

To Francis VanD, Moderator of New Hope OPC of The Orthodox Presbyterian Church:

And now, this 25th day of March, A.D. 2020, comes Jason R. and complains against the action of the Session of New Hope OPC in connection with the public statements and censure of Ruling Elder Jason R.

In bringing this complaint I affirm that I believe that the session has erred and that this error is serious; that I have tried to understand the session's point of view; that I have seriously examined, in prayer before the Lord, my willingness to be in subjection to my brothers in Christ; and that I have made a serious effort to correct the error short of entering a complaint.

In support of this complaint I set forth the following grounds:

1. The Session disciplined Ruling Elder Jason R. without a trial and then publicly announced such discipline.
 - a. Session passed a motion to ask Ruling Elder Jason R. to voluntarily step back (and often referred to it as a sabbatical) on 1/15/20.
 - b. In a follow-up session meeting on 1/25/20 (as well as on phone call on 1/24/20 to Teaching Elder Francis VanD.), Ruling Elder Jason R. suggested taking a sabbatical for rest, during which he would also work on any issues that needed to be worked on. Session stated that this was not acceptable; any sabbatical must be communicated as primarily due to issues session believed Ruling Elder Jason R. had.
 - c. At the start of the Session Meeting on 1/25/20, session read and handed a statement to Ruling Elder Jason R. that stated that they had determined that he had failed in several areas; this without discussing these areas, hearing other viewpoints, or seeking evidence of these claims.
 - d. Several hours into a session meeting on 1/25/20, Teaching Elder Francis VanD. asked whether Ruling Elder Jason R. would take a sabbatical and whether he would work on issues identified; Ruling Elder Jason R. stated yes to both questions. This was taken as Ruling Elder Jason R. agreeing to Session's idea of a sabbatical, and session used that to enact a sabbatical that was in reality discipline on Ruling Elder Jason R. Ruling Elder Jason R. immediately stated he had not agreed to these actions. There were three disagreements with between Session and Ruling Elder Jason R. about the terms of the sabbatical; Session insisted:
 - i. That there must be a public announcement of the sabbatical during which it is made clear that the sabbatical is not for rest, but due to sins/issues session believed Ruling Elder Jason R. had. This changes the sabbatical, which is defined on the OPC website¹ as having a primary purpose of rest and refreshment, to being an act of discipline.
 - ii. That Ruling Elder Jason R. immediately cease all service and duties at New Hope OPC, even all duties held prior to being an elder. The plan for the sabbatical was not worked out by all parties jointly, therefore this is more akin to a suspension of office, than a sabbatical.
 - iii. That the announcement be made the very next day, without time for reflection, prayer, or consideration.
 - e. In emails between session on 1/25/20, one session member stated: "The biggest thing we needed to accomplish today was for him(Ruling Elder Jason R.) to hear our perspective that we see that he is guilty of the evidence we presented today and that there would be consequences for it and that there would be no more negotiating about his guilt in those matters." This is disciplinary language, and presumption of guilt without any trial, examination of evidence, or ability for defense.

