

MINUTES OF THE GENERAL ASSEMBLY

judgment all members of the court must be vigilant to protect and uphold this principle.

Further, I note that the Complaint, in each of the specifications of Issue 1, is alleging specific doctrinal errors. The Panel's recommended decision asserted that each of those doctrinal errors were not proven from the ROC (with evidence from the Panel proposed in each instance), and thus denied the complaint. A substitute for the Panel's recommendation in Issue 1 sustained the complaint, ostensibly with respect to the doctrinal errors alleged, *but it does not even address the enumerated errors*. Upon the adoption of the substitute sustaining the Complaint, the SJC, without providing evidence, by implication declared that the doctrinal errors alleged *are* proven. In fact, the SJC's reasoning addresses only a number of instances where the presbytery grants that there were problems with Revoice teaching. But this evidence, however certainly available in the Record of the Case, simply does not sustain the Complaint *as set forth in Issue 1*. It does sustain another complaint that might have been, but was not, in fact, before the court.⁶⁶

This dissenting opinion was written by TE David F. Coffin, Jr. and joined by RE John D. Pickering.

CASE NO. 2021-03
COMPLAINT OF RE DONAVON J. DEJONG
v.
SESSION OF VILLAGE SEVEN PRESBYTERIAN CHURCH
DECISION ON COMPLAINT
March 3, 2022

I. CASE SUMMARY

This case came before the SJC on the Complaint of RE Donavon J. (DJ) DeJong against the Session of his church, Village Seven Presbyterian Church (V7PC) in Colorado Springs, Colorado, within the Rocky Mountain Presbytery (RMP). At issue are changes made to the governing structure and procedures of V7PC.

⁶⁶ For a full discussion and persuasive defense of this point, see RE Pickering's dissent, in which I join.

APPENDIX T

The case was heard by the Panel on November 11, 2021, via GoToMeeting. RE DeJong appeared with his assistant, TE Dominic Aquila. TE Stephen Reese appeared as RMP's representative. This Complaint was subsequently sustained in part and denied in part by the SJC.

II. SUMMARY OF THE FACTS

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|------------|---|
| 06/12/2018 | The Session of V7PC appointed an Elder Job Description Committee (EJDC). |
| 02/10/2020 | The EJDC presented its report to the Session of V7PC. |
| 03/09/2020 | The Session of V7PC adopted three motions presented by the EJDC, amending two of those motions. |
| 04/13/2020 | The Session of V7PC adopted as amended the fourth motion presented by the EJDC. |
| 05/06/2020 | RE DeJong filed a Complaint against the actions of the Session of V7PC taken on March 9, 2020 and April 13, 2020 |
| 05/11/2020 | The Session of V7PC denied the Complaint. |
| 06/12/2020 | RE DeJong carried his Complaint to RMP. |
| 01/04/2021 | The Shepherding Committee of RMP, acting as a Commission of RMP, heard the Complaint. |
| 01/28/2021 | RMP "approve[ed] the RMP commission's ruling ... to deny the complaint." |
| 02/18/2021 | RE DeJong carried his Complaint to the General Assembly. |
| 09/22/2021 | The SJC Panel conducted a hearing on objections to the Record of the Case, ruled on the objections, and finalized the Record of the Case. |
| 11/11/2021 | The SJC Panel heard oral arguments via GoToMeeting. The Panel included TE Fred Greco (Chairman), RE Dan Carrell, and TE Paul Kooistra, with RE Sam Duncan (Secretary) and TE Guy Prentiss Waters attending as alternates. |

III. STATEMENT OF THE ISSUES

1. Did Presbytery err when it denied a Complaint against an action of the V7PC Session that proposed a V7PC bylaw change removing the restriction against a ruling elder who has served two consecutive terms from serving further until at least one year has elapsed?
2. Did Presbytery err when it denied a Complaint against an action of the V7PC Session that erected a Judicial Commission of the Session to function in accordance with the document “Village Seven Judicial Commission”?
3. Did Presbytery err when it denied a Complaint against an action of the V7PC Session that erected a Governance Commission of the Session to function in accordance with the document “Village Seven Governance Commission”?

