

# **Procedure for Merger of Churches**

## **Presbytery of Northern New England**

The Book of Order has little to say about the merger of churches (G-11.0103h), thus the presbytery has great flexibility in how it is done and the process can be tailored to each specific instance.

The following is a general outline for what needs to be done. The primary reference is OGA Constitutional Musings Note 2 with a number of details added.

1. The sessions should contact COM to see if there would likely be any objections to a merger. There is no sense in proceeding if large barriers might prevent a merger. Work out any of these problems before proceeding.
2. There must be a clear desire expressed by each congregation to merge. The best way is probably for each session to call a congregational meeting to get the congregation's input as to whether a merger is something that should be explored (no final decision should be attempted). Any substantial conflict needs to be addressed.
3. If both congregations express interest in a merger then a planning committee (PC) needs to be appointed with members from each church to plan a merger and get the requisite approvals. This may be the combined whole of both sessions, combined subcommittees of each session or a committee elected by the congregations. At least some strong session representation from each church should be involved.
4. The presbytery, upon recommendation of COM, should establish an administrative commission (AC) to work with the churches to plan and implement the merger. The presbytery can delegate the merger approval to the AC. The AC should be structured with the following delegations and responsibilities.
  - a. Authority to approve the merger as specified in the plan of union to be developed.
  - b. Authority to dissolve the old churches and merge / create the new church.
  - c. Responsibilities of the AC and the sessions must be clearly delineated.
  - d. Authority to approve the purchase, sale and encumbrance of property in consultation with the presbytery trustees.
  - e. Report to presbytery on a regular basis and keep thorough and accurate minutes of all meetings to be delivered to the Stated Clerk.
5. A plan of union must be developed with the PC and AC working closely together. The plan should include the following.
  - a. There needs to be a process for forming a session for the new church. This could be the combined sessions, letting the session size drop by attrition until the optimum size is reached. Or, a new session can be elected with a specified percentage from each congregation.
  - b. There must be a plan for the disposition of property that specifies what property from each church will be transferred to the new church. This includes cash, securities, property and other assets. If one church is "richer" than the other, an equitable arrangement must be made that is acceptable to all. Excess property can be donated to other churches in need or sold.

- c. If either church has debt, then the plan must specify how that debt will be handled by the new church. If one church has more debt than the other, then an equitable arrangement must be made that is acceptable to all. Once the new church is formed, any debt not settled beforehand will become debt of the new church.
  - d. Disposition of memorial gifts are often an emotional area with contention. Those that gave the gift may want to dictate how it is handled. For example, if both churches have memorial gifts of a baptismal font, which one will be used in the new church? How will the donor of the other one feel about it? Although the concerns of the givers and their heirs should be considered, remember that these gifts are the property of the church once given and the church makes the final decision on their use, consistent with any restrictions on the gift.
  - e. There must be a plan for pastoral leadership. The PC must work closely with COM to determine the future pastoral leadership. This could involve pastor(s) of the old churches, or a PNC and an interim until a pastor can be called.
  - f. If no installed pastor, then COM must appoint a moderator of the new combined session.
  - g. Bylaws must be written for the new church and there must be a process for adopting these bylaws for the new church.
  - h. The new church's organizational structure and staffing should be planned.
  - i. A process for approval of the merger must be developed. This would probably be a vote to merge by each individual congregation contingent on approval of the other congregation, followed by approval by the AC.
  - j. The name of the new church must be selected.
  - k. The new session or some other group must be empowered to form a new corporation and satisfy any civil obligations.
  - l. The final services of each congregation should be planned as well as the first service of the new congregation.
6. The plan must be submitted for approval to the presbytery, or the AC acting on behalf of the presbytery.
  7. A new roll book is created from the combined rolls of the old churches.
  8. Minutes of the old churches are archived.
  9. The Stated Clerk of the Presbytery will handle the reporting of the merger and obtain a PIN for the merged church.
  10. The AC will produce a written report to be included in the presbytery minutes.

If there are any questions, please contact me:

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