

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

..... )  
Presbyterian Church (U.S.A.) through the )  
Presbytery of Greater Atlanta, )  
Complainant/Appellee, )  
 )  
v. )  
 )  
Veronica L. Ransom, )  
..... Respondent/Appellant. )

**DECISION AND ORDER**

Disciplinary Case 219-02  
(formerly 218-17)

**Headnote**

**Rationale for Decisions not Required but Recommended:** While the Constitution does not require that a permanent judicial commission provide a rationale for every specification of error assigned in the Notice of Appeal when rendering a decision (D-13.0404), this Commission recommends that permanent judicial commissions provide enough explanation so that decisions can be understood.

**Arrival Statement**

This disciplinary case came before the General Assembly Permanent Judicial Commission (GAPJC or this Commission) on an appeal filed by the Appellant Veronica L. Ransom (Ransom) from a decision of the Permanent Judicial Commission of the Synod of South Atlantic (SPJC) dated March 14, 2008. A hearing on Ransom’s challenge to the GAPJC’s Executive Committee dismissal of this matter on a preliminary question was held on July 25, 2008. The Executive Committee’s decision was overturned by this Commission and all preliminary questions were answered in the affirmative on July 27, 2008 (see *Veronica L. Ransom v. Presbytery of Greater Atlanta, Decision and Order on Preliminary Questions, Minutes*, 2008, p. \_\_\_\_).

**Jurisdictional Statement**

This Commission finds that it has jurisdiction, that Ransom has standing to file the Appeal, that the Appeal was properly and timely filed and that the Appeal states one or more of the grounds for appeal in D-13.0106.

## **Appearances**

Veronica L. Ransom, Respondent/Appellant, was present and represented by Robert B. Eyre. The Presbytery of Greater Atlanta (Presbytery), Complainant/Appellee, did not appear at the hearing, but relied on its brief.

## **History**

Persistent conflict between Ransom and the pastor of Radcliffe Presbyterian Church (RPC) twice led to attempts to utilize the denomination's judicial system for resolution. Following receipt of a complaint against the pastor on September 14, 2004, the Presbytery formed an Investigating Committee (IC), which, on January 12, 2005, reported that no charges would be filed.

On February 10, 2005, the Presbytery Stated Clerk received a request by Ransom for a Petition to Review the findings of the IC. On May 25, 2005, it was determined that the Petition to Review would not be sustained, and the matter was closed.

On May 8, 2005, Ransom received an unsigned letter by a group called "Pastor Support Committee" (Committee), informing her that it had been established by the Session of RPC to deal with conflict between Ransom and the pastor. The Committee requested a meeting with Ransom. On May 24, 2005, Ransom replied to the Committee asking a series of questions and indicating a possible willingness to meet with them pending her receipt of the Committee's answers. The Committee sent another letter on October 11, 2005 – this one by certified mail to Ransom – requesting a meeting. Ransom refused to pick up the certified letter at the post office.

On November 14, 2005, the Pastoral Support Committee requested that official charges be brought against Ransom by the Session of RPC alleging "failure to be governed by the oath of elder," and offering in support, information about Ransom's "failure to accept the findings of the IC and the findings following a Petition to Review." The Session, in turn, filed a Request for Reference with the Stated Clerk of the Presbytery, on December 2, 2005, on behalf of the Pastoral Support Committee of the RPC, which Reference was accepted on February 22, 2006.

After receiving the report from its IC, the Presbytery filed twelve charges against Ransom. A trial was held by the Presbytery Permanent Judicial Commission (PPJC) on April 21, 2007, resulting in a finding of "guilty" against Ransom on three charges of "Failure to be governed by the oath of Elder in the Presbyterian Church (U.S.A.)," and one charge of "Disrupting the peace and unity of the Church." The Presbytery cited specific behaviors which Ransom demonstrated to support each of the four "guilty" verdicts.

A censure was read into the record of the Presbytery on May 8, 2007, and an order for supervised rehabilitation was entered on behalf of their Committee on Ministry. Ransom has participated in the supervised rehabilitation.