IV. JUDGMENT

1. No.
2. No.
3. Yes, and the Session’s action on the 3rd motion is annulled.

V. REASONING AND OPINION

On March 9, 2020, the EJDC presented four motions to the V7PC Session. On that date, Session adopted three of those motions. The first motion was to adopt a “Ruling Elder Job Description as amended” The second motion was to “recommend to the congregation” a bylaw change to remove the restriction against a ruling elder who has served two consecutive three-year terms, full or partial, from serving further until at least one year has elapsed. The third motion (adopted with amendments) was to erect a “Governance Commission (per *BCO* chapter 15) to oversee the governance of Village Seven Presbyterian Church (as described in *BCO* 12-5) in accord with the document called ‘Village Seven Governance Commission.’” On April 13, 2020, the Session adopted with amendments the fourth of the committee’s motions. That motion was to “adopt [the] document describing our Judicial Commission.”

The Complainant contends that the Session was correct when it adopted the **first motion**, but erred when it adopted the second, third, and fourth motions. In particular, the Complainant contends that these latter three motions were not only in “contradiction” to the first motion, but also “contrary to … the PCA Constitution.” Complainant reasons that Presbytery, therefore, should have

sustained the Complaint and annulled Session’s actions on the second, third, and fourth motions. We will address in turn the Complainant’s claims with respect to each of these motions.

The first motion as adopted reads, “The role of the Ruling Elder at Village Seven Presbyterian Church, according to a comprehensive and Biblical and Book of Church Order understanding is that of governance and shepherding. The Complainant has not demonstrated that the **second motion** conflicts with the first. There is nothing inherently incompatible between this statement of the work of the elder and eliminating the requirement of a year off the Session after serving two consecutive terms. Furthermore, the Complainant has not demonstrated a constitutional conflict. The Constitution is silent on the matter of terms of office, neither prescribing nor proscribing terms. With respect to terms of office, the particular proposal envisioned by this action of Session is constitutionally permissible and unobjectionable.

We also fail to see any constitutional conflict in erecting through the **fourth motion** a Judicial Commission to function in accordance with the document “Village Seven Judicial Commission.” The Constitution makes express provision for judicial commissions of Presbytery (*BCO* 15-3) and of General Assembly (*BCO* 15-4, 5), and there is no constitutional barrier to a Session erecting a judicial commission. Furthermore, although the document “Village Seven Judicial Commission” authorizes a separate commission (the “Governance Commission”) to present annually a slate of nominees for the Judicial Commission, that slate is presented to the Session. It is the Session that “shall elect one RE per year from a slate of nominees presented by the GC. The Senior Pastor shall present the initial slate of nominees to the Session for election.” Therefore, one may not fairly characterize this provision as “demot[ing]” or “disenfranchise[ing]” the ruling elders of V7PC, because it is the Session and not a commission thereof that determines the membership of its Judicial Commission.

Finally, the Complainant alleges that Session erred when it amended and adopted the **third motion** in order to erect a Governance Commission of the V7PC Session to function in accordance with the document “Village Seven Governance Commission.” The Complainant contends that this Governance Commission deprives Session members who are not part of the GC of their “responsibility to govern” as members of Session. But the Constitution provides for commissions of church courts and places no barrier to such commissions executing matters relating to governance. The Complainant also objected because the GC was erected as a standing commission, and the

MINUTES OF THE GENERAL ASSEMBLY

Complainant contends that *BCO 15-2* requires a commission to be “dissolved automatically when the task is completed.” But there is no constitutional barrier to a court erecting a standing commission. The “matters that may be properly executed by commissions,” listed in *BCO 15-2*, are representative and not exhaustive (“*Among the matters* that may be properly executed by commissions are”;*emphasis added*). The Complainant therefore has not identified a constitutional barrier to a governance commission as such.

