

Presbytery of Ohio Valley Committee on Ministry

Policy on the Involuntary Dissolution of Installed Pastoral Relationships

INTRODUCTION

Ordinarily and ideally the dissolution of an installed relationship between the pastor* and the congregation is accomplished amicably, with expressions of great appreciation and a measure of grief as the pastor transitions to a new place of ministry or to retirement. At times, however, dissolution is a difficult and painful decision, often made in times of conflict or crisis. For such occasion, the Committee on Ministry provides this policy to ensure due process, as well as some degree of care for both pastor and congregation. This policy is intended to supplement the Constitution of the Presbyterian Church (U.S.A.), and shall not supersede the constitutional and parliamentary rights and responsibilities of the presbytery, pastor, session, or congregation.

** Throughout this document, the term "pastor" refers to any installed pastor, co-pastor, or associate pastor.*

GOVERNING PRINCIPLES FROM THE BOOK OF ORDER

The relevant governing provisions from the Book of Order are:

G-2.0901 Congregational Meeting: An installed pastoral relationship may be dissolved only by the presbytery. Whether the teaching elder, the congregation, or the presbytery initiates proceedings for dissolution of the relationship, there shall always be a meeting of the congregation to consider the matter and to consent, or decline to consent, to dissolution.

G-2.0902 Pastor, Co-Pastor or Associate Pastor Requests: A pastor, co-pastor, or associate pastor may request the presbytery to dissolve the pastoral relationship. The teaching elder must also state her or his intention to the session. The session shall call a congregational meeting to act upon the request and to make recommendations to the presbytery. If the congregation does not concur, the presbytery shall hear from the congregation, through its elected commissioners, the reasons why the presbytery should not dissolve the pastoral relationship. If the congregation fails to appear, or if its reasons for retaining the relationship are judged insufficient, the request may be granted and the pastoral relationship dissolved.

G-2.0903 Congregation Requests: If any congregation desires the pastoral relationship to be dissolved, a procedure similar to G-2.0902, above, shall be followed. When a congregation requests the session to call a congregational meeting to dissolve its relationship with its pastor, the session shall call the meeting and request the presbytery to appoint a moderator for the meeting. If the pastor does not concur with the request to dissolve the relationship, the presbytery shall hear from him or her the reasons why the presbytery should not dissolve the relationship. If the pastor fails to appear, or if the reasons for maintaining the relationship are judged insufficient, the relationship may be dissolved.

G-2.0904 Presbytery Action: The presbytery may inquire into reported difficulties in a congregation and may dissolve the pastoral relationship if, after consultation with the teaching elder, the session, and the congregation, it finds the church's mission under the Word imperatively demands it.

G-2.0905 Officiate by Invitation Only: After the dissolution of the pastoral relationship, former pastors and associate pastors shall not provide their pastoral services to members of their former congregations without the invitation of the moderator of session.

ADDITIONAL GOVERNING PRINCIPLES

Several principles of our polity also provide background to understanding and implementing this policy:

1. Every call in the Presbyterian Church (U.S.A.) is an agreement that includes the presbytery, the pastor and the congregation. All three parties are involved in every decision regarding the establishment of a pastoral relationship and the dissolution of a pastoral relationship.
2. When the congregation and the pastor are in agreement, the Committee on Ministry is commissioned to act on behalf of the presbytery to dissolve the relationship. If the parties are not in agreement, the matter goes to the floor of the presbytery, in a stated or called meeting, as specified in the Book of Order.
3. All conditions for dissolution shall be compatible with the provisions of the Book of Order.
4. The dissolution process shall be complete only after the congregation and the presbytery act on the dissolution of the call and any terms of dissolution.

DETAILS OF THE PROCESS

1. Communication from Session and Session Responsibilities

- a. A Session desiring that the pastoral relationship be dissolved shall contact the Committee on Ministry in writing, stating its request and proving a brief overview of the reasons.
- b. The Clerk of Session shall provide the Committee on Ministry the full minutes of the session meeting in which the action was taken.
- c. The Clerk of Session shall also send to the Presbytery Office, by registered mail, a current membership roll of the congregation within five days of its request to the Committee on Ministry. The COM *strongly advises* that the session not receive any new persons to membership in the congregation, or make any other adjustments (such as reinstating former members or removing current members from the roll), once it has made the decision to request that the pastoral relationship be dissolved. Any changes that are made to the membership roll against COM advice shall be reported to the COM immediately.

