

Dissolution of Pastoral Relationships Policy Lehigh Presbytery

*Approved by Lehigh Presbytery on **May 21, 2019***

(This policy supersedes all former dissolution policies)

I. Statement of Purpose

The purpose of this document is to set forth the procedures for dissolution of pastoral relationships and guidelines for dissolution agreements. The procedures are controlled by the Book of Order. Most dissolution of pastoral relationships are without conflict, usually because the Minister of Word and Sacrament wishes to accept a new call or to be honorably retired. Even in such cases, carefully following these guidelines, and using the drafting of a dissolution agreement to cover such matters as ending date, unused vacation, medical coverage for a bridge period, and resolution of any loans the Minister of Word and Sacrament may have from the congregation can result in a smooth transition without conflict.

Although dissolution of the pastoral relationship may follow efforts to resolve conflict, this document does not include the steps that should be taken to resolve the conflict. It does, however, cover the procedure for dissolution and guidelines for dissolution agreements for situations in which efforts at conflict resolution result in dissolution.

The Presbyterian Church (USA) is a connectional system in which the presbytery, congregation, and Minister of Word and Sacrament are all parties to the pastoral relationship. We covenant to care for one another. When conflict arises all possible steps to resolve the conflict short of dissolution should be taken.

II. Book of Order

The relevant provisions of the Book of Order are:

G-2.0901 An installed pastoral relationship may be dissolved only by the presbytery. Whether the Minister of Word and Sacrament, the congregation, or the presbytery initiates proceedings for dissolution of the relationship, there shall always be a meeting of the congregation to consider the matter and to consent, or decline to consent, to dissolution.

G-2.0902 A pastor, co-pastor, or associate pastor may request the presbytery to dissolve the pastoral relationship. The Minister of Word and Sacrament must also state her or his intention to the session. The session shall call a congregational meeting to act upon the request and to make recommendations to the presbytery. If the congregation does not concur, the presbytery shall hear from the congregation, through its elected commissioners, the reasons why the presbytery should not dissolve the pastoral relationship. If the congregation fails to appear, or if its reasons for retaining the relationship are judged insufficient, the request may be granted and the pastoral relationship dissolved.

G-2.0903 If any congregation desires the pastoral relationship to be dissolved, a procedure similar to G-2.0902, above, shall be followed. When a congregation requests the session to call a congregational meeting to dissolve its relationship with its pastor, the session shall call the meeting and request the presbytery to appoint a moderator for the meeting. If the pastor does not concur with the request to dissolve the relationship, the presbytery shall hear from him or her, the reasons why the presbytery should not dissolve the relationship. If the pastor fails to appear, or if the reasons for maintaining the relationship are judged insufficient, the relationship may be dissolved.

III. Reasons for Dissolution – Notice to Committee on Ministry

The need for dissolution of the pastoral relationship comes about for a variety of reasons. Regardless of the reason, it is imperative that the Committee on Ministry receive timely notification of initial consideration or the need for dissolution. The following reasons and notice expectations include:

A. Minister of Word and Sacrament seeks dissolution.

1. Personal reasons, retirement or to receive a new call

When a Minister of Word and Sacrament seeks to dissolve the pastoral relationship for personal reasons, retirement or to receive a new call the Minister of Word and Sacrament shall make the request to the presbytery by notice in writing to the chair of the Committee on Ministry and shall advise the session.

2. Conflict with congregation

If efforts to resolve a conflict with the congregation result in the Minister of Word and Sacrament seeking to dissolve the pastoral relationship the Minister of Word and Sacrament shall make the request to the presbytery by notice in writing to the chair of the Committee on Ministry and shall advise the session.

B. Congregation seeks dissolution.

1. Reduction in force

Dissolution because of the elimination of a position, budget reduction, for other circumstances due to no fault of the Minister of Word and Sacrament, is at the discretion of the congregation, upon recommendation of the session and with the approval of presbytery. When the session determines that it will recommend such a dissolution to the congregation the session shall send notice in writing to the chair of the Committee on Ministry prior to taking such action.

