

Winnebago Presbytery

Report of the Stated Clerk

**Stated Meeting: 13 May 2008
Winneconne, Wisconsin**

- I. Records
 - A. Minutes of Presbytery Stated Meeting/9 February 2008
 - B. Administrative Commissions
 - Installation of Randal Argall (GB First/10 February)
 - Installation of Robert Goebel (Wausaukee/Athelstane/6 April)

- II. Recommendations
 - A. Dismissal of Investigating Committee 1, with gratitude
 - B. Dismissal of Investigating Committee 2, with gratitude

- III. Reports
 - A. Year-end Reports [attached]
 - B. Judicial Report Memorandum [attached]
 - C. Report of the Permanent Judicial Commission
[for Session, Minister Members, and Elder Commissioners only]
Electronic copy of Item C found on web page in password protect.
 - D. Overture Advocacy Before General Assembly
 - E. Notice of Renunciation: Dennis L. Cobb
 - F. Notice of Synod Permanent Judicial Commission Final Order in
Wolfe v. Winnebago Presbytery
 - G. Necrology Report/2007

PRESBYTERY OF WINNEBAGO

Office of Stated Clerk
MINISTERIAL STATISTICAL REPORT: 2007

Number of Churches in Presbytery	40
Minister Members on Roll, <u>January 1, 2007</u> :	63
Ministerial Changes-	
Ministers Received:	0
Ministers Ordained:	2
Judith Holmes-Jensen	
Cynthia Stover Carlisle	
Ministers Died:	0
Ministers Dismissed:	10
Keith Jones (Milwaukee)	
Robert Matlock (Middle Tennessee)	
Russell Tillotson (Western North Carolina)	
Cathy Cummings Chisholm (Tres Rios)	
William F. Jorgensen (South Alabama)	
Karen Woodley (Nevada)	
LeRoy Haynes (Twin Cities Area)	
Elizabeth Anne Caughran (Santa Fe)	
Debra Bergeson-Graham (Milwaukee)	
Cynthia Stover Carlisle (John Knox)	
Ministers Moved to Inactive:	0
Ministers in Inactive Status	2
Ministers Temporarily Excluded	0
Ministers Removed:	0
Ministers Restored:	0
Ministers on Roll: January 1, 2008	55
[total gains=2; losses=10]	
Commissioned Lay Pastors enrolled 2007	1
Jean Hamersky	
Commissioned Lay Pastors Total	13
Pastoral Dissolutions	5
Pastoral Installations	3
Candidates Taken Under Care: 2007	0
Candidates Presently Under Care	1
Inquirers Enrolled: 2007	1
Inquirers Total	2

Permanent Judicial Commission

Expired-Term Roster
2008

The **Book of Order** [Rules of Discipline: D-5.0206(d)] requires that the Presbytery maintain a roster of persons whose term on the Permanent Judicial Commission has expired within the last six years. Persons in this group are to be called upon if the PJC is unable to sustain a quorum for conducting judicial business.

There are three persons, whose terms have expired in the last six years, eligible to serve as alternates on the PJC:

David Arey [Stevens Point]/2007
Marian Seagren-Hall [Wausau]/2005
Marcia Thomas [Kiel]/2003

WINNEBAGO PRESBYTERY

2008 Elder Commissioner Roster: January 1, 2008

Commissioner Representation Chart for Churches:

One Elder Commissioner from each Church in Presbytery	= 40
Extra Commissioners:	= 6
One extra Commissioner from Churches over 500:	
Appleton Memorial	
DePere First United	
Fond du Lac First	
Neenah First	
Schofield Covenant Community	
Wausau First	
Officers [Elders]	= 2
Elders as Moderators of Permanent Committees/Members of Council	= 3
Total Elder Commissioners	= 51

Minister Members/Elder Commissioner Ratio in Presbytery: 43 : 51

[Total Minister Members of Presbytery =55]

Resident Ministers of Presbytery = 43

[excludes twelve non-resident members or resident members unable to attend]

Elder-Minister ratio [51 : 43] is acceptable according to *Form of Government* [G-11.0101b], which prohibits any ratio favoring number of resident ministers.

