECN: TE Meagan Ludwig (Class of 2022)

For CPM: TE Chuck Kimball (Class of 2021)

Rev. Crouch asked if there were any nominations from the floor. It was **moved** that the nominations be closed and that the slate of names be approved by acclamation.

Motion carried.

Mission, Outreach and Justice Committee (Report F)

RE Tom O'Meara, Chair, presented the report. He talked about the situation at the border. Two workshops have been held at presbytery meetings and resources are posted on the MOJC page of the website. 43 congregations have made some response to what is going on at the border. He encouraged others to talk with him about obstacles to doing any work at the border.

Tom invited Rev. Matt Gaventa to speak about his experience going to the border with Texas Impact. He reported that the crisis has moved to the other side of the border in Mexico. Rev. Gaventa asked the presbytery to think about how we can live out our commitment as the body of Christ to help those in need.

Overtures to General Assembly (Report G and Addendum)

Rev. Tricia Tedrow, Stated Clerk, reported that the following overtures have been presented to Mission Presbytery:

The Mission, Outreach and Justice Committee **moves** that Mission Presbytery approve the overture to the 224th General Assembly on immigration. **Motion carried.**

The General Council received a request to concur with an overture from the Presbytery of Beaver-Butler that would allow presbyteries to create policies regarding severance policies for installed pastors and certified Christian educators. General Council **moves** that Mission Presbytery concur with Beaver-Butler on the overture. Discussion was held. TE Bill Clark called the question. **Motion** to concur with Beaver-Butler **carried** by a show of hands, yes – 71; no – 52.

Order of the Day – Break

The break was taken at 9:40 a.m. The meeting will reconvene at 10:00 a.m.

Committee on Preparation for Ministry (Report H and Addendum)

Rev. Kathy Escandell, Co-Chair, presented the report. She moved on behalf of the committee that presbyter remove Tommy Williams as an inquirer at his request. **Motion carried.**

She reported that due to a computer glitch in the system, Ezequiel Herrera was unable to compete his ordination exam in theology. The committee **moves** that

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Mission Presbytery approve their request to provide an alternate Theological Ordination exam to Ezequiel Herrera. According to G-2.0610, this requires a $\frac{3}{4}$ vote.

Rev. Tricia Tedrow, Stated Clerk, gave instructions on how to proceed with the paper ballots. The ballots were counted by members of the General Council. The Stated Clerk report the results as follows: 128- yes, 2 – No. **Motion Carried**

Trustees Report (Report I and Addendum)

RE Sandy Pinaire, member of the resolution team, presented the report on behalf of the trustees. The Korean Church in Corpus Christi had requested to be dismissed. A listening team was formed per our Gracious Separation Policy. The team worked with the session at First Korean. A congregational meeting was held on July 28, 2019 and the motion to request disaffiliation was approved. The Trustees **move** that Mission Presbytery approve the settlement agreement that was presented in the addendum to the packet to dismiss Korean Presbyterian Church, Corpus Christi to ECO: A Covenant Order of Evangelical Presbyterians. **Motion carried.**

Rev. Peter Cheong and RE Sandy Pinaire led the body in prayer in both English and Korean. Members of the Korean Presbyterian Church were presented and thanked Mission Presbytery.

Synod of the Sun

RE Valerie Young, Synod Executive, brought greetings from other ten presbyteries in the Synod of the Sun. She thanked the presbytery for its support and service in the Synod. The fall Synod assembly is taking place at First Presbyterian, McAllen followed by an event called Imagine: Compassion for people to come and see what is happening at the border. She asked for prayers for this event.

The Synod CP Network is planning the Empowering Commissioned Pastors Conference on May 13-16, 2020 at Canyon Creek Presbyterian Church, Richardson TX. Registration begins December 1, 2019.

A certificate of appreciation was given to Valerie Young for her fifteen years of service to the Synod.

Commissioned Evangelist for the Rio Grande Valley Report

CP Ezequiel Herrera presented his report on the work he's engaged in in the Rio Grande Valley in developing a new worshipping community. He has preached and taught Bible school, officiated at two weddings and one funeral, he's attended two new church development conferences, and participated in countless community events. On Nov. 3 they will launch the first Spanish-speaking service at Mission Presbyterian Church, Mission TX. Financial support for the NCD can now be given online at the Mission Presbytery website.

Mission Engagement

Rev. Lemuel Garcia brought greetings from the Presbyterian Mission Agency. He is now serving as Mission Engagement Advisor for the Synod of the Sun, Synod of the Southwest and Synod of Puerto Rico. He spoke about the Matthew 25 initiative.

Pastoral Care Committee (Report I)

Rev. Carol Rahn, Chair, presented the report. She reported on two teaching elders who are retiring: Rev. Cal Reynolds from San Pedro, San Antonio and Rev. Carla Matthews, member-at-large.

She gave a report on the pastor's retreat that was held in October. She thanked Rev. Mary Breden and Rev. Marsha Brown for planning the retreat. The next retreat will be Sept. 28-Oct.1, 2020 at Mo Ranch.

