

6. Church Discipline and Name Removal

6.1 Definition and Purposes of Church Discipline	53	6.10.10 Appeals	65
6.1.1 Save the Souls of Transgressors	53	6.10.11 Reports on Disciplinary Councils	66
6.1.2 Protect the Innocent	53	6.10.12 Procedures in Exceptional Circumstances	66
6.1.3 Safeguard the Integrity of the Church	53	6.11 Fellowshiping after Discipline	67
6.2 Responsibility for Church Discipline	53	6.12 Ending Formal Probation, Disfellowshipment, or Excommunication	67
6.2.1 Stake President	53	6.12.1 Determine Jurisdiction and Participation	67
6.2.2 High Council	54	6.12.2 Review the Proceedings of the Initial Council	68
6.2.3 Bishop	54	6.12.3 Interview the Person	68
6.2.4 Branch President in a Stake	54	6.12.4 Determine Status of Criminal or Civil Court Action (If Necessary)	68
6.2.5 Mission President	54	6.12.5 Contact the Presiding Officer Where Action Was Taken	68
6.2.6 District President and Branch President in a Mission	54	6.12.6 Contact the Priesthood Leaders of Aggrieved Victims	68
6.2.7 Jurisdiction in Special Circumstances	54	6.12.7 Give Notice of the Disciplinary Council	68
6.3 Information about a Possible Serious Transgression	55	6.12.8 Convene and Conduct the Disciplinary Council	68
6.4 Interviews and Investigation	55	6.12.9 Complete and Submit a Report	69
6.5 Confidentiality	55	6.12.10 Apply for First Presidency Approval (If Necessary)	69
6.6 Seeking Forgiveness and Disclosing Information	55	6.12.11 Give Written Notice of the Decision	69
6.7 Determining Whether a Disciplinary Council Is Necessary	56	6.12.12 Readmission of Excommunicated Persons by Baptism and Confirmation	69
6.7.1 When a Disciplinary Council Is Not Necessary	56	6.13 Membership Records and Church Discipline	70
6.7.2 When a Disciplinary Council May Be Necessary	56	6.13.1 Records of Members Placed on Formal Probation	70
6.7.3 When a Disciplinary Council Is Mandatory	57	6.13.2 Records of Disfellowshipped Members and Those Reinstated to Full Fellowship	70
6.8 Informal Church Discipline	58	6.13.3 Records of Excommunicated Members and Those Readmitted by Baptism and Confirmation	70
6.8.1 Private Counsel and Caution	58	6.13.4 Records with Annotations	70
6.8.2 Informal Probation	58	6.13.5 Records with Special Comments	71
6.9 Formal Church Discipline	58	6.13.6 Records with Bishop's Request for Contact	71
6.9.1 Formal Probation	59	6.13.7 Move Restrictions on Membership Records	71
6.9.2 Disfellowshipment	59	6.13.8 Records of Those Who Are Incarcerated in Correctional Facilities	71
6.9.3 Excommunication	59	6.14 Removing Names from Church Membership Records	71
6.10 Disciplinary Councils	59	6.14.1 Name Removal and Suspected Transgression	72
6.10.1 Leaders Who Are to Participate	60	6.14.2 Effects of Name Removal on Temple Sealings	72
6.10.2 Notice and Scheduling	60		
6.10.3 Communicating with Aggrieved Victims	61		
6.10.4 Procedures of the Council	61		
6.10.5 Possible Decisions	63		
6.10.6 Considerations in Reaching a Decision	63		
6.10.7 Written Notice of the Decision	64		
6.10.8 Maintaining Contact with a Person Who Has Been Excommunicated	64		
6.10.9 Announcement of the Decision	65		

6.14.3	Announcement of Name Removal	72	6.16	Retention of Records	73
6.14.4	Readmission after Name Removal	72		Documents Required at Church Headquarters	
6.15	Restoration of Blessings	73		for Confidential Actions or Applications	74
6.15.1	Performance of the Ordinance	73			
6.15.2	For the Dead	73			

6. Church Discipline and Name Removal

In this chapter, references to transgressors are in the masculine gender but also include the feminine.

6.1 Definition and Purposes of Church Discipline

Bishops and stake presidents have a responsibility to help members overcome transgression through repentance. This responsibility includes counseling with individual members as needed and helping them in their efforts to repent. In some circumstances, it requires administering Church discipline. The term *Church discipline* refers to restrictions and conditions of repentance placed on a person.

