

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  
30 which it shall commit all matters governed by the Rules of Discipline,  
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  
38 vacancies shall be filled according to *BCO* 14- 1(11), with nominations  
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.

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

6                         Any member who did not have the right to vote on an appeal or  
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.

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

12

13           **45-4.** An objection is a declaration by one or more members of a court who  
14 did not have the right to vote on an appeal or complaint, expressing a  
15 different opinion from the decision of the court and may be  
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*