Church Membership Changes/2007

Churches increasing in membership = 10
Churches decreasing in membership = 23
Churches remaining the same in membership = 7

Total Male Elders = 156
Total Female Elders = 198
Total Male Deacons = 58
Total Female Deacons = 207

WINNEBAGO PRESBYTERY

2007 Summary of Church Statistics

[submitted to the Office of the General Assembly]
20 February, 2008

Total Active Membership at beginning of 2007 = 7943
2007 Gains = 375
2007 Losses = 523

Total Active Membership at end of 2007 = 7795

Female members = 4066
Inactive members = 823
Baptized members [not counted within active members] = 1067

Total Adherents = 9685

Baptisms [children 165; adults 12] = 177 Average Church Attendance: 3220

Christian Education = 2990
Children = 1634
Adults = 878
Teachers = 478

Composition
Asian = 68
Afr.American = 26
Nat.American = 12
Hispanic = 39
White = 7631
Other = 19

Financial

Receipts

Giving Units = 4604
Budgeted Income = \$ 6,240,099.
Budgeted Expenses = \$ 6,454,306.

Regular Contributions = \$ 5,235,812.
Capital Funds = \$ 722,694.
Investment Income = \$ 1,471,532.
Bequests = \$ 375,033.
Other Income = \$ 401,681.
Sudsidy/Aid = \$ 17,401.

Total Receipts = \$ 8,223,853.

Expenditures

Local Program = \$ 5,302,667.
Local Mission = \$ 349,980.
Capital = \$ 1,720,900.
Investment = \$ 96,629.
Apportionment = \$ 199,658.
Validated Mission = \$ 423,147.
Other Mission = \$ 112,305.
Theological Fund = \$ 14,174.

Total Expenditures = \$ 8,219,460.



Winnebago Presbytery
Office of the Stated Clerk

Memorandum

To: Sessions, Minister Members and Elder Commissioners of Presbytery
From: Stated Clerk
Date: 24 April 2008
Re: Judicial Matters

In 2007, Presbytery was engaged in three judicial cases, involving considerable service by several ministers and elders as well as extensive staff time and effort. A summary of each of these cases is given below.

1. **In Disciplinary Case 2007/1**, an allegation of misconduct came forward from a member of one of the churches in Presbytery against a minister member of Presbytery. An Investigating Committee was appointed by the Moderator in March, 2007, consisting of Rev. Cyndy Little (Moderator), Tom Williams (E, Appleton), Ed Slusser (M), and Marcia Thomas (M).

This Case has now been resolved through an Alternate Form of Agreement, approved by the Permanent Judicial Commission on 3 April 2008. The agreement is a matter between the Presbytery and the Minister against whom the allegation was made and is available to Sessions, Minister Members and Elder Commissioners of Presbytery. An AFR means that the PJC did not receive a charge and there was no trial to determine guilt or innocence. The Case is closed.

2. **In Disciplinary Case 2007/2**, an allegation of misconduct came forward from the Stated Clerk based on a report from an agency within the Church on 24 May. An Investigating Committee was appointed by the Moderator that date, consisting of Rev. Mara Rivera (M, Moderator), Marian Seagren-Hall (E), Bruce Brink (E), and Charles Valenti-Hein (M; resigned in September).

The Case has now been resolved by renunciation. A Charge was filed with the Permanent Judicial Commission by the Investigating Committee on 21 January, 2008. The officers of the PJC convened a Pre-trial Conference on 12 February, 2008, but just before that Conference, the Minister renounced the jurisdiction of the Presbyterian Church (USA), which immediately removed the Minister from any standing in the Church and meant the immediate cessation of the Case. The Charge did not go forward to trial and no judgment was rendered. The Minister has been removed from the rolls of Presbytery and notice given to the Office of the General Assembly for removal from all rolls in the Presbyterian Church (USA).

