

NAVIGATING THE NEW FORM OF GOVERNMENT

A Resource for Sessions and Congregations

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A new Form of Government was approved by a majority of the Presbyteries of the Presbyterian Church (USA) and took effect on July 10, 2011. The document is more streamlined than its predecessor, allowing for more flexibility to sessions, congregations, and presbyteries in deciding how they will be ordered and structured to accomplish the mission to which God calls them.

This resource is built around the things that sessions and congregations need to do **sooner** and the things they will need to do **later** (or at a more relaxed pace). That word "relaxed" is important. The best "first thing" to do is to relax. The Office of the General Assembly has said that the provisions of the previous Form of Government remain in force until a session or congregation changes them, or clarifies them in light of the new Form of Government's flexibility. Still, it would be unwise to put off some decisions. This resource seeks to be helpful.

The resource is structured in the following way:

- A statement of the decision that needs to be made.
- The relevant reference and quotation from the new Form of Government.
- Questions that will help guide the decision to be made. It is fully permissible to go with the requirements of the previous Form of Government, but **that decision must be stated and recorded in the minutes of the session or the congregation.**

Many of the decisions will need to be made by the congregation (not by the session), and this resource makes those clear. It will be very helpful for the session to reflect on those decisions, and the values expressed through them, and make recommendations to the congregation.

AN IMPORTANT FIRST THING TO DO

As a session engage in a study of the Foundational Principles.

What used to be the first four chapters of the previous Form of Government is now a separate section of the *Book of Order*. It is section "F"—*The Foundations of Presbyterian Polity*. Much of the previous content retained. Some of it is condensed. A new section, "The Calling of the Church," is organized around a phrase from the Nicene Creed: "The Church is one, holy, catholic, and apostolic."

This section could be the framework for a session retreat. It could be a series of study periods throughout the year (during a session meeting or at another time).

THINGS TO DO SOONER (WITHIN A YEAR)

1. Determine the quorum for session meetings.

G-3.0203 . . . Sessions shall provide by rule for a quorum for meetings; such quorum shall include the moderator and either a specific number of ruling elders or a specific percentage of those ruling elders in current service on the session.

Shall the quorum be that which is used in the previous Form of Government?

The quorum for a *regular meeting* of session was the moderator and one third of the elders.

The quorum for *meeting to receive new members* was the moderator and two elders.

Shall the quorum be a different number or percentage?

Will there be a different quorum for regular meetings and meetings to receive new members?

2. Determine how the membership rolls shall be organized.

This is a session responsibility, since it is the session who receives and dismisses members.

G-1.04 There are now only three categories of membership: *Baptized Member* (G-1.0401); *Active Member* (G-1.0402); and *Affiliate Member* (G-1.0403). There is a new category, called *Other Participants* (G-1.0404). There is no category of "Inactive Members."

The "best practices" suggestion from your stated clerk, other stated clerks, and the Office of the General Assembly:

Take an action to place those currently on the roll of Inactive Members on a new register of "Other Participants."

From now forward, if a person becomes inactive or requests inactive status, place their name on the roll of "Other Participants."

[NOTE: Initially your clerk thought that such persons could be placed on the roll of Baptized Members. That is not appropriate because G-1.0401 makes it clear that persons on this roll have been baptized, but **have not made a profession of faith in Jesus Christ** (emphasis added). Active members who request inactive status have made a profession of faith, making it inappropriate to place their names on the roll of Baptized Members.]

Reaffirm the session's current process for reviewing church rolls, or determine a process to use in the future.

The new Form of Government continues to specify the session's role with respect to membership:

G-3.0201c. *nurture the covenant community of disciples of Christ.* This responsibility shall include receiving and dismissing members; reviewing the roll of active members at least annually and counseling with those who have neglected the responsibilities of membership. . . .

The session will need either to continue its current practice of roll review or establish a practice for reviewing the membership rolls. The session will need to determine how they will encourage persons to reflect on the integrity of their membership. It will be helpful to review G-1.0304, *The Ministry of Members*.

3. Recommend to the congregation a quorum for congregation meetings.

G-1.0502 . . . Congregations shall provide by their own rule the quorum necessary to conduct business.