Education and Congregation Nurture Committee (Report J)

RE Sandy Pinaire, chair, presented on behalf of the committee. She announced their new grant, called the Grow Grant. The application is available on the ECN page on

the presbytery website. ECN will offer ten scholarships for the APCE event in Little Rock.

ECN oversees several scholarships and the information is available on the Resources page of the website.

Youth and Young Adult Advocate Report

RE Caitlin Supcoff reported on the work she does with the Youth Connection Committee. She has been working with the Austin area churches on a young adult group that has dinner once a month and is having conversations around immigration. Caitlin would love to help the other regions do similar things. She is also working with the campus ministers in Mission Presbytery and with UKirk. The Souper Bowl Smackdown 2020 will happen as part of the Souper Bowl of Caring.

Youth Connection Committee Report (Report K)

Rev. Katy Walters, Co-chair, presented the report. She reported on the Youth Triennium gathering. She thanked everyone who participated at Main Event at John Knox Ranch. Mid-Winters dates are found on the flyer in the packet. A confirmation retreat will be held at John Knox Ranch, Jan.

Disaster Preparedness Committee Report

Ed Sackett, Disaster Recovery Coordinator, presented the report. There are about 2,000 blankets being distributed to the border. He gave an update on Dallas and the damage received from the tornado.

He presented the Disaster Preparedness Guidelines (Report L) and thanked those who helped create it. It is a document each congregation and individual can take and use. He asked for each congregation to create a three-member team the committee can work with. He reported that Mission Presbytery is now part of the Texas VOAD.

Installation of the Moderator

Rev. Peter Crouch invited RE Judy Ferguson and Rev. Stacy Ikard, moderator-elect to join him. Rev. Peter Crouch asked Rev. Ikard the installation questions. RE Judy Ferguson led the prayer.

Rev. Sallie Watson, GP, presented Rev. Peter Crouch with a gift of appreciation for his service as moderator.

Stated Clerk's Report (Report M)

Rev. Tricia Tedrow invited CP Kris Bair to make a correction to the CORP slate of nominees. She left off RE Dan Davis for CORP (class of 2022). Kris moved that Dan's nomination be sustained. **Motion carried.**

Rev. Tricia Tedrow, Stated Clerk, presented the report. She reported that the offering to support the work of Charles and Melissa Johnson totaled \$2, 220.

Rev. Tedrow reported that allegations had been made against two minister members of the presbytery. In each case, an Investigative Committee has been formed.

An investigative committee had been formed for an allegation previously reported. That IC has concluded that there was no reason for charges to be filed. The IC is dismissed with thanks for their work.

Rev. Tedrow reported that a remedial complaint was filed against Mission Presbytery by Rev. Dr. David Jones. The complaint was filed with the Synod of the Sun, and then appealed to the General Assembly PJC. The GA PJC held a hearing on August 23, 2019 and dismissed the case with the following decision:

This Commission has sustained various procedural errors in Specifications of Error No. 2 and No. 3. While serious, these errors alone do not provide sufficient grounds for reversing or setting aside the SPJC Decision. Rather, this Commission must rule for itself on the question that was

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before the SPJC, namely whether the case was rightly dismissed for failure to state a claim upon which relief can be granted.

As discussed under Specification of Error No. 1 above, this Commission finds that, though the execution of the judicial process in this case was seriously flawed, the SPJC nonetheless correctly dismissed the complaint for failure to state a claim upon which relief can be granted.

This Commission strongly urges the SPJC, the Presbytery COM, and the Stated Clerks of both councils to review and improve their procedures and practices in light of this Commission's Decision.

The full decision shall be entered into the minutes of this meeting.

The statistical reporting season for 2019 opens on December 6 and will be open until February 20, 2019.

Rev. Tedrow reported that as of this meeting 92.5% of the congregations submitted per capita this year. She commended the presbytery on their continued support of per capita, and challenged them to make it 100% in 2020.

Rev. Tedrow reported that First Presbyterian Church of Taylor, TX held a congregational meeting on October 13th to vote on dissolving the church. The motion was approved and now comes to the presbytery. Rev. Tedrow **moved** that Mission Presbytery approve the request of First Presbyterian Church of Taylor, TX that they be dissolved as a congregation effective December 29, 2019 with gratitude to God for their service. Second. **Motion carried.**

The attendance for the meeting was:

Ministers – 65

Ruling Elder Commissioners – 79

Members of General Council (not TEs) – 10

Commissioned Pastors – 6

Certified Christian Educators – 0

Certified Associate Christian Educators – 2

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Subtotal, Voting Members – 162

Corresponding Members – 3

Presenters given voice – 6

Visitors/Guests – 45

Presbytery Staff – 4

Subtotal, Non-voting Members – 58

Total - 220

The complete list of attendees is attached.

Rev. Stacy Ikard thanked First Presbyterian for their hospitality. The meeting was closed with prayer by Rev. Stacy Ikard, and was adjourned at 11:24 a.m.

The Presbytery will reconvene on March 6, 2020 at Westlake Hills Presbyterian Church, 7127 Bee Cave Rd. Austin, TX.

