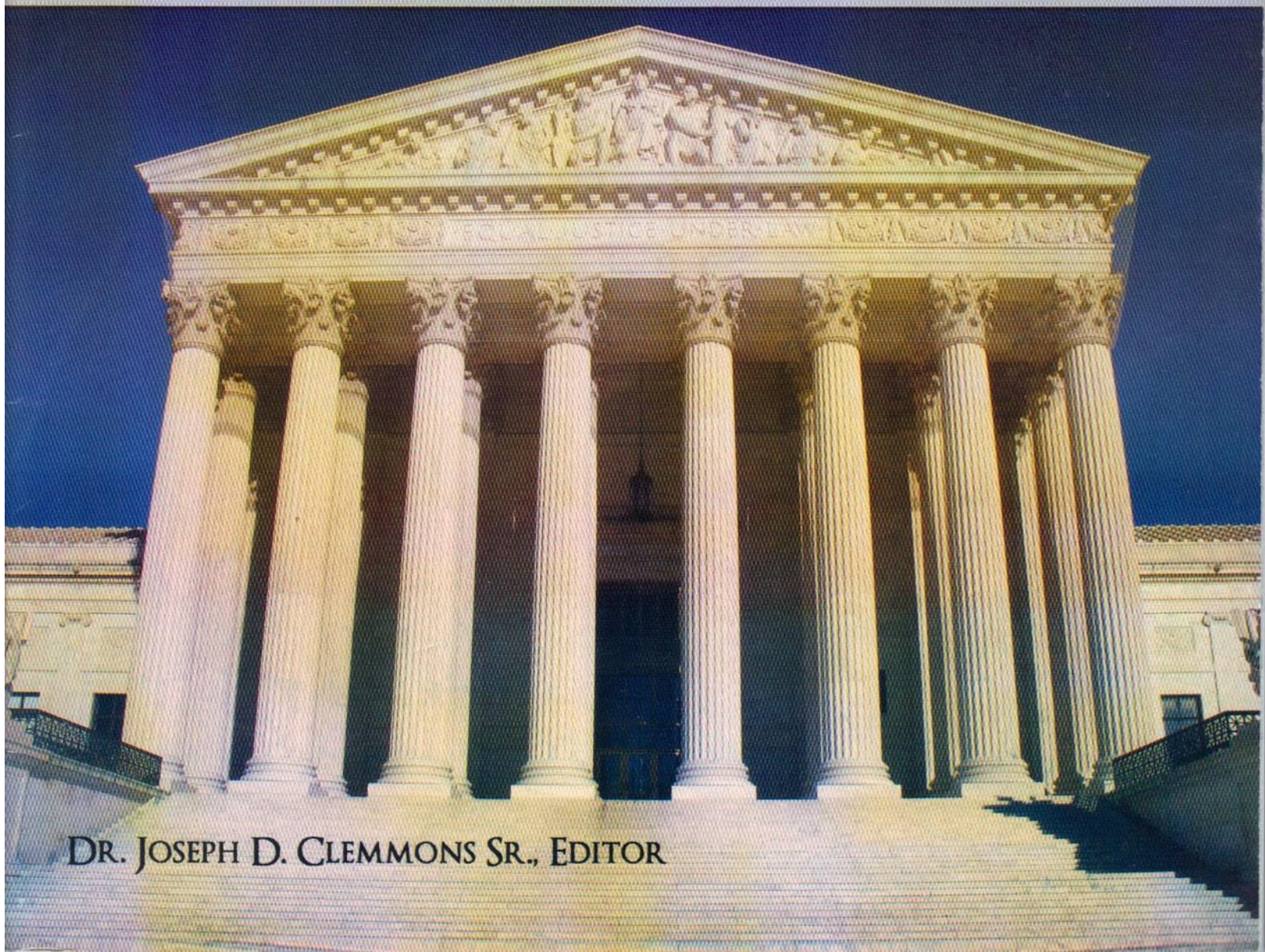


# THE JUDICIARY BOARD *(Supreme Court)*

# MANUAL

CHURCH OF GOD IN CHRIST, INC.



DR. JOSEPH D. CLEMMONS SR., EDITOR





# JUDICIARY BOARD

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# ACKNOWLEDGEMENTS

Editing the very first publication of the National Judiciary Board has been a distinct privilege. The contributions of all and the other three writers, Chief Justice Jackson, Justice E. Charles Conner, and Justice Talbert Swan, have made this Manual a reality. They worked with diligence and determination, in collaboration with this editor to produce what you now hold. With much prompting, prodding and, yes, prayer this effort has been completed. Without their effort, this work would still be only a wish.

I want to thank all those justices who preceded the present Board who were our models and upon whose shoulders we stand. To those COGIC friends and constituents who kept insisting that we put something in writing for church-wide distribution, I say. "Thank you." Your encouragement and insistence has yielded, hopefully, the desired outcome; to the Presiding Bishop, Charles E. Blake, for his vision and leadership of us all. I also acknowledge the great effort of my wife, Fran Collier-Clemmons, without whose love and support this Manual would not have been completed by our self-imposed deadline. Fran spent uncountable hours assisting me with her typing, proofing and preparing design layout for printing. I do thank God for her, her skills, her giftedness and her love.

The entire Board thanks each of you for your willingness to take time to digest what has been painstakingly but joyfully produced.

# FORWARD



Church Of God In Christ, Inc.  
International Headquarters  
Memphis, Tennessee



Office of the Presiding Bishop

Thursday, October 24, 2013

My fellow-laborers in God's Vineyard:

Since the conception of the Judiciary Board I have been a strong advocate. The Church of God in Christ, governed by a charter and a set of by-laws requires the watchful eye of wise, sober, and sincere jurists committed to the proper interpretation of the law of the Church.

While the bible, rightfully so, is our compass and plumb-line for determining piety and morality, the law of the Church standardizes our behavior in matters of church administration, adjudicating conflict and confusion, and the execution of ministry that meets the standard of excellence the bible mandates.

It is my prayer that the members seated as jurists; and in whom we rely upon for fair and wise discernment would remain faithful to the tenets of ecclesiastical jurisprudence. I think the words of Micah are appropriate: *He has shown you, O mortal, what is good. And what does the LORD require of you? To act justly and to love mercy and to walk humbly with your God. (Micah 6:8)*

At a time when our society is growing increasingly more litigious and the reputation of the Church is tempered by the "clay feet" of leaders whose limitations have, all too often, cast a shadow over the, otherwise, altruistic efforts of the Church, we rely upon the discernment of our judiciary to craft decisions that balance mercy and justice.


This manual, prepared as the road map to adjudicating the matters of the Church, ought, when approved by the General Assembly, carry with it the equal weight of your sincerity, piety, and proven experience in the life of the Church of God in Christ, Inc.

3045 S. Crenshaw Blvd. • Los Angeles, CA 90016

October 24,  
2013  
Judiciary  
Board  
Page 2

I pray the wisdom of God encompasses you and, the Holy Spirit endow you with the essential guidance and prudence that mitigates the matters of the Church that distract us from fulfilling God's will for the Church in these troubling times.

Your Servant in Christ,

A handwritten signature in black ink that reads "Charles E. Blake Sr." The signature is written in a cursive, flowing style.

Bishop Charles E. Blake, Sr. Presiding Bishop  
The Seventh in Succession Church of God  
in Christ, Inc.



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## INTRODUCTION

In twenty-one years since its inception this Manual is the first attempt to put in writing what the Judicial Branch of the Church of God in Christ is all about. Lay persons, leaders, pastors, elders, bishops, women, even other denominations , all want to know just what is the COGIC Judicial Branch? Who are we? What do we do? And how do we relate to the Executive and Legislative Branches of the church? Because so many of our constituencies don't have answers for the questions raised above, they neither know nor do they utilize the resource that the Judiciary Board represents.

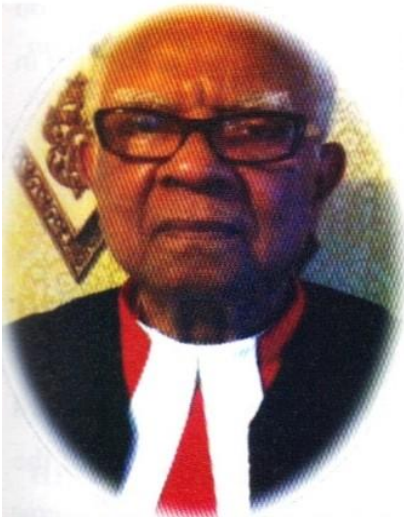
The Manual will bridge that divide. This joint Judiciary Board effort may not answer all the questions our members and others have, but they will be considerably more informed and knowledgeable after experiencing its contents.

The Manual is in four parts: history, process, conclusion and appendix.

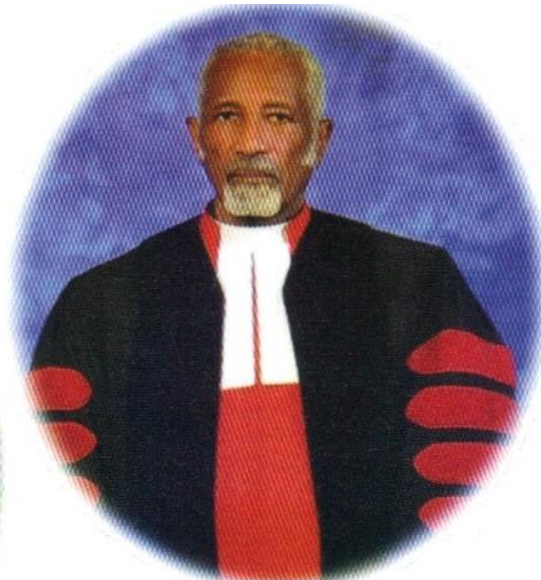




# 2013 JUDICIARY BOARD



**Superintendent Talbert Swan**  
**1<sup>st</sup> Vice, Associate Justice**



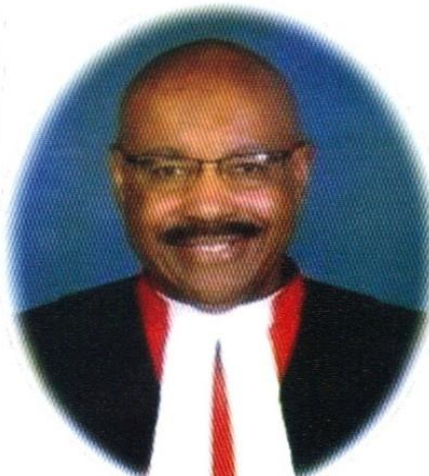
**Superintendent Thomas Jackson, Jr.**  
**Chief Justice**



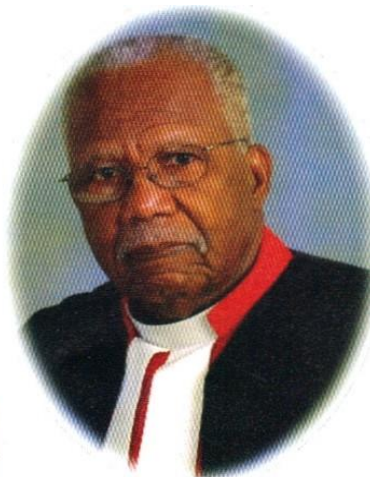
**Dr. Valda L. Slack**  
**2<sup>nd</sup> Vice, Associate Justice**



**Bishop Floyd E. Perry**  
**Associate Justice**



**Bishop E. Charles Connor**  
**Associate Justice**



**Dr. Joseph D. Clemmons, Sr.**  
**Secretary, Associate Justice**

**Photo not submitted:**  
**Atty. Barbara J. McKinney**  
**Legal Counsel, Associate**  
**Justice Superintendent Thomas**  
**L. Hammonds Associate Justice**



# HISTORY OF THE JUDICIARY BOARD

## DISAGREEMENTS AND CONFLICT

At its very core, the Judiciary Board deals with the Appeal of decisions made by a lower court as a consequence of unresolved disagreements and conflict between two or more parties. It is our hope that you will never need the services of the Judiciary Board. Rather, the hope is you have learned how to disagree in a manner that does not result in outright conflict; the kind that requires adjudication by a third party.

