

GUIDELINES CONCERNING DISSOLVING OR DISMISSING A CONGREGATION OF THE PRESBYTERY OF GENEVA

I. Introduction

¹² For just as the body is one and has many members, and all the members of the body, though many, are one body, so it is with Christ. ¹³For in the one Spirit we were all baptized into one body and we were all made to drink of one Spirit. ¹⁴Indeed, the body does not consist of one member but of many. ¹⁵If the foot would say, "Because I am not a hand, I do not belong to the body," that would not make it any less a part of the body. ¹⁶And if the ear would say, "Because I am not an eye, I do not belong to the body," that would not make it any less a part of the body. ¹⁷If the whole body were an eye, where would the hearing be? If the whole body were hearing, where would the sense of smell be? ¹⁸But as it is, God arranged the members in the body, each one of them, as he chose. ¹⁹If all were a single member, where would the body be? ²⁰As it is, there are many members, yet one body. ²¹The eye cannot say to the hand, "I have no need of you," nor again the head to the feet, "I have no need of you." ²²On the contrary, the members of the body that seem to be weaker are indispensable, ²³and those members of the body that we think less honorable we clothe with greater honor, and our less respectable members are treated with greater respect; ²⁴whereas our more respectable members do not need this. But God has so arranged the body, giving the greater honor to the inferior member, ²⁵that there may be no dissension within the body, but the members may have the same care for one another. ²⁶If one member suffers, all suffer together with it; if one member is honored, all rejoice together with it. ²⁷ Now you are the body of Christ and individually members of it.

1 Corinthians 12:12-27 (NRSV)

Together, we pray, play, and energize our congregations to live out the Good News of Jesus Christ.

Together, we lift up each other in love.

Together, we call others into the circle of God's grace.

Vision Statement, Presbytery of Geneva

The Book of Order, G-4.0202, says about the "oneness" of the church: "There is one Church. As the Bible speaks of the one body which is the Church living under the one Spirit of God known through Christ, it reminds us that we have "one Lord, one faith, one baptism, one God and Father of us all."

Ephesians 4:5-6

It is the prayer of the Presbytery of Geneva that all the congregations within its bounds be effective in ministry and mission, witnessing to the greater unity of the Presbyterian Church (U.S.A.) [PCUSA] and Christ's Church worldwide. We are a connectional denomination, in which each part of our body is concerned about every other part. As a Presbytery we seek to lift each other in love. When one particular congregation is experiencing difficulty, is in decline, or is feeling estranged from Presbytery or denomination, all of our congregations suffer, as Paul writes in 1 Corinthians 12:12-27.

The Presbytery of Geneva affirms that remaining part of the Presbyterian Church (U.S.A.) is the best way to carry out our commitment to Christ and our commitment and vows to the PCUSA. We affirm that property of particular churches is held in trust for the whole denomination in accordance with G-8.0201 and with the applicable portions of New York State Religious Corporation Law. We affirm the Presbytery's responsibility to preserve the witness and resources of the Presbyterian presence of the past and the future. We affirm our abiding commitment to reconciliation and continued healthy relationships between the Presbytery and our congregations. We affirm that we are all responsible for each other's well-being and that the primary approach to the congregations within our Presbytery's bounds should be positive, pastoral, and spiritual to strengthen the relationships one to another.

Yet, despite our communal prayer for unity and mutual support, there may come instances where a particular church may petition the Presbytery to be dismissed or dissolved (G-11.0103i) in accordance with this policy and these procedures.

II. Response Team

Upon a request from the Session of a particular church within the bounds of the Presbytery or upon a report from another party that a congregation may be contemplating whether to seek to be dismissed or dissolved, the Presbytery may form a Response Team to meet with and counsel that congregation and Session. This request or report may be made to the Executive Presbyter, the Stated Clerk of the Presbytery, the Chairperson of General Council, the Chairperson of the Committee on Ministry, or the Chairperson of the Committee on Church Property & Finances.

The Response Team may be named by the Chairperson of General Council, in consultation with the Executive Presbyter, the Stated Clerk of the Presbytery, the Chairperson of the Committee on Ministry, and the Chairperson of the Committee on Church Property & Finances. The Response Team may have between three and seven members, and may be drawn from among the elders and minister members of the Presbytery, so long as one person is from the Committee on Ministry and one is from the Committee on Church Property & Finances.

