

[REDACTED]

## Region Judicial Review Committee

### DECISION OF MODERATOR OF JUST CAUSE

#### NAMES OF PARTIES

Accuser: VICTOR CHINININ BUELE

Charged: [REDACTED] Senior Pastor, [REDACTED] Church

Moderator: [REDACTED]

Date: March 27, 2019

Description of evidence received by the Moderator:

- Document Titled: V-1 List of Charges
- Document Titled: V-2 Witness 1
- Document Titled: V-3 Witness 2
- Document Titled: V-4 Witness 3
- Document Titled: C-1 Accused Statement
- Document Titled: C-2 Accused Witness 1

I, the Moderator, having been selected by the Regional Judicial Review Committee in accordance with the current [REDACTED], and having reviewed the Accuser's description of the charges, evidence, and the process of prior attempts at reconciliation according to Matthew 18, decide on the issues as follows:

#### ISSUES TO BE DECIDED

- On what basis does this Moderator have the authority to act in this matter?
- Is there just cause for Victor Chininin Buele to bring one or more charges against [REDACTED] in a formal trial, or should the matter be dismissed, handled as a case for personal reconciliation, or some other process? SP

*In order to address this issue, the following sub-issues must be addressed:*

- a. Was Matthew 18:15-16 sufficiently followed prior to the charges being brought against [REDACTED]?
- b. Are there sufficient grounds regarding a serious breach of *sound doctrine* or the *biblical qualifications* for the office of elder?
- c. Are there at least two credible witnesses to testify to the legitimacy of the charge?



d. Is there sufficient evidence for the charges to be legitimate?

#### **SUMMARY DECISION OF THE ISSUES**

- I have determined that as Moderator I have the authority to determine just cause under [REDACTED], having been properly appointed for this purpose. As Moderator, I have authority to make such a decision because [REDACTED] is an ordained elder in a [REDACTED] Church and subject to [REDACTED].
- After reviewing the information provided by the accuser, I decided that a trial is not justified. This decision is based on the following sub-issue(s):
  - a. I found that Matthew 18:15-16 was not sufficiently followed prior to the charges being brought against [REDACTED].
  - b. This question is irrelevant at this time due to Matthew 18:15-16 not being followed.
  - c. This question is irrelevant at this time due to Matthew 18:15-16 not being followed.
  - d. This question is irrelevant at this time due to Matthew 18:15-16 not being followed.

#### **BASIS FOR DECISION**

1. On what basis does this Moderator have the authority to act in this matter?
  - a. Both Victor Chininin Buele and [REDACTED] are ordained elders in a [REDACTED] Church and subject to the discipline sections of [REDACTED].
  - b. The Moderator was properly appointed for this case. An elder of [REDACTED] Church provided information to the Chairman of the Regional Judicial Review Committee regarding the charges against [REDACTED]. In accord with [REDACTED], the Regional Judicial Review Committee Chairman appointed me, [REDACTED], to review the written charges brought by Victor Chininin Buele to make a decision as to whether or not there is sufficient justification for a trial.
  - c. As Moderator, I reviewed the charges against [REDACTED] in accord with my responsibilities outlined in [REDACTED].



I conclude that as Moderator I was properly appointed and have the authority over both the parties and the subject involved. Therefore, the Moderator has the authority to act in this matter.

2. Is there just cause for Victor Chinin Buele to bring one or more charges against [REDACTED] in a formal trial, or should the matter be dismissed, handled as a case for personal reconciliation, or some other process?
- a. First Sub-issue: Was Matthew 18:15-16 sufficiently followed prior to the charges being brought against [REDACTED]? No. Various meetings were held between the parties May through December of 2018. In all of these meetings, the implied focus was Angela's offense toward [REDACTED] based on a May 2018 conversation she and [REDACTED] had in the presence of Victor. Angela contended that the manner in which [REDACTED] spoke to her was unduly harsh and fueled with anger. At the time, Victor disagreed with his wife and defended [REDACTED]. In all of the face-to-face meetings to that point, Victor believed his wife was in the wrong. Sometime in January 2018, Victor began to change his opinion and believe that his wife had legitimate grievances, and also contends that this is a broader pattern in [REDACTED]'s leadership. After Victor heard similar (separate) experiences from [REDACTED] and [REDACTED] (former members of [REDACTED]) Victor then decided to pursue the matter. Upon Victor discussing these concerns with [REDACTED], [REDACTED] counseled Victor to sit down with [REDACTED] to follow the steps of Matthew 18. Victor originally agreed to do so, and even involved a former elder of [REDACTED] church, [REDACTED]. [REDACTED] initially agreed to go with Victor to meet with [REDACTED] together. Then, according to Victor, [REDACTED] changed his mind because he didn't want the perception that "we were ganging up on [REDACTED]", and instead suggested Victor use an outside mediation firm such as Peacemakers. So the meeting that would have initiated the Matthew 18 process in January 2018 never happened. When I asked Victor why he never had a meeting with [REDACTED] concerning these specific charges, Victor responded that he doesn't believe [REDACTED] really wants to see / admit to his own sin. Instead, Victor filed formal charges.
- b. Second Sub-issue: Were there sufficient grounds regarding a serious breach of *sound doctrine* or the *biblical qualifications* for the office of elder? This question is irrelevant at this time due to Matthew 18:15-16 not being followed.
- c. Third Sub-issue: Were there at least two credible witnesses to testify to the legitimacy of the charge? This question is irrelevant at this time due to Matthew 18:15-16 not being followed.
- d. Fourth Sub-issue: Was there sufficient evidence for the charges to be legitimate? This question is irrelevant at this time due to Matthew 18:15-16 not being followed.



I conclude that there is not just cause for Victor Chininin Buele to bring one or more charges against [REDACTED] in a formal trial. Victor did not follow the process of Matthew 18:15-16 before filing a formal charge. The matter should first be handled as a case of personal reconciliation according to Matthew 18:15-16. As a fellow elder in the church, Victor must biblically confront [REDACTED] without prejudgment of [REDACTED]'s potential response. After the process of Matthew 18:15-16 has been followed, the Moderator recommends that, if deemed necessary, mediation by a third party within the guidelines of the BCO may be helpful.

#### **PROCESS FOR APPEAL**

If the Moderator decides not to admit the charge, the accuser may then appeal this decision within 30 days. An appeal is made by writing a letter of no more than five pages to the Regional Judicial Review Committee about why the Moderator has wrongly rejected this charge.

This concludes the decision of this Moderator.

Respectfully submitted,

[REDACTED]

[REDACTED], Moderator of Just Cause

Date: 3/27/19