

Chapter 2

DISCIPLINE AND REINSTATEMENT OF A COVENANT MEMBER

A. Discipline Without a Trial

5100. Officials and official bodies dealing with a covenant member suspected of an offense as set forth in 5004 are bound to follow as much as is appropriate the provisions of 5008-5018 before taking the matter to trial.

B. Discipline Involving a Trial

5105. Jurisdiction. Original jurisdiction over a covenant member ordinarily belongs to the local church of which the person is a covenant member. (For exceptions, see 5125.)

(1) Accusations against a covenant member shall be submitted to the pastor (725:15; 5022). If there is no pastor, or if the pastor does not attend to the matter, the accusation shall be submitted to a member of the local board of administration. In either case, the accusation shall be presented to the local board of administration. Inquiry shall be made, and the local board of administration shall have charge of ordering an investigation (5012; 5024) and trial if necessary. Any charge against a covenant member must be sustained by two or more responsible covenant members of The Wesleyan Church. Whenever a trial is ordered, the district superintendent shall be notified. If the accused covenant member is a person licensed, commissioned or ordained by a district, or holding a district office, or serving or being employed by the general Church, the appropriate official shall be notified of the accusation(s) and proceedings.

(2) The authority of a local board of administration for a developing church shall be exercised by the district superintendent (1310:15).

(3) The district superintendent, when requested to do so by the local board of administration, shall have authority to provide for any unusual circumstances not provided for in *The Discipline*, and to appoint, when necessary, any covenant members from another Wesleyan church in the district or ministers from the district to a local judicial committee (5110:1-2; cf. 1310:16).

(4) When a covenant member, who resides away from the church in which membership is held and attends another Wesleyan church, is accused

of improper or immoral conduct, the pastor and the local board of administration where the covenant member attends shall have authority to make an official investigation of such accusation (5012). If, pursuant to such investigation, a bill of charges is drawn up against such a covenant member, it shall be presented to the pastor of the local church where the accused holds membership.

5110. Local Judicial Committee. Charges against a covenant member shall ordinarily be heard and determined by a local judicial committee (cf. 5125).

(1) A local judicial committee shall consist of not fewer than three covenant members (cf. 5054), which shall be selected by the local board of administration (cf. 5105:3), as the occasion may arise, from its own membership or the membership of the local church (782:11; 970). The committee shall serve from the time of its appointment until it shall hear and determine the case, including any reopening (5060).

(2) The local board of administration shall designate the chair or may request the district superintendent to do so (cf. 5105:3). The chair of the local judicial committee shall be the presiding officer and shall conduct the proceedings in accord with this Judiciary (5020-5068).

(3) It shall be the duty of the local judicial committee to hear and determine the charges, to render a verdict concerning the guilt or innocence of the accused, and to recommend to the local board of administration the penalty, if any, to be imposed (5115-5120). A two-thirds majority vote of all members of the committee shall be required to render a verdict of guilty. Discipline, if required, shall be administered by the local board of administration, and may take the form of admonition, rebuke, suspension, deposition or dismissal, and said board may also require repentance, apology or restitution as deemed necessary.

(4) An appeal may be taken by the accused concerning the verdict and/or penalty to the district board of review, within thirty days (5221:1; 5062-5068).

C. Penalties

5115. Definition of Penalties. There shall be five degrees of penalty for the administration of discipline which are:

(1) **Admonition.** Admonition is the mildest penalty and consists of a general reproof, a warning and an exhortation to greater watchfulness by the offender. (See 1 Thess. 5:14.)

(2) **Rebuke.** Rebuke is a stronger penalty for a more serious offense and consists in setting forth the offense, an official rebuke and correction, and a warning to the offender. (See 1 Tim. 5:20; 2 Tim. 4:2.)

(3) **Suspension.** Suspension is that penalty by which the accused is placed “under discipline” and is deprived of certain rights and privileges for a period of probation.

(a) Suspension may be from the rights and privileges of covenant membership, from credentialed status or from the exercise of an office, and may be definite or indefinite as to duration. Definite suspension is administered when the name of Christ, the integrity of the Church, and the good of the offender demand it, even though the offender may have given evidence of repentance. Indefinite suspension is required when the offender is to be placed on probation until demonstrating a genuine repentance and reformation of life to the proper authorities.

