

June 2017 Quarterly note to Clerks of Session

Dear Clerks of Sessions,

We just marked Pentecost! Paraphrasing Acts 2:38-29, the gift of the Holy Spirit is for everyone whom the Lord calls to himself. Now you do not need me to remind you, that the Spirit does not simply manifest in exuberant, ecstatic, or even somewhat unexpected behavior. I am not entirely straightlaced and buttoned up. And, I need to be reminded periodically that God gave us a spirit of power, love, and self-control (2 Timothy 1:7). Thus, I should not be surprised that the activities of the Spirit-formed church, described immediately in Acts 2, following Peter's Pentecost sermon, include, not only discipleship, fellowship, and worship, but also rational stewardship, and relatable kinship. All to suggest that it is not just "Presbyterian" to do things decently and in order - imaging God who is not a God of confusion. It is actually "spiritual"!

In this quarterly note I want to highlight something that is in the Metropolitan New York Presbytery's guidelines for keeping sessional records found here: <http://bit.ly/mnp-sr-guidelines>. The second guideline states: "An official copy of the minutes should be printed and either bound or kept in a good binder. Loose-leaf notebook is acceptable. . . . Minutes should be dated and pages numbered. There should be no blank pages interspersed among the minutes." Now this requirement is not to be found in the Book of Church Order (BCO). But, this is a guideline found among most presbyteries. You might ask: "why?" To answer that, I include an explanation from one of our SRRT members and a former clerk of session, RE Joao "John" Soares. He writes the following.

Dear Brothers.

Every church when it chooses to incorporate (BCO 26-6 through 26-12), becomes a non-profit religious organization in the eyes of the state (1) and federal government (2) and enjoys some privileges such as tax exemption on property, sales tax and some waivers on certain regulations.

The act to incorporate is voluntary therefore once undertaken, churches are obligated to follow the law as non-profit religious organizations do.

When elected by the members of our churches as officers, we are not only bound by the promises we make when taking office in the PCA as prescribed in the BCO, but also to the State laws as prescribed in the State Statutes (1) that regulates the activities of Religious Corporations and Associations in their perspectives States.

No matter how small a Religious Corporation is, good record keeping practices are a must, not just for ecclesiastical matters and discipline or historical purposes but also as a judicial requirement for accuracy when legal matters are brought to Court such as law suits, clergy mal-practice, fiduciary negligence, property disputes, insurance settlements among other issues.

The State cannot tell churches who or when to worship but it sets norms of governmental practices according to their own denominations or affiliations (Presbyterians, Baptists, Methodists, Roman Catholic, etc...) in their State Constitution which may vary from state to state within the Union (1).

Therefore we encourage all churches to keep their records in a legible and well organized manner for the self-protection and preservation of our local PCA churches.

In Christ.

John

GENERAL STATUTES OF CONNECTICUT - Title 33, Chapter 598 - Secs. 33-243 to 33-281a

https://www.cga.ct.gov/current/pub/chap_598.htm#sec_33-275

NEW JERSEY ESTATUTES - Title 16:11 (Presbyterian)

<http://lis.njleg.state.nj.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=Publish:10.1048/Enu>

NEW YORK STATE Consolidated Laws - RCO (Religious Corporation) - Article: 4 (Presbyterian)

<http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO:>

IRS –Churches and Religious Organizations

<https://www.irs.gov/pub/irs-pdf/p1828.pdf>

Because your records can become legal documents in a court of law, they need to be kept in a manner that is accessible, and demonstrates that they cannot be easily altered without knowledge and consent of the Session. Hence, in our instructions concerning the submission of minutes we say that they should include “scans or images showing that the minutes are printed, bound, signed by the clerk of Session, with printed pages consecutively numbered, and with no blank pages in or between the minutes.” We add: “If it is impractical to show this as scans or images, a clear affirmation by the clerk that all minutes for the year are printed, bound, signed, and consecutively numbered, with no blank pages in or between the minutes will be accepted by the committee.” We have not previously been sticklers for this affirmation. However, since all records were turned in electronically this year, and few sent us scans or pictures, we are now asking that you send in your affirmations, if you have not already done so. This is really the only way the SRRT can check that the second guideline is being followed.

I will conclude reiterating a few items, because we have some new clerks just beginning to receive these communiques.

Electronic copies of records can still be emailed to me directly (stephen@ascensionforesthills.org) or upload them via <http://bit.ly/clerkupload>.

If you are looking for the **clerk's self-evaluation**, it is **available** at the SRRT web page of the MNP web site: <http://metronypres.com/srrt/>, or you can **download it here - from my google documents**. (Please download and do not complete the form in my folder..)

If you don't want to manually adapt the contents laid out in §48 of the latest edition of [Roberts Rules](#), we have made available some **templates** shared by clerks of session who have done well with their minutes in the past. The MNP Stated Clerk is also going to make available a template based in his Presbytery minutes. So, keep an eye out for it also on the [SRRT web page of the MNP web site](#). You will also find at this location past copies of **SRRT reports** to Presbytery along with these **quarterly notes**.

We now have an **email list/discussion group** for Clerks of Session. Your membership is optional. I will send you an invite, but you can also go to [the group's page](#) to join. For now membership is either by request or invitation. The goal of the group is to provide an interactive forum where you can raise questions, identify issues, offer suggestions, contribute solutions, and share insights and resources.

I finish by repeating the following from my previous notes. Nearly half of exceptions of substance cited in the approved SRRT report for the 97th stated meeting of MNP still await response. Approved at the 97th stated meeting was **the deadline for responses being the March 2017 meeting**.

- **Exceptions of substance require an official response from the Session to Presbytery as soon as possible** before Presbytery can finally dispose of the matter. This means the committee should see a record in the future of the session adopting an official response to any **exceptions of substance**. Official replies should be **addressed to the Stated Clerk of Presbytery**.
- Express your Session's agreement or disagreement with Presbytery's finding in one of the following forms:
 - Session agrees with the exception and corrects its record (if possible), corrects its actions (if possible) and promises to be more careful in the future. Or,
 - Session respectfully disagrees with Presbytery, states its grounds, and refers the exception back to Presbytery

Please feel free to let us know what other resources might be helpful to you as a Clerk of Session.

From, through, and to Him,
TE Stephen Leung
Chairman, SRRT

