

2018-2019
BCO AMENDMENTS SENT DOWN TO PRESBYTERIES
BY THE 46th GENERAL ASSEMBLY
FOR VOTING, and for ADVICE AND CONSENT

ITEM 1: Amend BCO 8-1 and 8-3, Regarding Qualifications of Elders, as follows:

The Elder

8-1. The office is one of dignity and usefulness. The man who fills it has in Scripture different titles expressive of his various duties. As he has the oversight of the flock of Christ, he is termed *bishop* or *pastor*. As it is his duty to be ~~grave~~ spiritually fruitful, dignified, and prudent, an example to the flock, and to govern well in the house and Kingdom of Christ, he is termed *presbyter* or *elder*. As he expounds the word, and by sound doctrine both exhorts and convinces the gainsayer, he is termed *teacher*.

8-2. No change

8-3. It belongs to those in the office of elder, both severally and jointly, to watch diligently over the flock committed to his charge, that no corruption of doctrine or of morals enter therein. They must exercise government and discipline, and take oversight not only of the spiritual interest of the particular church, but also the Church generally when called thereunto. They should visit the people at their homes, especially the sick. They should instruct the ignorant, comfort the mourner, nourish and guard the children of the Church. They should set a worthy example to the flock entrusted to their care by their zeal to evangelize the unconverted, ~~and~~ make disciples, and demonstrate hospitality. All those duties which private Christians are bound to discharge by the law of love are especially incumbent upon them by divine vocation, and are to be discharged as official duties. They should pray with and for the people, being careful and diligent in seeking the fruit of the preached Word among the flock.

So that the modified portions would read:

The Elder

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Grounds: The Overtures Committee recommends that Overture 27 be answered in the affirmative as amended. This overture amends *BCO* chapter 8 to make certain changes to the definition of elder. The first change is to remove the word “grave” from *BCO* 8-1 and replace it with the words “spiritually fruitful, dignified.” This change is intended to make this portion of the *BCO* more clear and readily accessible to church members. The word “grave” in modern English has different connotations than it did in the seventeenth century, and it does not appear in modern translations of 1 Timothy 3 and Titus 1. The words “spiritually fruitful, dignified” better capture the meaning of the Greek texts. Even in the KJV, the only use of the word “grave” in the qualification for elders found in these passages is in 1 Timothy 3:4, and the ESV translation substitutes the word dignity:

One that ruleth well his own house, having his children in subjection with all gravity; 1 Tim 3:4 (KJV).

He must manage his own household well, with all dignity keeping his children submissive 1 Tim 3:4 (ESV).

The committee agrees that the revised text of *BCO* 8-1 better captures in modern English the meaning of the Greek texts.

The other change included in this overture is the addition of the words “and demonstrate hospitality” to *BCO* 8-3. The overture as received from the Rocky Mountain Presbytery also added the words “to those inside and outside the church,” but the overtures committee removed that additional language. The consensus was that the addition of “hospitality” as a qualification for elders is uncontroversial in light of 1 Timothy 3:2 and Titus 1:8. Both texts use the Greek word φιλόξενος (transliterated philóxenos) which can be translated as “hospitable”, “or generous to guests.” The precise implications of that term, and whether it extends to those outside the church as well as inside, are less settled theologically, and in the interest of unity and garnering greater support for the overture, both from the General Assembly and from the presbyteries, the Overtures Committee thought it prudent to omit the additional words, leaving it to the courts of the Church to interpret the term in light of the full counsel of scripture. The resulting amended version of Overture 27 should be uncontroversial, and the committee recommends its adoption.

ITEM 2: Amend BCO 25-11, to Require Thirty-Days' Notice to Withdraw from PCA, by adding the following phrase:

BCO 25-11 [paragraph 3]

Particular churches need remain in association with any court of this body only so long as they themselves so desire. The relationship is voluntary, based upon mutual love and confidence, and is in no sense to be maintained by the exercise of any force or coercion whatsoever. A particular church may withdraw from any court of this body at any time for reasons which seem to it sufficient, provided, however, the congregation is given at least thirty-days' notice of any meeting where the congregation is to vote on a proposed withdrawal from the Presbyterian Church in America.

So the amended paragraph 3 would read:

BCO 25-11 [paragraph 3]

Particular churches need remain in association with any court of this body only so long as they themselves so desire. The relationship is voluntary, based upon mutual love and confidence, and is in no sense to be maintained by the exercise of any force or coercion whatsoever. A particular church may withdraw from any court of this body at any time for reasons which seem to it sufficient, provided, however, the congregation is given at least thirty-days' notice of any meeting where the congregation is to vote on a proposed withdrawal from the Presbyterian Church in America.

