

Provide by Rule

D-3.0102 Reviewers and Effect on Quorum The moderator of the permanent judicial commission shall designate a special committee of three persons to review any petition for review of the procedures of the investigating committee while the investigation in a disciplinary case is in process (D-7.11), to review any petition for review of the decision not to file charges (D7.1402), and to determine the need for administrative leave (D- 7.0902). The special committee shall be composed of at least one current member of the permanent judicial commission, and may include up to two former members.

D-3.04 OFFICERS Each permanent judicial commission shall meet and elect from its members a moderator and a clerk, according to its rules or the rules of the council or councils electing its members. A permanent judicial commission may also provide by rule for additional officers.

D-3.0602 c. Ensuring a Quorum Whenever a permanent judicial commission is required to meet for a hearing or trial, the stated clerk shall recruit a sufficient number of additional members by rotation from the roster of former members to ensure that a quorum will not be lost during the course of the proceeding. Councils may provide by rule for the method of rotation to incorporate the principles of participation and representation in accordance with G-3.0111 and F-1.0403.

D-4.0204 b. Provide by Rule A council or an entity of the General Assembly may provide by rule for the appointment of a committee of counsel. The membership of the committee of counsel, as well as any changes to its composition that may occur, shall be promptly reported to the stated clerk of the council having jurisdiction, who will notify the other party and the permanent judicial commission.

D-6.11 PREHEARING CONFERENCE At any time after an appeal has been received by a permanent judicial commission, the commission may determine or may provide by rule for the parties or their counsel, if any, in a prehearing conference, to seek agreement on any of the disputed issues in the appeal, and to take other action which might reasonably and impartially narrow the dispute and expedite its resolution. Such conference may also result in a settlement agreement including a request for withdrawal of the appeal, which is then processed in accordance with D-6.05.

D-7.0201 e. Members Receiving Allegations from Any Source Members of the Presbyterian Church (U.S.A.) who receive an allegation from any source against a member of the Presbyterian Church (U.S.A.) should file a written allegation with the clerk of session or stated clerk of the council with jurisdiction over the individual who is accused. Clerks of session and stated clerks who receive a written statement of offense from a non- member of the Presbyterian Church (U.S.A.) that contains sufficient information to allow an investigation and to suggest that an offense has been committed, should file a written allegation on behalf of the nonmember. In this case they shall not be considered to be disqualified from continuing to serve in their role as the clerk of session or stated clerk. Councils may provide by rule for who shall fulfill the role of the “accuser” in such cases.

D7.0501 Referral to an Investigating Committee a. Sessions may and councils above the session shall provide by rule for the appointment of an investigating committee.