(b) Whenever a covenant member has been found guilty, and has been placed under discipline by being suspended from the rights and privileges of covenant membership, the suspended person shall not vote, hold or exercise any office, and shall not be eligible for a local license or a district license or commission for the duration of such suspension. If the suspension has been for an indefinite period, the local board of administration shall be responsible to declare an end to the suspension (782:11). If the person suspended shows the desired repentance and the offense has ceased, the suspension shall be terminated. If the offense has not ceased, in due time, the local board of administration shall recommend the dismissal of the accused from the Church or vote for such dismissal itself if such power has been delegated (cf. 655:1; 782:10).

(4) **Deposition.** Deposition is that penalty by which a person is removed from an official position, credentialed status or appointments. (see 1 Tim. 1:19-20.)

(5) **Dismissal.** Dismissal is the strongest penalty and is the expulsion of the offender from covenant membership in the Church (305:3; 315:1; 585:3), which automatically includes all lesser penalties. Dismissal should be imposed only for the most serious offenses, or for obstinate persistence in a serious offense. (See 2 Cor. 6:14-15; 1 Tim. 1:19-20.)

5120. Assignment of Penalties. The local board of administration shall be governed by the seriousness of the offense and by the following regulations in the assignment of penalties:

(1) Anyone declared guilty of holding or teaching any doctrine contrary to the doctrines of The Wesleyan Church as stated in *The Discipline*

(5004:1) shall be punished with dismissal (5115:5), unless the local board of administration is of the opinion that the offense has ceased, in which case the penalty shall be either that of admonition, rebuke, or suspension.

(2) Disobedience to *The Discipline*, or tolerating such disobedience (5004:2), shall be punished with such penalty as deemed advisable.

(3) Insubordination or willful refusal to recognize properly constituted authority (5004:3) shall be punished by such penalty as deemed advisable.

(4) Conduct unbecoming a covenant member (5004:4), such as dishonesty, or sowing dissension by inveighing against the officials or ministers of the Church, shall be punished with deposition and/or dismissal (5115:4-5), unless the local board of administration believes the offender is truly penitent, in which case the offender shall be rebuked or indefinitely suspended (5115:2-3) until such time as the proper authorities are satisfied that the accused has reasonably demonstrated genuine Christian character in accord with the standards of The Wesleyan Church.

(5) Immorality, such as adultery, fornication, homosexual practice or other acts involving moral turpitude or crime, may be punished by immediate dismissal from the Church (265:5; 5115:5).

(6) Serious or persistent neglect of duties (5004:6) shall be punished by suspension or deposition, unless corrected, in which case a lesser penalty may be imposed.

D. Exceptions in Jurisdiction

5125. There are situations as provided for in 365 in which jurisdiction over a covenant member may be assumed by the district or by the general Church.

(1) If a covenant member is also licensed, commissioned or ordained by the district, or is elected as an officer of the district, full jurisdiction over all offenses passes to the district, with full authority to fix the penalty, including deposition from office or dismissal from covenant membership.

(2) If a covenant member is also a general officer, a member of the General Board or otherwise employed by the general Church, or is a district superintendent, full jurisdiction over all offenses passes to the general Church, with full authority to fix the penalty, including deposition from office or dismissal from covenant membership.

(3) If a lay covenant member's conduct is such as to affect the health of the local church where covenant membership is held, and the district superintendent and the district board of administration become convinced

that the local church is unable or unwilling to deal appropriately with such covenant member, or if a lay covenant member is alleged to have committed offenses which affect The Wesleyan Church beyond the local church where covenant membership is held, the district superintendent may recommend and the district board of administration may authorize by a two-thirds vote the assumption by the district of jurisdiction in the case. Investigation and trial would be conducted in accord with district procedures. Any appeals would still be heard by the district board of review. The district would have full authority to fix the penalty, including deposition from office or dismissal from covenant membership.

E. Reinstatement of a Covenant Member

5130. After being dismissed from the Church, a former covenant member may be reinstated by the local church which dismissed the member when such a person evidences a genuine repentance and amendment of life, and meets the requirements for membership. If the former covenant member is joining another local church, the receiving church should first consult with the dismissing church to make sure that all necessary corrections and restitutions have been properly cared for. If the former covenant member was dismissed by a district or by the General Church, the receiving local church must first secure the approval of the dismissing unit. (See 2 Cor. 2:5-11.)