



February 16, 2016

Chairman John Barker
Kansas Statehouse, Room 519-N
300 Southwest 10th Street
Topeka, Kansas 66612

Dear Chairman Barker, Ranking Member Carmichael, and Judiciary Committee Members:

My name is Chad Herring, Pastor of the Kirk of Kansas City and a Minister of Word and Sacrament in the Presbyterian Church (U.S.A.).

This ministry includes service on Heartland Presbytery's *Permanent Judicial Commission*, where I interpret and adjudicate internal church matters duly brought to us under the *Constitution of the Presbyterian Church (U.S.A.)* for 100 congregations in Kansas and Missouri. I am also a Director for Presbyterian Mission Agency of the PCUSA and have been a commissioner to higher councils: our Synod of Mid-America (Kansas and Missouri) and the national General Assembly. But at heart, I am a church pastor. I live in Prairie Village, Kansas, and I am grateful for the opportunity to respectfully submit this testimony for your consideration.

Religious communities in Kansas are varied and diverse. Many are organized in national denominations, while others are isolated and independent. The state should protect all equally, and not interject itself in disputes or disagreements among their adherents beyond what is necessary to provide a fair and just venue for all under civil law. My particular denomination agrees with this principle. Accordingly, our *Book of Order* states: "Therefore we consider the rights of private judgment, in all matters that respect religion, as universal and unalienable: We do not even wish to see any religious constitution aided by the civil power, further than may be necessary for protection and security, and at the same time, be equal and common to all others." (F-3.0101b)

Therefore, I am writing to respectfully oppose HB 2161. At least among Christian communities, there are many different underlying philosophies and theologies that order their life together. Some see themselves as largely *independent* of one another (Congregationalist structure). Others believe that they are *deeply dependent* on the bishop/diocese/structure that created them and oversees them (Episcopal structure). My particular denomination, the PCUSA, takes a third view: our churches are *interdependent* (a Presbyterian/Reformed structure), each church an expression of mission of the larger church. As our *Book of Order* describes this:

The congregation is the church engaged in the mission of God in its particular context. The triune God gives to the congregation all the gifts of the gospel necessary to being the Church. The congregation is the basic form of church, **but it is not of itself a sufficient form of the church. Thus congregations are bound together in communion with one another, united in relationships of accountability and responsibility, contributing their strengths to the benefit of the whole, and are called, collectively, the church.** (G-1.0101, Emphasis Added)

Presbyterians do not expect all other denominations, religious societies, or faith traditions to feel the same way. But the differences of perspective are *internal religious matters*, and are properly left to the churches themselves to work out.

The Presbyterian Church (U.S.A.) has maintained a trust clause in its *Book of Order* since its inception 33 years ago. Ministers and Ruling Elders are instructed that this clause is consistent with several centuries of *interdependent* church polity. It is a direct result of court rulings permitting state use of a so-called Neutral Principle approach to these matters, insofar as they took into account, among other factors, provisions in the constitution of the general churches. When members join our churches and give freely to help purchase church property, they do so because of their commitment to this *interdependent* church polity.

Kansas currently has effective means of fairly resolving church property disputes. However, HB 2161, if enacted, would not allow for the internal rules and polity of our church to be considered in property disputes, effectively privileging those who claim an *independent* or congregational polity, or who later decide to discard decades of agreement through simple changes to corporate bylaws at a congregational meeting.

As a pastor in a denomination whose congregations are faithfully engaged in ministry and mission in their own context, but also thoroughly part of something bigger and larger than themselves, I strongly encourage you to ensure that our faith can be freely and fairly practiced in Kansas. Please allow our church structures the freedom to function unimpeded and to adjudicate internal church disagreements as our faith and our polity provide.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Rev. Chad Andrew Herring". The signature is written in a cursive style with a large, stylized initial "C".

The Rev. Chad Andrew Herring,
Pastor, The Kirk of Kansas City