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- 2008-01 Complaint TE Timothy Witmer vs Philadelphia Presbytery
2008-02 Complaint TE Fred Hofland, et. al., vs. Eastern Carolina Presbytery

Of these, 1 case, 2007-5 was withdrawn. Cases 2007-3 and 2007-15 were found to be out of order. Case 2007-09, 2007-10, 2007-11, 2007-13, 2007-16, 2008-01, and 2008-02 were not completed in time for the SJC March meeting and await final determination by the full SJC in October 2008. The Standing Judicial Commission has completed its work on 2006-02, 2007-1, 2007-2, 2007-4, 2007-6, 2007-7, 2007-8, 2007-12, and 2007-14. The report on these cases is as follows:

III. REPORT OF THE CASES

REPORT ON MEMORIAL FROM CENTRAL CAROLINA PRESBYTERY CASE 2006-02

This matter was dealt with by the SJC over an extended period of time and in several stages. Part I of this report deals with the SJC's initial hearing on the matter, Louisiana Presbytery's subsequent re-examination of TE J. Steven Wilkins directed by the SJC, and related events (January 2006 through May 2007). Part II of this report deals with the actions of the SJC in response to Louisiana Presbytery re-examination of TE J. Steven Wilkins (May 2007 through October 2007).

I. SUMMARY OF THE FACTS

PART I BACKGROUND

1. On January 26, 2006, Central Carolina Presbytery, pursuant to *BCO* 40-5, adopted and sent to the General Assembly the following Memorial relative to actions of Louisiana Presbytery. The Memorial was referred to the Standing Judicial Commission by the Stated Clerk. The 34th General Assembly concurred with that reference (*BCO* 15-4).

MEMORIAL FROM CENTRAL CAROLINA PRESBYTERY

Whereas it is the obligation of teaching elders to uphold in their teaching the system of doctrine taught in *The Westminster Standards* (*BCO* 2 1-5.2), and;

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Whereas presbyteries are charged “to condemn erroneous opinions which injure the purity or peace of the Church” (*BCO 13-9.f*), and:

Whereas TE J. Steven Wilkins, senior minister of Auburn Avenue Presbyterian Church in Monroe, LA, has persisted in teaching and publishing doctrines in flagrant contradiction to our *Standards*, to wit:

- 1) TE Wilkins publicly teaches a *doctrine of election* in flagrant contradiction to our *Standards*. Whereas *The Confession* teaches that “God hath appointed the elect unto glory” (WCF III.6), TE Wilkins states that the elect are appointed to a conditional relationship which they can lose through unbelief. He writes: “The elect are those who are faithful in Christ Jesus. If they later reject the Savior, they are no longer elect – they are cut off from the Elect One and thus, lose their elect standing” (*The Federal Vision*, p. 58).
- 2) TE Wilkins teaches a *doctrine of the church* in flagrant contradiction to that of our *Standards*, in that he denies the distinction between the visible and the invisible church. *The Confession* states that “The catholic or universal Church, which is invisible, consists of the whole number of the elect,” whereas “The visible Church... consists of all those throughout the world that profess the true religion, and their children” (WCF XXV. 1-2). The sum of TE Wilkins’ erroneous view is to teach that all members of the church – without distinction to their actual faith and/or regeneration – partake of the saving benefits of Christ. Whereas the Standards state that the visible church enjoys “the ordinary means of salvation and offers of grace by Christ,” they grant only to the invisible church that they “enjoy union and communion with [Christ]” (WLC 62-65). As such, TE Wilkins denies that there is any distinction between believing and unbelieving members of the visible church, insisting that all baptized church members enjoy the benefits of union with Christ, only conditionally. See *The Federal Vision*, pp. 57-62, including the following statements:

“If God is for *us*, who can be against *us*? Christ died, rose again, and makes intercession for *us*, who can separate *us* from the love of God?””

Clearly, Paul is not stating promises that are true only for some unknown group called the ‘elect.’ Nor is he speaking only to a portion of the congregation whom he judges to be ‘regenerate.’ Rather, he is applying these promises to all the members of the Church who have been baptized and united to Christ in His death, burial, and resurrection (Rom. 6).” (*The Federal Vision*, p. 57).

“The reprobate may be in covenant with God. They may enjoy for a season the blessings of the covenant, including the forgiveness of sins, adoption, possession of the kingdom, sanctification, etc., and yet apostatize and fall short of the grace of God” (*The Federal Vision*, p. 62). Note that TE Wilkins here directly contradicts *WLC* 69, which ascribes these blessings only to the elect and denies them to the visible church.

