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# Proposed Procedural Updates Related to Shepherding in Church Courts

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## Introduction

The goals of this paper are to present some shepherding principles, a case study of presbytery process failure, and some proposed updates to procedures. These proposals are intended to reduce predictable failures in shepherding, particularly as those failures affect non-officers of the church. This paper is not intended to accuse anyone for disciplinary purposes, nor is it intended to relitigate past decisions. However, it does reference past actions because, without examples, some might argue that no change is needed.

Outcomes matter. In engineering, systems are evaluated not by intentions or opinions, but by how they behave under stress, and our present process failed under that stress. The procedures currently in place appear to be enablers of abusive behavior, acting more as roadblocks than guardrails to transparency and justice.

## I. Governing Biblical and Confessional Principles

Any discussion of procedure must begin with the principles that procedure is meant to serve.

Scripture repeatedly emphasizes that shepherds are required to inquire, listen, and protect the vulnerable.

In Luke 10:25–37, the Good Samaritan helps regardless of prior laws, roles, or procedural boundaries. Acts 5:29 reminds us that obedience to God takes precedence over obedience to men when the two are in conflict.

Proverbs 3:27–28 warns against withholding good through delay when action is within one’s power—an explicit link between delay and injustice. Jeremiah 10:21 warns that when shepherds do not inquire of the LORD, the flock suffers. The warning is not merely about false doctrine, but about failure to inquire at all.

The Larger Catechism, Question 145, is especially relevant because it addresses sins forbidden under the ninth commandment “especially in public judicature.” These include prejudicing the truth, concealing the truth, undue silence in a just cause, stopping one’s ears against a just defense, and holding one’s peace when iniquity calls for reproof or complaint.

The above are not abstract theological concerns. They speak directly to how courts inquire, hear, deliberate, and decide.

## II. An Analogy: Stress-Testing Current Procedures

Picture this: Your daughter is abused by an elder(s), and she, along with others, petitions the GLG presbytery for an investigation. The situation is referred to a Shepherding Committee (SC) whose stated goal is primarily reconciliation over investigation. She is told by the SC that she should meet alone with her elders (including some of the alleged abusive elders), without the support of others who had also witnessed similar patterns of behavior by the accused. She is criticized for refusing to do so, both privately and publicly. She is encouraged by the SC not to talk to others about her experience. For its report, the SC submitted its communication to the GLG late, but it was accepted since it was already on the agenda. Your daughter, after not receiving good shepherding care and seeing discrepancies in the report from the SC, attempts to appeal directly to presbytery with a second petition (with even more congregants) to assist in her effort to receive a fair hearing. She appears in person at a presbytery meeting and is surprised that the SC report tells the entire presbytery multiple times that she has deficiencies, deficiencies which have not been discussed with her. This almost certainly biases the presbyters against her and those who have petitioned on her behalf. Some members of the court argue that the matter is “not urgent,” without presenting (or even knowing) any facts from her petition. An elder asks from the floor whether anything in her communication addresses urgency and the only three voting delegates who have seen the communication, all of whom have conflicts of interest, refuse to provide any information at all—not even the names or number of people

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who signed the petition. She is told her petition is out of order and would not be read by any presbyters because it was late and not funneled through the committee of the accused. She cites the Book of Discipline's allowance for direct communications to the presbytery in "exceptional cases." She desires to speak to answer the question of urgency plus address the distortions in the S.C. report, and she is told not to speak unless asked. An elder, attempting to advocate for your daughter, is repeatedly and controversially ruled out of order. The moderator rules the petition out of order. Your daughter and her fellow petitioners weep as they realize the system is shutting the door on them. Does this process reflect wise, faithful shepherding? Does it sound like elders seeking truth and justice? Does it sound like a system that values the sheep?

In this parable, if you substitute "petitioners" for "abused daughter," it represents what actually happened to the 2RP petitioners in the spring and summer of 2025. It highlights the current state of shepherding in our present system. If ten congregants, followed by thirteen more, representing 13 households totaling 46 souls, all in good standing, cannot be heard, a single person has no hope of being heard or helped. The group of petitioners included an inactive elder, a deacon, teachers, coordinators, missionaries, current and former church staff, and ordinary faithful members. If such people are functionally silenced by procedure, what chance does a single mother have? What chance does someone without procedural fluency, professional credentials, or institutional backing have?

