

Rules of Discipline Training

Presbyterian Church USA

Introduction

- Administrative vs. Judicial
- Remedial Case
- Disciplinary Case

Permanent Judicial Commissions

- Session
- Presbytery PJC: 7-9 Members
- Synod PJC: 11 Members
- GAPJC: 16 members
- Role

JUDICIAL PROCESS

- Remedial and Disciplinary Cases
- Preparation
- Beginning of Process
 - Telephone Call
 - Complaint
 - Request for Stay of Enforcement
 - Written Allegation
 - Charges

Preamble

- D-1.0101 Church Discipline
- D-1.0102 Power Vested in Christ's Church
- D-1.0103 Conciliate and Mediate

REMEDIAL CASE

- Irregularity
- Delinquency

- Complainant
- Respondent

REMEDIAL CASE

- Initiating a Remedial Case
- Complaint – 90 days
- Stay of Enforcement D-6.0103
 - Must have Complaint
 - Must allege irreparable harm
 - Copies to PJC Officers immediately
 - Timing – 30d to file Request, 7d for Officers, 10d for PJC members

REMEDIAL CASE

- Answer and List of Materials pertinent
- Transmit to Officers of PPJC
- Case Accepted
- Receive Materials and transmit to PPJC

REMEDIAL CASE

- Pretrial Conference
- Trial
 - Room
 - Witnesses
 - Record of Proceedings
 - Reporting written decision

DISCIPLINARY CASE

- ALLEGATION OF OFFENSE
 - Notice to Presbytery
 - No discretion on part of Stated Clerk
 - Standing rule for appointment of Investigating Committee
 - Must be filed within 5 years of alleged offense (exception is Sexual Abuse)

DISCIPLINARY CASE

- INQUIRY

- Is it an Offense?
- Probable Cause
- Reasonably Proven
- Prove Beyond a Reasonable Doubt

DISCIPLINARY CASE

- ALTERNATIVE FORM OF RESOLUTION
 - Negotiation
 - Mediation
 - Arbitration
 - Settlement Agreement
 - PPJC Approval w/ charges filed

DISCIPLINARY CASE

- CENSURE

- Rebuke
- Rebuke w/ Supervised Rehabilitation
- Temporary Exclusion
- Removal from Office or Membership

RENUNCIATION

DISCIPLINARY CASE

- Decision
 - BEYOND A REASONABLE DOUBT
 - 2/3 Vote
 - Reporting Decision
 - In Open Court
- Enforcement
- Censure Hearing
- Victim Impact Statement

REQUEST FOR VINDICATION

- Investigating Committee
- Public Report
- Possible Charges

JUDICIAL PROCESS

- REFERENCE MATERIAL

- Book of Order
- Annotated Book of Order
- GA Authoritative Interpretations
- GAPJC Decisions
- Stated Clerks Judicial Process Handbook
- Office of Constitutional Services
- PC(U.S.A.) Website