

**The Standards  
of the  
REFORMED PRESBYTERIAN  
CHURCH  
EVANGELICAL SYNOD**

**VOLUME II**

*Form of Government*  
*Book of Discipline*  
*Directory of Worship*

(As revised by General Synods through 1979)

*Published by*  
**CHRISTIAN TRAINING INC.**  
P.O. Box 505  
Coventry, Connecticut 06238  
1980

## CONTENTS

### *FORM OF GOVERNMENT*

I	The Visible Universal Church and this Denomination as a Branch Thereof . . . . .	1 4
II	The Particular Church . . . . .	4
III	The Presbytery . . . . .	17
IV	The Synod . . . . .	22
V	Ministers, Elders, Deacons, and Trustees: General Principles . . . . .	29
VI	Amendments . . . . .	46

### *BOOK OF DISCIPLINE*

	Preface . . . . .	49
I	Church Discipline, Its Nature and Purpose . . . . .	51
II	Jurisdiction . . . . .	52
III	Scriptural Methods of Dealing with Offenders . . . . .	54
IV	Steps in Judicial Procedure . . . . .	58
V	The Trial of Judicial Cases . . . . .	60
VI	Evidence in Judicial Cases . . . . .	64
VII	Cases without Full Process . . . . .	66
VIII	Censure and Restoration . . . . .	69
IX	Removal of a Judicial Case to a Higher Judiciary . . . . .	71
X	Responsibilities of General Review To a Higher Judiciary . . . . .	73
XI	Removal of Nonjudicial Cases From a Lower to a Higher Court . . . . .	74
XII	Dissents, Protests, Petitions, Memorials, and Overtures . . . . .	77

# Book of Discipline

## PREFACE

In the composition of this Book of Discipline similar publications used by other Reformed and Presbyterian bodies have been freely drawn upon. Presbyterian churches have a common heritage in that form of government which is indicated in the New Testament. No attempt has been made to give credit to particular sources.

The judicatories of the Reformed Presbyterian Church, Evangelical Synod, being governed by our own Constitution, are expected to use the light of experience as manifested in the history of other branches of the church. Every judicatory should give such weight as it deems proper to precedent and analogy in the experience of other judicatories.

## Chapter I

### CHURCH DISCIPLINE, ITS NATURE AND PURPOSE

1. Church discipline is the exercise of those functions for the correction or prevention of evil within the church which are enjoined upon the church by the Scriptures, or clearly inferred therefrom. The meaning of the word *discipline* closely corresponds to the New Testament word *paideia*, and is included within the broader concept of *edification* as expressed by such New Testament words as *paraklesis*, *nouthesia*, *oikodome*.
2. Cases of discipline are classified as either *judicial* or *administrative*. A *judicial* case is one in which a member of the church is charged with having committed an offense. An *offense* is defined in judicial procedure as any act or teaching in doctrine, principles, or practice, contrary to the Scriptures or to those expositions of the Scriptures which are contained in the Constitution of the Church. All nonjudicial cases of discipline are classified as *administrative*.
3. Since there are sins of the heart and mind, known only to God and to the sinner, against which a faithful pastor must warn and admonish his flock, but of which no one without supernatural knowledge can bring provable charges against another, the charges in all judicial cases must be of such a nature as, if true, to be provable by valid objective evidence.
4. The purpose of church discipline is the preservation of the purity and good order of the church (Acts 5:1-11; 15:1-31), for the spiritual welfare of its members (1 Cor. 5:5), and for the effectiveness of its witness to the world (Rom. 12:17; 1 Cor. 14:23-25; Jn. 13:35).

## Chapter II

### JURISDICTION

1. Except for the duty of *reproving* “the unfruitful works of darkness” (Eph. 5:11) and proclaiming the Gospel to all the world (Matt. 28:18-20), the church as an organization in the world in the present age has no disciplinary jurisdiction beyond its own membership.

2. Presbyterian church government includes a graded system of courts or judicatories whose members are lay ruling elders and ministerial teaching elders. In the Reformed Presbyterian Church, Evangelical Synod the *session* of the local church has immediate jurisdiction over the members, deacons, and ruling elders thereof, but not over its ordained minister or ministers. The next highest court above the session is the *presbytery*, which has immediate jurisdiction over the ministerial members thereof. The highest court in the denomination is the *Synod*. Any court of the church may perform its disciplinary functions through a *judicial commission*, duly constituted by the said court.

3. If a church member has been dismissed to another particular church, or a minister to another presbytery, he shall be considered subject to the jurisdiction which dismissed him until the time when he is actually received by the body to which he has been dismissed.

4. All certificates of dismissal shall specify the particular body to which the person is dismissed and shall be sent directly to that body through its stated clerk by the clerk of the dismissing body. It shall be the duty of the latter to notify the dismissing body of the fact of reception, when accomplished.

