

## **The charges brought against Rev. Francis Van D. and the New Hope Session**

This document describes the way the PMA handled the charges brought against the New Hope Session and Rev. Francis VanD. by four members of the New Hope congregation.<sup>1</sup>

Particularly the second set of charges brought by the session against Mr. Jason R. struck some in the congregation as hypocritical. The session, in their opinion, was charging Mr. Jason R. with doing the very same things that they had done.<sup>2</sup>

The session had made a public statement, in response to the PMA upholding the complaint brought by Mr. Jason R.<sup>3</sup>, in which they acknowledged that they should not have accused him without proper process.

The session's public statement acknowledged that they should not have made public announcements and that they erred in doing so.<sup>4</sup> Some sections of the announcement are below.

One of our main errors was to make public announcements regarding concerns with [Mr. Jason R.]. We did this at a congregational meeting one week, during a service the next week, and at the end of a service the week after. This was wrong of us. We should not have announced our assessment of Jason's faults to the church in that way, especially in the third, longer announcement.

Though it was not our intent to discipline [Mr. Jason R.], the result of our action is that he suffered the effects of discipline, without the safeguards and protection of a formal discipline process. We recognize that this has been confusing and upsetting to some in the church, but it has been especially devastating to the R. family...

All of us on the Session want to offer our sincere and humble apologies to J., to K., to P., L., H., C., and O.. We were wrong. Our actions have hurt you deeply, and we ask your forgiveness for this. We also want to apologize to those in the congregation who have been hurt or distressed by the Session's actions. We have been earnestly seeking to care for the people and the needs of this church, but in some key ways, we failed in this. We are sorry for this. Please forgive us.<sup>5</sup>

*My note: This was in my opinion a good and honest apology. It was limited in scope, an apology touching on the substance of the complaint, which was the method: public announcements rather than charges.*

The session explicitly limited the scope of their apology, as they wrote to Mr. Jason R.:

“We erred in making public statements about those concerns before the congregation. When our error was brought to Presbytery, they corrected our procedural mistakes and we sought to own them, and their

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1 See the charges themselves in the documents “Charge Against Francis VanD” and “Charge Against Session Member.” Other than the charge against Rev. VanD, the charges were all exactly the same.

2 Private email to me from Mr. Billy R.

3 See Document “Actions of New Hope and the Complaint against it”

4 The session responded well to the complaint, and ran the apology by our committee so that we saw what their thinking was. The complaint was solely about process, and did not touch on the substance of the disagreement one way or another. Mr. Jason R. saw the presbytery upholding his complaint as maximalist, the session saw it as minimalist, indeed a “request” by presbytery that the session charge Mr. Jason R.

5 Announcement to Congregation

effects on you and your family. However, our concerns with you still remain. Our initial concerns with your eldering have not been addressed, and in the interval since January, many of those concerns have been amplified or added to.<sup>6</sup>

However, some in the congregation viewed the session's actions as sinful, and not merely error. When they brought these concerns to the session they were not satisfied with the session's response.

The particular response of the session to one member, Mr. Billy R., was as follows:

"If you believe that Session, or individual members of Session, have acted sinfully and are unrepentant, you can file charges. Every Session member is accountable to the Session as a whole, and to Presbytery. The Session as a whole is accountable to the Presbytery as well. While a complaint can only be filed regarding an error of officially recorded Session actions, charges of sin function differently."<sup>7</sup>

When the session responded in that way, Mr. Billy R., along with three other members of the congregation, took the session at their word, and filed charges.

This document is not about whether I think the charges would have been successful, or should have been. It is about how the PMA responded to these charges.

*In my opinion the response was a torturous death by a thousand cuts in which any possible action to address the concerns of members of the New Hope congregation was stymied time and time again. As a result no action has ever been taken on the charges. The numerous disorderly attempts to dismiss them apart from trial or deposition of any witnesses were entirely successful. Justice delayed was indeed justice denied. This document records those actions.*

The charges were received by the clerk of the PMA March 21, 2021. The clerk notified the Presbytery March 22, 2021.<sup>8</sup>

Following the instructions from their session, the chargers brought individual charges of sin against each of the members of session. The majority of the charges were for corporate actions of the session, though some charges addressed individual actions by Rev. Francis Van D.

