

2.400 COMMITTEES OF COUNCIL: MISCELLANEOUS

2.401 Inquiry/Access by Civil Authorities

In the event of inquiry or request by the police, FBI or any other criminal investigative agency; or in the event a discovery request or other informal information-seeking request is made for purposes of civil litigation concerning the office of the Presbytery, the Executive presbyter or Stated Clerk, any boards, agencies, committees or commissions of the Presbytery or the Presbytery itself; or in the event an individual is questioned or is asked to submit information for criminal or civil purposes, which relates to matters that involve the individual in his/her capacity as a representative of any office or committee of the Presbytery or of the Presbytery itself, then the following shall be the policy of the Presbytery:

- A. All inquiries concerning the above matters shall first be immediately referred to the Presbytery. Any individuals who violate this written policy will be subject to immediate dismissal.
- B. No information or documents will be considered for release without a valid subpoena or search warrant in a criminal matter, or without the use of a subpoena or an accepted discovery device as enumerated under the Rules of Civil Procedure in a civil matter. Any search warrant, subpoena or discovery device shall be immediately referred to the Presbytery, meeting within 13 days after the time of the request, for action. In the event a search warrant is issued and there is no time to refer the matter to the Presbytery, the Executive Presbyter shall immediately be contacted.
- C. No information or documents of any kind will be released until the Presbytery shall have consulted with the law firm retained as legal counsel for guidance in such matters.
- D. The Executive Presbyter and/or Stated Clerk may only release information or documents in their area of responsibility. This information shall be released only when so approved by the Presbytery, except when a court order or the possibility of court-ordered sanctions mandates such production.
- E. The Presbytery will accept full responsibility for the consequences of the decision to withhold or release certain documents and information.