Shall the quorum be that which is used in the previous Form of Government?

The quorum for a congregation meeting has been one tenth of the membership.

"Membership" is that figure reported in the most recent Annual Statistical Report, so the quorum would be one tenth of that figure.

Shall the quorum be a larger or smaller percentage than that used in the previous Form of Government?

A larger quorum may make it more difficult to conduct a congregation meeting, especially should a meeting be needed during a part of the year when many people are away.

A smaller quorum may be less representative of the congregation as a whole.

Shall the quorum be a stated number of active members?

It is fully permissible under the new Form of Government to establish a particular number of members as a quorum (e.g. "A quorum for congregational meetings shall be 45 active members.")

4. At your next congregation meeting ...

Make a motion that the congregation establish *Robert's Rules of Order, 11th Edition* as the parliamentary authority for congregation meetings.

The new Form of Government specifies *Robert's Rules of Order* as the parliamentary authority for meetings of **councils** (session, presbytery, synod, General Assembly), but specifies no such authority for congregations.

There are many versions of *Robert's Rules*. The best and most comprehensive is the recently released 11th edition. This is the edition recommended by the American Association of Parliamentarians, by the Office of the General Assembly, and by the Association of Stated Clerks (PCUSA).

5. Recommend to the congregation a definition of "adequate public notice" for congregation meetings.

G-1.0502 . . . Adequate public notice of all congregational meetings shall be given. Congregations shall provide by their own rule for minimum notification requirements and give notice at regular services of worship prior to the meeting.

Shall the standard of notice be that of the previous Form of Government?

The previous Form of Government defined two standards for notification of a congregation meeting:

1. *For congregation meetings related to the call of a pastor* (but not dissolution of a pastoral relationship), the notification requirement was **ten days** prior to the congregation meeting. Obviously this requirement would be longer than two Sundays. Notification would need to be given verbally during worship on the two Sundays.
2. *For all other congregation meetings* the notification requirement was **two Sundays** (which could include the Sunday on which the congregation meeting was held. Notification would need to be given verbally during worship on the Sunday prior to the meeting and the Sunday of the meeting.

Of course, these requirements were the minimum; any session could provide more notice.

Shall the standard of notice be different from that of the previous Form of Government?

The new minimum standard is not as simple as it seems.

" . . . give notice at regular services of worship prior to the meeting."

- What if a congregation has two worship services each Sunday? Would it be appropriate and beneficial to give notice at both worship services for a meeting to be held after the second service?
- Or would it be better to require notice on two successive Sundays?
- How many worship services is "adequate notice?"

" . . . their own rule of minimum notification requirements. . ."

- This is not simply a matter of the *time frame* of notification (one week, two weeks, ten days, etc.).
- It is also a matter of the *venues* for notification.

The value underlying the decision is important.

Members of a decision-making body have the inherent rights *to know* and *to speak*. Minimum standards for notice ensure that everyone has reasonable opportunity to be present and to know what is being proposed and to speak to it (and, of course, to vote).

In addition to worship services, what other venues of notice are reasonable and appropriate?

The flexibility of the new Form of Government allows sessions and congregations to develop "layers" of notice which may actually enhance the ability and desire of persons to participate:

Facebook notice

E-mail notice

Church bulletins

Church newsletters (printed and digital)

Twitter and Tweet notices

Congregation meetings **must** be announced in worship services, and it is up to the congregation to determine how many and when (see above). In our highly mobile world, not everyone will be present in worship, even on two successive Sundays. The benefit of "new technology" notification is that persons who are not in worship regularly can be reached. The limitation of "new technology" notification is that particular technologies will not include all congregation members.

In making these decisions it will be helpful to remember that we are called to be the body of Christ, and that decisions that help members of the body enjoy their rights to know and to speak will be helpful and healthy decisions.

6. Determine the length of terms for elders and deacons.

G-2.0404 Ruling elders and deacons shall be elected to serve terms of no more than three years on the session or board of deacons, and may be eligible for reelection according to congregational rule. However, no ruling elder or deacon shall be eligible to serve more than six consecutive years, and a ruling elder or deacon who has served six consecutive years shall be ineligible for election to the same board for at least one year. Election shall be in classes as nearly equal in number as possible, with one only one class ending each year. They presbytery may, upon written request and by majority vote, grant a congregation a waiver of this limitation on terms.