The charges in form were almost exactly the same language as the charges brought against Mr. Jason R. by the session. In essence the chargers were accusing the session of hypocrisy.<sup>9</sup>

The charges were forwarded to an ad hoc committee of Rev. Stu J. and Rev. Tom M. They reported at the PMA meeting of May 1, 2021.<sup>10</sup>

The actions of the PMA are recorded in the minutes:

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6 Email from the Session to Mr. Jason R. 11/2/2020

7 Email from Francis Van D. to Billy R. 9/9/2020

8 Email from clerk of presbytery to members of presbytery

9 See the charges against the session side by side with the charges (Trial #2) against Mr. Jason R.

10 See their report: "Charges before PMA-2021 in re J. Rundell and New Hope Officers (defs)"

On motion, Presbytery accepted the first recommendation of the Ad Hoc committee:

Find corporate act charges out of order, i.e.

- H. and all similarly charged (per H. enumeration): Charge 1, Specifications 1-4; Charge 2, Specifications 1-3; Charge 3, Specification 1 (publicity)
- H. and all similarly charged (per H. enumeration): Charge 1, Specification 6 (remarks at trial)
- H. and all similarly charged (per H. enumeration): Charge 3, Specification 2 (remarks at PMA)

Mr. Monaghan asked that his negative vote be recorded in the minutes.

On motion, Presbytery accepted the following recommendations of the Ad Hoc Committee:

- Find Charges re open letter out of order, i.e. H. and all similarly charged (per H. enumeration): Charge 1, Specification 5; Charge 2, Specification 4. (Recommendation 2)
- Find Charge 3, specifications 3 and 4 out of order. (Recommendation 3)
- Find charge (two counts) against Mr. VanD. in order but potentially in need of fixing [BD III.7.b], in the following revised form: (Recommendation 4b):

Mr. VanD. did commit the 9th commandment offense of improperly disparaging Mr. R's good name (thereby failing to keep the peace, purity and the unity of the church and contrary to his ordination vow).

- Specification 1 (count 1): On February 11, 2020, Mr. VanD., in an open session meeting, gave examples of sins Mr. R. was alleged to have committed apart from the filing of formal charges.
- Specification 2 (count 2): On February 13, 2020, Mr. VanD., in a meeting of the congregation, gave examples of sins Mr. R. was alleged to have committed apart from the filing of formal charges.

- If Presbytery deems that a charge of charges by the accusers may not go to trial, defer the question of whether censure should be considered (for faulty charge[s]) until the completion of the Jason R. appeal. (Recommendation 5)

- Agree to assume prosecution. (Recommendation 6a)

As a consequence of the motion, all charges except for those against Mr. VanD. as per Recommendation 4b were dropped.

By common consent the charge against Mr. VanD. was fixed to the following:

Mr. VanDelden did commit the 9th commandment offense of improperly disparaging Mr. R's good name (thereby failing to keep the peace, purity, and the unity of the church and contrary to his ordination vow).

- Specification 1 (count 1): On February 11, 2020, Mr. VanD, in an open meeting, gave examples of sins Mr. R. was alleged to have committed apart from the filing of formal charges.
  - Specification 2 (count 2): On February 13, 2020, Mr. VanD, in an open meeting, gave examples of sins Mr. R. was alleged to have committed apart from the filing of formal charges.
- Witnesses those in previous (unfixed) charge [Clerk's note: These witnesses per the unfixed charge are Mr. William R., Ms. Paige P., Mr. VanD., Mr. M., Mr. K., and Mr. Jason R.].  
Scripture: Ex. 20:16 inter alia

Constitution: WLC 145

Seriousness: See parentheses in charge proper [failure to keep the peace, purity, and the unity of the church and contrary to his ordination vow] and BD III.

