

THE PRESBYTERY of RIVERSIDE
Committee on Ministry

Dissolution of Pastoral Relationships

I. Statement of Purpose

The pastoral relationship is very important; often deeply personal; and in some cases, lifesaving to the people in a congregation. This relationship evolves through study, teaching, preaching, administering the sacraments of Baptism and the Lord's Supper, weddings, funerals, presence in crises, and prayer with and for members of the congregation. In cooperation with the ruling elders and deacons of the church, the pastor works to encourage the people in worship and service of God, equipping them for their tasks within the church and their mission in the world. In all of these relational dimensions, there are elements of trust, confidence, admiration, affection, care and love.

The ending of the pastoral relationship and the resulting changes, which occur in the life of the congregation, are often stressful and traumatic. Therefore, in the light of the Book of Order and the best traditions of the Presbyterian Church, the following guidelines represent what most pastors and congregations will want to do as they work through the changes in their respective lives.

Most dissolutions of a pastoral relationship are without conflict, usually because the pastor wishes to accept a new Call or to enter into Honorable Retirement. Even in such cases, careful adherence to these guidelines and the drafting of a dissolution agreement to cover such matters as ending date, unused vacation, medical coverage for a bridge period, and resolution of any loans the pastor may have from the congregation, can result in a smooth, conflict-free transition. Although dissolution of the pastoral relationship also may occur following efforts to resolve conflict within a congregation, this document does not include the steps that should be taken to resolve such conflict. It does, however, cover the procedure for dissolution and guidelines for dissolution agreements for situations in which efforts at conflict resolution result in dissolution. The Presbyterian Church is connectional in that the presbytery, local congregation, and minister are all parties to the pastoral relationship. We covenant to care for one another. As Scripture teaches [Matt. 18: 15-35], when conflict arises all possible steps to resolve the conflict short of dissolution should be taken. Dissolution agreements for ministers not moving immediately to a new Call are to serve as a bridge from one call to another in a vocation where mobility is limited.

This policy does not apply to the termination of interim or temporary pastoral relationships or to the termination of a designated pastorate at the end of its agreed-upon term.

It is incumbent upon the departing pastor to make sure that parishioners know the point in time at which his or her relationship with the congregation will come to an end. It is important that members of the congregation understand that the dissolution of the pastoral relationship is necessary in order that the congregation be free, in all respects, to make the adjustments needed to effectuate changes in church leadership, without undue influence from the departing pastor.

II. Book of Order

The relevant provisions of the *Book of Order* are:

G-2.0901: An installed pastoral relationship may be dissolved only by the presbytery. Whether the teaching elder, the congregation, or the presbytery initiates proceedings for dissolution of the relationship, there shall always be a meeting of the congregation to consider the matter and to consent, or decline to consent, to dissolution.

G-2.0902: A pastor, co-pastor, or associate pastor may request the presbytery to dissolve the pastoral relationship. The minister must also state her or his intention to the session. The session shall call a congregational meeting to act upon the request and to make recommendations to presbytery. If the congregation does not concur, the presbytery shall hear from the congregation, through its elected commissioners, the reasons why the presbytery should not dissolve the pastoral relationship. If the congregation fails to appear, or if its reasons for retaining the relationship are judged insufficient, the request may be granted and the pastoral relationship dissolved.

G-2.0903: If any congregation desires the pastoral relationship to be dissolved, a procedure similar to G-2.0902, above, shall be followed. When the congregation requests that the session call a congregational meeting to dissolve its relationship with its pastor, the session shall call the meeting and request the presbytery to appoint a moderator for the meeting. If the pastor does not concur with the request to dissolve the relationship, the presbytery shall hear from him or her the reasons why the presbytery should not dissolve the relationship. If the pastor fails to appear, or if the reasons for maintaining the relationship are judged insufficient, the relationship may be dissolved.

G-2.0904: The presbytery may inquire into reported difficulties in a congregation and may dissolve the pastoral relationship if, after consultation with the minister, the session, and the congregation, it finds the church's mission under the Word imperatively demands it.

