

Stated Clerk Advisory Opinion

Moving Forward Implementation Commission Powers and Responsibilities

The 223rd General Assembly (2018) created an administrative commission titled the Moving Forward Implementation Commissionⁱ designed to:

1. Ensure compliance and implementation of the recommendations approved by the 223rd General Assembly (2018) from the Way Forward Commission (WFC) and the All-Agency Review Committee appointed by the 222nd General Assembly (2016).ⁱⁱ
2. Ensure continued implementation of collaborations and administrative actions underway as outlined in the Way Forward Commission report and the All-Agency Review Committee report.ⁱⁱⁱ
3. Coordinate with the Vision 2020 Team.^{iv}
4. Report findings (presumably on Items 1 and 2 above) and make recommendations to the 224th General Assembly (2020).^v
5. Secure outside consultant to address issues in 6/12/2018 Administrative Action Regarding Trust and Transparency.^{vi}
6. Evaluate Shared Services and report to 224th General Assembly (2020).^{vii}

In order to ensure compliance and implement the recommendations approved by the 223rd General Assembly (2018) from the Way Forward Commission and the All-Agency Review Committee report, the 223rd General Assembly (2018) approved the following responsibilities.

1. For Recommendation #1 approved by the 223rd General Assembly (2018), the General Assembly suggested that someone (not identified whom) delegate to the Moving Forward Implementation Commission (or to an existing or special committee or commission) the task of reviewing and ensuring the effectiveness of the changes to the Amended Bylaws of the Presbyterian Church (U.S.A.), A Corporation, revising the membership of its board of directors and selection of president.^{viii}
 - a. **The Stated Clerk so delegates this responsibility to the Moving Forward Implementation Commission (MFIC).**
 - b. The review should include a report to the current “A Corp” board with any additional recommended changes to such amended bylaws within one year.^{ix}

The committee should make itself available for a year following the conclusion of the 223rd General Assembly (2018) (through June 23, 2019) to consult with such governance committees, standing rules committees, and other committees and councils of the church as may wish for advice in conforming their bylaws or manuals of operations as necessary to the changes in board governance of “A Corp.”^x
 - c. The General Assembly approved a comment that goes to the heart of what the overall changes should accomplish and that is the delivery of particular services over some or all of the agencies. The comment called these services Shared Services, but deliberately did not define Shared Services.^{xi}
2. For Recommendation #2 approved by the 223rd General Assembly (2018), the General Assembly did not offer any specific requirement for review by the MFIC. This recommendation

specified a change to the *Manual of the General Assembly, Organization for Mission*, regarding the role of the Stated Clerk.^{xii}

3. For Recommendation #3 approved by the 223rd General Assembly (2018), the General Assembly required that the MFIC receive a report on 12/31/2019 from a committee appointed by the General Assembly to provide comprehensive resource projection analysis and summary assessment of national church assets and income for financial sustainability.^{xiii}
4. For Recommendation #4 approved by the 223rd General Assembly (2018), the General Assembly directed the six agencies to complete a race audit by 1/2019, to participate in a Diverse Voices Table, and to prioritize a Global Communications that would spread existing translation services across several agencies.^{xiv} The broader mandate to the MFIC to review and ensure effectiveness of any changes resulting from the implementation of these recommendations would include these initiatives.^{xv}
5. For Recommendation #5 approved by the 223rd General Assembly (2018), the General Assembly directed the creation of a Moving Forward Implementation Commission to review and ensure compliance and implementations of action on the above recommendations.^{xvi}

In order to ensure continued implementation of collaborations and administrative actions underway as outlined in the Way Forward Commission report and the All-Agency Review Committee report, the 223rd General Assembly (2018) approved the following responsibilities.

1. The 223rd General Assembly (2018) required the Moving Forward Implementation Committee (MFIC) to review the work of "A Corp, Board" and report any suggested changes to bylaws to the A Corp Board.^{xvii}
2. The 223rd General Assembly (2018) required that MFIC receive a report on financial sustainability on 12/31/2019.^{xviii}
3. The 223rd General Assembly (2018) required that MFIC review and ensure effective changes regarding race audit, diverse voices table, and global communications translation services.^{xix}
4. The 223rd General Assembly (2018) gave permission for MFIC to secure an outside consultant to address issues raised regarding trust and transparency.^{xx}

Finally, the 223rd General Assembly (2018) directed that the MFIC evaluate Shared Services and report to the 224th General Assembly (2020).^{xxi} The report shall include:

1. Itemized list of all services shared that might be contracted with other PC(USA) agencies to provide.^{xxii}
2. Assessment of transparency by which rent and all other fees are calculated and charged.^{xxiii}
3. Direct denominational agencies or corporation to provide financial documents.^{xxiv}
4. A Corp Board Composition.^{xxv}
5. Additional services that should or could be shared among agencies and Presbyterian Women.^{xxvi}
6. Recommendations for mid councils and congregations to contract for any and all shared services.^{xxvii}
7. Take any and all administrative action necessary to accomplish the MFIC vision with respect to the WFC initiatives and the June 5, 2018, Administrative Supplement.^{xxviii}

- a. The June 5 Administrative Supplement was comprehensive. This would include initiatives to:^{xxix}
- (1) Facilitate Six Agency Comprehensive Communications Plan,
 - (2) Creation of Diverse Voices Table,
 - (3) Require translation services move to Shared Services under A Corp,
 - (4) Creation of Mid Council Visioning Team,
 - (5) Oversee financial sustainability (with the Financial Sustainability Committee),
 - (6) Improve institutional culture including review of PMA use of legal, risk management, finance and accounting, and human resources (no mention of coordination with A Corp), and
 - (7) Review shared services policies and procedures among six agencies.