Presbytery moved to adjourn the current discussion and consider the report of the Ad Hoc Committee to examine the Appeal in a special meeting, after which it will appoint prosecutors and determine the first date of trial.<sup>11</sup>

The presbytery did not finish their docket, and the consideration of the appeal brought by Mr. Jason R. against the conviction by the New Hope session was postponed until an adjourned meeting at the call of the moderator.<sup>12</sup>

The adjourned meeting was scheduled for June 26, 2021.<sup>13</sup>

After the May 1 meeting and before the June 26 adjourned meeting, the Rev. Bryan E. called the moderator questioning whether the actions of the May 1 meeting had actually happened. The following description is from a the apology the PMA asked the clerk of the PMA to draw up, apologizing to all involved for the Presbytery's mishandling of the charges. [Again names have been redacted by me]:

Following the 1 May 2021 meeting, after draft minutes were sent out for review, a member of presbytery made a telephone call to the Moderator and expressed his concern that the minutes were not clear as to whether the charge against Mr. Francis VanD. had been found to be serious enough to warrant a trial, and that this could be used as a basis of appeal if the accused should subsequently be convicted. The Moderator phoned the Stated Clerk to discuss this. The Moderator and Stated Clerk proposed to edit the draft minutes of the 1 May 2021 meeting to state that the presbytery must next determine whether the charge was serious enough to warrant a trial, and that this proposed change must be openly announced. The proposed change appeared as follows:

“Presbytery moved to adjourn the current discussion and consider the report of the Ad Hoc Committee to examine the Appeal in a special meeting, after which it will appoint prosecutors and determine the first date of trial determine whether the charges, if proved true, would constitute an offense serious enough to warrant a trial in accordance with Book of Discipline III, 7.”

This proposed change generated considerable controversy at the 26 June 2021 Adjourned meeting. As a consequence, the minutes of the May meeting presented for approval at the September Regular Meeting reverted to the original wording, as follows:<sup>14</sup>

The PMA met in adjourned session June 26, 2021.

In that meeting the Presbytery took a number of actions, as described below:

On motion, Presbytery determined that it did not satisfy the requirement to determine “whether the charge, if proved true, would constitute an offense serious enough to warrant a trial” BD III, 7.b(6) with

<sup>11</sup> Minutes of the PMA 5/1/2021

<sup>12</sup> Minutes of the PMA 5/1/2021

<sup>13</sup> Email from PMA clerk 5/13/2021

<sup>14</sup> Draft of letter of apology (written by stated clerk) dated 11/2/2022. The approved language of the minutes is cited above.

respect to the charges against Mr. Francis VanD. in the May meeting.

Mr. Stu J. asked that his negative vote be recorded.

A motion was brought to dismiss the charged as not being serious enough to warrant a trial. It was seconded.

Presbytery moved to postpone the determination of whether the fixed charge against Mr. Francis VanD. is in order to the September meeting of Presbytery, and to give notice to the accusers that they might attend.

Mr. Stu J. gave notice that at the September meeting he intends to bring a motion to rescind the motion to dismiss the charge against Mr. Francis VanD., and to amend it by finding the charge against him serious enough to warrant a trial.<sup>15</sup>

The majority of the meeting was spent hearing the appeal from Mr. Jason R. Presbytery did not finish its business and postponed the remainder of the time hearing the appeal until the next meeting.<sup>16</sup>

On June 28, 2021 the Rev. Stu J. filed a complaint against the PMA's action (complaint #1):

And now, this 28th day of June, A.D. 2021, comes Stuart R. J. and complains against the action of the Presbytery of the Mid-Atlantic in connection with its decision at an adjourned meeting on June 26, 2021, viz. that Presbytery in its May 1, 2021 did, in effect, not fulfill the requirement of the Book of Discipline in its process of finding a charge in order against a certain ministerial member of Presbytery. Specifically (and without complainant's aid of draft minutes at this time), Presbytery erred by deciding that Presbytery did not act to find the charge in said case serious enough to warrant a trial.<sup>17</sup>

At the stated meeting of September 18, 2021, the majority of time was spent completing the work of the appeal of Mr. Jason R. against his conviction by the New Hope Session.<sup>18</sup>

The presbytery installed a new moderator, the Rev. Phil P. pastor of Sterling OPC.

