

MINUTES OF THE GENERAL ASSEMBLY

A Minute Explanatory. Apart from a showing of “clear error,” the SJC must defer to the judgment of the lower court regarding those matters of discretion and judgment which can only be addressed by a court with familiar acquaintance of the events and parties (*BCO* 39-3.3). No such showing is contained in the Record.

However, the Record does show that judicial process took place only after reasonable attempts at pastoral care had been made at both the local and presbytery level. Early on members of the Session had urged the Appellant to pursue marital counseling. Pastoral help was sought by Session members from a respected mentor. Counseling was arranged through another minister of the Presbytery, apparently to no avail. The Record shows that IP took up judicial process, not to resolve a pastoral matter, but because, after investigation, IP concluded that there was a strong presumption of guilt that the Appellant had committed grievous offenses against his wife that required disciplinary action.

The Panel Decision was drafted by TE David Coffin and RE John Pickering and amended and unanimously approved by the Panel. The SJC amended and approved the decision on the following roll call vote:

<i>Bankson Concur</i>	<i>M. Duncan Concur</i>	<i>Neikirk Concur</i>
<i>Bise Concur</i>	<i>S. Duncan Concur</i>	<i>Nusbaum Concur</i>
<i>Cannata Concur</i>	<i>Ellis Concur</i>	<i>Pickering Concur</i>
<i>Carrell Concur</i>	<i>Greco Concur</i>	<i>Ross Concur</i>
<i>Chapell Concur</i>	<i>Kooistra Concur</i>	<i>Terrell Concur</i>
<i>Coffin Concur</i>	<i>Lee Concur</i>	<i>Waters Concur</i>
<i>Donahoe Concur</i>	<i>Lucas Absent</i>	<i>White Absent</i>
<i>Dowling Concur</i>	<i>McGowan Concur</i>	<i>Wilson Concur</i>
(22-0-0)		

**CASE NO. 2021-01
MR. STUART MICHELSON
V.
NORTHWEST GEORGIA PRESBYTERY
DECISION ON COMPLAINT
October 21, 2021**

The SJC finds the case is administratively out of order as prematurely filed. Presbytery had not completed its hearing on the Complaint as of the date the

APPENDIX T

Complaint was filed with the SJC. The Complainant's time to elevate the Complaint is reset so that timing begins on the later to occur of the notification of: (a) this action by the SJC or (b) ruling by Presbytery on the Complaint.

The SJC approved the foregoing decision on the following roll call vote:

Bankson <i>Concur</i>	M. Duncan <i>Concur</i>	Neikirk <i>Concur</i>
Bise <i>Concur</i>	S. Duncan <i>Concur</i>	Nusbaum <i>Concur</i>
Cannata <i>Concur</i>	Ellis <i>Concur</i>	Pickering <i>Concur</i>
Carrell <i>Concur</i>	Greco <i>Concur</i>	Ross <i>Concur</i>
Chapell <i>Concur</i>	Kooistra <i>Concur</i>	Terrell <i>Concur</i>
Coffin <i>Concur</i>	Lee <i>Concur</i>	Waters <i>Concur</i>
Donahoe <i>Concur</i>	Lucas <i>Absent</i>	White <i>Absent</i>
Dowling <i>Concur</i>	McGowan <i>Concur</i>	Wilson <i>Concur</i>
(22-0-0)		

**CASE NO. 2021-02
RE LINDSEY TIPPINS
V.
NORTHWEST GEORGIA PRESBYTERY
DECISION ON BCO 40-5 REQUEST
October 21, 2021**

The SJC advises the Stated Clerk that the matter should be referred to the General Assembly's Review of Presbytery Records Committee.

The SJC approved the foregoing decision on the following roll call vote:

Bankson <i>Concur</i>	M. Duncan <i>Concur</i>	Neikirk <i>Concur</i>
Bise <i>Concur</i>	S. Duncan <i>Concur</i>	Nusbaum <i>Concur</i>
Cannata <i>Concur</i>	Ellis <i>Concur</i>	Pickering <i>Concur</i>
Carrell <i>Concur</i>	Greco <i>Concur</i>	Ross <i>Concur</i>
Chapell <i>Concur</i>	Kooistra <i>Concur</i>	Terrell <i>Concur</i>
Coffin <i>Concur</i>	Lee <i>Dissent</i>	Waters <i>Concur</i>
Donahoe <i>Dissent</i>	Lucas <i>Absent</i>	White <i>Absent</i>
Dowling <i>Concur</i>	McGowan <i>Concur</i>	Wilson <i>Dissent</i>
(19-3-0)		