¹ OPC CMC Guidelines for Implementing a Ministerial Staff Sabbatical

- f. Session repeatedly spoke of the time of stepping down as something Ruling Elder Jason R. would have to be restored from at the end of.
 - i. The statement read to Ruling Elder Jason R. at the start of the session meeting on 1/25/20 says: "We propose to do this (take a sabbatical) in order to restore you to full active duty as soon as it is evident..."
 - ii. In an email from a session member to Ruling Elder Jason R. on 2/7/20, it was shared that a congregant "discerned, in my opinion, the heart of what we as a session had and still do hope for." This was for Ruling Elder Jason R. to eventually "be restored to leadership."
 - iii. Restoration is something that is done after someone has been disciplined, not part of the end of a voluntary stepping down, or a sabbatical. The consistent use of restoration, including stating that congregants understood session's aim, demonstrates that session imposed discipline on Ruling Elder Jason R. without a trial.
- g. After Ruling Elder Jason R. withdrew his request of a sabbatical on January 26th (due to session's insistence on making a public statement that seemed disciplinary and session's refusal to delay the announcement to allow Ruling Elder Jason R. to care for his family prior to making an announcement), session still made an announcement to the congregation on January 26th.
 - i. Session members in meeting with Ruling Elder Jason R. shortly before the announcement acknowledged that the announcement would be seen as disciplinary.
 - ii. The announcement was made at the end of the annual meeting, in the same time and format that disciplinary statements are normally made.
 - iii. The announcement was followed up by prayer that was the similar in nature to other prayers given for people under discipline.
 - iv. The announcement was received by many in the congregation as discipline.
- h. Session sent a letter to Ruling Elder Jason R. on 2/6/20 that stated that session had unanimously agreed about sin issues that Ruling Elder Jason R. had, and that Ruling Elder Jason R. had to "submit unconditionally" to session's correction while on a sabbatical, or that Ruling Elder Jason R. had to resign. This is essentially requiring indefinite suspension of office, or deposition.
 - i. If a Ruling Elder [Jason R.] were to resign, it is required that he shall "be counseled by the session concerning his decision. If, after such counseling, he persists in his decision, he shall be allowed to demit his office."² Session requesting that someone resign is at odds with this.
- i. On 2/9/20 a further statement was made to the congregation stating the following:
 - i. The issues/sins session believes Ruling Elder Jason R has.
 - ii. That session required decisive action.
 - iii. That the session members have all decided these issues are true.
 1. Again, this is without trial, without asking other witnesses about the allegations, without a defense being allowed, and contrary to what was stated during the 1/15/20 session meeting where half of the members of session said they had never seen these issues.
 - iv. That Ruling Elder Jason R. had to fully submit to session's plan or Session would ask him to resign; and if he didn't they would move to divestiture.
- j. At a meeting with congregants on 2/9/20, one of the elders stated that session had enough to charge Ruling Elder Jason R., but they were not going to do so.
- k. Several time Ruling Elder Jason R. stated that this whole situation should be done as formal discipline, but that was, and has been refused by session.
- l. Session held communications and agreed on documents and rulings together without including Ruling Elder Jason R. in these discussions, both before and after the announcement to the church. This was an effective suspension of office of Ruling Elder Jason R.
 - i. On 1/11/20, Teaching Elder Francis VanD. sought to change the purpose of the next meeting from what was agreed to at the previous session meeting on 1/7/20, into

² FOG.XXVI.4.b

- something different (a meeting with a Congregant) by speaking to all of the session members besides Ruling Elder Jason R. and trying to get them to agree.
- ii. On 1/24/20, Ruling Elder Jason R. had called Teaching Elder Francis VanD. to inquire if the session meeting was still happening the next day and to see if there was a plan for it (an agenda) besides just hearing from his response to the request for sabbatical
 1. Teaching Elder Francis VanD. stated that it was happening, but that there was no plan and they would just hear it and figure it out from there.
 2. Teaching Elder Francis VanD. inquired where Ruling Elder Jason R. was leaning; Ruling Elder Jason R. gave a summary of his desire to take a sabbatical for rest, during which he would work on any issues; and that he would explain it more at the session meeting the next day.
 - iii. On 1/24/20, Teaching Elder Francis VanD. sent an email out to session stating "It would be helpful if we could meet at 2 (without you, Jason) in order to talk about how to run the meeting, etc. Are you okay with that Jason? If not, we will just meet at two and figure it out then." To which Ruling Elder Jason R. replied, "I would prefer to just meet at 2 as planned and figure it out."
 1. Ruling Elder Jason R. replied as such since he and Teaching Elder Francis VanD. had spoken earlier, and he wanted to present where he was to session and not have it filtered through Teaching Elder Francis VanD.
 - iv. The meeting held on 1/25/20, which was originally for the purpose of hearing Ruling Elder Jason R.'s response to the request to take a sabbatical, started with Teaching Elder Francis VanD. making a statement that began "We, your brothers on the session of NHOPC have determined...". After it was read there was a coordinated sharing of issues/concerns with Ruling Elder Jason R. This statement was then given to Ruling Elder Jason R.
 1. This was contrary to the communication received by phone and email previously, and demonstrated that there was communication and even a decision to present a document agreed by session, without Ruling Elder Jason R. included. This was also an apparently agreed upon switch to the agenda for the meeting without any input from, or notice to, Ruling Elder Jason R.
 - v. In follow-up emails it was clarified by an elder regarding that meeting that "The biggest thing we needed to accomplish today was for him to hear our perspective that we see that he is guilty of the evidence we presented today and that there would be consequences for it and that there would be no more negotiating about his guilt in those matters"
 1. This shows that the determination and decision had been made by session without Ruling Elder Jason R. This is essentially the holding of a session meeting (and trial, and verdict), and all of the related communications, without the presence of Ruling Elder Jason R.; effectively removing him from the duties of his office without doing proper discipline.
 - vi. In a letter to Ruling Elder Jason R. on 3/3/20, Teaching Elder Francis VanD. stated that the other members of session did email back and forth to prepare for the meeting on 1/25/20, and the statement was prepared prior to the 1/24/20 phone call (which was somewhat contrary to what was said on the phone call).
 1. This again shows session communication being made and purposely excluding Ruling Elder Jason R.; an effective censure of him.
 - vii. When discussing the sabbatical, it was stated that even during a sabbatical of Ruling Elder Jason R., any issues related to Congregant Aimee B., or Genevan Commons would need to include Ruling Elder Jason R., and he would need to be at those session meetings. Despite this, Session communicated, and held meetings about these items without the presence of Ruling Elder Jason R..
 - viii. Since the time of the 1/25/20 session meeting, Ruling Elder Jason R. has been excluded from all session communications, has not been provided minutes or agendas