3. In **Remedial Case 2007/1**, a Minister Member of Presbytery brought forth a complaint against the Presbytery, which was filed with the Permanent Judicial Commission of the Synod of Lakes and Prairies on 14 October, 2007. The Moderator of Presbytery appointed a Committee of Counsel to defend the Presbytery in this matter, composed of John Billings (M), Margaret Zedan (M) and Duane Patterson (E). The Officers of the Synod Permanent Judicial Commission met on 8 December, 2007, and rendered a Preliminary Judgment that the complaint did not meet all of the necessary conditions for the filing of a valid complaint and summarily dismissed the Case. The Minister appealed to the full Synod PJC, which met on 14 March, 2008, to hear the rationale of the complainant and of the Presbytery in this matter. The Synod PJC that date decided to support the earlier judgment of its officers and dismissed the Case on the grounds that it did not meet one of the four qualifying conditions for adjudication (Book of Order/Rules of Discipline D-6.0305). The Committee of Counsel submitted two briefs to the Synod at the two stages in this process. The Complainant has appealed the decision of the Synod PJC to the Permanent Judicial Commission of the General Assembly, where it is presently pending. Presbytery will be notified of the decision of the GA/PJC forthwith.

Please refer further questions concerning these cases to the Stated Clerk.

The Presbytery offers its thanks and gratitude to the elders and ministers who voluntarily gave considerable time, effort, and talent to these cases.

**THE PERMANENT JUDICIAL COMMISSION
OF THE SYNOD OF LAKES AND PRAIRIES
OF THE PRESBYTERIAN CHURCH (U.S.A.)**

The Reverend Janet E Wolfe,)
Complainant,)
v.)
Presbytery of Winnebago,)
Respondent.)

FINAL ORDER

Remedial Case 2007-1

HISTORY

This remedial case came before this Commission on a complaint filed by the Complainant, The Reverend Janet E Wolfe, against the Presbytery of Winnebago, Respondent, dated October 12, 2007. The Respondent filed an answer to the complaint in a timely manner.

The officers of the Synod Permanent Judicial Commission found that The Synod of Lakes and Prairies Permanent Judicial Commission has jurisdiction, that the complainant has standing to file the complaint, and that the complaint was properly and timely filed. However, the officers of the Synod Permanent Judicial Commission found that the complaint did not state a claim upon which relief can be granted. A Preliminary Order dismissing the case was issued on December 8, 2007.

Within 30 days, the Complainant exercised her right to challenge the ruling of the Preliminary Order. A hearing before the Synod Permanent Judicial Commission was scheduled for March 14, 2008 at 2:00 p.m. Central Daylight Time. Both parties were notified of their right to file briefs prior to the hearing.

The hearing was held as scheduled. The Complainant and Respondent were given the opportunity to highlight the issues of the case and stress their points without reading verbatim documents that had already been submitted. The members of the Synod PJC were also given the opportunity to question each party. The hearing was concluded and the Synod PJC met privately to discuss the case and reach a decision.

DECISION

There was no questioning by either party or members of the PJC of the ruling of the officers of the Synod Permanent Judicial Commission about the preliminary ruling on the questions of jurisdiction, standing of the Complainant, or timeliness of the filings. These issues were not revisited.