5. In case of dismissal of a communicant member or a minister to another denomination not deemed heretical, the jurisdiction of the dismissing body shall be assumed to be in force until knowledge of consummation of the new membership has been received by the dismissing body.

6. Associate members (See FORM OF GOVERNMENT, Ch. II) are, to a limited degree, under the jurisdiction of the churches in which they temporarily worship, and are subject to censure by their sessions. The

session of the church of the associate membership may, if it seems best, merely recommend that disciplinary action be taken by the session of the church of regular membership. The session inflicting actual censure upon an associate member shall fully inform the pastor or clerk of session of the church in which the person is a regular communicant of any such censure. The session of the latter church may confirm the censure, but shall not be bound to do so.

7. In case of the dissolution of a particular church, the presbytery of which it was a member shall have jurisdiction over the remaining members thereof and shall proceed to provide for their care in accordance with our FORM OF GOVERNMENT, Ch. II, 8, e.

8. In case of the dissolution of a presbytery, the Synod shall have jurisdiction over the churches and ministers thereof, and shall provide for their care in accordance with our FORM OF GOVERNMENT, Ch. IV, 8, a, b, and c.

## Chapter III

### SCRIPTURAL METHODS OF DEALING WITH OFFENSES

1. Before instituting judicial proceedings it is necessary that those individuals who believe the proceedings necessary, and the judicatory before which the proceedings may be held, shall carefully consider the scriptural system of truth relating to such matters.

2. In the Jewish commonwealth God had ordained an elaborate system of jurisprudence implementing godly principles of grace and equity. Although the New Testament structure of the Church does not now allow for the literal observation of the details of the administration of justice as in ancient Israel, yet the underlying principles expressing God's holy and gracious character must be regarded as unchangeable.

3. In the New Testament, the method of dealing with offenses in the church of this age are set forth chiefly in the words of Christ in the Sermon on the Mount, and in Matthew 18:15-17, and in the words of Paul in 1 Corinthians, chapters 5 and 6.

4. An irresponsible method of taking some Scriptures in a sense which contradicts other Scriptures must not be allowed. It is just as truly a command of the Word of God that some cases shall be brought before the courts of the church (as in 1 Cor. 6) and some even handled on a secular basis, as that unforgiveness must not be a motive in any disciplinary action. The Scriptures in their entirety must be observed without neglect of any relevant passage. See our Confession of Faith, Ch. I, IX.

5. The following scriptural principles are directly relevant to judicial procedure:

a. Unforgiveness or desire for revenge must not be allowed to influence judicial procedure. All persons concerned should examine their own hearts in the light of Matthew 5:43, 55; 6:12, 14, 15; 7:12; 18:21, 22; Mark 11:25; Luke 6:32-36; 12:13; Ephesians 4:32. No person whose personal interests are involved shall sit in judgment in any judicial case, and any who feel that their motives in any particular case may be unscriptural should disqualify themselves from any position in

which they would be called upon to pass judgment in that case.

b. Disqualification from action in a particular case does not remove a member of a judicatory from serving in other cases which may come before it.

c. Consciousness of being in the wrong (Matt. 5:25, 26; Luke 12:58, 59; 1 Cor. 6:8-11), especially if the wrong is related to the accused or to the case about to be heard, must be cleared up in accordance with the command of Christ as given in Matthew 5:23, 24. Since the Lord commanded that when one is conscious that his brother has some charge of wrongdoing against him he should not engage in a formal act of worship before making restitution, but must first make restitution and do his part toward a reconciliation, it follows *a fortiori* that such reconciliation must be made before one sits in judgment on the offended brother in a judicatory of the church.

d. That there are cases of offense in which *no action* should be taken by the party offended is clear from Matthew 5:38-44; Luke 6:27-36; 1 Corinthians 6:7. This type of offense is illustrated in the words of Christ by such incidents as a slap in the face (Matt. 5:39; Lk. 6:29), requisition for service to an official (Matt. 5:41), begging or borrowing (Matt. 5:42; Lk. 6:30).

e. It should be noted that the illustrations given in Scripture do not go beyond personal insults, inconveniences, or discomforts. None of these Scriptures indicating cases of offense in which no corrective action is to be taken can properly be construed in contradiction to other Scriptures which teach that it is our duty to be jealous of the property of others with which we may be entrusted as stewards, or those Scriptures which teach that we are obliged to provide for our families and our dependents, or those Scriptures which teach that we should be jealous for the good name of the Lord and of His Church.

f. No judicatory should proceed with a judicial case without inquiring whether the offense alleged may be of such a nature as that the glory of God would be more greatly advanced by taking no action.

g. Cases for private conference. That there are cases of offense in which action should be taken, and that the first step in such action must be private conference is clearly indicated in the words of Christ as recorded in Matthew 18:15 and Luke 17:3. No judicatory should proceed with a judicial case without first ascertaining that every effort has been made to comply with this commandment.