The task of the Response Team is to meet with members and the Session of a congregation contemplating whether to seek to be dismissed or dissolved to provide pastoral care and assure the congregation and Session of Presbytery's ongoing care and commitment, to gather information and learn the congregation's perspective, to share the Presbytery's process and perspective, to discuss ecclesiastical and legal considerations, including the separate issue of the particular church's property, and to relay the results of such meetings to the relevant committees. The church's property and/or financial assets are a separate issue that would only be discussed by the Session and/or congregation with an Administrative Commission elected by the Presbytery should the congregation eventually request and the Presbytery approve dismissal or dissolution. The Response Team should provide ample opportunity for persons with different views upon the subject to express themselves, and should not rush the proceedings but take enough time to explore opinions and options. The Response Team may offer suggestions and will report back to the General Council of the Presbytery. The Response Team is not empowered to take any actions on its own.

Upon hearing the report of the Response Team and other parties and after due consideration of information and perspectives on the issue, including legal advice, and the witness of the Presbyterian presence past and future, the General Council of the Presbytery may undertake further discussion to seek reconciliation with the particular church.

III. Policy Statements:

- A. The Presbytery of Geneva believes strongly that remaining loyal to the Presbyterian Church (U.S.A.) [PCUSA] is the best way to carry out our calling and commitment to Christ, as well as our commitment and vows to the PCUSA.
- B. The “property clause” in the PCUSA Constitution [G-8.0201] reprinted below is valid and binding on all congregations of the Presbytery of Geneva.

“All property held by or for a particular church, a presbytery, a synod, the General Assembly, or the Presbyterian Church (USA),, whether legal title is lodged in a corporation, a trustee or trustees, or an unincorporated association, and whether the property is used in programs of a particular church or of a more inclusive governing body or retained for the production of income, is held in trust nevertheless for the use and benefit of the Presbyterian Church (USA).” [PCUSA Book of Order G-8.0201]

- C. Regulations for Religious Corporations imposed by New York State shall be adhered to by the Presbytery and its congregations.
- D. Individual members , including officers (deacons, elders and ministers) may, at any time, unite with other Reformed denominations following provisions in the *Book of Order* [Book of Order: G-10.0302(b)(1); G-11.0416]

IV. Procedures:

<u>A. To Dissolve a Congregation</u>	<u>B. To Dismiss a Congregation</u>
<p>1. Definition: A congregation which is dissolved by a Presbytery of the PCUSA is “closed” and no longer exists as a congregation in any form. Furthermore, the religious corporation of that congregation is also dissolved with the State of New York.</p> <p>2. The Session of a congregation considering closing/being dissolved as a church should contact the Presbytery Stated Clerk as soon as the possibility arises so that the Presbytery can be in conversation with the Session and/or congregation.</p> <p>3. The Session and congregation shall</p>	<p>1. Definition: A congregation which is dismissed by a Presbytery of the PCUSA becomes a member of another denomination which is a member of the World Alliance of Reformed Churches or to another Reformed denomination recognized by the Stated Clerk of the General Assembly (PCUSA). The religious corporation for the PCUSA congregation is dissolved with the State of New York and a new corporation must be applied for following dismissal from the PCUSA.</p> <p>2. The Session of a congregation considering dismissal from the PCUSA should contact the Presbytery Stated Clerk as soon as the possibility arises so that the Presbytery can be in conversation with the Session and/or congregation.</p> <p>3. The Session and congregation shall</p>

