

Presbytery of Milwaukee

Advisory Opinion

Rev'd Dr. Christian D. Boyd, Stated Clerk

Member of the General Assembly Advisory Committee on the Constitution

January 26, 2023

RE: Pastoral Terms of Call and Congregation Approval

Question:

Does the congregation have to approve changes in the Terms of Call for installed pastors?

Answer:

It is a fundamental component of our Presbyterian polity that a congregation is given the opportunity to review and vote on the Terms of Call for its pastoral staff when the relationship is established by the presbytery on the vote of approval of the congregation, and whenever there is a change. Installed pastoral relationships are a covenant relationship between the minister and the congregation and a session does not have the authority to change that relationship, only make recommendations.

This practice is based on F-1.0404, and explicitly G-1.0503c. The Constitution's Book of Order, G-2.0804, states the congregation must be fully informed and has the original jurisdiction which cannot be delegated to approve terms of calls and changes of pastoral terms of call. It is an egregious irregularity for a session to make changes without the approval of the congregation because it denies one of the six foundational voting rights of the congregation clearly defined in our Constitution, one of the means that guarantees our covenantal connection within a particular congregation and with all other Presbyterians throughout this nation.

This voting right of congregation members was upheld in the authoritative ruling of the General Assembly's Permanent Judicial Commission (1990, 202-1, 11.096, *Baumann v. Bellefield Church*) which clearly states that changing terms of call requires approval by the congregation. Additionally, the General Assembly in 1993 explicitly answered a question regarding congregations being presented with terms of call as a part of a committee's report to the congregation (Minutes, 1993, Part I, p. 343).

"It may be argued that because the session has the responsibility to establish the annual budget under the provisions of G-10.0102h, it is not necessary for the congregation to concern itself with the terms of the call. However, even that provision clearly states that "full information" shall be provided to the congregation. It must, therefore, be assumed that when the congregation elects other representatives to sign the call forms and to prosecute the call in the presbytery, "full information" should also be given to the congregation as to the terms of the call. Furthermore, it makes no sense to deprive the congregation of information that will be readily available to the presbytery."

The General Assembly's authoritative interpretation: congregations must be fully informed as to the terms of the call because it is a change in the covenant relationship between the pastor, congregation, and presbytery. As long as the terms of call meet the presbytery established minimum, a presbytery cannot force a congregation to alter the terms because that congregation is exercising its original jurisdiction.

This becomes a difficult situation because of the nature of a pastoral call in the Presbyterian polity. All pastoral calls are a covenant relationship between the particular minister, the presbytery, and the congregation. Each has to agree with the terms of the call. Whenever there is a change in terms of call, it is a new term of call to which all three again have to agree. Because of this foundational principle, it may be argued that if any one of those three have not or are unable to execute its part, the terms of the call for that particular pastor are then invalid. Consequently, the minister then is engaged in a non-validated ministry to which the presbytery may suspend a pastor until it is corrected.