h. Cases for conference with counsel. Our Lord makes it very

explicit that if private conference fails or is impossible the next step in dealing with an offense must be a conference with counsel (Matt. 18:16; 1 Cor. 6:5, 6). In our culture many offenses between Christians may be due to ignorance of spiritual principles, or ignorance of civil law. It may be desirable that the counsellors assisting should include an experienced pastor or a competent lawyer or both. In this connection those concerned must be guided by Paul's reproof (1 Cor. 6:5), "I speak to your shame. Is it so that there is not a wise man among you? No, not one, that shall be able to judge between his brethren."

i. There are, indeed, cases of disagreement between Christian brethren in which one or both parties may seek a formal ruling by a civil court for a peaceable settlement, without in any way violating the scriptural principles of discipline (Rom. 13:3).

j. No judicatory should proceed with a judicial case without ascertaining that every effort has been made to settle the problem by conference with counsel.

k. Cases for the courts of the church. The command of Christ (Matt. 18:17a) and the instructions of the apostle Paul (1 Cor. 5:1-13; 6:1-4) make it clear that there are judicial cases in which disciplinary action ought to be taken, and in which private conference and conference with counsel are insufficient for the maintenance of order in the church. It is thus necessary that the church shall provide for the hearing and adjudication of such cases.

l. It should be noted in this connection that the words of the apostle Paul in 1 Corinthians 6:1-7 are logically based upon the presupposition of familiarity with the words of Christ in Matthew 18:15-17 and that Paul discusses these matters in the reverse order, first reproofing the church for not having adequate judicatories for the resolution of cases of offense, and lastly reproofing them for engaging litigation in cases in which no action ought to be taken. 1 Corinthians 6:4 should be punctuated a question and not as a statement or a command as in the King James Version, the question being followed by the reproof of verse 5. We ought not to seat incompetent persons in our judicatories. It should also be noted that Christ's reference to "the church" in Matthew 18:17 (cf. also Matt. 16:18) does not indicate a mode of procedure or a form of organization which is now archaic. The Lord's command cannot thus be avoided. It should be clear that the words of Christ are applicable to procedure in the church as it is constituted in this age.

m. Cases beyond ecclesiastical jurisdiction. The words of Christ as recorded in Matthew 18:17b are not to be construed as in any way abusive. The "heathen" and the "publican" are both outside the Church, but are individuals we try to bring to the Lord; individuals with whom, in the meantime, we must deal on a secular basis. Similarly, the words of the apostle Paul, as recorded in 1 Corinthians 5:4, 5, indicate that the offender in whose life ecclesiastical discipline has failed to accomplish correction must be excommunicated and dealt with, not as a member of the household of faith, but as a member of the household of Satan, yet one for whose regeneration and restoration the church must hope and pray.

n. It should be noted that in 1 Corinthians 6:1-4 the apostle Paul does not condemn appeal to secular courts in principle; but condemns appeal to secular courts *without* having *first* attempted settlement of difficulties on a scriptural basis as among brethren. Paul himself, guided by the Holy Spirit, appealed to the Roman court as against the ecclesiastical authorities of his day. He clearly taught (Rom. 13:1-7) that secular judicatories "bear the sword" by divine authority against criminal offenses, and he makes it clear that Christians must pay taxes for the support of secular judicatories.

## Chapter IV

### STEPS IN JUDICIAL PROCEDURE

1. Charges of an offense may be brought against a non-ministerial member of the church before the session of the church of which he is a member, or against an ordained minister before the presbytery of which he is a member. Charges may be initiated by an injured party or one who considers himself such by any court of the church or a duly appointed committee thereof, or by any person of responsible character who is a communicant member of the Reformed Presbyterian Church, Evangelical Synod or of a denomination not deemed heretical. All charges lodged against a minister by a non-ministerial member(s) of the RPCES should reach the presbytery through the local session. Sessions are responsible to transmit these charges without delay.
2. For the prevention of slander or of irresponsible gossip injurious to the good name of the church or of its members, the judicatories of the church shall always keep the channels open for charges to be made in an orderly manner. They shall instruct the people that the circulation of evil report in an irresponsible manner without allowing the accused to make his defense before a court of the church is a great evil; and that it is a Christian duty to bring to the attention of pastors, elders, or judicatories offenses which bring reproach upon the good name of the church; and on the other hand, that making accusations in trivial cases, or in cases in which there is no reason to believe that guilt can be proved by objective evidence, is also a great evil and a ground for censure.
3. When allegations of an offense are brought before a court of the church, unless they are written out as formal charges with specifications, and are in such order that the court regards them as adequate ground for formal judicial procedure, the court shall, usually by the appointment of a *preliminary judicial committee*, make investigation (1) whether the scriptural steps in dealing with offenses, as outlined in Chapter III of this BOOK OF DISCIPLINE, have been or are being observed, and (2) whether the alleged offense is of such a nature that the case ought to be tried by the judicatory.
4. No charge of an offense shall be admitted if it is brought more than two years after the alleged commission of the offense, unless there is

evidence that the alleged offense has since been repeated or similar offenses committed, or unless the alleged offense is heresy, unrepented of, and uncorrected.

