

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

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Rev. Hyun Chan Bae,)
Complainant/Appellant,)
)
v.) **DECISION and ORDER**
)
Atlantic Korean-American Presbytery,) **Remedial Case 215-1**
Respondent/Appellee.)
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American Korean-American Presbytery,)
Complainant/Appellant,)
)
v.) **DECISION and ORDER**
)
Synod of the Mid-Atlantic,) **Remedial Case 215-7**
Respondent/Appellee.)
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History

These cases have come before the General Assembly Permanent Judicial Commission (GA PJC) in consequence of the dissolution of the Rev. Hyun Chan Bae's (Bae) pastoral relationship with the Richmond Korean Presbyterian Church through the Atlantic Korean-American Presbytery (Presbytery). Bae filed complaints with the Synod of the Mid-Atlantic and its Permanent Judicial Commission (SPJC). He appealed the decisions of the SPJC to this Commission.

Previously the SPJC issued two orders, one on April 6, 2001 and the other on November 3, 2001. This Commission by its Order of April 12, 2002, stayed a portion of the November 3, 2001 order and left in place the April 6, 2001 order.

The Presbytery now requests that this Commission approve its withdrawal both of its appeal and a subsequent complaint (215-7) filed by the Presbytery on December 5, 2001. Bae raises no objection to the AKAP requests.

D-8.0104 gives a permanent judicial commission discretion to grant a petition for withdrawal of an appeal if it finds that such approval would not "defeat the ends of justice."

Order

This Commission orders that the request of the Atlantic Korean-American Presbytery for withdrawal of its appeal and complaint is approved, without modification of this Commission's stay of April 12, 2002 which shall remain in full force and effect.

IT IS FURTHER ORDERED that the Stated Clerk of the Synod of the Mid-Atlantic report this decision to the Synod at its first meeting after receipt, that the Synod enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

IT IS FURTHER ORDERED that the Stated Clerk of the Atlantic Korean-American Presbytery report this decision to the Presbytery at its first meeting after receipt, that the Presbytery enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

Fane Downs, member of this Commission, was not present and took no part in the deliberations or decision.

Dated this 14th day of July, 2002.

CERTIFICATE

We certify that the foregoing is a full and correct copy of the decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Remedial Case 215-1, Rev. Hyun Chan Bae v. Atlantic American-Korean Presbytery, and Remedial Case 215-7, Atlantic Korean-American Presbyterian v. Synod of the Mid-Atlantic, made and announced at Phoenix, AZ on July 14, 2002.

Mary Lou Koenig, Moderator
Permanent Judicial Commission of the General Assembly

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I did transmit a certified copy of the foregoing to the following persons by UPS Next Day Air, directing C. Laurie Griffith to deposit it in the mail at Phoenix, AZ on July 15, 2002.

Stewart Pollock, Esq., Counsel for Respondent/Appellee
Archibald Wallace, III, Esq., Counsel for Complainant/Appellant
Barry Van Deventer, Stated Clerk, Synod of the Mid-Atlantic
General Assembly Permanent Judicial Commission (regular mail)

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) by delivering it in person to C. Laurie Griffith, on July 14, 2002.

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I received a certified copy of the foregoing, that it is a full and correct copy of the decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.), sitting during an interval between meetings of the General Assembly at Phoenix, AZ on July 14, 2002 in Remedial Case 215-1, Rev. Hyun Chan Bae v. Atlantic American-Korean Presbytery and Remedial Case 215-7, Atlantic Korean-American Presbyterian v. Synod of the Mid-Atlantic, and that it is the final judgment of the General Assembly of the Presbyterian Church (U.S.A.) in the case.

Dated at Phoenix, AZ on July 14, 2002.

C. Laurie Griffith
Manager of Judicial Process and Social Witness