

“WELL DONE, GOOD AND FAITHFUL SERVANTS”
CHECKLIST FOR AN ADMINISTRATIVE COMMISSION
TO CLOSE A CONGREGATION



WHAT THE BOOK OF ORDER SAYS ABOUT CHURCH CLOSINGS:

DISSOLUTION OF CHURCHES AN ACT OF THE PRESBYTERY

“The presbytery has responsibility and power” of “dismissing, and dissolving congregations in consultation with their members” (G-3.0301)

PROPERTY OF CLOSED CHURCHES

“Whenever a congregation is formally dissolved by the presbytery, or has become extinct by reason of the dispersal of its members, the abandonment of its work, or other cause, such property as it may have shall be held, used, and applied for such uses, purposes, and trusts as the presbytery may direct, limit, and appoint, or such property may be sold or disposed of as the presbytery may direct.” (G-4.0205)

ADMINISTRATIVE COMMISSIONS IS HOW WE ADMINISTER CARE

“Administrative commissions are designated to consider and conclude matters not involving ecclesiastical judicial process” (G-3.0109b)

HOW THE ADMINISTRATIVE COMMISSION IS ESTABLISHED:

- 1. **SESSION** may bring a recommendation to the Commission on Ministry “to request that the presbytery to appoint an Administrative Commission to implement the recommendation that [congregation] be dissolved.”

CONSIDER:

- The congregation does not vote on this in accordance with G-1.0504, Business Proper to Congregational Meetings, but they will need to be consulted, as per G-3.0301.

- *A presbytery may move forward with recommending the formation an AC with our without session approval, where appropriate.*
- 2. **C.O.M.** recommends that the larger presbytery form an Administrative Commission with specific assigned responsibilities to work on behalf of the presbytery.

CONSIDER:

1. *The Presbytery can authorize the Chair of the C.O.M., or Presbytery Moderator, to appoint members of the Administrative Commission. How members are assigned should in the assigned responsibilities.*
2. *An AC should include representatives from the History Team, Commission on Ministry, and Administration Team.*
3. *The membership of the commission should include presbytery members who have working knowledge of financial affairs, property management, congregational development, and pastoral care.*
4. *It may be advisable that a member of the dissolving church be assigned as member of the AC, but the A.C.'s majority membership should be representative of the larger presbytery.*
5. *Membership and Quorum, from Book of Order: “A commission of presbytery...shall be composed of ruling elders and ministers of the Word and Sacrament in numbers as nearly equal as possible and sufficient to accomplish their work. A quorum of any commission shall be established by the designating council or councils but in no case shall be less than a majority of its members... (G-3.0109b)*
6. *The Stated Clerk shall be lead resource staff for the A.C.*

Sample A.C. Assigned Responsibilities:

Motion: “The Commission on Ministry moves that the presbytery form an Administrative Commission that is charged with the following assigned responsibilities:

1. **To dissolve the __[Presbyterian Church of]_____ at the request of the session.**
2. **To provide for the continuing spiritual and pastoral care of the remaining members of the _____ after dissolution.**
3. **To transfer members of the _____ to other congregations and to provide for pastoral care for those who do not wish to or are unable to transfer their membership.**
4. **To grant letters of dismissal to members for those who have not found a new church after a period of one year.**
5. **To take possession of all real and personal property of _____ along with all records of the congregation and to oversee transfer of all real property and accounts to the Presbytery at the time of dissolution.**
6. **To ensure that bills are paid, the property is maintained and secured, and adequate insurance coverage is in place at the time of dissolution and after dissolution.**