G-2.0905: After the dissolution of the pastoral relationship, former pastors and associate pastors shall not provide their pastoral services to members of their former congregations without the invitation of the moderator of session.

III. Process for Dissolution

The need for dissolution of the pastoral relationship comes about for a variety of reasons, thus the procedures and the nature of financial arrangements may vary with the reasons for dissolution. In light of the three-party relationship [pastor-congregation-Presbytery] the Committee on Ministry must be immediately notified and participate in the process of dissolution, including negotiation of the dissolution agreement. The goal in each instance is fairness to all parties in light of the reason(s) for dissolution.

A. Minister seeks dissolution.

1. Personal reasons or to receive a new call. When a minister seeks to dissolve the pastoral relationship for personal reasons (including retirement) or to receive a

new call, the minister shall make the request to the presbytery by notice in writing to the chair of the Committee on Ministry and shall advise the session.

2. Conflict with congregation. If efforts to resolve a conflict with the congregation result in the minister seeking to dissolve the pastoral relationship, the minister shall make the request to the presbytery by notice in writing to the chair of the Committee on Ministry and shall advise the session.

B. Congregation seeks dissolution.

1. Reduction in force. Dissolution because of the elimination of a position, budget reduction, for other circumstances due to no fault of the minister, is at the discretion of the congregation, upon recommendation of the session and with the approval of presbytery. When the session determines that it will recommend such dissolution to the congregation it shall send notice in writing to the chair of the Committee on Ministry.
2. Conflict with minister. If efforts to resolve a conflict with the minister result in the session recommending to the congregation that the pastoral relationship be dissolved, the session shall send notice in writing to the chair of the Committee on Ministry.
3. Cause. Separation for cause shall include, but is not limited to:
 - Documented unsatisfactory performance.
 - Abuse or misconduct.
 - Insubordination.
 - Neglect in the care and use of church property or funds.
 - Conduct inconsistent with presbytery standards or ordination vows.
 - a. Issues regarding performance of clergy shall be addressed by session in performance reviews. Documentation shall be clear, thorough and substantial.
 - b. The Committee on Ministry is available to assist sessions in designing and implementing a process for evaluation and review. The Committee on Ministry is also available for consultation and counsel in conflict situations.
 - c. Only after all reasonable attempts at resolution have failed should termination negotiations begin. Separation for cause shall be clearly documented and thoroughly substantiated. The policies and procedures for separation for cause spelled out herein shall be followed in a consistent manner. All meetings, conversations and agreements in this process shall be recorded in a written form.

C. Presbytery seeks dissolution.

1. Conflicts requiring presbytery involvement. If there are serious difficulties within the life of a congregation, the Committee on Ministry shall seek reconciliation through a variety of methods. If the Committee on Ministry is unable to settle difficulties, then it may recommend to Presbytery that an Administrative

Commission be formed for the purpose of settling such difficulties. The Administrative Commission shall then follow the directives of the *Book of Order* [G-3.0109b] and make appropriate recommendations to the presbytery. These recommendations may include the dissolution of the Pastoral relationship and/or the assuming of original jurisdiction of the church by the Administrative Commission. The Commission may also recommend to the congregation the terms of a severance agreement with the minister.

2. Urgent need for dissolution. The Committee on Ministry may decide that it will recommend to the presbytery that a pastoral relationship be dissolved immediately. In such cases, the minister will be interviewed by the Committee on Ministry and be given an opportunity to present his or her case and will be informed of the Committee's recommendation. The minister will be advised that the Presbytery must vote on such a recommendation and that the minister will be given an opportunity to address the Presbytery on his or her own behalf.
3. Sexual misconduct. In cases of sexual misconduct, the Sexual Misconduct Policy of the Presbytery and the provisions of the *Book of Order* will be followed.

