

1 **OVERTURE 14** from Westminster Presbytery (to CCB, OC; to SJC for *OMSJC* only)  
2 “Change the Composition of the SJC by Amending *BCO* 15-4 and *RAO* 17-1;  
3 Amend *OMSJC* 5.1 and 6.1”  
4

5 **Whereas**, Presbyterian government is a representative form of church government arising  
6 from local congregations; and  
7

8 **Whereas**, judicial appeals from presbyteries to the broader church should be appeals to a court  
9 representing the entire denomination; and  
10

11 **Whereas**, the Standing Judicial Commission is currently composed of 24 members  
12 representing about ¼ of the presbyteries in the PCA; and  
13

14 **Whereas**, judicial decisions of the highest court in the PCA should accurately represent the  
15 denomination as a whole;  
16

17 **Therefore**, be it resolved that Westminster Presbytery overtures the 49<sup>th</sup> General Assembly  
18 of the Presbyterian Church in America to amend the Book of Church Order, Rules of  
19 Assembly Operations, and the SJC manual as follows:  
20

21 *BCO* 15-4. The General Assembly shall appoint ~~elect~~ a Standing Judicial  
22 Commission to which it shall commit all matters governed by the Rules of  
23 Discipline, except for the annual review of Presbytery records, which may  
24 come before the Assembly. This commission shall be comprised of one  
25 representative from each presbytery elected by the presbytery in the  
26 following manner. Each Presbytery shall be assigned to a class by the stated  
27 clerk based on its date of formation. The elders shall serve in classes of four-  
28 year terms, alternating between ruling and teaching elders. When necessary,  
29 unexpired terms shall be filled by an elder of the same class. ~~consist of~~  
30 twenty-four (24) members divided into four classes of three teaching elders  
31 and three ruling elders in each class. Each class shall serve a four-year term  
32 and each subsequent Assembly shall declare the Standing Judicial  
33 Commission as a whole to be its commission. Nominations and vacancies  
34 shall be filled according to ~~BCO~~ 14-1(11), with nominations allowed from  
35 the floor. No person may be elected if there is already a member of the  
36 commission from the same Presbytery; but if a person is elected and  
37 changes Presbytery, he may continue to serve his full term. No person may  
38 serve concurrently on the General Assembly’s Standing Judicial  
39 Commission and any of the General Assembly’s permanent committees.  
40

41 *Rules of Assembly Operations* Article 17: Standing Judicial Commission  
42

*RAO* 17-1. There shall be a Standing Judicial Commission composed of one  
ruling or teaching elder from each presbytery in the Presbyterian Church in  
America ~~twenty-four members~~ in accordance with *BCO* 15-4. Upon

election, each new member of the Standing Judicial Commission, before entering upon the duties of this office, shall sign a printed copy of the following vows; further, if the newly elected member is present, he shall affirm these vows in the presence of the Assembly ~~electing~~ appointing him:

1  
2 “I do solemnly vow, by the assistance of the grace of God, in my service as  
3 a judge in this branch of the church of our lord Jesus Christ, that

- 4 1. I will act as before God, my Judge and the Searcher of hearts;  
5 2. I will judge without respect to persons, and if so tempted, will recuse  
6 myself from judgment;  
7 3. I will judge not according to appearances, but judge righteous  
8 judgment;  
9 4. I will judge according to the Constitution of the Presbyterian Church  
10 in America, through my best efforts applied to nothing other than  
11 the record of the case and other documents properly before me; and  
12 5. If in a given case I find my view on a particular issue to be in conflict  
13 with the Constitution of the Presbyterian Church in America, I will  
14 recuse myself from such case, if I cannot conscientiously apply the  
15 Constitution.”  
16

17 The Standing Judicial Commission shall have oversight of appeals,  
18 complaints and judicial references from lower courts. The Standing Judicial  
19 Commission will report directly to the General Assembly.  
20

21 The Standing Judicial Commission shall not be separately funded but  
22 administratively will operate as a subcommittee of the Administrative  
23 Committee of General Assembly.  
24

25 *RAO 17-3.* The Standing Judicial Commission may appoint a judicial panel  
26 of not less than three of its members to hear the case in accordance with the  
27 provisions of the Rules of Discipline in the BCO and these Rules of  
28 Assembly Operations. Such panels shall be chosen as follows:

