

AI's, OVERTURES, AND CONCURENCES, OH MY!

From An Educational Moment by the stated clerk

December 10, 2013

For January 28, 2014 Presbytery Meeting

During the January 28, 2014 meeting of Genesee Valley Presbytery, commissioners will be asked to consider several overtures to the 221st General Assembly (2014 – Detroit). This resource is offered to help commissioners understand just what the terms mean, and what the process is for dealing with overtures. This overview is written from the perspective of the **presbytery**.

What *IS* an Overture?

Simply put, an **overture** is an appeal to the General Assembly to take a particular action. The overture may propose an amendment to the constitution, or request a particular ruling by the General Assembly, or ask the General Assembly to take actions regarding an issue before the church and the world.

Where do overtures *come from*?

Within a presbytery, the source of an overture could be one of several options:

- A session may prepare an overture and send it to the Presbytery Council for review and for scheduling during an upcoming presbytery meeting.
- A group of people (say, elders and/or pastors, or a committee of the presbytery) may prepare an overture and send it to the Presbytery Council
- Some overtures begin with a question. For example, someone might ask the stated clerk a question, which is both brand-new and important. The stated clerk might submit the question to the Office of Constitutional Services in Louisville: “What’s the answer to *this* one?” The response of the Louisville office occasionally is to turn the question into an overture, which is submitted to the General Assembly.

An overture is in two parts: (1) a clear statement of what the overture is asking the General Assembly to do and (2) the rationale for the proposed action. [The old model of “Whereas,,, whereas,,, Therefore be it resolved... is not used any more.]

The process of developing an overture and submitting it is a **communal** process. Groups of faithful people have discerned a possibility for guiding the Church in its ministry, and groups determine if that possibility is worthy of implementing.

How is an overture handled?

We’ll focus on an overture prepared by a church session. The process involves several successive steps:

1. The session of the First Church of Absolute, Gracious, Serving Love determines that an overture would be appropriate.
2. When the overture is drafted, the session is given the opportunity to discuss/debate the overture and to work on the language of the overture and the language of the rationale.
3. If the session votes (majority vote) to approve the overture, it is submitted to the presbytery—often to the stated clerk but also to the Chair of the Presbytery Council or the Presbytery Leader.
4. The overture is referred to the appropriate body. **Generally**, if an overture involves the Form of Government or the Directory for Worship, it is referred to the Presbytery Council; and if the overture involves the Rules of Discipline it is referred to the Committee on Ministry. Sometimes an issue-based overture is referred to the appropriate committee related to the issue.
5. The group to whom the overture is referred reviews it (usually having invited persons who developed the overture to be present for advocacy and for clarifying any questions). That group may recommend approval by the presbytery, recommend disapproval by the presbytery, or give the overture to the presbytery with no recommendation. Regardless of the recommendation, an overture is always proposed to the presbytery itself for action.
6. The proposed overture will be considered by the presbytery and acted upon by majority vote.
7. If the proposed overture is approved by the presbytery, the stated clerk will submit the approved overture to the Office of the General Assembly, who will assign the overture a number (the year of the Assembly and the order in which it was received).
8. For an overture to be considered by the General Assembly, there must be a concurrence from at least one other presbytery. This is a new practice, approved by the presbyteries after the 220th General Assembly (2012).
9. Prior to the General Assembly meeting, the overture will be assigned to one of the General Assembly Committees.

10. The Committee will consider and debate the overture. Each committee has “hearing” times during which persons who are not on the committee are given time to speak to the committee.
11. If the Assembly Committee approves the overture, it will be a part of their report to the Assembly. The General Assembly as a plenary body will then consider the committee’s action, instructed by, but not bound to, the action of the committee.
12. If the General Assembly does not adopt a committee’s recommendation, the process stops there. If it approves the action, and if the overture proposes an amendment to the *Constitution* of the PCUSA, the overture will be submitted to the 183 presbyteries for their approval or disapproval. If a majority of presbyteries approve that overture, it takes effect on the one-year anniversary of the General Assembly meeting during which the overture was approved.

Are there deadlines?

Yes, there are. There are three deadlines:

Overtures proposing an amendment to the *Constitution* – 120 days before the Assembly convenes.

Non-constitutional overtures with financial implications – 60 days before the Assembly convenes

Non-constitutional overtures without financial implications – 45 days before the Assembly convenes

WDATTM? [What do all the terms mean?]

- OGA – Office of the General Assembly
- GA – General Assembly, which could refer to any of three things:
 - The **offices** in Louisville
 - The **meeting** of a particular General Assembly (meetings are held every other year)
 - The **commissioners** of a particular General Assembly meeting, who serve until the next meeting, and all of whom are elected by presbyteries
- AI – Authoritative Interpretation (see explanation below)
- Concurrence – A presbytery reviews an overture submitted by another presbytery, and votes to concur with it. [A concurring presbytery has the right to prepare a different rationale for the overture with which they are concurring.]
- Constitution of the Presbyterian Church (U.S.A.), consisting of two parts: Part I : The Book of Confessions (BOC), and Part II, The Book of Order -- BOO , *with four sections*: FP (Foundational Principles) ~ FOG (Form of Government) ~ DFW (Directory for Worship) ~ ROD (Rules of Discipline)
- ACC – Advisory Committee on the Constitution. The ACC reviews all constitutional overtures, and responds with suggested changes and/or a recommendation that the Assembly approve or disapprove the overture.

What is an “Authoritative Interpretation?”

An Authoritative Interpretation is an interpretation of a provision in the *Book of Order*. It is not an amendment to the *Book of Order*, but an interpretation of a portion of the *Book of Order*. An Authoritative Interpretation is approved by a General Assembly, and takes effect with the close of that particular meeting. Here is an example from our own presbytery:

- About 10 years ago our presbytery submitted an **overture**, requesting that the Rules of Discipline be amended to state that a plea of *nolo contendere* is not allowed in disciplinary cases.
- The ACC and the Assembly Committee reviewed the overture. The Committee decided that it would be better to ask the Assembly to render an Authoritative Interpretation.
- The Assembly approved that recommendation, and the interpretation took effect at the end of the meeting. The Authoritative Interpretation is printed in the *Annotated Book of Order*. It is just as much a requirement as an amendment would be. No one can plead “no contest” in a Presbyterian disciplinary case.
- A ruling by a General Assembly Permanent Commissions (PJC) also becomes an Authoritative Interpretation.

What is a “concurrence?”

Probably the simplest answer is to draw an analogy from Parliamentary Procedure:

A concurrence is to a proposed overture what a second is to a motion.

In response to another presbytery’s proposed overture, our presbytery might say, effectively, “We second that. We think this is important enough for the General Assembly to consider.” As was stated above, our presbytery might even suggest that there is an additional rationale which supports approval of the proposed overture, and we would have the right to submit that additional rationale.