5. Investigation shall also include (3) the question whether it would be better that the case be heard by the court of original jurisdiction itself, or by a judicial commission thereof.

6. If in the preliminary investigation the court or the committee concludes that the accusations ought to be considered as a judicial case, the court or committee shall cause that the charges and specifications shall be written out in proper form, with copies for the accused as well as for the court.

7. Every charge of an offense must be presented to the court in writing, and must set forth the alleged offense, together with the specifications of the facts relied upon to sustain the charge. Every specification shall declare, as far as possible, the time, place, and circumstances of the alleged offense, and shall be accompanied with the name of any witnesses and the titles of any documents to be produced in support of the charges.

8. If the preliminary investigation is made by committee, the committee shall report its finding to the judicatory by which it was created.

9. The judicatory shall determine what action, if any, shall be taken upon the preliminary investigation; and, if charges are to be heard in a judicial case, the judicatory shall (1) determine whether it will itself hear the case or refer the case to a judicial commission, and shall (2) arrange for the first meeting of the court or its judicial commission, and for the summoning of all parties to the case who should be present at the first meeting.

10. The judicatory shall convey to the accused, as far as possible in advance of the first meeting of the trial court, the charges and specifications, together with the names of any witnesses and titles of any documents which may be presented against him.

11. Any session or presbytery or the Synod may establish a permanent judicial commission, in which case charges may be brought before the commission directly; and the commission shall proceed as though it were the court of original jurisdiction.

## Chapter V

### THE TRIAL OF JUDICIAL CASES

1. At the beginning of every trial, the moderator of the court shall announce that the body is about to sit in judicial capacity, and shall exhort the members to bear in mind their solemn duty faithfully to minister and declare the Word of God, the only infallible rule of faith and practice, and to subordinate all human judgments to that infallible rule. The announcement and the exhortation shall be made at the opening of each session of the trial court.
2. The courts of the church shall ordinarily sit with open doors. In every case involving a charge of heresy, the court shall be without power to sit with closed doors. In other cases, where the ends of discipline seem to require it, the trial court may, at its own discretion, at any stage of the trial, determine by vote of three-fourths of the members present to sit with closed doors.
3. At the first meeting of the trial court, the court shall determine that the charges and specifications, together with the names of any witnesses and titles of any documents which may be presented against him, are in the hands of the accused. The charges and specifications shall then be read and the accused shall be asked to plead either guilty or not guilty to each of the charges.
4. The accused shall be entitled to the assistance of counsel. No person shall be eligible to act as counsel who is not a member in good standing of the Reformed Presbyterian Church, Evangelical Synod. No person who is counsel in a judicial case may sit in judgment on the same case at any stage thereof.
5. If the accused pleads guilty to any or all of the charges, the court shall retire to determine the censure for the charge or charges to which the plea of guilty is entered. If the accused pleads not guilty, or refuses to plead to any or all of the charges and if the accused makes no objection to immediate procedure, the trial shall proceed on the charges not admitted by the accused. If the accused objects to immediate procedure, the court shall fix the time for the next session of the trial,

which shall not be less than ten days later, unless the accused agrees to an earlier date.

6. At the first meeting of the trial court, the parties to the case may challenge the right of any member of the court to sit in the case. Such challenge shall be decided by a majority of the other members of the court.

7. The accused may at any stage of the trial interpose objections concerning (a) the regularity of the proceedings up to this point and (b) the legal sufficiency of the charges and specifications. The court shall decide on the validity of such objections. It may dismiss the case forthwith, or permit such amendments of the charges and specifications as do not alter their essential nature.

8. Although the courts of the church have no physical jurisdiction over the persons of church members, yet citations to appear before a church judicatory must be regarded with due respect. Wilful refusal or wilful failure to appear when cited is a censurable offense.

9. Because of limitation of funds and facilities, no particular form of citation shall be mandatory. It is necessary that the citation shall be clear and specific and that the proper officer of the judicatory shall make sure that it is received and understood by the person summoned.

10. No judicatory should summon a person to appear at such time or place as would work unreasonable hardship upon him.

11. The court shall issue citations in blank to be issued by the accused to summon, in the name of the court, such witnesses as he may desire to use.

12. Witnesses shall testify in the presence of the accused unless the accused has failed to present himself after citation.

13. The testimony of witnesses living at a distance from the place of trial may be taken by commission appointed by the trial court whenever such course seems advisable, provided, however, that in such case the accused may appear personally before such commission or may be represented by counsel; and he or his counsel shall be permitted to cross-question the witness. The commissioners must be communicant members of the church. They shall take such testimony as may be offered and transmit the testimony to the trial court.

14. The court may, at its own discretion, admit certified statements from persons who by reason of infirmity or distance are unable to appear as witnesses and whose testimony cannot be taken by commission.