However and for whatever reason you do become involved with the Judicial system of the Church, or to enable you to empathize with someone who does – a person who is aggrieved or believes him or herself to have been found guilty of an offense unjustly by a lower court - the Judiciary Board, COGIC's Supreme Court, will review that case to assure that the Constitution and Laws of the Church have been properly applied, whether it be a lay person, pastor, Bishop or elected official. If the Judiciary Board determines that the lower court has erred in its interpretation or application of the Constitution, Law of the church, a biblical truth or an established precedent, it has the power and authority to Over-Rule and Reverse the decision of the lower court. Satan, you know, is an equal opportunity destroyer. He comes to steal, kill and destroy. He doesn't care who or where he attacks. His goal is to destroy the church. We are equally determined that will not happen in COGIC. The promise of Jesus is our assurance - "...the gates of hell shall not prevail against it." (Matt. 16:18)

To get a proper understanding of the COGIC judicial system, or any religious or denominational judicial system for that matter, it may be helpful to review, briefly, the sociological and historical background that created the need and contributed to its present form.

## **SOCIOLOGICAL BACKGROUND**

Disagreements and conflict are social realities. Wherever there is human interaction there will be differences. At times there are differences of ideas, opinions or ways of doing things. Sometimes they are small, e.g., "I think service ought to start at 11:30 A.M. rather than 11:00 A.M." At other times they can be major, "You know what? I just don't like you", or "I

wasn't made president of the Who Done It Ministry, so I'm leaving the church." Some families haven't spoken to each other for years over unresolved issues. Divorce takes place in marriages; war erupts between nations; members leave churches and new religious movements are formed all because divergent beliefs and values were so strong as to become no longer tolerable to the other person or group. The reality is people are not robots. Each is a distinct and unique individual with specific needs, interests and aspirations. There is a bumper sticker that says, "If everybody did things my way, there would never be disagreements"; but life doesn't work that way.

To be sure, all disagreement is not necessarily bad nor is all conflict. Rather, they can be the route to the kind of critical thinking that causes a person to reassess his or her ideas and opinions, come up with new solutions, improved methods, new techniques and new strategies for accomplishing goals. As the saying goes, "If two persons agree about everything, one of them is unnecessary."

This has nothing to do with whether a person is a Christian or a non-Christian, a saint or a sinner, a believer or a non-believer. It happens to be one of the means by which change can take place. The problem is when disagreement exceeds a person's or a group's level of tolerance and escalates into outright conflict. That's the sociological dimension. Indeed, there are historical examples of the escalation of disagreement into outright conflict. One such example is the Reformation period of Christianity.

## **HISTORICAL BACKGROUND**

The two major events that took place in the history of Christianity were the result of disagreement, grievances and conflict. The first conflict arose in the 11<sup>th</sup> Century A.D. that resulted in the division of Christianity into the Eastern Church and the Western Church (called the East-West Schism). The second occurred in the 16<sup>th</sup> Century when the Western Church was itself fractured. A disgruntled priest named Martin Luther posted his "95 Theses," or grievances, on the door of the Castle Church in Wittenberg, Germany. It was that act of belligerent disagreement that precipitated Martin Luther's excommunication from the Roman Catholic Church. It also became the catalyst for the beginning of the Protestant Reformation. Wikipedia reports that today there are more than 40,000



Protestant denominations. Why is that? Simply put, we all do not agree.

The Church of God in Christ herself was birthed because of a disagreement between Bishop C. H. Mason and Charles Price Jones over the doctrinal issue of speaking in tongues. You can read more about that in Bishop Ithiel Clemmons' book, Bishop C. H. Mason and the Roots of the Church of God in Christ and in other sources.

Despite the sociological and historical realities of interpersonal conflict, we can thank God those realities do not have the last word. There is an ideal toward which the church strives.

## **CONFLICT RESOLUTION: THE IDEAL**

When the New Testament lays out Jesus' plan for life in the Kingdom of God, there is absolutely no room for discord, disharmony or disunity. Is that difficult to achieve? Absolutely! Was it achieved in the first century Christian church? Hardly! Amidst the explosive growth of the first century church, controversy arose because the Greek widows felt they were being neglected; a controversy that gave birth to the first Diaconate ministry. Similarly, in the churches planted by Paul, especially the Corinthian church, there was conflict bordering on chaos. Despite these difficulties and setbacks, these leaders and churches strained to achieve the ideal of Christian unity that Jesus assured would be the hallmark of his kingdom.

The teachings of Jesus are unmistakable. When the apostles disputed among themselves as to who would be the greatest (Luke 22:24ff.), Jesus exhorted them that that kind of talk sounded more like Gentiles than Christ followers. Rather, "...the greatest among you should be like the youngest, and the one who rules like the one who serves." With regard to the issue of conflict, Jesus says in Luke 6:29 "If someone strikes you on cheek, turn him the other also, if someone takes your cloak, do not stop him from taking your tunic." This is the ideal toward which we strive.

Again, Paul reminds us in Philippians 2 to have the mind of Christ. Well, what was that? Though equal with God, He humbled himself and became obedient even unto death on a cross. As a consequence of that obedience, "God highly exalted him and gave him a name above every name." Will God not do the same for you and me, if we but take the low road and place our abused selves into his hands? Of course he will! That's his promise to us. "Vengeance is mine, says the Lord, I will repay." (Romans 12:19)

To resolve conflict and disputes by the correct interpretation of the COGIC constitution and appropriate interpretation and application of biblical truth is the goal toward which the COGIC Judiciary Board strains to achieve in the present moment.

## **HISTORY AND HOPE**

### **THE HISTORY**

In the formative and early years of COGIC history most serious grievances were deferred to Bishop Mason for resolution because he was held in such high esteem. Often he would gather

opposing parties together in prayer for hours during which time hard hearts melted, rigid positions softened and relationships were restored. Due to the combination of COGIC'S rapid growth and the increasing frailty of Bishop Mason it became increasingly evident that a one person system of jurisprudence, much like Moses in Exodus 18:1 7ff, was grossly inadequate.<sup>12</sup>

It was during the 1950s that the General Assembly appointed a Grievance Committee, a name later changed to the International Judiciary Board. This Board consisted of the following twelve persons who were to report to the Elders Council:

J. W. White, Chairman, New Orleans, LA  
C. C. Cox, Secretary, Las Vegas, NV  
A. T. Moore, Asst. Secretary, Louisville, KY  
W. A. Patterson, Detroit, MI  
J. L. Lewis, Texarkana, AR  
F. Clemmons, Brooklyn, NY  
W. L. McKinney, Portland OR  
L.T. Walker, Little Rock, AR  
Monte J. Bradford, Omaha, NE  
Van Goodlow, Bellevue, WA  
B. Stewart, Los Angeles, CA  
J. Hayden, St. Louis, MO

This International Judiciary Board became inactive and its function was assumed by the General Board.

In 1991 The General Assembly, in its wisdom under the leadership of the Late Bishop Frank Ellis of Baltimore, Maryland, modified the Church's organizational structure by creating a Judicial Branch to function alongside the Executive and the Legislative Branches of the Church of God in Christ, Inc. This created our tripartite system of government.

The Judicial Branch of the church consists of nine persons who constitute the Judiciary Board. They are nominated for election by the General Assembly as follows: three from the General Council of Pastors and Elders, three from the Board of Bishops and three from the General Assembly. Under this new structure the very first Judiciary Board consisted of the following persons:

Bishop T.L. Westbrook, Chief Justice  
Bishop C.D. Kinsey, Associate Justice

Bishop C. Range, Ill, Associate Justice  
Bishop Herbert J. Williams, Secretary  
Attorney John Butler, Legal Counsel  
Bishop D. L. Lindsey, Associate Justice  
Dr. Joseph Mayfield, Associate Justice  
Bishop T.D. Iglehart, Associate Justice  
Bishop Nathaniel Wells, Associate Justice

So that the terms of the very first nine justices elected would not end at the same time, their terms were staggered. Three were elected for a seven-year term, three for a five-year term and three for a three-year term. All subsequent justices would be elected for seven-year terms with the possibility of being reelected, or reconfirmed, for an additional seven-year term. No justice could serve more than fourteen years, except by special permission of the General Assembly.

Having given a brief background of the Judiciary Board from its early beginnings to the present, the question arises, where do we go from here? What is our hope?

## **THE HOPE**

At this writing, the present Judiciary Board has eight (8) members because the ninth, Bishop Ted Thomas of Virginia, First Jurisdiction, was elected to the General Board at the Quadrennial Election held November, 2012. They are as follows:

Supt. Thomas Jackson, Jr., Chief Justice  
Supt. Talbert Swan, First Vice-Chair  
Dr. Valda L. Slack, Second Vice-Chair  
Dr. Joseph D. Clemmons, Sr., Secretary  
Attorney Barbara J. McKinney, Legal Counsel  
Bishop Floyd E. Perry, Associate Justice  
Supt. Thomas L. Hammonds, Associate Justice  
Bishop E. Charles Connor, Associate Justice

The COGIC Judiciary Board as it is presently constituted is intricately connected to the people, the plan, the place and the process. Hope is connected to people as vision is connected to destination. People want to know where you are going. As people of God, we peer into the



future and see a time in the life of COGIC when there will no longer be a need for a judiciary because the prescription of the prophet Amos, chapter 5 verse 24, will have been fulfilled: "Let justice roll on like a river, righteousness like a never-failing stream." (NIV) It may be what Presiding Bishop Blake means when he says, "To see you in the future and you look better than you do now."