The General Assembly gave the Moving Forward Implementation Commission the power to take any and all administrative action necessary to accomplish the Way Forward Committee (WFC) initiatives as reflected in the recommendations approved by the General Assembly^{xxx} and the Administrative Supplement available to the General Assembly as information only. This administrative supplement provided the greatest outline for the recommendations and will provide a guide for the Moving Forward Implementation Commission as it engages in its reviews and evaluations.^{xxxi}

A question has arisen as to whether the Moving Forward Implementation Commission has the power to amend the Bylaws of the A Corp and the power to amend the *Manual of the General Assembly* including the *Organization for Mission*. The Moving Forward Implementation Commission was directed specifically to report to the Presbyterian Church (U.S.A.), A Corp, Board any changes it recommends to the A Corp Bylaws.^{xxxii} The A Corp Board is not empowered to make amendments effective immediately to the A Corp Bylaws, which differ from the A Corp Bylaws approved by the 223rd General Assembly (2018), but rather any amendments are not effective until approved and ratified by the General Assembly.^{xxxiii}

The *Manual of the General Assembly* including the *Organization for Mission* is amended only by the General Assembly. Because the 223rd General Assembly (2018) specifically approved amendments to the *Manual of the General Assembly*, which included a procedure for how the *Organization for Mission* may be amended^{xxxiv} and only empowered the MFIC to report to the General Assembly its findings to ensure compliance and implement the recommendations approved by the 223rd General Assembly (2018)^{xxxv} and to ensure continued implementation of collaborations and administrative actions underway,^{xxxvi} any proposed changes to the *Organization for Mission* shall be recommended to subsequent General Assemblies using the procedures approved in Chapter X of the *Organization for Mission* (OM).^{xxxvii} If following these procedures, the amendments are approved by the Presbyterian Mission Agency Board (PMAB) and/or the A Corp Board, the Moving Forward Implementation Commission could act to suspend the OM until such amendments were approved and ratified by the General Assembly.

ⁱ 223rd General Assembly (2018), Item 04-03, Recommendations 1 and 5.

ⁱⁱ 223rd General Assembly (2018), Item 04-03, Recommendation 5.(1).

ⁱⁱⁱ 223rd General Assembly (2018), Item 04-03, Recommendation 5.(2).

^{iv} 223rd General Assembly (2018), Item 04-03, Recommendation 5.(3).

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- v 223rd General Assembly (2018), Item 04-03, Recommendation 5.(4).
- vi 223rd General Assembly (2018), Item 04-03, Recommendation 5.(5).
- vii 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6).
- viii 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.f.
- ix 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.f.(1).
- x 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.f.(2).
- xi 223rd General Assembly (2018), Item 04-03, Recommendations 1–5, Comment.
- xii 223rd General Assembly (2018), Item 04-03, Recommendation 2.
- xiii 223rd General Assembly (2018), Item 04-03, Recommendation 3.
- xiv 223rd General Assembly (2018), Item 04-03, Recommendation 4.
- xv 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.f.
- xvi 223rd General Assembly (2018), Item 04-03, Recommendation 5.
- xvii 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.f.(1).
- xviii 223rd General Assembly (2018), Item 04-03, Recommendation 3.
- xix 223rd General Assembly (2018), Item 04-03, Recommendation 4.
- xx 223rd General Assembly (2018), Item 04-03, Recommendation 5.(5).
- xxi 223rd General Assembly (2018), Item 04-03, Recommendation 5.(5).
- xxii 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6)(a).
- xxiii 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6)(b).
- xxiv 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6)(c).
- xxv 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6)(d).
- xxvi 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6)(e).
- xxvii 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6)(f).
- xxviii 223rd General Assembly (2018), Item 04-03, Recommendation 5.(6)(g).
- xxix PC-Biz, Item 04- Info, June 5, 2018 Administrative Supplement.
- xxx 223rd General Assembly (2018), Item 04-03, Recommendations 1–5, Comment.
- xxxi PC-Biz, Item 04- Info, June 5, 2018 Administrative Supplement.
- xxxii 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.f.(1).
- xxxiii 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(2), Appendix 10, Bylaws of the Presbyterian Church (U.S.A.), A Corporation, Paragraph 2.
- xxxiv 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.h., Appendix 11, *Organization for Mission*. Manual of the General Assembly, Chapter X.
- xxxv 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.f., 223rd General Assembly (2018), Item 04-03, Recommendation 5.(5).
- xxxvi 223rd General Assembly (2018), Item 04-03, Recommendation 5.(2).

^{xxxvii} 223rd General Assembly (2018), Item 04-03, Recommendation 1.a.(3) and 1.h., Chapter X *Manual of the General Assembly, Organization for Mission*.