Submitted,

Tricia Tedrow, Stated Clerk

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**Mission Presbytery Stated Meeting Attendance
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City, Church	Teaching Elder	Ruling Elder Commissioners	
Adamsville, Adamsville			
Alice, First		Marsha Kruckenberg	
Austin, Austin Taiwanese			
Austin, Central	Katheryn Barlow- Williams	Brian Taylor	
Austin, Covenant		Don Davis	
Austin, El Buen Pastor		Nery Gonzalez	
Austin, Faith			
Austin, First			
Austin, Genesis			
Austin, Hope	Joel Moody Josh Robinson	Jocelyn Stebbins Jim Henry	Ashlyn Kipp
Austin, Hyde Park		Gary Brizendine	
Austin, New Covenant Fellowship	Becca Longino		
Austin, Lake Travis	Jack Barden	Chrystie Thrasher	Aida Faris
Austin, Shepherd of the Hills	Britta Dukes	Beaman Floyd	
Austin, St. Andrew's	Jim Rigby	David Rackley	Carroll Shelton
Austin, St. John's		Martha Johnson	
Austin, University	Matt Gaventa Krystal Leedy	Debbie Russ	Mary Wall
Austin, Westlake Hills	Stacy Ikard	Phil Barnes	
Austin, Westminster		Susan Versluys Jare Smith	Jack Wihelm
Beeville, First	Megan Ludwig	John R Fischer	Mary Joy
Boerne, St. Mark		Larry Warren	
Brady, Brady	Regina Maas		

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Brownsville, First			
Brownsville, Primera Iglesia Mexiana		Belinda Ornelas	
Burnet, Burnet			
Canyon Lake, Canyon Lake		Catherine L Matier	
Cheapside, Cheapside			
Collegeport, First			
Copperas Cove, First			
Corpus Christi, El Divino Salvador		Mary Leos	
Corpus Christi, Faith Community			
Corpus Christi, Grace			
Corpus Christi, Island	Anne Kowalczyk	Marshall Lochausen	Virginia Koutsoumbaris
Corpus Christi, Jackson Woods	Charles Walden		
Corpus, Christi, Korean		Young Lee	
Corpus Christi, Parkway	Laura Neely Villarreal Allen Mosiman		
Cotulla, First			
Cuero, First	Bill Cotman		
Del Rio, First			
Dripping Springs, Dripping Springs			
El Campo, First	Erin McGee	BJ Swenson	Arlette Pustejovsky
Elgin, First	Amy Meyer	Ada Castle	
Fredericksburg, Memorial			
Georgetown, First		Demeree Jackson Judith Thompson	Bryan Bell

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Georgetown, San Gabriel			
Giddings, First			
Goliad, Goliad		Liz Branch	
Gonzales, Gonzales		Pat Mosher	
Harlingen, Second			
Harlingen, Treasure Hills		Carol Breneman	
Harper, Harper			
Helotes, Forest Hills	Reuben Lashley		
Junction, First			
Karnes City, First			
Kerrville, First		Rita Odom Fred Gamble Susan Reinbach	Linda Phillips Audrey Mitchell
Kingsville, First			
Kingsville, Getsemane			
La Feria, New Hope	Mary Breden	Charley Kidder	
La Grange, First	Martha Langford		
Largo Vista, Rolling Hills			
Lampasas, First	Kevin Jones	Jim Crozier	
Laredo, Sinai			
Leander, Leander			
Leander, LiveOak			
Llano, First			
Lockhart, Faith/Fe		Fita Juarez	
Lockhart, First		Aline Wallace	
Luling, First	Monica Smith	Alice Beth Flynn	
Marble Falls, St. Andrew		Sue Babcock	
McAllen, Betania			
McAllen, First	Kathy Escandell	L. Dan Bautista	
McAllen, First Korean			
Menard, First			
Mercedes, First			

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Mission, First	Eric Dittman	Judy Mayes Deb Rucker	Susan North John Watkins
New Braunfels, Community Fellowship			
New Braunfels, First		Gus De La Garza	
New Braunfels, New Braunfels	Katy Walters	John Sutton	
Palacios, First	Chuck Kimball		
Pipe Creek, Pipe Creek			
Pleasanton, First			
Port Aransas, Community			
Port Lavaca, First			
Port Lavaca, Six Mile			
Refugio, First			
Robstown, First			
Rockport, First	Miles White	Larry Cobb Kathleen Green	Veronika Camehl Kenneth Owens
Rocksprings, First			
Round Rock, Grace			
Round Rock, Round Rock		Larry Den Otter	
San Antonio, Alamo Heights			
San Antonio, Boldtville			
San Antonio, Covenant		Janice Shute	Scott Simpson
San Antonio, Crestholme	Tom Heger	Tommy Rudwick	
San Antonio, Cross Roads			
San Antonio, Divine Redeemer			
San Antonio, First Korean	Peter Jeong		
San Antonio, Good Shepherd			
San Antonio, Grace	Lorna Jean Miller	Paula Christensen	