for any session meetings, and has not even been informed of the dates or times of session meetings.

2. The Session used grounds for discipline that were not consistent with the Book of Church Order.
 - a. While session was not doing formal discipline (and should have been, as discussed above), the grounds for charges in our BOCO are rooted in wisdom, and should have been followed.
 - b. The examples given for evidence included:
 - i. Examples that were more than two years old, including items 5 years old. This is contrary to BD III.2.
 - ii. Speculation of how others might have felt, without confirmation from the people if they actually felt this way and if the reason they felt this way was due to Ruling Elder Jason R. being sinful or deficient in his actions.
 1. An example would be that they stated that someone felt more comfortable talking to a different elder about a situation, and this was used as an example of failure on the part of Ruling Elder Jason R.
 - iii. Examples where the person had never spoken to Ruling Elder Jason R., but instead spoke to another Elder, and Matthew 18 was not followed. This was acknowledged, but still used as examples. This is contrary to BD III.5.
 1. Matthew 18 was not followed in many if not most of the examples given.
 2. These situations were never brought to Ruling Elder Jason R.'s attention to rectify or reply to, and often it was never made clear what the actual fault or wrong was, as some of the examples from session were just that people were hurt without specifics.
 3. The one person who brought a concern to Ruling Elder Jason R. (one of the elders) acknowledged in a meeting with congregants on 2/11/20 that after he brought the concern to Ruling Elder Jason R., Ruling Elder Jason R. changed how he interacted with the Elder and in a positive way, and in future interactions these same concerns were lessened or had ceased all together. This was acknowledged at the same meeting as the only example of someone who had come to Ruling Elder Jason R. prior to this situation.
 - iv. Examples that were only one session member's opinion of the situation, and other witnesses have a completely different viewpoint of the situation. Other witnesses account would be more in line with how Ruling Elder Jason R. had interpreted the situation, and other witnesses did not see any fault by Ruling Elder Jason R.
 - v. Examples that would be better categorized as personality issues. I.e., Ruling Elder Jason R. makes statements so strongly that it makes Teaching Elder Francis VanD. feel dumb to disagree.
 - vi. Examples of Ruling Elder Jason R. not agreeing with everything that was said in the previous meeting. This would be along the lines of 'If you don't agree with what we accuse you of that is evidence of what we accuse you of.' This is contrary to the procedures in the Book of Discipline.
 - vii. For the majority of examples, one person's opinion of the situation was taken as fact without speaking to any other witnesses about the situations. When other witnesses have been talked to subsequently, the impression of the situations have been vastly different, and others did not witness or see the charged behavior.
 - viii. In all, the examples given have been few (less than 10) and many of these examples did not meet the grounds required in several areas.
 1. I.e. an example where the issue happened 5 years ago, the person never followed Matthew 18, and the one other person in the conversation didn't agree with the assessment of it.
 - c. Session made determinations of guilt without hearing witnesses, or allowing the accused to defend himself, which is contrary to the Book of Discipline.
 - i. When reaching out to many people in the congregation, including those with frequent interactions with him, no one that Elder Jason R. has talked to has stated that they have experienced these issues. This includes all those in the small group he leads,

members of edification committee, trustees, and other congregants. Many of these people have been in situations where the offenses have been alleged, and have not experienced or seen the alleged offenses. This demonstrates that allowing witnesses to be brought, as the Book of Discipline allows, could have given a different perspective to session members.