Ransom filed a Notice of Appeal with the Stated Clerk of the Synod of South Atlantic (Synod) which was received on June 12, 2007. This was followed by a Hearing on Appeal on January 10, 2008, before the Synod Permanent Judicial Commission (SPJC), based on thirteen specifications of error. On January 10, 2008, the SPJC voted not to sustain any of the specifications of error.

On March 4, 2008, Ransom filed a Notice of Appeal with the Stated Clerk of the General Assembly based on two specifications of error. Ransom presented oral argument at a hearing conducted by this Commission on October 24, 2008. The Presbytery submitted its brief in lieu of an appearance.

### **Specifications of Error**

The Specifications of Error argued in Appellant's brief to the GAPJC do not correspond with the Specifications of Error in her Notice of Appeal. This Commission is only required to address those errors set forth in the Notice of Appeal (*Congregation for Reconciliation v. Presbytery of Miami, Minutes*, 1999, p.580), and thus, this Decision is based upon determination of those errors. The Appellant's Notice of Appeal differs significantly from her brief to this Commission. The GAPJC has exercised its discretion to address all those Specifications of Error identified as issues in the Notice of Appeal, Appellant's brief and in oral argument of this Appeal.

Below are the Specifications of Error in the Notice of Appeal:

*Specification of Error No. 1. The SPJC committed injustice in the process by:*  
*(a) recording a "not sustained" vote for each and every specification of PPJC error without either explanation or basis for the decision; and*  
*(b) convening absent any racial ethnic member.*

This Specification of Error is not sustained.

(a) D-13.0404 establishes the process by which an appellate body renders its decision. Requirements include a vote on each Specification of Error and the recording of that vote. The Constitution does not require that a permanent judicial commission provide a rationale for every specification of error assigned in the Notice of Appeal when rendering a decision. It should be noted, however, that in the remedial case of *Buescher v. Presbytery of Olympia, Minutes*, 2008, p. \_\_\_, this Commission recommended that permanent judicial commissions provide enough explanation so that decisions can be understood. It would be helpful to follow this recommendation in future disciplinary cases.

(b) This Specification of Error was withdrawn by Ransom at oral argument.

*Specification of Error No. 2. The degree of censure was unduly severe.*

This Specification of Error is not sustained.

The basis for the degree of censure is formed from the body of facts developed at trial. Factual determinations made by the trier of fact have a presumption of correctness and are not to be disturbed on appeal unless "plainly or palpably wrong, without supporting evidence, or manifestly unjust" (*Hardwick v. Permanent Judicial Commission of the Synod of North Carolina, PCUS Minutes*, 1983, p. 45; *Chesterbrook Taiwanese Presbyterian Church v. National Capital Presbytery, Minutes*, 2006, p. 493; *Presbyterian Church (U.S.A.) through the Presbytery*

*of Wyoming v. Gordon R.J. King, Minutes, 2008, p. \_\_\_* ). The censure imposed was not unreasonable.

Following is a discussion of Specifications of Error identified in Appellant's brief which have been reworded and regrouped under appropriate D-13.0106 grounds for appeal in a disciplinary case:

*Specification of Error No. 3. The SPJC erred and committed injustice in the process when it did not hold that:*

- (a) The Pastoral Support Committee's action in intervening in the disciplinary allegation brought by Ransom against her pastor violated the provisions of D-3.0102; and*
- (b) The Investigating Committee unduly broadened the investigation of Ransom and inappropriately deprived her of both notice of the breadth of the investigation and the nature of the accusation.*

This Specification of Error is not sustained.

(a) The formation of the Committee was not a judicial action and did not prejudice Ransom's petition to review the dismissal of the last accusation against RPC's pastor. This Commission finds no reason to disturb that factual determination.

(b) The nature of an allegation presumes that the whole story may not yet be known. In fulfilling its responsibility to substantiate the allegation or dismiss it, the IC must make a thorough inquiry into the facts and circumstances of the alleged offense (D-10.0202c). It is not unusual that details, including newly discovered elements of the whole story, expand the breadth of an original allegation as they are gathered. Nothing in the Constitution precludes an IC from filing more than one charge from a single, core allegation, as was done in this case.

