

Constitutional Musings: Note 02

Process for the Merger of Presbyterian Churches

The presbytery, in consultation with the two merging congregations, has the authority (under G-11.0103h) to unite two churches.

I. Typically the process is begun with informal conversations between the sessions of the two congregations. If both sessions determine such a merger may be in the best interest of their respective congregations they normally take one of two actions:

A. The sessions both call congregational meetings to seek the will of the congregations and ask the congregations to appoint persons to design a Plan of Union if the congregations favor a merger. Again most often these persons will work with an administrative commission or the committee on ministry on the Plan.

B. The sessions themselves, often with input from an administrative commission or the committee on ministry, put together a Plan of Union to be proposed to their respective congregations; or

C. Occasionally the suggestion that congregations merge comes from a presbytery strategy group or from within the committee on ministry. In such cases the possibility is then normally raised in the sessions of the congregations.

In our experience option "A" tends to be more efficient in that normally the sessions have a pretty good idea about how their respective congregations feel about a possible merger. We believe it is most often helpful for the sessions to design and carry out some consultative process to determine

interest and feasibility. A process similar to those used in doing mission studies has often been helpful.

II. Whichever process is utilized, at some point a Plan for Union will need to be prepared. There are a number of items which we believe need to be in this document.

A. It needs to contain some process for the election of the session of the new merged congregation. There are a number of options that we have seen work quite well.

1. The members of the sessions of both congregations (less those whose terms end at the merger) are elected to the session of the new merged congregation. It may be that the plan for merger allows for an expanded session until such time as the terms of all the elders serving at the time of merger expire. After those terms have expired, the number on the session may be reduced to the number considered optimal.

2. An entirely new session may be elected at the organizing congregational meeting. The nominating committees of the respective congregations may nominate persons from "their" church. The nominees will need to be elected to one, two, and three year terms to begin a nominating rotation.

B. It needs to contain some provision for the transfer of all current property, real and personal. It also needs to make reference that the new congregation is the successor in interest so that any testimonial, trust, or foundational gifts can be received by the successor congregation. All such transfers need to include a reference that all property is held "for the use and benefit of the Presbyterian Church (U.S.A.)."

1. Former PCUS congregations contemplating such mergers, who wish to maintain exceptions claimed under G-8.0701, need to exercise care to assure that their corporate and ecclesiastical existence continue under the new merged congregation.

2. The plan should also contain provision for the handling and disposition of personal property. This is often very important for the continuing congregation. Many of those items have emotional impact for the members. A number of options can be explored. Many of the items can surely continue to be used by the new congregations. Those that can't can be shared with other congregations in the presbytery. In any case the Plan for Union needs to pastorally deal with such property and its disposition.

a. This is an area where the *Book of Order* allows for great flexibility. It is likewise an area that greatly benefits from creative Presbyterians committed to assuring that all the assets promote the Church's mission. In some ways those mergers that result in an entirely new physical plant have the easier task, because all members are starting out from the same position with the same history in the building. For those mergers that will utilize one, both, or parts of each physical plant great care needs to be exercised. Often the facilities, even particular personal property, carry almost sacred connotations for members. This is an area where wise sessions and presbyteries will seek input from a wide range of members. While this is an area involving few constitutional issues, it is the area that most profoundly affects the success or failure of a merger.

C. It needs to make some provision for the pastoral leadership of the new congregation. The *Book of Order* allows the pastor(s) of the former churches to continue as or become the pastor or pastors of the new congregation. The

Plan for Union needs to describe the initial pastoral staffing plan. The session, or congregational planning team, should work with the Committee on Ministry to consider the various options available and desirable.

1. The presbytery, or the COM if such authority has been specifically delegated to them, needs to act on whatever changes in pastoral relationship are decided upon.

- a. If new positions are created, or "old" ones deleted, the presbytery needs to take specific action to do so in precisely the same manner it would in normal pastoral staff redesign.

2. This is an area of direct presbytery involvement or even intervention. How well the presbytery handles this transition, whatever model it follows, is another significant determiner of the success or failure of a merger.

D. It needs to describe a process for the vote on the Plan for Union as well as the process for adopting bylaws for the new congregation.

1. It is usually helpful for the Plan for Union to carefully describe the new church's organizational structure. How detailed this description is varies greatly across mergers. The key here is balance, between sufficient detail and binding the future without adequate knowledge of future structural needs.

E. It needs to give the name of the new merged congregation and empower the session, or some other group, to create a new corporation or modify the Articles of Incorporation and/or Bylaws of the corporation to accurately describe the new congregation.

F. It needs to place the responsibility of planning the final services of the two congregations as separate congregations as well as place the responsibility for the planning to the initial service of the merged congregation. Doing this well is always worth the time. It brings closure and celebrates new beginnings.

III. The presbytery must vote to approve the merger.

A. It may wish to appoint an Administrative Commission to carry out the presbytery's responsibilities.

1. Only the presbytery itself may approve the merger itself, but it may delegate empowering authority to allow a commission to work with the congregations as they carry out the Plan for Union.
2. The commission would need to be specifically empowered to dissolve, merge, and create, pursuant to the Plan for Union approved by the presbytery.
3. It is often helpful for the commission to be empowered, along with the committee on ministry, to work through all the issues surrounding pastoral leadership.
4. The empowering motion needs to carefully delineate what authority and responsibility lies with the session and what authority and responsibility lies with the commission.

IV. The Stated Clerk of the presbytery needs to report the dissolution of congregations and the creation of the new congregation to:

A. The Office of the General Assembly (and obtain a new pin number from (OGA)

B. Using that new Pin number, report to the Board of Pensions.

V. It is important to remember that there is no "right" way to do a merger.

Each situation is unique. So long as the congregations and the presbytery follow the limited specific requirements of the Form of Government, there is a fair amount of freedom to act pastorally, yet wisely.