Further movement on the charges was as follows:

The Moderator was requested to make a ruling on whether or not the fixed charge against Mr. VanD. was serious enough to warrant a trial.

The Moderator ruled that the fixed charge against Mr. Francis VanD was serious enough to warrant a trial.

The Moderator's ruling was challenged.

The challenge was withdrawn and Presbytery proceeded to debate the question: that the fixed charge is serious enough to warrant a trial.

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15 PMA minutes of 6/26/2021

16 PMA minutes of 6/26/2021

17 Complaint #1 filed 6/28/2021 delivered to presbytery via email 9/16/2021 – before the stated meeting of 9/18/2021

18 See the Document "The Second Trial" for

On motion Presbytery determined to continue this business in an adjourned meeting in October.<sup>19</sup>

The presbytery did not complete its business (including disposing of the complaint) and determined to continue business at an adjourned meeting in October.<sup>20</sup>

The PMA met in adjourned meeting October 9<sup>th</sup>, 2021.

The Presbytery resumed the business of the charges against Rev. Francis VanD.

a. Charge against Mr. Francis VanD.:

i. Having reached the order of the day, the Moderator called the PMA to continue its preliminary investigation into the charge brought against Mr. VanD. begun during its May 1, 2021 meeting, and continued at its September 18, 2021 meeting.

ii. The Moderator stated the preliminary investigation question before the presbytery was as follows: Pursuant to BCO BOD III.7.b(6), whether the charge, as fixed by presbytery during its May 1, 2021 meeting (see May 1, 2021 meeting minutes at draft page 7), if proved true, would constitute an offense serious enough to warrant a trial?

iii. Mr. Jones raised a point of order concerning the propriety of a speaker using the word “retaliation” when referring to those who filed the charge against Mr. VanD. and failing to address the form of the question. Moderator ruled that the point was not well taken. Mr. J. challenged the moderator’s ruling. The ruling of the Moderator was sustained. Mr. J. requested that his negative vote be recorded.

iv. Mr. C. [Rev. Chris C. minister in the PMA and pastor of Trinity Refomed Presbyterian church Lanham MD] raised a point of order that during speeches, presbyters should address the Moderator from same location in the meeting room. The Moderator ruled that the point was not well taken. Mr. Chris C. challenged the Moderator’s ruling. The ruling of the Moderator was sustained.

v. By voice vote, the PMA determined that the charge against Mr. Francis VanD., as fixed by the PMA during its May 1, 2021 meeting (see May 1, 2021 meeting minutes at draft page 7), did not constitute an offense serious enough to warrant a trial. 10-09-2021 PMA Minutes October 9, 2021 draft 1 3

vi. Mr. J. requested that his vote in favor of finding that the charge against Mr. Francis VanD. did constitute an offense serious enough to warrant a trial, be recorded.<sup>21</sup>

At this point the order of the day was reached for continuing the Appeal of Mr. Jason R.<sup>22</sup>

After recess the presbytery returned to the matter of the charges against Rev. Francis VanD.<sup>23</sup>

The Presbytery took the following actions :

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<sup>19</sup> PMA minutes of 9/18/2021

<sup>20</sup> PMA minutes of 9/18/2021

<sup>21</sup> PMA minutes of 10/9/2021

<sup>22</sup> PMA minutes of 10/9/2021. See document “The Second Trial” for that account.