It is without a doubt, however, that there is a need for a plan if Amos' prophecy is to be fulfilled and a better and more just future is to be realized. Such a plan involves connecting with each other, through word and example, the varied ministries, branches and departments across those barriers that Satan would place before us. It's reaching out in love to all of our jurisdictions, national gatherings and Judicial conferences to enable us to move collaboratively toward the goal of love and justice for all. Indeed, where Isaiah's prophecy will be realized, "The wolf will live with the lamb, the leopard will lie down with the goat. ...and a little child will lead them." (Isaiah 11:6 NIV)

The Process will be discussed in part 11 of this Manual. The place of our hope is in our heart, our mind and our spirit. To be sure, there are physical locations where the creating, planning and implementing of that ideal future take place: the National Office at our Denominational headquarters in Memphis and our Branch office in Chicago. Every great accomplishment began first in somebody's mind. But it doesn't stop there. There has to be a plan to translate that mental picture into reality; hence, the need for an action plan as articulated above. Without a plan of action, a vision is but a mere pipe dream. It is action that brings result.

It is therefore, the hope of the COGIC Judiciary Board that the reign of God, rather than the rule of self, will come closer to realization in our generation. We propose to do all we can and to engage as many others as possible to join the struggle to bring that Reign of God vision to fruition.

# The Judiciary Board Appeal Process



# **LOWER COURT APPEALS**

## **Process To The Judiciary Board**

An APPEAL is a petition for review by a higher court of a decision made by a lower court. In the Church of God in Christ, the Judiciary Board is the highest court (the Supreme Court) of the church. Depending upon where a case originates determines the process by which an appeal may reach the Judiciary board. The Constitution, in Article 8, lists those persons or entities that may be tried for an offense and whose cases may eventually arrive at the Judiciary Board for final adjudication. They are as follows: a local church, a pastor, a district superintendent, a jurisdictional officer, a national officer, a bishop, a general board member, and the chairman of the general assembly. See Appendix A for a full printing of Article VIII of the Constitution and Appendix B for flow charts of how a trial in the various courts, sometimes referred to as "dispute resolution forums," moves from a trial court to an appellate court then to the Supreme Court. i.e., the Judiciary Board. Appendix B will show the trial courts whose decisions may be appealed directly to the Judiciary Board.

A Judiciary Board member may also be charged and brought to trial for actions believed to be "repugnant to the constitution of the Church of God in Christ." Such charge may be brought by any General Assembly delegate who believes he/she has just cause to do so. The charge, however, must have "good ground to support the charge," and not be frivolous in nature lest the Petitioner be "subjected to appropriate disciplinary action." The trial court for a Judiciary Board member is the judicial council of the general assembly. The decision of the judicial council is final, i.e., there is no appeal.

From the Judicial Code Book, the Appeal Process is outlined as follows:

- I. Notice of Appeal must be mailed, certified and return receipt requested, to either the Secretary (preferred) or Chairman of the Judiciary Board within 30 days following the decision by a lower court. Appeal must contain contact information of the person or all persons who are party to the appeal i.e., name, address, phone numbers (including cell) and email. The appellant must also provide the same contact information for the appellees, i.e., the person or persons against whom the appeal is taken, as well as any attorneys, advisors, counselors, etc. Also, a "concise statement, sufficient to indicate the nature and substance of the case.

Within 20 days of receipt of Notice of Appeal, the secretary of the Judiciary Board will notify both Appellant(s) and Appellee(s) of receipt of same and request any written documentation needed to perfect and process the Appeal. Further, the Secretary shall notify the parties, their counselors and/or advisors of the time, date and place of any hearing scheduled by the Judiciary Board. Each party has the responsibility to notify the Board of any changes in their situation. It is to be noted that a "Hearing" on an appeal with opposing parties present is not mandatory. The Board at its discretion, may make a ruling based on the submitted written documents and other evidence alone in which case the Board will render its ruling within 90 days after the deadline given to supply additional written documents. Should a Hearing be warranted, the Judiciary Board will render its decision within 90 days following the final hearing.

# APPEALING TO THE JUDICIARY BOARD

## Administrative Process

APPEALING PARTY	NOTIFICATION	EXHAUSTED APPEAL PROCESS	SUBMISSION of Documentation To:
ELDER/PASTOR	General Secretary Sec. of Judiciary Board Trial Court Jurisdictional Bishop All within 30 days of adverse decision/ conviction	Jurisdictional Bishop General Council of Pastors & Elders	General Council of Pastors & Elders Judiciary Board
BISHOP	General Secretary Sec. of Judiciary Board All within 30 days of adverse decision/ conviction	Trial Court	Board of Bishops Judiciary Board
GENERAL BOARD (as an Entity)	General Secretary Sec. of Judiciary Board Chairman of General Assembly	General Assembly	Judiciary Board
GENERAL BOARD (as an Individual)	General Secretary Sec. of Judiciary Board All within 30 days of adverse decision/ conviction	Charging or Disciplining Entity	Judiciary Board
ELECTED OFFICIAL	General Secretary Sec. of Judiciary Board	Charging or Disciplining Entity	Judiciary Board
GENERAL ASSEMBLY (as an Entity)	General Secretary Sec. of Judiciary Board	N/A	Judiciary Board

# **LAY MEMBER PROCESS**

A lay member in the Church of God In Christ, Incorporated has the right of appeal of any action, sanction or discipline occurring in the local church. The pastor being the chief executive officer of the local congregation has the authority to discipline members who have been charged with conduct or actions deemed to be in violation of local bylaws, rules and Constitution of the Church Of God In Christ.

Any la y member that has been charged with a violation must be given all protections of due process, fairness and the rule of law. After the local process has been completed and the lay member still believes his/her rights were violated according to the bylaws of the local church and Constitution of the Church of God In Christ, he/she has the right to appeal. This appeal includes any sanction, discipline or action levied on her by the local pastor and is made to the Jurisdictional Pastors and Elders Council.

If the appeal is received by the Jurisdictional Pastors and Elders Council, the council empanels an investigating committee to review the appellant's claims to determine whether the appeal should go forward.

The Layperson's appeal is treated like any other appeal. Due process procedure s are followed according to the Constitution of the Church of God In Christ and applicable state and federal laws. The jurisdictional bishop has the right to offer a summary judgment, if it is in the best interest of the church and/or the lay member. The lay member may reject such an offer and proceed to a full appellant hearing.

When the jurisdictional appeal is completed and it is determined by the Jurisdictional Pastors and Elders Council that the local church 's discipline and/or sanction was proper , appropriate and constitutional, the lay member must accept the discipline. If the layperson disagrees with the jurisdiction, the case may now be appealed to the National Judiciary Board for final adjudication and disposition. (See flow chart in Appendix 8.)





# THE HEARING

# HEARING PROCESS

The Chief Justice or Presiding Board Member opens the hearing with prayer and introduces the Board. He explains the procedures to be followed for the hearing.

The Appellant (moving party) makes an opening statement. The opening statement presents a brief explanation of the matter before the court and advises what the evidence will show. The Respondent must likewise make an opening statement and summarize what his/her evidence shows. *Neither party may waive the opening statement*, but may present it prior to the hearing.

The Judiciary Board receives all relevant and material evidence presented to it. All evidence is made a part of the record, marked and identified as to which party presented it.

The Board has the right to ask questions of each party. The Judiciary Board questions are only for clarification of the evidence presented and not to be an advocate for either side of the issue.

The Appellant then makes a closing statement summarizing what he/she contends his evidence shows and why she should prevail. In the same manner, the respondent has an opportunity to make a closing statement. *Either party can elect not to make the closing statement* thus allowing the matter to be decided on the evidence submitted.

# CONCLUSION

# CONCLUSION

Organizations, like human bodies, are dynamic not static. They grow; they change; they are impacted by their environment. Likewise the instruments that guide and govern them must be dynamic as well. For the Church of God .in Christ it was changing times and circumstances that necessitated the shift from one-person rule to a three-person rule who were called commissioners. It then changed to the present twelve people Executive Branch, a Legislative Branch and a Judicial Branch of governance with the Bishop Charles E. Blake as the Presiding Bishop to cast the vision for the Church's ministry in the present and the future.

With nothing in writing for easy distribution throughout the denomination for the more than twenty years since the Judiciary Board's creation, this publication is an attempt to fill that wide expanse of neglect. Because conflict is inevitable, there is and will continue to be a need for an infrastructure to handle those instances of more serious conflict. How will six million or more members of COGIC around the world come to know what provisions there are to deal with inappropriate behavior, injustice, abuse and all kinds of wrongdoing, from lay to the ordained?

The present Manual is a beginning, an initial effort, a tool to enable not only leaders but also the average layman to access easily, in one bound volume, the "how to's" of conflict resolution. A place one finds a description of what resources are available in the moment that may be used to effect relief for the aggrieved. Without it we find ourselves unaware and uninformed, groping in the dark, reaching for what's not there and grasping nothing at a time when we are called to be shining examples of harmonious kingdom living.

We believe with the writing we have locked into the realities of the present moment. With times changing so swiftly it is difficult to keep pace. In light of these changes, it becomes imperative that periodically, at least every five to ten years, any organization, not just the Church of God in Christ, needs to reexamine its purpose for being as affirmed in its constitution and by-laws to determine whether there is a need to revise or update its structure.

While this instrument documents our present structure as it relates to COGIC'S appellate procedures, the need for its updating is clearly evident. In some instances, as in the trial of local members, women credential holders or those holding National Offices, while some of the charts in Appendix B may indicate so, there are no General Assembly approved provisions for such. Clearly, this needs to be corrected and it will.

Now that the writing process has at last begun, there is the expectation of periodic updates to this present effort. The goal is for our growing COGIC membership to be as informed and enlightened not only about the judicial process but also about all branches of our church's government.



# APPENDIX A



# JUDICIARY BOARD

## ARTICLE VIII

**RATIFIED APRIL 11, 1991 @8:15 P.M.**

## **PREAMBLE: THE JUDICIARY BOARD**

The establishment of the Judiciary Board of the Church of God in Christ, Incorporated shall bring into existence a third branch of church government, which shall exist in conjunction with the two present branches of government, the Executive Branch and the Legislative Branch. This branch of government shall be established as both an ecclesiastical and appellate court, hearing disputes upon appeal from lower dispute resolution forums in the Church and serving as the ultimate authority on matters of constitutional interpretation. All former articles and charters inconsistent with this amendment is modified, amended and hereby repealed Article VIII upon adoption shall be effective immediately.

The establishment of the Judiciary Board creates within the Church a three-branch system of government similar to the United States of America federal government. The three branch system of the Church of God in Christ, Incorporated shall be, however, a modification of the federal system in that the system of checks and balances is evidenced by the fact that the Judiciary board members are elected and retained in office by the Legislative Branch, the General Assembly, and by the fact that the Judiciary Board's budget is approved by the Executive Branch and the General Board. The Judicial Branch and the Judiciary Board shall balance the Legislative and Executive Branches by being a final authority on questions of constitutionality and the final appellate forum of the Church for disputes.

