



FIRST PRESBYTERIAN CHURCH

SAN ANTONIO

LIVING TO MAKE JESUS VISIBLE

Rev. William C. Poe
Interim Stated Clerk
Mission Presbytery
7201 Broadway, Suite 303
San Antonio, Texas 78209

Thursday, October 29, 2015

Dear Rev. Poe:

The teaching elders and many of the ruling elders of First Presbyterian Church of San Antonio received your letters dated October 28, 2015. We understand your positions that the PCUSA Book of Order only mentions "dismissal" explicitly and does not mention "disaffiliation," and that the relationship between a particular church and the denomination can be severed only by constitutional action by the Presbytery. We further understand that the PCUSA's Office of Constitutional Services has previously rendered an Advisory Opinion ("The Trust Clause and Gracious Separation: Implementing the Trust Clause for the Unity of The Church") that says that the "constitutional action" referred to means a vote by the Presbytery to "dismiss."

However, the PCUSA Book of Order also says that none of its provisions are to have civil effects, that the denomination's authority is moral and spiritual only, and that the denomination's councils are not to pretend to make laws. The congregation of First Presbyterian Church of San Antonio has well established legal rights here in the United States, under the free exercise, free speech, and free assembly clauses of the First Amendment, to act on its own to determine its collective religious identity. We believe it is reasonable to conclude that the PC(USA)'s position that dismissal by the presbytery is the exclusive means of separation is aspirational only, a statement of denominational preference rather than obligatory mandate. Otherwise, the Book of Order would purport to trump the rule of law and establish a religious system of indentured servitude that would be contrary to, rather than consistent with, fundamental American freedoms. Your letter therefore appears to incorrectly presume an internal inconsistency within the Book of Order. We therefore formally request another advisory opinion from the PC(USA) Office of Constitutional Services that will specifically address all of the provisions of the Book of Order that are germane.

Your letter also states that the decision to call a congregational meeting for the purpose of a disaffiliation vote raises the "possibility of ecclesiastical charges of being found to have renounced the jurisdiction of the Church." We strongly disagree. Please be advised, on behalf of myself and all of the ruling and teaching elders associated with First Presbyterian Church of San Antonio that in calling the congregational meeting for the purpose of allowing the congregation to decide on the question of disaffiliation, the session most definitely has NOT renounced the jurisdiction of the PCUSA. To the contrary we sincerely believe that we are acting in a manner that is entirely consistent with the Book of Order, rightly and reasonably construed. Neither the session (nor any entity that would purport to act with session authority) nor the Presbytery has any valid basis under G-2.0407 or G-2.0509 to rashly and unilaterally declare that any ruling elder or teaching elder has renounced jurisdiction. In the event the



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session or Presbytery or its authorized designees determine that it is necessary to initiate disciplinary action against any teaching or ruling elder, we request that all due process requirements mandated in Part D (Rules of Discipline) of the Book of Order be observed and adhered to, including notice, consultation, investigation, hearing, evidentiary requirements, and appeal rights. We make this request on behalf of all of our ruling elders and our teaching elders, The Rev. Ron Scates, Interim Senior Pastor; The Rev. Scott Simpson, Associate Pastor; and The Rev. Louis H. Zbinden, Jr., Pastor Emeritus.

As we stated in our letter of October 27, 2015, we remain open to discussions with Mission Presbytery regarding terms of dismissal. Other churches in the denomination have held votes to disaffiliate, yet continued discussions with their presbyteries and reached agreement on the terms of dismissal. To our knowledge, no other presbytery has taken the position that such action constitutes a renunciation of jurisdiction. As stated in our letter of October 27, 2015, we are still willing to have a group of representatives from the church meet with the Administrative Commission. We are trying to arrange such a meeting this week. We will respond to Mr. Barnes' e-mail today of this communication and get back to him with a proposed date and time for the meeting.

Earnestly in Christ,

Tripp

Norton A. Stuart, III, MD
Clerk of the Session,
First Presbyterian Church, San Antonio

On his individual behalf, on behalf of all ruling elders and teaching elders, The Rev. Ron Scates, The Rev. Scott Simpson, and The Rev. Louis H. Zbinden, Jr., Pastor Emeritus