

PART II

CONSTITUTIONAL ADVICE (COMMITTEE ON CONSTITUTIONAL BUSINESS)

CCB Advice on the *Westminster Confession of Faith* (*WCF*) and *Catechisms*

The Definition of “Papists” in the *WCF*

2003, p. 166, 31-56, V. The CCB answered a non-judicial reference from Iowa Presbytery, which asked about the proper interpretation of the word “papists” in the context of *WCF 24.3*. The Presbytery requested assistance in understanding whether the word refers to all who are identified as belonging to the Roman Catholic Church, only those who hold to a Roman Catholic soteriology, or if there is another interpretation that should be employed. It was agreed that the CCB should not accede to the request for advice (see *BCO 41-5* and *RAO 7-2(2)* [now 8-2.b.2]) because, having not received materials such as those mentioned in *BCO 41-4* and *41-6*, we are not clear that there is a matter pending before the lower court (see *BCO 41-1*); and we note that a Presbytery study committee might be a better way to deal with this matter.

2004, p. 132, 32-36, II.1. The CCB was asked the constitutional definition of the word “papists” in *WCF 24.3*, and in particular whether it included Roman Catholics who can give a credible profession of faith in Christ alone as their Savior. The CCB declined to determine abstractly the meaning of such a point of doctrine, leaving such work to “means such as an *in thesi* statement, by judicial process, or, most commonly, by presbyteries working through the issue, subject to proper review.”

2005, p. 154, 33-29, II.A. In the opinion of the CCB, Overture 1 from Iowa Presbytery (“To annotate the *WCF* to define the term ‘Papist’”) was not in order, because there is not a constitutional process in place, nor is there any precedent, for an annotation to the *WCF*.

Views of the Reprobate in the *WCF*

2006, p. 82, 34-34, IV.E. The CCB answered a non-judicial reference from Westminster Presbytery, on whether it is in accord with the Westminster Standards to hold and teach the view that the reprobate is in covenant with God, by stating that hypothetical issues of doctrine must be settled by adjudication or determination by the appropriate court.

CCB Advice on *The Book of Church Order (BCO)*
**(Arranged in Order of *BCO* Chapters and
Arranged Chronologically within *BCO* Chapters)**

**Preliminary Principles (*BCO* Preface, II), Handling Exceptions to
the Westminster Standards**

2002, p. 100, 30-29, III. In the opinion of the CCB, the proposed constitutional language in Overture 4 from Ohio Valley Presbytery (“Handling Exceptions to the Westminster Standards”) was in conflict with the ***BCO* Preliminary Principles**. Furthermore, the proposed language created constitutional ambiguity in four ways, including 1) that the proposed overture language “either in his private life” was in conflict with ***BCO* Preliminary Principle II.1 and II.7**, and 2) that the proposed overture language requiring Presbyteries to record every man’s views disagreeing with the Constitution would have eroded the Presbyteries’ exclusive authority to determine whether a candidate receives and adopts the *Confession of Faith* and the *Catechisms* of the PCA as containing the system of doctrine taught in the Holy Scriptures.

For Exceptions to the Westminster Standards, see also ***BCO* 21** below.

**Visible Church Defined (*BCO* 2), Whether the Beliefs of a Non-PCA
Body Satisfy *BCO* 2**

2009, p. 212, 37-29, IV.3. The CCB answered a non-judicial reference from Piedmont Triad Presbytery on the investigative responsibility of a “newly formed entity,” by stating that a presbytery’s inquiry under ***BCO* 2-2** and ***BCO* 38-3** should end upon concluding that a newly formed entity holds to a “fairly traditional evangelical set of beliefs,” because such a conclusion satisfies the provision of ***BCO* 2-2**.

Nature and Extent of Church Power (*BCO* 3), Limit Voting in Presbytery and General Assembly to Pastors and Associate Pastors

2003, p. 163, 31-56, VI. In the opinion of the CCB, Overture 22 from Grace Presbytery and Ellisville Presbyterian Church (“Amend **BCO 13-1, 14-2, 23-2, 24-9** to Allow Only Pastors and Associate Pastors to Vote in Presbytery and General Assembly”) was in conflict with other parts of the Constitution. The proposed overture violated the concept of **BCO 3-1** in that it denied that the power of Christ is given to His whole church...to include the presbytery. The effect of this overture would be to disenfranchise all TEs who are not pastors or associate pastors. It would also have violated **BCO 14-2**, which recognizes that Teaching Elders are entitled to representation because their membership is in presbytery not a local church.

2004, p. 139, 32-40, II.D. In the opinion of the CCB, Overture 6 from the Session of Ellisville Presbyterian Church (“Amend **BCO 13-1, 14-2, 23-2, 24-9 et altera** to Restrict Teaching Elders Voting in Presbyteries and General Assembly to Pastors and Associate Pastors Only”) was in conflict with other parts of the Constitution. As the CCB reported the previous year (*M31GA* p. 163), “**BCO 3-1** specifies that the power is committed by Christ to His Church in the whole body. The present **BCO 14-2** recognizes that fundamental principle and specifically delineates that TEs are entitled to representation growing out of the membership in their presbytery not their local church. The proposed overture violates the concept of **BCO 3-1...**”

Particular Church (*BCO* 4), Teaching Elders Serving as Officers or Trustees of the Corporation in an Incorporated Church

2004, p. 203, 32-54, II. The CCB answered a constitutional inquiry concerning whether Teaching Elders might serve as officers or trustees of the corporation in an incorporated church, by stating that it is unconstitutional for Teaching Elders to serve as officers or trustees of the corporation, assuming the corporation in question is that of a particular church as defined by **BCO 4**.

Particular Church (*BCO* 4), “Multisite” Polity and the Oversight of the Session and Presbytery

2012, p. 366, App. O, IV. The CCB answered a non-judicial reference consisting of six questions from Central Carolina Presbytery on “multisite” polity, by stating that the *BCO* does not either prescribe or

proscribe a multi-site polity for particular churches (**BCO 4**). Because a particular church with multiple services at different sites has the same polity as a particular church with multiple services at a single site, a presbytery has the same role of review and control for both forms. In regard to question 6, whether a local church is free to open a new multisite without presbytery oversight, the CCB stated that, while a presbytery should ordinarily exhibit great deference to sessions of local churches in regard to times and places of worship services, the authority of the session in these matters is not absolute, but subject to the oversight of presbytery. Review and control of the presbytery could include a particular church not ordinarily establishing a worship service in another presbytery, and presbytery serving as the agency for communicating and cooperating between a particular church and other Reformed churches in the same geographic area who may be affected by a new worship site, following the NAPARC Golden Rule Comity Agreement.

Organization of a Particular Church (BCO 5), Requirements for Reporting and Reviewing Minutes of a Mission Church

2016, p. 348, App. O. II.G. In the opinion of the CCB, Overture 38 from Pacific Northwest Presbytery (“Amend **BCO 5-3** to Add an Explicit Requirement for Reporting and Reviewing Minutes of a Mission Church Temporary System of Government”) was in conflict with the Constitution. Overture 38, as it was written, conflicted with **BCO 5-3.a**, in that an evangelist would not have minutes to submit as opposed to the governing bodies stipulated in items b and c of **BCO 5-3**. The **BCO** does not require an evangelist to submit minutes.

Church Members (BCO 6), Minimum Voting Age in Congregational Meetings

1999, p. 147, 27-43, III. In the opinion of the CCB, Overture 13 from Pacific Northwest Presbytery (“Minimum Voting Age in Congregational Meetings”) permitting of establishment of a minimum voting age conflicted with the Constitution, above all **BCO 6-4**.

Church Members (BCO 6), Minimum Age for Communicant Membership

2001, p. 134, 29-28, III.4. The CCB answered a non-judicial reference from Pittsburgh Presbytery concerning whether a Session can set a

minimum age for communicant membership, by stating that it is the prerogative of each Session to determine when one has a credible profession of faith and a proper understanding of the sacraments (***BCO 6-2***). “The time when young persons come to understand the Gospel cannot be precisely fixed” (***BCO 57-2***). Therefore, sessions must consider requests for admission to communicant membership on an individual basis, regardless of age.

Church Members (*BCO 6*), The Procedures and Requirements for Membership in the Visible Church

2012, p. 365, App. O, II.T. In the opinion of the CCB, Overtures 32-34 from Southeast Alabama Presbytery (“Amend ***BCO 6*** Regarding Methods of Joining a Particular Church, Adding to Present Paragraphs **6-1** and **6-4**, Adding Two New Paragraphs, and Rearranging the Order of the Paragraphs”; “Amend ***BCO 38-3a*** and Insert as ***BCO 46-6***; Add New ***BCO 46-7*** and Renumber Subsequent Paragraphs; Remove ***BCO 57-6***. Regarding Administering Membership into and out of a Particular Church”; “Amend ***BCO 57-5*** to Require Affirmation of the Apostles’ Creed for Church Membership”) were in conflict with ***BCO 1-3, 2-1, 6-2***, and **57-2**. The only profession of faith required for membership in the visible church is “profession of [one’s] faith in the Lord Jesus Christ.” The session is the court responsible to judge the qualifications of those admitted to membership.

Church Officers (*BCO 7*), Whether “Inactive Elders” or Ruling Elders Elected at a Different Church May Serve as Commissioners at General Assembly

2014, p. 347, App. O, III. The CCB answered a non-judicial reference from Grace Presbytery inquiring 1) whether in the case of a “rotating session” a session may send an “inactive elder” to the General Assembly to serve as a commissioner; and 2) whether a ruling elder received into membership in a congregation, but never elected as a ruling elder in that church, may serve as a commissioner from that church to the General Assembly. The CCB responded by stating that, because the office of ruling elder is perpetual in nature (***BCO 7-2*** and ***BCO 24-7***) and the ***BCO*** does not specifically address the common practice of a “rotating session,” an “inactive elder” may be elected by a session as a commissioner to the General Assembly, unless the ruling elder has

resigned or been removed pursuant to **BCO 24-7** or **BCO 24-9**. However, a ruling elder received into membership in a congregation, but never elected as a ruling elder in that church, may not be elected by the church's session to serve as a commissioner.

Deacon (BCO 9), Authority to Sell Church Property

1999, p. 144, 27-43, II.1. The CCB answered a non-judicial reference from First Presbyterian Church of Montgomery, AL, regarding who has the authority to sell stock given to the church, by stating that the deacons have authority, subject to the approval of the session and consent of the congregation, to sell church property. The authority of sessions, trustees, and corporation officers to sell church property was also addressed (**BCO 9-2, 12-5; 25-6, 25-7, 25-8, 25-10**).

Deacon (BCO 9), Prohibiting Deaconesses

2010, p. 276, 38-34, II.A. In the opinion of the CCB, Overture 2 from Central Carolina Presbytery ("Amend **BCO 9-7** to Prohibit Deaconesses") was in conflict with the Constitution as it relied upon the following unwarranted assumptions about the Constitution: (1) that the term "deaconess" necessarily denotes an office equivalent to that of deacon, whereas in Scripture, to which the Constitution is subject, the term *diakonos* is most commonly used to refer to a person being a servant and not an office bearer; and (2) that it restricts the use of a term ("commissioned") not defined in the Constitution and uses the term as equivalent to the actions of ordination and installation.