These examples are not presented to accuse anyone. They are presented to demonstrate that current procedures can, and do, produce outcomes that appear to prioritize assumptions over careful inquiry and elder privilege over ordinary sheep.

### III. Proposed Procedural Updates

Church courts operate under real constraints: limited time, heavy dockets, imperfect information, and human weakness. Combined with these factors, unwise procedures (or even wise procedures wielded unwisely) exacerbate difficulties. None of these require malicious intent. They arise naturally in systems without adequate safeguards. The question is whether our current procedures sufficiently protect the sheep when these pressures converge.

Here are some proposals:

#### 1. Recording of Meetings

Presbytery meetings should be recorded as a standard practice, as controversies cannot always be predicted in advance. A notable exception would be for executive sessions. Relevant parties should have access to such recordings. In business, medicine, and manufacturing, even the possibility of measurement improves outcomes. Accountability changes behavior.

#### 2. Session Gatekeeper Guidelines

Communications involving a session's alleged improper actions or biases should not be required to pass through that session as a prerequisite to reaching the presbytery. Requiring that prerequisite may create a conflict of interest and could allow delay.

#### 3. Guidelines for Speakers

Clear rules should govern who may speak, when, and for what purpose. Gag orders and ad hoc restrictions should not be used to control outcomes. Time limits are reasonable; partiality is not.

Allowing presbyters to repeatedly shout over other speakers should not be allowed. The volume of the voices in the room cannot be the determiner of truth and wisdom in the church courts.

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### 4. Moderator Authority

Currently, a moderator can effectively act as judge by controlling recognition and procedure. Some checks and balances are necessary.

### 5. Proposals for More Informed Presbytery Decisions

A shepherding committee report should be shared with the affected parties prior to its submission to presbytery. The affected parties should be allowed to give feedback in writing to the presbytery. To this day, some 2RP petitioners contest key aspects of the SC's written and oral reports. There is no doubt that the key decisions made immediately following the SC's report were influenced by it. Even the wisest of counselors fail with incorrect or insufficient information.

All communications to the presbytery should be passed on to the presbyters in a timely manner. If any communication is late for a logical reason, that reason should be noted by the clerk. In the above case, the SC's report was submitted late. The 2RP petitioners had only a few days to draft a response to the SC's report which included a petition with more signers than the March petition. Since some petitioners were at the June meeting in person, they had hoped to address some discrepancies in the SC's report, but were prohibited from doing so. In addition, their petition was ruled out of order for its late submission.

### 6. More Frequent Meetings as Needed (and/or a More Robust AIC)

Currently, this presbytery effectively has only one meeting per year, as presbyters made it clear at the June 2025 meeting that there was no appetite to do anything of substance in such a short meeting. After 2RP petitioners were encouraged by presbyters to submit their June 2025 petition to AIC, AIC returned it to them without any action. Meeting only once per year is insufficient unless accompanied by a robust AIC that has the authority to call for a special meeting to address urgent and serious issues. Due to limited time and resources, an online format for special presbytery meetings could be considered. Even if unintentionally, if the presbytery waits out a problem, it often "resolves" itself by means of the scattering of the sheep. Justice delayed is justice denied.

### 7. Conflicts of Interest

Elders under scrutiny should be recused from voting on relevant motions.

## Conclusion

The GLG has acted as if it can determine the will of the Lord without inquiry (Jer 10:21), and that it is willing to ignore a petition signed by many members without seeing it (WLC Q145, 9th commandment violations). Therefore, trust in the collective judgment of the GLG will inevitably erode beyond present bounds. Sadly, around 50 congregants have departed from 2RP largely as a result of the events of 2025, many immediately following the June 2025 presbytery meeting.

I recognize that no court has unlimited time. I do not claim exclusive wisdom. I would support adopting a standard recording proposal by the most expedient lawful means and referring the remaining proposals to a committee for refinement. If there are factual errors in this paper, I am willing to be corrected. I am grateful to those who have expressed agreement as well as critique. We must be careful not to allow procedure—meant to serve shepherding—to become a substitute for it. You do not have to answer to me. We do not ultimately answer to one another, though we should be accountable to one another. But we are all accountable to the Chief Shepherd, who hears the cries of His sheep and will inquire how they were treated.