Whereas there exists presently forums of dispute resolution within the Church, e.g., the judiciary committee of the Board of Bishops, the judicial committee of the Council of Pastors and Elders, and the dispute resolution forum of the Women's Department, these forums shall continue to attempt to mediate or adjudicate disputes. It is only after a decision has been rendered by one of these existing forums that an aggrieved person or body has the right to appeal to the Judiciary Board

This independent, objective branch of Church government shall have as its highest objective the protection of the rights of every member of the Church of God in Christ, Incorporated as set forth in the Church constitution. The protection of those rights shall be without regard for official position or social station. Therefore, it shall be crucial that the Judiciary Board decisions are rendered without intimidation, coercion, or undue influence and that the members of said Board are fair, sober, objective and seasoned in their decision making.

The Judiciary Board shall serve to prevent the intrusion of civil authorities into the affairs of the Church wherever inevitable disputes shall arise. Generally, the secular legal system has been reticent to intervene in the internal affairs of any religious body, preferring that said disputes are resolved internally. Where the decisions of the Judiciary Board have been made objectively, consistent with previous precedent setting resolutions, or with reasonable grounds for modifying interpretation of the Church's constitution, the civil court would not readily overturn said decisions.

Furthermore, the Judiciary Board shall allow for the participation of representation of all sectors of the Church in the ultimate resolution of disputes. The Board shall consist of nine

members, designated in three categories: episcopal, ministerial and general. Three members shall be jurisdictional bishops (episcopal). Three members shall be elders other than bishops (ministerial), and three members shall be from the church at large (general). This means that it will be possible for laymen and women to serve the Church on the Judiciary Board, provided they meet all other qualifications. This shall continue the tradition of inclusion that has made this Church great.

The establishment of the Judiciary Board shall assure that the legitimately aggrieved members of the Church of God in Christ, Inc. are heard, that fairness prevails throughout the brotherhood, and that equal protection and due process are and continue to be the right of every Church member.

## **ARTICLE VIII - JUDICIARY BOARD**

There shall be established a Judiciary Board for the Church of God in Christ, Incorporated. The Judiciary Board shall be both an ecclesiastical and appellate court.

### **COMPOSITION and CRITERIA**

The Judiciary Board shall be composed of nine (9) members designated in three (3) categories: episcopal, ministerial, and general. Three (3) members shall be jurisdictional bishops (episcopal), three (3) members shall be elders other than bishops (ministerial), and three (3) members shall be from the church at large (general). Each member shall be at least forty-five years of age and an active member of the Church of God in Christ for not less than twenty (20) successive years, a person of mature judgment, proven ability, integrity and knowledgeable in Church of God in Christ constitutional matters.

1. The Board of Bishops shall elect from among its membership four (4) candidates for nomination. This election shall take place at the Board's annual meeting during the National Convocation. The notice of election shall be given by the secretary of the Board of Bishops to all bishops within thirty (30) days prior to the election. The list of candidates nominated shall be submitted to the secretary of the General Assembly.

2. The General Council of Pastors and Elders shall elect four (4) candidates from its membership for nomination. This election shall take place at the annual meeting during the National Convocation. The notice of election shall be given by the secretary of the General Council to all pastors and elders within thirty (30) days prior to the election. The list of candidates shall be submitted to the secretary of the General Assembly.

3. The General Assembly shall nominate twelve (12) candidates and the General Board shall nominate three (3) candidates from the registered delegates present at its annual meeting, of which only four (4) shall be selected by a standing vote. During the selection process, the fifteen (15) nominees shall stand before the assembly: this procedure shall identify the four nominees of the General Assembly whose names shall be submitted to the Secretary of the General Assembly.

4. The General Assembly secretary shall announce the nominees to the General Assembly and submit those named to the Judiciary Qualifications and Nominations Committee.

5. Members of the Judiciary Board shall be elected by the General Assembly.

## **ELECTION PROCEDURES**

1. The Nominating Committee shall present to the General Assembly a ballot listing the names of the twelve (12) screened approved Judiciary Board candidates. The nine (9) candidates shall be elected in the following order: the three (3) candidates from the Board of Bishops receiving the most votes, the three (3) candidates from the Council of Pastors and Elders receiving the most votes and the three (3) candidates from the General Assembly receiving the most votes shall be the Judiciary Board members,

2. At the first election under this provision, three of the nine Judiciary Board members shall serve a three-year term, three Board members a five-year term, and three members, a seven-year term. The terms shall be staggered in order to avoid the expiration of the terms of all elected board members simultaneously.

3. The chairman, vice chairman, and secretary shall be elected by the constituents of the Judiciary Board. The chairman's, vice chairman's and secretary's first terms shall be seven years. All other board members' terms shall be staggered according to the numbers of votes received, i.e., the three candidates (out of the remaining six) receiving the highest number of votes shall receive the five-year terms and three members receiving the lowest amount of votes shall receive the three-year terms.

## **JUDICIARY QUALIFICATIONS AND NOMINATIONS COMMITTEE**

1. A Standing Committee on Judiciary Qualifications and Nominations composed of nine (9) members in good standing in the General Assembly shall be appointed by the chairman of the General Assembly with the approval of the General Assembly. Members of the Committee shall serve for a term of four (4) years to run concurrently with the term of the chairman of the General Assembly.

2. The Committee shall review and screen credentials of all nominees and shall determine whether the qualifying criteria established by the General Assembly have been met. If for justifiable reasons a nominee is rejected by the Committee and the rejection is sustained by the General Assembly, the process contained in the nominating procedures shall be repeated. The Committee shall submit all qualified nominees for each vacancy to the General Assembly for consideration.

## **TERM OF OFFICE**

1. A Judiciary Board member's term of office, with the exception of the initial staggered term, shall be seven (7) years. A member shall not be elected for more than two (2) terms and may not serve more than fourteen (14) years in office.

2. Continuance in office beyond the initial term is subject to the approval of the registered delegates present and voting at the General Assembly session preceding the expiration of the term of office. The approval of the delegates shall be required for the member's continuance in office for a second term. The Assembly delegates shall, by a method designated by the General Assembly vote for retention in office.
3. A. A Judiciary Board member may be removed from office prior to the expiration of his term due to incapacitation, incompetency or for the commission of acts in violation of the Constitution of the Church of God in Christ.  
  
B. Procedures for filing and handling charges.
  1. A delegate in good standing of the Church of God in Christ having just cause to believe that a member of the Judiciary Board has committed an act repugnant to the Constitution of the Church of God in Christ may file a charge.
    - a. The written petition shall be filed in the office of the secretary of the General Assembly specifically setting out the charges and things complained of, and copies shall be filed with the secretary of the Judiciary Board.
    - b. Every petition shall be signed by the individual making the charge, whose address shall also be stated. His signature constitutes a certificate by him that to the best of his knowledge, information and belief, there is good ground to support the charge and that the charge is not made for improper purpose, such as to harass.
    - c. For a willful violation of this requirement, a petitioner shall be subjected to appropriate disciplinary action.
  2. The Secretary of the General Assembly shall submit the charge to the chairman of the General Assembly who shall appoint an Investigating Committee of not less than three (3) nor more than five (5) members to examine the facts and ascertain whether there are reasonable grounds for having the member brought to trial.
  3. The Investigating Committee shall report its findings and recommendations to the chairman of the General Assembly. If the Investigating Committee determines that there is no merit to the charge, and recommends that the charge be dismissed, the chairman of the General Assembly shall thereupon dismiss the charge and send copies of the letter or order of dismissal to the principal parties.



4. If, however, the Investigating Committee finds and determines that the member should be tried, it shall submit its recommendations to the Chairman of the General Assembly, who shall appoint a Judicial Council of the General Assembly consisting of five (5) members to determine the merits of the complaint. Said Council shall give written notice to all interested parties and to the General Assembly secretary of the time and place of the hearing at least twenty (20) days prior to the time the Judicial Council sets the cause down for trial.
  5. The member shall have the right to be represented by counsel, who shall be a member of the Church of God in Christ, but said counsel may be advised by non-members of the Church.
  6. The majority decision of the Judicial Council shall be necessary to sustain the charges.
- 4.** In the event a vacancy in the Judiciary Board occurs while the General Assembly is not in session, the remaining members shall continue to meet and conduct business until the next regular meeting of the General Assembly.

### **QUORUM**

Seven (7) members shall constitute a quorum. An affirmative vote of all members of the Board shall be necessary to declare any act of the General Assembly unconstitutional. On other matters, a majority vote of the Board will be sufficient.

### **ORGANIZATION and PROCEDURE**

1. The Judiciary Board shall have a chairman, vice chairman and secretary. The Judiciary Board shall meet at such times and places as it may deem necessary to conduct its business.
  - a. The chairman shall preside over all judicatory sessions. He shall also assign the task of writing the findings of facts and conclusions of law to one or more Judiciary Board members, or he may elect to write the facts and conclusions of law himself. The chairman shall also submit an annual report to the chairman of the General Assembly. This written report shall list all cases considered by the Judiciary Board that year and the Board's disposition of each case.
  - b. The vice chairman shall aid and assist the chairman in implementing his responsibilities and shall serve as chairman, if the chairman does not serve or is unable to serve. If, for any reason the office of Chairman becomes vacant, the vice chairman shall serve as chairman until the position is filled by

the General Assembly at its next session.

- c. The secretary shall keep the minutes of the proceedings. He shall also keep the files of the Judiciary Board and will perform any additional task assigned to him by the chairman.
2. The Judiciary Board shall prescribe its own method and, procedures for carrying out its duties. Such procedures shall be filed with the General Secretary of the Church of God in Christ and each jurisdictional bishop within thirty (30) days of this adoption.
3. The Judiciary Board shall, with the approval of the General Assembly, prepare and keep in revision a Judicial Code which shall be an addendum to the Constitution of the Church of God in Christ and shall include procedures for trials and redress in all church related matter. Changes or modifications to the Judicial Code shall receive prior approval of the General Assembly.
4. Executive clemency may be granted by a majority vote of the General Board in matters of a disciplinary nature, but not matters of a constitutional nature.
5. The Judiciary Board shall submit an annual budget request to the Board of Trustees for inclusion in the General Church Budget. The Judiciary Board may not exceed its approved budget without prior approval of the General Assembly or the General Board when the General Assembly is not in session.

## **LEGAL COUNSEL**

The Judiciary Board shall appoint a Chief Counsel to advise the Board on all matters of a legal nature. The chief Counsel must be a member of the Church of God in Christ. He or she must present adequate documentation of legal credentials. The Chief Counsel shall not only be licensed to practice law in his state of residence, but must also be licensed to practice law in the State of Tennessee, or be associated with a law firm, or person licensed to practice law in the State of Tennessee. The Chief Counsel may appoint associate counsel to assist, with the approval of the Judiciary Board.

## **DUTIES**

1. The Judiciary Board shall determine the constitutionality of any act of the General Assembly upon the appeal of the majority of that Assembly.
2. The Judiciary Board shall determine the constitutionality of any act of the General Board upon the appeal of the majority of that Board.
3. The Judiciary Board shall determine the constitutionality of any act of a jurisdictional assembly or a jurisdictional bishop upon the appeal of the majority of the pastors of the jurisdiction.