- 3) TE Wilkins’ teaching directly contradicts our *doctrine of perseverance*. The *Confession* teaches that “They, whom God hath accepted in His Beloved, effectually called, and sanctified by His Spirit, can neither totally nor finally fall away from the state of grace, but shall certainly persevere therein to the end, and be eternally saved” (*WCF XVI.1*). But TE Wilkins teaches the opposite. See the above quote regarding the reprobate, who according to TE Wilkins were at one time forgiven, adopted, and sanctified. TE Wilkins adds, “The apostate doesn’t forfeit ‘apparent blessings’ that were never his in reality, but real blessings that were his in covenant with God” (*The Federal Vision*, p. 62). In TE Wilkins’ teaching, all church members share all the benefits of union with Christ, but only provisionally. He writes, “If they persevere in faith to the end, they enjoy these mercies eternally. If they fall away in unbelief, they lose these blessings and receive a greater condemnation than Sodom and Gomorrah... If they do not persevere, they lose the blessings that were given to them” (*The Federal Vision*, pp. 60-61).
- 4) TE Wilkins’ teaching directly contradicts our *doctrine of assurance*. The *Confession* teaches that we may have a certain assurance of salvation based on inward evidences of faith and salvation (*WCF XVI.1-2*). TE Wilkins directly contradicts this teaching, stating instead that “The questions of *when* a man is ‘regenerated,’ or given ‘saving faith,’ or ‘truly converted,’ are ultimately questions we cannot answer

and, therefore, they cannot be the basis upon which we define the Church or identify God's people... [The covenant perspective] enables us to assure Christians of their acceptance with God without needless [sic] undermining their confidence in God's promises (by forcing them to ask questions of themselves they cannot answer with certainty)." In a footnote defining the harmful questions, TE Wilkins specifies: "Questions like, "Have you truly believed?"; "Have you sincerely repented?"; "Do you have a new heart?"; "Have you been truly converted?", etc." (*The Federal Vision*, 67, plus footnote 15, p. 69.) But these are questions the Confession views as pastorally helpful and productive of assurance, not despair.

- 5) TE Wilkins teaches a *doctrine of baptism* strikingly different from that of *Standards*. TE Wilkins states that "When someone is united to the Church by baptism, he is incorporated into Christ and into His body; he becomes bone of Christ's bone and flesh of His flesh (Eph. 5:30). He becomes a member of the house, family, and kingdom of God' (WCF 25.2). Until and unless that person breaks covenant, he is to be reckoned among God's elect and regenerate saints" (Summary Statement of AAPC's Position on the Covenant, Baptism, and Salvation [Revised], para 4.).

But, while the Confession describes baptism as a *sign and seal* of Christ's blessings – including regeneration (WCF XXVI. 1) – *The Standards* do not equate all baptized persons with the elect, nor do they equate baptism with regeneration.

TE Wilkins teaches that

"If [someone] has been baptized, he is in covenant with God" (*The Federal Vision*, p. 67)...

"covenant is union with Christ" (p. 58)... and

"being in covenant gives all the blessings of being united to Christ" (p. 58), which blessings he enumerates by appeal to Eph. 1:3, stating, "those who are in covenant have all spiritual blessings in the heavenly places" (p. 58).

The doctrine found in these representative statements from TE Wilkins' teaching can be none other than that to be baptized is to have all the eternal blessings of salvation and, by inference, he teaches that all persons baptized in water must be eternally saved, unless they apostatize. This is made explicit as TE Wilkins applies all the blessings noted in Paul's First Epistle

to the Corinthians to those who receive water baptism, including the salvific blessings of union with Christ, reaching all the way back to election from before creation to final salvation at the end of history. Thus, in contrast to the Confession's teaching that water baptism is a sign and seal of these salvific blessings, TE Wilkins plainly teaches that water baptism grants actual possession of these salvific blessings.

Whereas the Louisiana Presbytery has exonerated and approved the teaching of TE Wilkins as "faithful to the Confessional standards of the PCA", contrary to their obligation to uphold *The Westminster Standards*, and;

Whereas the Louisiana Presbytery's exoneration of TE Wilkins contradicts its own published declarations regarding the acceptable boundaries of teaching, to wit:

- 1) The Louisiana Presbytery has declared that "the Confession itself uses the term 'elect' to speak of only those who have been unchangeably chosen by God for eternal salvation... The Confessional understanding of election does not allow for the view that a person can be 'elect' and, later, 'unelect'" (*LA Presbytery Ad Hoc Committee on Federal Vision Theology Final Report and Recommendations*, adopted July 2005). But TE Wilkins teaches the very doctrine that the Louisiana Presbytery has forbidden.
- 2) In its teaching on apostasy, the Louisiana Presbytery officially requires teaching on the visible/invisible church and on perseverance that TE Wilkins plainly contradicts. According to the LA Presbytery, one must acknowledge "the reality of apostasy, that a person can be a member of the visible church and fall away and thus loose the real benefits of belonging to God's people, the real loss of external Covenant blessings claimed through being a member of the visible church through baptism."
- 3) The Louisiana Presbytery states that the Confession "does not accommodate a view that an individual can have a vital, internalized relationship with the Lord and lose it." But this is TE Wilkins' explicit teaching.
- 4) The Louisiana Presbytery admits that TE Wilkins' teaching on baptism has "led to confusion," and has exhorted him "to clarify/reformulate his teachings to define them more precisely," but it has specified no remedy to the harm – potential or real – produced by TE Wilkins' published teaching.