Deacon (BCO 9), Prohibiting Assistants to Deacons

2010, p. 276, 38-34, II.D. In the opinion of the CCB, Overture 9 from Eastern Carolina Presbytery ("Revise **BCO 9-7** to Prohibit Assistants to the Deacons from Being Commissioned or Installed as Office Bearers") was in conflict with the Constitution on the same grounds as Overture 2.

Deacon (BCO 9), Unordained Men and Women Carrying Out Diaconal Ministry

2010, p. 276, 38-34, II.E. In the opinion of the CCB, Overture 10 from Northern California Presbytery ("Amend **BCO 1-4, 4-2, 5-10, 7-2, 9-2**,

9-7, & Add *BCO 9-8* to Appoint Unordained Men and Women to Carry Out Diaconal Ministry") was in conflict with other parts of the Constitution on four grounds, including the grounds that the insertion of "ordained" to describe the office of elder and deacon in the proposed revision of **BCO 7-2 implies that there is an unordained office, which conflicts with **BCO 17-1**.**

Deacon (*BCO 9*), The Roles and Description of Unordained Deaconesses and Deacon Assistants

2018, p. 318, App. O. II.H. In the opinion of the CCB, Overture 9 from Grace Presbytery ("Amend **BCO 9-7** Regarding Assistants to Deacons or Deaconesses and Amend **BCO 24-11** by Adding New **24-11** regarding Women Officers") was in conflict with other parts of the Constitution and conflicted with **BCO Preliminary Principle 7**, **BCO 11-2** and **BCO 26-2**. The CCB noted that it was not the congregation that requires vows, but the Session as the appointing body.

Church Courts in General (*BCO 10*), Scope of Presbytery Stated Clerk to Disseminate Information

2016, p. 349, App. O, IV.B. The CCB answered a non-judicial reference from Korean Southwest Presbytery regarding the scope of duty of the Presbytery stated clerk concerning the dissemination of information and offering of opinion. The CCB stated its opinion that, following **BCO 10-4**, it is in accordance with the duties of the clerk to provide information consistent with the records kept, and especially so, when asked by a former Presbytery TE to provide the information when it is related to ecclesiastical litigation.

Jurisdiction of Church Courts (*BCO 11*), Pastoral Oversight and Discipline in Marital Discord When Parties Are Under Different Jurisdictions

2009, p. 211, 37-29, IV.2. The CCB answered a non-judicial reference consisting of six questions from Missouri Presbytery on pastoral oversight and discipline in a case where parties in marital discord are under the jurisdiction of different courts, by stating that 1) the first question is beyond the purview of the CCB, 2) there is no constitutional obstacle to TEs and Sessions from different presbyteries working together, 3) a presbytery could receive a man without a definite ecclesiastical call

for purposes of marital reconciliation, 4) and 5) the ordination vows require the minister to submit to his brethren in the Lord (**BCO 21-5**), and to submit to presbytery's instruction, if the minister's brethren find that marital counsel is necessary, and 6) the constitution makes no provision for joint commissions of separate courts.

Church Session (BCO 12), Access to Financial and Attendance Records of the Congregation

2002, p. 106, 30-29, Item 3. The CCB answered a constitutional inquiry from Southeast Alabama Presbytery about whether a Session has unrestricted access to financial and attendance records of the congregation. In the opinion of the CCB, **BCO 8-3** and **BCO 12-5.a, b** give a Session and Diaconate the right to access financial and attendance records as they deem necessary to fulfill their responsibilities to the church. The only restrictions on this right are those imposed by prudence and the Biblical calling to protect our neighbor's good name (cf. **WLC 145**).

Church Session (BCO 12), Language in Which Session Records Can Be Written

2006, p. 82, 34-34, IV.C. The CCB answered a non-judicial reference from the Presbytery of Southern Florida on whether sessions records must be originally recorded in English or can be translated into English when submitted to Presbytery, by stating that presbytery may adopt either of these procedure provided that the records are consistent with the standards in the **BCO (BCO 12-7, 13-9b, 40-2)**.

Church Session (BCO 12), The Session Approving Severance Packages for Ministers

2006, p. 82, 34-34, IV.D. The CCB answered a non-judicial reference from Westminster Presbytery on who may approve severance packages for ministers, by stating that sessions can approve severance packages without congregational approval because these are budgetary matters (**BCO 12-5b**).

Church Session (BCO 12), Temporary Governance for Churches without Ruling Elders

2011, p. 390, App. O, II.E. In the opinion of the CCB, Overture 10 from New Jersey Presbytery ("Amend **BCO 12** to Provide Temporary

Governance for Churches without Ruling Elders") may have been in conflict with the constitution. The language as proposed was vague and could have been interpreted as being prescriptive. If interpreted as prescriptive, it would be in conflict with **BCO Preliminary Principles 2** and **6**, and possibly **BCO 12-1**.

Church Session (BCO 12), The Session's Approval of the Church Budget

2017, p. 329, App. O, IV.B.2. The CCB answered a non-judicial reference from New Jersey Presbytery, which consisted of four parts. To Part Two, inquiring whether the Session's duty to approve the budget supersedes the authority of the congregation to set the terms of a pastoral call in any fiscal year, the CCB responded "yes," referencing **BCO 12-5.b.**

Church Session (BCO 12), The Session's Approval of the Church Budget

2017, p. 329, App. O, IV.B.3. The CCB answered a non-judicial reference from New Jersey Presbytery, which consisted of four parts. To Part Three, inquiring whether the Session has the authority to approve a budget which fails to fully and clearly disclose to the congregation the terms of the pastoral call as provided in **BCO 20-6** by subsuming such terms in various line items across the budget, the CCB responded "yes," referencing **BCO 12-5.b.**

Presbytery (BCO 13), A Presbytery Including as a Member a Church Not Within Its Bounds

2005, p. 155, 33-29, II. The CCB answered a non-judicial reference from Potomac Presbytery on whether a presbytery has the constitutional right to include as a member a church not within its bounds, by stating that a presbytery does not have the constitutional right to include as a member a church not within its bounds (**BCO 13-1**).

Presbytery (BCO 13), Voting at Presbytery Reserved Only for Those Giving Financially to the Presbytery

2007, p. 74, 35-30, II.H. In the opinion of the CCB, Overture 13 from Session of Alexandria (VA) Presbyterian Church, Rejected by Potomac Presbytery ("Revise **BCO 13-1** and **BCO 14-2** to Require Church Giving

to Higher Courts in Order to Vote in Higher Courts”) was not in conflict with other parts of the Constitution. However, a minority report was submitted which was of the opinion that Overture 13 was, in fact, in conflict with the *BCO*.

Presbytery (*BCO* 13), Changes to the Standing Rules of Presbytery

2007, p. 75, 35-30, IV.A. The CCB answered a non-judicial reference from Tennessee Valley Presbytery which requested advice on the constitutionality of a proposed amendment to TVP’s Standing Rules that would have allowed members banned from the property of a PCA church to also be banned from presbytery events. It was the opinion of the CCB that the proposed addition to the presbytery standing rules was not in conflict with the Constitution of the PCA. Furthermore, the committee noted that **WCF 23-3** speaks of the duty of the civil magistrate to protect all people.

Presbytery (*BCO* 13), Defining the Term “Labor”

2014, p. 344, App. O, IV.A. The CCB answered a non-judicial reference from Evangel Presbytery regarding **BCO 13-2** and the scope of the word “labor” by stating that the *BCO* speaks of “labor” for TEs as ministry in “needful work” for “disseminating the Gospel for the edification of the Church” (**BCO 8-4**), and the presbytery determines whether such labor is needful and allowable for a TE in its bounds (**BCO 8-7**).

Presbytery (*BCO* 13), Presbytery Approval When a TE Labors Outside the Bounds

2015, p. 372, App. O, IV.A. The CCB answered a non-judicial reference from Southeast Alabama Presbytery regarding **BCO 13-2** and whether, if a TE has received approval from his presbytery to labor outside its bounds, he must have received the approval of the other presbytery in whose bounds he would labor prior to his presbytery granting approval for him to move onto the field and begin his ministry. The CCB stated that a TE is required to receive approval of the presbytery in whose bounds he is laboring, but that approval is not necessarily required prior to the inquiring presbytery giving its approval for the said TE to move onto the field and begin his ministry.

Presbytery (*BCO* 13), Presbytery Approval When a TE Labors Outside the Bounds

2015, p. 373, App. O, IV.B. The CCB answered a non-judicial reference from Iowa Presbytery regarding ***BCO* 13-2** by stating that, if a member of Iowa Presbytery without call lives outside the bounds of the presbytery and is laboring in another presbytery, then the TE in question would be required to receive approval from both presbyteries.

General Assembly (*BCO* 14), Permanent Committee Members on Committees of Commissioners

2000, p.71, 28-19, III.3. The CCB answered a non-judicial reference from Ascension Presbytery inquiring as to “which of the entities in ***RAO* 4-2, 4-3 and 4-4** are covered by the ‘ineligibility provision’ of ***RAO 13-2*** [now ***RAO 14-2***], and why.” The CCB answered that the term “permanent committee” in ***RAO 13-2*** [now ***RAO 14-2***] refers only to the four [now five] committees mentioned in ***RAO 4-2*** (see ***BCO 14-1.12***).

General Assembly (*BCO* 14), Mandating Health Coverage for All Active Teaching Elders

2002, p. 106, 30-29, Item 2. Following a recommendation from Insurance, Annuities and Relief Permanent Committee [now PCA Retirement & Benefits] that “the General Assembly mandate coverage in the PCA health plans for all active ministers and church lay employees” (**2002, p. 197, 30-34, III.15**), the CCB answered a constitutional inquiry by stating that neither the Scriptures nor the Constitution gives the Assembly the right to mandate the purchase of health insurance. The CCB noted, in addition, that ***BCO 14-1.4*** states: “It is the responsibility of every member and member congregation to support the whole work of the denomination as they be led in their conscience held captive to the Word of God.” In light of the CCB’s opinion, the Assembly amended the recommendation by adding the words “full-time” after “active” (by a vote of 354-267), and then amended by substituting “highly recommend” for “mandate” (**2002, p. 201, 30-36**). The amended motion was adopted.

General Assembly (*BCO* 14) (Changes to the *RAO*), Germane Amendments to Overtures and Resolutions by Overtures Committee

2003, p. 67, 31-18. Overture 23 from Ascension and Western Carolina Presbyteries asked the Assembly to amend ***RAO 13-5*** and ***13-6*** [now ***15-6***] to allow the Bills and Overtures Committee to offer germane

amendments to overtures and resolutions (see **2003, p. 169, 31-57, III.1**). The CCB advised that the overture was in conflict with the Constitution because it undermined the purpose of the overture process, which is to offer presbyteries the opportunity to propose to the Assembly measures which they believe benefit the Church at large. A Minority Report from the CCB argued that the overture was not in conflict with the Constitution because germane amendments do not interfere with the right of presbyteries to propose such measures. (For the full committee and Minority reports, see **2003, p. 165, 31-56, IV**).

General Assembly (BCO 14) (Changes to the RAO), Exceptions to Westminster Standards or BCO Recorded in Presbytery Minutes

2003, p. 159, 31-56, IV. The CCB answered a constitutional inquiry from the 30th General Assembly, which asked “Does either the Constitution of the PCA or the *RAO* presently require a presbytery to record a minister’s exceptions to the *WCF*, *WLC*, *WSC* or *BCO* in its minutes?” In the opinion of the CCB, the answer was “no.” See **2003, p. 180, 31-57, III.4.a**, for action to amend ***RAO 14-3e.5 [now 16-3.e.5]***.

