

THE PERMANENT JUDICIAL COMMISSION  
*of*  
GRACE PRESBYTERY  
*of*  
THE PRESBYTERIAN CHURCH (U.S.A.)

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DECISION

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Grace Presbytery        )  
for                    )  
The Presbyterian Church (U.S.A.)    )  
                          )  
v.                    ) Case Number 2015-1  
                          )  
Joseph Rightmyer,        )  
Teaching Elder            )  
                          )

This is a Disciplinary case which has come before the Permanent Judicial Commission as a result of accusations submitted against Joseph Rightmyer, a teaching elder and a member of the Presbytery of Grace by Thomas Tickner, Moderator of the Committee on Ministry of Grace Presbytery, a teaching elder and a member of Grace Presbytery.

In accordance with the Rules of Discipline, D-3.0101b(1) and D-10.0401, the Permanent Judicial Commission finds that it has jurisdiction, and that the charges against Joseph B. Rightmyer were filed with the Stated Clerk of the Presbytery of Grace within the required time limits.

An Investigating Committee consisting of Ruling Elder Ernie Higginbotham (Moderator), Ruling Elder Brenda Van Amburgh, Teaching Elder Greg Garis, Teaching Elder Thomas Lamb, and Teaching Elder Elizabeth Johnson Pense were appointed on December 2, 2013 in accordance with Grace Presbytery Standing Rule 8.1. On October 16, 2014 the Investigating Committee filed charges with Stated Clerk Gerry Tyer. On November 14, 2014 a Pretrial Hearing was held at the Presbyterian Mission Center in Irving, Texas. On January 6, 2015 a trial was convened at the Presbyterian Mission Center in Irving, Texas.

CHARGES AND VERDICT

CHARGE 1

On or about September 23, 2013, and following, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of advocating and facilitating a process for Highland Park Presbyterian Church to determine whether to remain a member of the Presbyterian Church (U.S.A.) not permitted by the Constitution of the Presbyterian Church (U.S.A.) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." These actions are in violation of your ordination vow W-4.4003 e ("Will you be governed by our church's polity, and will you abide by its discipline? Will you be a friend among your colleagues in ministry, working with them, subject to the ordering of God's Word and Spirit?").

VERDICT: Guilty

#### CHARGE 2

On or about September 23, 2013, and following, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of advocating and facilitating a process for Highland Park Presbyterian Church to determine whether to remain a member of the Presbyterian Church (U.S.A.) not permitted by the Constitution of the Presbyterian Church (U.S.A.) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." These actions are in violation of your ordination vow W-4.4003 g ("Do you promise to further the peace, unity, and purity of the church?").

VERDICT: Guilty

#### CHARGE 3

On or about September 23, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating the Session of Highland Park Presbyterian Church and permitting it to vote to call a congregational meeting to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.). This action is in violation of Book of Order G-1.0503 which defines and limits the business that may be conducted at congregational meetings.

VERDICT: Guilty

#### CHARGE 4

On or about September 23, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating the Session of Highland Park Presbyterian Church and permitting it to vote to call a congregational

meeting to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation of your ordination vow W-4.4003 e ("Will you be governed by our church's polity, and will you abide by its discipline? Will you be a friend among your colleagues in ministry, working with them, subject to the ordering of God's Word and Spirit?").

VERDICT: Guilty

CHARGE 5

On or about September 23, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating the Session of Highland Park Presbyterian Church and permitting it to vote to call a congregational meeting to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation of your ordination vow W-4.4003 g ("Do you promise to further the peace, unity, and purity of the church?").

VERDICT: Guilty

CHARGE 6

On or about October 27, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating a congregational meeting of Highland Park Presbyterian Church and permitting it to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation Book of Order G-1.0503.

VERDICT: Guilty

CHARGE 7

On or about October 27, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating a congregational meeting of Highland Park Presbyterian Church and permitting it to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another

Reformed Denomination." This action is in violation of your ordination vow W-4.4003 e ("Will you be governed by our church's polity, and will you abide by its discipline? Will you be a friend among your colleagues in ministry, working with them, subject to the ordering of God's Word and Spirit?").

VERDICT: Guilty

#### CHARGE 8

On or about October 27, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating a congregational meeting of Highland Park Presbyterian Church and permitting it to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation of your ordination vow W-4.4003 g ("Do you promise to further the peace, unity, and purity of the church?").

VERDICT: Guilty

#### CHARGE 9

On or about October 27, 2013, and following, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of permitting the dissolving of the installed pastoral relationship of teaching elder Marshall C. Ziemann to serve as associate pastor of Highland Park Presbyterian Church without action of the presbytery as required by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-2.0502). This action is in violation of Book of Order G-2.0502 ("As the Lord has set aside through calling certain members to be teaching elders, so the church confirms that call through the action of the presbytery. The presbytery shall determine whether a particular work may be helpful to the church in mission and is a call to validated ministry requiring ordination as a teaching elder. In the performance of that ministry, the teaching elder shall be accountable to the presbytery. Teaching elders have membership in the presbytery by action of the presbytery itself, and no pastoral relationship may be established, changed, or dissolved without the approval of the presbytery.").