- ii. When the accusations were first brought on 1/15/20 against Ruling Elder Jason R., 3 of the other 6 session members said they had never seen these issues or heard of them in Ruling Elder Jason R.
 1. Instead of verifying and seeking outside witnesses to confirm something that they had never seen, they took the opinion of Teaching Elder Francis VanD. as the truth. One of the Elder's has continued to say to congregants in meetings that he had never seen or heard of any of the sins/issues identified.
- iii. Ruling Elder Dave M. said he had seen the issues identified.
 1. The example given by Ruling Elder Dave M. came in a discussion during Edification Committee on having a woman teach Adult Sunday School. A congregant on the committee made a statement that essentially said that New Hope should just teach the congregants what is right (women teaching adult Sunday School), and that they shouldn't be upset by a woman teaching an Adult Sunday School class. Ruling Elder Jason R. responded to that statement by saying that the majority of the OPC does not have women teach adult Sunday School classes. Ruling Elder Dave M. said that Ruling Elder Jason R. using outside sources in this way was an example of the issues of control. No other members of the edification committee were invited to state whether they saw this as an issue, and there were no witnesses interviewed.
- iv. Ruling Elder John W. said that he inferred issues from what congregants said, and that one or more congregants had made a comment to him regarding Ruling Elder Jason R., but he never told them to follow Matthew 18 and talk to Ruling Elder Jason R., and he himself had never spoken to Ruling Elder Jason R. about those concerns he heard.
- v. Teaching Elder Francis VanD. was the main one with allegations.
 1. Some situations that were mentioned were areas where Ruling Elder Jason R. and Teaching Elder Francis VanD. disagreed, and Teaching Elder Francis VanD. saw it as domineering. However, in subsequent conversations with many members of the committees that these disagreements happened, none of the people Ruling Elder Jason R. has spoken to have stated that they saw it the same way Teaching Elder Francis VanD. saw it. None of these people were contacted and brought in as witnesses to verify the accuracy of these descriptions, and guilt was assumed without hearing the other side or hearing from witnesses, contrary to the BOD.
 2. Another example was a discussion between the wife of Teaching Elder Francis VanD., Ruling Elder Jason R. and a congregant. When subsequently asking the other congregant their opinion of the situation, the congregant said they saw nothing wrong in how Ruling Elder Jason R. acted in that situation.
- vi. In an email between session on 1/25/20, it was stated that in the meeting where they presented their charges, "The biggest thing we needed to accomplish today was for him to hear our perspective that we see that he is guilty of the evidence we presented today and that there would be consequences for it and that there would be no more negotiating about his guilt in those matters." This was before hearing any other side on these issues, or talking to witnesses about these issues. This declaration of guilt was made without even having a trial or following any of the procedures in the BOD required to declare guilt.
- vii. Ruling Elder Jason R. defending himself and desiring to give his side of the situation, which is consistent with the BOD, was used as examples of being controlling.

