

NOTICE OF REMEDIAL COMPLAINT

On October 14, 2011, I received in my office via Certified Mail a "Statement of Complaint" signed by thirty two member/commissioners of the Presbytery of Los Ranchos alleging an irregularity at the September 15, 2011 meeting of this presbytery. The action in question was the adoption of a "Response to 10-A", a "...statement interpreting this presbytery's understanding of certain behavioral expectations of members."

The complainants allege that the action was irregular in the following particulars:

By this action the Presbytery of Los Ranchos is restating the Constitution and therefore obstructing the ongoing interpretation and implementation of the Constitution. PJC (Bush v. Presbytery of Pittsburgh, 2008)

By this action the Presbytery attempts to define, diminish, augment and/or modify standards for ordination and installation of church officers. PJC (Bush v. Presbytery of Pittsburgh, 2008)

The Presbytery of Los Ranchos is defining in advance "essentials" and declaring failure to adhere to these mandated essentials a bar to ordination and installation. . PJC (Buescher, et al. v. Presbytery of Olympia, 2008)

In addition a Request for a Stay of Enforcement was filed concurrently with the complaint asserting the above arguments regarding constitutionality and asserting the harm that would occur if the action was not stayed would be

(1) Notice of this policy will cause substantial confusion and serious conflict among our churches and their members regarding the essentials for ordination and installation of teaching elders by the Presbytery and ruling elders and deacons by the congregations.

(2) Teaching elders who may want to join our Presbytery will be dissuaded from seeking membership in the Presbytery of Los Ranchos.

The Presbytery received word on Thursday, November 3rd, that a Stay had been granted under the provisions of D-6.0103.

The Docket Committee of Council, acting under the provisions of Standing Rule 7.4, appointed the following Committee of Counsel to represent the presbytery in this complaint: D-6.0302: Teaching Elders Gary Watkins (Huntington Beach Christ) and Emily McColl (Laguna Niguel) and Ruling Elder Neal Wells (St. Andrew's) (Attorney). They had their initial meeting on Wednesday, November 2 and have become preparing a response on behalf of the presbytery. A response to the complaint will be filed by November 29th and to the Stay by 45 days following receipt of a physical copy of the Stay itself.

The above is presented to the presbytery for information only. All appropriate steps are being taken under the oversight of the Presbytery Council and the Stated Clerk's office. While in judicial process, there is nothing more that the presbytery may do (other than vote to rescind the action). Until such time as the PJC acts upon its Stay of Enforcement, the action related to 10-A has no standing within the presbytery.