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Whereas a failure to uphold the doctrines of Scripture as summarized in our *Standards* threatens the purity and peace of the Church;
Therefore, be it resolved that the Central Carolina Presbytery of the Presbyterian Church in America sends this memorial to the Standing Judicial Commission of the Presbyterian Church in America to assume jurisdiction over the investigation of TE Steven Wilkins' teaching, (*BCO* 34-1 & SJC Manual 18), in order to preserve the PCA's commitment to sound doctrine, protect our reputation for faithfulness to God's Word, and secure peace within our denomination.

Additionally, in the event that the Standing Judicial Committee declines to accept original jurisdiction over the investigation TE Wilkins' teaching, then the Central Carolina Presbytery hereby petitions the Standing Judicial Commission to cite Louisiana Presbytery to appear per *BCO* 40-5 and SJC Manual 16.

Adopted by Central Carolina Presbytery at the Stated Meeting on January 28, 2006.

Attested by /s/ David Frierson, Clerk of Presbytery

2. The Standing Judicial Commission, at its meeting of March 3, 2006, voted to cite Louisiana Presbytery to appear in person pursuant to *BCO* 40-5 and appointed a Committee consisting of TE Paul Fowler, TE Steven Clark, and RE Frederick Neikirk to organize appropriate materials and prepare for the hearing on the matter.
3. The Committee received the relevant documents (SJCM 16-3) and provided the SJC with various relevant writings and presentations relevant to the matters contained in the Memorial.
4. On August 15, 2006, the representative of Louisiana Presbytery raised an objection to the SJC's consideration of the Memorial.
5. On October 19, 2006, the Standing Judicial Commission heard a presentation from the representative of Louisiana Presbytery relative to the objection. The SJC voted not to sustain the objection for the reasons attached at the end of this report. (See Appendix)
6. The Representative from Louisiana Presbytery then responded to the citation from the SJC and responded to questions from the members of the SJC.
7. The SJC went into closed session and adopted the following statement of issues, judgment, and reasoning, opinion, and amends.

II. STATEMENT OF THE ISSUES

1. Does the Memorial raise questions of sufficient gravity that we are led to conclude that the allegations, if true, are likely “hostile to the system of doctrine” and “strike at the vitals of religion?” (*BCO* 20-4)
2. If so, does the Memorial sufficiently represent the relevant writings of TE Wilkins on the matters at hand so as to raise appropriately the concerns that are alleged in the Memorial?
3. If so, then it is incumbent on Louisiana Presbytery to show how it investigated those views; how and on what basis they concluded those views were consistent with *The Westminster Standards* and the published declarations of Louisiana Presbytery; and how, to the extent necessary, they demanded corrective action and sought to make sure that any erroneous views that were previously published are clarified, thus protecting the peace and purity of the Church.

III. JUDGMENT

1. Yes
2. Yes
3. It is the conclusion of the Standing Judicial Commission that Louisiana Presbytery has not demonstrated either by formal records or informal recollections that it has “with due diligence and great discretion” (*BCO* 31-2) dealt with the allegations that TE Wilkins’ views are out of accord at key points with the system of doctrine as summarized in the *Westminster Confession of Faith* and *Larger and Shorter Catechisms*, which are “standard expositions of the teachings of Scripture in relation to both faith and practice.” (*BCO* 29-1, 39-3) As a result, Presbytery has not met its responsibilities under *BCO* 13-9.f and 40-4, 5, and thus has not adequately protected the peace and purity of the Church.