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San Antonio, Holy Trinity	Seth Saathoff	Sally N Lewis Carlos Baladez	William Werner Terissa Heinzmann
San Antonio, Iglesia Emmanuel			
San Antonio, Los Angeles Heights	Rich Lounsbery		
San Antonio, Madison Square			
San Antonio, Northminster	Carl McCauley Elise Neal		
San Antonio, Northwood			
San Antonio, Oak Hills			
San Antonio, Pilgrim			
San Antonio, San Pedro			
San Antonio, St. Andrew	Doug Dalglish	Susan Trull	Jennifer Johnson
San Antonio, University		Art Nicholson	
San Benito, First			
San Benito, Iglesia Getsemani		Bertha Morado	
San Marcos, First			
San Marcos, Memorial			
San Saba, First			
Schulenburg, St. Paul's			
Seguin, First			
Sinton, Sinton			
Smiley, Pilgrim			
Smithville, First			
Taft, First			
Taylor, Everlasting Hope			
Taylor, First			
Tivoli, Tivoli			
Uvalde, First		Mark Black	

Victoria, First	Jim DeMent	Henry Hauschild	Robert Wyatt
Victoria, Grace	Dan Fultz	Paul Carlson	Adalee Kovar
Victoria, Nicea			
Weslaco, First			
Weslaco, San Pablo			
Wimberley, Wimberley			
Woodsboro, Faith			
Yorktown, First	Dave Dierksen		

TEACHING ELDERS (HR) & SERVING OTHER AGENCIES				
Tricia Tedrow	Validated Ministry		Susan Liljestrand	Validated Ministry
Sallie Watson	Validated Ministry			
Kathy Anderson	Validated Ministry			
Nancy Benson-Nicol	Validated Ministry			
Peter Crouch	Validated Ministry			
Lynne Myers	HR			
Carol Rahn	HR			
Bill Clark	HR			
Judith Liljestrand	HR			
Lemuel Garcia-Arroyo	Validated Ministry		Kris Bair	CP
Babs Miller	Validated Ministry		Ezequiel Herrera	CP
Dick Kreutzer	HR		Rick Carlson	CP
Gini Norris-Lane	Validated Ministry		Jose Munoz	CP
Dick Powell	Validated Ministry		Esther Russell-Hughes	CP
Dalila Samayoa-Russell	Validated Ministry		Rafael Dominguez	CP
Carla Mathews	At Large			
Carol Johnson	Validated Ministry			
David Jones	Validated Ministry			

Sonja Dalglish	HR		
Michelle Vettters	Validated Ministry		
Priscilla Abbott	HR		
Frank Seaman	HR		
Ed Brogan	HR		
Bette Burris	HR		

GENERAL COUNCIL, MISSION PRESBYTERY	
Judy Ferguson	Chair
Sandy Pinaire	ECN
Sharon Carson	Presbyterian Women
Tom O'Meara	MOJC
Scott Russell	MP-Trustees
Susan Stacy	Hill Country Rep
Lety Martinez	RGV Rep
Rita Livingston	SFOC
Claudia Smith	HR Team
Cara Herlin	Victoria Rep

CORRESPONDING MEMBERS		PRESENTERS
Valerie Young	Synod of the Sun	Charles Johnson
Sharon Bryant	Mission Co-Worker	Melissa Johnson
Al Kissling		Megan McMillan
		Dhawn Martin
		Susan Montoya
		Larry Sears

PRESBYTERY STAFF, Voice & Vote		CERTIFIED CHRISTIAN EDUCATORS, Voice/Vote
PRESBYTERY STAFF, Voice		CERT ASSOC CHRISTIAN EDUCATORS Voice/Vote
Henry Owen	Director, JKR	Minta McIntosh
Caitlin Supcoff	Youth Coordinator	LaVerne Baublitt
Ed Sackett	Disaster Recovery Coordinator	
Melody Gonzalez	Office Administrator	
Youth at Presbytery, Voice		Guests = 45

Voting Members	Subtotals	Totals
Teaching Elders/Pastors	65	
Ruling Elder Commissioners (elected by church sessions to attend)	79	
Members of General Council (not Teaching Elders)	10	
Commissioned Pastors (serving churches)	6	
Certified Christian Educators (REs)	0	
Certified Associate Christian Educators (REs)	2	
Total this section		162
Non-Voting Members	Subtotal	Totals
Corresponding Members Given Voice	3	
Presenters Given Voice	6	
Visitors/Guests	45	
Presbytery Staff (4)	4	

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Youth Delegates (June Only)	0	
Total this Section		58
TOTAL ATTENDANCE		220

**THE PERMANENT JUDICIAL COMMISSION
OF THE GENERAL ASSEMBLY
OF THE PRESBYTERIAN CHURCH (U.S.A.)**

<p>Rev. David Lee Jones, Th.D., Appellant,</p> <p style="text-align: center;">v.</p> <p>Mission Presbytery, Appellee.</p>	<p>((((((((</p>	<p>Decision and Order</p> <p>Remedial Appeal</p> <p>224-05</p>
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Arrival Statement

This is an appeal to the General Assembly Permanent Judicial Commission (GAPJC or this Commission) from a Decision dated March 13, 2019, of the Permanent Judicial Commission of the Synod of the Sun (SPJC). In that Decision, the SPJC sustained its Moderator and Clerk’s determination of preliminary questions dismissing the Complaint of the Rev. David Lee Jones, Th.D., (Appellant) against Mission Presbytery (Appellee) for failure to state a claim upon which relief can be granted. Appellant appealed the SPJC’s Decision to the GAPJC.