15. If the accused wilfully refuses to appear before the court, the court shall proceed to appoint competent counsel to represent his interests as fairly as possible and shall try him in his absence.

16. No person shall be deprived of the right to set forth, plead, or offer in evidence in any court of the church the provisions of the Word of God or of the subordinate standards.

17. When all of the testimony has been taken, the prosecution and the accused may present argument as to the law of the church and the facts. The court shall then retire, and, after deliberation, shall vote on each charge and specification separately. If the court decides that the accused is guilty, it shall then determine the censure. (See paragraph 19).

18. Only members of the court who have been present during the whole of the trial shall be allowed to vote therein, nor may any member who has been absent be thereafter counted in the computation of a quorum. The clerk shall keep an accurate roll of the members attending each session of the court.

19. When the trial court has concluded its deliberations, the moderator shall announce its judgment on each charge. If the accused has been found guilty, the court shall state what censure it proposes to pronounce upon the accused. The censure shall not be put into effect before the accused has been cited to appear (cf. chapter VIII, paragraph 2) or, before the expiration of the time in which the accused may file notice of appeal (cf. Chapter IX, paragraph 4). If notice of appeal is filed and an appeal is taken within the time prescribed by this Book of Discipline, the court may not execute its judgment unless and until the judgment is affirmed by the highest court to which appeal is taken.

20. The trial court shall preserve as complete a record of its proceedings as its facilities permit. The record shall include charges and specifications, objections made by the accused at any stage of the trial, testimony of witnesses, or at least a summary thereof, all rulings and findings of the court including those findings arrived at in private deliberation. This record, together with all relevant papers, shall be certified by the clerk of the trial court and transmitted to the higher court in cases of appeal, and the court shall appoint one or more of its members or other persons under its jurisdiction to defend its actions in the higher judiciary.

21. The accused shall be allowed one copy of the record of the court at the expense of the court.

22. The court may use, and shall not prevent the accused from using, tape recorders or other recording devices during any stage of the trial.

23. The accused may except to any and all rulings or findings made by the trial court. All such exceptions must be entered on the record. In cases in which exceptions are overruled by the court, the court may include in the record its reasons for its ruling.

## Chapter VI

### EVIDENCE IN JUDICIAL CASES

1. Evidence must be of a factual nature. It may be direct or circumstantial. Caution should be exercised in giving weight to evidence which is purely circumstantial.
2. Any person may be a witness in a judicial case if the trial court is satisfied that he has sufficient intelligence to understand and can sincerely take the following oath, or make the following affirmation:

**“I solemnly swear [affirm] in the presence of the omniscient and heart-searching God that I will speak the whole truth concerning the matters on which I am called to testify, as I shall answer to Almighty God.”**

The moderator shall require each witness before he testifies to take this oath or make this affirmation.

3. The accused may object to the competency and relevancy of any testimony or evidence produced in support of the charges and specifications. The trial court shall decide on all such objections after allowing the accused to be heard in support thereof.
4. Proof of any charge may be attempted by oral testimony or by duly authenticated documents. The testimony of at least two witnesses or the testimony of one witness accompanied with admissible documentary or circumstantial evidence shall be necessary in order to establish the truth of any specification.
5. If the accused requests, no witness called to prove facts in support of any one specification shall testify in the presence of another witness who is to testify concerning this same specification.
6. In a case initiated by a court, it shall appoint one of its members as a prosecutor except when the number in the court makes this a hardship, then any elder of the RPCES in good standing may serve as prosecutor. The prosecutor's duty shall be to secure a fair presentation of known facts to the court. He shall organize, direct, and present the case for the prosecution. He shall have no part in the deliberations or decisions of the trial court. Witnesses named in the specifications shall first be examined by the prosecutor. The accused may then cross-examine. If the prosecutor or members of the court ask further questions, the accused shall be given opportunity for re-cross-examination.

Witnesses summoned at the request of the accused shall first be examined by the accused. If the prosecutor cross-examines, the accused shall be given opportunity to conduct a redirect examination. Leading questions shall be permitted only under cross-examination.

7. Private Parties shall have the right to act before any court as prosecutors or be represented by counsel, who shall meet the qualifications set forth in Chapter V, Section 4.

8. Regularly authenticated records of a court may be received in evidence in any other court.

9. All questions concerning the relevancies or competency of evidence taken by a commission at a distance shall be determined by the trial court after the accused has been given an opportunity to be heard.

10. If new evidence is produced after one accused has been found guilty, the trial court shall examine the evidence. If it is satisfied that there was good reason for not producing it at the trial, it shall grant a new trial; or, if an appeal has been lodged, it shall certify these facts to the appellate court, and the record of the case may then be returned to the trial court for the purpose of a new trial, or the higher court may conclude the case after hearing the new evidence as if it were a trial court.

11. New evidence discovered during a trial may be offered; but, if such evidence is produced against the accused, he shall be given at least ten days in which to investigate it and prepare a reply thereto.