IV. REASONING, OPINION, AND AMENDS

1. The Standing Judicial Commission cites the following as examples of the lack of diligence on the part of Louisiana Presbytery.
 - a. The committee charged with investigating the views of TE Wilkins kept no minutes and has no transcript, or even a detailed summary of its examination of TE Wilkins.
 - b. The Committee, by its own admission, did not consider a number of TE Wilkins’ writings and published presentations. During his presentation to the SJC, Presbytery’s representative candidly

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- expressed grave concerns over several writings he has reviewed subsequent to the Committee's final report to the Presbytery.
- c. Neither the Committee nor Presbytery held a face-to-face meeting with TE Wilkins to examine his views.
 - d. The Presbytery, as a court, did not examine TE Wilkins.
 - e. The Committee's report dealt with the "Federal Vision" generally rather than the specific views of TE Wilkins.
 - f. The Committee's report (which was adopted by Presbytery) contains no explicit rationale for the conclusion that TE Wilkins "appears to be within the Confession and the System of doctrine contained therein" and that "Rev. Steve TE Wilkins be publicly exonerated by Louisiana Presbytery and declared to be faithful to the Confessional standards of the PCA."
 - g. Presbytery did not respond to the specific concerns about TE Wilkins' views that were raised in the original communication from Central Carolina Presbytery (dated January 22, 2005).
 - h. Even in areas where Presbytery expressed concern about TE Wilkins' views the Presbytery did not mandate that correction and clarification be issued so as to insure there was no harm to the peace and purity of the churches within the Presbytery or the Church at large.
 - i. The Respondent for Presbytery conceded that TE Wilkins in his writings and published presentations uses terms differently from the way they are generally understood in the *Westminster Confession and Larger and Shorter Catechisms* and therefore is required to explain and define his terms and the usage of terms in this manner is harmful to the peace and purity of the Church.
2. The Standing Judicial Commission hereby specifies the following amends.
- That, as Louisiana Presbytery has not completed an adequate examination of TE Wilkins' views, the Standing Judicial Commission hereby finds that the matters be redressed (*BCO* 40-5, para. 2, clause 1; cf., SJCM 16.9(a); *BCO* 14-6, a-b) by the following:
- a. That Louisiana Presbytery, as a court, examine TE Wilkins on the specific concerns raised by the Central Carolina Memorial and matters raised herein; that this examination be conducted in the light of the theology and concepts of the *Westminster Confession of Faith* and *Larger and Shorter Catechisms*, which are "standard expositions of the teachings of Scripture in relation to both faith and practice" (*BCO* 29-1, 39-3); and that this examination be conducted after Presbytery has made itself familiar with all writings

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- referenced by the Central Carolina Memorial as well as pertinent published materials containing TE Wilkins' views on the matters raised herein.
- b. That this examination be recorded, and in light of the seriousness of the issues, that the examination should be transcribed, and that the Presbytery and any committee charged to help Presbytery prepare for the examination keep full and accurate records and minutes.
 - c. That Louisiana Presbytery formally determine whether TE Wilkins has changed his views on the areas specified in the Memorial since his ordination (*BCO* 21-5, vow 2).
 - d. That Presbytery adopt formal responses to the specific concerns raised in the Memorial, with rationale and evidence for those responses.
 - e. That Presbytery specifically note any area of TE Wilkins' views or his choice of terms to explain his views that are inconsistent with the *Westminster Confession of Faith and Larger and Shorter Catechisms* (*BCO* 29-1, 39-3) and how it will require TE Wilkins to redress those inconsistencies (*BCO* 21-5, vow 4).
 - f. That these directions be accomplished and reported to the Standing Judicial Commission no later than February 16, 2007, for final review.
3. Finally, the SJC reminds Louisiana Presbytery that, should it find that it cannot comply with the stipulations of this redress, it may request by Reference (*BCO* 41-3) that General Assembly assume jurisdiction in the matter.

All matters dealing with this opinion were written by the full Standing Judicial Commission.

The decision was adopted on October 20, 2006, with a vote of 17 concurring. There were 7 commissioners absent.

TE Dominic A. Aquila, Absent

RE Thomas F. Leopard, Concur

TE Howell A. Burkhalter, Concur

TE John M. McArthur Jr., Concur

TE Alton Craig Chapman, Concur

RE J. Grant McCabe, Concur

TE Stephen M. Clark, Absent

TE Charles E. McGowan, Absent

RE M. C. (Cub) Culbertson, Concur

TE D. Steven Meyerhoff, Concur

RE Perry Denniston, Concur

RE Frederick Neikirk, Concur

RE J. Howard Donahoe, Absent

RE Steven T. O'Ban, Concur

RE Samuel J. (Sam) Duncan, Concur

TE Michael M. Rico, Absent

TE Paul B. Fowler, Concur

TE Michael F. Ross, Absent

TE William W. Harrell Jr., Concur

RE John Tolson, Concur

RE Terry L. Jones, Absent

RE John B. White Jr., Concur

TE Paul D. Kooistra, Concur

RE W. Jack Williamson, Concur

**APPENDIX
RESPONSE TO OBJECTION**

**STANDING JUDICIAL COMMISSION
PRESBYTERIAN CHURCH IN AMERICA
IN RE: MEMORIAL OF CENTRAL CAROLINA PRESBYTERY
SJC 2006-02**

**RULING AND RATIONALE ON RESPONDENT'S OBJECTIONS TO
THE PROCEEDINGS**

In a letter dated August 15, 2006, from the Respondent's appointed representative, Louisiana Presbytery raised objections to the proceedings in this matter. These objections related to (1) materials included in the documents reviewed by the members of the Standing Judicial Commission in preparation for the hearing and (2) to the scope of the review being undertaken by the SJC in response to the Memorial.

