

1 **OVERTURE 11** from Platte Valley Presbytery (to CCB, SJC, OC)
2 "Amend *BCO* 15-4, 45-1, and 45-4 to Allow Objections by GA Commissioners to
3 SJC Decisions"
4

5 **Whereas**, during the 41st and 49th General Assemblies of the Presbyterian Church in America
6 (PCA), attempts by commissioners to the General Assembly to record objections to
7 decisions of the Standing Judicial Commission (SJC) were ruled out of order since the
8 General Assembly commissioners were not members of the SJC (*BCO* 15-4; 39-2; 45-
9 4; *M41GA*, p. 39; *M49GA*, p. 75–76); and
10

11 **Whereas**, dissents, protests, and objections are important parts of Presbyterian polity that
12 allow presbyters to express disagreement peacefully and to protect individual liberty
13 of conscience regarding the purity of the church, while also maintaining unity within
14 the body; and
15

16 **Whereas**, since only “those who had a right to vote in the case” may join in a dissent or protest
17 (*BCO* 45-1), dissents and protests of SJC cases may only be filed by SJC members in
18 the course of their duties; and
19

20 **Whereas**, permitting objections from all commissioners to the General Assembly, and not
21 from SJC members alone, would better balance concerns regarding the liberty of
22 conscience and the rights of private judgment (*BCO PP* 1) with the practical wisdom
23 of committing “all matters governed by the Rules of Discipline, except for the annual
24 review of Presbytery records, which may come before the Assembly,” to the SJC (*BCO*
25 15-4);
26

27 **Therefore be it resolved**, that the 50th General Assembly of the Presbyterian Church in
28 America to amend the *Book of Church Order* 15-4, 45-1, and 45-4 as follows
29 (underlining for new wording; ~~strike through~~ for deletions):
30

31 **15-4.** The General Assembly shall elect a Standing Judicial Commission to
32 which it shall commit all matters governed by the Rules of Discipline,
33 except for the annual review of Presbytery records and objections from
34 commissioners to the General Assembly (see *BCO* 45-4), which may
35 come before the Assembly. This commission shall consist of twenty-
36 four (24) members divided into four classes of three teaching elders and
37 three ruling elders in each class. Each class shall serve a four-year term
38 and each subsequent Assembly shall declare the Standing Judicial
39 Commission as a whole to be its commission. Nominations and
40 vacancies shall be filled according to *BCO* 14-1(11), with nominations
41 allowed from the floor. No person may be elected if there is already a
42 member of the commission from the same Presbytery; but if a person is

1 elected and changes Presbytery, he may continue to serve his full term.
2 No person may serve concurrently on the General Assembly's Standing
3 Judicial Commission and any of the General Assembly's permanent
4 committees.
5

- 6 **45-1.** Any member of a court who had a right to vote on a question, and is not
7 satisfied with the action taken by that court, is entitled to have a dissent
8 or protest recorded.

9 None can join in a dissent or protest against an action of any court
10 except those who had a right to vote in the case.

11 Any member who did not have the right to vote on an appeal or
12 complaint (~~see e.g.,~~ *BCO* 39-2), and is not satisfied with the action taken
13 by the court, is entitled to have an objection recorded.

14 A dissent, protest or objection shall be filed with the clerk of the
15 lower court within thirty (30) days following the meeting of the lower
16 court or with the clerk of the General Assembly before its adjournment.
17

- 18 **45-4.** An objection is a declaration by one or more members of a court who
19 did not have the right to vote on an appeal or complaint, expressing a
20 different opinion from the decision of the court and may be
21 accompanied with the reasons on which it is founded. Any
22 commissioner to the General Assembly may record an objection to a
23 decision of the Standing Judicial Commission reported to that General
24 Assembly, so long as he did not have a right to vote on the appeal or
25 complaint when it came before the Standing Judicial Commission.
26

27 So that *BCO* 15-4, 45-1, and 45-4, as amended, would read:
28

- 29 **15-4.** The General Assembly shall elect a Standing Judicial Commission to
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31 except for the annual review of Presbytery records and objections from
32 commissioners to the General Assembly (see *BCO* 45-4), which may
33 come before the Assembly. This commission shall consist of twenty-
34 four (24) members divided into four classes of three teaching elders and
35 three ruling elders in each class. Each class shall serve a four-year term
36 and each subsequent Assembly shall declare the Standing Judicial
37 Commission as a whole to be its commission. Nominations and
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39 allowed from the floor. No person may be elected if there is already a
40 member of the commission from the same Presbytery; but if a person is
41 elected and changes Presbytery, he may continue to serve his full term.
42 No person may serve concurrently on the General Assembly's Standing
43 Judicial Commission and any of the General Assembly's permanent
44 committees.

1 **45-1.** Any member of a court who had a right to vote on a question, and is not
2 satisfied with the action taken by that court, is entitled to have a dissent
3 or protest recorded.

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5 except those who had a right to vote in the case.

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7 complaint (e.g., *BCO 39-2*), and is not satisfied with the action taken by
8 the court, is entitled to have an objection recorded.

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11 court or with the clerk of the General Assembly before its adjournment.

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16 accompanied with the reasons on which it is founded. Any
17 commissioner to the General Assembly may record an objection to a
18 decision of the Standing Judicial Commission reported to that General
19 Assembly, so long as he did not have a right to vote on the appeal or
20 complaint when it came before the Standing Judicial Commission.

21

22 *Adopted by Platte Valley Presbytery at its stated meeting, February 4, 2023*

23 *Attested by /s/ TE Jacob Gerber, stated clerk*