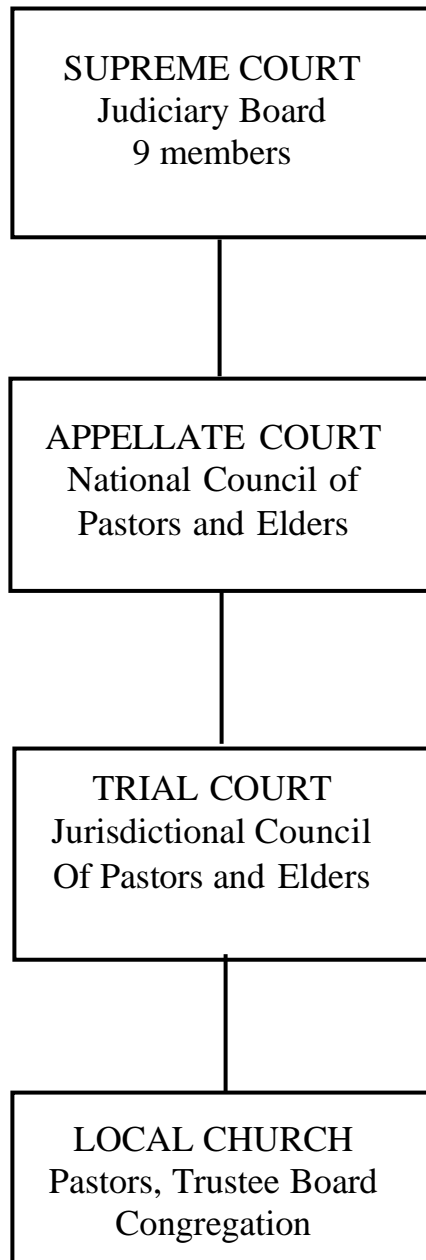
4. The Judiciary Board shall decide any election dispute referred to it by the General Assembly.
5. The Judiciary Board shall be the final appeal court for all matters arising under the church discipline.
6. The Judiciary Board shall receive cases referred by the General Board, the Board of Bishops, the Council of Pastors and Elders or the General Assembly.
7. The Judiciary Board may hear and determine an appeal of a bishop when taken from a decision of the trial court in his case; provided a bishop must make known to the Board of Bishops and to the Judiciary Board in writing, within thirty (30) days after a decision, his intention to make such an appeal, and any decision made by the Board of Bishops shall not become effective unless the decision of the Board of Bishops is sustained by the Judiciary Board.
8. A district superintendent, pastor or elder shall have the right to appeal to the Judiciary Board in case of an adverse decision by the trial court only where he received punishment that includes suspension or removal from his office and/or church, provided that within thirty (30) days after said adverse decision, he notifies the secretary of the last body to hear his case and the secretary of the Judiciary Board of his intention to appeal. Any decision made by the trial court shall not be effective unless the trial court's decision is sustained by the Judiciary Board.
9. National officers shall have the right to appeal to the Judiciary Board in case of an adverse decision by the General Board only where he received punishment that includes suspension or removal from his office, provided that within thirty (30) days after said adverse decision, he notifies the secretary of the General Board and the secretary of the Judiciary Board of his intention to appeal. The decision of the General Board shall not become effective unless the General Board's decision is sustained by the Judiciary Board.
10. A General Board member shall have the right to appeal to the Judiciary Board from a decision of the trial court in his case provided he make known to the trial court in his case and to the Judiciary Board, in writing, within thirty (30) days after a decision, his intention to make such an appeal. The Judicial Council of the General Assembly shall be the trial court for the trial of any General Board member. The procedures for the trial of a General Board member shall be the same as the procedures for the trial of a Judiciary Board member. Any decision made by the Judicial Council shall not become effective unless the Judicial Council's decision is sustained by the Judiciary Board.

11. The chairman of the General Assembly shall have the right to appeal to the Judiciary Board in case of an adverse decision by the trial court in his case, provided he make known to the trial court and to the Judiciary Board, in writing, within thirty (30) days after the decision, his intention to make such an appeal. The Judicial council of the General Assembly shall be the trial court for the trial of the chairman, presided over by a temporary chairman elected by the General Assembly. The procedures for the trial of the General Assembly chairman shall be the same as the procedures for the trial of a Judiciary Board member. The decision of the Judicial Council shall not become effective unless the Council's decision is sustained by the Judiciary Board.
12. The Judiciary Board shall receive all referrals or petitions made to it by any authorized person or body in accordance with this Constitution, provided that it is in writing and which shall state the names and addresses of disputants, and have the signatures of the appellant or the presiding officers of the body making the referral.
13. The Judiciary Board, on all cases handled, shall file its written findings of facts and recommendations and/or decisions with the General Secretary and the presiding officer of the body who made the referral and copies of all shall be disseminated to all interested parties.
14. The findings of facts and conclusions of law will be made available to the public. However, for good cause shown, the Judiciary Board may limit the availability of any document in order to prevent disclosure of confidential information, or which justice requires to protect an individual from undue embarrassment or oppression.
15. The Judiciary Board members shall refrain from all conflicts of interest which shall affect their impartial conduct of duty.

# APPENDIX B

## NATIONAL JUDICIAL BRANCH DIAGRAMS

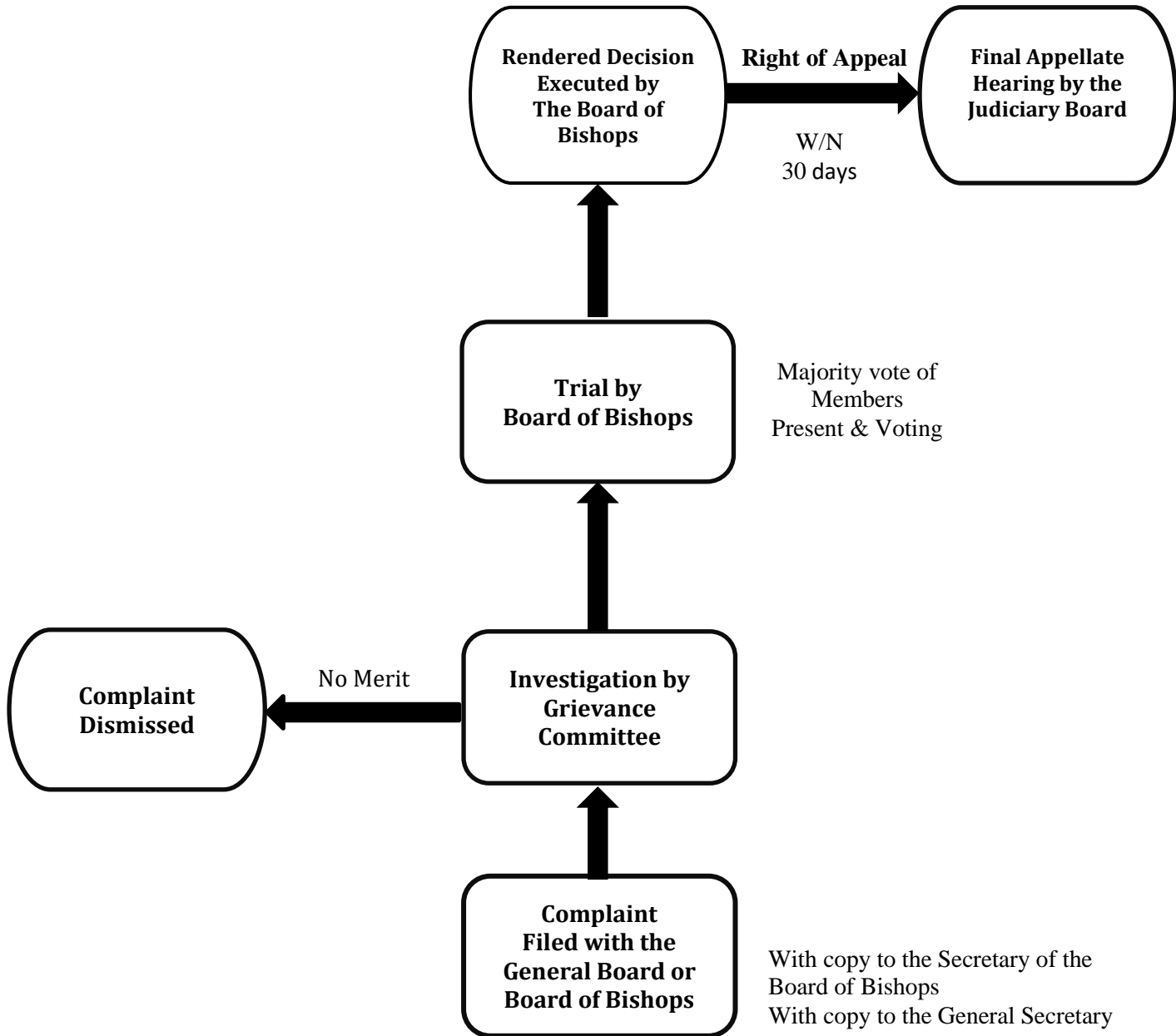
### CHURCH OF GOD IN CHRIST JUDICIAL BRANCH