The new Form of Government specifies only the maximum length of terms (three years). The flexibility of the new Form of Government would allow congregations to determine smaller lengths of terms (two years or one year). No longer would a presbytery have to approve smaller terms.

The waiver referred to in the last line is a waiver of the "six consecutive years" limitations. In the past, such waivers have been requested by very small congregations with few persons eligible to serve as elders or deacons.

How long shall the terms of office be for elders and deacons?

Shall the terms be the traditional length: three years?

What would be the benefits and limitations to the mission of the congregation of having shorter terms?

How many classes would there be?

The new Form of Government does not specify three classes of officers. The language is "classes as nearly equal in number as possible."

Would it be beneficial to have two classes? The traditional three classes? Four classes?

Again, the underlying issue would be the benefits and limitations to the congregation's mission.

7. Recommend to the congregation the size & make-up of the Congregational Nominating Committee.

G-2.0401 Ruling elders and deacons shall be nominated by a nominating committee elected by the congregation, drawn from and representative of its membership. Congregations may provide by their own rule for a congregational nominating committee, provided that the committee shall consist of at least three active members of the congregation, and

shall include at least one ruling elder who is currently serving on the session. The pastor shall serve ex-officio and without vote.

[IMPORTANT NOTE: The committee is the **congregational** nominating committee. It is answerable to the congregation, not to the session. The nominating committee reports to the congregation, not to the session. The nominating committee may choose to inform the session of those whom it will nominate to the congregation, but the session as a whole and the individual elders have no inherent right to that information any earlier than any other congregation member. Sessions who require their nominating committees to report to them, or who take action to "approve" the slate of nominees are overstepping their authority inappropriately.]

[A **second** important note: A General Assembly authoritative interpretation affirms the session's right to name a currently serving Ruling Elder to the nominating committee. Given the provisions of the new Form of Government, the session may **nominate** an elder to serve, but the elder **must** be **elected** by the congregation. Until the 220th General Assembly clarifies the status of existing authoritative interpretations, this distinction should be maintained.]

Shall the Congregation Nominating Committee be formed according to the provisions of the previous Form of Government?

The previous standard for a nominating committee in a church without deacons was:

- A currently serving ruling elder, who serves as chair of the nominating committee
- Another ruling elder (either in active service or not currently serving)
- Enough at-large members, elected by the congregation, to make a majority (i.e. three)
- TOTAL of five members

The previous standard for a nominating committee in a church with deacons was:

- A currently serving ruling elder, who serves as chair of the nominating committee
- Another ruling elder (either in active service or not currently serving)
- A currently serving deacon, selected by the board of deacons
- Enough at-large members, elected by the congregation, to make a majority (i.e. four)
- TOTAL of seven members

Shall the Congregation Nominating Committee be the minimum established by the new Form of Government?

The entire committee (including the currently serving ruling elder) must be elected by the congregation.

Will three persons be "representative of [the congregation's] membership?"

How large a committee will be representative of the membership?

Should congregations with deacons specify that one of the members be a deacon? (That person would be elected by the congregation, not appointed by the board of deacons.)

[IMPORTANT NOTE: It is important to remember that "representative of the congregation" means representative of the make-up of the congregation. It does not mean that members of the nominating committee "represent" a portion of the congregation. Rather, the nominating committee "represents" the congregation as a whole, and is responsible to the congregation for discerning the leaders that God is calling into service.]

8. Develop the criteria and a process for the preparation and examination of candidates for office.

G-2.0402 When persons have been elected to the ordered ministry of ruling elder or deacon, the session shall provide a period of study and preparation, after which the session shall examine them as to their personal faith; knowledge of the doctrine, government, and discipline contained in the Constitution of the church; and the duties of the ministry. The session shall also confer with them as to their willingness to undertake the ministry appropriate to the order. If the examination is approved, the session shall appoint a day for the service of ordination and installation.