D. Additional steps in the dissolution process.

After initial contact with the Committee on Ministry, the following procedures shall be followed:

1. The session, or a committee designated for this purpose, will negotiate a dissolution agreement with the minister in accordance with Part IV and submit the proposed agreement to Committee on Ministry for approval usually at the time of requesting dissolution of the pastoral relationship.
2. Upon approval of the proposed agreement by the Committee on Ministry, the session will call a meeting of the congregation for the purpose of approving separately the dissolution and the dissolution agreement.
3. A copy of the proposed dissolution agreement will be made available to the members of the congregation no later than the date of the first call for the meeting.
4. Originally the pastor will moderate the meeting unless the pastor deems it inadvisable to do so. If the pastor deems it inadvisable to moderate, the Pastor will appoint a moderator in accordance with G-1.0504, or may request the Committee on Ministry to appoint a moderator. The congregation will vote on the dissolution of the call and then the dissolution agreement.
5. If the congregation approves the dissolution agreement and the minister and congregation are in agreement, the Committee on Ministry may dissolve the relationship on behalf of the Presbytery, and report their action at its next meeting for approval/ratification pursuant to G-2.0901. Otherwise, the dissolution and agreement will be presented to presbytery at its next meeting.

IV. Dissolution Agreement

The dissolution agreement (or agreements) sets the terms for the termination of a pastoral relationship, and cover such matters as termination date, unused vacation pay, interim medical coverage, resolution of loans the minister may have from the congregation, and like matters. Settling these matters clearly and documenting the arrangements in writing avoid possible conflicts at the time of departure. Severance payments for ministers not moving immediately to a new call are to serve as a bridge from one call to another in a vocation where mobility is limited, and are spelled out in the dissolution agreement.

The terms of dissolution shall be set forth in a written agreement. The terms are negotiated, in consultation with the Committee on Ministry, between the session, or a committee designated for this purpose, and the minister, and ultimately agreed to by the congregation. The agreement is subject to approval of the Presbytery, through authority delegated to its Committee on Ministry. In determining the specific terms of dissolution consideration must be given to the reason(s) for dissolution, the financial ability of the congregation and the circumstances of the minister. The agreement shall include an effective date of dissolution.

A. Financial Terms.

1. Salary and Housing. The parties may agree to continuation of salary and housing allowance or use of manse beyond the date of dissolution, depending on the cause for dissolution.
 - a. Personal Reasons. When the minister seeks dissolution for purely personal reasons or to accept a new call, there shall be no continuation of salary and housing allowance beyond the date of dissolution. Use of the manse beyond the date of dissolution may be considered in the negotiations.
 - b. Dismissal for Cause. When the Pastoral Relationship is dissolved for cause there shall be no continuation of salary, housing allowance or manse use beyond the date of dissolution.
 - c. Reduction in Force. Six month's notice or continuation of salary and housing allowance in lieu of notice will ordinarily be granted. If the minister has served the church for 10 years or more, up to 9 months may be considered.
 - d. Conflict. When the dissolution is the result of conflict, the parties may negotiate continuation of salary and housing allowance. No more than six months continuation shall be granted. If the minister has served the church for ten years or more, up to nine months may be considered.
2. Vacation Leave. Regardless of the reason for dissolution, all unused annual vacation leave shall be taken in advance of the date of dissolution or the cash

equivalent paid. Vacation leave shall be prorated at a rate of two and one-half days per month served in the current year.