- viii. This situation occurred, despite a recent situation with Ruling Elder Jason R. and a congregant, in which Teaching Elder Francis VanD. admitted that he wrongfully believed what the congregant said without hearing the from Ruling Elder Jason R., and acted prejudicially towards Ruling Elder Jason R., similar to what Proverbs 18:17 refers to. Despite this, session continued to act in a similar manner towards Ruling Elder Jason R., believing one side without hearing from the other.
 - d. Session never determined if this situation was one that is serious enough to warrant a trial, per BoD 3.7.b.
 - i. No preliminary investigation was done into the accusations, instead what was said was taken as true and serious enough without examination of it.
 - ii. Some of what Teaching Elder Francis VanD. has alleged might better be seen as a personality difference. They have been related to how he feels when Ruling Elder Jason R. has a strong opinion that is not in line with his opinion – how it makes him “feel dumb”.
 - iii. Several members of the congregation who have met with Teaching Elder Francis VanD. and session have come to the conclusion that much of this is a personality difference, and not something as serious as it has been taken, and not something that required the disciplinary actions that have been enacted. This was even stated to the session members present at a meeting of congregants and session on 2/11/20.
 - iv. In a meeting with congregants on 2/9/20, one of the Ruling Elders stated that they didn’t think this situation was that big of an issue. This was after an announcement was made to the congregation that Ruling Elder Jason R. must resign or submit unconditionally to session’s idea of a sabbatical, or be divested. This statement about the seriousness of the situation seems contrary to the actions taken by session.
3. The Session used threats to force discipline and censure without a trial.
- a. The session sent a letter on 2/6/20 to Ruling Elder Jason R. stating that he had to agree to “submit unconditionally” to them in this area, and be on sabbatical, or else they recommended that he should resign. Session gave Ruling Elder Jason R. 24 hours, during a workday, to respond to this request.
 - b. Ruling Elder Jason R. replied to that letter, stating that he needed “time to consider, pray, discuss with (his) wife, and to receive counsel” and that he would “give the session an answer by noon on Thursday, February 13th.” Session replied to email on 2/8/20 stating they had “moved to grant you until Thursday noon to respond to our latest letter. At that point you can choose to take the sabbatical/stepping back from eldering duties according to our latest letter, or choose to resign from being an elder at New Hope. If you choose neither, we will move forward with divestiture.”
 - c. Session made an announcement to this effect after service on 2/9/20, stating that Ruling Elder Jason R. had to submit to sabbatical the way session wanted it to be, or resign, or they would do divestiture. They made this announcement prior to even hearing Ruling Elder Jason R.’s response.
 - d. All of these are examples of saying that Ruling Elder Jason R. had to agree to be censured (admonishment and suspension) or resign (essentially removal from office, again censure) or else session would do divestiture. These are clear threats to force censure without going through a trial.
4. The session repeatedly did not seek to have congregants follow Matthew 18.
- a. Session members repeatedly spoke of unidentified people who were hurt by Ruling Elder Jason R., and acknowledged that they listened to those people without telling them they should first follow Matthew 18 and first speak to him. These people were used as examples and none of the people given as examples had spoken to Ruling Elder Jason R., and none of these people still have spoken to him.
 - b. Session Members have admitted they didn’t encourage those who they were using as examples to follow Matthew 18.
 - c. In the session meeting on 1/25/20, Teaching Elder Francis VanD. used an interaction between his wife and Ruling Elder Jason R., and one other congregant as one of his

examples. Teaching Elder Francis VanD. stated that he hoped his wife would eventually talk to Ruling Elder Jason R. about this but had not yet (and still has not to this day). Teaching Elder Francis VanD. still used this as an example and shared it among session, despite Matthew 18 not having been followed (and without talking to the other person present, who saw the interaction differently).

- d. Teaching Elder Francis VanD. admitted that he, himself, shared concerns clearly with Ruling Elder Jason R. for the first time on 1/14/20, despite having these concerns for some time, and having let these concerns wrongfully influence his interactions with Ruling Elder Jason R. Despite this lack of following Matthew 18, he believed that Ruling Elder Jason R. needed to step down from being an elder immediately, even though the concerns had never been given time to be addressed.
 - e. The Draft announcement for 1/26/20, that was to be read about Ruling Elder Jason R. before he withdrew his sabbatical, specifically instructed the congregation to come to one of the elders if they had any concerns about Ruling Elder Jason R.'s actions, instead of following Matthew 18 and going directly to him.
 - f. Teaching Elder Francis VanD. said he believes there are 6 people, besides session members, who are hurt in some capacity by Ruling Elder Jason R.. To Ruling Elder Jason R.'s knowledge, none of those people have spoken to him about any of the hurt. Despite this, Teaching Elder Francis VanD., and other session members, have continued to speak to others, even in group situations, about how Ruling Elder Jason R. has sinned/hurt these people, and have not followed, or required these congregants to follow Matthew 18.
 - g. In a meeting at Ruling Elder Jason R.'s house on 2/12/20, a Session member stated that they had to make an announcement to the church for the hurting people, what else could they do for them. Ruling Elder Jason R. replied that they could have directed them to follow Matthew 18. This same sentiment was present in emails and other conversations; the need to make a public announcement for the hurt (who are unnamed, and whose situations have not been verified or examined). This shows the intention among session to go to the "tell it to the church" portion of Matthew 18, despite never following the first two steps in Matthew 18.
5. The session acted in unnecessary hastiness, sought to force unnecessary hastiness in decisions, had unreasonable expectations of response, and did not allow time to pray, seek counsel, or fully consider measures.
- a. When issues were first brought by session to Ruling Elder Jason R., it was acknowledged that these issues had never been brought to him before, and that he had not been given time to ever work on them or interact with anyone mentioned who was hurt. It was still decided that it was necessary to have Ruling Elder Jason R. immediately go on sabbatical, and not allow time to work on any issues or to consider anything.
 - b. When session determined that the sabbatical was happening, it was then decided to make the announcement the very next day, despite the opposition to that from Ruling Elder Jason R.
 - c. In response to the draft announcement of the sabbatical, and the decision to make the announcement the very next day, Ruling Elder Jason R. sent an email on 1/25/20 asking to delay the sabbatical announcement.
 - i. Ruling Elder Jason R.'s wife had pleaded with a session member to delay this announcement to give time to talk to the children and family about this.
 - ii. Ruling Elder Jason R. stated in the email "I would like the time to consider how to break this to my family and inform them and care for them, I would like time to consider this prayerfully while not rushed and to give it the full weight it deserves, I would like time to get outside counsel on this situation, I would like time to prepare myself for the situation, and I would like time to consider whether I should stay an Elder at New Hope."
 - d. The response to this request from Ruling Elder Jason R. was at first to give consent, but then there was pushback by several session members. Session members said the announcement had to be done immediately, and session members accused Ruling Elder Jason R. of "manipulation and "abusing the system" and of "stubborn refusal to submit to his brothers requests."