- 29 a. A pool with the names of teaching elder members shall be  
30 established, and another pool with the names of ruling elder  
31 members shall be established. The chairman of the Standing Judicial  
32 Commission shall draw by lot names of panel members and  
33 alternates from each pool and notify the Stated Clerk of the General  
34 Assembly, who shall notify, immediately, those so chosen.  
35 b. If a panel member so selected shall be disqualified under Section 2  
36 of the Operating Manual for Standing Judicial Commission, he shall  
37 be replaced by the alternate drawn from the pool.  
38 c. The names of those panel members selected and qualified shall not  
39 be returned to the pool until all names therein have been exhausted.  
40 The name of an alternate, who does not serve as a panel member,  
41 shall be returned to the pool. The names of those members whose

1 terms expire at the next General Assembly shall be withdrawn from  
2 the pool on March 1 of that year. Immediately after each General  
3 Assembly the name of each new member appointed ~~selected~~ at such  
4 General Assembly shall be added to his respective pool.

5  
6 *Operating Manual of the SJC (OMSJC)*

7  
8 5. EXPENSES

9 5.1 It is recommended that the expenses incurred by members serving on  
10 the Commission, ~~its panels, and its members shall be borne~~ be underwritten  
11 by the presbytery sending the commissioner. The administrative costs of the  
12 Chairman, Vice-Chairman, Secretary, and Assistant Secretary shall be  
13 borne by the Administrative Committee of General Assembly. All expenses  
14 (including travel expenses) incurred by a party or by the witnesses called by  
15 that party shall be borne by that party.

16  
17 6. QUORUM

18 6.1 A quorum for the transaction of business at any meeting of the  
19 Commission shall be 25 ~~13~~ qualified members, composed of at least 10 ~~5~~  
20 teaching elders and at least 10 ~~5~~ ruling elders.

21  
22 **So that BCO 15-4, RAO 17-1, 17-3 and SJC Manual 5.1 and 6.1, as amended, would read:**

23  
24 *BCO* 15-4. The General Assembly shall appoint a Standing Judicial  
25 Commission to which it shall commit all matters governed by the Rules of  
26 Discipline, except for the annual review of Presbytery records, which may  
27 come before the Assembly. This commission shall be comprised of one  
28 representative from each presbytery elected by the presbytery in the  
29 following manner. Each Presbytery shall be assigned to a class by the stated  
30 clerk based on its date of formation. The elders shall serve in classes of four-  
31 year terms, alternating between ruling and teaching elders. When necessary,  
32 unexpired terms shall be filled by an elder of the same class. No person may  
33 serve concurrently on the General Assembly's Standing Judicial  
34 Commission and any of the General Assembly's permanent committees.

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36 *Rules of Assembly Operations* Article 17: Standing Judicial Commission

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39 ruling or teaching elder from each presbytery in the Presbyterian Church in  
40 America in accordance with BCO 15-4. Upon election, each new member  
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42 office, shall sign a printed copy of the following vows; further, if the newly  
43 elected member is present, he shall affirm these vows in the presence of the  
44 Assembly appointing him:

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- 4 2. I will judge without respect to persons, and if so tempted, will recuse  
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- 6 3. I will judge not according to appearances, but judge righteous  
7 judgment;
- 8 4. I will judge according to the Constitution of the Presbyterian Church  
9 in America, through my best efforts applied to nothing other than  
10 the record of the case and other documents properly before me; and
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13 recuse myself from such case, if I cannot conscientiously apply the  
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37 terms expire at the next General Assembly shall be withdrawn from  
38 the pool on March 1 of that year. Immediately after each General  
39 Assembly the name of each new member appointed at such General  
40 Assembly shall be added to his respective pool.

1            *OMSJC*

2  
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7            Secretary, and Assistant Secretary shall be borne by the Administrative  
8            Committee of General Assembly. All expenses (including travel expenses)  
9            incurred by a party or by the witnesses called by that party shall be borne  
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14           Commission shall be 25 qualified members, composed of at least 10  
15           teaching elders and at least 10 ruling elders.

16  
17           *Adopted by Westminster Presbytery at its stated meeting, March 12, 2022*

18           *Attested by /s/ TE Thomas Rickard, stated clerk*