<p>participate in conversation with the Presbytery of Geneva's Response Team as outlined above.</p> <p>4. The Response Team shall report its work to and consult with the Presbytery's Committee on Ministry, Church Transformation Committee, Church Property & Finance Committee, and General Council.</p> <p>5. When the General Council affirms the recommendation of the Response Team that dissolving the church appears inevitable, the Session shall call a Congregational meeting for the purpose of discussing "Shall the _____ Presbyterian Church be dissolved?" Due notice shall be given orally from the pulpit at regular church services on two successive Sundays, the first of which shall be at least ten days prior to the meeting. Prior notice shall also be given in the congregation's newsletter or bulletin.</p> <ol style="list-style-type: none">At least 25% of the Active Members of the Congregation shall be present.Representatives appointed by Presbytery including Presbytery staff acting on its behalf shall be present throughout and shall have the right to speak.The question to be discussed is <i>"Shall the _____ Presbyterian Church be dissolved?"</i>	<p>participate in conversation with the Presbytery of Geneva's Response Team as outlined above.</p> <p>4. Congregations may be dismissed by Presbytery only to a member of the World Alliance of Reformed Churches or to another Reformed denomination recognized by the Stated Clerk of the General Assembly (PCUSA).</p> <p>If, in the course of working with the Presbytery of Geneva Response Team, the Session wishes to explore opportunities for joining with another Reformed Denomination, it may, with the knowledge of the Response Team, enter into dialogue with one or more such bodies.</p> <p>If the Session determines that another Reformed Denomination would be willing to accept the congregation if the way be clear, the Session shall inform the Presbytery Response Team who will ask the Presbytery of Geneva's Stated Clerk to confirm such willingness with the Stated Clerk of the other Reformed denomination.</p> <p>5. Pending receipt of such confirmation from the Stated Clerk of the Presbytery of Geneva, the Session shall call a Congregational meeting for the purpose of discussing "Shall the _____ Presbyterian Church request dismissal to _____ Reformed body?" Due notice shall be given orally from the pulpit at regular church services on two successive Sundays, the first of which shall be at least ten days prior to the meeting. Prior notice shall also be given in the congregation's newsletter or bulletin.</p> <ol style="list-style-type: none">At least 25% of the Active Members of the Congregation shall be present.Representatives appointed by Presbytery including Presbytery staff acting on its behalf shall be present throughout and shall have the right to speak.The question to be discussed is <i>"Shall the _____ Presbyterian Church request dismissal to _____ Reformed body?"</i>
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<p>d. Ample time shall be provided for both speakers wanting the church to be dissolved and those wanting to maintain the church's status.</p> <p>e. No type of vote for any purpose shall be taken at this meeting.</p> <p>f. Agenda for the first Congregational Meeting:</p> <ol style="list-style-type: none">1). Call to the meeting is read2). Meeting opened with prayer3). Active Members present sign in4). Clerk of Session reviews the sign-in list and those present and determines that at least 25% of the Active Members of the Congregation are present5). The Session shall present its proposal6). Active Members of the Congregation and those representing the Presbytery may ask questions and/or make statements. Ample time shall be provided for both speakers wanting the church to be dissolved and those wanting to maintain the church's status. As much as possible, the Moderator shall recognize speakers in alternation between those in favor of Session's proposal and those against. Questions may be asked of the Session and/or of those representing the Presbytery.7). When all who wish have been heard at least once, the Moderator may entertain a motion to adjourn8). If motion carries, meeting is closed with prayer.9). The Clerk of Session shall keep the Active Member sign-in sheet along with other Session records. Should the congregation later request that the church be dissolved, the Clerk of Session shall send a copy of the Active Member sign-in sheet along with a copy of the minutes of this meeting of the Congregation to the Stated	<p>d. Ample time shall be provided for both speakers wanting dismissal and those wanting to stay with the PCUSA.