General Assembly (BCO 14) (Changes to the RAO), Subscription and Exceptions of Substance

2003, p. 160, 31-56, VI. In the opinion of the CCB, the second half of Overture 5 from Illiana Presbytery, Eastern Canada Presbytery and Blue Ridge Presbytery (“Amend ***RAO 14-3 [now 16-3], RAO 14-8 [now 16-8]*** Regarding Subscription”) was in conflict with other parts of the constitution. The discussion of responses in ***RAO 14-10.b [now 16-10.b]*** makes it clear that exceptions of substance are reported for more than just informational purposes in that they cannot be ignored by the presbytery to whose records the exception is taken.

General Assembly (BCO 14) (Changes to the RAO), Subscription and Exceptions of Substance

2003, p. 162, 31-56, VI. In the opinion of the CCB, Overture 18 from Covenant Presbytery (“Amend ***RAO 14-3e.5 [now 16-3.e.5]*** Regarding Subscription”) was not in conflict with the other parts of the Constitution. A minority report was submitted which was of the opinion that the constitutional language proposed in this overture was in conflict with other

portions of the constitution, including **BCO 21-5** and **BCO Principle II.2**, because in its opinion the proposed overture language requiring Presbyteries to record a man's views disagreeing with the Constitution would have eroded the Presbytery's exclusive authority (subject of course to judicial process) to determine if a candidate receives and adopts the *Confession of Faith* and the *Catechisms* of the PCA as containing the system of doctrine taught in the Holy Scriptures.

General Assembly (BCO 14) (Changes to the RAO), Documenting and Reporting a Minister's Stated Differences with the Standards

2004, p. 133, 32-36, III. In response to a proposed amendment to the *RAO* regarding the ordination of ministers and documenting their exceptions, it was the opinion of the CCB that the proposed amendment, as presented, was in conflict with the Constitution in that the reporting requirements proposed in the amendment do not cover all the possible responses of presbyteries under **BCO 21-4** with regard to examinees' stated differences with our Standards. For the proposed amendment, see **2004, p. 52, 32-14.**

General Assembly (BCO 14) (Changes to the RAO), Referring All BCO Changes to CCB and Bills & Overtures

2006, p. 80, 34-34, II.C. In the opinion of the CCB, Overture 14 from James River Presbytery ("Amend **RAO 10-5** [now **11-5**] to Refer All **BCO** Changes to CCB and Bills & Overtures") was in conflict with **RAO 13-1*** in that the business assigned to the Bills & Overture Committee was defined as "of general nature." **RAO 13-1** permits **BCO** amendments of a particular nature to be referred to other Committees of Commissioners. Furthermore, this amendment failed to recognize that proposals to amend the **BCO** can come before the Assembly in other reports as allowed by **BCO 14-1(15)**.

*Editorial note: In 2006, a new chapter (XV – Overtures Committee) was added to the *RAO*, which replaced rules regarding the Bills & Overtures Committee.

General Assembly (BCO 14) (Changes to the RAO), Ad Interim Committee to Revise the RAO

2008, p. 72, 36-30, II.J. In the opinion of the CCB, Overture 14 from Potomac Presbytery (“Form Ad Interim Committee to Revise RAO”) was in conflict with **RAO 9-2** on the issue of funding.

General Assembly (BCO 14) (Changes to the RAO), Allowing the CCB to Take Exception to SJC Case Decisions

2014, p. 343, App. O. II.H. In the opinion of the CCB, Overture 9 from Southwest Presbytery (“Revise **RAO 17-1** to Allow CCB to Take Exception to SJC Case Decisions”) may have been in conflict with other parts of the Constitution. The CCB noted that the overture may contain an ambiguity in its two uses of the word “records.” Furthermore, there was a potential ambiguity in the use of the phrase “any judicial cases.”

General Assembly (BCO 14) (Changes to the RAO), Referring Overtures Regarding Committees and Agencies and Ad Interim Committees to Overtures Committee

2017, p. 326, App. O. II.H. In the opinion of the CCB, Overture 10 from Western Carolina Presbytery (“Revise **RAO 11-5** to Direct Clerk to Refer Overtures Regarding Committees and Agencies and Ad Interim Committees to Overtures Committee Also”) created ambiguity within the **RAO** and could create a conflict on the floor of GA when opposing recommendations could come from two different committees with no **RAO** procedures in place to resolve such conflicts.

General Assembly (BCO 14) (Changes to the RAO), Procedure for Forming Ad Interim Committees

2017, p. 327, App. O. II.N. In the opinion of the CCB, Overture 18 from James River Presbytery (“Amend **RAO IX** So That Ad Interim Committees May Only Be Formed in Response to Presbytery Overtures”) was in conflict with the **RAO 9-4**. The phrase “exclusively submitted” (line # 22) was in direct conflict with **RAO 9-4 [now 9-5]**.

General Assembly (BCO 14) (Changes to the RAO), Referring the Recommendations of Ad Interim Committees to the Overtures Committee

2018, p. 317, App. O. II.F. In the opinion of the CCB, Overture 6 from Calvary Presbytery (“Revise **RAO 9** to Require that Recommendations

from Ad Interim Committees be referred to OC") was in conflict with **BCO 14-1.15** and created ambiguity within the *RAO* which could create a conflict on the floor of GA when opposing recommendations could come from two different committees with no *RAO* procedures in place to resolve such conflicts.

General Assembly (BCO 14), Who May Serve on the Boards of Agencies

2018, p. 318, App. O. II.L. In the opinion of the CCB, Overture 13 from Nashville Presbytery ("Revise **BCO 14-1.11** and the Corporate Bylaws of the PCA...to Allow Women to Serve on Boards of Agencies") was in conflict with **BCO 26-2**. The Corporate Bylaws are subject to the *BCO*, and therefore the *BCO* must be amended prior to the related provisions of the Corporate Bylaws.

2018, p. 320, App. O. II.T. In the opinion of the CCB, Overture 26 from Tennessee Valley Presbytery ("Am`end **BCO 14-1.11** and the Corporate Bylaws of the PCA VI.2 so that a Minority of Seats on the Board of Trustees of Covenant College May Be Open to Non-Ordained Members") was in conflict with **BCO 26-2**. The Corporate Bylaws are subject to the *BCO*, and therefore the *BCO* must be amended prior to the related provisions of the Corporate Bylaws.

General Assembly (BCO 14), The Right of General Assembly to Require and Request an Annual Fee

2011, p. 390, App. O, II.F. In the opinion of the CCB, Overture 11 from Pittsburgh Presbytery ("Alternative AC Funding Plan 2, Right of General Assembly to Fees, Amend **BCO 25** by Addition") was in conflict with the Constitution for the following reasons: (1) the language of certain sections of the proposed overture is irrelevant to the topic of **BCO 25** which is "Congregational Meetings"; (2) the overture introduces a constitutional ambiguity by proposing a distinction between essential and non-essential services; (3) the overture specifies a limit to its annual fee which contradicts the General Assembly's power in **BCO 14-6.k.**

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Vows Taken by SJC Members

1999, p. 145, 27-43, II.3. The CCB answered a non-judicial reference from Evangel Presbytery asking whether the language of **BCO 39-3** and

SJC vows 4 and 5 found in **RAO 15-1 [now RAO 17-1]** conflict with other portions of the *BCO* and *WCF*. In the opinion of the CCB, the 4th and 5th vows taken by SJC members were “flawed” by not making direct reference to our biblical mandate and Confessional commitment to make judgments according to Scripture when applying the constitutional standards of our church. The CCB suggested resolving the ambiguity by amending Vow 4.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), General Assembly Amending a Report of the SJC

2001, p. 144, 29-28, Item 3. The CCB answered a constitutional inquiry arising from SJC Case 99-1 concerning whether it is constitutionally permissible for the GA to amend the report of the SJC, by advising the Assembly that it may not amend the report of the SJC by deleting a concurring opinion. Numerous grounds were given, including that **BCO 15-5** has specifically been framed to assert that an SJC decision *is* the final decision of the GA.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Rendering Opinion on Assembly Action

2001, p. 145, 29-28, Item 4. The CCB answered a constitutional inquiry arising from SJC Case 99-1 asking whether the SJC has the authority to render an opinion on the legitimacy of an action of the General Assembly if not specifically asked to do so. The CCB advised the Assembly that the SJC may only render an opinion on the matters assigned to it. Once it is assigned a matter, the SJC may render an opinion even as to the legitimacy of an action in which the GA refers business to the SJC.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Temperate Language in Concurring or Dissenting Opinions

2001, p. 147, 29-28, Item 1. The CCB answered a constitutional inquiry concerning the status of concurring and dissenting opinions of the SJC that were found not to be in temperate language, by stating that according to **OMSJC 14.7 [now see 18.12.b; 17.8.k]** the time for a determination of the temperateness of the language is prior to the concurring opinion being appended to a decision. The CCB reminded the Assembly that concurring and/or dissenting opinions are, by definition, not the opinion

of the SJC. As such, they reflect not the mind of the Church but simply the opinion of individuals (*BCO* 14.7; cf. *OMSJC* 18.3 [now 18.12.a]). They are not “...binding and conclusive on the parties who are directly involved in the matter,” nor may they be appealed to in the same sense as the majority position. A Minority Report argued that opinions that have been reported to the General Assembly and that have not been found by the SJC to be temperate in language fail to meet the requirement of *OMSJC* 14-7 [now 18.12.b], and so should not be included in the minutes of the General Assembly; the CCB’s review of the SJC minutes is the mechanism available to determine whether the SJC has made a decision regarding the temperateness of concurring and dissenting opinions (cf. 2001, p. 242, 29-44, III.22; 2002, p. 176, 30-30, V; 2003, p. 68, 31-23).

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Abolishing the SJC

2002, p. 100, 30-29, III. In the opinion of the CCB, Overture 6 from Westminster Presbytery (“Revise *BCO* 15-4 and *BCO* 15-5 to Abolish the Standing Judicial Commission”) was in conflict with other parts of the constitution, including but not limited to *BCO* 14-1, 15. The overture was also unconstitutionally vague as to what will be the basis of making the alternative decisions indicated in the proposed *BCO* 15-5.