- e. After Ruling Elder Jason R. withdrew his sabbatical request, stating he would let them know if he was taking one, or resigning, or doing something else, session still insisted on doing an announcement to the congregation the very next day.
 - i. Some of this was driven by a congregant informing session she would say something if they did not make an announcement.
 - f. Session's first announcement on 1/26/20 was confusing to many in the congregation due to its hastiness, among other reasons. Session then made another announcement the following Sunday, which was also confusing. Session then made a third announcement the following Sunday. Each announcement was made and decided on quickly, without the time to review it or give it prayer or consideration.
 - g. Many congregants pleaded with the session to slow down and consider what they were doing; to take their time; to involve Presbytery; and to behave less hasty. However, Session did not heed any of these pleas and still insisted on making decisions immediately without time to consider or seek input from Presbytery.
 - h. On 2/6/20, a Thursday (and a long workday for Ruling Elder Jason R.), at 11:58am, session sent an email to Ruling Elder Jason R. asking him to "submit unconditionally", or resign, and then told him he had until noon on February 7 (24 hours) to respond. This is an example of the Session having unreasonable expectations and seeking to force extreme hastiness upon Ruling Elder Jason R.; not allowing a reasonable time to make a weighty decision, and to give it full consideration.
 - i. Ruling Elder Jason R. responded to this demand saying that he needed a week to pray and consider it. Session still determined to make an announcement to the congregation about what they thought, without waiting for the answer. This announcement, made on 2/9/20, was full of assumptions as to what Ruling Elder Jason R. had intended or was saying to them, without clarifying with him on any of the assumptions.
 - j. What prompted this letter from session was their incorrect interpretation of an email from Ruling Elder Jason R.. Session did not seek to clarify what was meant by the email, and made determinations based on their assumptions about the email. When session members finally met with Ruling Elder Jason R. on 2/12/20, they understood their wrong assumptions and withdrew the requirement to answer either of the ways they had demanded.
 - k. The total time from when the issues were first brought up as a session to Ruling Elder Jason R. on 1/15/20 (Teaching Elder Francis VanD. had done so a day earlier on 1/14/20) until they made an announcement to the church on 2/9/20 that Ruling Elder Jason R. need to submit, resign, or divestiture would be done was three and a half week; 25 days. During this time session made three different announcements to the congregation. Often, due to this time crunch, announcements were drafted in a day or less (sometimes edited the morning of church), conflicting messages were given to congregants, assumptions were made that could have been clarified, and there was no time for consideration, prayer and counsel in these weighty decisions.
 - l. Ruling Elder Jason R. was in a busy season of work, as session knew, was working long hours, while trying to care for his wife, 5 children, and extended family. Session put unreasonable expectations of responses and consideration to demands and statements by session on Ruling Elder Jason R., without giving adequate time to pray, to seek counsel, to meet with the congregants to get other perspectives of situations, and to discuss this fully with his wife and family.
6. The Session used the justification of administrative discipline and divesture in incorrect ways, and used them for situations that would be more consistent with judicial discipline.
- a. Session repeatedly justified their actions by calling it discipline but saying it was "administrative discipline" and therefore session did not need to go through any formal process.
 - i. This is contrary to the definition of administrative discipline, defined as something that is "concerned with the maintenance of good order in the government of the church in other than judicial cases. The purpose of its exercise is that all rights may be preserved and all