7. To consult with the Session or its representatives regarding requests the congregation may have relating to the disposition of equipment, memorials, and other property, honoring them where possible and to retain such for future use at the discretion of the Presbytery.
8. To assert the claim of the Presbytery of Giddings-Lovejoy to any property of the _____, whether known or not known at this time, or property which may come, as beneficiary of a will or trust, not known at this time.
9. To act as agents of the Presbytery of Giddings-Lovejoy in negotiations for and/or to conclude the sale of the _____ Church if building is not sold at the time of dissolution.
10. In consultation with the Presbytery of Giddings-Lovejoy Administration Team, and in accordance with the team's procedures, approve sale of any property of the _____ prior to dissolution.
11. To transfer to the Stated Clerk for forwarding to the Presbyterian Historical Society all official records of the congregation. Other historical records shall be transferred to the stated clerk for storage or transfer to PHS at the clerk's direction.
12. If the commission *"determines that the session is unable or unwilling to manage wisely its affairs, the commission is given authority to assume original jurisdiction of session as provided in the Book of Order and following all proper procedures."* (G3.0303e)
13. To complete any additional tasks necessary to close the corporation of the church.
14. In understanding these actions, the Administrative Commission shall be sensitive to the memory, heritage, and concerns of the _____.
15. The Administrative Commission shall invite members of the _____ to participate in its work with voice but without vote.
16. To see that the long life and faithful history of the _____ is suitably celebrated in a service of worship and at a meeting of the Presbytery.
17. It is requested that the Chair of the Commission on Ministry appoint the members to serve on this Administrative Commission, in accordance with the Book of Order (G-3.0109b), and report back to the presbytery.
18. The Stated Clerk, Presbytery Leader, and Associate Presbytery Leader are all authorized to serve as resource staff to the Administrative Commission in the fulfillment of its responsibilities.

0. GETTING STARTED

- ❑ 1. Convene in a timely fashion by the Moderator following approval by the presbytery, with available deployed resource staff.
- ❑ 2. Review the AC's charge, share this document, and identify support resources available.
- ❑ 3. Elect at your first meeting a clerk from among its members who shall record all Records of its transactions, to be submitted to the Stated Clerk upon completion of its work. ****All meetings are required to have minutes.****

THE RESPONSIBILITIES AND DUTIES OF THE ADMINISTRATIVE COMMISSION:

Each of the following duties should be executed in consultation with the Session of the church wherever possible.

I. ARRANGE FOR PASTORAL CARE OF CHURCH MEMBERS

- 1. Identify members' desired transfer locations, in consultation with the session.
- 2. Appoint a pastor for pastoral care until membership is transferred or a decision is made to cease active membership.
- 3. Request for the Clerk of Session to send transfer letters for members requesting transfers until congregation dissolution.

CONSIDER:

- *The Stated Clerk of the Presbytery will send transfer letters for remaining members for one-year post-dissolution.*

II. DETERMINE THE LEGACY INVESTMENT OF THE CONGREGATION

- 1. Meet with the former Session to identify local organization(s) for Legacy Investment.

CONSIDER:

- *The Legacy Investment of the congregation represents the remaining assets of after all expenses from the closing costs of a certain property. These funds are to be used to enable further ministry in accordance with the Legacy Fund Policy, approved by the Presbytery on February 2, 2023. According to the policy, 10% of all remaining assets are to go to "local partnering agencies that the congregation previously supported in its active ministry" reflective of Lev. 27:32, "All tithes of herd and flock, every tenth one that passes under the shepherd's staff, shall be holy to the Lord."*
- 2. Include the Session's desire for Legacy Investment in the final worship service, presbytery minutes, and presbytery gathering celebration.
- 3. Communicate the agency name, address, purpose, and amount of the Legacy Investment to the Administration Team and Presbytery office staff.

III. PLAN A FINAL WORSHIP SERVICE

- 1. Set the date and time for the final worship service.

CONSIDER:

- *Allow ample time for the date to be publicized and invitations issued.*

- 2. Create an appropriate final worship service.

CONSIDER:

- *Consider structuring the service using the resources from the Book of Occasional Services which has a service on Vacating of a Church Building, including the dissolution of a church.*
- *If a pastor is still installed, consult with them closely on the worship service when appropriate.*
- *Liturgy for the Lord's Supper, if applicable.*
- *Arrange for preparation of communion elements, if needed.*
- *Meaningful worship hymns of church members may be identified and integrated into the service.*
- *Make arrangements for the typing and printing of bulletins, if required.*
- *Confirm arrangements for any needed cleaning of facility before and after the service.*
- *Designate where the offering will go.*

- 3. Identify participants for the service

CONSIDER:

- *Identify a preacher*
- *Identify liturgists*
- *Arrange for ushers, parking lot attendants, and elders to serve Communion (if needed).*
- *Former pastors/preachers might be invited.*
- *Ordinarily, at least one representative from the church should be included in the planning of and participate in the final worship service.*

- *Ordinarily, at least one representative from the Administrative Commission should be included in the planning of and participate in the final worship service.*
 - *Ordinarily, the Stated Clerk and the Presbytery Leader (or another Presbytery representative) should be included in the final worship service. including former pastors and representatives from the church and Administrative Commission.*
- 4. Prepare bulletins and arrange for cleaning before and after the service.
 - 5. Arrange for the relevant church records to be handed off in the liturgy to a representative of the Stated Clerk, as a meaningful, symbolic act of continuity.