Jurisdictional Statement

This Commission has jurisdiction, Appellant has standing to file this appeal, the appeal was properly and timely filed, and the appeal states one or more of the grounds for appeal under *Book of Order*, D-8.0105.¹

Appearances

The Rev. David Lee Jones, Appellant, appeared on his own behalf. The Rev. Thomas Currie, Committee of Counsel, appeared on behalf of Appellee.

¹ *Book of Order* citations in this Decision are from the 2017–2019 edition, which was in effect during the time of the actions and SPJC decisions herein.

History

Appellant, a minister member of Mission Presbytery (Presbytery), filed a complaint against the Presbytery based on actions taken by its Commission on Ministry (COM).

In early 2018, the Rev. Michael Roberts announced his retirement following a ministry of 30 years as pastor of First Presbyterian Church, Georgetown, Texas (FPC, Georgetown), effective at the end of September 2018. On June 4, 2018, the Austin region of the COM recommended to the COM that FPC, Georgetown, be allowed to contract with the Rev. William Poe to serve as the transitional minister upon Roberts's retirement. (The COM meets as a body, breaks into smaller regional groups, then reconvenes as the full commission.) Poe was the Chair of the COM and worshiped regularly at FPC, Georgetown, but was not at the June 4 meeting. The COM also voted to set aside its "Ending Ministry Well" policy to allow Poe and his family to continue to worship at FPC, Georgetown, after completion of his contract.

On August 6, 2018, the full membership of the COM gave final approval to the contract between FPC, Georgetown, and Poe as the transitional minister. Poe did not recuse himself from the discussion nor from the unanimous decision, nor did any COM member request that he do so.

On November 1, 2018, Appellant filed a remedial complaint against the Presbytery with the Synod of the Sun (Synod) challenging the August 6 actions of the COM. The Presbytery filed an answer on December 10. Also, on December 10, the Presbytery Stated Clerk sent the list of papers and other materials pertaining to the case (D-6.0307a) to the Synod Stated Clerk, but not to the parties. On December 14, the Moderator and the Clerk of the SPJC determined that Appellant failed to state a claim upon which relief can be granted, dismissing the case in accordance with D-6.0305d. The determination was delivered by email and did not offer rationale.

Appellant filed a Challenge to the determination of the Moderator and Clerk on January 11, 2019. On February 6, Appellant requested a more detailed explanation for the dismissal. On February 11, the Synod Stated Clerk conveyed by email the determination of the Moderator and Clerk that their initial response had been sufficient.

On February 22, Appellant requested information from the Presbytery Stated Clerk regarding actions taken by the Presbytery; the Clerk did not reply to this request until the Appellant followed up on April 18. The Clerk informed Appellant on April 23 that he could set up an appointment to come to the Presbytery office and look through the minutes himself.

On Friday, March 1, five days before the scheduled hearing, the SPJC Clerk sent an email to both parties notifying them about procedures for the hearing. Among those procedures were a limit of five minutes for each party to present its argument and a deadline of noon, Monday, March 4, for raising any questions about hearing procedures. On Sunday, March 3, Appellant requested 20 minutes for his presentation. On the afternoon of Tuesday, March 5, the SPJC Clerk informed the parties that, "in the spirit of fairness," both parties would be granted 10 minutes.

On Wednesday, March 6, a hearing on the Challenge was held using Zoom conferencing technology. Although all parties could hear one another, generally only the person speaking was visible to others on the conference. Following the hearing, the SPJC deliberated. In a decision dated March 13, the SPJC upheld the findings of its Moderator and Clerk and dismissed the complaint.

On April 29, 2019, Appellant filed a notice of appeal with the GAPJC, which heard oral argument on August 23, 2019.

Specifications of Error

Specification of Error No. 1: The SPJC erred in constitutional interpretation (D-8.0105g) and/or reached an unjust decision (D-8.0105f) when it dismissed the complaint for failure to state a claim upon which relief can be granted in accordance with D-6.0306c (Appellant's Specifications of Error 1a, 1g, 5b, 6a, 6b).

This specification of error is not sustained.

This Commission has significant concerns about the actions of the Presbytery COM in its handling of the transitional minister selection for FPC, Georgetown. In a number of ways, the Presbytery did not model best practices for transparency and leadership. Councils should strive to avoid even the appearance of impropriety, with leaders making every effort to avoid conflicts of interest, real or perceived. Discernment and hiring practices should be undertaken with the utmost attention to ethical concerns, and existing policies and guidelines should not be set aside lightly. In all these respects, the COM could and should have provided better leadership.