</p> <p>e. No type of vote for any purpose shall be taken at this meeting.</p> <p>f. Agenda for the first Congregational Meeting:</p> <ol style="list-style-type: none">1). Call to the meeting is read2). Meeting opened with prayer3). Active Members present sign in4). Clerk of Session reviews the sign-in list and those present and determines that at least 25% of the Active Members of the Congregation are present5). The Session shall present its proposal6). Active Members of the Congregation and those representing the Presbytery may ask questions and/or make statements. Ample time shall be provided for both speakers wanting dismissal and those wanting to stay with the PCUSA. As much as possible, the Moderator shall recognize speakers in alternation between those in favor of Session's proposal and those against. Questions may be asked of the Session and/or of those representing the Presbytery.7). When all who wish have been heard at least once, the Moderator may entertain a motion to adjourn8). If motion carries, meeting is closed with prayer.9). The Clerk of Session shall keep the Active Member sign-in sheet along with other Session records. Should the congregation later request dismissal to another denomination, the Clerk of Session shall send a copy of the Active Member sign-in sheet along with a copy of the minutes of this meeting of the
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Clerk of the Presbytery.	Congregation to the Stated Clerk of the Presbytery.
<p>6. The Session – no sooner than three months, and no later than six months after the first meeting described above – may call a second Congregational meeting for the purpose of voting on whether to request that the Presbytery Dissolve the _____ Presbyterian Church. Both written and oral notice shall clearly state that the meeting is called for the purpose of determining whether to seek to dissolve the church and that no other business may be entertained.</p> <ul style="list-style-type: none">a. Due notice shall be mailed to all Active Members of the Congregation at least thirty (30) days prior to the meeting, and shall be given orally from the pulpit at regular church services on two successive Sundays, the first of which shall be at least ten days prior to the meeting.b. At least 50% of the Active Members shall be present.c. Representatives appointed by Presbytery including Presbytery staff acting on its behalf shall be present throughout and shall have the right to speak.d. The question to be discussed is <i>“Shall the _____ Presbyterian Church request Presbytery to Dissolve this church?”</i>e. Ample time shall be provided for both speakers wanting to dissolve the church and those wanting to maintain the church’s status.f. After discussion and prayer, the Active Members of the congregation present shall vote by written ballot on this question, <i>“Shall the _____ Presbyterian Church request that the Presbytery of Geneva dissolve this church?”</i> the only choices being “Request the Church Be Dissolved” or “Do Not Dissolve the Church.”g. If three-quarters of those Active	<p>6. The Session – no sooner than three months, and no later than six months after the first meeting described above – may call a second Congregational meeting for the purpose of voting on whether to request that the Presbytery Dismiss it to _____ Reformed body. Both written and oral notice shall clearly state that the meeting is called for the purpose of determining whether to seek Dismissal to another Reformed body and that no other business may be entertained.</p> <ul style="list-style-type: none">a. Due notice shall be mailed to all Active Members of the Congregation at least thirty (30) days prior to the meeting, and shall be given orally from the pulpit at regular church services on two successive Sundays, the first of which shall be at least ten days prior to the meeting.b. At least 50% of the Active Members shall be present.c. Representatives appointed by Presbytery including Presbytery staff acting on its behalf shall be present throughout and shall have the right to speak.d. The question to be discussed is <i>“Shall the _____ Presbyterian Church request Presbytery to dismiss it to _____ Reformed body?”</i>e. Ample time shall be provided for both speakers wanting dismissal and those wanting to stay with the PCUSA.f. After discussion and prayer, the Active Members of the congregation present shall vote by written ballot on this question, <i>“Shall the _____ Presbyterian Church request that the Presbytery of Geneva dismiss it to _____ Reformed body?”</i> the only choices being “Request Dismissal” or “Do Not Request Dismissal.”g. If three-quarters of those Active Members present and voting vote