2. Conflict with Minister of Word and Sacrament

If efforts to resolve a conflict with the Minister of Word and Sacrament result in the session recommending to the congregation that it dissolve the pastoral relationship the session shall send notice in writing to the chair of the Committee on Ministry prior to taking such action.

3. Cause

Separation for cause shall include, but is not limited to:

- Documented unsatisfactory performance
- Abuse or misconduct.
- Insubordination.
- Neglect in the care and use of church property or funds.
- Conduct inconsistent with presbytery standards or ordination vows.

a. Issues regarding performance of clergy shall be addressed by session in performance reviews. Documentation shall be clear, thorough and substantial.

b. The Committee on Ministry is available to assist sessions in designing and implementing a process for evaluation and review. The Committee on Ministry is also available for consultation and counsel in conflict situations. Either the Minister of Word and Sacrament or the session should send notice in writing to the chair of the Committee on Ministry to

assist with conflict resolution or if separation for cause is being considered in dissolving a pastoral relationship.

- c. Only after all reasonable attempts at resolution have failed should dissolution negotiations begin. Separation for cause shall be clearly documented and thoroughly substantiated. The policies and procedures for separation for cause spelled out herein shall be followed in a consistent manner. All meetings, conversations and agreements in this process shall be documented in a written form.

C. Presbytery seeks dissolution.

1. Conflicts requiring presbytery involvement

If there are serious difficulties within the life of a congregation, the Committee on Ministry shall seek reconciliation through a variety of methods. If the Committee on Ministry is unable to settle difficulties, then it may recommend to presbytery that an Administrative Commission be formed for the purpose of settling such difficulties. The Administrative Commission shall then follow the directives of the Book of Order and make appropriate recommendations to the presbytery. These recommendations may include the dissolution of the pastoral relationship and/or the assuming of original jurisdiction of the church by the Commission.

2. Urgent need for dissolution

The Committee on Ministry may decide that it will recommend to the presbytery that a pastoral relationship be dissolved immediately. In such cases, the Minister of Word and Sacrament will be interviewed by the Committee on Ministry and be given an opportunity to present his or her case and will be informed of the Committee's recommendation. The Minister of Word and Sacrament will be advised that the Presbytery must vote on such a recommendation and that the Minister of Word and Sacrament will be given an opportunity to address the presbytery on his or her own behalf.

3. Sexual misconduct

In cases of sexual misconduct, the Sexual Misconduct Policy of the presbytery and the provisions of the Book of Order will be followed.

IV. Process for Dissolution

The procedures and the nature of financial arrangements vary with the reason for dissolution. The goals in each instance are to facilitate the process in a timely manner and to seek fairness to all parties in light of the reason(s) for dissolution.

After initial contact with the Committee on Ministry, the following procedures shall be followed:

1. The session, or a committee designated for this purpose, will negotiate a dissolution agreement with the Minister of Word and Sacrament in accordance with Exhibit 1 of this policy. The Committee on Ministry is available to assist in the negotiation of the agreement if requested. The proposed Dissolution Agreement must be submitted to the Committee on Ministry for approval.
2. Upon approval of the proposed agreement by Committee on Ministry, the session will call a meeting of the congregation for the purpose of approving separately the dissolution and the dissolution agreement.

3. A copy of the proposed dissolution agreement will be made available to the members of the congregation no later than the date of the first call for the meeting.
4. The Committee on Ministry will appoint a moderator (G-2.0903). The congregation will vote on the dissolution of the call and then the dissolution agreement.
5. If the congregation approves the dissolution agreement and the Minister of Word and Sacrament and congregation are in agreement, the Committee on Ministry may dissolve the relationship on behalf of the Presbytery, and report their action at its next meeting. Otherwise, the dissolution and agreement will be presented to presbytery at its next meeting.