3. Study, Sick, or Sabbatical Leave. Regardless of the reason for dissolution, there is no entitlement to study, sick, or sabbatical leave not taken in the ordinary course before dissolution and none shall be granted nor paid for at dissolution.
4. Professional Allowances. Allowances for professional, travel, entertainment, books, or other expenses shall not be paid after the date of dissolution.
5. Pension/Medical. Payments to the Board of Pensions shall be made coincident with any continuation of salary and housing allowance. When terms of call have included compensation for medical expenses not paid under the provisions of the Board of Pensions Medical Plan, this compensation may continue for the period of time that salary is to continue.
6. Loans/Equity Sharing. Outstanding loans and equity sharing arrangements are to be settled in accordance with the loan or equity sharing agreement. Such loans are part of the terms of call of the pastor and any forgiveness of such loans, unless provided for in the loan documentation, constitutes a change in call that must be approved by the congregation and the Presbytery. The Committee on Ministry will be consulted prior to negotiating any such agreement.
7. Arrangements for Payment when there is a Severance Agreement.
 - a. When a minister finds full-time employment prior to the end of the agreement, the church's financial obligations shall end on the beginning date of full-time employment. When a minister accepts part-time employment, severance pay shall be reduced by the pay received in such part-time employment. The minister shall report all changes in employment status to Committee on Ministry.
 - b. Presbytery does not assume financial liability for severance agreements.
 - c. In order to avoid contact between the former minister and the church, financial arrangements shall be paid through the Presbytery office or a payroll service when the severance agreement becomes effective. When the church uses the Presbytery office, the church shall fulfill the terms of the agreement by forwarding money to the Presbytery at least seven days prior to the respective due dates according to the billing process already in effect at the time of settlement. The Presbytery shall make respective payments to the minister after receipt of payments from the church. There shall be no contact between the former minister and the church.
 - d. Lump sum payments of salary and housing are not permitted. Payments shall be made monthly or on the regular church schedule if by a payroll service.

- B. Other terms which will be part of any severance agreement which provides for compensation following the date of dissolution:
1. The minister's responsibilities include abstinence from any pastoral duties and congregational or church sponsored activities, and accountability to Committee on Ministry with regard to progress in a search process towards employment. The minister shall not conduct worship services unless approved by the Committee on Ministry, or in accordance with specific guidelines established by the Committee on Ministry as soon after the dissolution as possible. A minister, who – following a single warning – conducts such shall immediately forfeit all of his or her remaining financial payments under this Severance Agreement.
 2. A minister who makes inappropriate contacts with his or her former church shall be sent (by regular mail to the last known address) two written warnings by the Committee on Ministry. Upon a third violation the severance agreement will become null and void. Remaining financial payments under the Severance Agreement shall be forfeited.
 3. In cases other than reduction in force, personal reasons accepted by Committee on Ministry, retirement, or the acceptance of a new call, the minister must meet at least monthly with a counselor mutually agreed upon by the minister and the Committee on Ministry and paid for by the minister, or using the Employee Assistance Program of the Board of Pensions. Failure to meet these expectations will result in forfeiture of all unpaid financial payments under the Severance Agreement.
 4. The Church shall be obligated to pay "vacancy dues" to the Board of Pensions for a period of twelve months in accord with current Board of Pensions policies. [2013 rate: 12%.]

V. Separation Ethics

The use of the term "ethics" implies certain expectations which are important to consider during the often highly charged experience of the dissolution of the pastoral relationship. Such expectations include:

- a) effective leadership;
- b) congregational health and stability;
- c) the growth of pastor and congregation in dealing with the pain and problems of separation; and
- d) the ability of the Session and congregation to move positively and effectively toward the next phase of their life together.

While these expectations apply to the conduct and responsibilities of both the pastor and the congregation regarding their separation, the pastor is the one in the primary leadership role and therefore, the one who has the responsibility for making sure that the separation is accomplished with foresight, effectiveness and in a professional manner.

A. Responsibilities of the Departing Pastor

1. To the Congregation

Certain things need to be communicated clearly in order to avoid confusion on the part of members in the days ahead. This communication should be accomplished by a letter addressed to the congregation spelling out clearly matters which are part of the separation; and by remarks during Sunday worship containing references to the impending separation; in addition to casual conversations and in newsletters. In all contacts with people of the congregation, it is important that the following matters be communicated and every effort made to have them understood:

- a) that all pastoral and professional relationships and responsibilities of the pastor with the congregation will end as of the effective date of the dissolution;
- b) that the pastor will not be involved in any way in the selection process of either the interim or the next installed pastor. Neither will he or she be involved in any way with the selection of any search team or pastor nominating committee;
- c) that the pastor, after leaving, will not become engaged in conversations with church members or staff which, in any way, offer opinions or criticism about the life of the congregation or the performance of the interim or any subsequent installed pastors;
- d) that any desire on the part of members of the congregation for the departing pastor to participate in congregational life or services should be discussed not with the departing pastor, but with the interim or subsequent installed pastor;
- e) that the departing pastor may participate in a wedding, a funeral, or a baptism of the congregation, after the date of dissolution, only by invitation of the interim pastor or installed pastor, who shall be the officiant. This applies to all services whether held in the church or in community facilities.