## Chapter VII

### CASES WITHOUT FULL PROCESS

1. If a person subject to the jurisdiction of a court of the church commits an offense in its presence, or comes forward as his own accuser and makes known his offence (cf. Chapter I, paragraph 2, for definition of an offense,) the court may proceed to judgment without full judicial process. In such cases the accused shall be given adequate opportunity to be heard. The court shall determine precisely what offense, if any, has been committed and what censure, if any, should be imposed. The record, in such case, must show the nature of the offense, as well as the judgment and the reasons therefor. Appeal may be taken from the judgment, in which case the judicatory becomes an original party of the case, that is, the court of original jurisdiction and shall appoint one or more of its members, or other persons under its jurisdiction, to defend its action in the higher judicatory.
2. When a church member not chargeable with an offense informs the session that he does not desire to remain in the fellowship of the church, the session shall first seek to help him overcome his difficulties. If these efforts fail, the session shall take no further disciplinary action than to erase his name from the roll.
3. When a church member unites with another church without certificate of dismissal, the session shall erase his name from the roll and record the reason in its minutes.
4. When a member ceases to attend regular services of worship, the pastor and the session shall endeavor to restore him to active fellowship. If he persists in his neglect of the services of worship, the session shall cite him to appear before it to show cause why his name should not be erased from the roll of communicant members. If he refuses or neglects to appear, his name shall be so erased and reasons entered in the church record.
5. When a church member removes from the bounds of the congregation and his address cannot be found, the session shall, after two years, erase his name from the roll and record the reason.
6. No communicant shall have his name erased from the roll of the

the church without being given an opportunity, if his whereabouts can be ascertained, to appear before the session in his own defense.

7. When the session has information concerning the new residence of a member who has removed from the bounds of a congregation, the clerk shall communicate with the session of the particular church of this denomination nearest to the member, in order that he may not be lost to the church. If there is no church of this denomination in which the member could regularly worship, the clerk shall endeavor to put him in contact with a sound church of some other nonheretical denomination.

8. The session may restore an erased name to the roll of communicant members whenever fully satisfied that such action is justified.

9. When a minister renounces the jurisdiction of this denomination by abandoning his ministry and membership in presbytery, by declaring himself independent, or by joining another body not deemed heretical without a regular dismissal (with the exception that ministers serving as missionaries outside of the boundaries of the United States may function as members of presbyteries of indigenous churches without surrendering their membership in their home presbyteries), the presbytery shall erase his name from its roll and record the reason in its minutes.

10. If a minister joins a body deemed heretical, he shall be subject to trial for heresy. If he refuses to appear for trial, his name shall be erased from the roll and the reasons for the erasure shall be recorded in the minutes.

11. When a minister has been absent from the meetings of his presbytery for two years and the presbytery after diligent search is unable to find him, his name shall be erased from the roll.

12. When a minister, not retired because of physical disability or because he has reached the age of retirement, ceases to exercise the office of the ministry as defined in FOG, Chapter V, paragraph 4b and c, he may be deemed, after two years to have left the ministry. When such dereliction is brought to the attention of the presbytery, it should immediately make a full investigation of the circumstances. It is possible that such a minister may have erred in his judgment that he was called of God to the office of the ministry, and that presbytery may have erred in his ordination. Should it appear that his neglect of the office proceeds from his want of acceptance by the church, or from long continued failure to receive a call, or from his want of concern for the work of the ministry, such an error in judgment may be deemed to have occurred. Thereupon, the presbytery may, even without his con-

sent, withdraw his ordination as in the case of demitting the ministry, leaving him a communicant member of the church. He, not being under other moral censure, shall have his name removed from the roll of the presbytery; and presbytery shall issue him a letter to any evangelical church with which he may desire to connect himself.

13. When a minister or elder not otherwise chargeable with offense shall desire to demit the ministry or the eldership, the presbytery in the case of the minister, and the session in the case of the elder, shall diligently labor with the minister or elder to ascertain whether his demission is necessary or proper. If, after due deliberation, the purpose to demit is unchanged, the judicatory shall record the fact of demission in its minutes. The elder does not in such a case cease to be a communicant member of the church. The minister's name shall be erased from the roll of his presbytery, and he shall be given a certificate of communicant membership addressed to such non-heretical particular church as he shall choose.

## Chapter VIII

### CENSURE AND RESTORATION

1. In judicial discipline there are five degrees of censure: admonition, rebuke, suspension, deposition, and excommunication. Censures shall be pronounced by the moderator for the trial court in the name and by the authority of the Lord Jesus Christ, the church's only Head and King.

2. If a person, adjudged guilty and remaining under the jurisdiction of this church, refuses or fails to present himself for censure, the trial court shall again cite the person to appear. If he does not appear after a second citation, the censure shall be imposed in his absence. Wilful refusal to appear may be deemed an aggravation of the original offense.

