

[789-1] (IV-1) Regarding Amicus Briefs

{Provides for consultation prior to legal action, and procedures for action by Executive (now Vision) Committee, Council, and Presbytery}

“The Stated Clerk may retain legal counsel and institute or participate in legal proceedings in civil and criminal courts, in accordance with the following procedures:

When an issue is presented to the Stated Clerk, the Clerk will consult with the Executive Staff of the Presbytery, legal counsel, and others as appropriate. If upon consultation the Stated Clerk believes that the matter is worthy of continued consideration, the Clerk will prepare a memorandum which provides (1) background to the issue, (2) the proposed action, (3) a statement of why the action is important to the interests of the Presbytery, and (4) an analysis of whether it is consistent with the policies of the Presbytery, Synod, and/or General Assembly. Lengthy statements may be incorporated in the memorandum by reference to a site on the Worldwide Web. The memorandum will be circulated to the Executive Committee of the Council augmented for this purpose by the Chair of the Peace and Justice Committee and the Public Policy Advocate of the Presbytery. If the deadline for the proposed action is before the next meeting of the Presbytery or its Council, the augmented Executive Committee may authorize the proposed action provided there is not more than one dissenting vote. If there is more than one dissenting vote, the Clerk may refer the action to a special meeting of the Council or take no action. If the Council is scheduled to meet before the deadline for the proposed action and the Presbytery is not, or a special meeting is called, the Council may authorize the proposed action by a 2/3 vote. If the deadline for the proposed action follows the next scheduled Presbytery meeting, the Presbytery may so authorize the action by majority vote.”