



# Proposed Changes to ECO Constitution Polity and Rules of Discipline for Presbytery Vote

## 2026 Synod

***ECO Constitution Polity & Rules of Discipline***  
**Proposed Changes for 2026**

**Table of Contents**

**Agenda.....3**

**PD-1 Amend Rules of Discipline Chapter 5. *Disciplinary Cases*, Section 5.4.....4**

**PD-2 Amend Rules of Discipline Chapter 5. *Disciplinary Cases*, Section 5.11.....5**

**PD-3 Amend Polity, Chapter Six, Section 6.02, section b..... 6**

**PD-4 Amend Polity, Chapter Three, Section 3.0204..... 7**

**PD-5 Amend Rules of Discipline, Chapter Three, Judicial Commissions, Section 3.1..... 8**

## **Agenda**

**Agenda for \_\_\_\_\_ Presbytery Meeting on \_\_\_\_\_, \_\_\_\_\_ 2026**

### **Time of Worship**

### **Call to Order**

### **Report of the Stated Clerk Approval of the Agenda**

### **Consent Agenda**

#### **PD-1: Clarifying Composition of Investigating Committee**

Amend Rules of Discipline Chapter 5. Disciplinary Cases, Section 5.4.

#### **PD-2: Clarifying Reimbursement of Expenses for Defense in Disciplinary Case**

Amend Rules of Discipline Chapter 5. Disciplinary Cases, Section 5.11.

#### **PD-3: Clarifying the procedure of adopting a change to the Constitution and the number of presbyteries needed.**

Amend Polity, Chapter Six, Section 6.02, section b by striking out “majority” and inserting “affirmative vote” and in section c by adding “A two-thirds affirmative vote of the presbyteries shall be required for adoption.”

#### **PD-4: Allow Synod Executive Council to Create or Modify a Region of Presbyteries**

Amend Polity, Chapter Three, Section 3.0204, by adding section j: “Create or modify a region of presbyteries to form a common Permanent Judicial Commission as specified in the Rules of Discipline” and propagate rules regarding election of members to these commissions that include more than one presbytery.”

#### **PD-5: Allowing for Regional Presbytery PJC Amend Rules of Discipline, Chapter Three, Judicial Commissions, Section 3.1 by:**

1. striking out “Each presbytery” and inserting “A single presbytery or a group of presbyteries known as a region created by majority vote of the Synod Executive Council”, and after presbytery in the first sentence inserting “or region.” Inserting the following sentence after the first sentence: “The Synod Executive Council shall establish a rule as to how members are elected to presbytery commissions that include more than one presbytery.”
2. By striking out “Once five (5) presbyteries have been established, the synod shall elect a permanent judicial commission,” By inserting after the synod “shall elect a permanent judicial” and after commission, “which.”

### **Adjournment of Meeting**

**2026 PROPOSED AMENDMENTS TO ECO POLITY/RULES OF DISCIPLINE DOCUMENTS**

**PD-1: Submitted by the ECO Presbytery of Bluewater**

**Overture 2026 Clarifying Composition of Investigating Committee**

Amend Rules of Discipline Chapter 5. *Disciplinary Cases*, Section 5.4. by adding “All members of an investigating committee must be members of ECO.”

<b>Current Language</b>	<b>Proposed Language</b>	<b>If Adopted, It Will Read:</b>
<p>5.4 Upon receiving a written allegation of an offense, the council having jurisdiction over the accused member shall appoint an investigating committee to determine whether charges should be filed. An investigating committee shall have no more than five but no less than three members. A session shall not appoint members of the session as members of the investigating committee. A presbytery may provide by rule for appointment of an investigating committee.</p>	<p>5.4 Upon receiving a written allegation of an offense, the council having jurisdiction over the accused member shall appoint an investigating committee to determine whether charges should be filed. An investigating committee shall have no more than five but no less than three members. A session shall not appoint members of the session as members of the investigating committee. A presbytery may provide by rule for appointment of an investigating committee. <u>All members of an investigating committee must be members of ECO.</u></p>	<p>5.4 Upon receiving a written allegation of an offense, the council having jurisdiction over the accused member shall appoint an investigating committee to determine whether charges should be filed. An investigating committee shall have no more than five but no less than three members. A session shall not appoint members of the session as members of the investigating committee. A presbytery may provide by rule for appointment of an investigating committee. All members of an investigating committee must be members of ECO.</p>

**Rationale**

Section 5.11 of the Rules of Discipline requires that all persons who act as counsel for an ECO disciplinary procedure must be a member of ECO. No such requirement currently applies to the investigating/prosecuting committee. The amendment applies the ECO membership requirement to members of an investigating/prosecuting committee.