The Synod Permanent Judicial Commission finds that even if all of the facts stated by the Complainant in the Complaint were to be found true, the Committee on Ministry of the Presbytery acted within the bounds of their authority set by the *Book of Order*. G-11.0502b

states, in part, “every request by a minister or candidate for the presbytery’s approval of a task appropriate to the ministry, though not a pastoral relationship to a particular church, shall be made by the minister or candidate through the committee. . . .” If the Committee on Ministry were not able to place limits on the tasks appropriate for a minister without resorting to disciplinary action under the *Rules of Discipline* then there would be no need for a pastor to request approval and no need for this section. If the Committee on Ministry was acting within their authority, then it is not within the authority of the Synod to order that the “restrictions imposed upon her” be withdrawn. If the Synod has no authority to so order, then the Synod has no authority to forbid the “re-imposition of restrictions”. Therefore, the Permanent Judicial Commission finds that the complaint does not state a claim upon which relief can be granted. The Synod PJC found support for this decision from the GA PJC, “this Commission finds that the matter complained of involves the fulfillment of the responsibilities of the Presbytery to provide pastoral care to a congregation of the Presbytery under G-11.0103g and G-14.0501a, a matter of Presbytery discretion. Even if an irregularity were found to have occurred, the Constitution offers no relief. This Commission finds, pursuant to D-6.1200, that this remedial appeal fails to state a claim upon which relief can be granted.” (Presbytery of East Tennessee v Cook, 211-5, 1999)

ORDER

Finding that one of the items in D-6.0305 is answered in the negative, IT IS THEREFORE ORDERED that this case is dismissed.

The attention of both parties is directed to D-1.0103. In the spirit of this provision, this Commission strongly urges and encourages the Presbytery Committee on Ministry to explore alternatives to resolve the differences between the parties. This Commission wishes to encourage the COM to work with the complainant in a pastoral manner in order that resolution could be made with the restrictions on her ministry. The Commission also wishes to remind the COM of the principles of church discipline (D-1.0101), the alternatives of and the responsibilities of the COM and the Presbytery (G-11.0500, G-11.0103) to resolve the issues in a manner that is not viewed by the Complainant as punitive, but rather pastoral and instructive.

IT IS FURTHER ORDERED, that the Stated Clerk of the Presbytery of Winnebago report this decision to the Presbytery at its first meeting after receipt, that the Presbytery enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the Synod of Lakes and Prairies.

Dated the 14th day of March, 2008.

Jeanne Grosshans, Acting Clerk
The Synod of Lakes and Prairies Permanent Judicial
Commission

WINNEBAGO PRESBYTERY
Necrology Report, 2007

NAME	CHURCH	ORDINATION	DEATH

MINISTERS:			
ELDERS:			
Jean Altman	Sheboygan First	10/06/46	08/22/07
Ramona Anderson	Marinette Pioneer	01/17/99	11/25/07
Leslie Chaloupka	Fond du Lac First	/ /62	08/23/07
Larry Forden	Shawano First	01/17/82	01/15/07
Norbert Hartzheim	Kimberly	02/28/79	03/10/07
Wallace Horne	DePere First United	01/12/69	05/22/07
William Sheridan Huss	Appleton Memorial	/ /56	05/23/07
June I. Jones	Wild Rose	01/15/78	05/14/07
Clayton Jubert	Green Bay First	06/07/98	01/03/07
Neil Komplin	Fond du Lac First	02/01/81	03/02/07
Robert McAllister	DePere First United	02/04/07	07/11/07
Carroll Martin McEathron	Appleton Memorial	04/23/39	01/01/07
Betty Jane Marshall	Manitowoc First	02/01/76	04/29/07
Carl Meissner	Marshfield First	/ /70	03/26/07
George Meyer	Wausau First		10/06/07
Ruth Nash	Manitowoc First	01/14/96	03/11/07
Arthur Nickel	Oshkosh First	01/28/01	02/03/07
Leona Petiniot	DePere First United	01/26/75	06/30/07
Lloyd R. Powers	Appleton Memorial	12/18/77	09/28/07
Jeannie Sowle	Oconto First	12/11/88	01/05/07
James Stovekin	Lakewood First	/ /88	07/26/07
Patricia Grover Stuff	Shawano First	01/07/79	02/21/07
Eleanor Thomas	Wild Rose		04/16/07
Kenneth Tielens	New Franken Robinsonville		08/21/07
Doris Marshall Volk	Appleton Memorial		07/23/07

21 March 2008