2. Response of the Presbytery

- a. Once notified, the Committee on Ministry Moderator and Executive Presbyter will appoint a visitation team to meet with the pastor and the session to hear concerns and explain the process. This meeting shall take place as soon as possible, ordinarily within thirty days of the receipt of the written request.
- b. Following this meeting, the visitation team shall confer with the Committee on Ministry Moderator and Executive Presbyter. If the matter is not referred for further consideration or action, arrangements shall be made to begin the process of negotiating proposed terms of dissolution for congregational decision and presbytery action as outlined below.

3. Negotiating Proposed Terms of Dissolution

- a. A task force of nine persons shall meet to negotiate proposed terms of dissolution. The task force shall be composed of three teams:
 - i. Three members of session, appointed by the session;
 - ii. The pastor and two persons of the pastor's choosing, who may be members the congregation and/or ruling or teaching elders within the presbytery;
 - iii. A team of three ruling or teaching elders within the presbytery, appointed by the Committee on Ministry Moderator and Executive Presbyter. One of these people will be assigned to moderate the negotiation, one will be assigned to provide guidance to the session's team, and one will be assigned to provide guidance to the pastor's team.
- b. The terms of dissolution shall include:
 - i. The number of days that the pastor shall continue service following the final action to dissolve the pastoral relationship (ordinarily, this shall be no fewer than thirty days);
 - ii. The number of months following the last day of service that salary, housing allowance, and benefits shall be paid at 100%, and a statement indicating at what interval these payments shall be made;
 - iii. The number of months, if any, following the last day of service that salary, housing allowance, and benefits shall be paid at a lower percentage, and a statement indicating at what interval these payments shall be made;
 - iv. The number of unused vacation days the pastor has accrued, and a statement indicating that the pastor will be paid for these days on the final day of service, and that Board of Pensions dues will be paid on these days;
 - v. In the event the pastor lives in church-owned housing, the amount of time following the last day of service that the pastor may continue to reside there, as well as any other arrangement concerning the manse (such as the payment of utilities and inspection of the property);
 - vi. A statement indicating whether continuation of salary and benefits shall cease if the pastor begins comparable employment during that time;
 - vii. A statement indicating that, following the dissolution of the pastoral relationship, the former pastor shall not provide pastoral services to members of the congregation without the invitation of the moderator of session [G-2.0905];
 - viii. Other provisions, as needed or appropriate, such as additional coverage for medical insurance at the conclusion of the salary continuation period.
 - ix. The current terms of call for the pastor shall be included as an appendix.
- c. The process for the negotiation meeting(s) shall be as follows:
 - i. The session and pastor shall bring to the meeting nine copies of the following documents: current terms of call for the pastor, the most recent annual report to the congregation, recent financial statements that have been presented to the session, and any other documents that the session and pastor determine to be relevant. Whenever possible, these documents shall also be made available to the task force prior to the first negotiation meeting.
 - ii. The moderator of the task force shall open the meeting with prayer, allow for introductions of those present, and review the process for the meeting.

- iii. The task force shall begin to negotiate the terms of dissolution as outlined in 2(b).
 - iv. During the meeting, either the pastor's team or the session's team may ask for time to caucus. In that event, the member of the presbytery team assigned to each shall meet with the caucusing teams. Should the presbytery team need to confer, the other teams shall remain at the table together.
 - v. While it is the hope that proposed terms of dissolution acceptable to the entire task force will be negotiated, a majority vote of each of the three teams shall be sufficient to carry a proposal forward. In the event that proposed terms of dissolution cannot be agreed upon after two meetings, the matter shall be referred to the Committee on Ministry.
 - vi. All members of the task force agree to keep the proposed terms of dissolution confidential until the session takes its action.
- d. If the task force agrees on proposed terms, the session team shall present the proposed terms to the session for approval. The session meeting shall be scheduled in consultation with the Committee on Ministry, so that a representative of the presbytery can be present to provide support and guidance.
- i. If the session approves the proposed terms, it shall communicate its action to the Committee on Ministry and coordinate with the COM for scheduling the congregational meeting so as to give ample notice to the congregation and allow for the presbytery to provide a moderator.
 - ii. If the session does not approve the proposed terms, the matter shall be referred to the Committee on Ministry.