**Overture 2026 Clarifying Reimbursement of Expenses for Defense in Disciplinary Case**

Amend Rules of Discipline Chapter 5. *Disciplinary Cases*, Section 5.11. by substitution: inserting “the judicial commission determines that” between “if” and “the accused”; striking out “Reasonable expenses for defense shall be authorized and reimbursed by the governing body in which the case originated”, and adding “Reasonable expenses for defense counsel appointed by a judicial commission shall be authorized and reimbursed by the governing body in which the case originated”

Current Language	Proposed Language	If Adopted, It Will Read:
<p>5.11 The hearing in a disciplinary case shall be conducted by a judicial commission. Each of the parties in a disciplinary case shall be entitled to appear and may be represented by counsel, provided, however, that no person shall act as counsel who is not a member of ECO. No member of a judicial commission shall appear as counsel before that commission while a member. If the accused in a disciplinary case is unable to secure counsel, the judicial commission shall appoint counsel for the accused. Reasonable expenses for defense shall be authorized and reimbursed by the governing body in which the case originated. Counsel need not be a paid representative or attorney-at law.</p>	<p>5.11 The hearing in a disciplinary case shall be conducted by a judicial commission. Each of the parties in a disciplinary case shall be entitled to appear and may be represented by counsel, provided, however, that no person shall act as counsel who is not a member of ECO. No member of a judicial commission shall appear as counsel before that commission while a member. <u>If the judicial commission determines that</u> the accused in a disciplinary case is unable to secure counsel, the judicial commission shall appoint counsel for the accused. <del>Reasonable expenses for defense shall be authorized and reimbursed by the governing body in which the case originated.</del> Counsel need not be a paid representative or attorney-at law. <u>Reasonable expenses for defense counsel appointed by a judicial commission shall be authorized and reimbursed by the governing body in which the case originated.</u></p>	<p>5.11 The hearing in a disciplinary case shall be conducted by a judicial commission. Each of the parties in a disciplinary case shall be entitled to appear and may be represented by counsel, provided, however, that no person shall act as counsel who is not a member of ECO. No member of a judicial commission shall appear as counsel before that commission while a member. If the judicial commission determines that the accused in a disciplinary case is unable to secure counsel, the judicial commission shall appoint counsel for the accused. Counsel need not be a paid representative or attorney-at law. Reasonable expenses for defense counsel appointed by a judicial commission shall be authorized and reimbursed by the governing body in which the case originated.</p>

Rationale

Section 5.11 provides that “Reasonable expenses for defense shall be authorized and reimbursed by the governing body in which the case originated.” The original intent of this provision was to allow a governing body to compensate a defense representative appointed by a judicial commission. The revised language clarifies that the compensation is limited to only those representatives appointed by judicial commissions.

**PD-3:** *Recommended by ECO Synod Executive Council Overture November 12, 2025*

**Overture 2026: Clarify the procedure of adopting a change to the Constitution and the number of presbyteries needed.**

Amend Polity, Chapter Six, Section 6.02, section b by striking out “majority” and inserting “affirmative vote” and in section c by adding “A two-thirds affirmative vote of the presbyteries shall be required for adoption.”