*Specification of Error No. 4. The SPJC erred in not holding that the PPJC should have dismissed all of the charges against the accused on the grounds that:*

- (a) The acts charged were separately not significant enough to rise to the level of chargeable offenses under D-2.0203b; and*
- (b) There are no identifiable offenses within the Constitution or Scripture for "failing to be governed by the Oath of Elder," or "disrupting the peace and unity of the church."*

This Specification of Error is not sustained.

(a) Appeals in disciplinary cases exist to review proceedings of lower governing bodies (D-13.0100) and not to retry issues of fact (*King, p. \_\_\_* ). The determinations of fact are made by the trier of fact, not the appellate body. Whether the charges were or were not of facts significant enough to rise to the level of chargeable offenses under the Constitution or Scripture was a determination appropriately made by the PPJC, the trier of fact, whose presumptions of correctness are not to be disturbed on appeal unless they are "plainly wrong, without supporting

evidence or manifestly unjust” (*King*, p. \_\_\_). Nothing either in the record or presented at oral argument warrants such a finding.

(b) Rather than contain a criminal code, where conduct specifically proscribed may be prosecuted, the Constitution is infused with principles and standards to which ordained officers voluntarily submit. G-6.0106b states that “those who are called to office in the church are to lead a life in obedience to Scripture and in conformity to the historic confessional standards of the church....” This standard is also affirmed in the answers to the ordination questions at W-4.4003 with which all officers agree to comply. Additional guidance can be found in “Standards of Ethical Conduct for Ordained Officers in the Presbyterian Church (U.S.A.),” which the 210<sup>th</sup> General Assembly recommended to presbyteries as a model for their study, approval, and inclusion of their manuals of operation (*Minutes*, 1998, p. 67). Further, ICs are charged with determining “whether there are probable grounds or cause to believe that an offense was committed by the accused” (D-10.0202f).

The church is called to remember that church discipline is not punishment; rather, it is the “church’s exercise of authority given by Christ, both in the direction of guidance, control, and nurture of its members and in the direction of constructive criticism of offenders” (D-1.0101). All judicial process through which church discipline is implemented must be within the context of pastoral care and oversight (D-2.0100).

*Specification of Error No. 5. The SPJC erred in not finding that there was a failure of the prosecution to meet the burden of “proof beyond a reasonable doubt.”*

This Specification of Error is not sustained.

This Specification of Error was not included in the Notice of Appeal, appropriately briefed, nor argued on appeal. It is, therefore, deemed to be withdrawn.

### **Decision**

None of the Specifications of Error is sustained; therefore, the Decision of the SPJC is affirmed.

### **Order**

IT IS THEREFORE ORDERED that the Decision of the Permanent Judicial Commission of the Synod of the South Atlantic is hereby affirmed.

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

IT IS FURTHER ORDERED that the Stated Clerk of the Synod of the South Atlantic report this Decision and Order to the Synod at its first meeting after receipt, that the Synod enter the full

Decision and Order upon its minutes, and that an excerpt from those minutes showing entry of the Decision and Order be sent to the Stated Clerk of the General Assembly.

### **Absences and Non-participants**

William Scheu was recused and did not participate in this case. A. Bates Butler, III was not present and took no part in this case.

### **Certificate**

We certify that the foregoing is a true and correct copy of the decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Disciplinary Case 219-02 (formerly 218-17), Presbyterian Church (U.S.A.) through the Presbytery of Greater Atlanta, Complainant/Appellee v. Veronica L. Ransom, Respondent/Appellant, made and announced at Baltimore, Maryland, on October 27, 2008.

Dated this 27<sup>th</sup> day of October, 2008.

---

Fred L. Denson, Moderator  
Permanent Judicial Commission of the General Assembly

---

Gregory A. Goodwiller, Clerk  
Permanent Judicial Commission of the General Assembly