3. Admonition consists in tenderly and solemnly addressing the offender, placing his sin before him, warning him of his danger, and exhorting him to repentance and greater fidelity to the Lord Jesus Christ.

4. Rebuke is a form of censure more severe than admonition. It consists in setting forth the serious character of the offense, reproving the offender, and exhorting him to repentance and more perfect fidelity to the Lord Jesus Christ.

5. Suspension is a form of censure by which one is deprived of the privileges of communicant membership in the church, from office, or from both. It may be for a definite or an indefinite time. Suspension of an officer from the communion of the church shall always be accompanied with suspension from office, but the latter does not necessarily involve the former.

6. An office-bearer or other communicant member of the church, while under suspension, shall be the object of deep solicitude and earnest dealing to the end that he may be restored. When the trial court which pronounces the censure is satisfied of the penitence of the offender, or when the time of suspension has expired and no new offense has arisen, the censure shall be removed, and the offender shall be restored. This restoration shall be accompanied with solemn admoni-

tion. Restoration to the privileges of communion may take place without restoration to office.

7. Deposition of an officer consists in depriving him permanently of the exercise of his office, and may follow upon conviction of heresy or gross immorality.

8. Deposition of a pastor or his suspension for an indefinite time involves the dissolution of the pastoral tie. The sentence of deposition or suspension shall be read before the congregation, and the pulpit shall be declared vacant. In case of suspension for a limited period, the presbytery shall decide whether the pastoral relation shall be dissolved.

9. When a minister has been deposed or has been suspended for an indefinite time, the court shall immediately notify all the presbyteries of the church.<sup>1</sup>

10. Excommunication is the most severe form of censure and is resorted to only in cases of peculiar aggravation and persistent impenitence. It consists in solemnly excluding the offender from the communion of the visible church of Jesus Christ.

11. The suspension, deposition, or excommunication of an officer or other member of the church shall be announced to the church in which the officer concerned holds office, or in which the member concerned holds membership. Such announcement shall be accompanied with an urgent request for prayer for the offender to the end that he may be restored.

12. When, after the passing of a year, a suspended person has failed to repent, it may be the duty of the court to impose further censure and it may proceed to deposition or excommunication or both, after investigation of the present status of the person involved and consideration of the effect of the action upon the church.

13. The censure herein set forth shall always be accompanied with prayer to God that He may graciously use the act of discipline for the restoration of the offender, the edification of the church, and His own glory.

14. An officer deposed because of immoral conduct shall be restored only upon the most evident repentance, and after the court has assured itself that the restoration will not be attended by injury to the cause of the Gospel.

15. A minister, ruling elder, or deacon who has been lawfully deposed cannot resume his former office without again being ordained.

16. Restoration, which may be accomplished even after the extreme penalty of excommunication, shall always be accompanied with a prayer of thanksgiving to God for His redeeming grace.

## Chapter IX

### REMOVAL OF A JUDICIAL CASE TO A HIGHER JUDICATORY

1. *Reference* of a judicial case by a lower judicatory to a higher judicatory may be in the form of request for information or advice on specific points, or in the form of referral of the entire case in its unfinished state to the higher judicatory.
2. An *appeal* is a process by which, after the rendering of decision thereon, a judicial case is removed to the next higher court by the filing of a petition asking that the judgment of the lower court be reversed or modified. An appeal may be taken by the accused, or by the prosecutor when a judgment of "guilty" has been reversed or modified by an appellate court.
3. Preliminary decisions made by the trial court during the course of a trial may be excepted to and then may be assigned as grounds of appeal from the final judgment of the court.
4. If an appeal is contemplated, written notice of appeal must, within 15 days after the judgment has been announced, be filed with the clerk or the moderator of the court from which appeal is taken.
5. In order to perfect an appeal, the appellant must lodge the appeal and the specifications of error with the clerk of the appellate judicatory within 45 days after the filing of the notice of appeal. The appellant shall also serve a copy of the appeal upon the clerk of the court from whose judgment the appeal is taken. The clerk of the appellate court shall give the appellant and the court from which the appeal is taken reasonable notice of the time and place fixed for the hearing of the appeal.
6. The clerk of the court from which the appeal is taken shall lodge the entire record of the case with the clerk of the higher court.
7. If the appellate court does not sustain any of the specifications of error, the judgment of the lower court shall be affirmed. If one or more material specifications of error are sustained, the appellate court shall reverse or modify the judgment, or return the case to the lowest court for a new trial.

8. When the judgment of a lower court is before an appellate court, no member of the court from which the appeal is taken shall have any part in the decision of the case.