<p>Members present and voting vote to request that the church be dissolved, the request shall go to Presbytery for its consideration.</p> <p>h. If the motion carries, the congregation will be notified that after Presbytery gives approval of their request, Presbytery will form an Administrative Commission who will enter into conversation with the Session and Congregation regarding the disposition of its property and financial assets.</p> <p>i. Agenda for the second Congregational Meeting:</p> <ol style="list-style-type: none">1). Call to the meeting is read2). Meeting opened with prayer3). Active members present sign in4). Clerk of Session reviews the sign-in list and those present and determines that at least 50% of the Active Members of the Congregation are present5). The Moderator appoints at least three persons from the Active Members present to serve as Tellers [persons who will distribute, collect, and count written ballots].6). A member of the Session shall move the question: <i>“Shall the _____ Presbyterian Church request Presbytery to dissolve this church?”</i>7). Active Members of the Congregation and those representing the Presbytery may debate the motion. Ample time shall be provided for both speakers wanting to dissolve the church and those wishing to maintain the church’s status. As much as possible, the Moderator shall recognize speakers in alternation between those in favor of the motion and those against. Questions for clarification may be asked of the Session and/or of those representing the Presbytery.8). When all who wish have been	<p>to request dismissal, the request shall go to Presbytery for its consideration.</p> <p>h. If the motion carries, a second motion may be entertained to request that representatives of the Presbytery enter into conversation with the congregation regarding the disposition of its property and financial assets.</p> <p>i. Agenda for the second Congregational Meeting:</p> <ol style="list-style-type: none">1). Call to the meeting is read2). Meeting opened with prayer3). Active members present sign in4). Clerk of Session reviews the sign-in list and those present and determines that at least 50% of the Active Members of the Congregation are present5). The Moderator appoints at least three persons from the Active Members present to serve as Tellers [persons who will distribute, collect, and count written ballots].6). A member of the Session shall move the question: <i>“Shall the _____ Presbyterian Church request Presbytery to dismiss it to _____ Reformed body?”</i>7). Active Members of the Congregation and those representing the Presbytery may debate the motion. Ample time shall be provided for both speakers wanting dismissal and those wanting to stay with the PCUSA. As much as possible, the Moderator shall recognize speakers in alternation between those in favor of the motion and those against. Questions for clarification may be asked of the Session and/or of those representing the Presbytery.8). When all who wish have been heard at least once, the
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<p>heard at least once, the Moderator may entertain a motion to “end debate and proceed to vote on the motion.”</p> <p>9). The Moderator shall instruct those present that only those who are on the Active Member roll may vote.</p> <p>10). The Clerk of Session shall read the list of those present who are on the Active Member roll and may receive a ballot and vote.</p> <p>11). The appointed Tellers shall distribute the written ballots to those Active Members certified by the Clerk on which shall have been pre-printed:</p> <p>a). The motion: <i>“Shall the _____ Presbyterian Church request Presbytery to dissolve this church?”</i></p> <p>b). Spaces to mark a vote next to the words <i>“Request the church be dissolved”</i> and <i>“Do Not Request the church be dissolved”</i> only.</p> <p>12). The Tellers shall collect the ballots and shall tally the vote. The ballots will be counted by the Tellers at least twice to ensure an accurate count.</p> <p>13). The Tellers shall write the vote totals and sign a tally sheet and present it to the Moderator who will announce the results of the vote to those gathered.</p> <p>14). If three-quarters of the Active Members present and voting vote to approve the motion to seek to dissolve the church, the Moderator and the Clerk of the Session shall transmit the request in writing to the Stated Clerk of the Presbytery along with a copy of the minutes of the meeting.</p> <p>15). The Clerk of Session shall keep the written ballots in a sealed envelope until any denominational actions have been completed and then shall</p>	<p>Moderator may entertain a motion to “end debate and proceed to vote on the motion.”</p> <p>9). The Moderator shall instruct those present that only those who are on the Active Member roll may vote.</p> <p>10). The Clerk of Session shall read the list of those present who are on the Active Member roll and may receive a ballot and vote.</p> <p>11). The appointed Tellers shall distribute the written ballots to those Active Members certified by the Clerk on which shall have been pre-printed:</p> <p>a). The motion: <i>“Shall the _____ Presbyterian Church request Presbytery to dismiss it to _____ Reformed body?”</i></p> <p>b). Spaces to mark a vote next to the words <i>“Request Dismissal”</i> and <i>“Do Not Request Dismissal”</i> only.</p> <p>12). The Tellers shall collect the ballots and shall tally the vote. The ballots will be counted by the Tellers at least twice to ensure an accurate count.</p> <p>13). The Tellers shall write the vote totals and sign a tally sheet and present it to the Moderator who will announce the results of the vote to those gathered.</p> <p>14). If three-quarters of the Active Members present and voting vote to approve the motion to seek dismissal from the PCUSA, the Moderator and the Clerk of the Session shall transmit the request in writing to the Stated Clerk of the Presbytery along with a copy of the minutes of the meeting.</p> <p>15). The Clerk of Session shall keep the written ballots in a sealed envelope until any denominational actions have been completed and then may discard them. The Clerk of</p>
