

CONSTITUTIONAL MUSING
TRANSFERRING CONGREGATIONS AND OTHER FORMS OF CORPORATE
WITNESS

HOW DOES MISSION RELATE TO TRANSFERRING CONGREGATIONS?

In considering the transfer or receipt of a congregation from another presbytery, each presbytery has the responsibility to determine how this transfer will impact the strategy for mission within its district.¹ Further, since the “synod is responsible for the life and mission of the church throughout its region,” the synod also must approve the transfer of a congregation.² Furthermore, as it “constitutes the bond of union, community, and mission among all its congregations and councils” as well as is responsible for “establishing a comprehensive mission strategy and priorities for the church,” the General Assembly must also approve the transfer of a congregation to another presbytery.³

WHAT PARTIES MUST APPROVE A CONGREGATION’S TRANSFER?

In consultation with the congregation’s members, the transfer of the congregation requires the approval of both impacted presbyteries,⁴ as well as the synod,⁵ and the General Assembly.⁶

CAN A CONGREGATION TRANSFER TO A PRESBYTERY THAT IT DOES NOT DIRECTLY BORDER?

Unless it is a racial ethnic or immigrant congregation seeking transfer to a non-geographic presbytery,⁷ a congregation can only transfer to a presbytery that it directly borders geographically.⁸ Requiring that a congregation can only be transferred to another presbytery that it directly borders is consistent with the understanding of the presbytery as the corporate expression of the church within a certain geographic district as well as the recognition the presbytery has authority to control the mission strategy of the church within its district.⁹

CAN A CONGREGATION TRANSFER TO A PRESBYTERY IN A DIFFERENT SYNOD?

A congregation may transfer to a presbytery in a different synod so long as the congregation directly borders the receiving presbytery, the synods are contiguous, and both presbyteries, both synods and the General Assembly approve the transfer.¹⁰ Of course, in this case, reestablishment of geographical boundary is required for both presbyteries and the synods.

CAN WORSHIPPING COMMUNITIES, FELLOWSHIPS, NEW CHURCH DEVELOPMENTS, OR OTHER FORMS OF CORPORATE WITNESS TRANSFER INTO A PRESBYTERY THAT IS NOT THEIR GEOGRAPHIC PRESBYTERY?

No. Given that each presbytery has jurisdiction over its district and is responsible for developing the strategy for mission within its district,¹¹ fellowships, NCDs, worshipping communities, non-congregational entities and other forms of corporate witness¹² are not permitted to transfer into another presbytery and/or become a congregation in another presbytery without first formally organizing as a congregation within their geographic presbytery and going through the transfer process described above. Thus, to be eligible for a transfer, a non-congregational entity must first be formally organized and chartered as a congregation within its geographic presbytery. Along these lines, it is important to

recognize that a PC(USA) congregation can only be organized by the authority and at the sole discretion of the presbytery.¹³ Further, if two presbyteries with contiguous boundaries request re-boundary, and if this request is approved, then it is important to recognize that any and all forms of worshipping communities, fellowships, new church developments, or other forms of corporate witness will be under the jurisdiction of the presbytery whose boundaries they now geographically fall within.

WHERE ARE NON-GEOGRAPHIC PRESBYTERIES FOUND IN THE BOOK OF ORDER?

In accordance with G-3.0403(c), the synod has responsibility for supporting the work of the presbyteries within its bounds and as such is charged with “creating non-geographic presbyteries, subject to the approval of the General Assembly, or taking other such actions as may be deemed necessary in order to meet the mission needs of racial ethnic or immigrant congregations. Such presbyteries shall be formed in compliance with the requirements of G-3.0301 and be accountable to the synod within which they were created.”¹⁴

CAN A RACIAL ETHNIC OR IMMIGRANT CONGREGATION TRANSFER INTO A NON-GEOGRAPHIC PRESBYTERY IN A DIFFERENT SYNOD?