Grounds (of Overtures Committee):

1. Disaffiliation is a **significant** decision and members should get more than seven days' notice for such a meeting.
2. A congregation can still withdraw from the PCA by **simple majority** vote, for any reason it deems sufficient.
3. 30-days' notice has nothing to do with **property**. The promise of BCO 25-10 remains unchanged: *"the Church as a whole promises never to attempt to secure possession of the property of any congregation against its will."* The congregation loses no power or property rights if greater notice is required for a disaffiliation meeting.
4. 30-day notice is similar to that required in **BCO 24-1**: "If there are [elder and deacon] candidates eligible for the election, the Session shall report to the congregation those eligible, giving at least **thirty (30) days** prior notice of the time and place of a congregational meeting for elections."
5. Last year, Presbyteries voted **44-30** *in favor of* a proposed change to increase the quorum to 50% for any such disaffiliation meeting. Granted, the vote was 14 short of the 58 required to pass, but it still showed that a 59% majority of those who voted were in favor of the change. Thus, there seems to be considerable support for ensuring a congregation is well informed of any disaffiliation meeting. (Last year, the Overtures Committee recommended the quorum change by a 91-5 vote, and the Greensboro GA adopted it by a 79% majority (706-183) and sent to the 86 presbyteries with its recommendation.)

6. The proposed 30-day notice requirement does not abridge any congregational right – it protects one. It ensures, for example, a Session can't **hurry** a church out of the PCA without the clear consent of a well-prepared congregation.
7. Some presbyters could relay stories, for example, of how a minister, upon being **investigated** or facing indictment, has persuaded his Session to promptly call a meeting to “take the church” out of the PCA.
8. While the *BCO* only requires one week notice for a meeting to **call a pastor**, that situation is different. With a Call, the congregation has already elected a search committee. And often, a congregational vote must occur prior to a Presbytery meeting where the candidate or minister will receive an ordination or transfer exam (and he cannot “move on to the field” without Presbytery approval).

Similar timeliness is usually involved when **purchasing or selling** property. And if the congregation is also a corporation, their state law probably requires between 10 and 60 days' notice for a special meeting of the non-profit corporation, for such a property decision (per *BCO* 25-7, final sentence). And state laws on non-profit corporations usually stipulate notice must be individually delivered to every voting member of the corporation, and not just announced on a Sunday at the church. Likewise, a special corporation meeting would be needed if disaffiliation involved changing the church's basis for their 501(c)3 status, which would happen if it had been under the PCA's IRS “umbrella.”

9. When many **generations** of PCA-loving members have contributed hundreds of thousands of dollars of the Lord's money to a particular PCA church, one would think it is only fair, reasonable, and honorable to make sure the church is not quickly ushered out of the denomination by a meeting called on very short notice. The goal, and our covenant with our brothers and sisters in the PCA today and in the past, should be to ensure any disaffiliation is the decision of the broader congregation, and not just the Session and a small part of the congregation. And 30-days' notice will help achieve that goal.
10. The CCB reported: “In the opinion of the CCB, Overture 10 is **not in conflict** with other parts of the Constitution.” (Commissioners Handbook, p. 283): The CCB vote was 4-2. A dissenting opinion contends: “*The creation of a more stringent requirement that applies only to churches wishing to withdraw is in conflict with the congregational competency and civil sufficiency clauses of BCO 25-11.*” In response to that contention, we note that if the *BCO* 25-2 requirement for seven-days' notice for congregational meetings does not conflict with other parts of *BCO* 25-11, then it is unclear how a requirement for increased notice in this particular instance could conflict. That is, unless the CCB minority is asserting that NO notice is required for such a congregational meeting.

ITEM 3: Amend BCO 30-1, Regarding Definite Suspension, as follows:

BCO 30-1. The censures, which may be inflicted by church courts, are admonition, suspension from the Sacraments, excommunication, suspension from office, and deposition from office. The censures of admonition or definite suspension from office shall be administered to an accused who, upon conviction, satisfies the court as to his repentance and makes such restitution as is appropriate. Such censure concludes the judicial process. The ~~censures~~

censure of indefinite suspension or excommunication shall be administered to an accused who, upon conviction, remains impenitent-, or to an accused who, upon conviction, the court deems it expedient not to restore from suspension until it has time to see the evidence of repentance manifested in his life. Excommunication shall be administered to an accused who, upon conviction, remains impenitent.

So that *BCO 30-1* would read:

BCO 30-1. The censures, which may be inflicted by church courts, are admonition, suspension from the Sacraments, excommunication, suspension from office, and deposition from office. The censures of admonition or definite suspension from office shall be administered to an accused who, upon conviction, satisfies the court as to his repentance and makes such restitution as is appropriate. Such censure concludes the judicial process. The censure of indefinite suspension shall be administered to an accused who, upon conviction, remains impenitent, or to an accused who, upon conviction, the court deems it expedient not to restore from suspension until it has time to see the evidence of repentance manifested in his life. Excommunication shall be administered to an accused who, upon conviction, remains impenitent.

ITEM 4: Amend *BCO 30-3*, final paragraph, Regarding Indefinite Suspension, as follows:

BCO 30-3. Suspension from Sacraments is the temporary exclusion from those ordinances, and is indefinite as to its duration. There is no definite suspension from the Sacraments.