Ecclesiastical Commissions (BCO 15), Presbytery’s Right to Take Back a Matter from a Commission and Render a Decision

2002, p. 105, 30-29, Item B. The CCB answered a two-part constitutional inquiry from Philadelphia Presbytery regarding 1) the right of Presbytery to take back from a commission (before the commission completed its task and rendered judgment) a matter committed to it, and 2) to reverse, without hearing the appeal, the decision of a Session. In the opinion of the CCB, 1) a court does have the right to take back from a commission a matter committed to it. However, 2) a higher court may not reverse the decision of a lower court without actually hearing the appeal. It must follow the procedures detailed in *BCO* 42.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Temperate Language in Concurring or Dissenting Opinions

2003, p. 161, 31-56, VI. In the opinion of the CCB, Overture 9 from Central Carolina Presbytery (“Oversight of Temperate Language in SJC

Concurring or Dissenting Opinions") was in conflict with other parts of the constitution, as there was no constitutional mechanism by which a commissioner can object to language in a judicial case since the case itself has been decided and is not on the floor of the GA for any action whatsoever.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Review of Specific Decisions of the SJC

2003, p. 159, 31-56, III.1. The CCB answered a non-judicial reference from Evangel Presbytery asking what the status was of a case at Presbytery level that the SJC had ruled "judicially out of order?" The CCB answered that the status of a case that the SJC has ruled "judicially out of order" was substantively that of the case at the time the Presbytery completed its action.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Responsibilities of the Standing Judicial Commission

2005, p. 156, 33-29, II. The CCB answered a non-judicial reference from the floor following a proposed amendment to **BCO 15-4** that "The General Assembly shall elect a Standing Judicial Commission to which it shall commit all matters governed by the Rules of Discipline, except for the annual review of presbytery records, which may come before the Assembly," by stating that this proposed amendment was not in conflict with other parts of the constitution.

Ecclesiastical Commissions (BCO 15), Erecting a Committee or Commission Prior to Instituting Process

2008, p. 71, 36-30, II.F. In the opinion of the CCB, Overture 7 from Missouri Presbytery ("Amend **BCO 15-3** Regarding Judicial Investigations") was in conflict with other parts of the Constitution. The proposed language conflicted with existing **BCO 31-2** and **BCO 32-2**, which make it clear that a judicial case does not exist until process is actually instituted.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Exceptions of Substance to the Minutes of the SJC

2010, p. 270, 38-34, VII. The Minutes of the SJC were found to be in order with the following exception to the Minutes for the March 4-5,

2010 meeting. Exception: an RE was deemed qualified by the SJC to participate in the review of Case 2009-6, which included as a party the presbytery of the church he had joined, contrary to *OMSJC* 6.2 (d) [now 2.10.d]. The CCB notes, however, that the RE was absent for the vote on the case.

2013, p. 364, App. O, V. Regarding an exception of substance noted by the CCB, the following lines were struck by the Assembly: ~~March 6, 2013: In case 2012-06, the SJC notes that “the Complainant, as a Deacon who was not a commissioner to Presbytery on the date of the action complained against, did not have standing to file the Complaint.” However, BCO 43-1 states that “it is the right of any communing member of the Church in good standing to make complaint against any action of a court to whose jurisdiction he is subject”; hence, he had standing as communing member before presbytery (see also BCO 11-4).~~ (see 2013, p. 40, 41-40).

2014, p. 345, App. O, V. The 41st General Assembly took the following exception to the November 29, 2012, minutes of an SJC officers' meeting: p. 3, line 14, the minutes suggest that the only documents included in the record directly relate to the present trial and not previous cases; but 8c in exhibit B, to which this refers, actually requests documents directly relating to the trial under consideration and not previous cases. The CCB reports to the General Assembly that the SJC rectified this exception by an action taken and recorded in the August 23, 2013 officers' meeting.

2014, p. 345, App. O, VI. The CCB requested that the SJC note in its Minutes dates as the cases move forward as required in *OMSJC* chapter 10, in order that the CCB might review whether the timelines have been followed.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Review of SJC Decisions by the General Assembly

2014, p. 342, App. O, II.A. In the opinion of the CCB, Overture 13 from Southwest Florida Presbytery (“Revise **BCO 15-1 and 15-5.a and b**”) was in conflict with other parts of the Constitution. The proposed overture seemed to be in conflict with **BCO 31-1** which defines the term “original jurisdiction” and its permissible exception.

2014, p. 342, App. O. II.B. In the opinion of the CCB, Overture 15 from Philadelphia Metro West Presbytery (“Revise **BCO 15-1** and **15-5.a and b**”) was in conflict with other parts of the Constitution, on the same grounds given for Overture 13.

2014, p. 343, App. O. II.C. In the opinion of the CCB, Overture 3 from Grace Presbytery (“Revise **BCO 15-5.a and b**”) and Overture 20 from Nashville Presbytery which commends Overture 3 were in conflict with other parts of the Constitution, on the same grounds given for Overture 13.

2014, p. 343, App. O. II.D. In the opinion of the CCB, Overture 8 from Southwest Presbytery (“Revise **BCO 15-5.a and 15-5.b**”) was in conflict with other parts of the Constitution, on the same grounds given for Overture 13. In addition, the overture may have contained an internal contradiction related to voting which could then create a further constitutional ambiguity.

2014, p. 343, App. O. II.E. In the opinion of the CCB, Overture 17 from Mississippi Valley Presbytery (“Amend **BCO 15-5.a and b**”) was in conflict with other parts of the Constitution, on the same grounds given for Overture 13.

2014, p. 343, App. O. II.F. In the opinion of the CCB, Overture 11 from Calvary Presbytery (“Amend **BCO 15-5.a and 15-5.b** and Direct CCB to Draft Proposed Amendments to *RAO* and *OMSJC*”) was in conflict with other parts of the Constitution, on the same grounds given for Overture 13. In addition, a portion of the overture assigned tasks to the CCB which go beyond the purview of the CCB (**RAO 8.2.b**).

Ecclesiastical Commissions (BCO 15), Judicial Commissions, Whose Decision is Final

2015, p. 371, App. O. II.A. In the opinion of the CCB, Overture 1 from Pacific Northwest Presbytery (“Amend **BCO 15-1** and **BCO 15-3** to Give Presbyteries the Additional Option of Appointing a Judicial Commission Whose Decision Would Be Final”) may be in conflict with other parts of the Constitution. The proposed **BCO 15.3.b.2**, as written, was ambiguous as to when the sixty (60) day window for filing written notice of a complaint begins (**BCO 43-2**). Additionally, it is unclear under the provisions of **BCO 43-1** who would have the right to file a complaint.

2016, p. 346, App. O. II.B. In the opinion of the CCB, Overture 5 from Pittsburgh Presbytery (“Amend **BCO 15-5.a** and **RAO 17-1**, Paragraph 4, to Allow the General Assembly to Give Directions to the SJC in Judicial Decisions and Reasoning and Opinions”) was in conflict with the Constitution. Following **BCO 15**, when a commission concludes the business referred to it, it is acting *as* the court of which it is a commission. **BCO 15-4** specifies the business which General Assembly refers to the SJC, which it commissions the SJC to conclude.

Ecclesiastical Commissions (BCO 15) (Standing Judicial Commission), Review of Specific Decisions of the SJC

2017, p. 329, App. O, IV.B.1. The CCB answered a non-judicial reference from New Jersey Presbytery, which consisted of four parts. To Part One, inquiring whether the SJC erred in its decision in the matter of SJC 2004-3, the CCB responded that the decisions of the SJC are final decisions of the General Assembly (**BCO 15-5**).

Candidates for the Gospel Ministry (BCO 18), Appearing before Presbytery in Person

1999, p. 145, 27-43, II.2. The CCB answered a non-judicial reference from James River Presbytery regarding whether a missionary may be received under care despite difficulties appearing before presbytery in person (**BCO 18-3**). The CCB replied that the presbytery might wish to explore the use of a commission or interactive electronic means which would satisfy the requirement of the **BCO**, subject to the review of the General Assembly.

Candidates for the Gospel Ministry (BCO 18), Translations and Translators in Presbytery Examinations

2006, p. 81, 34-34, IV.B. The CCB answered a non-judicial reference from the Presbytery of Southern Florida on whether translations and translators may be used in Presbytery examinations, by stating that it is up to the presbytery to determine if a translated examination enabled the presbytery to be fully satisfied that the person being interviewed is qualified (**BCO 13-6, 18-3, 19-3, and 21-4**).

Licensure and Internship (*BCO 19*), Who May Be Licensed to Preach the Gospel

2008, p. 72, 36-30, IV. The CCB answered a non-judicial reference about licensure by stating that a man who is neither a ruling elder nor a teaching elder nor a candidate for ministry and who is not pursuing a call to the office of eldership may be licensed to preach the gospel in accord with the clear wording of ***BCO 19-1***. A Memorandum from Morton H. Smith is reproduced as an appendix with this reference.

Election of Pastors (*BCO 20*), Role of a Pastor in a Search Committee for Associate or Assistant Pastor

2001, p. 139, 29-28, V. In the opinion of the CCB, Overture 3 from Susquehanna Valley Presbytery (“Amend ***BCO 20-2*** to Include Pastor in Search Committee for Assistant or Associate Pastor”) was in conflict with the other parts of the Constitution. TEs are not members of the local congregation and therefore cannot be a member of the congregation’s pulpit committee. The proposed mandate of the overture that they be so would have interfered with the right of the congregation to determine those who will rule over them, a privilege which undergirds ***BCO 20***.

Election of Pastors (*BCO 20*), Presbytery’s Authority Over Pastoral Calls

2017, p. 329, App. O, IV.B.4. The CCB answered a non-judicial reference from New Jersey Presbytery, which consisted of four parts. To Part Four, inquiring about the extent of the authority of Presbytery to approve the pastoral call, the CCB responded that the extent of a Presbytery’s authority to approve or decline a pastoral call is detailed in ***BCO 20-1, 20-10, and 21-1***.

Ordination and Installation of Ministers (*BCO 21*), Re-ordination of Former PCA Ministers

2000, p. 77, 28-19, V. In the opinion of the CCB, Overture 13 from Susquehanna Valley Presbytery (“Re-ordination of Former PCA Ministers”) was not in technical conflict with any other provisions of the Constitution. However, the Committee pointed out that ***BCO 34-10*** does not mandate divestiture in every case and was also concerned that the language proposed for the new ***BCO 21-5*** raised questions about the

nature and importance of the call to the ministry (“...simply a lack of call....”). Finally, the Committee noted the apparent inconsistency in the handling of one who had been removed from office by discipline (deposition, ***BCO 36-7***) who would be restored as per ***BCO 37-5***, and one who is divested without censure (***BCO 34-10***) who could be restored only after re-examination and re-ordination.

Ordination and Installation of Ministers (*BCO 21*), Relationship of Ordination Vows to Constitution and Rules of Operation

2001, p. 148, 29-28, Item 2. The CCB received a constitutional inquiry requesting advice on how the Assembly is to suspend its Rules of Operation (*BCO*, *RAO*, SJC Manual, and *Robert's Rules of Order*) in order to obey the King of the Church as expressed in the Word of God. The CCB advised that GA delegates are bound by ordination vows to obey our Constitution and other adopted rules “as fully and fairly as possible” (see *BCO* 21-5.2-5 and *BCO* 24-6.2-5; Preface III), and noted that “if our standards are shown to be out of accord with Scripture, then there are proper procedures to follow, at each level, in order to change those standards” (see *BCO* 45). The CCB was unwilling to affirm “the presumption that we need to suspend our rules in order to obey Christ.”

Ordination and Installation of Ministers (*BCO 21*), Recording All Exceptions to Presbytery and the General Assembly

2002, p. 103, 30-29, III. In the opinion of the CCB, Overture 29 from Westminster Presbytery (“Amend ***BCO 21-4*** to Record All Exceptions with Presbytery and Have Stated Clerk Report All Exceptions to the General Assembly”) was in conflict with the Constitution for three reasons, including that it allowed a presbytery to determine whether a man may or may not teach what he believes, even if it is not out of accord with any fundamental of the system of doctrine, thus going beyond our constitution to bind the man’s conscience (***BCO* Preface II.1 and II.7**).