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<p>forward them to the Presbytery along with other church records. The Clerk of Session shall keep the Active Member sign-in sheets and the signed Teller tally sheet and shall send copies along with the minutes of this meeting of the Congregation to the Stated Clerk of the Presbytery if the congregation has voted to request that the church be dissolved.</p> <p>16). If the motion has carried, the congregation will be notified that after Presbytery gives approval of their request, the Presbytery will form an Administrative Commission to enter into conversation with the Session and Congregation regarding the disposition of its property and financial assets. At least the following excerpts from the PCUSA <u>Book of Order</u> shall be read to the congregation G-8.0200 regarding "All Property Held in Trust" and G-8.0400 "Property of a Dissolved Church."</p> <p>17). Since no other motions will be in order at this meeting, the Moderator may entertain a motion to adjourn.</p> <p>18). If motion carries, meeting is closed with prayer.</p> <p>j. If any five Active Members of the Congregation, present and voting, contest the regularity (the call for, the conduct of or the vote taken) of the second congregational meeting, they shall send the details of their allegation, postmarked within ten business days of that meeting, to the Stated Clerk of the Presbytery of Geneva who shall convene the Permanent Judicial Commission to render a decision.</p> <p>7. Having received written communication from the Clerk of Session and Moderator of the Meeting of the Congregation that the congregation has voted to request that the</p>	<p>Session shall keep the Active Member sign-in sheets and the signed Teller tally sheet and shall send copies along with the minutes of this meeting of the Congregation to the Stated Clerk of the Presbytery if the congregation has voted to request dismissal.</p> <p>16). If the motion has carried, a second motion may be entertained to request that representatives of the Presbytery enter into conversation with the congregation regarding the disposition of its property and financial assets. This request shall also be transmitted in writing by the Moderator and Clerk of Session to the Stated Clerk of the Presbytery.</p> <p>17). Since no other motions will be in order at this meeting, the Moderator may entertain a motion to adjourn.</p> <p>18). If motion carries, meeting is closed with prayer.</p> <p>j. If any five Active Members of the Congregation, present and voting, contest the regularity (the call for, the conduct of or the vote taken) of the second congregational meeting, they shall send the details of their allegation, postmarked within ten business days of that meeting, to the Stated Clerk of the Presbytery of Geneva who shall convene the Permanent Judicial Commission to render a decision.</p> <p>7. Having received written communication from the Clerk of Session and Moderator of the Meeting of the Congregation that the congregation has voted to request dismissal to ___ Reformed body, the Presbytery shall</p>
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<p>church be dissolved, the Presbytery shall add this request as an item of business at its next stated meeting.</p> <p>8. Once the request has been placed on the Presbytery docket, a task group composed of the Chairperson of the Committee on Ministry, the Chairperson of General Council, the Chairperson of the Committee on Church Property & Finances, the Stated Clerk of the Presbytery, and the Presbytery Executive will develop a slate of nominees that Presbytery may consider to serve on an Administrative Commission should approval be given for the church to be dissolved.</p> <p>9. At the meeting of Presbytery to consider a request to dissolve the church, the Presbytery shall:</p> <ul style="list-style-type: none">a. Hear from representatives from the Congregation in favor of dissolving the church;b. Hear from representatives of those wishing that the church maintain its status, reserving to Presbytery the right to determine “the true church” [<i>Book of Order</i>: G-8.0600]c. Hear from the Response Team representatives and Presbytery Staff members acting on behalf of the Presbytery who were present at the second Congregational meeting, and who may also recommend a decision to Presbytery;d. Be informed of any financial contributions from this Congregation to the Presbytery, Synod or General Assembly and to this Congregation by the Presbytery, Synod or General Assembly within at least the last ten years.e. Be informed of any debts held by the congregation.f. Be informed what provisions will be made for those members who wish to remain in the PCUSA and for any Ministers of Word and Sacrament, Christian Educators or Commissioned Lay Pastors associated with the Congregation;	<p>add this request as an item of business at its next stated meeting.