



THE PERMANENT JUDICIAL COMMISSION of THE EVANGELICAL PRESBYTERIAN CHURCH

**SESSION OF BEVERLY HEIGHTS CHURCH, et al. v.
PRESBYTERY OF THE ALLEGHENIES**

ORDER OF THE COMMISSION

[June 21, 2024]

On January 27, 2024, the session of Beverly Heights Church in Pittsburgh, Pennsylvania, and Teaching Elder Nate Devlin (jointly, the “Complainant”) filed a complaint against the Presbytery of the Alleghenies (the “Respondent”). The Complainant therein objected to certain contempt charges filed against it for allegedly defying actions and recommendations of the Respondent’s Administrative Commission. We continue to consider the complaint.

In the meantime, on April 24, 2024, we issued a preliminary order (the “Stay Order”) stating, among other things, “Without leave of this commission, the Respondent shall take no further action pursuant to its December 28, 2023 charges of contempt against the Complainant.” The Respondent has asked us to clarify whether the Stay Order prevents the Respondent from conducting a review of the Complainant’s finances. It does not. The Stay Order shall not be interpreted as prohibiting the Respondent from taking action *unrelated* to its December 28, 2023 charges of contempt against the Complainant.

For its part, the Complainant has submitted to the Stated Clerk of the General Assembly its own charges of contempt against the members of the Respondent’s Administrative Commission and supplemental charges of contempt against the Respondent’s Stated Clerk, Teaching Elder Dana Opp. The charges concern the Administrative Commission’s order for a financial review of Beverly Heights Church currently scheduled for the week of June 24, 2024. The Complainant has asked this commission to stay that order. It has also asked us to conduct “a full investigation of the Administrative Commission and the offenses they have committed against [the Complainant]

and the EPC constitution.” We cannot issue the requested stay or conduct the requested investigation.

Put simply, this commission is not the court of original jurisdiction for the Complainant’s charges. *Book of Discipline* 4-2.B states, in relevant part, “The Presbytery has original jurisdiction in every disciplinary case involving Teaching Elders of the Presbytery....” In addition, *Book of Discipline* 4-2.C states, “The General Assembly has original jurisdiction over chapter 14 complaints regarding actions or decisions of Presbyteries and judicial cases referred to it by a lower court (G.22-3).” We are not constitutionally authorized to act on behalf of either the Presbytery of the Alleghenies or the General Assembly concerning the requested relief.