Ordination and Installation of Ministers (*BCO 21*), Specifying Procedure for Handling Exceptions

2003, p. 160, 31-56, VI. In the opinion of the CCB, Overture 6 from New Jersey Presbytery (“Amend ***BCO 21-4*** to Specify Procedure for Handling Exceptions”) was in conflict with the second ordination vow,

BCO 21-5.2. However, a minority report was submitted which was of the opinion that Overture 6 was not in conflict with other parts of the Constitution.

Ordination and Installation of Ministers (BCO 21), CRPR Review of a Presbytery's Granting of Exceptions

2004, p. 133, 32-36, II.2. Upon being asked in a constitutional inquiry the nature of RPR's responsibility under current **BCO 21-4** in reviewing presbyteries' granting of exceptions to the Constitution, the CCB replied that such action of a presbytery "is reviewable by the Committee on Review of Presbytery Records (CRPR)" and added, "If the Committee finds an entry that it believes does not conform, it is to report that apparent violation in accordance with **RAO 14-6.c**" (now **RAO 16-6.c**).

Ordination and Installation of Ministers (BCO 21), Subscription and Stating Exceptions to the Standards

2004, p. 140, 32-40, II.G. In the opinion of the CCB, Overture 9 from Grace Presbytery ("Regarding Doctrinal Subscription, Amend **BCO Preface, Section II, Preliminary Principles** (by addition), Chapter 16 (by addition), and **BCO 21-4** (by deletion)") was in conflict with the Second Ordination Vow (**BCO 21-5.2** and **BCO 24-5.2** [now **24-6.2**]).

Ordination and Installation of Ministers (BCO 21), Presbytery Declining to Approve a Pastoral Call

2007, p. 72, 35-30, II.C. In the opinion of the CCB, Overture 4 from Westminster Presbytery ("Revise **BCO 21-1** Regarding Presbytery's Declining to Approve a Pastoral Call") was not in conflict with the Constitution. However, a minority report was submitted which was of the opinion that Overture 4 was, in fact, in conflict with the provisions of the **BCO**.

Ordination and Installation of Ministers (BCO 21), Teaching Approved Exceptions

2005, p. 154, 33-29, II.D. In the opinion of the CCB, Overture 9 from Ascension Presbytery ("Requirements in Preaching and Teaching Allowable Doctrinal Differences") was in conflict with other parts of the

Constitution. This overture created an absolute mandate that every Teaching Elder must present an understandable explanation of a teaching that he does not believe to be true even though his view has been judged as one that does not strike at the vitals of religion and is not hostile to the system of doctrine taught in the Holy Scriptures. In some circumstances, this mandate would have conflicted with **BCO Preliminary Principle 1** and **WCF 20**.

2006, p. 81, 34-34, II.F. In the opinion of the CCB, Overture 17 from Presbytery of the Ascension (“Amend **BCO 21-4**, Paragraph 7, Regarding Teaching Approved Exceptions”) was in conflict with other parts of the Constitution. This overture created an absolute mandate that every Teaching Elder must present an understandable explanation of a teaching that he does not believe to be true even though his view has been judged as one that does not strike at the vitals of religion and is not hostile to the system of doctrine taught in the Holy Scriptures. In some circumstances, this mandate would conflict with **BCO Preliminary Principle 1** and **WCF 20**. Furthermore, it was the opinion of the CCB that Overture 17 violated **Preliminary Principle 1** and **WCF 20** in that it may have required a man not to teach (nor be understood to be teaching) a view that he believes to be true and has been judged by his presbytery as one that does not strike at the vitals of religion and is not hostile to our system of doctrine.

2007, p. 75, 35-30, II.I. In the opinion of the CCB, Overture 15 from Potomac Presbytery (“Amend **BCO 21-4**, Paragraph 7, Regarding Teaching Approved Exceptions”) was in conflict with other parts of the Constitution. This overture would have restricted the right of a presbytery to declare the “terms of admission into its communion and the qualifications of its ministers” (**BCO Preliminary Principle 2**) because this overture mandated that the presbytery must reject a man unless it is willing to allow him to teach all of his exceptions.

Ordination and Installation of Ministers (BCO 21), Request by a Presbytery for CCB Review of a Document Specifying Acceptable and Unacceptable Exceptions

2007, p. 76, 35-30, IV.B. The CCB answered a non-judicial reference from Southeast Alabama Presbytery requesting that the committee review a document that specified acceptable and unacceptable exceptions for ordination in the presbytery. The committee decided not to accede to the request for a constitutional opinion on this matter

(*BCO 41-5*), because the paper raised a plethora of complex constitutional issues and produced a potential quagmire of constitutional discussions. In the opinion of the CCB, these issues were best resolved through the appropriate judicial processes, e.g., a complaint brought by one adversely affected, as provided for in the *BCO*.

Ordination and Installation of Ministers (*BCO 21*), Granting Exceptions to Stated Differences with the *BCO*)

2010, p. 122, 38-18, II.1. The CCB answered a constitutional inquiry asking about a Presbytery granting an exception to a candidate's stated differences, by stating that in the opinion of the CCB, a presbytery may ask a candidate to state his differences with the *BCO*. However, it is not required to do so, and there is no provision in the *BCO* for recognizing a candidate's stated difference with the *BCO*.

Ordination and Installation of Ministers (*BCO 21*), Allowing a Teaching Elder to Practice Stated Differences with the *BCO*)

2010, p. 122, 38-18, II.2. The CCB answered a constitutional inquiry asking whether a presbytery may allow a TE to practice his stated difference to the *BCO* that has been judged by the presbytery as a granted exception. In the opinion of the CCB, no individual or court has the authority to allow a practice prohibited by the *BCO* or neglect a practice required by the *BCO*.

Ordination and Installation of Ministers (*BCO 21*), Views of Male-Only Eldership and Candidates for Ordination or Transfer

2014, p. 344, App. O, IV.B. The CCB answered a non-judicial reference from Philadelphia Presbytery regarding *BCO 21-4.c* and views of male-only eldership held by candidates for ordination or transfer, by stating that there is no constitutional procedure for recording a candidate's views regarding the requirements of the *BCO*; nor is a candidate required to provide a list of his differences with its provisions.

Ordination and Installation of Ministers (*BCO 21*), Credentials of a TE

2016, p. 350, App. O, IV.C. The CCB answered a non-judicial reference from Korean Southwest Presbytery regarding the ordination credentials

of a former Presbytery minister by stating that the TE in question was properly ordained and at the time of his transfer was a member in good standing of KSWP.

Pastoral Relations (BCO 22), Relationship of Assistant Pastor to the Church

2005, p. 154, 33-29, II.C. In the opinion of the CCB, Overture 7 from Chesapeake Presbytery (“Amend **BCO 21-5, 21-6, 21-7, 21-8, 21-10** [footnotes] and **22-4** Regarding Calling of Assistant Pastors”) was in conflict with other parts of the Constitution, namely the general principles found in **BCO 3-2**, as exemplified in **BCO 12-2, 12-3, 12-4** and **22-3**. The stated grounds for voting that Overture 7 be answered in the negative was that, “as indicated in **BCO 22-4**, the relationship of an Assistant Pastor to a congregation is best left to the Session. Attempting to legislate these matters through the Constitution seems to be neither wise nor prudent” (**2005, p. 195, 33-51, III**).

Pastoral Relations (BCO 22), Stated Supply and Church Discipline in the Local Church

2017, p. 327, App. O, IV.A. The CCB answered a non-judicial reference from Blue Ridge Presbytery by stating that a TE who has been appointed by the Presbytery to serve as a Stated Supply and Moderator of a Session may participate with the Session when it is involved in church discipline matters, provided he is a minister of the Presbytery to which the church belongs; except that, as he is not a member of the Session, he does not have the right to vote.

Ruling Elders and Deacons (BCO 24), Requirement that Candidates or Officers Receive More than a Majority

2001, p. 134, 29-28, III.2. The CCB answered a non-judicial reference from Eastern Carolina Presbytery, by stating that a Session cannot change the voting requirements of **BCO 20-4** and **BCO 24-4** by increasing the number of voters beyond a majority needed to call a pastor, dissolve a pastoral relationship, or elect a church officer.

Ruling Elders and Deacons (BCO 24), Stated Clerk of General Assembly Reporting All Exceptions Taken in All Presbyteries

2003, p. 162, 31-56, VI. In the opinion of the CCB, Overture 20 from Westminster Presbytery (“Amend **BCO 24-1** to Require Stated Clerk of

General Assembly to Report All Exceptions Taken in All Presbyteries") was not in conflict with the other parts of the Constitution. However, it was the opinion of the CCB that the last sentence of the Overture may have created constitutional ambiguity and may be interpreted to erode the Presbytery's authority to determine if a candidate receives and adopts the *Confession of Faith* and *Catechisms* of the PCA as containing the system of doctrine taught in the Holy Scriptures (see **BCO 21-5**). A minority report was submitted which was of the opinion that the constitutional language proposed in this overture was in conflict with other portions of the constitution.

Ruling Elders and Deacons (BCO 24), Election of Ruling Elders and Deacons

2003, p. 162, 31-56, VI. In the opinion of the CCB, Overture 14 from Eastern Canada Presbytery ("Amend **BCO 24-3** Regarding Election of Ruling Elders and Deacons") was in conflict with the other parts of the Constitution. By referring to **BCO 20-5** in the election of church officers it would seem to have required that presbyteries review the election of church officers in cases where a large minority of voters are averse to a candidate that has received a majority of votes (see last sentence of **BCO 20-5**), which is in conflict with **BCO 24-1** and **BCO 24-3**. The overture would also have created constitutional ambiguity because it would have changed the election process for ruling elders and deacons by reference to a process that is applicable to teaching elders.

Ruling Elders and Deacons (BCO 24), Election of Ruling Elders and Deacons

2009, p. 213, 37-29, IV.4. The CCB answered a non-judicial reference from Central Carolina Presbytery regarding a procedure adopted by one of its member churches to apply **BCO 24-5**, by stating that the Constitution of the PCA does not permit a congregation to require that candidates for church office receive greater than a majority of the vote to be elected.

Ruling Elders and Deacons (BCO 24), Application of BCO 24-1 to the Reelection of Officers

2017, p. 330, App. O, I.B. The CCB answered a non-judicial reference from Presbytery of the Ascension, which asked whether all, part, or none

of the provisions of **BCO 24-1** apply to the reelection of officers. If the answer is “part,” which ones? Second, they asked what implications the first answer has for the application of **BCO 24-1** through **24-5** for the election or reelection of already ordained men? In the opinion of the CCB regarding Question 1, the **BCO** is silent as to which sections of **BCO 24-1** are to be applied to reelection of officers. It was the opinion of the CCB that the provisions of **BCO 24-1** apply to all men who have no “official relationship” (see **BCO 24-8**) to that particular church in that office. For men who have an official relationship with the church, the application of the provisions of **BCO 24-1** in their circumstances is left to the interpretation of the lower courts. The CCB answered Question 2 in reference to question 1.

Ruling Elders and Deacons (BCO 24), Sabbaticals for Officers in the Church

2017, p. 326, App. O. II.G. In the opinion of the CCB, Overture 9 from Suncoast Florida Presbytery (“Amend **BCO 24-7** to Allow for the Provision of a Sabbatical to Officers in the Church”) was in conflict with the Constitution, because the term “officer” in the overture has a broader definition than that of just ruling elders and deacons as defined in **BCO 7-2**.