VERDICT: Not Guilty

#### CHARGE 10

On or about October 27, 2013, and following, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of

permitting the dissolving of the installed pastoral relationship of teaching elder Marshall C. Zieman to serve as associate pastor of Highland Park Presbyterian Church without action of the presbytery and a congregational meeting as required by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-2.0901). This action is in violation of Book of Order G-2.0901 ("An installed pastoral relationship may be dissolved only by the presbytery. Whether the teaching elder, the congregation, or the presbytery initiates proceedings for dissolution of the relationship, there shall always be a meeting of the congregation to consider the matter and to consent, or decline to consent, to dissolution.").

VERDICT: Not Guilty

#### CHARGE 11

On or about October 27, 2013, and following, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of permitting the dissolving of the installed pastoral relationship of teaching elder Marshall C. Zieman to serve as associate pastor of Highland Park Presbyterian Church without action of the presbytery and a congregational meeting as required by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-2.0901 "An installed pastoral relationship may be dissolved only by the presbytery. Whether the teaching elder, the congregation, or the presbytery initiates proceedings for dissolution of the relationship, there shall always be a meeting of the congregation to consider the matter and to consent, or decline to consent, to dissolution."). This action is in violation of your ordination vow W-4.4003 e ("Will you be governed by our church's polity, and will you abide by its discipline? Will you be a friend among your colleagues in ministry, working with them, subject to the ordering of God's Word and Spirit?")

VERDICT: Not Guilty

#### ORDER

THIS PERMANENT JUDICIAL COMMISSION, ACTING AS A COURT OF THE CHURCH,  
THEREFORE IMPOSES THE CENSURE OF  
REMOVAL FROM THE ORDERED MINISTRY OF TEACHING ELDER

Whereas, you, JOSEPH B. RIGHTMYER, have been found guilty of the following offenses, and by such offenses you have acted contrary to the Constitution of the Presbyterian Church (U.S.A.); now, therefore, Grace Presbytery acting in the name and under the authority of the Presbyterian Church (U.S.A.), does hereby set aside and remove you from the ordered ministry of teaching elder.

Offense 1: On or about September 23, 2013, and following, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of advocating and facilitating a process for Highland Park Presbyterian Church to

determine whether to remain a member of the Presbyterian Church (U.S.A.) not permitted by the Constitution of the Presbyterian Church (U.S.A.) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." These actions are in violation of your ordination vow W-4.4003e.

Offense 2: On or about September 23, 2013, and following, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of advocating and facilitating a process for Highland Park Presbyterian Church to determine whether to remain a member of the Presbyterian Church (U.S.A.) not permitted by the Constitution of the Presbyterian Church (U.S.A.) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." These actions are in violation of your ordination vow W-4.4003g.

Charge 3: On or about September 23, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating the Session of Highland Park Presbyterian Church and permitting it to vote to call a congregational meeting to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.). This action is in violation of Book of Order G-1.0503 which defines and limits the business that may be conducted at congregational meetings.

Charge 4: On or about September 23, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating the Session of Highland Park Presbyterian Church and permitting it to vote to call a congregational meeting to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation of your ordination vow W-4.4003e.

Charge 5: On or about September 23, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating the Session of Highland Park Presbyterian Church and permitting it to vote to call a congregational meeting to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation of your ordination vow W-4.4003g.

Charge 6: On or about October 27, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating a congregational meeting of Highland Park Presbyterian Church and permitting it to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not

permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation Book of Order G-1.0503.

Charge 7: On or about October 27, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating a congregational meeting of Highland Park Presbyterian Church and permitting it to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation of your ordination vow W-4.4003e.

Charge 8: On or about October 27, 2013, you, JOSEPH B. RIGHTMYER, while serving as Interim Senior Pastor of Highland Park Presbyterian Church, did commit the offense of moderating a congregational meeting of Highland Park Presbyterian Church and permitting it to vote on whether to remain a member of the Presbyterian Church (U.S.A.), an action not permitted by the Constitution of the Presbyterian Church (U.S.A.) (Book of Order G-1.0503) and contrary to Grace Presbytery's "Policy for a Just and Gracious Dismissal of a Congregation to Another Reformed Denomination." This action is in violation of your ordination vow W-4.4003g.

#### ABSENCES AND NON-PARTICIPANTS

Teaching Elder Paul Thompson, current member of the Permanent Judicial Commission, was not present and took no part in the proceedings. He was replaced by Teaching Elder Warner Bailey, a former member of the Permanent Judicial Commission, in accordance with the Rules of Discipline, D-5.0206b. Ruling Elder Ron Martin, current member of the Permanent Judicial Commission was not present and took no part in the proceedings. Ruling Elder Stanley McAnelly and Teaching Elder Elizabeth Johnson Pense, current members of the Permanent Judicial Commission, recused themselves from serving at this trial. They were replaced by Ruling Elder Calvin Bluiett and Teaching Elder Lynette Solomon, former members of the Permanent Judicial Commission, in accordance with the Rules of Discipline, D-5.0206b. The following current members of the Permanent Judicial Commission participated in the proceedings: Teaching Elder Nancy Ramsay, Moderator; Ruling Elder Carole Cook, Clerk; Teaching Elder Darla Blatnik, Ruling Elder John Palmer; and Ruling Elder Phyllis Kidwell.

DATE

Dated this Seventh day of January 2015

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Signed  
Teaching Elder Nancy Ramsay  
Moderator, Permanent Judicial Commission

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Signed  
Ruling Elder Carole Cook  
Clerk, Permanent Judicial Commission