Nevertheless, the document “Village Seven Governance Commission” adopted by Session does contain two constitutionally objectionable provisions. In the section delineating the GC’s “Role,” Item 6 reads, “The GC shall work to govern through policy. The GC will be accountable to ensure policy/position/philosophy statements are created when needed, organized for reference, and updated with each change.” This provision is broad, sweeping, and general in setting forth the scope of the GC’s responsibilities. As such, it does not meet the standard of *BCO 15-1* (“a commission is authorized to deliberate upon and conclude the business referred to it”), which limits a commission to the particular business referred to it by the court. This provision adopted by Session is sufficiently broad to permit the GC to function as the Session itself. In addition, Item 4 in the GC document stipulates:

4. The GC shall refer decisions regarding the calling of pastors and senior level staff, capital campaigns, incurring of new debt, anything that would go to the whole congregation for a vote, and the approval of officer candidates, deacon assistants, and Shepherd Team members, to the entire Session for a vote.

This provision permits the GC to function like a session, with the V7 Session functioning like a commission for the specific items mentioned in Item 4. However, in the relationship between a commissioning body and its commission, the power to refer (to delegate authority) should be reversed. A session should refer specific business to its commission, and reserve the remainder to itself, rather than vice versa. These two provisions adopted by the Session permit the GC to function like the Session itself. As such it extends beyond the limits the Constitution sets for an ecclesiastical commission.

Contrast the Session’s creation of its Judicial Commission. The adopted document, “Village Seven Judicial Commission,” makes explicit that the Judicial Commission “shall adjudicate all cases of process,” and then proceeds to define a case of process. As such, this provision meets the constitutional standard that “a commission is authorized to deliberate upon and conclude the

APPENDIX T

business referred to it" (*BCO* 15-1). In the motion it adopted, Session clearly delineated what business would be referred to this particular commission.

Presbytery erred when it did not sustain the Complaint challenging the formation a governance commission to operate in accordance with the document "Village Seven Governance Commission." Session's action on its third motion therefore is annulled. This annulment, however, in no way precludes V7PC Session from refining its document to avoid constitutional infirmity.

This decision was written by TE Guy Waters and revised and approved by the Panel and adopted/amended by the full SJC on the following roll call vote:

Bankson <i>Concur</i>	M. Duncan <i>Concur</i>	Neikirk <i>Concur</i>
Bise <i>Concur</i>	S. Duncan <i>Concur</i>	Nusbaum <i>Disqual.</i>
Cannata <i>Concur</i>	Ellis <i>Concur</i>	Pickering <i>Concur</i>
Carrell <i>Concur</i>	Greco <i>Concur</i>	Ross <i>Concur</i>
Chapell <i>Concur</i>	Kooistra <i>Concur</i>	Terrell <i>Concur</i>
Coffin <i>Concur</i>	Lee <i>Concur</i>	Waters <i>Concur</i>
Donahoe <i>Concur</i>	Lucas <i>Concur</i>	White <i>Concur</i>
Dowling <i>Concur</i>	McGowan <i>Concur</i>	Wilson <i>Concur</i>
(23-0-0)		

**CASE NO. 2021-07
RE J. LANCE ACREE
VS.
TENNESSEE VALLEY PRESBYTERY
COMPLAINT
March 3, 2022**

This case began as an attempt by a Ruling Elder to file a *BCO* 43-1 Complaint with Presbytery as the original court, even though he was not a commissioner at the Presbytery meeting where the action was taken. The Officers reviewed the Complaint and recommended the Case be found Administratively Out of Order. (*OMSJC* 9.1.a) The Officers determined that the Case could not be put in order (*OMSJC* 9.2), because the Complainant was not identified in the roster of Ruling Elder Commissioners at the April 2021 meeting of the Presbytery in which the action was taken from which his Complaint arises. The Presbytery Clerk confirmed he was not a commissioner at that meeting. The Officers