Additional considerations in the dissolution process include:

1. The Minister of Word and Sacrament's responsibilities include abstinence from any pastoral duties and congregational or church sponsored activities, and accountability to Committee on Ministry with regard to progress in a search process towards employment. The Minister of Word and Sacrament shall not conduct worship services unless approved by the Committee on Ministry, or in accordance with specific guidelines established by the Committee on Ministry as soon after the dissolution as possible. A Minister of Word and Sacrament, who—following a single warning—conducts such shall immediately forfeit all of his or her remaining financial payments under this Dissolution Agreement.
2. A Minister of Word and Sacrament who makes inappropriate contacts with his or her former church shall be sent (by regular mail to the last known address) a written warning by the Committee on Ministry upon each of the first two violations. Upon a third violation the Dissolution Agreement will become null and void. Remaining financial payments under the Dissolution Agreement shall be forfeited.
3. In dissolution cases other than described in Section III A(1), the Minister of Word and Sacrament must meet at least monthly with a counselor mutually agreed upon by the Minister of Word and Sacrament and the Committee on Ministry and paid for by the Minister of Word and Sacrament or using the Employee Assistance Program of the Board of Pensions. Alternatively, and no later than the end of the second month of the agreement, the Minister of Word and Sacrament may participate in a Professional Assessment such as that provided at the Princeton Career Development Center whose cost will be shared equally by the Minister of Word and Sacrament, congregation, and the presbytery. Failure to meet these expectations will result in forfeiture of all unpaid financial payments under the Dissolution Agreement.
4. In dissolutions events described in Section III A(2), B(1), B(2) and C(1), a severance payment will likely be appropriate. Severance will consist of a minimum of six months to a maximum of twelve months salary, housing and pension dues, subject to the limitations described in the Severance Policy of Lehigh Presbytery.

**DISSOLUTION AGREEMENT
TERMS OF DISSOLUTION**

The Rev. _____ and the _____ Presbyterian Church have agreed to request that the Lehigh Presbytery dissolve the Pastoral Relationship that exists between them with the following terms:

1. Dates:

A. Effective date the ministry duties will terminate: _____

Initial if acceptable ___ Minister of Word and Sacrament ___ Clerk of Session

B. Date Minister of Word and Sacrament will return all church property and vacate the church office:

2. Financial terms:

A. Salary/Housing \$ _____

Initial if acceptable ___ Minister of Word and Sacrament ___ Clerk of Session

B. Length of Severance Period _____

C. Pension dues will be paid on all severance payments, approximately _____/month

D. Medical coverage _____

E. SECA _____

F. Other (specify) _____

Initial if acceptable ___ Minister of Word and Sacrament ___ Clerk of Session

E. Within one week the church will inform both the Minister of Word and Sacrament and the Presbytery of its receipt of denominational termination forms. The Minister of Word and Sacrament will then have one week to sign those termination forms and inform both the clerk of session and the Presbytery.

All payments will be made:

___ Through the church payroll service.

___ Monthly through the Presbytery office.

F. Loans

Are there any outstanding loans? _Yes _No

Initial ___ Minister of Word and Sacrament ___ Clerk of Session

If so, the provisions for repayment of any loans are:

3. Other terms (including but not limited to the following):

A. The Minister of Word and Sacrament, acknowledging receipt of financial payments under this Agreement, covenants and agrees that he or she waives all rights to demand and/or secure a civil court and/or a jury trial with respect to adjudication of the matters contained in this Dissolution Agreement, in matters that pertain to their ministry in the church and/or the negotiations that have led up to this Agreement.

- B. If the Minister of Word and Sacrament accepts another position for employment before the end of financial payments under this Agreement end, all unpaid financial payments to the Minister of Word and Sacrament shall cease at the date of the new employment.

**Dissolution Agreement
The Pastor and Social Media**

1. The Role of Social Media Following Dissolution of a Pastoral Relationship.

An important consideration, given its importance and use in our lives, is the matter of social media, particularly being used by a previous pastor “being in touch” with former parishioners. This is an added concern in today’s social media world.

Problems can arise when continuing communication crosses the boundary from simple/ordinary/innocent messaging and into something which leads either pastor or former congregant to assume or expect an ongoing pastoral connection or relationship. This could easily undermine the new pastor, and interfere with the life and affairs of the former congregation.

Presbytery, through its Committee on Ministry, anticipates that the former pastor will abide by the Standards of Ethical Conduct of the PCUSA.