

How are elders commissioned to higher courts?

An elder is commissioned by lower courts to serve on presbyteries and state assembly. The person so appointed needs to be elected to that position by their session. A formal written commission is then forwarded to the clerk of the higher court. The commission usually stands for a twelve month period.

Such elders are often referred to as *representative elders* but the term can be misleading. An elder is commissioned to be a member of the presbytery or assembly in his or her own right, not simply to be a representative of a lower court. The latter implies an involvement primarily in matters of interest to the home session and the parish.

Where a session is unable, for one reason or another, to commission one of its own members to an Assembly, it is entitled to appoint an elder from another parish.

Sometimes for a range of reasons ... generally because an elder on assembly can be appointed from the session of another congregation ... more than one elder from a session can hold a seat on the courts.

Presbyteries are required to maintain a parity between ministers and elders and can invite elders from among the parishes within its bounds to take a seat on that court.

In contrast to elders, ministers retain a seat on their presbytery and the state assembly by virtue of their office.

It is in order for an alternate elder to presbytery to be commissioned to fill in for a representative who is unable to attend a meeting. This option is not available in state assembly commissions.

Does the role of an elder on higher church courts differ from that of a minister?

In theory the two roles are indistinguishable. But 16th and 17th Century reformers who devised the modern pattern of Presbyterian eldership showed great wisdom in seeking to balance the Ministry of the Word and Sacraments with the Eldership. One

brings a stewardship of the wisdom of the Scriptures into the affairs of the church courts while the other brings the experience of practical day-to-day Christianity. As long as they see each other as being complimentary in role and able to make mutually-respected contributions in the courts, the church can be regarded as in a very healthy state.

Elders vote and speak in higher courts on the basis of their conscience and the quality of the debate. Within respectful bounds, they cannot be held accountable for what they argue or how they vote.

What duties do elders exercise in higher courts?

The commissioned elder has equal rights and responsibilities with all other members of the court. The role of presbytery members is determined by the Code 5.02 which lists the responsibilities and powers of the court. It is a collective responsibility and as a result elders and ministers alike should feel free to contribute on any relevant subject that they feel confident to speak.

The elder has an obligation to report to the session at appropriate intervals, tabling documents as necessary.

Does an elder on a Presbytery or Assembly have to vote in a pre-determined way?

A commission to act as “representative” elder implies that the session has confidence in the elder to act in that role as a member of a higher court and to make sound decisions for the good of the whole church.

Commissioned elders are the only ones from their session who are able to listen to the debate on a motion and have full powers to vote as their consciences require.

A session cannot tell a commissioned elder how it wants him or her to vote on a particular issue. This would cancel all the benefits that come from open debate on important subjects. However this does not deny the right of a session to record its feelings on a particular matter and inform the higher court by one of the processes that are available to it under the

Code.

It should be pointed out that a session can withdraw a commission and appoint another elder if it so wishes but for the reasons mentioned this should only be done under very special circumstances

What role do elders play in other areas of the wider church?

Elders can hold a position of equality with ministers on presbytery or assembly committees or commissions.

Commissions are appointed to act with the authority of a court to carry out a specific task. They are given clear terms of reference and must act within those limits.

Presbytery committees are usually appointed to do the spade-work on particular functions of the courts, such as pastoral care of candidates for the ministry or visitation of parishes. They may also be ad hoc committees appointed to examine and report on particular questions.

In the case of assembly committees there is usually a requirement that there are equal numbers of ministers and elders. These committees are executive arms of the assembly and carry out its resolutions over the twelve month period between sittings.

Presbyteries and state assemblies appoint equal numbers of ministers and elders to the triennial General Assembly of Australia.

What authority does a presbytery or assembly have over commissioned elders?

Elders are accountable to their sessions and, apart from matters of privilege or order relating to those courts, the higher courts cannot assume an authority over the representative elders.

**Elders
Association**



Some Questions for Discussion

1. How does an elder cope with having to make a decision in a higher court that may not be well-received in the session or parish?
2. When commitments to the wider church clash with local parish commitments, what does an elder do?
3. What are the possible effects of the minister and elder taking divergent paths on issues in higher courts? What can be done about it?
4. When a presbytery is looking into a problem in an elder's parish, what should the elder from that parish do?

The Role of the Commissioned Elder on Assembly and Presbytery

**On this page:
In this study**

- How are elders commissioned to higher courts?
- Does the role of an elder on higher church courts differ from that of a minister?
- What duties do commissioned elders exercise?
- Does a commissioned elder on a Presbytery or Assembly have to vote in a pre-determined way?
- What role do elders play in other areas of the wider church?
- What authority does a presbytery or assembly have over commissioned elders?