

Update on SJC Decision on the Jan 2006 Memorial from CCP (Case 2006-2)

Summarized Nov 2007 by RE Donahoe (CCP Clerk and SJC member)

Below is a summary of the recent decision of the PCA's SJC on the CCP Memorial. It is intended for the presbyters of Central Carolina and is not official in any way. I recused myself in both cases related to this matter, since it arose from my Presbytery.

Last month at its October stated meeting the PCA's Standing Judicial Commission judged that while Louisiana Presbytery (LAP) had complied with the SJC's October 2006 directive to reexamine TE Wilkins, LAP had not "reach a decision consistent with the Constitution of the PCA" when it found "no strong presumption of guilt in any of the charges contained in the Memorial." Therefore, pursuant to BCO 40-5, the SJC has cited LAP to appear again "to show what it has done or failed to do in the case in question." Essentially, LAP has been charged with an offense and will be indicted. If LAP pleads not guilty, they will be prosecuted at trial on March 5, 2008 at the SJC's spring stated meeting (BCO 40-5, 40-6, 31-2, 32-3). TE Wilkins will not be on trial; SJC jurisdiction is over LAP.

Background

At our stated meeting January 29, 2006, Central Carolina adopted and sent a "Memorial" to the SJC regarding some teaching of TE Wilkins. After several "whereas" paragraphs outlining concerns, the Memorial asked the SJC to either: 1) assume original jurisdiction over TE Wilkins, conducting an investigation to determine if any indictment was warranted, or 2) cite LAP to appear and answer per BCO 40-5 (a paragraph related to GA review of reports of "an important delinquency or grossly unconstitutional proceeding.")

At its spring meeting in March 2006 the SJC declined to assume original jurisdiction but accepted CCP's alternative 40-5 request and cited LAP to appear at the SJC's fall meeting. At the October 2006 meeting, after hearing from LAP's representative, the SJC ruled LAP had not adequately examined TE Wilkins. SJC instructed them to reexamine him and to comply with certain procedures in doing so. LAP conducted this re-exam/investigation at a called meeting on December 9, but their decision was postponed until their January 2007 stated meeting.

At its stated meeting on January 20, 2007, LAP adopted the following by a 13-8 vote:

"That Louisiana Presbytery, after thorough examination and investigation of TE Wilkins per the SJC directives regarding allegations made in the Central Carolina Presbytery Memorial, finds no strong presumption of guilt in any of the charges contained therein and exercises its prerogative not to institute process regarding these allegations."

Note: After this January decision, some members of LAP filed a complaint. LAP considered and denied this complaint at its April 2007 stated meeting, adopting a 20-page document outlining rationale for its decision vindicating Wilkins. The complaint was then filed with the SJC and became Case 2007-8 (Jones Complaint) and was adjudicated in October 2007 (along with the Memorial Case). Included in the Record of this Complaint was:

- LAP's 20-page Rationale for vindicating TE Wilkins
www.auburnavenue.org/documents/LAPresbyteryrationale.pdf
- Wilkins' 37 pages of written responses to questions posed by members of LAP before the December 9 re-exam/investigation. www.louisianapresbytery.com/Wilkins_Response.htm
- The 119-page transcript of the December 9 oral re-exam/investigation. (Audio available at <http://louisianapresbytery.com/page8.html>)

Regarding continuing action on the CCP Memorial, LAP was to respond to the SJC's October 2006 ruling by mid-February 2007, but asked for an extension, which was granted by the SJC officers. Thus, no action was taken at the SJC meeting in March 2007.

At its fall stated meeting, in the Memorial (Case 2006-2), the SJC charged LAP with an offense for not reaching a decision consistent with the Constitution in January 2007 when it found no strong presumption of guilt. To implement this process, SJC member RE Sam Duncan was appointed to:

- a) Serve as prosecutor and conduct the case, which is designated as Case 2007-14;
- b) Select assistant prosecutors from members of the GA to assist him with this matter;
- c) Draw an indictment to be served upon LAP, with the circumstances and specifications not being limited to those raised in judicial cases 2006-02 (Memorial) and 2007-8 (Jones Complaint);
- d) Prepare a citation instructing LAP to respond, in writing or at a called meeting of the SJC, to the indictment and to enter its plea not later than February 1, 2008.

In addition to its decision in the Memorial, the SJC sustained the Jones Complaint (Case 2007-8) and annulled LAP's January 2007 action, ruling as follows:

1. LAP failed to apply the correct Constitutional standard when it sought to determine whether TE Wilkins may differ with the Confession of Faith and Catechisms in any of their statements and/or propositions (BCO 21-4, RAO 16-3(e)(5))
2. The record supports a probable finding that Louisiana Presbytery erred, and thereby violated BCO 13-9.f, 40-4, and 40-5, when it failed to find a strong presumption of guilt that some of the views of TE Steve Wilkins were out of conformity with the Constitutional standards.
3. Therefore, the complaint is sustained. Presbytery's action of April 21, 2007 to deny the complaint of TE Jones is annulled (BCO 43-10) and the Memorial from Central Carolina Presbytery remains before the SJC. [See the judgment in 2006-2 for additional amends.]

Additional Information

- A. Below is a statement directly addressing the CCP Memorial from the end of TE Wilkins' written responses submitted to LAP prior to the re-exam/investigation on December 9, 2006:

The Memorial exhibits a catastrophic misunderstanding of the position I am seeking to set forth and asserts that I hold positions which I explicitly deny. The Memorial ignores the fact that I have repeatedly said that blessings are not *automatically* granted because of baptism, but Christ who is offered with all His benefits in baptism must be embraced with living faith before one can enjoy the blessings of His Person and work. The Memorial demonstrates an unwillingness to seek to understand the perspective which governs the position I'm attempting to set forth. I view the Memorial as uncharitable as it is unreasonable. Thus, I am forced to say that the charges leveled by the Memorial are false, ill-considered, and misplaced. I do not disagree with the Confession at the places alleged by the Presbytery. They are seriously mistaken about my views and have seriously misread what I have written in drawing their conclusions.

- B. LAP's 20-page Rationale for its April decision ends with 11 conclusions, including two directly addressing the Memorial.

10. TE Wilkins vehemently denies the assertions made against him in the Central Carolina Memorial. After a thorough examination of Rev. Wilkins, the Louisiana Presbytery finds no legitimate reason to sustain any of the allegations raised in the memorial. After carefully weighing the issues raised by the Memorial and the responses of TE Wilkins during five hours of questioning, the Louisiana Presbytery does not believe that TE Wilkins is in violation of ordination vow No. 2: that is, we judge his views to be within the "fundamentals of the system of doctrine" taught in the Westminster Standards.
11. It is incumbent upon Christian gentlemen always to represent fairly those people with whom we may disagree. We find that the memorial from Central Carolina unfairly misrepresents many of the views held by TE Wilkins. We exhort Central Carolina Presbytery to consider their duty as per WLC 144 and 145 [*duties required, and sins forbidden, by the 9th commandment*].

- C. Later, after the 2007 GA adopted the "Nine Declarations" recommended by the PCA Study Committee on Federal Vision / New Perspectives, TE Wilkins sent a letter to LAP on July 2 in response. His seven-page response is posted at www.auburnavenue.org/documents/Wilkins9DeclarationsResponse.pdf