Notwithstanding these concerns, GAPJC precedent guides when it is appropriate to dismiss a case for “failure to state a claim upon which relief can be granted” (see *Daniel McKittrick v. Session of West End Presbyterian Church of Albany*, 2003, 215-5; *Hope, et al. v. Presbytery of San Francisco*, 2003, 216-6; *Dixie Lewellen v. Presbytery of Los Ranchos*, 2017, 223-03). Even assuming all the facts alleged in the complaint to be true, dismissal under D-6.0305d occurs if a permanent judicial commission (PJC) determines that no constitutional irregularity or delinquency occurred for which it could grant relief.

In this case, Appellant's Complaint does not state a constitutional claim. Assuming the truth of all the alleged facts is not the same as accepting the accuracy of a complainant's constitutional interpretation.

Appellant argues that the COM's actions approving a particular temporary pastoral relationship: were “irresponsible” (G-3.0301a); represented a failure to be a “pastor and counselor” to the ministers of the presbytery (G-3.0307); did not keep before it the six Great Ends of the Church (G-3.0301); and other failures to abide by general descriptions of a presbytery's responsibilities. The Form of Government, in contrast with editions prior to 2011, intentionally avoids regulatory language where possible, creating flexibility for councils. Councils have responsibility for developing particular processes not specified in the Constitution (G-3.0106). If PJCs were to accept cases solely on the basis of such general constitutional complaints as those presented in this case, they would run the risk of becoming boards of general review over lower councils' discretionary decisions.

As even Appellee has acknowledged in this case, certain actions of the Presbytery should have been more thoughtfully or carefully implemented. However, the Constitution gives wide latitude to presbyteries in their oversight and approval of temporary pastoral relationships under G-2.0504. Even a case brought against a presbytery that has failed to follow its own policy must state a claim of constitutional error (see *Hope, et al. v. Presbytery of San Francisco*, 217-1).

Assuming the events occurred as Appellant has described (that is, resolving any facts in dispute in his favor), the Presbytery would still have been fulfilling—within its discretion and without constitutional error—its responsibilities to “develop and maintain mechanisms and processes” to serve and care for its

members (G-3.0307), “to facilitate the relations between the presbytery and its congregations” (G-3.0307), and to “oversee congregations without pastors” (G-3.0301a).

As a member of the Presbytery, Appellant had every right to seek changes to the Presbytery’s policies regarding transitional ministers, or to question and seek reversal of the actions of the COM at a stated meeting of the Presbytery. But, inasmuch as the facts alleged do not add up to a violation of the Constitution, the SPJC did not err in dismissing the case for failure to state a claim upon which relief can be granted.

Specification of Error No. 2: The SPJC committed various procedural errors in its process.

Specification of Error No. 2a: The SPJC committed numerous irregularities (D-8.0105a) and/or manifested prejudice (D-8.0105e) in the proceedings, including:

- i. Not meeting in person (Appellant’s Specification of Error 1d);*
- ii. Not completing its full decision in regular session (Appellant’s Notice of Appeal “Other errors and irregularities” 1c);*
- iii. Conducting a video conference in which members of the SPJC could not be seen throughout the hearing (Appellant’s Specification 1e);*

These specifications of error are not sustained.

In support of this specification of error, Appellant has cited this Commission’s decision in *Hope et al. v. Presbytery of San Francisco*, 2004, 217-1. That case interpreted the requirement in D-7.0402 that a PJC complete its decision “while in session” to mean PJCs must meet “in person” for their deliberations.

In the years since the use of video conferencing technology became more widely available, this Commission has never ruled on its use in judicial hearings, trials, and deliberations. The *Hope* case involved a situation where a synod PJC had adjourned at the conclusion of a trial, its members going their separate ways before a decision was written. The GAPJC, in that 2004 case, was not ruling on whether “in person” could be understood to include conversations where faces, voices, and documents could be shared even as participants were geographically separate—technology that was not then in widespread use. Rather, the GAPJC was ruling on the necessity of speaking and listening to one another to reach a decision, not the medium through which the communication takes place. In the instant case, therefore, the SPJC was not necessarily committing constitutional error by using video conferencing technology, and neither party raised an objection before or during the hearing.

This Commission nevertheless holds that, until the Rules of Discipline are amended by the appropriate authority to address the use of video conferencing, the use of video conferencing is discouraged. A PJC must in every case ensure all participants are present, visible, and audible. All requirements of the Rules of Discipline regarding procedures and participation in trials, hearings, and deliberations—including the necessity to agree upon a full written decision while still in session—remain fully in effect. Judicial process, which frequently involves sensitive matters in the lives of people and communities, requires the highest level of attention to how God’s people discern and decide complicated matters together. Being in the same physical room

provides a higher level of engagement and allows for greater assurance that important procedural requirements are being observed.

- iv. *Not giving a full explanation for its Decision (either the Moderator and Clerk in their determination of preliminary questions, or the full SPJC in its Decision) (Appellant’s Specifications 1b & 1c);*
- v. *Failing to deliver a hard copy of the Decision, which was undated and sent first by email, via personal service or certified delivery (Appellant’s Notice of Appeal “Other errors and irregularities” 1b & 1d);*

These specifications of error are sustained.

