

**Campbell, Jr., et al. v. Pby of Atlantic,  
Remedial Case No. 200-7,**

**REV. CORNELIUS L. CAMPBELL, JR.  
REV. ROBERT R. WOODS  
ELDER PHALARMA FREEMAN  
Complainant/Appellant**

**vs.**

**THE PRESBYTERY OF ATLANTIC  
Respondent/Appellee**

**DECISION**

This is an appeal of a remedial case originated by the appellant and filed with the Permanent Judicial Commission of the Synod of the South wherein appellants complained of certain irregularities alleged to have been committed by the Presbytery of Atlantic at its special meeting held August 4, 1986.

This Commission has jurisdiction, the party had standing to file the case, the appeal was timely filed, and the complaint states a claim upon which relief can be granted.

From the record submitted by the parties, it appears that the Reverend Robert R Woods, pastor of the Wallingford Presbyterian Church, Charleston, South Carolina, was indicted on January 8, 1986, in the Federal Court on a series of criminal charges, was found guilty of certain of those charges on March 18, 1986, was sentenced to serve 10 years on those charges, and was incarcerated to begin serving his sentence on September 3, 1986; that from the beginning of a foregoing sequence of events, the committee on ministry of the Presbytery of Atlantic was aware of the events, did engage in dialogue with Mr. Woods, members of the session and congregation of Wallingford Presbyterian Church; that by letter dated July 14, 1986, did advise the Wallingford Presbyterian church it would recommend that the Presbytery of Atlantic dissolve the pastoral relationship between the church and its pastor; that at a special meeting of the Presbytery of Atlantic held on August 4, 1986, the committee on ministry did makes its recommendation and upon vote, after discussion the presbytery did approve the recommendation by a vote of 20 for, 6 against; that a Stay of Enforcement was filed; that from this action by presbytery, the appellants complained to the synod permanent judicial commission of alleged irregularities of the presbytery's committee on ministry and of the presbytery in its approval of the dissolution of the pastoral relationship between church and Mr. Woods; and that upon trial by the synod's permanent judicial commission no error was found upon the specifications brought by the complainant's.

From the decision of the synod's permanent judicial commission, the appellants have appealed listing as their grounds:

1. Synod's erroneous misinterpretation (sic) of the Constitution of the Presbyterian Church (U.S.A.).
2. Mistake and injustice in the decision.
3. Synod's bias in reaching decision.

4. Synod's erroneous misinterpretation (sic) of the procedural safeguards outlined in the Book of Discipline.

5. Synod's decision is not supported by the evidence.

6. Synod's prejudged the case.

7. Synod erred in its interpretation of the rules governing a stay of enforcement.

8. Manifestation of prejudice in the conduct of the case.

Two issues are presented by the appeal:

1. In a case which neither the congregation nor the pastor has requested dissolution, what process is appropriate for severing the pastoral relationship under *Book of Order* G-11.0103o?

2. Was there a valid stay of enforcement in this case?

As to the first issue, *Book of Order* G-11.0103o gives presbytery power "to establish the pastoral relationship and to dissolve it at the request of one or both of the parties, or when it finds that the church's mission under the Word imperatively demands it."

The committee on ministry of presbytery has a broad range of responsibility to the ministers and congregations within its jurisdiction. (*Book of Order* G-11.0500 and ff.)

In this case the committee on ministry met with the minister, met with the session, and offered to be available to consult with the congregation.

It was obvious that the effectiveness of Mr. Woods as pastor to the church would be substantially impaired, if not destroyed, by his confinement in prison.

It is the opinion of the Permanent Judicial Commission that the recommendation of the committee on ministry and the action of presbytery on that recommendation was appropriate, and that no other reasonable decision could have been made.

As to the second issue, a stay of enforcement requires the signatures of one third of the members recorded as present when the decision or action was made by the governing body. In this case, a stay was attempted by an instrument which was not signed but had the required number of names typed on it. This did not comply with the *Book of Order*. In the opinion of the Permanent Judicial Commission there was no valid stay of enforcement. (D-6.1300(a))

Having answered these issues, all other questions raised by the appeal are moot. The Commission voted on each of the eight specifications of error. In each instance the vote NOT SUSTAIN was unanimous.

Elder Marcos Feliciano was absent and did not participate in the decision. Elder Charles Weltner was excused and did not participate in the decision.