Suspension from office is the exclusion of a church officer from his office. This may be definite or indefinite as to its duration. With respect to church officers, suspension from Sacraments shall always be accompanied by suspension from office. But suspension from office is not always necessarily accompanied with suspension from Sacraments.

Definite suspension from office is administered when the credit of religion, the honor of Christ, and the good of the delinquent demand it, even though the delinquent has given satisfaction to the court.

Indefinite suspension from office is administered to the ~~impenitent~~ offender until the court determines he should be restored to office ~~he exhibits signs of repentance,~~ or until by his conduct, the necessity of the greatest censure be made manifest. In the case of indefinite suspension from office imposed due to scandalous conduct, the procedure outlined in *BCO 34-8* shall be followed.

So that the final paragraph would read:

Indefinite suspension from office is administered to the offender until the court determines he should be restored to office, or until by his conduct, the necessity of the greatest censure be made manifest. In the case of indefinite

suspension from office imposed due to scandalous conduct, the procedure outlined in *BCO* 34-8 shall be followed.

Grounds: This would more clearly separate suspension from sacraments and suspension from office, and the court would render distinct decisions on each. A confessed or convicted minister might be demonstrating initial signs of repentance, but not yet be ready to be restored to office. This amendment would give Presbyteries more control of the matter, and more clarity.

ITEM 5: Amend *BCO* 32-19, to Allow Counsel by Any Communing Member in All Levels of Courts, as follows:

32-19. No professional counsel shall be permitted as such to appear and plead in cases of process in any court; but an accused person may, if he desires it, be represented before the Session by any communing member of any church in that presbytery ~~the same particular church~~, or before any other court, by any member of the Presbyterian Church in America ~~that court~~. A member of the court so employed shall not be allowed to sit in judgment in the case.

So that *BCO* 32-19 would read:

32-19. No professional counsel shall be permitted as such to appear and plead in cases of process in any court; but an accused person may, if he desires it, be represented before the Session by any communing member of any church in that presbytery, or before any other court, by any member of the Presbyterian Church in America. A member of the court so employed shall not be allowed to sit in judgment in the case.

Grounds: In judicial process before a Session, this *BCO* change would allow the accused to recruit a representative from any church in his Presbytery. And in process before a Presbytery or the SJC, this would allow the accused to recruit a representative from any PCA church or PCA presbytery. It is fair to allow an accused minister to recruit from a broader pool, partly because his compensation and career would likely be in jeopardy, whereas that is rarely the circumstance in process before a Session. Unlike what was originally proposed in Overture 3, this revision would preclude a defense representative in Alaska from serving as the defense representative for someone in judicial process before a Session in Florida. But it would allow someone from Alaska to serve in that capacity for a minister in judicial process before a distant Presbytery. While anyone can offer advice or counsel to a defendant, this paragraph applies specifically to someone who can represent the accused (who is not required to take the stand, per *BCO* 35-1). For example, this representative could cross-examine prosecution witnesses.

ITEM 6: Amend BCO 35-11, Not to Disqualify Automatically a Member of a Court Who Was Called as a Witness, by deleting the current 35-11 and substituting a new 35-11 as follows

~~35-11. A member of the court who has given testimony in a case becomes disqualified for sitting as a judge if either party makes objection. A member of the court shall not be disqualified from sitting as a judge by having given testimony in the case, unless a party makes an objection, and the court subsequently determines that such member should be disqualified. The elder against whom the objection has been made shall retain the right to vote in the determination of qualification. A member of the court who is the prosecutor in the case (BCO 31-2) is disqualified from sitting as a judge.~~

So that BCO 35-11 would read:

35-11. A member of the court shall not be disqualified from sitting as a judge by having given testimony in the case, unless a party makes an objection, and the court subsequently determines that such member should be disqualified. The elder against whom the objection has been made shall retain the right to vote in the determination of qualification. A member of the court who is the prosecutor in the case (BCO 31-2) is disqualified from sitting as a judge.

ITEM 7: Amend BCO 59 as follows (Vote on 1, 2, and 3 as a unit).

(1) Amend BCO 59-3 by addition and reordered wording.

~~59-3. Marriage is only to be between one man and one woman ~~only~~ (Gen. 2:24,25; Matt. 19:4-6, 1 Cor. 7:2), in accordance with the Word of God. Therefore, ministers in the Presbyterian Church in America who solemnize marriages shall only solemnize marriages between one man and one woman.~~

So that BCO 59-3 would read:

59-3. Marriage is only to be between one man and one woman (Gen. 2:24,25; Matt. 19:4-6, 1 Cor. 7:2), in accordance with the Word of God. Therefore, ministers in the Presbyterian Church in America who solemnize marriages shall only solemnize marriages between one man and one woman.

(2) Give to BCO 59-3, as amended, full constitutional status and reflect this change in the Stated Clerk's introduction to the Directory of Worship.

(3) Retain the current wording of BCO 59-1, -2, -4, -5, -6, and -7.