This Commission frequently has expressed concern about decisions rendered by synod PJs without rationale. Most recently, in *Julie Murphy v. The Session of Westminster Presbyterian Church, Des Moines, Iowa*, 2018, 224-01, this Commission held that a decision rendered without rationale constituted an injustice to the appellant in that case. (See also *Buescher, et al., v. Presbytery of Olympia*, 2008, 218-09 and *Presbytery of Greater Atlanta v. Ransom*, 2009, 219-02.)

Appellee has argued that the SPJC’s handling of its final decision is not governed by D-7.0402 because that paragraph refers to a decision rendered after a trial, and the instant case involves a decision rendered following a hearing on preliminary questions. But this Commission finds that any decision by a PJ that is final and renders a case ripe for appeal—including a decision to dismiss a case on preliminary questions—should include rationale for the decision. Inasmuch as this Commission has found that dismissal of a case under D-6.0306 “terminates further proceedings” and is therefore “final in nature and renders the case ‘ripe for appeal’” (*Jeffrey K. Raines v. Session of Miami Shores Presbyterian Church*, 2005, 217-06), this Commission holds that any constitutional requirements pertaining to a final decision under D-7.0402c, d, and e shall fully apply to decisions to dismiss a case under D-6.0306.

- vi. *Inconsistency in votes reported in the Decision (Appellant’s Specification 1f);*
- vii. *Failing to conduct votes on each irregularity or delinquency alleged in a complaint in accordance with D-7.0402 (Appellant’s Specification 5a); and*
- viii. *Failing to respond to Appellant’s motion by personal service or certified delivery (Appellant’s Notice of Appeal “Other errors and irregularities” 1a).*

These specifications of error are not sustained.

There is no evidence that the SPJC vote count was inaccurately reported. Dismissal of a complaint prior to trial under D-6.0305 obviates the need for voting on each irregularity or delinquency in a complaint. The Rules of Discipline neither require nor prohibit the delivery of PJ responses to motions by personal service or certified delivery.

Specification of Error No. 2b: *The SPJC refused Appellant reasonable opportunity to be heard (D-8.0105b), including:*

- i. *Limiting Appellant’s time for argument to 10 minutes and restricting the scope of his presentation (Appellant’s Specifications 1h, 2a, 2c) and*

- ii. *Providing insufficient time for questions of clarification about procedure and evidence (Appellant's Specification 2b).*

These specifications of error are sustained.

The Rules of Discipline do not specifically define the minimum amounts of time that should be provided to parties, either before the hearing for raising procedural questions, or within the hearing for making an argument. PJC's are to develop procedures suited to situations in order to guarantee fairness to all parties.

Considering each of these specifications of error individually, no single concern of Appellant would necessarily amount to "refusing [him] reasonable opportunity to be heard" (D-8.0105b). But cumulatively, the limitations set forth by the SPJC imposed an unnecessary burden on Appellant. PJC's should err on the side of permitting, not limiting, argument.

Specification of Error No. 2c: The SPJC hastened to a decision (D-8.0105d) by dismissing the complaint rather than conducting a trial (Appellant's Specification 3a).

This specification of error is not sustained.

Because the SPJC found that Appellant did not provide a claim on which relief could be granted, dismissal prior to a trial was in order. Dismissal of a case under D-6.0306 does not constitute hastening to a decision.

Specification of Error No. 3: Proceedings in the case prior to the hearing before the SPJC contained "injustice in the process" (D-8.0105f), specifically in the work of the Presbytery Stated Clerk:

Specification of Error No. 3a: Presbytery Stated Clerk's failure to provide information on presbytery policies (Appellant's Specification 2d);

This specification of error is not sustained.

The Presbytery Stated Clerk's inability or unwillingness to answer a question from Appellant about previously adopted Presbytery policies is not a constitutional error. Still, this Commission reminds all stated clerks of their role as facilitators of fair process and encourages them to provide records upon reasonable request.

Specification of Error No. 3b: Presbytery Stated Clerk's sending a list of documents pertaining to the case to the Synod Stated Clerk only, and not to the parties (including Appellant) (Appellant's Appeal Brief, Specification 2a).

This specification of error is sustained.

The remedial process seeks to set forth basic requirements of fairness, ensuring that all parties are working with the same information. To that end, D-6.0307a reads:

Within forty-five days after the receipt of a complaint, the clerk of session or stated clerk of the respondent council or the respondent entity or council shall list in writing to the parties all the papers and other materials pertaining to the case.

Appellant indicates in his appeal brief that he was not aware of the list the Presbytery Stated Clerk sent to the Synod Stated Clerk on December 10, 2018, even though that list should also have been sent to him (and to the Presbytery committee of counsel). He then would have had

the opportunity to request additional minutes or papers to be included. Appellee's brief confirms this "unfortunate oversight." This represented a fundamental breach of fairness in the SPJC process, which should have been caught by both the Presbytery Stated Clerk and the Synod Stated Clerk.

Decision

This Commission has sustained various procedural errors in Specifications of Error No. 2 and No. 3. While serious, these errors alone do not provide sufficient grounds for reversing or setting aside the SPJC Decision. Rather, this Commission must rule for itself on the question that was before the SPJC, namely whether the case was rightly dismissed for failure to state a claim upon which relief can be granted.

