

June 11, 2018

TO: The Presbytery of the Twin Cities Area

FROM: Jeffrey Japinga, executive presbyter,
On behalf of the Administrative Commission for Eden Prairie Presbyterian Church

On June 11, the United States Supreme Court denied our petition in the EPPC matter and our legal case is now over. We are deeply disappointed by the result. The courts' decisions run counter to the church's historic and legal right to organize and govern itself free of governmental interference, and to decide how best to resolve intra-denominational disputes such as this one. In violation of the First Amendment, the Minnesota courts substituted their own judgment and secular civil law for the mutual covenants of the *Book of Order* that binds all Presbyterians together. The Supreme Court's decision to not hear our case is especially disappointing because the formal trust clause—which merely codified the Presbyterian church's historical understanding of how we hold property in trust—was first put into the *Book of Order* at the invitation of the Supreme Court in 1979 to prevent disputes such as this one.

What is more disappointing, however, is the broken relationship with EPPC. Congregations are the basic form of church in the PCUSA, but they—we—do not stand alone. Congregations of the PCUSA bind themselves together in communion with one another, united in mutual covenants of accountability and responsibility, contributing their individual strengths to the benefit of the whole. All congregations agree to be and are governed by the *Book of Order*, not because *they* are forced to but because *we* collectively agree to be in response to our call from God. Upholding our mutual covenants should not require the involvement of the civil justice system.

Through its decisions and actions, EPPC turned aside from these covenants it entered into over 160 years ago. Despite the efforts of two separate administrative commissions, Presbytery leadership, a mediator, and all of our collective prayers, the Presbytery has been unable to mend this rift. Today, we lift up prayers of grief and gratitude and we ask for the healing power of God's grace for all involved.

The good news, however, is that the decisions of the courts should have minimal impact on the Presbytery moving forward. Although the trust clause by itself may not be legally enforceable in Minnesota's civil justice system, we have faith that the congregations of the Presbytery will continue to honor the covenantal ties that unite us in our ministry of witness to the love and grace and justice of God in the world.

The Administrative Commission will offer a more complete report at our next Presbytery meeting in September. If you have any questions before then, please contact Jeff Japinga.