Following a hearing on these objections, the SJC ruled as follows:

The objections raised by TE Davis (Respondent's appointed representative) are not sustained. We conclude that the published writings and transcriptions of public presentations of TE Wilkins generated prior to July, 2005, are properly and necessarily before the SJC. We further conclude that the members of the SJC have the right to consider broader writings on the matters at hand should they so desire. We also conclude that the question of how and on what basis Louisiana Presbytery reached its decisions/judgments on the matters noted in the Memorial are properly before the SJC under *BCO* 13-9.f; 40-4, 40-5 and SJCM 16.1.

Rationale:

Respondent's representative asserted that this matter should be dismissed: (1) because documents provided to the SJC members for review prior to the hearing exceeded the scope of documents described as "relevant documents" under SJC manual 16.3 and (2) because the materials suggested the SJC would inquire beyond the bare "proceedings" of the lower court in contradiction to *BCO* 40-5. We find that neither contention has merit.

1. *When considering a memorial, the documents to be considered by the SJC are not limited to the "relevant documents" prepared and submitted by the presbytery.*

Respondent has asserted that the only documents the SJC may consider in hearing a memorial are the “relevant documents” described in SJC Manual 16.3. In support of this argument, the Respondent equates the hearing of a memorial to the hearing of a judicial case, in which a judgment may only be rendered on the basis of the record of the case. However, this comparison is incorrect, because SJC Manual 16.4 specifically states that the hearing of a memorial “shall not be conducted as a formal judicial case....”

Further, where the matter alleged is a serious irregularity in the proceedings of the lower court, there is a high likelihood that its records will not fully reflect the error. *BCO* 40-4 anticipates such circumstances, recognizing that a lower court may

...neglect to perform their duty, by which neglect heretical opinions or corrupt practices may be allowed to gain ground ... or some circumstances in their proceedings of very great irregularity may not be distinctly recorded by them. *In any of these cases their records will by no means exhibit to the higher court a full view of their proceeding.* (*emphasis added*).

In such cases, it is incumbent upon the reviewing court to investigate beyond the lower court’s records,

...[i]f, therefore, the next higher court be well advised that any such neglect or irregularity has occurred on the part of the lower court, it is incumbent upon it to take notice of the same and to examine and judge in the whole matter as completely as if it had been recorded . . .” (*BCO* 40-4).

In the matter before the SJC it is alleged that Louisiana Presbytery failed to fulfill its responsibility to demand with “due diligence and great discretion” (*BCO* 31-2) an accounting from TE Wilkins regarding views alleged to be “in flagrant violation of our *Standards*.¹” Further, it is alleged that this failure threatens the peace and purity of the church. As such, this matter is squarely within the circumstances contemplated by *BCO* 40-4, and Respondent’s contention that documents beyond those supplied by the presbytery should not be considered has no merit.¹

¹ The SJC notes that the materials reviewed by the SJC included only the “relevant documents” provided by the Respondent and writings or transcripts of teaching of TE Wilkins that the Respondent admitted were or should have been available to the presbytery as it conducted its investigation. The SJC does not agree that other materials had to be excluded from consideration; however, many of the materials objected to by the Respondent were removed prior to receipt of the objection to avoid any appearance of prejudice.

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2. *The review allowed by a memorial brought under BCO 40-5 extends beyond bare procedural steps taken by the presbytery under scrutiny.*

The Respondent further contends that the language of *BCO* 40-5 limits any review under the provision to matters of “procedure.” We are not persuaded that “any important delinquency or grossly unconstitutional proceedings” (*BCO* 40-5; cf., SJCM 16.1) means the same thing as “procedure”, if by procedure one means “what steps were taken or in what order were they taken.”