As discussed under Specification of Error No. 1 above, this Commission finds that, though the execution of the judicial process in this case was seriously flawed, the SPJC nonetheless correctly dismissed the complaint for failure to state a claim upon which relief can be granted.

This Commission strongly urges the SPJC, the Presbytery COM, and the Stated Clerks of both councils to review and improve their procedures and practices in light of this Commission's Decision.

Order

IT IS THEREFORE ORDERED that the Decision of the SPJC is affirmed and the complaint is dismissed.

IT IS FURTHER ORDERED that the Stated Clerk of the Synod of the Sun report this Decision to the Synod of the Sun at the first meeting after receipt, that the Synod of the Sun enter the full Decision upon its minutes, and that an excerpt from those minutes showing entry of the Decision be sent to the Stated Clerk of the General Assembly.

IT IS FURTHER ORDERED that the Stated Clerk of Mission Presbytery report this Decision to Mission Presbytery at the first meeting after receipt, that the Stated Clerk of Mission Presbytery convey this Decision to the Presbytery Commission on Ministry, that Mission Presbytery enter the full Decision upon its minutes, and that an excerpt from those minutes showing entry of the Decision be sent to the Stated Clerk of the General Assembly.

Opinion Concurring in Part and Dissenting in Part

I concur with the Decision of the Commission in all parts but for the decision related to Specification of Error No. 2a. I believe the SPJC erred by failing to meet in person for its hearing.

This Commission should have held the use of video conferencing technology is unacceptable as a medium for meeting the judicial requirements for hearings, trials, and deliberations. Judicial process, which frequently involves sensitive matters in the lives of people and communities, requires the highest level of attention to discern and decide complicated matters together. Requiring the PJC to be in the same physical space provides a higher level of engagement and allows for greater assurance that important procedural requirements are being observed.

Given continuing advances in technology, the question of whether to allow the use of video conferencing in lieu of in-person participation should be addressed by an appropriate authority apart from the GAPJC.

Ruth Goldthwaite

Concurring Opinion

We concur with the Decision of the Commission in all parts of the decision with the addition of comments related to Specification of Error No. 2a.

This Commission stopped short of prohibiting the use of video conferencing technology for meeting the judicial requirements for PJC formal actions. We agree that the GAPJC is not the appropriate authority to issue a rule on whether it should be allowed. If the Rules of Discipline are amended to allow (or prohibit) the use of video conferencing for hearings and deliberations in a case, it should be done with more voices than the 16 in the GAPJC. We think that this issue can have major due process implications, and thus a rule amendment should include input from a broader representation of the PC(USA).

As noted in the dissent above, process involves sensitive matters, requiring the highest level of attention to discern and decide complicated matters together. This body has noted before that a “fundamental reason for this requirement rests upon the Reformed understanding of the activity of the Holy Spirit in the midst of the covenant community which is the Body of Christ (I Cor. 12:12-13; Book of Confessions, 5.124-141)” (*Hope, et al. v. San Francisco Presbytery* 217-1). Thus, the issue of whether the use of video conferencing respects these concerns, in a denomination that professes to value its diversity, deserves greater consideration.

“There is therefore no place in the Church for discrimination against any person. The [PC(USA)] shall guarantee full participation and representation in its worship, governance and emerging life to all persons or groups within its membership” (F-1.0403).

June L. Lorenzo
Maurice R. Caskey

Absences and Non-Appearances

Commissioners Jean Kennedy and Craig Lindsey were absent and did not participate in the hearing and deliberations.

Certificate

We certify that the foregoing is a true and correct copy of the Decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Remedial Case 224-05, Rev. David Lee Jones, Th.D., Appellant, v. Mission Presbytery, Appellee, made and announced at Louisville, Kentucky, this 25th day of August, 2019.

Dated this 25th day of August, 2019.

Ruth Goldthwaite, Moderator
Permanent Judicial Commission of the General Assembly

Deborah Little Cohn, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I did transmit a certified copy of the foregoing to the following persons by Federal Express Next Day Air, directing Flor Vélez-Díaz to deposit it in the mail at Louisville, Kentucky this 25th day of August, 2019.

David Lee Jones, Appellant
Thomas Currie, Counsel for Appellee
Stated Clerk, Mission Presbytery
Stated Clerk, Synod of the Sun
General Assembly Permanent Judicial Commission

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) by delivering it in person to Flor Vélez-Díaz, on August 28, 2019.

Deborah Little Cohn, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I received a certified copy of the foregoing, that it is a full and correct copy of the decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.), sitting during an interval between meetings of the General Assembly, at Louisville, Kentucky, on August 25, 2019, in Remedial Appeal 224-05, Rev. David Lee Jones, Appellant, v. Mission Presbytery, Appellee, and that it is the final judgment of the General Assembly of the Presbyterian Church (U.S.A.) in the case.

Dated at Louisville, Kentucky, on August 25, 2019.

Flor Vélez-Díaz
Manager of Judicial Process and Social Witness