- obligations faithfully discharged³,” as opposed to judicial discipline which is concerned with “with the prevention and correction of offenses, an offense being defined as anything in the doctrine or practice of a member of the church which is contrary to the Word of God. The purpose of judicial discipline is to vindicate the honor of Christ, to promote the purity of his church, and to reclaim the offender.⁴”
- ii. Administrative discipline is generally actions related to Chapter II of the Book of Discipline; items related to adding and removing members from rolls. The action done was related to alleged sin issues, which would fall under judicial discipline, not administrative discipline.
 - iii. Session still enacted the effects of judicial discipline; admonishment and suspension of office, while labeling it administrative discipline.
 - iv. If the Church is allowed to do discipline to members or officers, and enact the censure of discipline, all while not following the procedures required by judicial discipline simply by referring to their actions as administrative discipline, this would have the effect of negating the power and protections in the section of the Book of Discipline related to judicial discipline, and making Chapters III and IV of the Book of Discipline irrelevant.
- b. Session publicly stated they would do divestiture for sin issues, which is contrary to FOG XXVI.1 and XXVI.2.
- i. FOG XXVI.1 states “An officer may be divested of his office, or deposed, by judicial discipline for an offense in doctrine or life. Such divestiture, or deposition, shall be in accordance with the provisions of the Book of Discipline.”
 - ii. FOG XXVI.2 states “An officer may also be divested of his office without censure, for reasons other than delinquency in faith or life.”
 - iii. The issues session identified as concerns with Ruling Elder Jason R. include “idols/issues of power, control, ownership, office or rank. Argumentative, manipulative and dismissive, rigid and domineering.⁵” These accusations are of sin and must be dealt with according to the provision in the BOD, not with divestiture.
 - iv. Ruling Elder Karl K. stated to congregants at a meeting on 2/9/20 that he believed that they could do charges against Ruling Elder Jason R., but they would choose to do divestiture instead. The categories are not overlapping, but are separate, and if they could be done as charges, they must, according to FOX XXVI.
- c. Session did not follow proper procedures for divestiture, if they intended to do it.
- i. In the email from session on 2/8/20, session stated that if Ruling Elder Jason R. did not do a sabbatical according to session’s latest letter or chose to resign, they would “move forward with divestiture”
 - ii. In the announcement to church on 2/9/20, session stated “If he will submit to the path that the elders have directed, and temporarily step down from elder duties to wholeheartedly respond to these issues, that will be the path we take. If he does not fully submit to this plan, then the session will ask him to resign his position as an elder. If he does not do this, the session will move for divestiture, which is an official process for removal from office.”
 - iii. The process for divestiture, according to the FOG, is for the session to first allow the officer to respond: “The officer in question shall be given the opportunity at a meeting of the session to defend his continuance in office or to demit the office.” (FOG.XXVI.4.a.(1)). It is only after that meeting, that the question is made to the congregation. Session never gave Ruling Elder Jason R. a chance, at a session meeting, to defend his continuance, or to demit the office. Instead session made an announcement about it, with the rationale for it, to the congregation. This is against the procedures laid out in the BOCO.

³ BOD I.2

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BOD

I.3

⁵ Statement read to and given to Ruling Elder Jason R. by session on 1/25/20

As amends, the complainant respectfully asks the session to:

1. Make an announcement to the congregation that session erred in making the announcements it did about Ruling Elder Jason R.. Clarify that Session did not follow proper procedures and made accusations about Ruling Elder Jason R. that were not proven, and should not have been made.
2. Allow Ruling Elder Jason R. to be on a regular sabbatical, for rest, until September 1, 2020. Clarify that this does not prevent him from serving or participating in the life of the church, consistent with ways he served prior to going on sabbatical, or ways he served prior to becoming a ruling elder. Make an announcement to the congregation clarifying this.
3. Clarify to the congregation that Matthew 18 should be followed, and that session will resolve not to hear accusations against elders or others without those people first following Matthew 18.
4. Include Ruling Elder Jason R. on all session communications and provide him with copies of session agendas and minutes.
5. Request a committee of Presbytery be appointed to moderate meetings and help resolve issues between Ruling Elder Jason R. and Teaching Elder Francis VanD., as well as the rest of session.

Jason R., Complainant

Date: 3/25/2020