4. Calling the Congregational Meeting

If the proposed terms of dissolution are approved, the session shall call a meeting of the congregation for the purpose of requesting that the Presbytery of Ohio Valley dissolve the pastoral relationship. Copies of the terms of dissolution shall be made available to the congregation at least one Sunday before the date of the congregational meeting.

5. Process for the Congregational Meeting

- a. The following general principles shall apply to the meeting:
 - i. A moderator appointed by the Presbytery of Ohio Valley shall preside.
 - ii. The presbytery shall provide at least one other person to assist with the meeting.
 - iii. The clerk of session shall bring a copy of the current membership roll
 - iv. The pastor shall have the privilege of voice.
 - v. Members of the pastor's family who are also members of the congregation shall not be denied their right of voice and vote.
 - vi. Ordinarily, no other business shall be considered at this meeting.
 - vii. The meeting shall be conducted in a spirit of mutual respect.
- b. The meeting shall be conducted in the following way:
 - i. The moderator shall call the meeting to order, open with prayer and state the purpose of the meeting.
 - ii. The moderator shall ask the clerk of session to ascertain whether there is a quorum. (If there is not a quorum, the meeting shall not proceed, and the matter shall be referred to the Committee on Ministry).
 - iii. A written copy of the terms of dissolution shall be distributed.

- iv. A representative of the session shall bring the motion: That the Congregation of _____ Presbyterian Church request that the Presbytery of Ohio Valley dissolve the pastoral relationship with the Rev. _____ with the following terms [as distributed to the congregation]. Please note that the question of dissolution and the terms of dissolution shall be brought as a single motion.
- v. The moderator will open the floor for questions and discussion. All comments and questions shall be directed to the moderator, who will call upon persons as needed and appropriate to respond.
- vi. When the moderator perceives that the body is ready to vote, tellers will be asked to distribute paper ballots to members of the congregation.
- vii. While the pastor has the right to remain in the meeting room during the vote, he or she may choose to wait elsewhere.
- viii. A representative of the presbytery shall be in the room where the votes are being counted. The presbytery representative shall deliver the vote count in writing to the pastor, and one of the tellers shall deliver the vote count in writing to the moderator. The moderator shall announce the vote count to the congregation.
 - 1. If the vote is in the affirmative, the moderator will remind the body that the provisions of G-2.0903 shall be followed. The pastor may choose to concur at this time, not concur at this time, or ask for a brief period of time in order to decide (ordinarily no longer than twenty-four hours).
 - 2. If the vote is not in the affirmative, the moderator will inform the body that the matter shall be referred to the Committee on Ministry.
- ix. The moderator will determine if other comments need to be made following the announcement. If not, the moderator will ask for a motion to adjourn.
- x. The moderator shall adjourn the meeting with prayer,

5. Concluding the Process

- a. The formal process shall be concluded by the presbytery according to the provisions of the Book of Order.
- b. Both the treasurer of the congregation and the pastor should notify the Board of Pensions promptly following the final action to dissolve the relationship to obtain and complete the necessary forms.
- c. The presbytery will provide guidance on any other documents that may need to be executed.
- d. The pastor and session shall honor the terms of dissolution, and address any concerns that may arise to the Committee on Ministry.
- e. The Committee on Ministry will provide guidance and assistance to the session, congregation and pastor as needed and appropriate.

CONCLUDING REMARKS

The Committee on Ministry acknowledges the deep pain and frustration that so often accompany an involuntary dissolution of the pastoral relationship. Members of the committee covenant to hold both pastor and congregation in prayer, in the firm conviction that the Holy Spirit intercedes for us with sighs too deep for words, and trusting that God is at work in even the most difficult circumstances.