The terms “any important delinquency or grossly unconstitutional proceedings” must, in our judgment, go to the question of whether a lower court has “entirely neglect[ed] to perform their duty” (*BCO* 40-4) or has performed that duty improperly. The Central Carolina Memorial reminds us that presbyteries are charged “to condemn erroneous opinions which injure the purity and peace of the Church.” (*BCO* 13-9.f) The Memorial then alleges a number of points at which, in the opinion of Central Carolina Presbytery, the teachings of TE Wilkins are at odds with the teachings of the *Westminster Confession of Faith* and *Larger and Shorter Catechisms* which, as *BCO* 29-1 and 39-3 note, are “accepted by the Presbyterian Church in America as standard expositions of the teachings of Scripture in relation to both faith and practice.” The Memorial then points out that Louisiana Presbytery “exonerated and approved the teaching of TE Wilkins as ‘faithful to the Confessional Standards of the PCA.’” It is the allegation of Central Carolina Presbytery that this exoneration was “contrary to [Louisiana Presbytery’s] obligation to uphold *The Westminster Standards*” and in contradiction to “its own published declarations regarding the acceptable boundaries of teaching.” It is this allegation that Louisiana Presbytery, in exonerating TE Wilkins, failed to carry out its duties under *BCO* 13-9.f and 40-4 that comprises the alleged “important delinquency or grossly unconstitutional proceedings” specified in *BCO* 40-5.

In that broader sense, then, what is before the SJC is about “proceedings.” For example “How did Louisiana Presbytery reach its decision to exonerate TE Wilkins?” “How and on what basis did Louisiana Presbytery conclude that the specific teachings of TE Wilkins that were mentioned in the Memorial (most of which were also mentioned in the communication from Central Carolina Presbytery to Louisiana Presbytery of January 22, 2005) are consistent with the relevant sections of *The Westminster Standards*?” “How

Further, to the extent that the SJC’s response to this Memorial turns on theological and polity understandings, members of the SJC must have the right to consider various theological materials relevant to the issues at hand. It is hard to see how they could do otherwise. Even if this were a formal judicial case we would expect that members of the SJC would be consulting relevant theological works and bringing the insights from those works to bear on the SJC’s deliberations.

and on what basis did Louisiana Presbytery reach its conclusion that TE Wilkins' views are consistent with the specific declarations of Presbytery regarding the acceptable boundaries of teaching?" "On what basis did Louisiana Presbytery, having determined that TE Wilkins' teaching on baptism has 'led to confusion' and thus having urged him to 'clarify/ reformulate his teachings to define them more precisely,' determine it was not necessary to specify any remedy 'to the harm - potential or real - produced by TE Wilkins' published teaching'?" Each of these examples is drawn from specifications in the Central Carolina Memorial. Each can be answered only in the context of an understanding of TE Wilkins' writings, an understanding of *The Westminster Standards* as "standard expositions of Scripture" for the PCA, and an understanding of what Louisiana Presbytery did and how they did it in reaching their decisions/judgments on these matters.

PART II

I. ADDITIONAL FACTS

- October 30, 2006 The decision of the Standing Judicial Commission in Part I of this report is communicated to Louisiana Presbytery.
- December 8, 2006 The Chairman of the Examinations and Candidates Committee of Louisiana Presbytery e-mails to members of Presbytery thirty-seven (37) pages of written responses from TE Wilkins to questions posed to him by members of Presbytery. (ROC 31-66)
- December 9, 2006 Louisiana Presbytery, at a called meeting, conducts an oral examination of TE Wilkins. The oral examination is led by members of Presbytery's Examinations and Candidates Committee. The examination, lasting approximately three (3) hours, covers each of the major points raised in the Central Carolina Memorial. Members of Presbytery in attendance have opportunity to ask questions after each section of the examination. The entire examination is recorded and transcribed, with the transcription running one hundred, nineteen (119) pages. (ROC 13 and 68-186)

During this meeting, Presbytery receives a one (1) page statement of exceptions from TE Wilkins. (ROC 13 and 14).

TE Wilkins is asked if any "writings that were referenced by the Central Carolina Memorial as well as pertinent published materials containing your views on

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the matters raised here" were not available to members of Presbytery. TE Wilkins replied that he did not know of any. (ROC 186)

TE Wilkins is asked if he has changed his views since his ordination on the areas specified in the Memorial. TE Wilkins stated that he had not. (ROC 13) The Examinations and Candidates Committee is charged with preparing a report based on the examination. The report is to be approved by Presbytery at its January meeting. (ROC 13)

January 20, 2007 Presbytery, at its January stated meeting, hears the report of the Examinations and Candidates Committee. The Committee reports it has been unable to reach agreement on a recommendation to Presbytery. The Committee reports four (4) options to Presbytery.

Presbytery adopts the following motion. "[T]hat Louisiana Presbytery, after thorough examination and investigation of TE Wilkins as per the SJC directives regarding allegations made in the Central Carolina Presbytery Memorial, finds no strong presumption of guilt in any of the charges contained therein and exercises its prerogative not to institute process regarding these allegations." The vote was thirteen (13) in favor and eight (8) opposed, with four (4) presbyters asking that their negative votes be recorded. (ROC 5, 15)

Presbytery adopts as its grounds the written and oral examinations of TE Wilkins on December 9, 2006. (ROC 15) Presbytery, through its stated clerk, reports that Presbytery has been unable to perfect a final report with regard to its action in sustaining the examination of TE Wilkins. Presbytery asks for an extension on the response deadline established by the SJC.