IV. PUBLICIZE THE SERVICE ENDING OF THE MINISTRY OF THE CHURCH

- 1. Consult with the church on a "guest list" of relatives, friends, former members, etc. whom they wish to invite to the celebration.
- 2. Write an article to be included in the Presbytery e-newsletter about the final worship.

V. ARRANGE FOR THE RECEPTION FOLLOWING THE WORSHIP SERVICE

- 1. Identify the time and location for the fellowship reception.
- 2. Appoint a group or point-person to coordinate logistics on reception.

CONSIDER:

- *Make provision on food provision (caterers or church members).*
- *Determine financial resources available for the reception.*
- *Gather memorabilia for display.*
- *Consider any kind of program (toasts, remarks, appreciations, etc)*

VI. ASCERTAIN FINANCIAL STATUS AND OBLIGATIONS

- 1. Conduct a financial review of the Treasurer's books for the last 12 months.
- 2. Determine locations of all financial accounts and their stipulations:

CONSIDER:

- *checking accounts*

- *savings accounts*
 - *endowment and/or memorial accounts, with documentation on any bequest stipulations and who has access to the funds.*
 - *Sunday school accounts*
 - *women's group accounts*
 - *any other financial resources*
- ☐ 3. Determine any outstanding debts/obligations.

CONSIDER:

- *If needed, publish in local paper a public notice to the effect: "The Church of MO/IL will end its ministry on or about (date). Any outstanding debts/financial obligations must be submitted in writing to the church treasurer at (address) by the close of the business day (date)."*
- ☐ 4. Authorize the payment of all remaining financial obligations.
- ☐ 5. Transfer any stocks, bonds, certificates, or other financial instruments to the Presbytery of Giddings-Lovejoy.
- ☐ 5. Provide contribution statements to donors.
- ☐ 6. Following the dissolution, transfer all remaining account balances to the Presbytery of Giddings-Lovejoy and close any remaining church accounts.

CONSIDER:

- *If any church accounts remain open, submit new signature card(s) for accounts with an officer of the presbytery designated as signatory (usually the Treasurer or Stated Clerk).*

VII. SECURE THE SESSION RECORDS

- ☐ 1. Contact the History Team (Under Admin Team) to consult on review of items for historical significance.
- ☐ 2. Locate all Session minutes, the church register, and other financial and legal records (i.e., incorporation papers, personnel, financial for the last 7 years, blueprints) to be submitted to the Stated Clerk of the presbytery for appropriate disposition..
- ☐ 3. Discern what materials are appropriate to hand over to a representative of the Stated Clerk at the conclusion of the recognition service.

VIII. SECURE LEGAL RIGHTS TO PROPERTY

- 1. Secure the Deed to the building and provide it to the Presbytery office.
 - Determine through the session if there are any deed restrictions or stipulations connected to the deed.
- 2. List the property under the Presbytery's insurance and terminate the church's current policy.
- 3. Secure the Bylaws and Articles of Incorporation and provide to the Presbytery office
- 4. Work with the title company for title/deed transfer to the Presbytery.
- 5. Publish a public notice to dissolve the congregation.
- 6. Have the session adopt the following motion: "*Pursuant to G-4.0203 / G-4.0205 of the Book of Order (the constitution) of the Presbyterian Church (U.S.A.), the Presbytery of Giddings Lovejoy is the legal successor of the Presbyterian Church in MO/ IL.*"
- 7. Formally close the formal corporation through the state.
 - *In state of Illinois:*
 1. *Search for the incorporated status on the Secretary of State Website:*
<https://apps.ilsos.gov/businessentitysearch/businessentitysearch>
 2. *The presbytery can provide guidance on closing a corporation in Illinois.*
 - *Note that there may be not-for-profit status implications around other entities renting your space that need to be looked into before making any changes.*
 - *In state of Missouri:*
 1. *Search for the incorporated status on the Secretary of State Website:*
<https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0>
 2. *Check Status: to see if any are in "Good Standing"—if so, it would need to be closed out.*
 3. *Check Type:*

- if “**Nonprofit Corporation**”, the filing will automatically lapse after one year, and no further action is needed. To expediate the closing of the corporation, the following form can be filled out to end the corporation with a \$10 filing fee: <https://www.sos.mo.gov/CMSImages/Business/corp45.pdf?v=2>
- if “**Benevolent**”, and the duration is listed as “Perpetual” the filing status with the state of Missouri will remain listed as an open corporation even long after the church has closed. This status was created through Missouri Statute 352; because this filing was made by court order, a court order would be required with an attorney to close this corporation. (A particularly strict title company may not recognize the presbytery’s relationship with the church that remains “open” under this status. The best way to close out this organization is to transfer the status type from Benevolent to Nonprofit, and can be done with the help of the presbytery’s attorney.)