Current Language	Proposed Language	If Adopted, It Will Read:
<p>6.02. Presbyteries may overture the Synod of ECO for changes in this Constitution as follows:</p> <ul style="list-style-type: none"> <li>a. Two presbyteries must concur in the proposed changes and overture the larger body with changes.</li> <li>b. The Synod may amend and transmit the proposed changes to the Constitution to the presbyteries for their affirmative or negative vote. A two-thirds majority of the presbyteries shall be required for adoption.</li> <li>c. Any amendment to the <i>Essential Tenets</i> (and Confessional Standards) shall require an affirmative vote of two-thirds of the voting members of the Synod present and voting. In addition, the affirmative vote of each</li> </ul>	<p>6.02. Presbyteries may overture the Synod of ECO for changes in this Constitution as follows:</p> <ul style="list-style-type: none"> <li>a. Two presbyteries must concur in the proposed changes and overture the larger body with changes.</li> <li>b. The Synod may amend and transmit the proposed changes to the Constitution to the presbyteries for their affirmative or negative vote. A two-thirds <del>majority</del> <b>affirmative vote</b> of the presbyteries shall be required for adoption.</li> <li>c. Any amendment to the <i>Essential Tenets</i> (and Confessional Standards) shall require an affirmative vote of two-thirds of the voting members of the Synod present and voting. In addition, the</li> </ul>	<p>6.02. Presbyteries may overture the Synod of ECO for changes in this Constitution as follows:</p> <ul style="list-style-type: none"> <li>a. Two presbyteries must concur in the proposed changes and overture the larger body with changes.</li> <li>b. The Synod may amend and transmit the proposed changes to the Constitution to the presbyteries for their affirmative or negative vote. A two-thirds affirmative vote of the presbyteries shall be required for adoption.</li> <li>c. Any amendment to the <i>Essential Tenets</i> (and Confessional Standards) shall require an affirmative vote of two-thirds of the voting members of the Synod present and voting. In addition, the affirmative vote</li> </ul>

<p>presbytery for such amendment shall require an affirmative vote of two-thirds of the voting members of such presbytery present and voting.</p>	<p>affirmative vote of each presbytery for such amendment shall require an affirmative vote of two-thirds of the voting members of such presbytery present and voting. <b>A two-thirds affirmative vote of the presbyteries shall be required for adoption.</b></p>	<p>of each presbytery for such amendment shall require an affirmative vote of two-thirds of the voting members of such presbytery present and voting. A two-thirds affirmative vote of the presbyteries shall be required for adoption.</p>
---------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Rational: Two thirds of presbyteries are required to approve an overture from a Synod to change ECO’s Constitution. When the Synod is voting to change the Essential Tenets or Confessional Standards, there is an extra requirement of two thirds of those voting in the Presbytery meeting. When section c was added several years ago, the last line of “A two-thirds affirmative vote of the presbyteries shall be required for adoption” was inadvertently left off which leaves an implicit rather than an explicit way of discerning if enough presbyteries have voted to make future changes. This clarification is needed to remain consistent in the Constitution. The word “Majority” was changed to “affirmative vote” in section B as “two-thirds majority” is not the correct phasing, and the last sentence in section C was added for clarification on the advice of ECO’s Parliamentarian.

---

**PD-4:** *Submitted by the ECO Presbytery of Bluewater*

**Overture 2026: Allow Synod Executive Council to Create or Modify a Region of Presbyteries**

Amend Polity, Chapter Three, Section 3.0204, by adding section j: “Create or modify a region of presbyteries to form a common Permanent Judicial Commission as specified in the *Rules of Discipline*” and propagate rules regarding election of members to these commissions that include more than one presbytery.”

<b>Current Language</b>	<b>Proposed Language</b>	<b>If Adopted, It Will Read:</b>
	<p><b>3.0204 Synod Executive Council</b></p> <p><b>j. Create or modify a region of presbyteries to form a common Permanent Judicial Commission as specified in the Rules of Discipline and propagate rules regarding election of members to these</b></p>	<p>3.0204 Synod Executive Council</p> <p>j. Create or modify a region of presbyteries to form a common Permanent Judicial Commission as specified in the <i>Rules of Discipline</i> and propagate rules regarding election of members to these commissions that</p>

	<b>commissions that include more than one presbytery.</b>	include more than one presbytery.
--	-----------------------------------------------------------	-----------------------------------

The proposed language gives ECO, through its Synod Executive Council, flexibility to create the presbytery PJC regions as are needed today, but also the flexibility in the future to dissolve the regions in favor of each presbytery having their own PJCs as ECO continues to grow.

If adopted, the proposed Overture Amending Rules of Discipline, Chapter 3, Judicial Commissions, Section 3.1 is a consequential amendment.

---

**PD-5:** *Submitted by the ECO Presbytery of Bluewater*

**Overture 2026: Allowing for Regional Presbytery PJC**

Amend Rules of Discipline, Chapter Three, Judicial Commissions, Section 3.1 by:

1. By striking out “Each presbytery” and inserting “A single presbytery or a group of presbyteries known as a region created by majority vote of the Synod Executive Council”, and after presbytery in the first sentence inserting “or region.” Inserting the following sentence after the first sentence: “The Synod Executive Council shall establish a rule as to how members are elected to presbytery commissions that include more than one presbytery.”
2. By striking out “Once five (5) presbyteries have been established, the synod shall elect a permanent judicial commission,”
3. By inserting after the synod “shall elect a permanent judicial” and after commission, “which.”