Ruling Elders and Deacons (BCO 24), Specifying that Only Males May Be Ordained

2017, p. 325, App. O. II.B. In the opinion of the CCB, Overture 4 from Northwest Georgia Presbytery (“Add **BCO 24-11** to Specify that Males Only May be Ordained as Elders or Deacons”) was in conflict with the Constitution, because the phrase “an essential component to our ecclesiology” should not be added as a component that is “fundamental to our system of doctrine” as referenced in **BCO 21-4.e** and **BCO 21-4.f**.

Congregational Meetings (BCO 25), Withdrawal from the PCA

2001, p. 133, 29-28, III.1. The CCB answered a non-judicial reference from Westminster Presbytery by advising the Assembly that the constitution is silent on the question of whether a presbytery as a whole may withdraw from the General Assembly (though the 2nd General Assembly received Westminster Presbytery with a provision recognizing

its right to withdraw, cf. **2001, p. 143, 29-28, Item 1**). The CCB referenced **BCO 25-11** regarding procedures to be followed if individual churches withdraw from a presbytery in a group, and stated the requirement that, if a group of churches should choose to leave the PCA in order to form a new affiliation, or to continue an affiliation that they perceive as antecedent to the PCA, then they can peaceably withdraw as a group subject to the consent of each congregation in the group.

2009, p. 208, 37-29, II.H. In the opinion of the CCB, Overture 14 from North Texas Presbytery (“Amend **BCO 25** by Adding Section **BCO 25-12** Regarding Giving Notice to Presbytery of Intention to Withdraw from the PCA”) was in conflict with other parts of the Constitution, including on the grounds that in certain circumstances the requirement may have conflicted with the last sentence of **BCO 25-11** which states that a “particular church may withdraw from any court of this body at any time for reasons which seem to it sufficient.”

2018, p. 318, App. O. II.I. In the opinion of the CCB, Overture 10 from Evangel Presbytery (“Amend **BCO 25-11** to Require Thirty-Days’ Notice to Withdraw from PCA”) was not in conflict with other parts of the Constitution. A dissenting opinion of the minority argued that the creation of a more stringent requirement that applies only to churches wishing to withdraw was in conflict with the congregational competency and civil sufficiency clauses of **BCO 25-11**.

2018, p. 318, App. O. II.K. In the opinion of the CCB, Overture 12 from Eastern Canada Presbytery (“Amend **BCO 25-11** to Require Thirty-Days’ Notice for Congregational Meeting to Leave the PCA”) was not in conflict with other parts of the Constitution. A dissenting opinion of the minority argued that 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**.

2018, p. 319, App. O. II.O. In the opinion of the CCB, Overture 17 from Western Canada Presbytery (“Amend **BCO 25-11** to Require a Thirty-Days Notice to Leave PCA”) was not in conflict with the Constitution. However, the dissenting opinion of the minority stated that 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**.

Congregational Meetings (*BCO 25*), Absentee Ballots in Congregational Meetings

2016, p. 348, App. O, IV.A. The CCB answered a non-judicial reference from Great Lakes Presbytery regarding the propriety of absentee ballots in Congregation meetings by stating that, in the opinion of the CCB, absentee votes would be barred whenever the *BCO* requires the convening of the congregation and/or a requirement that a majority vote of those present is required to carry.

Amending the Constitution of the Church (*BCO 26*), Procedure for Dealing with Alleged Conflicts Between Scripture and the Constitution of the PCA

2002, p. 102, 30-29, III. In the opinion of the CCB, Overture 27 from Eastern Canada Presbytery (“Add to **BCO 26-1** Procedure for Dealing with Alleged Conflicts Between Scripture and the Constitution of the PCA”) was in conflict with other parts of the Constitution. Specific areas of conflict included, but were not limited to the following: 1) the Overture would have allowed a General Assembly to avoid the provisions of the *BCO* without appropriate constitutional process and would have resulted in serious constitutional uncertainty (**BCO 26-2**), and 2) the Overture was in conflict with **BCO 15.1** and **BCO 15.5**, in that it allowed for modification of a commission report.

Disciplining of Non-Communing Members (*BCO 28*), Responsibility of the Session to Examine Children for Membership

2009, p. 210, 37-29, IV.1. The CCB answered a non-judicial reference from the Session of Trinity Presbyterian Church (Susquehanna Presbytery) on the responsibility of the Session to examine children for membership, by citing the obligations of the Session in **BCO 28-3** and by stating that in the case of any communicant members, adult or child, transferring from other PCA churches, the actions of those sessions that had admitted such members should be given appropriate deference unless there are compelling reasons to do otherwise (**BCO 11-4**).

Church Censures (*BCO 30*), Clarifying When and to Whom Definite Suspension Should Be Given

2018, p. 319, App. O, II.P. In the opinion of the CCB, Overture 20 from Philadelphia Presbytery (“Amend **BCO 30-3** and **BCO 37-1** Regarding

Definite Suspension") was in conflict with other parts of the Constitution. The addition to **BCO 37-1** is in conflict with **BCO 30-1**, which states that the censure of definite suspension "concludes the judicial process."

Parties in Cases of Process (BCO 31), Suspending a Teaching Elder During an Investigation

2008, p. 69, 36-30, II.E. In the opinion of the CCB, Overture 6 from Missouri Presbytery ("Amend **BCO 31-2** Regarding Investigative Procedures of a Teaching Elder") was not in conflict with other parts of the Constitution. However, a minority report was submitted which argued that the overture was in conflict with the Constitution.

Parties in Cases of Process (BCO 31), Amending BCO 31-2 to Clarify What Needs to Be Investigated

2012, p. 364, App. O, II.K. In the opinion of the CCB, Overture 15 from Pacific Northwest Presbytery ("Amend **BCO 31-2** to Clarify What Needs to Be Investigated") was not in conflict with other parts of the constitution. A dissenting opinion argued that Overture 15 may have been in conflict with **BCO 34-2** because the overture required inquiry for "any report, allegation or charge indicating a possible transgression"; in the wording of the proposed amendment, such inquiries would be demanded even when reports may be given "on slight grounds."

General Provisions Applicable to all Cases of Process (BCO 32), Defining Supporting Reasons for a Complaint or Appeal

2013, p. 362, App. O. II.D. In the opinion of the CCB, Overture 4 from Suncoast Florida Presbytery ("Amend **BCO 32** by Adding Section 32-21 Defining Supporting Reasons for a Complaint or Appeal") may not have been in conflict with other parts of the Constitution if **BCO 32-18** is understood as dealing with cases in process.

Special Rules Pertaining to Process Against a Minister (BCO 34), Assuming Original Jurisdiction and Procedure by which GA Assumes

2000, p. 68, 28-19, III.1. The CCB answered a non-judicial reference from the Presbytery of Western Carolina regarding the use of the word

“shall” in **BCO 34-1**, by stating that reference to the SJC is the way the General Assembly assumes original jurisdiction per **BCO 34-1**, and the SJC may declare a case administratively out of order, in which instance the case would not be heard.

2000, p. 70, 28-19, III.2. The CCB answered a non-judicial reference from Ascension Presbytery regarding whether, when presbyteries act under **BCO 34-1**, a case can be declared without being heard, by referencing their answer to Question 1 of Western Carolina Presbytery (see **2000, p. 68, 28-19, III.1**).

Special Rules Pertaining to Process Against a Minister (BCO 34), Divesting a Teaching Elder Without Call

2001, p. 134, 29-28, III.3. The CCB answered a non-judicial reference from Southern Florida Presbytery by stating that a presbytery is not required to divest a Teaching Elder without call after three years, but it is required to inquire into the matter and “use its discretion” after its inquiry has been concluded.

Special Rules Pertaining to Process Against a Minister (BCO 34), The Bar for a Higher Court Assuming Original Jurisdiction

2009, p. 208, 37-29, II.C. In the opinion of the CCB, Overture 3 from Central Carolina Presbytery (“Amend **BCO 34-1** and **BCO 33-1** Regarding Assumption of Original Jurisdiction”) was in conflict with other parts of the Constitution, on grounds including that under the proposed amendment to **BCO 33-1** or **BCO 34-1**, when the lower court has yet to conclude its consideration of the case before it, but in the judgment of the higher court has been afforded a reasonable time to do so, the higher court’s intervention would violate the restriction in **BCO 11-3** that any referral to a higher court be exercised so as not “to impinge upon the authority of the lower court.”

Special Rules Pertaining to Process Against a Minister (BCO 34), Mandating That Those Without Call Report Annually to Presbytery

2015, p. 372, App. O. II.E. In the opinion of the CCB, Overture 8 from Tidewater Presbytery (“Amend **BCO 13-2, 34-10, 24-7** and **24-9** regarding Ministers, Ruling Elders, and Deacons without Call”) was, as written, in conflict with the Constitution. The insertion of the new language for **BCO 34-10** left a conflict with **BCO 42-2**.

Evidence (BCO 35), Requiring Church Officers to Testify

2015, p. 372, App. O. II.D. In the opinion of the CCB, Overture 7 from the Session of New Hope PCA, Fairfax, VA (“Amend **BCO 35-1** to Require Church Officers to Testify”) may have been in conflict with the Constitution. **BCO 35-3** leaves open the question of whether a person’s testimony would count as one of the two witnesses required, and **BCO 35-4** leaves open the question of whether the TE, as a witness, could be asked to not be present at the testimony of other witnesses.

Removal of Censure (BCO 37), Distinction between Suspension from Office and from Sacraments

1999, p. 146, 27-43, III. In the opinion of the CCB, Overture 12 from Pittsburgh Presbytery (“Clarify Distinction between Suspension from Office and from Sacraments”) was in conflict with the Constitution (**BCO 37-3**) in that it added to the criterion for the removal of indefinite suspension two additional criteria.

Removal of Censure (BCO 37), Removal of Censure for Suspended or Deposed Teaching Elder

2003, p. 167, 31-56, III.1-2. In response to a set of constitutional inquiries, the CCB gave its opinion that a presbytery may not remove the censure of suspension from the sacraments or deposition with regard to a deposed TE without the permission of the presbytery that imposed the original censure, unless the procedures of **BCO 37-7** had been satisfied. In such a case, the TE’s new presbytery has the right to remove the censures. A Minority Report of the CCB argued, based on **BCO 34-8**, that in regard to the censure of deposition, only the presbytery that imposed the deposition could remove it. The CCB noted that if a presbytery does remove a censure without the permission of the presbytery that imposed the original censure, then the latter presbytery may avail themselves of informal discussions, Christian conciliation, or it may seek the use of **BCO 40-3, 40-4**, and **40-5**. See also **2003, p. 263, 31-63. VI**, and **2003, p. 211, 31-57-III.16.**

Removal of Censure (BCO 37), Removal of Excommunication

2012, p. 365, App. O, II.S. In the opinion of the CCB, Overture 31 from Westminster Presbytery (“Amend **BCO 37-4** to Require That Only the

Session That Imposed an Excommunication May Remove the Excommunication") was in conflict with **BCO 37-7**. It required the original court of jurisdiction to remove the censure of excommunication even if the individual moves to another part of the country and jurisdiction has been passed to another Session or Presbytery.