</p> <p>8. Once the request has been placed on the Presbytery docket, a task group composed of the Chairperson of the Committee on Ministry, the Chairperson of General Council, the Chairperson of the Committee on Church Property & Finances, the Stated Clerk of the Presbytery, and the Presbytery Executive will develop a slate of nominees that Presbytery may consider to serve on an Administrative Commission should approval be given for the congregation to be dismissed.</p> <p>9. At the meeting of Presbytery to consider a request for dismissal, the Presbytery shall:</p> <ul style="list-style-type: none">a. Hear from representatives from the Congregation in favor of dismissal;b. Hear from representatives of those wishing to remain in the PCUSA, reserving to Presbytery the right to determine “the true church” [<i>Book of Order</i>: G-8.0600]c. Hear from the Response Team representatives and Presbytery Staff members acting on behalf of the Presbytery who were present at the second Congregational meeting, and who may also recommend a decision to Presbytery;d. Be informed of any financial contributions from this Congregation to the Presbytery, Synod or General Assembly and to this Congregation by the Presbytery, Synod or General Assembly within at least the last ten years.e. Be informed what provisions will be made for those members who wish to remain in the PCUSA and for any Ministers of Word and Sacrament, Christian Educators or Commissioned Lay Pastors associated with the Congregation;f. Be informed how the
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<p>g. Be informed how the Congregation's dismissal would affect the mission and ministry of the Church in this Presbytery.</p> <p>h. After discussion and prayer, the Presbytery shall vote by written ballot on this question, "Shall the ___ Presbyterian Church be dissolved?," the only choices being "Yes" or "No."</p> <p>i. If three-quarters of those commissioners present and voting vote in favor of dismissal, that shall be the action of Presbytery.</p> <p>j. If the motion carries, the Presbytery shall vote to appoint an Administrative Commission for the purpose of:</p> <ol style="list-style-type: none"> 1). Transferring members of the congregation to other congregations. Members would be encouraged to find other church homes and would be notified that Letters of Transfer can be written up to one year following the date that the church is dissolved after which time the records will show that their membership has been deleted. As much as possible, Letters of Transfer would be written by the Session before it is dissolved. 2). Determining how any debts held by the congregation would be paid. 3). Tending to any legal issues involved in dissolving the church including dissolving the congregation's New York State religious corporation status. 4). Taking custody of all Session records and transferring them to the Presbytery of Geneva. 5). Meeting with members of the congregation and Session to determine appropriate financial and/or property disposition. Discussion will include but not be limited to: 	<p>Congregation's dismissal would affect the mission and ministry of the Church in this Presbytery.</p> <p>g. After discussion and prayer, the Presbytery shall vote by written ballot on this question, "Shall the ___ Presbyterian Church be dismissed to ___ Reformed body," the only choices being "Yes" or "No."</p> <p>h. If three-quarters of those commissioners present and voting vote in favor of dismissal, that shall be the action of Presbytery.</p> <p>i. If the motion carries, the Presbytery shall vote to appoint an Administrative Commission for the purpose of:</p> <ol style="list-style-type: none"> 1). Transferring members of the congregation who wish to become members of a PCUSA congregation. 2). Referring pastor(s) seeking transfer to ___ Reformed body with the congregation to the PCUSA Board of Pensions so that he/she/they may be fully apprised of any consequences of such action. 3). Tending to any legal issues involved in dismissal including dissolving the congregation's New York State religious corporation status. 4). Taking custody of all Session records and transferring them to the Presbytery of Geneva. <p>j. It shall be the responsibility of the Congregation to pay for all such financial, legal, and/or other experts that the Congregation or the Presbytery engages to assist the Congregation or the Presbytery in carrying out the dismissal.</p> <p>10. If the Presbytery approves dismissing a Congregation to another Reformed body, that Congregation may also petition Presbytery to dismiss it with all or some of its property and/or assets. If so requested, Presbytery shall:</p> <ol style="list-style-type: none"> a. determine a date at which it will consider the request [at a
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<p>a).a time line for closure b).provision for pastoral care needs during the transition to closure, if no pastor is present, including funerals, weddings, baptisms, hospital visits, and counseling. c).real and personal property [of which a complete inventory will be made and which recommendation will include any property or assets not known at this time]. d).stocks, investments and endowment funds. e).bank accounts for the congregation and all of its organizations. f).items which have been given as memorials g).disposition of any future bequests received in the name of the congregation.</p> <p>6).Consulting with persons with legal and financial expertise and/or other professionals as may seem prudent to develop a recommendation.</p> <p>7).Conducting a Title Search of all real estate to determine whether there are reversionary interests that would cause the property to pass out of the control of the church if the property ceases to be used for specified purposes.