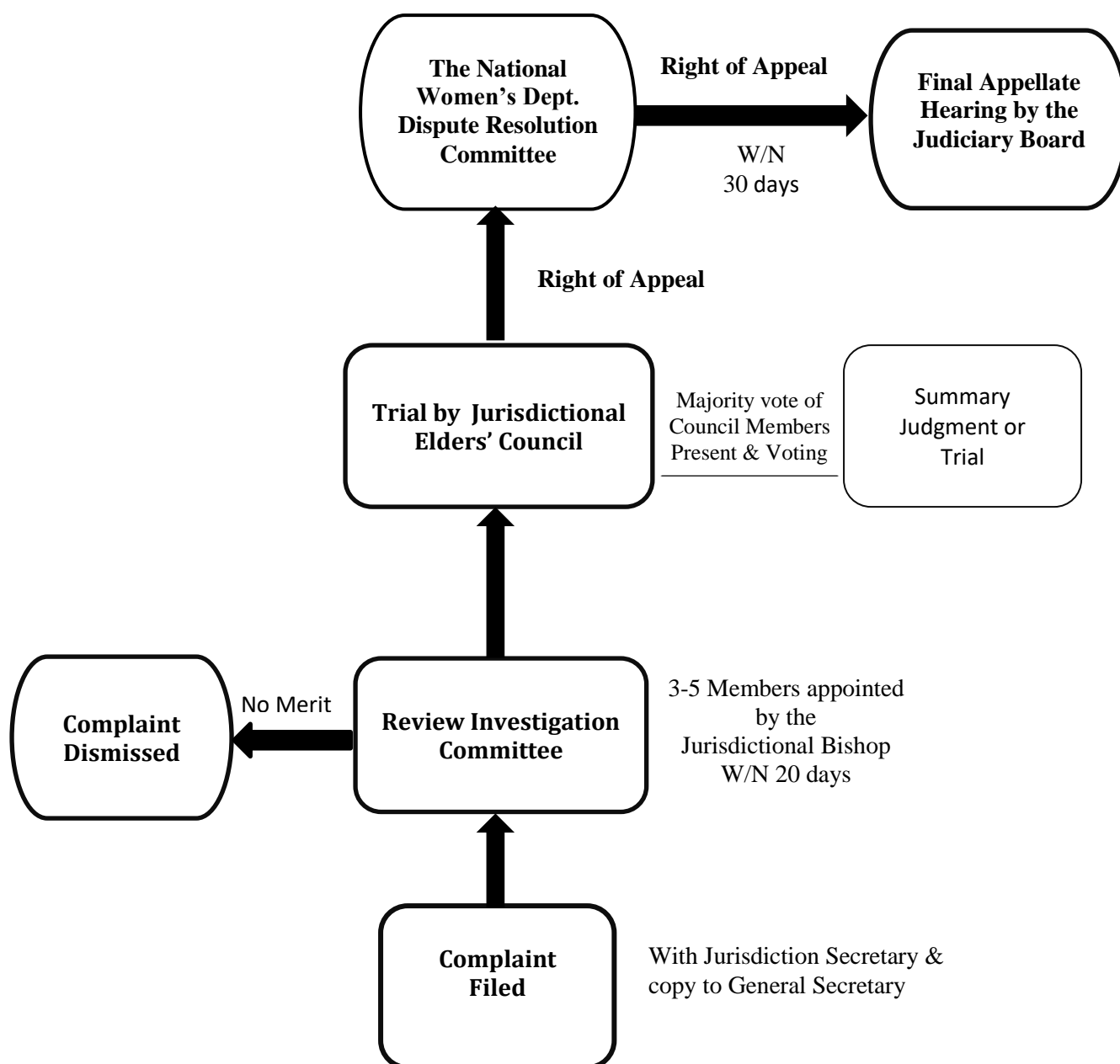
# TRIAL OF A BISHOP & RIGHT OF APPEAL

## ARTICLE VIII SECTION D



# TRIAL OF CREDENTIALIAED WOMEN & RIGHT OF APPEAL

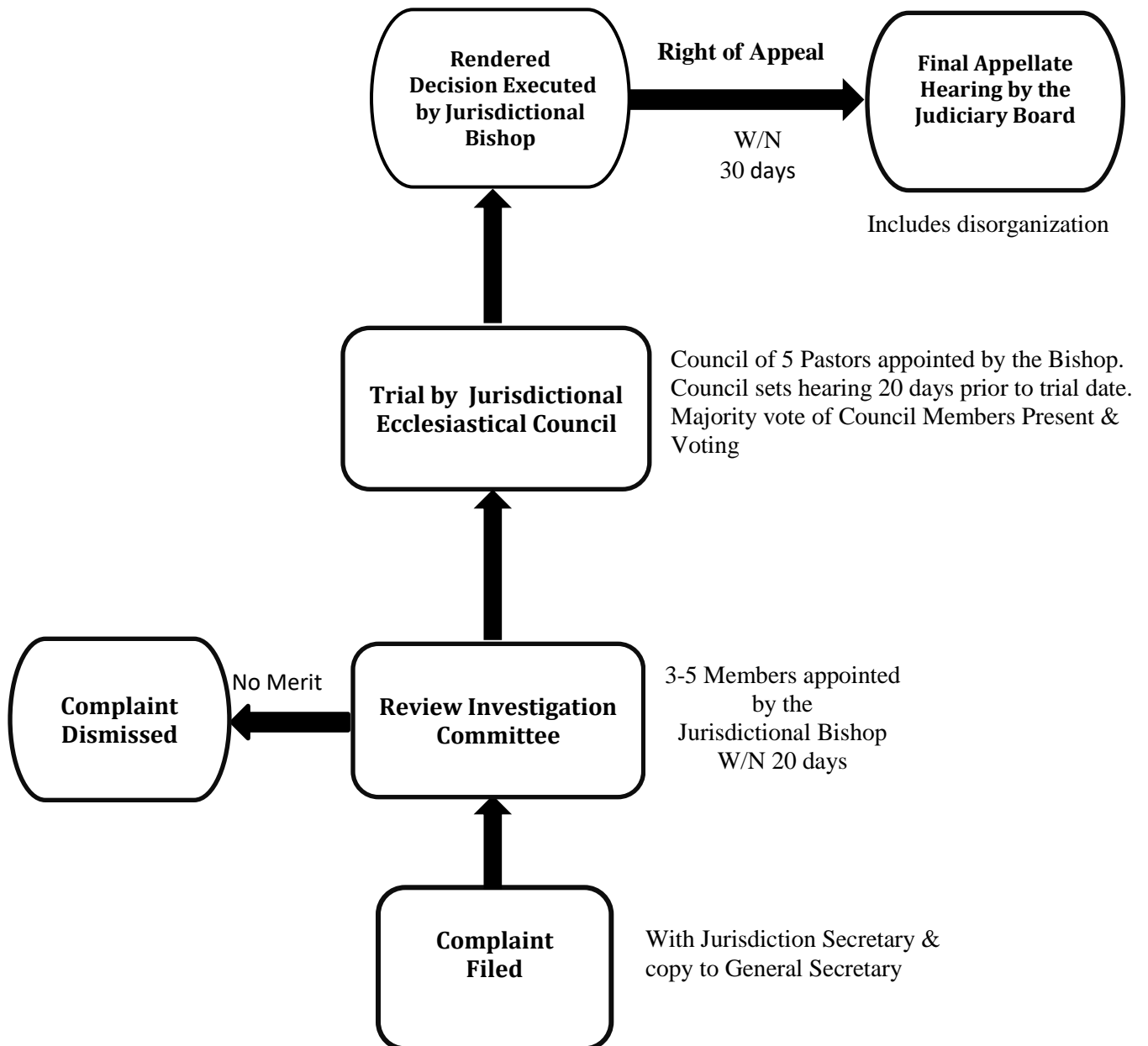
## ARTICLE VIII SECTION



# TRIAL OF A CHURCH

## & RIGHT OF APPEAL

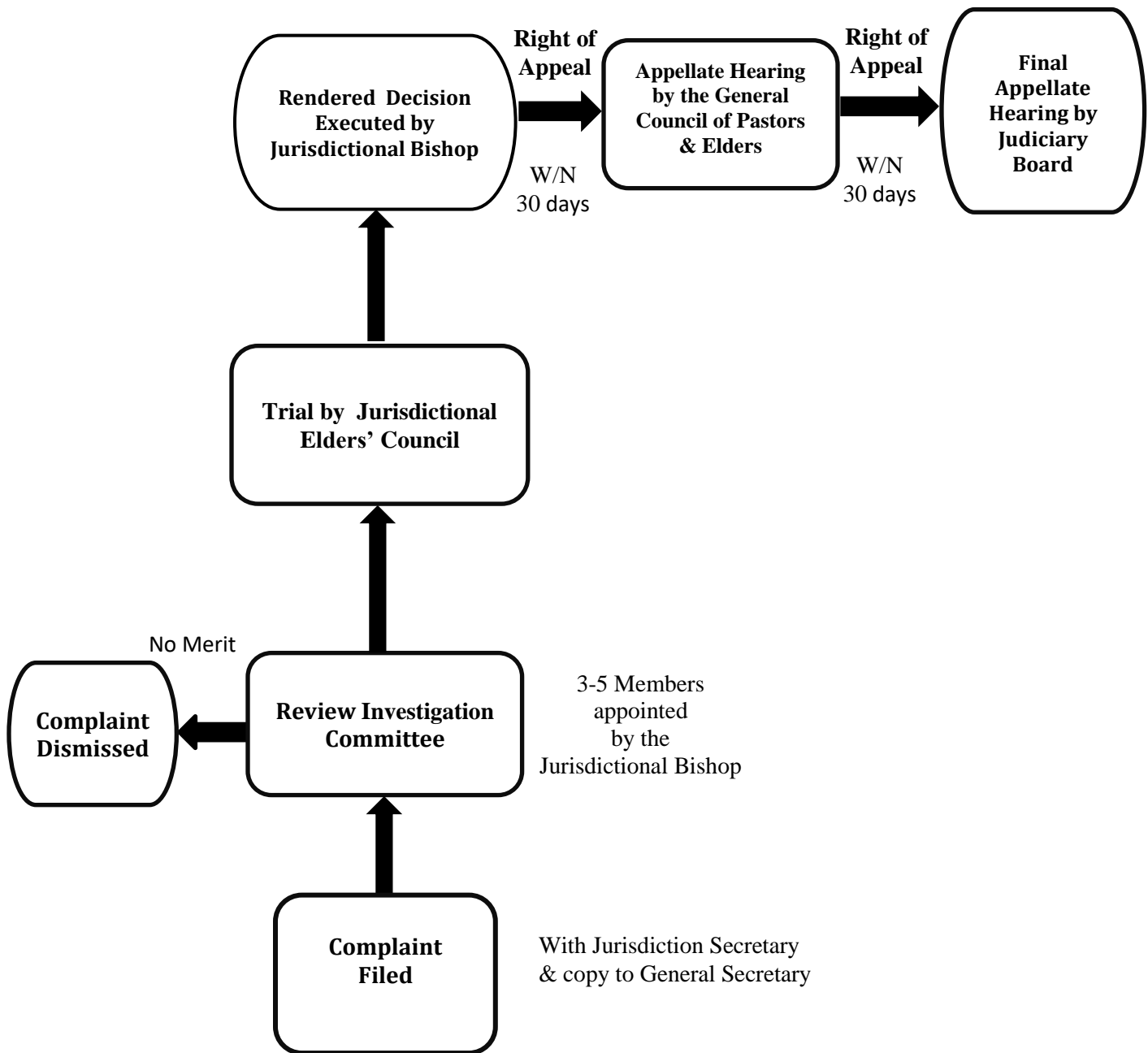
### ARTICLE VIII SECTION A



# TRIAL OF A JURISDICTIONAL OFFICER &

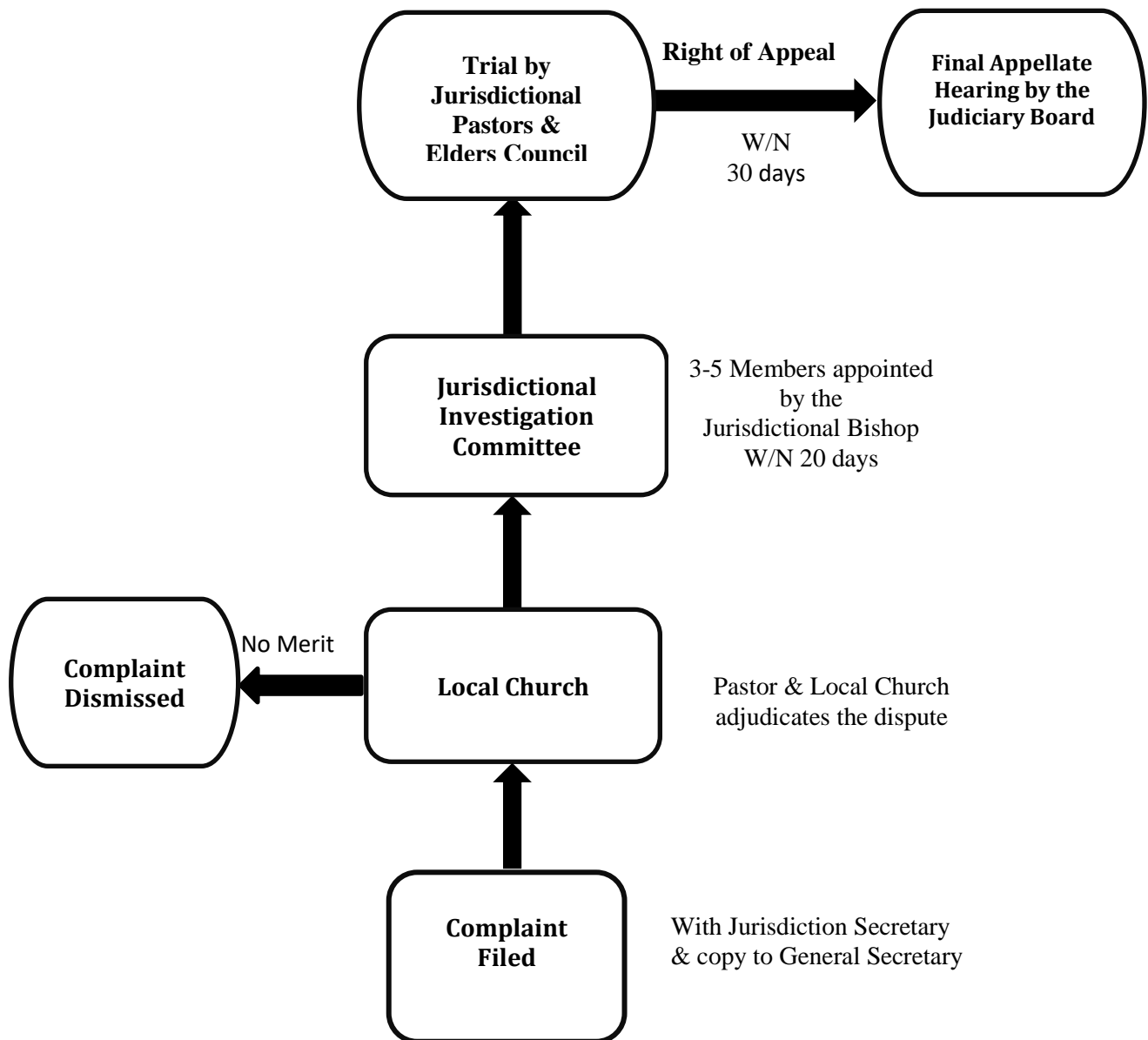
## RIGHT OF APPEAL

### ARTICLE VIII SECTION C

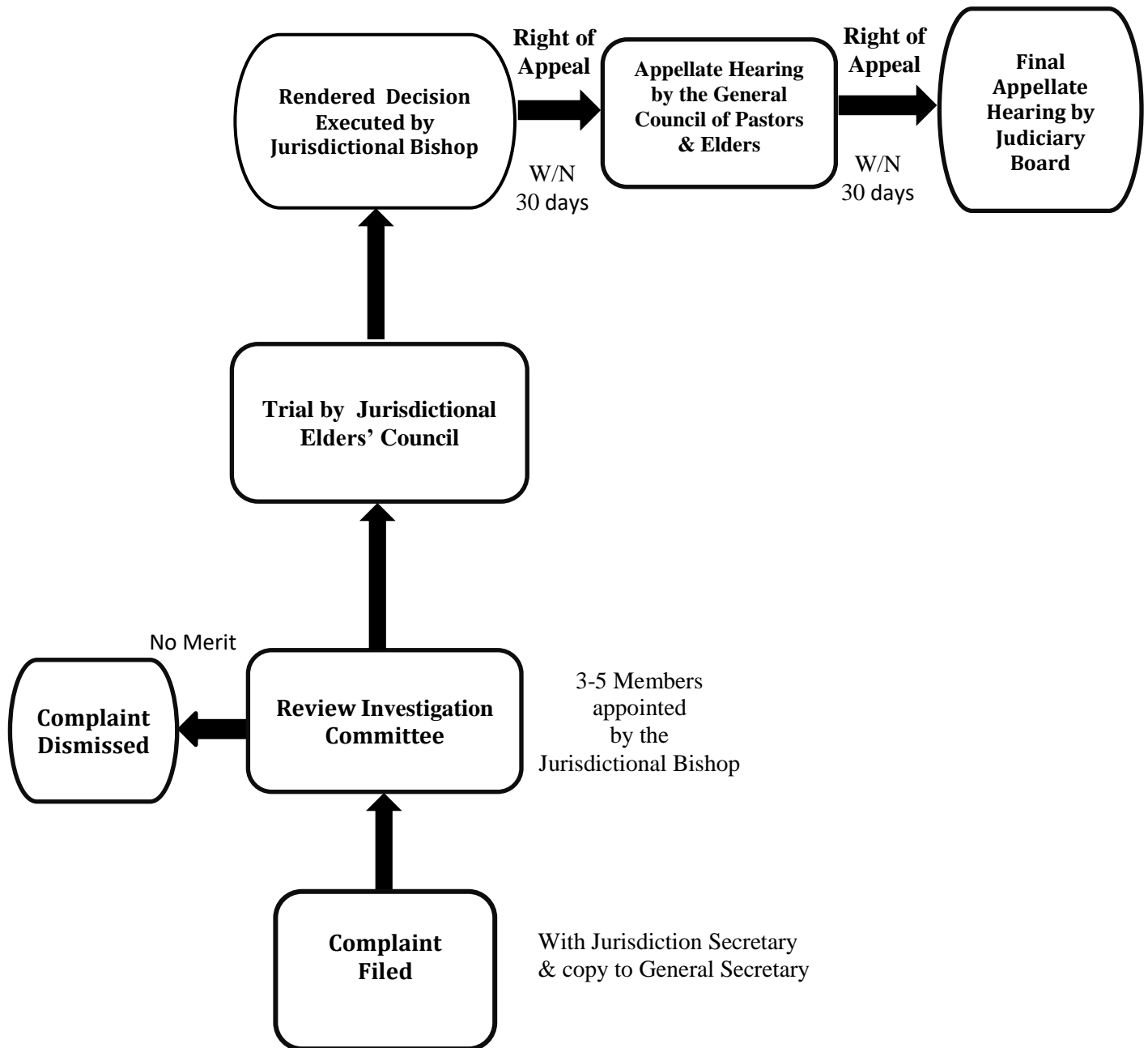


# TRIAL OF A LAYPERSON & RIGHT OF APPEAL

## ARTICLE VIII

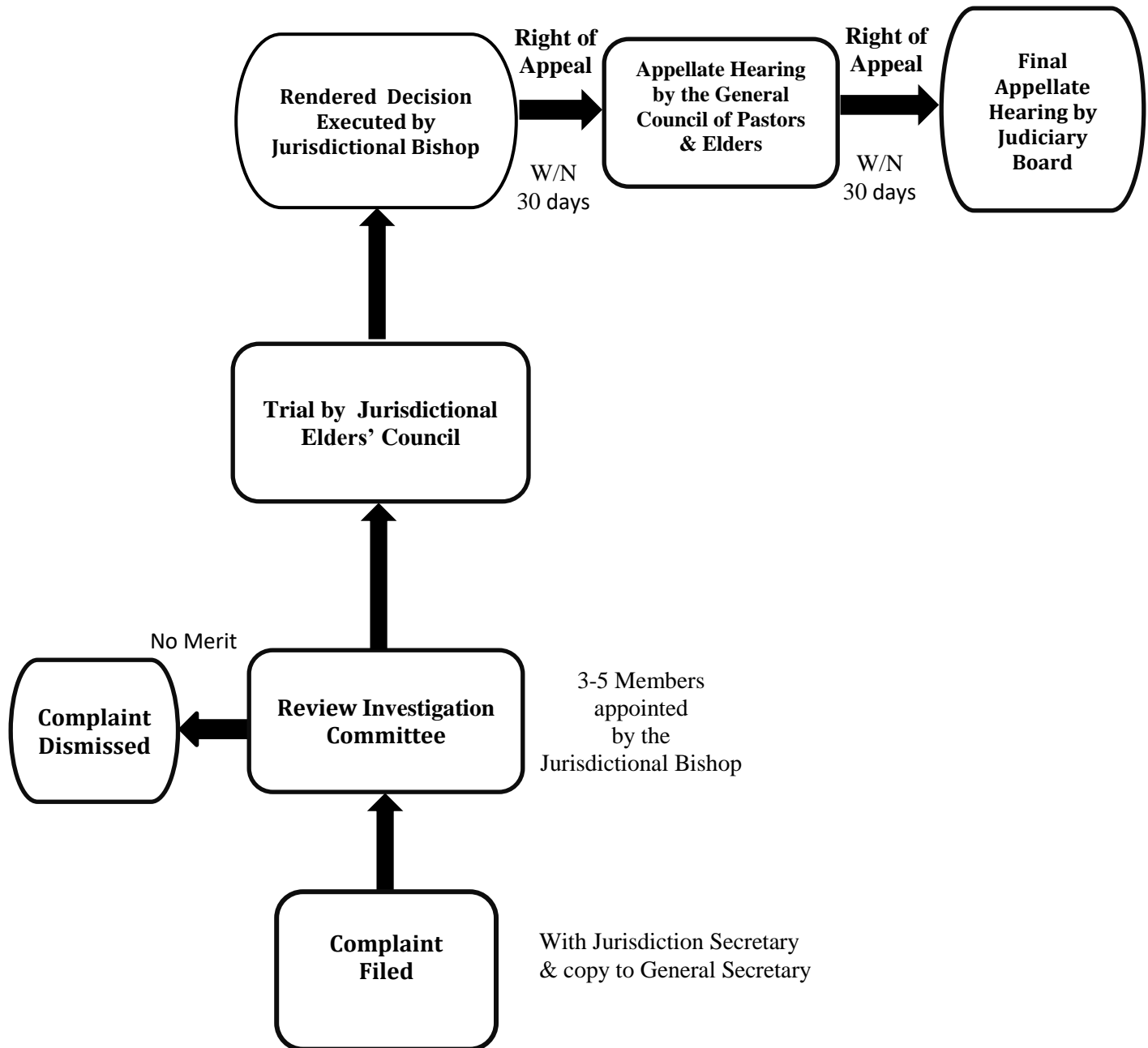


# **TRIAL OF AN ORDAINED ELDER & RIGHT OF APPEAL ARTICLE VIII SECTION B**

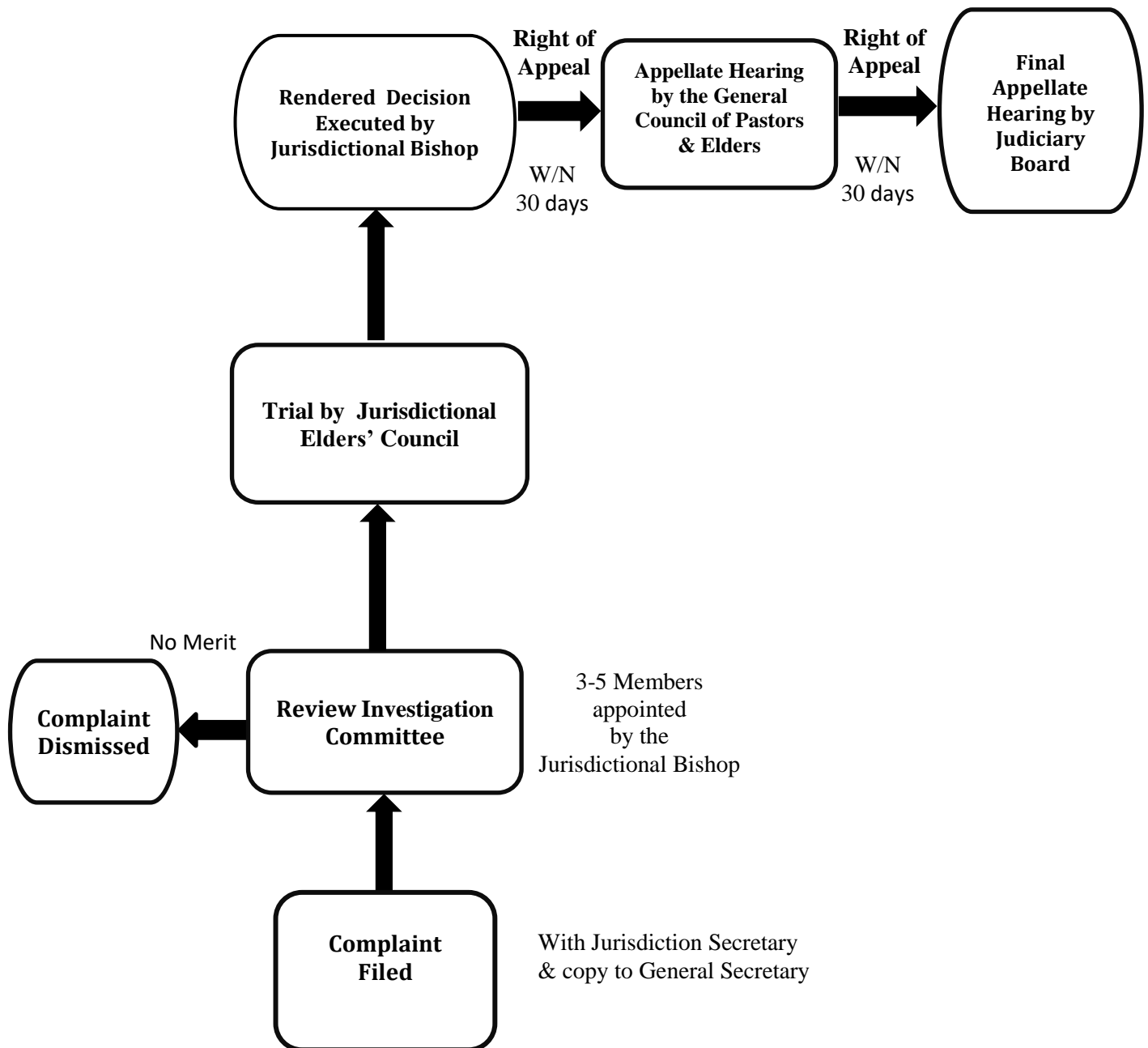


# TRIAL OF A PASTOR & RIGHT OF APPEAL

## ARTICLE VIII SECTION B



# **TRIAL OF A DISTRICT SUPERINTENDENT & RIGHT OF APPEAL ARTICLE VIII SECTION B**





# APPENDIX C

## GLOSSARY OF TERMS

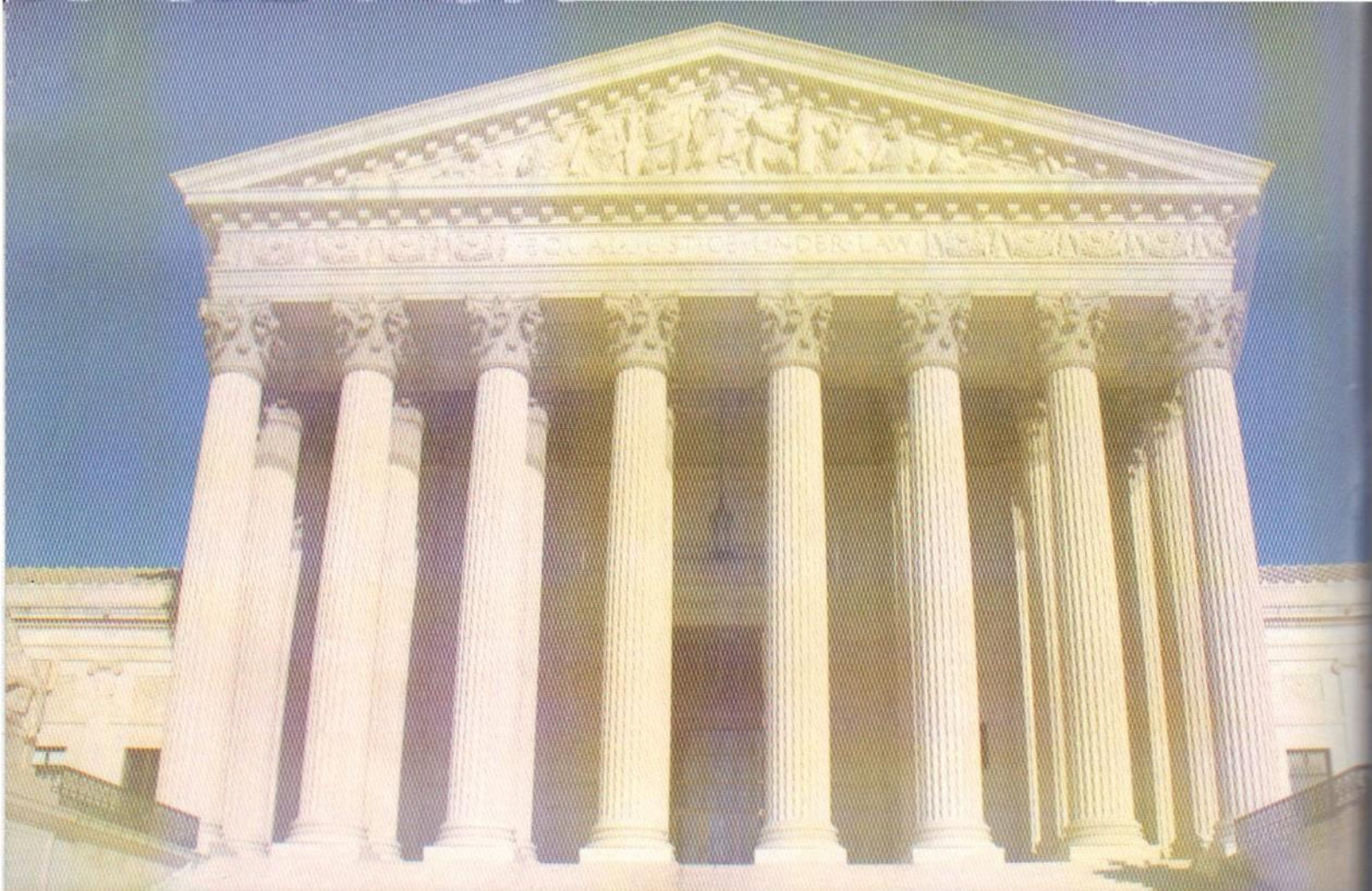
# Glossary of Legal Terms

Adjourned or Recess	Judge stops or suspends court for the day or until a later date.
Attorney	A person who represents a plaintiff or defendant in court or outside of court in a legal matter: also referred to as a lawyer or counsel.
Beyond a Reasonable Doubt	The highest level of proof required to win a case. Necessary to get a guilty verdict in criminal cases
Burden of Proof	The duty of a party in a lawsuit to persuade the judge or the jury that enough facts exist to prove the allegations of the case.