<sup>23</sup> PMA minutes of 10/9/2021.

iii. It was moved that the two objections submitted by counsel for New Hope OPC, as well as the ad hoc committee's response to such objections, be entered into the file of the PMA's Stated Clerk, but the substance of them not recorded in these minutes. The motion carried.

c. It was moved that those who signed the charges against the elders of New Hope OPC and Mr. Francis VanD be held harmless for the accusations brought against the elders of New Hope and against Mr. Francis VanD. The motion carried. Mr. Bryan E. requested that his negative vote be recorded.

*My note: In the midst of an extraordinary document I find it necessary to add another extraordinary element. Normally I would not comment on a floor speech, but the speech given by Rev. Bryan E. was so vicious that it seems necessary. Rev. Bryan E. spoke against the motion,<sup>24</sup> and did so in a manner which was profoundly harsh. Twice times it was necessary for Rev. Stu J. to raise points of order, since Rev. Bryan E. repeatedly accused those bringing the charges of sin in his speech. He insisted that it is far worse to charge a minister than an elder, and sought that the presbytery should rebuke those bringing the charges. We should be reminded here that those bringing the charges were doing exactly what their session had told them they ought to do – indeed there were no other options – if they believed the session and Rev. Van D. had sinned.*

*It must be further noted that this speech was made facing the accusers and not directed to the moderator as normal Presbyterian good order requires. The request by Rev. Bryan E. to make this speech facing the accusers was the impetus for the point of order raised by Mr. Chris C. See point iv. above.*

d. It was moved that the PMA request that the session of New Hope OPC consider requesting the Visitation Committee of the PMA to provide counsel and assist with reconciliation. The motion carried.

e. Mr. Dan C. prayed for Mr. Jason R., and the session and congregation of New Hope OPC.

It should be noted that the complaint from Rev. Stu J., though docketed for this meeting, was never acted on, either on the floor or forwarded to a committee. Rev. Stu J. had requested that it be sent on to a committee to be heard at the December 2021 stated meeting.<sup>25</sup>

On October 11, 2021 the Rev. Stu J. filed a protest, signed also by two other PMA ministers, Rev. Tony M. (the author of this document) and Rev. Damon Y. (pastor of Grace and Peace Presbyterian Church, California MD).

“The undersigned hereby protests the action of the presbytery of the Mid-Atlantic, taken at an adjourned meeting of Presbytery on October 9, 2021 to find a certain charge against a certain ministerial member of Presbytery not serious enough to warrant a trial.”<sup>26</sup>

On October 25, 2021 a second complaint was filed, again by Rev. Stu J.

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<sup>24</sup> See his negative vote recorded above

<sup>25</sup> Email from Stated Clerk to the PMA 10/14/2021

<sup>26</sup> See “Protest” 10/11/2021

And now, this 25th day of October, A.D. 2021, comes Stuart R. J. and complains against the action of the Presbytery of the Mid-Atlantic on October 9, 2021 in connection with finding a manifestly serious charge of offense not serious enough to warrant a trial.<sup>27</sup>

An ad hoc committee had been formed (Rev. Chris C. and RE Steve D., Kotctin OPC) to examine the two complaints to report to the PMA at its December meeting.<sup>28</sup>

Below are the actions of the PMA with regards to the two complaints and the one protest:<sup>29</sup>

Report of the Ad Hoc Committee to consider two complaints and one protest filed by Mr. Stuart J.

Mr. Chris C. reported for the committee.

Upon motion, Presbytery determined to handle the recommendations from the committee as a series of independent requests. The committee's report handled the complainant's two complaints, as well as his protest, in three parts.

### **Part One: Complaint #1 (June 28, 2021)**

On recommendation from the committee Presbytery moved to find the June complaint be found timely, in order, and properly before the Presbytery.

On recommendation from the committee Presbytery moved to sustain the June complaint.

On recommendation from the committee Presbytery moved to acknowledge its error in failing to find the two motions of the June 26, 2021, adjourned meeting out of order and acknowledge that it had completed the preliminary investigation of the charge in question during its May 1, 2021, stated meeting.

