

1 05/03/2019 NTP designates the Complaint as NTP 2019-01 and declares the complaint
2 to be “timely filed and in administrative order. The NTP directs its
3 Administrative Committee to make the necessary arrangements to hear the
4 case. [ROC 21]
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6 08/03/2019 NTP meets to conduct the hearing. [ROC 42-43]. Attendees received
7 copies of briefs written by the parties [ROC 22-41] and a copy of FWPC’s
8 policy for the Integration of Special Case Felons (SCFs). [ROC 53-59]
9 The hearing was recorded and transcribed. [ROC 60-84]. The NTP denied
10 the Complaint [ROC 46]
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12 08/23/2019 Mr. Chandler Fozard brings his Complaint to the General Assembly.
13 [ROC 3]
14
15 12/13/2019 SJC Panel conducts the hearing.
16

17 **II. STATEMENT OF THE ISSUES**

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19 Did North Texas Presbytery error when they denied the complaint against the Session of
20 Fort Worth Presbyterian Church?
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22
23 **III. JUDGMENT**

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25 No
26

27 **IV. REASONING AND OPINION**

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29 In the case before us, the Complainant raised a number of concerns about FWPC’s
30 policy for the integration of persons known as Special Case Felons (SCFs) into the life of
31 the congregation. SCFs are persons that have been released from prison and include
32 those that have been convicted of crimes that are sexual in nature. Specifically, the
33 complainant argued that the restrictions placed on these persons by FWPC’s policy were
34 violations of Scripture.
35

36 The Constitution of the Church is very clear in outlining the jurisdiction and authority
37 afforded to courts of the church and the relationship between the higher and lower courts.
38

39 *BCO 11-2* states in part “they {Church Courts} have power to establish rules for the
40 government, discipline, worship, and extension of the Church, which must be agreeable
41 to the doctrines relating thereto contained in the Scriptures, the circumstantial details only
42 of these matters being left to the Christian prudence and wisdom of Church officers and
43 courts.”
44

45 *BCO 39-3.3* states in part “A higher court should ordinarily exhibit great deference to a
46 lower court regarding those matters of discretion and judgment which can only be

1 addressed by a court with familiar acquaintance of the events and parties.” “Therefore, a
2 higher court should not reverse such a judgment by a lower court, unless there is clear
3 error on the part of the lower court.”
4

5 In the Record of the Case and in oral arguments, it was clear that the parties differed on
6 the interpretation and application of Scripture. While both parties agreed that there was
7 an obligation to minister to SCF’s and to make reasonable provision for the protection of
8 the children and the vulnerable at FWPC, the parties did not agree on what those
9 reasonable provisions should be. However, in the judgment of this court, the
10 Complainant did not demonstrate that the Session at FWPC had violated Scripture or the
11 *Constitution of the Church* in their formulation and application of the SCF policy.
12

13 Without a violation of Scripture or the *Constitution*, the higher court is obligated to defer
14 to the lower court and deny the complainant.
15

16 We do commend both parties for their desire to minister to and restore those that have
17 been convicted of crimes with the good news contained in the Gospel. This case serves
18 to remind us all that care and discipline of all members of the Church is to be
19 administered with the compassion of the Lord Jesus Christ. We would encourage both
20 parties to continue to talk, study, and work on solutions on how to best minister to SCFs.
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22 Proposed opinion written by RE E. J. Nusbaum and edited by TE H. Paul Lee, TE Paul
23 Kooistra and TE Charles McGowan