February 15, 2007 TE James Jones complains against Presbytery's action in sustaining TE Wilkins' examination and finding no strong presumption of guilt against him. (ROC 5-10, 11)

February 20, 2007 TE Howard Davis files a dissent with regard to Presbytery's action in sustaining the examination of TE Wilkins. (ROC 11, 16, 17-23).

March 1, 2007 The officers of the Standing Judicial Commission agree to extend to April 28, 2007, the deadline for Louisiana

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	Presbytery to comply with the directives of the Standing Judicial Commission.
April 21, 2007	By a vote of ten (10) to eight (8), Presbytery votes to deny the complaint of TE Jones, citing as its rationale the oral and written examinations of TE Wilkins. Presbytery also adopts a personal resolution “as the rationale reflecting the basis of a majority of Presbyters who found no strong presumption of guilt of TE Wilkins being out of accord with the Confessional Standards.” (ROC 1, 16, 187-206)
April 21, 2007	Presbytery receives the dissent of TE Howard Davis and appoints a presbyter to file “an answer to be recorded to the dissent on behalf of Presbytery.” (ROC 11, 16, 17-23).
April 25, 2007	Presbytery submits the written and transcribed oral examination of TE Wilkins and the statement of the supporting rationale of Presbytery to the Standing Judicial Commission in fulfillment of the requirements set forth by the SJC.
May 7, 2007	TE Jones carries his complaint to General Assembly. The complaint is signed by six (6) other presbyters. (ROC 1-3)
May 22, 2007	The answer to the dissent of TE Davis is filed on behalf of Presbytery. (ROC 11, 24-30)

II. STATEMENT OF THE ISSUES

1. Did Louisiana Presbytery comply with the directive of the Standing Judicial Commission that it, “with due diligence and great discretion” (*BCO* 31-2) deal with the allegations that TE Steven TE Wilkins’ views are out of accord at key points with the system of doctrine as summarized in the *Westminster Confession of Faith and Larger and Shorter Catechisms*, which are “standard expositions of the teachings of Scripture in relation to both faith and practice” (*BCO* 29-1, 39-3) by carrying out the amends specified by the Standing Judicial Commission in Section II of the “Reasoning, Opinion, and Amends” portion of Part I of this report?
2. Did Louisiana Presbytery reach a decision consistent with the Constitution of the Presbyterian Church in America when it found “no strong presumption of guilt in any of the charges contained [in the Central Carolina Memorial] and exercise[d] its prerogative not to institute process regarding [those] allegations?”

III. JUDGMENT

1. Yes.
2. No - See the judgment, reasoning and opinion in case 2007-8, *TE James Jones Jr., et al., vs. Louisiana Presbytery*, in particular Judgment 2. Amends - Pursuant to *BCO* 40-5 the Standing Judicial Commission hereby cites Louisiana Presbytery to appear "to show what it has done or failed to do in the case in question." To implement this process, RE Samuel J. Duncan is hereby appointed to: a) serve as prosecutor in this matter and conduct the case, which is designated as Case 2007-14; b) select Assistant Prosecutors from members of the General Assembly to assist him with this matter; c) draw an indictment to be served upon Louisiana Presbytery, with the circumstances and specifications therein not being limited to those raised in 2006-02 and 2007-8; d) prepare a citation instructing Louisiana Presbytery to respond, in writing or at a called meeting of the Standing Judicial Commission, to the indictment and to enter its plea to the matters contained therein not later than February 1, 2008. (*BCO* 40-6, 31-2, 32-3) If Louisiana Presbytery enters a plea of "not guilty," then Louisiana Presbytery is directed to appear, through its representatives, for trial in this matter before the Standing Judicial Commission on March 5, 2008 (*BCO* 40-5, 40-6, 31-2, 32-3).

IV. REASONING AND OPINION

1. The written examination of TE Wilkins and the transcribed oral examination of TE Wilkins demonstrate that Louisiana Presbytery carried out the directive of the SJC that Louisiana Presbytery, as a court, examine TE Wilkins on the specific concerns raised by the Central Carolina Memorial; that the examination be conducted in light of the theology and concepts of the *Westminster Confession of Faith and Larger and Shorter Catechisms*; that Presbytery make itself familiar with the writings of TE Wilkins that were referenced in the Central Carolina Memorial, as well as other pertinent published materials containing TE Wilkins' views on the matters raised by the Memorial; and that Presbytery determine whether TE Wilkins had changed any of his views on the areas specified in the Memorial since his ordination. The record also shows that Presbytery adopted formal responses to the specific concerns raised by the Memorial, with rationale and evidence for those responses. While some members of Presbytery took issue with TE Wilkins' views and/or his choice of

terms to explain those views, the majority of Presbytery found TE Wilkins to be in accord with the Constitution. As such, they did not require him to redress any inconsistencies. While not all of the above actions were finalized by the date originally set by the Standing Judicial Commission, it is clear that Presbytery made a good faith effort in this regard, which fact was noted by the officers in their decision to grant Presbytery additional time to comply. In view of the above, we find that Louisiana Presbytery met the procedural requirements established by the Standing Judicial Commission in Part I of this decision.

