

To the Great Lakes Gulf Presbytery of the RPCNA,

The *Book of Discipline* states:

The Presbyterian form of government provides for a gradation of courts whereby the lower is answerable to the higher. A decision of the lower court is subject to review and correction by a higher court. Any member of the church may carry his or her case through the lower courts even to the highest court for adjudication (II.4.1, E-15).

*The Complaint*

Pursuant to this privilege, I am filing a complaint with the Great Lakes Gulf Presbytery against the session of the Immanuel Reformed Presbyterian Church. *This complaint is relative to the action taken by the lower court on December 3, 2022 to admit Mr. Jared Olivetti to the sacrament of the Lord's Supper contrary to his lawful and continuing suspension by Synod from the privileges of church membership since March 10, 2022.*

In a communication on December 4, 2022 the session of Immanuel Reformed Presbyterian Church informed the Olivetti Commission of the following:

The session has carefully weighed the options and discussed the consequences. As we stated in our meeting, we feel trapped between either violating our consciences or acting against the ruling of the church. The session is of the mind that it is God-honoring for the elders and for the congregation to follow the examples set before in scripture, even if it is not in compliance with the rulings of the church leadership.

We understand this is not what is acceptable in the book of discipline. We understand what is at stake. What is at stake goes far beyond a pastor's credentials or a group of elders who may or may not be in good standing with a denomination. Our standing before the Lord is of the utmost importance.

Therefore, the session of IRPC has voted to allow Jared back to the Lord's table. As seen clearly in scripture, this decision falls on the local elders who have direct oversight and knowledge enough to speak confidently into this matter.

### *Provisions for Complaint*

The right of complaint is reserved for “any interested persons” (II.4.3, E-15). My interest in this action pertains to my previous role in investigating Mr. Olivetti’s response to the sexual abuse situation at Immanuel RPC, and my participation in the orderly and lawful prosecution in the *Synod of the RPCNA vs Mr. Jared Olivetti* (March 8-10, 2022). The ecclesiastical trial that was done in accord with the Scriptures and the *Book of Discipline*, resulted in Mr. Olivetti’s proven guilt and lawful censure – the same censure the action of the Immanuel session knowingly and willingly circumvented on December 3, 2022. In addition to this, the Scriptures warn of the corporate danger that may befall the church when the ordinances are not kept in a worthy manner, see 1 Corinthians 11:30.

The *Book of Discipline* also requires that “the complainant shall give notice to the lower court within 30 days” (II.4.3, E-15). On December 15, 2022 I gave notice of my intent to complain to Messrs. Sam Carr, Josh Karshen, and Matt Wilburn, together with the clerk of GLG, Mr. Adam Kuehner. Mr. Kuehner confirmed the receipt of that notice and copied the GLG Moderator Mr. Nathan Eshelman.

### *Reasons for Complaint*

The *Book of Discipline* directs that with the complaint, the complainant shall give “the reasons therefor” (II.4.3, E-15). The reason for this complaint is *because the aforementioned action of the Immanuel RPC session did not comport with the fundamental law or the law and order of the Reformed Presbyterian Church of North America, as Mr. Olivetti is under the lawful censure of the Synod of the RPCNA having been suspended from the privileges of membership.* This is evidenced in the following ways:

1. The action of the Immanuel RPC session pertained to a member who was suspended by the Synod of the RPCNA and whose suspension is not under the jurisdiction of the local session (see e.g. RPT 30.3, DCG 2.1, 2.6, 2.9, 4.8, 8.1, 8.12, BOD I.1.6, *Minutes of Synod 2021*, *Cumulative Minutes of the SJC*, and *Minutes of Synod 2022*).
2. The action of the Immanuel RPC session was not done under or in accord or with the consent of the court that imposed the censure contrary to the fundamental law and the law and order of the church (see e.g. WCF 31.3, WLC 109, RPT 30.3, DCG 2.1, 2.6, 4.7, 4.8, 8.1, 8.12, BOD I.4.3, I.6.2, I.6.6, II.3.13, and *Minutes of Synod 2022*).
3. The action of the Immanuel RPC session permitted one who is disqualified from participating in the sacrament of the Lord’s Supper to observe it contrary to the fundamental law and the law and order of the church (see e.g. WCF 29.8, 30.3, WLC 109, 173, DCG 4.7, 4.8, BOD I.4.3, I.6.2, DPW 3.11, *Cumulative Minutes of the SJC*, and *Minutes of Synod 2022*).

4. The action of the Immanuel RPC session threatened the spiritual welfare of Mr. Olivetti and the church contrary to the fundamental law and the law and order of the church (see e.g. WCF 29.8, 30.3, WLC 173, RPT 30.1, DCG 4.7, BOD I.1.4, and DPW 3.11).

The *Westminster Confession of Faith* states (*emphases added*):

Wherefore, all ignorant and *ungodly persons, as they are unfit to enjoy communion with Him, so are they unworthy of the Lord's table; and cannot, without great sin against Christ while they remain such, partake of these holy mysteries, or be admitted thereunto* (WCF 29.8).

Church censures are necessary, for the reclaiming and gaining of offending brethren, for deterring of others from the like offences, for purging out of that leaven which might infect the whole lump, for vindicating the honour of Christ, and the holy profession of the Gospel, *and for preventing the wrath of God, which might justly fall upon the Church, if they should suffer His covenant and the seals thereof to be profaned by notorious and obstinate offenders* (WCF 30.3).

