

1 **OVERTURE 29** from the Westminster Presbytery (to CCB, OC)  
2 “Amend *BCO* 42 to Clarify Between Verbal and Written Notice of Appeal”  
3

4 **Whereas**, Chapter 42 stipulates various kinds of notice of appeal, including verbal notice  
5 given before the adjournment of the meeting and written notice officially submitted to  
6 the court; and  
7

8 **Whereas**, *BCO* 42-6 seeks to protect the rights of a member who believes the court has acted  
9 in an unjust or unprocedural manner and who has given or filed a notice of appeal; and  
10

11 **Whereas**, the current wording of *BCO* 42-6 does not specifically indicate which type of notice  
12 of appeal suspends the judgment of the lower court;  
13

14 **Therefore**, Westminster Presbytery overtures the 53<sup>rd</sup> General Assembly to amend *BCO* 42-  
15 4 to clarify the distinction between verbal notice of appeal and the written notice of  
16 appeal described in *BCO* 42-6 as follows (underlining for additions; ~~striketrough~~ for  
17 deletions);  
18

19 **42-4.** Verbal ~~N~~notice of appeal may be given to the court before its  
20 adjournment...  
21

22 So that the amended *BCO* 42-4 would read:  
23

24 **42-4.** Verbal notice of appeal may be given to the court before its adjournment...  
25

26 **Therefore**, Westminster Presbytery also overtures the 53<sup>rd</sup> General Assembly to amend *BCO*  
27 42-6 to specify the different types of notice of appeal and how each type suspends the  
28 judgment of the lower court for specific periods, depending on the nature of the notice  
29 given by the appellant. (underlining for additions; ~~striketrough~~ for deletions)  
30

31 **42-6.** Verbal ~~N~~notice of appeal shall have the effect of suspending the judgment  
32 of the lower court for thirty (30) days of the court’s decision. Written notice of  
33 appeal shall have the effect of suspending the judgment of the lower court until  
34 the case has been finally decided in the higher court...  
35

36 So that the amended *BCO* 42-6 would read:  
37

38 **42-6.** Verbal notice of appeal shall have the effect of suspending the judgment of  
39 the lower court for thirty (30) days of the court’s decision. Written notice of  
40 appeal shall have the effect of suspending the judgment of the lower court until  
41 the case has been finally decided in the higher court...  
42  
43

44 *Adopted by Westminster Presbytery at its stated meeting, November 8<sup>th</sup>, 2025*  
45 *Attested by /s/ TE Thomas E. Rickard, Stated Clerk*