IX. OVERSEE PROPERTY SALE (IF APPLICABLE)

- 1. Contact the Admin team to let the Property subcommittee know that we are considering a building sale.
- 2. Some kind of evaluation of the property needs to be done, so that we are aware from the start of the kinds of challenges this kind of sale might have, and so we can begin justifying an asking price. The Property subcommittee of Admin and the staff can assist.
- 3. In consultation of the Admin Team, find out what liens, or encumbrances are on the property, including any unpaid contractor fees.
- 4. Determine that you have authority by the presbytery to sell in accordance with Book of Order G-4.0206—if not in the charge of assigned responsibilities, then request it of the Administration Team.

- ❑ 5. Clarify how the title company understands the ownership of the building and who is authorized to sign, so that the signer is prepared to move. The staff can be a resource for interfacing with the needs of the title company, including the provision of a certificate of good standing with the state.
- ❑ 6. Prioritize what kinds of sellers would be preferred (communities for worship, non-profits agencies, community centers, restaurants, apartments, fire departments, etc)
- ❑ 7. Secure a realtor consistent with our values by tapping into local networks through contacts through the congregation (being mindful of conflicts of interest).
- ❑ 8. Provide a copy of the sales contract to the Presbytery office and Administration Team.
- ❑ 9. List the property through the realtor.
- ❑ 10. Determine as an A.C. your ranges for acceptable prices, and negotiate potential offers through the realtor.
- ❑ 11. Award the contract to your preferred seller.

X. FINAL PROPERTY DISPOSITION

- ❑ 1. Make a recommendation on plans for disposition of the property to the Administration Team, (selling, not selling, etc...)
- ❑ 2. Arrange for the disposition of items and furnishings and consult the History Team for items of historic value.

CONSIDER:

- *This may include furnishings, communion ware, hymnals, Sunday School supplies, fixtures, pulpit, lectern, and communion table, etc.*
- *These may be given away, sold by the piece, or bids may be received for the entire lot of furnishing.*
- *It is recommended that at least one appraisal by an antiques dealer/estate assessor be obtained before accepting any bids.*
- *Document the disposition of all items in detail, whether sold, donated, or give to family members.*

- 3. Confirm status of utilities and share with presbytery office
 - Curate a list of all bills attached to the property, including the service provider and payment schedule.
 - Determine which utilities are to be **shut down** as of date of dissolution, and document.
 - Determine which utilities are to **be kept active** and change the address for the billing for these utilities to the address of *the Presbytery of Giddings-Lovejoy* effective on the dissolution date of the congregation.

CONSIDER:

- *heat, electricity, and water should remain on.*
- *Water pipes should be drained if the utilities are turned off.*

- 4. Secure the building and recover keys from those who do not need access.

CONSIDER:

- *If distribution of keys is widespread and any contents are valuable, consider having the locks changed.*

- 5. Arrange for a building caretaker until final property disposition (lawn, maintenance, sidewalks, etc).
- 6. Remove or cover any identifying signage following the closing worship service, and if possible, the cornerstone and check for a time capsule.

XI. CONFIRM CONTACTS

- Document contacts and share with presbytery Staff:
 - 1. Official mailing address of church: _____
 - 2. Clerk of Session: _____
 - 3. Treasurer(s) : _____
 - 4. Property Committee Chair/Maintenance Provider: _____
 - 5. Insurance Agent: _____
 - 6. Real Estate Agent: _____

XII. DISSOLUTION OF THE COMMISSION

- 1. Notify the Stated Clerk upon consensus of the completion of the AC's work for review and confirmation.
- 2. The Administrative Commission submits all minutes of actions taken to the Stated Clerk.
- 3. Consult with the Gathering Planning Team about celebration of the church's ministry at the next Gathering Planning Team so that the legacy of the church is celebrated on the presbytery level, and A.C. may be dismissed with thanks.