G-2.0104b Standards for ordained service reflect the church's desire to submit joyfully to the Lordship of Jesus Christ in all aspects of life. The council responsible for ordination and/or installation shall examine each candidate's calling, gifts, preparation, and suitability for the responsibilities of ordered ministry. The examination shall include, but not be limited to, a determination of the candidate's ability and commitment to fulfill all requirements as expressed in the

constitutional questions for ordination and installation (W-4.4003). councils shall be guided by Scripture and the confessions in applying standards to individual candidates.

The following is the general timeline and responsibilities:

The **congregation** elects a congregation nominating committee.

The **nominating committee** selects candidates for the offices of elder and deacon and requests the session to call a congregation meeting to hear their report and elect officers.

The **session** calls a congregation meeting for the purpose of election of officers

The **congregation** elects those who will serve.

The **session** engages those elected in a period of preparation.

The **session** examines the candidates for office and if the examination is approved establishes a date and time for ordination and/or installation.

[NOTE: Some have questioned, "Why does the preparation period occur after the election? Couldn't the preparation period occur before election?" It is important to preserve the right of the congregation to elect its leaders, including the right to nominate persons from the floor (persons who may not have participated in a preparation period). It would be inappropriate for a session to **require** such a preparation period prior to election, and as a condition of election. The above timeline preserves the respective rights of congregations and sessions, under the principle that "Congregations elect. Sessions examine, ordain and/or install." It is also the responsibility of a Congregation Nominating Committee to extend a **call** to serve, which presumes that the Nominating Committee (a) considers appropriate gifts and qualifications for service and (b) ensures that those accepting election to office fully understand the requirements of that office.]

[ADDITIONAL NOTE: There is no requirement that nominations from the floor be handled at the moment they are made or in the meeting in which they are made. It is most appropriate, when nominations are made from the floor, for someone to move that the nominations for that particular office be referred back to the Nominating Committee, for report and action at a future date. This preserves the responsibility of the Nominating Committee, and avoids manipulation of the nominating/electing process.]

What will be the *specific* timeline (target dates) for the above actions?

How will the session conduct the preparation, following election?

How long will the preparation period be? A day or part-day retreat? A series of classes?

Who will lead the preparation? What will be the session's involvement?

How will the preparation be reported to the session?

Will currently-serving officers be requested to participate in the preparation process? This is a particularly appropriate question for sessions and congregations in which such an intentional process has not been used.

How will the examination of candidates be conducted?

How will the session inquire as to the categories of examination?

- Personal faith
- Knowledge of the doctrine, government, and disciple of the PCUSA
- Duties of the ministry to which the person has been elected
- Their sense of calling to, and their gifts for, the ministry to which they were elected
- Their ability and commitment to fulfill the officer ordination vows

What questions will be asked in each category and how will they be asked and answered?

The denomination's standard is that examinations should be fair and equally applied for all persons.

Should this provision for examination apply to elders who extend their service for a second term, or to elders who return to service after a period of not serving?

If a session has not previously had a practice of examinations, should the currently-serving Ruling Elders be examined along with newly-elected Ruling Elders?

What will be the process if a session should say, "No, the examination of this particular candidate is not sustained"?

9. **Establish a term for the Church Treasurer.**

G-3.0205 The session shall elect a treasurer for such term as the session shall decide and shall supervise his or her work or delegate that supervision to a board of deacons or trustees.

What shall be the term for a treasurer?

The previous Form of Government specified election by the session annually.
Shall the term of the treasurer be one year? Two years? Three years? Indeterminate?
Whatever decision the session makes should be accompanied by a clear rationale.

Who shall supervise the treasurer?

It is the session who decides who will supervise: the session, the deacons (if the congregation has deacons), the trustees (if the congregation has trustees).
If the congregation has no deacons and a unicameral session (in which the session functions as a board of trustees) then the supervision would be by the session.
Again, the decision should be accompanied by a clear rationale.

What will be the provisions for re-election of a treasurer?

There are no established term limits, so a treasurer could be re-elected to multiple terms.
The session would be wise to establish parameters regarding re-election of the treasurer.

Who will search for and nominate the treasurer?