2. To Individual Members of the Congregation

It is important that, with particular friends, it be made clear that the pastoral relationship will come to an end. This does not mean that friendships must come to an end. Friendships are priceless and are to be preserved, but there is a special responsibility on the part of the departing pastor to prevent friendships from becoming confused with the pastoral relationship. The pastoral functions of counseling, calling, conducting weddings, funerals, or baptisms are not appropriate. Neither is the rendering of opinions or judgments about the ministry of the former church or its pastor. Pursuant to G-2.0905, if the former pastor receives a request to return to the congregation for a particular occasion, it is important for her or him to remind those making the request that the present pastor is the one to whom the request initially should be made.

In any social context, where the former pastor is with friends or other members of the former congregation, it is the responsibility of the former pastor to be sure that he or she voices no criticism or evaluative comments about the new leadership of the congregation. It is recommended that the pastor sever all social media connections with members of the congregation, and that he or she not initiate new contacts with members of his or her former congregation; this is particularly important with younger members of the congregation and youth.

3. To the Remaining Staff and Personnel of the Church

The former pastor has a responsibility to the remaining staff and personnel of the church in the following ways: a) to prepare them for the separation that will occur; b) to encourage them to receive and welcome the interim pastor and the next installed pastor and be prepared to alter working patterns and relationships as may be needed; and c) to make clear that he or she will not be available for counsel or advice regarding the life and work of the church.

4. To the Interim and Subsequent Installed Pastors

The former pastor has a responsibility to the interim pastor, and to subsequent installed pastors, to insure that any requests that come to him or her for services in the former congregation be redirected by the requesters to the interim pastor or installed pastor. It is important that, when any request comes to the former pastor, she or communicate to the current pastor that contacts have been made. There should be no pastoral functions of any kind performed by the former pastor without the prior invitation or request of the current pastor. As a general rule, former pastors should avoid Sunday worship with their former congregations for a period of at least one year from their date of departure or the installation of the new pastor, whichever is longer.

Should any community, non-church function call the former pastor back into the community for public appearance of whatever nature, as a courtesy, the former pastor should inform the current pastor of the fact and the nature of the occasion

B. Responsibilities of the Session

1. To the Departing Pastor

Following the pastor's decision to request dissolution of the pastoral relationship, the session should give support and encouragement to the pastor in the implementation of the decision. This can be done by assisting the pastor in interpreting the meaning of the end of the pastoral relationship to the congregation, and, if need be, to the wider community. As a caring expression of closure, it is appropriate for the session to arrange for an occasion when the congregation, the community and pastor may formally say goodbye.

2. To the Congregation

The session will want to be sensitive to the feeling of loss experienced by members of the congregation while demonstrating through their actions the meaning of the end of the pastoral relationship. It is important that session acknowledge the congregation's need to grieve the loss, regardless of the reason for the dissolution of the pastoral relationship.

Additional session leadership may be needed in the transition period so that worship, congregational life, and fellowship may continue. The session can help the members of the congregation by encouraging them to see this time as an opportunity for growth and change. It can be a time for listening to individuals and groups in the congregation. It can be a time for examining present life, ministry, and service, and to be open to new possibilities. It is important that the congregation be prepared for change and for new pastoral leadership.

C. Responsibilities of the Committee on Ministry

1. To the Interim and Next Installed Pastors

The Committee on Ministry shall review these guidelines with the interim pastor and the next installed pastor and be available for counsel should any difficulties arise regarding relationships with the former pastor.

Pastor

Date

Clerk of Session

Date

Committee on Ministry Representative

Date

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