## Chapter X

### **RESPONSIBILITIES OF GENERAL REVIEW BY HIGHER JUDICATORIES**

1. The presbytery is responsible for the faithful preaching of the Word and the maintaining of good order in the churches which belong to it. The presbytery shall endeavor to assist or to cause the session of the local church to deal effectively, in a scriptural manner, in accordance with the **BOOK OF DISCIPLINE**, with any offenders. If a session persists in neglecting its duty, or is unable to perform its duty, or commits grave irregularities, the presbytery may take such cognizance thereof and take such action under the **FORM OF GOVERNMENT** and/or under the **BOOK OF DISCIPLINE** as the presbytery deems necessary.
2. The Synod, by its power of general review, shall take cognizance through all honorable channels of knowledge and evidence, of situations within the presbyteries requiring correction, and shall cause such administrative or judicial cases as may be necessary for correction to be initiated and resolved in the proper judicatories.
3. In cases of serious neglect or grave irregularity, the higher judicatories may initiate judicial or administrative cases which ought to be initiated in lower judicatories. The higher judicatories may bring charges against the officers of a lower judicatory and may take over an unfinished judicial or administrative case. The reasons for such action should be only of the greatest gravity.

## Chapter XI

### REMOVAL OF NONJUDICIAL CASES FROM A LOWER TO A HIGHER COURT

1. Nonjudicial decisions of all church courts, except the highest, are subject to the review of the next higher court and may be removed thereto by *general review* or by *complaint*.
2. The powers of general review of the higher judicatories are described in the Form of Government, Chapter II, Sections 7 and 8, and Chapter IV, Sections 3 and 8, in this Book of Discipline, Chapter X.
3. A *complaint* is the action by which a party or parties to a nonjudicial case cause such case to be removed to the next higher court. If the process technically called a complaint is designated by the parties as an "appeal" or described by any other unambiguous term, the technical distinction in term shall not cause the complaint to be invalid.
4. A member of a lower court may complain to the higher court. Notice of such complaint must be given to the clerk of the court within ten days. The complaint itself must be lodged with the clerk of the higher court within thirty days after the notice is given.
5. The court may prepare answers to reasons of complaint, and appoint some of its members to defend its action before the higher court.
6. The complainant, having obtained certified extracts of minutes and relative documents as craved, shall bring the case before the higher court. If, when the case is called, he does not appear, or fails to assign a sufficient reason for his absence, the complaint or appeal shall be held as fallen from.
7. In cases of sickness, unavoidable detention, or inability to be present from other good cause, the complainant may be excused from appearing in person and be permitted to plead by written communication and deputy.
8. A complaint shall bring up all parties concerned, who must be duly cited by the clerk of the lower court.
9. The effect of a complaint shall be, if signed by one-third or more of

the members present when the vote was taken, to arrest execution of the judgment pronounced until the matter be reviewed by the higher court.

10. The higher court, after ascertaining that a complaint has been regularly made, and that all parties have been duly notified, shall call the parties to the bar and the whole of the record of the lower court is read. The parties shall then be heard, the complainant having the right of reply. Questions may then be put by the court relative to any matter affecting the cause in hand, after which parties shall be removed from the bar, and the court shall proceed to deliberate.

11. When a decision or judgment is reached, parties shall be recalled and the decision or judgment of the court shall be announced to them.

12. If a complaint or appeal is dismissed, the decision of the lower court stands affirmed. If it be sustained, the decision is not necessarily reversed, but may be altered in part or in whole, and the matter may be remitted to the lower court with instructions. Or the higher court may, if circumstances appear to require it, waive altogether the merits of the complaint or appeal, and give such a decision in the original cause as is consistent with truth and justice.

## Chapter XII

### DISSENTS, PROTESTS, PETITIONS, MEMORIALS, AND OVERTURES

1. Any member of a court who has voted on a question and is not satisfied with the decision, is entitled to have his dissent or *protest* recorded. By so doing he relieves himself from responsibility for the decision and saves himself from censure on account of it. The protest must be given when the decision is announced. Reasons of protest given in at the time, or within ten days, if in proper language, shall be entered in the minutes. When deemed necessary, the court shall prepare answers which shall be entered in the minutes.

2. Members who have voted in the minority may signify their adherence to a protest and have their adherence recorded, either at the time, or at the following sederunt, when the minutes are confirmed, but not afterwards.

3. Every member of the church has the right of access to any church court by petition or memorial. He has direct access to the session of the congregation to which he belongs, but a petition or memorial to a higher court must, in the first place, be presented to the session, with a request for its transmission.

4. A lower court shall transmit a petition or memorial with or without approval or concurrence, as it sees fit. Before transmitting, the court should see that the petition or memorial is in proper form and expressed in respectful language. If transmission is refused, the petitioner or memorialist shall have the right of appeal. These provisions shall apply alike to a petition or memorial from an individual, from any number of persons, from a congregation, or from a lower court.

5. When a court of the church wishes to propose an amendment to the Constitution, or generally the adoption of any measure appertaining to the functions of the General Synod, an overture on the subject shall be presented.

6. All petitions, memorials, and overtures intended for the General Synod shall be sent by the clerks of the lower courts, or by the parties signing them, to the clerk of the Synod.