

**THE PERMANENT JUDICIAL COMMISSION
OF THE GENERAL ASSEMBLY
OF THE PRESBYTERIAN CHURCH (U.S.A.)**

ARTHUR HAVERLY

Complainant/Appellant

v.

Remedial Case 207-9

PRESBYTERY OF HEARTLAND

Respondent/Appellee

This is a remedial case that has come before this commission on appeal by Arthur Haverly, a minister, from a decision by the Permanent Judicial Commission of the Synod of Mid-America.

The permanent judicial commission finds that it has jurisdiction, that the appellant has standing to appeal, that the appeal was properly and timely filed, and that the appeal is in order (Book of Order, D-13.1200a).

History

A task force had been appointed by the Presbytery of Heartland to make recommendations to improve its mission and ministry. On February 15, 1994, the presbytery, by a majority vote, adopted the recommendations. Appellant and seventeen other ministers and elder-commissioners of the presbytery filed complaints asserting, among other things, that presbytery had committed an irregularity by amending its standing rules without either adequate notice or a two-thirds affirmative vote.

The case was tried on the exhibits. The synod permanent judicial commission found that the adoption of the recommendations of the task force by a majority vote did not constitute an

amendment of the presbytery's standing rules and that no irregularity had occurred in the adoption of the recommendations.

[Appellant, who did not appear at trial, appeals from that judgment.]

Specification of Error

Most of the issues raised by the appellant are not relevant to this case and are unsupported by any evidence. From the record before this commission, we have identified one specification of error.

The synod erred in determining that the presbytery had not amended its standing rules by adopting the report of the task force.

This specification is not sustained.

The record establishes clearly that presbytery did not amend its standing rules. Our decision, on the merits of this case, obviates any ruling on the procedural motions raised by presbytery.

Order

It is therefore ordered that the decision of the Synod of Mid-America be affirmed.

It is further ordered that the stated clerk of the Presbytery of Heartland report this decision to the presbytery at its first meeting after receipt, the presbytery enter the full decision upon its minutes, and an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

Patricia K. Norris, member of the commission, was not present and took no part in the proceedings.