2. Whether the decisions of Louisiana Presbytery are, in substance, in keeping with the Constitution of the Presbyterian Church in America is a matter separate from the procedural issues noted above. When a complaint was filed against the action of Louisiana Presbytery, the officers of the Standing Judicial Commission determined that a panel should be constituted in accordance with *RAO* 17-3 to hear that complaint. As the complaint deals with the substantive issues raised in the Central Carolina Memorial, that is the more appropriate venue for dealing with Issue 2. As such, that issue was answered by the Standing Judicial Commission's decision with regard to case 2007-8.

In case 2007-8, the Standing Judicial Commission found that the record supported a probable finding that Louisiana Presbytery erred, and thereby violated *BCO* 13-9.f, 40-4, and 40-5, when it failed to find a strong presumption of guilt that the views of TE Wilkins were out of conformity with the Constitutional standards. As such, the SJC continues to conclude that there is a strong presumption that Presbytery has not met its Constitutional responsibilities, and thus has not adequately protected the peace and purity of the Church (see Part I of this opinion). For these reasons the concerns raised by the Memorial from Central Carolina Presbytery continue to be before us.

Since this case did not arise under *BCO* 34-1, and given that Louisiana Presbytery has declined to request by Reference (*BCO* 41-3) that General Assembly assume jurisdiction in this matter, it must be stressed that what is before the SJC is not allegations against TE Wilkins *per se*. Rather, what is before the SJC is whether Louisiana Presbytery has dealt adequately and constitutionally with those views. The conclusion of case 2007-8 is that there is a reasonable presumption that Presbytery has not so done. We conclude that the best way to address this presumption, to preserve the peace and purity of the Church, to bring closure to this issue within a reasonable time frame, and to give Presbytery the fairest opportunity to vindicate itself by

MINUTES OF THE GENERAL ASSEMBLY

explaining and defending its actions is to follow the procedure of *BCO* 40-5 and *BCO* 40-6. It is for this reason that we mandate the amends noted above.

The opinion was written by TE Howell Burkhalter, TE Paul Fowler, TE Stephen Clark, TE Dewey Roberts, RE Frederick Neikirk, RE Steven O'Ban and RE Tom Leopard, October 19, 2007.

The vote on SJC 2006-02 was:

TE Dominic A. Aquila, Concur	TE John M. McArthur Jr., Concur
TE Howell A. Burkhalter, Concur	RE J. Grant McCabe, Absent
TE Alton Craig Chapman, Concur	TE Charles E. McGowan, Concur
TE Stephen M. Clark, Concur	TE D. Steven Meyerhoff, Concur
RE M. C. (Cub) Culbertson, Concur	RE Frederick (Jay) Neikirk, Concur
RE Perry Denniston, Concur	RE Steven T. O'Ban, Concur
RE J. Howard Donahoe, Recused	RE Calvin Poole, Concur
RE Samuel J. (Sam) Duncan, Concur	TE G. Dewey Roberts, Concur
TE Paul B. Fowler, Concur	TE Michael F. Ross, Recused
TE William W. Harrell Jr., Absent	RE Olin L. Stubbs, Concur
RE Thomas F. Leopard, Concur	RE John Tolson, Concur
TE William Lyle, Concur	RE John B. White Jr., Concur
20- Qualified; 2 -Absent; 2 -Recused; 0-Disqualified	

COMPLAINTS OF TE ELIOT LEE & RE SAE H. HAN VS. KOREAN EASTERN PRESBYTERY CASES 2007-1, 2007-6 & 2007-7

I. SUMMARY OF THE FACTS

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| 07-10-05 | Hudson Korean Presbyterian Church (HKPC) Congregational Meeting, re: TE Lee selected as "interim pastor candidate to serve until all the matters of the church [are] resolved..." |
| 10-04-05 | 68 th Stated Meeting of Korean Eastern Presbytery (KEP), re: approved HKPC request for TE Lee to be "interim pastor for next 12 months, and until the [TE Peter B. Kim] litigation in the civil court can be resolved." |
| 09-20-06 | HKPC Session requests KEP to "extend the term of the interim pastor until the permanent pastor [can] be installed." |