</p> <p>8). Ensuring that any buildings not being used regularly are adequately secured against trespassers and making arrangements to have the building(s) inspected regularly.</p> <p>9).Once it has determined the recommendation it will make, to have one or more members of the Commission inform the Session of the terms of the recommendation(s).</p> <p>11. When the Administrative Commission has developed a recommendation regarding the church's residual assets</p>	<p>subsequent meeting which is to be no later than the next called meeting of Presbytery but may be at a special meeting of Presbytery called at a time between this meeting and the next one scheduled] and</p> <p>b. direct its elected Administrative Commission to:</p> <p>1). Meet with members of the congregation to determine appropriate financial and/or property disposition and/or property compensation terms in light of the needs of the Congregation, of those wishing to continue in the PCUSA, and the overall mission of the Presbytery.</p> <p>2).Consult with persons with legal and financial expertise and/or other professionals as may seem prudent to develop a recommendation. It shall be the responsibility of the Congregation to pay for all such financial, legal, and/or other experts that the Presbytery engages to assist it in assessing the congregation's request.</p> <p>3). Once it has determined the recommendation it will make, to have one or more members of the Commission inform the Session of the terms of the recommendation(s).</p> <p>11. At the Presbytery meeting appointed to consider the congregation's request to be dismissed with all or some of its property and/or assets, the Presbytery</p>
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<p>and property, it shall notify the Stated Clerk of the Presbytery and at a stated or called meeting and the Presbytery shall:</p> <ul style="list-style-type: none">a. Hear from representatives from the Congregation in favor of the petition;b. Receive a recommended decision [which can be debated and amended] from the Administrative Commission detailing membership, financial and property issues.c. After discussion and prayer, the Presbytery shall vote on the recommendation(s). <p>12. If a majority of those present and voting vote in favor, the Congregation shall be dissolved and the Administrative Commission will be empowered to implement all of the approved recommendations and any other business that may be required by the PCUSA or the State of New York to dissolve the congregation. The Session and/or Board of Trustees of the Congregation should remain active during this time in order to sign any legal documents related to the sale and/or transfer of property and assets.</p> <p>13. The Administrative Commission shall make arrangements with the Session for a special service of worship to celebrate the ministry of the church and its people. The Administrative Commission should also make sure that the Presbytery's insurance policy will cover the assets of the dissolving church until they have been sold or had</p>	<p>shall:</p> <ul style="list-style-type: none">a. Hear from representatives from the Congregation in favor of the petition;b. Receive a recommended decision [which can be debated and amended] from the Administrative Commission detailing appropriate financial and/or property disposition and/or property compensation terms in the light of the needs of the Congregation, those wishing to continue in the PCUSA, and the overall mission of Presbytery. Sometime prior to this Presbytery meeting, a representative of the Administrative Commission shall inform the Session of the Congregation in question of the terms of the recommendation.c. After discussion and prayer, the Presbytery shall vote by written ballot on this question: <i>"Shall the ___ Presbyterian Church be dismissed to ___ Reformed body with these financial arrangements for its property and/or assets?"</i> The only choices shall be "Yes" or "No." <p>12. If a majority of those present and voting vote in favor, the Congregation shall be dismissed with the approved arrangements for finances and/or property disposition and/or property compensation, provided that if the Congregation is not still a member of the specified or another Reformed body at any time within ten years, the dismissed property shall revert back to the Presbytery of Geneva.</p> <p>13. The Stated Clerk of the Presbytery of Geneva will inform the Stated Clerk of the receiving Reformed body that the Presbytery has approved dismissal to that body and outline the approved terms for dismissal.</p>
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<p>titles transferred.</p> <p>14. The Church will be considered Dissolved when all arrangements have been completed by the Administrative Commission to fulfill the recommendations approved by the Presbytery AND when notification is received from the State of New York that the religious corporation for that PCUSA congregation has been dissolved.</p> <p>15. At this time the Administrative Commission will make a report to the Presbytery describing the process and actions the commission has taken [including the action making the presbytery the “successor in interest” to the congregation] and a full accounting of the transfer of members and the distribution of assets.</p>	<p>14. Dismissal of the Congregation to the other Reformed denomination will become effective when the Stated Clerk of the receiving Reformed body notifies the Presbytery of Geneva that it has taken action to receive the Congregation AND when notification is received from the State of New York that the religious corporation for that PCUSA congregation has been dissolved.</p>
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