

The Preamble to the Rules of Discipline spells out the purposes of our church's disciplinary process. We read the first two paragraphs of the preamble aloud at the beginning of every proceeding.

PRINCIPLES OF CHURCH DISCIPLINE

D-1.0101.

Church discipline is the church's exercise of authority given by Christ, both in the direction of guidance, control, and nurture of its members and in the direction of constructive criticism of offenders. The church's disciplinary process exists not as a substitute for the secular judicial system, but to do what the secular judicial system cannot do. The purpose of discipline is to honor God by making clear the significance of membership in the body of Christ; to preserve the purity of the church by nourishing the individual within the life of the believing community; to achieve justice and compassion for all participants involved; to correct or restrain wrongdoing in order to bring members to repentance and restoration; to uphold the dignity of those who have been harmed by disciplinary offenses; to restore the unity of the church by removing the causes of discord and division; and to secure the just, speedy, and economical determination of proceedings. In all respects, all participants are to be accorded procedural safeguards and due process, and it is the intention of these rules so to provide.

D-1.0102.

The power that Jesus Christ has vested in his Church, a power manifested in the exercise of church discipline, is one for building up the body of Christ, not for destroying it, for redeeming, not for punishing. It should be exercised as a dispensation of mercy and not of wrath so that the great ends of the Church may be achieved, that all children of God may be presented faultless in the day of Christ.

D-1.0103

The traditional biblical obligation to conciliate, mediate, and adjust differences without strife is not diminished by these Rules of Discipline. Although the Rules of Discipline describe the way in which judicial process within the church, when necessary, shall be conducted, it is not their intent or purpose to encourage judicial process of any kind or to make it more expensive or difficult. The biblical duty of church people to "come to terms quickly with your accuser while you are on the way to court . . ." (Matthew 5:25) is not abated or diminished. It remains the duty of every church member to try (prayerfully and seriously) to bring about an adjustment or settlement of the quarrel, complaint, delinquency, or irregularity asserted, and to avoid formal proceedings under the Rules of Discipline unless, after prayerful deliberation, they are determined to be necessary to preserve the purity and purposes of the church.

Every governing body of the PC(USA) has responsibilities for judicial process. The session conducts its own trials; the governing bodies beyond the session fulfill their responsibilities through permanent judicial commissions.

The only Kind of Judicial Matter handled by a Session

A disciplinary case based on charges against a member of the congregation. D-3.0101a.

Kinds of Judicial Matters handled by Presbytery Permanent Judicial Commissions

A remedial case based on a complaint against a session filed by:

- a member of the congregation (D-6.0202b(1).),
- another session (D-6.0202a(5).), or
- a person who is an employee of a particular church claiming to have sustained injury or damage to person or property by the session or an entity of the session (D-6.0202b(4).).

A disciplinary case based on charges against a minister of Word and Sacrament who is a member of the presbytery or is subject to the jurisdiction of the presbytery. D-3.0101b. (Charges are filed only by an investigating committee.)

An appeal from a final decision of a session in a disciplinary case. D-13.0101.

A request from a session for presbytery to accept a disciplinary case on reference. D-4.0101.

Kinds of Judicial Matters handled by Synod Permanent Judicial Commissions

A remedial case based on a complaint against a presbytery filed by

- A minister member on the roll of the presbytery (D-6.0202a(1));
- An elder commissioner who was enrolled at the presbytery meeting in question (D-6.0202a(1));
- A session (D-6.0202a(3));
- Another presbytery D-6.0202a(5); or
- A person who is an employee of a presbytery or of an entity of a presbytery, claiming to have sustained injury or damage to person or property by the presbytery or entity (D-6.0202a(6)).

An appeal from a final decision by a Presbytery Permanent Judicial Commission in a remedial or disciplinary case. D-8.0101, D-13.0101.

A request from a presbytery for synod to accept a remedial or disciplinary case or an appeal on reference. D-4.0101.

Kinds of Judicial Matters handled by the General Assembly Permanent Judicial Commission

A remedial case based on a complaint against a synod filed by

- A [minister or elder] commissioner enrolled at the synod meeting (D-6.0202a(2));
- A presbytery (D-6.0202a(4));
- Another synod (D-6.0202a(5)); or
- A person who is an employee of a synod or of an entity of a synod, claiming to have sustained injury or damage to person or property by the synod or entity (D-6.0202a(6)).

A remedial case based on a complaint against the General Assembly Council or an entity of the General Assembly filed by

- a session, a presbytery, or a synod (D-6.0202b(2)); or
- a person who is an employee of the General Assembly Council or an entity of the General Assembly, claiming to have sustained injury or damage to person or property by the General Assembly Council or an entity of the General Assembly (D-6.0202b(3)).

An appeal from a final decision of a synod permanent judicial commission in a remedial case or a disciplinary case. D-8.0101, D-13.0101.

A request for General Assembly to accept a remedial or disciplinary case or an appeal on reference from a synod. D-4.0101.

Glossary

Appeal: 1. “An appeal of a remedial case is the transfer to the next higher governing body of a case in which a decision has been rendered in a lower governing body, for the purpose of obtaining a review of the proceedings and decision to correct, modify, set aside, or reverse the decision.” D-8.0101.

2. “An appeal of a disciplinary case is the transfer to the next higher governing body of a case in which a decision has been rendered in a lower governing body, for the purpose of obtaining a review of the proceedings and decision to correct, modify, set aside, or reverse the decision.” D-13.0101.

Delinquency: “A delinquency is an omission or failure to act [by a governing body].” D-2.0202b.

Disciplinary Case: “A disciplinary case is one in which a church member or officer may be censured for an offense.” D-2.0203.

Irregularity: “An irregularity is an erroneous decision or action [by a governing body].” D-2.0202a.

Offense: “An offense is any act or omission by a member or officer of the church that is contrary to the Scriptures or the Constitution of the Presbyterian Church (U.S.A.).” D-2.0203b.

Remedial Case: “A remedial case is one in which an irregularity or a delinquency of a lower governing body, the General Assembly Council, or an entity of the General Assembly may be corrected by a higher governing body.” D-2.0202.

Reference: “A reference is a written request, made by a session or a permanent judicial commission of a presbytery or synod to the permanent judicial commission of the next higher governing body, for trial and decision or a hearing on appeal in a remedial or disciplinary case not yet decided.” D-4.0100.

Permanent Judicial Commission of Pittsburgh Presbytery

The PJC is a constitutionally mandated commission, composed and organized as required by Chapter V of the Rules of Discipline. (See also Chapter Five of the Presbytery Manual.)

The nine ministers and elders who make up Pittsburgh Presbytery's Permanent Judicial Commission were elected by the presbytery to staggered six-year terms.

The PJC does not discuss cases outside of its deliberations, nor does it offer advisory opinions about matters that might come before it in the future. If you desire constitutional advice, consult the stated clerk. If you are facing a moral dilemma, you can talk with the stated clerk or the pastors to the presbytery.

Pittsburgh Presbytery has budgeted less than \$6,000 for its PJC for 2009, out of a budget of almost \$3,000,000. (That is about 0.2% of the budget.) The PJC has no plans to spend any of it, and we only incur expenses when we have cases before us. The budgeted amount is based on the actual expenses for the previous two years.