The committee recommended the following motion:

to apologize to the parties involved with the charge in question (i.e., the signers of the charge and the accused), as well as to the New Hope session and the members of the New Hope congregation, for its procedural errors committed during the preliminary investigation.

Presbytery approved this recommendation as amended:

to apologize to the parties involved with the charge in question (i.e., the signers of the charge and the accused), as well as to the New Hope session for its procedural errors committed during the preliminary investigation.

On recommendation from the committee Presbytery deferred consideration of the committee's fifth recommendation (to dismiss the charge in question against Mr. Rev. Van Delden) until after consideration of the June Complaint (also known as Complaint #2).

### **Part Two: The Protest**

On recommendation from the committee Presbytery moved to find the Protest timely filed, in order, and properly before the Presbytery.

On recommendation from the committee Presbytery moved to read, or appoint a member to read, the

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<sup>27</sup> Second complaint – sent to the PMA by email from the clerk 12/1/2021

<sup>28</sup> Docket of 12/4/2021 meeting sent by the clerk to the PMA 12/3/2021

<sup>29</sup> PMA minutes of

Protest to the judicatory, and that the protest be recorded in the meeting minutes in accordance with BOD VIII.2:

*PROTEST* [I have omitted the text of the Protest here]<sup>30</sup>

On recommendation from the committee Presbytery amended the committee's recommendation and moved to remain silent to the Protest in its minutes.

### **Part Three: Complaint #2 (October 25, 2021)**

On recommendation from the committee Presbytery found the October Complaint be timely, in order, and properly before the Presbytery.

The Moderator ruled that given Robert's rules of order<sup>31</sup>, the actions taken by Presbytery following the May 1, 2021 meeting regarding the case to be null and void.

On recommendation from the committee Presbytery amended the recommendation to be in the positive: *Shall the Complaint be sustained?*

Following the Moderator's ruling, Complaint #2 was withdrawn by the Complainants.

On recommendation from the committee Presbytery amended the committee's recommendation to find the charge not readily prosecutable or profitable to the best interests of the church, and that the amends to Complaint (#2) withdrawn be considered as a series of independent motions.

At this point the presbytery recessed for lunch and continued its work after.

Complaint #2 (continued)

The amends sought by the complainants:

1. That presbytery acknowledge that it erred by voting to find that improperly disparaging a member of the church, then in good and regular standing, was not an offense serious enough to warrant a trial;
2. That presbytery communicate this finding (amend1) to the original accusers and the accused.
3. That presbytery direct Committee on Visitation to investigate whether adequate measures were or have been taken by the pastor to alleviate concerns reflected in the charge concerning remarks allegedly made at public meetings on Feb 11 and 13, 2020 that was recently before PMA.
4. That presbytery direct the Committee on Visitation to make a detailed report of who they interviewed, their findings, and to bring any recommendations that seem warranted concerning how healing may be promoted. Also that the Committee consider whether the wording of FG XXVI.4 may have contributed to careless ways of communicating and whether this section of the FG should be amended (cf. Backstory, page 2).

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<sup>30</sup> See the "Protest" document for the full text

<sup>31</sup> Robert's Rules of Order 10.39.35: "*Motions that conflict with the corporate charter, constitution, or bylaws of a society, or with procedural rules prescribed by national, state, or local laws, are out of order, and if any motion of this kind is adopted, it is null and void.*" This footnote appears in the minutes themselves.

On motion Presbytery substituted Amend 1 with the following: That the Ad Hoc committee be tasked with drafting circumstances to explain the previously passed motion, that is, the decision to not follow through with prosecution.

On motion Presbytery tasked the Ad Hoc committee to draft circumstances explaining the previously passed motion, that is, the decision to not follow through with prosecution.<sup>32</sup>

On motion Presbytery dismissed Amend 2.

On motion Presbytery directed the Committee on Visitation to investigate whether adequate measures were or have been taken by the pastor to alleviate concerns reflected in the charge concerning remarks allegedly made at public meetings on Feb 11 and 13, 2020 that was recently before PMA.<sup>33</sup>

On motion Presbytery amended Amend 4 by striking the second sentence “Also that the committee consider whether the wording of FG XXVI.4 may have contributed to careless ways of communicating and whether this section of the FG should be amended (cf. Backstory, page 2).”