Bill of Indictment or	A formal charge against someone made in court and a claim that someone has done wrong.
Complaint	Same as above
Conviction	The result of a criminal trial in which a person is found guilty.
Court	The place where a trial is held or another way of referring to the judge.
Courtroom or Deputy-Clerk	The person who calls the court to order and swears in witnesses.
Court Reporter	person who types every word said during the trial. The typewritten document is a permanent record of the trial.
Crime	The act of breaking the law
Criminal Trial	A way to decide who is guilty of breaking the law
Cross Examination	The questioning of a witness by the lawyer for the opposing side
Defendant	A person who is being sued or accused of breaking the law
Direct-examination	The first questioning in a trial of a witness by the lawyer who called that witness; Something which shows or proves a fact
Evidence	Information presented that is used to persuade the judge or jury
Exhibit	A document or other item introduced as evidence during a trial or hearing
Federal Court	The court that is organized under the Constitution and laws of the federal government of the United States.
Felony	A serious criminal offense
Hung Jury	A jury whose members cannot agree upon a verdict

Indictment	An accusation of a crime made against a person by a grand jury upon the request of a prosecutor
Judge	The person who is in charge of the court and who decides questions of law
Jury	A group of people who listen to the evidence at a trial and decide if the law has been broken
Jury Foreperson	A person who is a member of the jury and will act as lead juror. This person hands the verdict to the judge.
Jury Trial	Usually made up of six to twelve people that listen to testimony from both the plaintiff and defendant's side and decides the verdict of a case
Lawsuit	A case before a court heard by them
Misdemeanor	A criminal offense that is lesser than a felony
Mistrial	A trial that becomes invalid, is essentially canceled, because of a mistake in procedure
Motion	How a lawyer asks the judge to make a decision
Objection	The lawyer is in conflict or does not agree with something being said in court.
Overruled	Judge rules against or disallows the lawyer's objection.
Plaintiff	A person who starts a lawsuit
Sentence	The punishment given to a person who has been convicted of a crime.
Sustained	Judge favored or accepted the doubt or objection offered by the lawyer
Verdict	The decision made by the jury in a trial.
Witness	A person who goes to court to tell the truth about what he or she has seen or knows about a crime or other situation.
Your Honor	The way a judge is addressed in a courtroom.







THE JUDICIARY BOARD  
*(Supreme Court)*  
OF THE  
CHURCH OF GOD IN CHRIST, INC.

NOVEMBER 2013

DR. JOSEPH D. CLEMMONS SR., EDITOR