

HOW TO FILE AN APPEAL TO THE GENERAL COUNCIL OF PASTORS AND ELDERS

In the event a Pastor is dissatisfied with the decision or decree of the Jurisdictional Elders Council, he may appeal to the General Council by filing notice of appeal within thirty (30) days from the final decision of the Elders Council of the respective Jurisdiction.

Note: The Appeal Process is not just because you don't like the decision or is dissatisfied with the verdict, in order to have a viable appeal you must show that the Jurisdiction committed:Judicial Error

- Prosecutorial Misconduct
- New Evidence to shed new light on the case in your favor.
- That evidence was omitted or withheld from you during trial that would be to your favor.
- Violation of court rules.

If appeals were granted just because we don't like the verdict the court would be overwhelm with frivolous appeals.

The General Council shall review the case and render its decision by a majority vote of the delegates and members present and voting.

Note: read the General Council Handbook on the Judicial Review Committee the Appeals court for the General Council and the Church.

The Jurisdictional Bishop shall execute the orders and decrees of the General Board.

Note: The Jurisdictional Bishop is not at liberty to try and influence the decision , order or decree of the Council, nor to amend or edit the decision or order of the Council, but to Execute (carry out the decision or order) only.

Application for Appeal and/or Appeal Hearing Procedure

1. All requests for an Appeal and/or Appeal Hearing before the Judicial Review Committee / Appeals Court shall be addressed to the Chairman of the General Council, this request letter shall be in the form of formal Notice of Appeal and shall include:
 - a. Letter requesting a Formal Hearing.
 - b. Statement as to the nature and reason for the request.
 - c. Documents supporting the nature and reason for requesting Formal Hearing.
 - d. Good contact information on all parties to and/or involved with the request.
 - e. Copy of current National Credential Card and General Council membership card.
2. Upon receipt of the request for an Appeal and/or Appeal Hearing, the Chairman of the General Council shall forward such request along with all supporting documents to the Chairman of the Judicial Review Committee within fourteen (14) days of

receipt, barring no legitimate impediments.

3. The Chairman of the Judicial Review Committee upon receipt of documents from the Council Chairman shall send copies of the Appeal document to the Legal Advisor and all members of the Judicial Review Committee.
4. The Judicial Review Committee Chairman in consultation with the Legal Advisor and Committee members shall determine whether or not the appellant in the appeals document has met all the constitutional and legal requirements and whether or not the General Council has jurisdiction in the particular matter or case.
5. In the event that the Judicial Review Committee Chairman, in consultation with Committee members and the Legal Advisor, determines that the appellant in the appeals document has not met the constitutional and legal requirements or that the General Council does not have jurisdiction, the Judicial Review Committee shall recommend to the Chairman of the General Council that the request for an appeal hearing be denied. In such case, a letter setting forth the particulars and justification for denial would be sent to the appellant and Appellee by the Chairman of the Judicial Review Committee within forty five (45) days of receipt.
6. In the event the Judicial Review Committee decides that the matter/case meets the requirements for Appeal, the Chairman of the Judicial Review Committee will inform the Chairman of the General Council, the General Council Chairman will notify all parties (The Appellant and Appellee by Certified U. S. Postal mail of the decision of the Judicial Review Committee informing them that all further communication with respect to the matter/case will come from and with , this communication is to be sent within twenty one (21) days).
7. The Appeals Court will inform the General Council Chairman, the Appellant and Appellee, that the matter/case has been received for Appeal, in the event and Appeal Hearing is necessary the Appeals Court will set the date, time and place of the hearing, and so notify the parties at least thirty (30) days prior to the hearing, by Certified U. S. Postal mail, and shall request any additional information and materials necessary to the hearing of the matter/case.
8. After the Appeal is review (and/or after hearing all oral arguments if necessary) the Appeals Court will make its decision by a majority vote of those assigned to and participating in the process. The Court shall report its decision to the Chairman of the General Council.
9. As soon as possible after receiving the report of the Judicial Review Committee/ Appeals Court, the Chairman of the General Council shall bring the Judicial Review Committee/ Appeals Court before the General Council to make its report. The General Council shall endorse the Judicial Review Committee /Appeals Court's report, and the Chairman of the General Council in conjunction with the Chief Ecclesiastical Appeals Court Judge shall notify the Appellant and the Appellee of the ruling, decision/decree.

10. In matters/case less than capital in nature the Judicial Review Committee/Appeals Court shall have the authority to render a decision after a hearing by the Court without the necessity of coming before the full Council so long as such decision is reported to the Chairman and the Executive Committee of the General Council with a full report to the full Council at its next meeting.

Stay of Execution

In cases where penalties imposed could deprive a Pastor of his livelihood or otherwise do irreparable damage to his reputation or image or irreparable harm to the congregation or the Church at large, the Judicial Review Committee/Appeals Court shall have the authority to order a stay of execution until the appeal has been heard or denied.

(While Certified U. S. Postal Mail is the constitutionally preferred method of communication, certain matters via verifiable electronic communication can be used to expedite the process and followed up by Certified U. S. Postal within seven (7) business days.)