

Duties of the NWLM Synod Discipline Committee

“The Committee on Discipline of this synod shall consist of 12 persons of whom six shall be ordained ministers and six shall be lay persons.”

--- *S11.03, North/West Lower Michigan Synod Constitution

Summary of Duties:

- The **Discipline Committee** elected positions are 6-year terms.
- The **Discipline Committee** does not meet as a full committee; instead members of the committee are available over their 6-yr term for selection by the Synod’s Executive Committee to serve on a Discipline Hearing Committee.
- When needed within a discipline process in our synod (after the Bishop and the Consultation Committee have attempted to mediate the situation), the **Synod’s Executive Committee will select 6 members of the Discipline Committee** of the synod to serve on a **Discipline Hearing Committee** (like a jury). 6 members of the Churchwide Committee on Discipline will also be selected for this hearing committee.
- The **Discipline Hearing Committee** will meet with the accused and the accuser(s) to hold a hearing. The committee shall render its written decision within 15 days after the committee concludes the hearing. The 60-day period may be extended one or more times to a specified date by a written stipulation signed by the accuser(s), the accused, and the hearing officer prior to the expiration of the original 60-day period or prior to the extended specified date.
- Travel for **Discipline Committee** meetings and other duties is covered by the synod (mileage, hotel for overnight stays, etc.)

Additional Details for Reference - from the NWLM Synod Constitution:

- *S11.03. The Committee on Discipline of this synod shall consist of 12 persons of whom six shall be ordained ministers and six shall be lay persons, who shall each be elected by the Synod Assembly for a term of six years without consecutive re-election. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the ELCA*.
- a. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the ELCA*.
 - b. The terms of committee members shall be staggered so that the terms of four committee members (two clergy and two lay) expire every two years.
 - c. The Synod Council shall fill vacancies on the Committee on Discipline for any unexpired term.

Additional Details for Reference - from the ELCA Constitution:

- 20.21.07.** When charges are brought by a synodical bishop or the presiding bishop of this church, or when charges are brought other than by a synodical bishop and have not been withdrawn or dismissed or otherwise disposed of as provided in 20.21.06., the synodical bishop or presiding bishop, as appropriate, shall deliver a copy of the charges to the accused and the secretary of this church.
- 20.21.08.** A discipline hearing committee shall be convened to conduct a hearing. The voting members of this committee shall be composed of 12 persons of whom **six shall be selected by the Synod Council's Executive Committee from the Committee on Discipline of the synod** and six shall be selected from the churchwide Committee on Discipline under the process described in 20.21.12. The rules authorized in 20.21.16. shall establish the method, based upon the remainder of the term, for determining which members of the synodical committee shall serve as the voting members and which shall serve as alternates. A hearing officer selected from the churchwide Committee of Hearing Officers under the process described in 20.21.14. shall preside as the non-voting chair of the discipline hearing committee.
- 20.21.17.** In each specific case for which a **discipline hearing committee** has been constituted, the committee shall, within 60 days after the secretary of this church has given notice of selection by the Exec. Committee of the Church Council of the members of the churchwide Committee on Discipline to serve on a discipline hearing committee, meet with the accused and the accuser(s) to hold a hearing. The committee shall render its written decision within 15 days after the committee concludes the hearing. The 60-day period may be extended one or more times to a specified date by written stipulation signed by the accuser(s), the accused, and the hearing officer prior to expiration of the original 60-day period or prior to the extended specified date.
- 20.21.19.** At the hearing, the accuser(s) may present evidence in support of the charges and thereafter the accused shall be entitled to present evidence. The accused and the accuser(s), or other person acting on behalf of either of them, shall be entitled to question the other party or any of the witnesses appearing on behalf of the other party. A verbatim record shall be made by a stenographer or court reporter or by audio or video recording of the hearing.
- 20.21.21.** The **discipline hearing committee** shall render its decision in writing. The written decision shall be in two parts:
- a. Findings of Fact. In this part, the committee shall set forth what it has found to be the relevant facts, that is, what it believes to be the truth of the matter.
 - b. Determination. In this part, the committee shall state whether, based upon the facts that it has found, it believes discipline should be imposed and, if so, what discipline it has chosen to impose.
- 20.21.22.** The decision of the **discipline hearing committee** shall be made by a majority vote of its members who were present at the hearing. The decision of the discipline hearing committee shall be final on the date it is issued by the committee. Within 30 days, one of the parties may appeal to the Committee on Appeals and may request the Committee on Appeals to stay the effective date of the decision. A stay may be granted in whole or in part and subject to such conditions, if any, as the Committee on Appeals may require. The decisions of the Committee on Appeals shall be final.