<b>Current Language</b>	<b>Proposed Language</b>	<b>If Adopted, It Will Read:</b>
<p>3. <i>Judicial Commissions</i></p> <p>3.1 Each presbytery shall elect a permanent judicial commission from the pastors and elders within the presbytery. Once five (5) presbyteries have been established, the synod shall elect a permanent judicial commission.</p>	<p>3. <i>Judicial Commissions</i></p> <p>3.1 <del>Each presbytery</del> <b>A single presbytery or a group of presbyteries known as a region created by a majority vote of the Synod Executive Council,</b> shall elect a permanent judicial commission from the pastors and elders within the presbytery <b>or region. The Synod Executive Council shall establish a rule as to how members are elected to</b></p>	<p>3. <i>Judicial Commissions</i></p> <p>3.1 A single presbytery or a group of presbyteries known as a region created by a majority vote of the Synod Executive Council, shall elect a permanent judicial commission from the pastors and elders within the presbytery or region. The Synod Executive Council shall establish a rule as to how members are elected to presbytery commissions that</p>

<p>Each commission shall be composed of pastors and elders in numbers as nearly equal as possible. When the commission consists of an odd number of members, the additional member may be either a pastor or an elder. The synod commission shall be composed of no fewer than five members distributed equally, insofar as possible, among the constituent presbyteries. The presbytery commission shall be composed of no fewer than five members, with no more than one of its elder members from any one of its constituent churches.</p>	<p><b>presbytery commissions that include more than one presbytery.</b> <del>Once five (5) presbyteries have been established, the synod shall elect a permanent judicial commission.</del> Each commission shall be composed of pastors and elders in numbers as nearly equal as possible. When the commission consists of an odd number of members, the additional member may be either a pastor or an elder. The synod <b>shall elect a permanent judicial commission which</b> shall be composed of no fewer than five members distributed equally, insofar as possible, among the constituent presbyteries. The presbytery commission shall be composed of no fewer than five members, with no more than one of its elder members from any one of its constituent churches.</p>	<p>include more than one presbytery. Each commission shall be composed of pastors and elders in numbers as nearly equal as possible. When the commission consists of an odd number of members, the additional member may be either a pastor or an elder. The synod shall elect a permanent judicial commission which shall be composed of no fewer than five members distributed equally, insofar as possible, among the constituent presbyteries. The presbytery commission shall be composed of no fewer than five members, with no more than one of its elder members from any one of its constituent churches.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Rationale

The work of the Presbytery Permanent Judicial Councils (PJC) is vital in ECO’s governing structures. Since ECO’s inception, PJCs have worked to ensure that when discipline or remedial cases are required, that cases are adjudicated decently and in order. Fortunately, no ECO Presbytery nor its PJC have become experts at the Rules of Discipline (ROD), with some presbyteries going years between situations that elevate to a ROD issue. Many people have generously agreed to serve on PJCs, but their expertise in resolving conflict and their wisdom in working with congregations before a situation moves to a ROD case are unused due to the need to keep them sequestered out of these situations so they may act accordingly should a situation warrant a ROD response. In addition, many ECO presbyteries do not have the people power to fully staff a PJC and many times, the PJCs are made up of well-meaning volunteers who lack the experience and sometimes the training to manage a ROD case.

As such, it makes more sense at this time for ECO to move to regional PJs allowing for presbyteries to share their staffing responsibilities; to increase the likelihood of a PJ working through a case or two per year, allowing for greater experience and knowledge to be acquired at the presbytery level. At the same time, this will provide more opportunities for a presbytery to use less volunteers to staff the PJ which in turn will allow for more volunteers made available for the work of the MPT and other needed presbytery roles. Finally, regional PJs provide a better place for the Synod Nominating team to find future candidates to serve on the Synod PJ.

The proposed language gives ECO, through its Synod Executive Council, flexibility to create the presbytery PJ regions as are needed today, but also the flexibility in the future to dissolve the regions in favor of each presbytery having their own PJs as ECO continues to grow.