Cases Without Process (BCO 38), Appeals in Judicial Cases

1999, p. 146, 27-43, III. In the opinion of the CCB, Overture 11 from Pittsburgh Presbytery ("Clarify Cases without Process") was in conflict with the Constitution in the last sentence of the recommended revision to **BCO 38-3**, in that an appeal can only be made in judicial cases. The CCB advised that the conflict would be eliminated if the word "complaint" were substituted for the word "appeal."

General Review and Control (BCO 40), Disciplinary Measures Against a Presbytery

2000, p. 78, 28-19, V. In the opinion of the CCB, Overture 21 from Louisiana Presbytery ("Disciplinary Measures Against Tennessee Valley Presbytery") as worded was in conflict with our Constitution since it pre-determined the guilt of a presbytery and prescribed censures. In order for such a determination to be made, and such a censure to be administered, the procedures of **BCO 40-4** through **BCO 40-6** would need to be followed. Additionally, our Constitution does not allow for the "the conduct of a trial on the floor of the Assembly" since all judicial matters are referred to the SJC (**BCO 15-1**), and this matter could be referred to the SJC by the GA (**BCO 15-4**).

General Review and Control (BCO 40), The Constitutionality and Elimination of "Memorials" (See "A Note on Terminology," Introduction, p. ix.)

2002, p. 104, 30-29, Item 3. The CCB expressed in their review of the minutes of the SJC the constitutional issues related to procedures for hearing memorials. The CCB responded that "It is the advice of CCB that the "Procedure for Hearing a Memorial" raises significant constitutional issues. These issues include: 1) Our concern that the procedures may reflect a definition of a memorial inconsistent with our historical Presbyterian usage since no clear definition is offered and the

term has been variously used in other/former denominations in a manner that allows a higher court to act for a lower court. 2) The lack of clear *BCO* or *SJC Manual* definition of what constitutes a “memorial” being “administratively in order.” 3) Significant questions of due process such as the preclusion of appropriate briefing and argument.

2006, p. 149, 34-35, IV. The CCB answered a constitutional inquiry regarding what effect the elimination of “the terminology of memorials” has on the Manual of the SJC and the SJC’s pending action on a case. The CCB stated that, since the action involving Louisiana Presbytery came to the SJC as a “memorial” under the old **BCO 40-5**, the action should be processed under the old **BCO 40-5** and SJC Manual 16 provisions (see **2006, p. 186, 34-48**).

Appeals (BCO 42), Defining the Terms Used in BCO 42

2013, p. 362, App. O. II.E. In the opinion of the CCB, Overture 5 from Suncoast Florida Presbytery (“Amend **BCO 42** by Adding **42-13** to Define Terms Used in Chapter 42”) may have been in conflict with **BCO 42-3** if the proposed **BCO 42-13.a and b** were taken to exclude possible grounds of appeal listed there.

Complaints (BCO 43), Right of Complaint Against a Court’s Actions

2001, p. 136, 29-28, III.6. The CCB answered a non-judicial reference from Philadelphia Presbytery by stating that a person may not make a complaint to a higher court until after the lower court has acted on the complaint in accordance with **BCO 43-2** and **43-3**. The CCB noted the right of individuals under **BCO 43-1** to complain against actions taken during a trial so long as the procedures of **BCO 43-2** and **43-3** are followed.

Complaints (BCO 43), Proper Use of the Terms “Rebuke” and “Admonition”

2011, p. 391, App. O, V. The CCB noted in the minutes of the SJC officers meeting on May 13, 2010, that in the fifth paragraph, reference is made to “rebuking” a Presbytery Clerk under the provisions of **BCO 43-6**; elsewhere in the paragraph, the action is referred to by the words “admonish” and “admonition,” which elsewhere in the Constitution

(*BCO 30-1*, *BCO 30-2*, and *BCO 36-3*) is identified as a judicial censure. While “admonition” and related words are often used in PCA circles in their less technical sense, use of those words in a context of action against an officer of the Church could be confusing.

Complaints (*BCO 43*), Defining the Terms Used in *BCO 43*

2013, p. 362, App. O. II.F. In the opinion of the CCB, Overture 6 from Suncoast Florida Presbytery (“Amend *BCO 43* by Adding *43-11* to Define Certain Terms Used in Chapter 43”) was in conflict with other parts of the Constitution. The proposed overture conflicted with *BCO 43-1*, which specifies what a complaint is; this overture appeared to restrict “complaints” to matters that arise out of judicial cases as opposed to “any act or decision of a court of the Church.”

Complaints (*BCO 43*), Timing of Higher Court Review of Complaints in Judicial Cases

2016, p. 348, App. O. II.I. In the opinion of the CCB, Overture 40 from Pacific Northwest Presbytery (“Amend *BCO 43-1* to Clarify the Timing of Higher Court Review of Complaints in Judicial Cases”) was in conflict with the Constitution. As written, Overture 40 would preclude the filing of complaints against any action of that court while any judicial case is in process.

Jurisdiction (*BCO 46*), Proposed Vows and Procedure for Transferring Church Membership

2008, p. 68, 36-30, II.C. In the opinion of the CCB, Overture 3 from Southeast Alabama Presbytery (“Amend *BCO 38-3a*, Add a New *46-5*, Add a New *46-6*, and Move *BCO 57-6* to *BCO 46-6* to Specify Transfers to Church Membership”) was in conflict with other parts of the Constitution in that, firstly, the term “profession of faith” as used throughout the *BCO* refers to commitment to Christ as Savior rather than subscription to a system of doctrine. Secondly, there was internal conflict within proposed *BCO 46-5* in that it calls for recording an irregularity and then attempts to make it regular by providing for a letter of transfer.

“Directory for Worship” (*BCO 47 – BCO 63*), Constitutional Status

2000, p. 80, 28-19, V. With its advice on Overture 2 (and Overture 10, which also dealt with the “Directory for Worship”) the CCB issued a Majority Rationale and a Minority Report. These statements give historical background on the constitutional status of the “Directory for Worship,” and summarize different positions taken regarding the matter.

Administration of Baptism (*BCO 56*), Modes of Baptism

2007, p. 71, 35-30, II.B. In the opinion of the CCB, Overture 2 from the Presbytery of New Jersey (“Delete ‘or’ and substitute ‘the’ in ***BCO 56-4.d***”) was in conflict with other parts of the Constitution. The proposed language was in conflict with ***WCF 28.3***, which permits more than one mode of baptism, and would in effect have dictated that the only permissible form of baptism is sprinkling and washing with water.

Admission of Persons to Sealing Ordinances (*BCO 57*), Membership Vows, Capitalization of Word “Church”

2000, p.72, 28-19, III.4. The CCB answered a non-judicial reference from James River Presbytery inquiring as to whether the inconsistent spelling of the word “church” as used in ***BCO 57-5*** was correct. In the opinion of the CCB, the original language of ***BCO 57-5*** used an upper case “C” in both vows 4 and 5.

Admission of Persons to Sealing Ordinances (*BCO 57*), Affirmation of Apostles’ Creed for Membership

2008, p. 68, 36-30, II.B. In the opinion of the CCB, Overture 2 from Southeast Alabama Presbytery (“Amend ***BCO 57-5*** to Require Affirmation of the Apostles’ Creed for Membership”) was in conflict with other parts of the Constitution in that the term “profession of faith” as used throughout the *BCO* refers to commitment to Christ as Savior rather than subscription to a system of doctrine.

Administration of the Lord’s Supper (*BCO 58*), Communion Practice and Prohibited Exceptions

2001, p. 135, 29-28, III.5. The CCB answered a non-judicial reference from Great Lakes Presbytery by stating that ***BCO 58-4*** “allows no exception of practice in the administration of the Lord’s Supper...” If a

Presbytery considers receiving a TE who has expressed an exception in his views with respect to the language of ***BCO 58-4***, it should be guided by ***BCO 34-5***. The CCB also responded that previous actions of the GA imply this refusal to allow an exception with regard to practice (see **1993, p. 141, 21-56, III.18; 1986, p. 330, Appendix I.10**; and **1987, p. 129, 15-63**).

Administration of the Lord’s Supper (*BCO 58*), Provision of the Lord’s Supper at Separate Site

2013, p. 364, App. O, IV. The CCB answered a non-judicial reference from Ohio Valley Presbytery regarding the provision of the Lord’s Supper to qualified recipients who are at a location separate from the main worship location, by declining to give additional advice and stating that other avenues within the courts of the church would be better places for working out the application of these principles.

The Solemnization of Marriage (*BCO 59*), Granting *BCO 59* Full Constitutional Status

2017, p. 324, App. O. II.A. In the opinion of the CCB, Overture 2 from Calvary Presbytery (“Grant ***BCO 59***, ‘Solemnization of Marriage,’ Full Constitutional Status”) was in conflict with the Constitution. Adoption of Overture 2 would be the same as changing the *BCO* since giving this chapter full constitutional status is essentially adding to the Constitution of the PCA, and thus requires the same process of approvals as required for any change to the *BCO* (cf. ***BCO 26-2***).

2018, p. 316, App. O. II.B. In the opinion of the CCB, Overture 2 from Grace Presbytery (“Amend ***BCO 59*** and Grant Full Constitutional Status”) was in conflict with the Constitution. Adopting Overture 2 would have been the same as changing the *BCO* since giving this chapter full constitutional status is essentially adding to the Constitution of the PCA, and thus requires the same process of approvals as required for any change to the *BCO* (cf. ***BCO 26-2***).

2018, p. 320, App. O. II.S. In the opinion of the CCB, Overture 24 from Tennessee Valley Presbytery (“Grant ***BCO 59*** ‘Solemnization of Marriage (As Amended) Full Constitutional Status’”) was in conflict with other parts of the Constitution. The proposed amendment of ***BCO 59-2***

(“Christians shall marry”) and **BCO 59-5** (“marriage shall be sufficiently announced”) conflicted with **BCO Preliminary Principle 7**, **BCO 11-2** and **BCO 29-1**, and **WCF 20.2** and **WCF 24.3**. The CCB noted that the “Directory for Worship” is “part of our Constitution (**BCO Preface III**)” and the process to amend is governed by **BCO 26-2**.

The Solemnization of Marriage (BCO 59), Altering and Refining the Language of BCO 59

2018, p. 317, App. O. II.E. In the opinion of the CCB, Overture 5 from Calvary Presbytery (“Revise **BCO 59**”) was in conflict with other parts of the Constitution. The proposed amendment of **BCO 59-2** (“Christians shall marry”) and **BCO 59-5** (“marriage shall be sufficiently published”) conflicted with **BCO Preliminary Principle 7**, **BCO 11-2**, **BCO 29-1**, and **WCF 20.2** and **WCF 24.3**. The CCB noted that the “Directory for Worship” is “part of our Constitution (**BCO Preface III**)” and the process to amend is governed by **BCO 26-2**.

CCB Advice on *Rules of Assembly Operations (RAO)* (Arranged in order of current RAO Chapters)

Editorial Note: These entries are duplications of entries above in “CCB Advice on The Book of Church Order,” General Assembly (BCO 14) (Changes to the RAO), but here the entries are arranged, for the convenience of the reader, according to current RAO chapter numbers.