Will the session (or a portion of the session) search for and nominate the treasurer?
Will the session delegate the search and nomination to the nominating committee? (If this option is chosen, the election would be by the session and not the congregation.)

10. **Establish a term for the clerk of session.**

G-3.0104 . . . The clerk of the session shall be a ruling elder elected by the session for such term as it may determine.

Shall the clerk of session be an elder currently serving on session?

The new Form of Government (as was true with the previous Form of Government) does not specify that the clerk of the session must be a ruling elder who is currently serving.

What shall be the term for the clerk of the session?

As with the church treasurer the decision as to length of term should be accompanied by a clear rationale.

11. **Develop and approve a sexual misconduct policy, if you do not have one.**

G-3.0106 All councils shall adopt and implement a sexual misconduct policy.

[NOTE: In the new Form of Government those bodies that were formerly called "governing bodies" (sessions, presbyteries, synods, and the General Assembly) are now called "councils." Sessions are one of the four "councils" of the church. It is now **required** that sessions adopt and implement a sexual misconduct policy. Our presbytery's Committee on Ministry has the policy that Triennial Visits must include inquiry as to whether there is an established sexual misconduct policy.]

If you have a sexual misconduct policy, determine a time within the next six months for the session to review it and update it, if necessary.

If you do not have a sexual misconduct policy, contact the presbytery office for help in working to establish a sexual misconduct policy.

It is very unwise simply to adopt the presbytery's sexual misconduct policy as the church's policy. Our presbytery does not encourage that, and the presbytery's insurance company discourages it. There are ample resources for helping sessions to develop sexual misconduct policies.

Does your sexual misconduct policy include provisions for child safety? If not it would be wise to address issues of child safety in church programs.

12. Develop or amend your *Manual of Administrative Operations*.

G-3.0106 All councils shall develop a manual of administrative operations that will specify the form and guide the mission of that council.

All the previous decisions would be included in such a *Manual*.

The presbytery office can provide resources for developing a *Manual of Administrative Operations*.

THINGS TO DO LATER (BUT NOT TOO LATE)

Suggested time frame: within two years

1. Review your mission strategy.

G-3.0201 The session shall have responsibility for governing the congregation and guiding its witness to the sovereign activity of God in the world, so that the congregation is and becomes a community of faith, hope, love, and witness. As it leads and guides the witness of the congregation, the session shall keep before it the marks of the church (F-1.0302), the notes by which Presbyterian and Reformed congregations have identified themselves throughout history (F-1.0303), and the six Great Ends of the Church (F-1.0304).

In light of this charge, the session has the responsibility and power to:

- a. Provide that the Word of God may be truly preached and heard. . . .
- b. Provide that the Sacraments may be rightly administered and received. . . .
- c. Nurture the covenant community of disciples of Christ. . . .

2. Review the financial aspects of administration.

G-3.0205 . . . Sessions may provide by rule for standard financial practices of the congregation, but shall in no case fail to observe the following procedures:

- a. All offerings shall be counted and recorded by at least two duly appointed persons, or by one fidelity bonded person.
- b. Financial books and records adequate to reflect all financial transactions shall be kept and open to inspection by authorized church officers at reasonable times.
- c. Periodic, and in no case less than annual, reports of all financial activities shall be made to the session or entity vested with financial oversight.

G-3.0112 Each council shall obtain property and liability insurance coverage to protect its facilities, programs, staff, and elected and appointed officers.

G-3.0113 Each Council shall prepare and adopt a budget to support the church's mission within its area.

A full financial review of all financial books and records shall be conducted every year by a public accountant or committee of members versed in accounting procedures. Reviewers should not be related to the treasurer(s). Terminology in this section is meant to provide general guidance and is not intended to require or not require specific audit procedures or practices as understood within the professional accounting community.

3. **Develop a strategy for participating in the life of the presbytery and the denomination.**

G-3.0202 Sessions have a particular responsibility to participate in the life of the whole church through participation in other councils. (A list of particularly important items follows).

How will your session fulfill these responsibilities?

How will your session participate beyond "sending commissioners?"

4. **Develop a regular process for review of the *Manual of Administrative Operations*.**

5. **Develop a regular process for review of the *Sexual Misconduct Policy*.**

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