Presbytery of NATIONAL CAPITAL (Presbytery) v. OFFICE OF THE GENERAL ASSEMBLY

This remedial case of original jurisdiction has come before this Commission from Complainant, Presbytery of National Capital (Presbytery), against the Office of the General Assembly. The Presbytery’s complaint asserts that an irregularity occurred when the Stated Clerk and the Associate Stated Clerk of the General Assembly released an April 4, 1997, “Polity Reflection” which provided certain “advice” regarding a recent amendment to the Book of Order, G-6.0106b, known informally as “Amendment B.”

After conducting a hearing under D-6.0308b, this Commission has concluded that the release of the “Polity Reflection” does not constitute an irregularity under D-2.0202a. In so holding, we have not addressed the content of the “advice” set forth in the “Polity Reflection.”

Accordingly, Presbytery’s complaint is dismissed for failure to state a claim upon which relief can be granted. See D-6.0307d and D-6.0309.

In addition, it is ordered that the request by the Session of Saint Andrews Presbyterian Church to join the complaint be denied as not timely and properly filed as set forth in D-6.0202b. See Buonaiuto v. Presbytery of Long Island (Minutes, 1987, Part I, p. 120) and Presbyterian Church (U.S.A.) v. Tempelman (Minutes, 1985, Part I, p. 118).
Ruby Rodriguez, member of the Commission, was not present for the meeting of the Commission and, accordingly, took no part in the deliberations or decision of the case.

Dated this 21st day of September, 1997.