If there is no non-geographic presbytery within their synod, then a racial ethnic or immigrant congregation can only transfer to a non-geographic presbytery in a synod that has contiguous boundaries with their current synod.¹⁵ In line with G-3.0403(c), the transfer must be shown to meet the “mission needs” of the racial ethnic or immigrant congregation. Again this transfer requires the approval of both impacted presbyteries,¹⁶ as well as the synod,¹⁷ and General Assembly.¹⁸

CAN A RACIAL ETHNIC OR IMMIGRANT ENTITY THAT IS NOT A CONGREGATION JOIN OR TRANSFER TO A PRESBYTERY THAT IS NOT ITS GEOGRAPHIC PRESBYTERY?

No. Non-geographic presbyteries should not accept any non-chartered congregations such as new church developments, fellowships, bible studies, worshipping communities or other forms of corporate witness into their presbyteries from the bounds of other presbyteries or synods. Accordingly, if a non-congregational entity desires to transfer to a non-geographic presbytery, it must first become a formally organized congregation within its geographic presbytery and then obtain approval of transfer from the geographic and non-geographic presbyteries as well as the synod, and the General Assembly.¹⁹ Given that each presbytery has the responsibility to develop the strategy for mission within its district, no presbytery or synod should create a worshipping community, fellowship, new church development, non-congregational entity or other form of corporate witness within the bounds of another presbytery or synod.

CAN TRANSFERS OF MULTIPLE CONGREGATIONS BE LUMPED TOGETHER AS A SINGLE ITEM OF COUNCIL BUSINESS?

While transfers of multiple congregations may be lumped together as a single piece of council business, the transfer of each particular congregation should be examined and considered on a case-by-case basis by each impacted presbytery, synod, and the General Assembly. Considering the transfer of each congregation on a case-by-case basis allows the church to discern, examine and consider how each congregational transfer will impact the mission, life and witness of the Presbyterian Church (U.S.A.) at different levels.

¹ G-3.0303a

² G-3.0401; *see also* G-3.0403c

³ G-3.0501; *see also* G-3.0502e

⁴ *See* G-3.0301(a); G-3.0303(b)

⁵ G-3.0403(c) acknowledges, the synod’s responsibility in “organizing new presbyteries, dividing, uniting, or otherwise combining presbyteries or portions of presbyteries previously existing, and, with the concurrence of existing presbyteries, creating non-geographic presbyteries, subject to the approval of the General Assembly...”

⁶ G-3.0502(e); *see also* G-3.0403c

⁷ *See* G-3.0403(c). This Musing further discusses congregational transfers and non-geographic presbyteries in subsequent sections.

⁸ It is important to note that if the transfer is approved by the necessary councils and is thus accomplished, it also reestablishes the geographical boundary of each presbytery.

⁹ *See* G-3.0301 and G-3.0303a. Webster’s dictionary defines “district” as a “territorial division (for administrative or electoral purposes) or an area, region, or section with a distinguishing character.” Further, Blacks Law Dictionary defines a “district” as “A territorial area into which a country, state, county, municipality, or other political subdivision is divided for judicial, political, electoral, or administrative purposes.”

¹⁰ G-3.0303(c); G-3.0403(c); G-3.0502(e)

¹¹ G-3.0301; G-3.0303(a)

¹² *See* G-1.0303

¹³ G-1.02; G-3.0301

¹⁴ G-3.0403(c)

¹⁵ *See generally* G-3.0404. Inline with G-3.0401, the requirement of contiguity between impacted synods maintains the regional integrity of a synod. If there is currently a non-geographic presbytery within the congregation’s synod that meets the mission needs of the congregation, then the racial ethnic or immigrant congregation should not be allowed to transfer into another non-geographic presbytery.

¹⁶ *See* G-3.0301(a); G-3.0303(b)

¹⁷ G-3.0403(c)

¹⁸ G-3.0502(e)

¹⁹ *See* G-1.02; In accordance with G-3.0303(a), each presbytery has the responsibility for developing the strategy for mission in its district while G-3.0301(a) acknowledges the presbytery’s responsibility to organize, receive, merge, dismiss, and dissolve congregations. G-3.0301(b) further notes that the presbytery has the responsibility to control the location of new congregations and of congregations desiring to move as well as to divide, dismiss, or dissolve congregations in consultation with their members. Accordingly, both the geographic and non-geographic presbytery must approve the transfer. *See also* G-3.0403(c) and G-3.0502(e) outlining the roles of the synod and General Assembly in this process.