It belongeth to synods and councils, ministerially to determine controversies of faith and cases of conscience, to set down rules and directions for the better ordering of the public worship of God, and government of His Church; to receive complaints in cases of maladministration, and authoritatively to determine the same: *which decrees and determinations, if consonant to the Word of God, are to be received with reverence and submission; not only for their agreement with the Word, but also for the power whereby they are made, as being an ordinance of God appointed thereunto in His Word* (WCF 31.3).

The *Westminster Larger Catechism* states (*emphases added*):

Q. 109: What are the sins forbidden in the second commandment?

A: ...all *neglect*, contempt, hindering, and opposing the worship and ordinances which God hath appointed.

Q.173: May any who profess the faith, and desire to come to the Lord's Supper, be kept from it?

A: Such as are found to be ignorant or *scandalous*, notwithstanding their profession of the faith, and desire to come to the Lord's Supper, *may and ought to be kept from that Sacrament, by the power which Christ hath left in his Church, until they receive instruction, and manifest their reformation.*

The *Testimony of the Reformed Presbyterian Church* states (*emphases added*):

Our Lord commanded church discipline, so no church which fails to exercise it where needed can hope for His blessing (RPT 30.1).

*Official discipline is to be administered by the courts of the Church, not by elders individually. Such counsel and discipline should be received in a spirit of Christian submission (RPT 30.3)*

The *Directory for Church Government* states (*emphases added*):

A congregation is organized *on the basis of the standards of the Reformed Presbyterian Church and in conformity with its law and order* (2.1, D-4).

A congregation has certain other responsibilities among which are [...] to be obedient in the Lord to the law and order of the Church (2.6, D-5).

A particular responsibility of the session is to care for the spiritual interest of the congregation and of each member. *Therefore, it shall maintain the ordinances of public worship in accordance with the principles of the church* (4.7, D-29).

*The session is subordinate to the higher courts and shall be governed by their decisions* (4.8, D-29).

The Synod of the Reformed Presbyterian Church of North America is the highest court of the church [...] It is responsible for the continuing reformation of the church in maintaining the subordinate standards of the church in harmony with the Scriptural truth and order. *Its decisions are final, but its authority is limited by its subordinate standards* (8.1, D-38).

Synod, however, *may assume original jurisdiction over all matters affecting the purity and welfare of the church, and may, without complaint or appeal, investigate and adjudicate any matter requiring its attention* (8.12, D-41).

The *Book of Discipline* states (*emphases added*):

*A church that does not follow our Lord's commands regarding church discipline will certainly lose His blessing, deteriorating more and more in doctrine and in life* (I.1.4, E-3).

*Deposition* – This is the disciplinary removal of an ordained officer of the church from his office. *It may also be accompanied by suspension from church privileges* (I.4.1(d), E-5).

The session may discipline a teaching elder as a member of the congregation, but its authority is limited to the censures of admonition and rebuke. *Any censures of suspension, deposition, or excommunication shall remain with the presbytery or the court holding his credentials* (I.4.3(c), E-7).

When *the court sees satisfactory evidence of true repentance, it shall restore the person with the same solemnity and publicity that attended the imposition of the censure*, and lead its members in granting its forgiveness. Such repentance would include satisfactory attempts at reconciliation and restitution to any parties sinned against (I.6.2, E-8).

Restoration of a person under censure *should be made only by the court that imposed the sentence or with its advice and consent* (I.6.6, E-8).

If adjudged guilty on any or all counts, the court shall fix the degree of censure to be administered (II.3.13, E-15).

The *Directory for Public Worship* states (*emphases added*):

Only those who have been baptized and are *communicant members in good standing* in a true branch of Christ's visible church are to partake of the Lord's Supper. *Persons whose manner of life is notably inconsistent with their Christian profession, or who are unknown to the Session in charge of the Table, are not to be invited to commune* (3.11, F-13).

The Actions of Synod

"We recommend that Synod assume original jurisdiction in the matter of GLG and Immanuel, and the moderator appoint a seven-man judicial commission to address this matter" (see *Minutes of Synod 2021*).

"The SJC voted unanimously by a roll call vote to depose Mr. Olivetti. The SJC then voted unanimously by a roll call vote to suspend Mr. Olivetti from church privileges, accompanying the censure of deposition" (*Cumulative Minutes of the SJC*).

Communication #22-13 a complaint alleging that "the suspension of Mr. Olivetti is unjust because it fails to meet the standard required by our Constitution" was not sustained (see *Minutes of Synod 2022*).

"That Synod assign oversight of the repentance, reconciliation, and restoration of Mr. Olivetti to a 5-man commission consisting of 2 of the current SJC commissioners (we recommend Mr. Andrew Silva & Mr. Tom Pinson) and 3 other men, all to be appointed by the 2022 Synod Moderator with one of the IRPC ruling elders as a consultative member" (*Minutes of Synod 2022*).

Therefore, I am submitting this complaint to the Great Lakes Gulf Presbytery against the session of the Immanuel Reformed Presbyterian Church due to the action taken by the lower court to admit Mr. Jared Olivetti to the sacrament of the Lord's Supper contrary to his lawful and continuing suspension by Synod from the

privileges of church membership. This action is contrary to the fundamental law and and the law and order of the Reformed Presbyterian Church of North America.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kyle Borg". The signature is fluid and cursive, with a large initial "K" and "B".

Pastor Kyle Borg

Addendum of Clarification: This complaint is not submitted to preclude other alternative constitutional methods of review and correction of the lower court by the higher court.