Guided by the Holy Ghost and the instructions in this chapter, bishops and stake presidents administer either informal or formal Church discipline as needed. Leaders administer Church discipline in a spirit of love so it can bless the life of the transgressor. To do this, leaders must be guided and inspired by the Lord.

Informal Church discipline is administered in private interviews. It does not affect a member's standing in the Church (see 6.8). Formal Church discipline is administered in a disciplinary council and can affect a member's standing in the Church (see 6.9 and 6.10).

The purposes of Church discipline are (1) to save the souls of transgressors, (2) to protect the innocent, and (3) to safeguard the purity, integrity, and good name of the Church.

6.1.1 Save the Souls of Transgressors

The first purpose of Church discipline is to save the souls of transgressors by helping them repent (see D&C 1:31–32; 19:13–20; 42:37; 64:12–13). When people do not repent, they are exposed to the demands of eternal justice (see Alma 34:16). When they exercise faith unto repentance, God forgives them, granting mercy through the Atonement of Jesus Christ (see Alma 42:23; D&C 58:42). Through this process, they may again become clean and worthy to inherit the kingdom of God (see 3 Nephi 27:19; Moses 6:57).

Church discipline can facilitate repentance by helping transgressors recognize and forsake sin, seek forgiveness, make restitution, and demonstrate a renewed commitment to keep the

commandments. Informal Church discipline is often adequate for this purpose. However, in some instances the only way to encourage true repentance is to convene a disciplinary council and consider formal discipline. Without formal discipline, some transgressors may never experience the change of behavior and change of heart necessary to qualify them for redemption through the Atonement, for “none but the truly penitent are saved” (Alma 42:24).

6.1.2 Protect the Innocent

The second purpose of Church discipline is to protect the innocent. With inspiration, a priesthood leader should act to protect others when a transgressor poses a physical or spiritual threat to them, such as by predatory practices, physical harm, sexual abuse, drug misuse, fraud, or apostasy (see Alma 5:59–60).

6.1.3 Safeguard the Integrity of the Church

The third purpose of Church discipline is to safeguard the purity, integrity, and good name of the Church. Consequently, transgressions that significantly impair the good name or moral influence of the Church may require the action of a disciplinary council.

6.2 Responsibility for Church Discipline

God does not overlook sin, and His servants cannot ignore evidence of serious transgressions (see Mosiah 26:29; D&C 1:31). Stake presidents, bishops, mission presidents, district presidents, and branch presidents are called and set apart to be judges in Israel (see D&C 107:72–74). They are to “judge . . . by the testimony of the just, . . . according to the laws of the kingdom which are given by the prophets of God” (D&C 58:18).

Church discipline is administered in the ward or stake that has the transgressor's membership record (see 6.2.7 for exceptions). Church leaders' responsibilities for initiating and administering Church discipline are outlined in the following paragraphs.

6.2.1 Stake President

The stake president has authority over Church discipline in the stake. However, bishops normally administer Church discipline unless evidence indicates that a man who holds the Melchizedek

Priesthood is likely to be excommunicated. In that case, the stake president convenes a stake disciplinary council. When a stake president convenes a disciplinary council, the participation of the stake presidency and high council is required as outlined in "Stake Disciplinary Councils" in 6.10.1.

6.2.2 High Council

The high council participates whenever a stake president convenes a disciplinary council (see 6.10.1 and 6.10.4).

6.2.3 Bishop

The bishop has authority over Church discipline in the ward, except the excommunication of a man who holds the Melchizedek Priesthood.

The bishop must confer with the stake president and obtain his approval before convening a disciplinary council. If evidence indicates that a Melchizedek Priesthood holder is likely to be excommunicated, the bishop immediately transfers the matter to the stake president.

When a bishop convenes a disciplinary council, it must include all three members of the bishopric (see "Ward Disciplinary Councils" in 6.10.1).

6.2.4 Branch President in a Stake

A branch president in a stake is not authorized to administer Church discipline without the permission and counsel of the stake president. He must receive authorization in each case to convene a disciplinary council.

If evidence indicates that a Melchizedek Priesthood holder is likely to be excommunicated, the branch president immediately transfers the matter to the stake president. If a branch disciplinary council recommends excommunication of a member who does *not* hold the Melchizedek Priesthood, the stake president's approval is required before the decision is final.

When a branch president in a stake convenes a disciplinary council, it must include all three members of the branch presidency (see "Branch Disciplinary Councils in a Stake" in 6.10.1).

