



THE PERMANENT JUDICIAL COMMISSION of THE EVANGELICAL PRESBYTERIAN CHURCH

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

ORDER OF THE COMMISSION (AMENDED)

[August 1, 2024]

On June 22, 2024, the session of Beverly Heights Church in Pittsburgh, Pennsylvania, and its Teaching Elder Nate Devlin (jointly, the “Complainant”) filed a complaint against the Presbytery of the Alleghenies (the “Respondent”).¹ The Complainant therein asked this commission to overrule what it characterized as “an unconstitutional order for a financial review” of the finances of Beverly Heights Church. The Complainant also requested that this commission admonish the Respondent and stay its action until the complaint is finally decided.

As a threshold matter, we must determine under section 14-8 of the Book of Discipline whether the complaint stated grounds on which relief may be granted. Solely for the purposes of this determination, we have assumed that all facts alleged by the Complainant are true.

Nevertheless, the constitution of the Evangelical Presbyterian Church gives each presbytery “oversight of *the life* of a number of churches within a designated area....”² Therefore, as a matter of church law, and despite the Complainant’s assertion to the contrary, the Respondent’s authority is not limited to only “spiritual supervision” of Beverly Heights Church. Although section 19-4.A of the Book of Government enumerates certain responsibilities that a presbytery has with respect to its particular churches, the list is not

¹ This is the second complaint filed by the Complainant against the Respondent. In its first complaint, filed on January 27, 2024, the Complainant objected to certain contempt charges filed against it by the Respondent. We continue to consider the first complaint.

² G.19-1 (emphasis added).

meant to be exhaustive or limiting. The text itself acknowledges this, stating that “the Presbytery has *the necessary authority* to fulfill its responsibilities....”³ Those responsibilities expressly include, among other things, “to implement review and control,” “to oversee the peace and unity within local churches,” and “to inquire into the effectiveness of ministry.”⁴ Although presbyteries do not have unlimited authority, we will not read the *Book of Order* in a way that causes it to contradict itself.

According to the complaint, Teaching Elder Devlin emailed the congregation of Beverly Heights Church on April 19, 2024. He indicated that the church’s Financial Administrator had resigned and that the congregation was facing a deficit of approximately \$126,400.

The Respondent’s administrative commission, which had previously been granted “all the power and authority of the Presbytery” (the “Administrative Commission”), subsequently received numerous inquiries from congregants regarding “what could be done to ensure that the church’s finances were being properly administered.” After a congregational meeting on June 2, 2024, the number of inquiries grew. “Mindful of its responsibility of oversight of Beverly Heights Church,” the Administrative Commission recommended and the Respondent’s Leadership Team approved a review of the church’s financial records and administrative practices by an independent certified accounting firm. The Respondent pledged to pay all costs of the review. “As we hope this review will be able to allay the concerns of congregants and Presbytery as to whether finances are being properly administered,” the Respondent wrote to the Complainant, “full cooperation with the review is ordered and expected.”

After objecting to the review, the Complainant filed with the General Assembly charges of contempt against the members of the Administrative Commission and supplemental charges of contempt against the Respondent’s Stated Clerk, Teaching Elder Dana Opp. We dismissed the charges for reasons stated in our order dated June 21, 2024.

In its current filing, the Complainant asserts, among other things, the impropriety of the Respondent’s reliance on “[a]nonymous inquiries,” the constitutional grant of original jurisdiction over members to the local church, the express responsibility and fiduciary duty of the session to oversee congregational finances, the lack of a constitutional requirement for congregational audits and financial reviews, the fact that the local church owns its property, the availability of its prior Financial Administrator to answer questions, the bylaws of Beverly Heights Church, and the absence of face-to-face discussion between the Administrative Commission and the church’s session on these issues.⁵

³ G.19-4 (emphasis added).

⁴ G.19-4.A.7 & G.19-4.A.8.

⁵ But See G.6-5 [stating “care should be exercised that the good name and the reputation of the Church not be harmed through unwise and imprudent management”] & G.6-9 [stating “when a mission church or local church is legally incorporated, its Articles of Incorporation shall be consistent with the Constitution of the Evangelical Presbyterian Church in establishing its Charter and By-laws”].

Having considered the complaint, we find that the Respondent's order of a financial review of Beverly Heights Church is neither a violation of Scripture nor the constitution of the Evangelical Presbyterian Church. The order is consistent with the Respondent's duty and authority to oversee the life of Beverly Heights Church. Presbyteries of the Evangelical Presbyterian Church regularly and appropriately explore potential failures in particular church management or mission.

For the reasons stated above, the complaint is dismissed.