

Chapter 5

GENERAL BOARD OF REVIEW

A. Membership

5400. Members. The General Board of Review shall consist of nine members, five of whom shall be ordained ministers and four of whom shall be lay covenant members of The Wesleyan Church.

(1) Their term of office shall be for four years. They shall serve from the close of the session of the General Conference at which they are elected until the close of the next session of the General Conference or until their successors are elected and qualified.

(2) A member of the General Board of Review may not at the same time be a member of the General Board.

(3) The General Conference shall elect by majority vote the members of the General Board of Review, from nominations presented by the Committee on Special Nominations. Additional nominations may be made from the floor of the General Conference (1580:2; 1590:19).

(4) A member of the General Board of Review shall be disqualified for a particular case, when the member is personally interested or involved in the case, closely related to any parties involved, or has been active for or against either party in the matter to be heard and determined by the General Board of Review. Any member of the General Board of Review may be challenged for such reasons or for other reasons, and the allowance of such challenge shall be decided by the remaining members of the General Board of Review. Whenever a member is disqualified, the chair shall appoint an alternate for the hearing of that particular case (5405), provided that such appointment shall maintain the membership of the Board as five ordained ministers and four lay covenant members.

5405. Alternates. The General Conference shall elect, in the same manner described in 5400:3, four ordained ministers and three lay covenant members to serve as alternate members of the General Board of Review, with the same qualifications (5400:2) and term of office (5400:1) as the members (cf. 1590:19).

5410. Vacancies. Whenever a member of the General Board of Review is disqualified to serve in a particular case (5400:4), the chair shall name one of the elected alternates (5405) to fill this temporary vacancy in

such manner as to maintain the minister/lay ratio. Any other type of vacancy shall be filled by election by the General Board.

B. Sessions

5420. The General Board of Review shall meet at times and places of its own choosing as deemed necessary, or as requested by the General Board or its Executive Board.

C. Organization and Procedure

5425. Organization and procedure for the General Board of Review shall be:

(1) **Organization.** The General Board of Review shall organize itself and shall elect, from among its own members, a chair, vice-chair, secretary and such other officers as deemed necessary. The organizational meeting may be conducted by conference telephone call.

(2) **Procedure.** The General Board of Review shall decide on its own methods and rules of procedure and shall adopt such bylaws as deemed necessary, provided such do not contravene any provisions of *The Discipline*. All parties shall file their briefs and arguments and shall present evidence under such rules as the General Board of Review shall adopt from time to time (cf. 5068).

(3) **Quorum.** Seven members shall constitute a quorum. A decision of the General Board of Review against the constitutionality of an act by the General Conference shall require a two-thirds majority vote of all members of the Board, and on all other matters a majority vote of all members of the Board shall be sufficient.

5430. Records. The General Board of Review shall see that complete and accurate minutes are kept of all proceedings, testimonies, evidence, documents and findings, certified copies of which shall be forwarded promptly after each session to the General Secretary.

5435. Notification. After each session of the General Board of Review, an official summary of the Board's decisions on points of Church law or interpretations of *The Discipline*, as prepared by the secretary and attested to by the chair, shall be published in the official church publication. A decision of the General Board of Review which is not overruled by the General Conference shall be incorporated in *The Discipline*.

5440. Finances. Expense allowances for members of the General Board of Review shall be the same as for members of the General Board, when the members of the General Board of Review are engaged in official business, and

payment therefore shall be made by the General Treasurer. The party making appeal shall be responsible for the expenses involved in attending the appeal.

D. Duties and Powers

5445. The jurisdiction and duties of the General Board of Review are set forth in the Constitution (370-380) and as provided for herewith:

(1) To determine the constitutionality of any act of the General Conference, upon the appeal of the Board of General Superintendents or one-fifth of the members of the General Conference (375:1; 1920:27). A two-thirds majority vote of all the members of the General Board of Review is required to find an act of the General Conference unconstitutional (5425:3). An act of the General Conference that is declared as unconstitutional by the General Board of Review shall be null and void (cf. 1590:3).

(2) To hear and determine any appeal from a ruling of the Board of General Superintendents on a point of church law, an interpretation of The Discipline or the validity of an action by a district as set forth in 1920:24-25 (375:2).

(3) To hear and determine any appeal concerning the legality of any action by any General Church board upon appeal of one-third of the members thereof or by request of the Board of General Superintendents (375:3; 1920:27).

(4) To hear and determine any appeal from the judgment of a general judicial committee over issues arising between a district and the General Church or between districts or between a local church and the General Church (375:4, 6; 5370).

(5) To hear and determine any appeal from any other judgment of a general judicial committee, and any appeal from actions of the General Church dealing with the validity of complaints against books used in the ministerial courses of study and by the educational institutions of The Wesleyan Church (375:5; cf. 2388:2).

(6) To hear and determine such other cases as shall be referred to it by the General Conference or the General Board.

E. Appeals

5450. A decision of the General Board of Review on matters assigned to it by the Constitution shall be final until overruled by the General Conference by a two-thirds majority of those present and voting (380). An appeal may be presented to the General Conference by either party involved

in the judgment. The General Conference may hear and determine such appeals or may create a special judicial committee to hear the appeals and present its recommendations to the General Conference for final determination. All appeals must be filed in the office of the General Secretary within sixty days after the date of the official decision on the matter. A decision of the General Board of Review on matters assigned to it by statutory law shall be final and not subject to appeal (cf. 5288).