On motion Presbytery directed the Committee on Visitation to make a detailed report of who they interviewed, their findings, and to bring any recommendations that seem warranted concerning how healing may be promoted.

On Motion Presbytery created an Ad Hoc committee to examine FOG XXVI as well as the portions of the FOG dealing with Pastoral Search Committee, and to bring recommendations to changes in the BCO.

On motion Presbytery dissolved the Ad Hoc Committee to examine charges against New Hope Session, as well as the Committee to study the R. appeal, with thanks.

On February 2, 2022 I filed a complaint against the action of the PMA to dismiss the charges.<sup>34</sup>

“...complains against the action of the PMA at its 12/4/21 meeting in connection with the motion to dismiss charges against Frances Van D., finding “the charge not readily prosecutable or profitable to the best interests of the church.”<sup>35</sup>

The complaint was forwarded to an ad hoc committee to examine. The ad hoc committee was made up of Rev. Stu J. and Rev. Andrew M. (pastor of Bethel Reformed Presbyterian church, Fredericksburg VA).<sup>36</sup>

The PMA met May 7, 2022.

At the May 5, 2022 meeting the ad hoc committee reported and the complaint was heard:

Mr. Andrew. M. reported for the committee.

On recommendation from the committee Presbytery found the complaint in order and properly in order

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32 This response is detailed in a document titled “Second Report of the Ad Hoc Committee To Consider Complaints and Protest Filed by Mr. Stuart Jones.” This response was presented to Presbytery May 7, 2022.

33 A further discussion of what the committee on visitation actually did is below.

34 Email response from the clerk acknowledging receipt of the complaint. In that email I acknowledged my sin in not protesting the action at the time.

35 Complaint filed 2/2/2022

36 See the document “Ad-Hoc Committee Report on Monaghan Complaint– April 27, 2022”

before the presbytery.

On recommendation from the committee Presbytery amended the committee's procedural considerations to give the complainant ten minutes to address the issue.

Mr. Tony M. spoke to his complaint for the allotted time, after which the committee responded.

On motion the Presbytery denied the complaint.  
On motion Presbytery dissolved the committee.<sup>37</sup>

On May 14, 2021 I gave notice to the PMA clerk that I planned to appeal to the General Assembly.<sup>38</sup>

The text of the appeal was:

And now, this 2nd day of February, A.D. 2022, comes Anthony M. and complains against the action of the PMA at its 12/4/21 meeting in connection with the motion to dismiss charges against Frances Van D., finding "the charge not readily prosecutable or profitable to the best interests of the church."

As I noted in the introductory document the General Assembly's Standing Committee on Appeals and Complaints received this document as well the introductory overview document, these documents being most germane to the specific appeal before the assembly.

The two provided documents were never forwarded to the General Assembly Advisory committee (AC 10), though the chairman of the committee, Rev. Brad P. requested and received these documents. The committee as a whole, without ever seeing them, voted not to read them. Further, at the 2023 GA, Mr. Ken B., clerk of the PMA (and for full disclosure member of the Session on which I served) attempted to bring the PMA's apology letter to attention of Mr. John M. (chair of the GA's Standing Committee on Appeals and Complaints). Mr. John M. was not interested in the apology letter.<sup>39</sup>

The member of the General Assembly's Standing Committee (the Rev. Scott W.) did not recuse himself from that vote, despite being named in these documents, and having given the advice to the session to accuse Mr. Jason R. without due process.<sup>40</sup>

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<sup>37</sup> PMA minutes of 10/9/2021

<sup>38</sup> Email to stated clerk 5/14/2022

<sup>39</sup> Private testimony from Mr. Ken B.

<sup>40</sup> Testimony of John Mallin, chair of GA's Standing Committee, during the hearings of AC 10.