Ad Interim Committees (RAO 9), Ad Interim Committee to Revise the RAO

2008, p. 72, 36-30, II.J. In the opinion of the CCB, Overture 14 from Potomac Presbytery (“Form Ad Interim Committee to Revise RAO”) was in conflict with **RAO 9-2** on the issue of funding.

Ad Interim Committees (RAO 9), Procedure for Forming Ad Interim Committees

2017, p. 327, App. O. II.N. In the opinion of the CCB, Overture 18 from James River Presbytery (“Amend **RAO IX** So That Ad Interim Committees May Only Be Formed in Response to Presbytery Overtures”) was in conflict with the **RAO 9-4**. The phrase “exclusively submitted” (line # 22) was in direct conflict with **RAO 9-4 [now 9-5]**.

Ad Interim Committees (RAO 9), Referring the Recommendations of Ad Interim Committees to the Overtures Committee

2018, p. 317, App. O. II.F. In the opinion of the CCB, Overture 6 from Calvary Presbytery (“Revise **RAO 9** to Require that Recommendations from Ad Interim Committees be referred to OC”) was in conflict with BCO 14-1.15 and created ambiguity within the **RAO** which could create a conflict on the floor of GA when opposing recommendations could come from two different committees with no **RAO** procedures in place to resolve such conflicts.

Communications and Overtures (RAO 11; see RAO 15), Referring All BCO Changes to CCB and Bills & Overtures

2006, p. 80, 34-34, II.C. In the opinion of the CCB, Overture 14 from James River Presbytery (“Amend **RAO 10-5** [now 11-5] to Refer All **BCO** Changes to CCB and Bills & Overtures”) was in conflict with **RAO 13-1*** in that the business assigned to the Bills & Overture Committee was defined as “of general nature.” **RAO 13-1** permits **BCO** amendments of a particular nature to be referred to other Committees of Commissioners. Furthermore, this amendment failed to recognize that proposals to amend the **BCO** can come before the Assembly in other reports as allowed by **BCO** 14-1.15.

**Editorial note: In 2006, a new chapter (XV – Overtures Committee) was added to the RAO, which replaced rules regarding the Bills & Overtures Committee.*

Communications and Overtures (RAO 11), Referring Overtures Regarding Committees and Agencies and Ad Interim Committees to Overtures Committee

2017, p. 326, App. O. II.H. In the opinion of the CCB, Overture 10 from Western Carolina Presbytery (“Revise **RAO 11-5** to Direct Clerk to Refer Overtures Regarding Committees and Agencies and Ad Interim Committees to Overtures Committee Also”) created ambiguity within the **RAO** and could create a conflict on the floor of GA when opposing recommendations could come from two different committees with no **RAO** procedures in place to resolve such conflicts.

Committees of Commissioners for Permanent Committees and Agencies (RAO 14), Permanent Committee Members on Committees of Commissioners

2000, p.71, 28-19, III.3. The CCB answered a non-judicial reference from Ascension Presbytery inquiring as to “which of the entities in **RAO 4-2, 4-3** and **4-4** are covered by the ‘ineligibility provision’ of **RAO 13-2** [now **RAO 14-2**], and why.” The CCB answered that the term “permanent committee” in **RAO 13-2** [now **RAO 14-2**] refers only to the four [now five] committees mentioned in **RAO 4-2** (see **BCO** 14-1.12).

The Overtures Committee (*RAO* 15), Germane Amendments to Overtures and Resolutions by Overtures Committee

2003, p. 67, 31-18. Overture 23 from Ascension and Western Carolina Presbyteries asked the Assembly to amend ***RAO* 13-5** and **13-6 [now *RAO* 15-6]** to allow the Bills and Overtures Committee to offer germane amendments to overtures and resolutions (see **2003, p. 169, 31-57, III.1**). The CCB advised that the overture was in conflict with the Constitution because it undermined the purpose of the overture process, which is to offer presbyteries the opportunity to propose to the Assembly measures which they believe benefit the Church at large. A Minority Report from the CCB argued that the overture was not in conflict with the Constitution because germane amendments do not interfere with the right of presbyteries to propose such measures. (For the full committee and Minority reports, see **2003, p. 165, 31-56, IV**).

The Overtures Committee (*RAO* 15), Business Assigned to Overtures Committee

2006, See Communications and Overtures (*RAO* 11), above.

Review of Presbytery Records (*RAO* 16), CCB Providing Unsolicited Advice to Committees

2001, p. 137, 29-28, III.7. The CCB answered a non-judicial reference from New River Presbytery asking the CCB to serve as a channel to give advice to the CRPR, by replying that it is not within the purview of the CCB to provide advice to committees who have not solicited it. The CCB answered a related constitutional inquiry (**2001, p. 143, 29-28, Item 2**) asking that it advise the CRPR about an exception in presbytery minutes, by stating that the CRPR may make to the GA any recommendation it wishes which are within the purview of ***RAO* 14 [now *RAO* 16]**, and that it is then up to the GA to decide how to handle such recommendations.

Review of Presbytery Records (*RAO* 16), Exceptions to Westminster Standards or *BCO* Recorded in Presbytery Minutes

2003, p. 159, 31-56, IV. The CCB answered a constitutional inquiry from the 30th General Assembly, which asked “Does either the Constitution of the PCA or the *RAO* presently require a presbytery to record a minister’s exceptions to the *WCF*, *WLC*, *WSC* or *BCO* in its minutes?” In the opinion of the CCB, the answer was “no.” See **2003, p. 180, 31-57, III. 4a**, for action to amend ***RAO* 14-3e.5 [now 16-3.e.5]**.

Review of Presbytery Records (*RAO 16*), Recording Doctrinal Exceptions; Not Setting Doctrinal Precedent

2003, p. 160, 31-56, VI. In the opinion of the CCB, the second half of Overture 5 from Illiana Presbytery, Eastern Canada Presbytery and Blue Ridge Presbytery (“Amend *RAO 14-3 [now 16-3]*, *RAO 14-8 [now 16-8]* Regarding Subscription”) was in conflict with other parts of the constitution. The discussion of responses in *RAO 14-10.b [now 16-10.b]* makes it clear that exceptions of substance are reported for more than just informational purposes in that they cannot be ignored by the presbytery to whose records the exception is taken.

Review of Presbytery Records (*RAO 16*), Presbytery’s Authority to Determine Candidate’s Eligibility for Ordination

2003, p. 162, 31-56, VI. In the opinion of the CCB, Overture 18 from Covenant Presbytery (“Amend *RAO 14-3e.5 [now 16-3.e.5]* Regarding Subscription”) was not in conflict with the other parts of the Constitution. A minority report was submitted which was of the opinion that the constitutional language proposed in this overture was in conflict with other portions of the constitution, including *BCO 21-5* and *BCO* Principle II.2, because in its opinion the proposed overture language requiring Presbyteries to record a man’s views disagreeing with the Constitution would have eroded the Presbytery’s exclusive authority (subject of course to judicial process) to determine if a candidate receives and adopts the *Confession of Faith* and the *Catechisms* of the PCA as containing the system of doctrine taught in the Holy Scriptures.

Review of Presbytery Records (*RAO 16*), Reporting of Exceptions to the Constitution

2004, p. 133, 32-36, II.2. Upon being asked in a constitutional inquiry the nature of RPR’s responsibility under current *BCO 21-4* in reviewing presbyteries’ granting of exceptions to the Constitution, the CCB replied that such action of a presbytery “is reviewable by the Committee on Review of Presbytery Records (CRPR)” and added, “If the Committee finds an entry that it believes does not conform, it is to report that apparent violation in accordance with *RAO 14-6.c*” [*now RAO 16-6.c*].

Review of Presbytery Records (*RAO 16*) Documenting and Reporting a Minister’s Stated Differences with the Standards

2004, p. 133, 32-36, III. In response to a proposed amendment to the *RAO 14-3.e.5 [now 16-3.3.5]* regarding the ordination of ministers and

documenting their exceptions, it was the opinion of the CCB that the proposed amendment, as presented, was in conflict with the Constitution in that the reporting requirements proposed in the amendment do not cover all the possible responses of presbyteries under *BCO* 21-4 with regard to examinees' stated differences with our Standards. For the proposed amendment, see **2004, p. 52, 32-14.**

Standing Judicial Commission (*RAO* 17), Vows Taken by SJC Members

1999, p. 145, 27-43, II.3. The CCB answered a non-judicial reference from Evangel Presbytery asking whether the language of *BCO* 39-3 and SJC vows 4 and 5 found in ***RAO 15-1 [now RAO 17-1]*** conflict with other portions of the *BCO* and *WCF*. In the opinion of the CCB, the 4th and 5th vows taken by SJC members were “flawed” by not making direct reference to our biblical mandate and Confessional commitment to make judgments according to Scripture when applying the constitutional standards of our church. The CCB suggested resolving the ambiguity by amending Vow 4

Standing Judicial Commission (*RAO* 17), Allowing the CCB to Take Exception to SJC Case Decisions

2014, p. 343, App. O. II.H. In the opinion of the CCB, Overture 9 from Southwest Presbytery (“Revise ***RAO 17-1*** to Allow CCB to Take Exception to SJC Case Decisions”) may have been in conflict with other parts of the Constitution. The CCB noted that the overture may contain an ambiguity in its two uses of the word “records.” Furthermore, there was a potential ambiguity in the use of the phrase “any judicial cases.”

Standing Judicial Commission (*RAO* 17), General Assembly Review and Vote on SJC Decisions

2014, p. 343, App. O. II.F. In the opinion of the CCB, Overture 11 from Calvary Presbytery (“Amend *BCO* 15-5.a and 15-5.b and Direct CCB to Draft Proposed Amendments to ***RAO*** and ***OMSJC***”) was in conflict with other parts of the Constitution, on the same grounds given for Overture 13. In addition, a portion of the overture assigned tasks to the CCB which go beyond the purview of the CCB (***RAO 8.2.b.***)

Standing Judicial Commission (*RAO* 17), General Assembly Directions Regarding SJC Decisions

2016, p. 346, App. O. II.B. In the opinion of the CCB, Overture 5 from Pittsburgh Presbytery (“Amend *BCO* 15-5.a and ***RAO* 17-1**, Paragraph 4, to Allow the General Assembly to Give Directions to the SJC in Judicial Decisions and Reasoning and Opinions”) was in conflict with the Constitution. Following *BCO* 15, when a commission concludes the business referred to it, it is acting *as* the court of which it is a commission. ***BCO* 15-4** specifies the business which General Assembly refers to the SJC, which it commissions the SJC to conclude.

Amendment or Suspension of Rules (*RAO* 20), Procedure for Suspending Rules

2001, p. 148, 29-28, Item 2. The CCB received a constitutional inquiry requesting advice on how the Assembly is to suspend its Rules of Operation (*BCO*, ***RAO***, *SJC Manual*, and *Robert’s Rules of Order*) in order to obey the King of the Church as expressed in the Word of God. The CCB advised that GA delegates are bound by ordination vows to obey our Constitution and other adopted rules “as fully and fairly as possible” (see *BCO* 21-5.2-5 and *BCO* 24-6.2-5; Preface III), and noted that “if our standards are shown to be out of accord with Scripture, then there are proper procedures to follow, at each level, in order to change those standards” (see *BCO* 45). The CCB was unwilling to affirm “the presumption that we need to suspend our rules in order to obey Christ.”