6.2.5 Mission President

The mission president administers or oversees Church discipline of members in mission branches and districts. If time or distance prevents him from personally convening a disciplinary council for one of these members, he may

authorize three Melchizedek Priesthood holders to convene it as outlined in "Mission Disciplinary Councils" in 6.10.1. If this disciplinary council recommends excommunication, the mission president's approval is required before the decision is final.

The mission president also administers Church discipline for full-time missionaries who commit serious transgressions in the mission field. Before convening a disciplinary council for a full-time missionary, the mission president reviews the matter with a General Authority in the Missionary Department. If the mission president is outside the United States and Canada, he also reviews the matter with the Area Presidency. In either case, the mission president may not convene the disciplinary council until he receives authorization from a General Authority in the Missionary Department.

6.2.6 District President and Branch President in a Mission

A district president or branch president in a mission is not authorized to administer Church discipline without the permission and counsel of the mission president. He must receive authorization in each case to convene a disciplinary council.

6.2.7 Jurisdiction in Special Circumstances

If a member who needs Church discipline moves to another ward before disciplinary action is taken, the bishops of both wards consult to determine where the action should be taken. They consider such matters as the accessibility of key witnesses and the need for continuing efforts to encourage repentance and restoration to full fellowship. If the bishops determine that the bishop of the former ward should take the disciplinary action, he retains the membership record until the action is taken. Otherwise, he transfers the membership record and confidentially informs the person's current bishop of the circumstances that warrant Church discipline.

If a member is living away from home temporarily (attending school or serving in the military, for example), his bishop at the place of temporary residence may counsel him or place him on informal probation. However, this bishop should consult the bishop of the home ward before initiating formal disciplinary action.

If a full-time missionary commits a serious transgression that is not revealed until after he has been released, the bishop of his current ward

confers with the stake president and mission president.

6.3 Information about a Possible Serious Transgression

The process of Church discipline begins when a presiding officer receives information that a member may have committed a serious transgression. This information may come in at least three different ways:

1. Confession by the member. Repentance requires that all sins be confessed to the Lord. "By this ye may know if a man repenteth of his sins—behold, he will confess them and forsake them" (D&C 58:43). Members should also confess to their presiding officer if they have committed serious transgressions. Members who voluntarily and completely confess transgressions demonstrate that they have begun the process of repentance.
2. Information from someone else. Such information might come from a family member, another Church leader, a victim, or a participant in the transgression.
3. Promptings from the Holy Ghost. When a presiding officer feels that a member in his ward or stake may be struggling with sin, he may schedule an interview with the member. In such a case, the leader talks with the member in a respectful and helpful manner, avoiding any tone of accusation.

6.4 Interviews and Investigation

A bishop interviews any member of his ward who confesses or is accused of a serious transgression. If the member confesses the sin, either on his own or as a result of an accusation from someone else, the bishop responds with love and understanding. He encourages the member to seek the Lord's forgiveness, forsake the transgression, and make restitution. If the sin may be serious enough to require formal Church discipline, the bishop explains this to the member (see 6.7).

If a member denies an accusation that the bishop has reliable evidence to support, the bishop (or the stake president if the member is a Melchizedek Priesthood holder who is likely to be excommunicated if the accusation is true) gathers further evidence that would confirm or disprove the accusation. The presiding officer may conduct the investigation himself, or he

may assign two reliable Melchizedek Priesthood holders to do so. However, leaders should not investigate individuals or matters while they are the subject of investigation by law enforcement authorities. For guidance in such circumstances, the stake president seeks legal advice from the Church's Office of General Counsel or from the area office as instructed in 17.1.26.

Priesthood leaders who conduct an investigation should not use methods that are unbecoming to priesthood holders or that could result in legal action. For example, they must not use electronic surveillance devices, hidden cameras, or recording devices. They also must not maintain a watch on a member's home.

6.5 Confidentiality

Bishops, stake presidents, and their counselors have a solemn duty to keep confidential all information that members give them in confessions and interviews. The same duty of confidentiality applies to all who take part in Church disciplinary councils and who are assigned to conduct investigations. It includes what is said in the presentation of evidence and in deliberations. Confidential information must not be shared with anyone except authorized ecclesiastical leaders.

If a bishop learns that a Church member outside his ward may have been involved in a serious transgression, he informs that member's bishop confidentially. When members of different wards transgress together, and when one has disclosed to his bishop the identity of the other transgressor, the bishop to whom the disclosure was made consults with the bishop of the other member.

If civil authorities challenge the confidentiality required of a clergyman, the priesthood leader who is challenged seeks legal advice from the Church's Office of General Counsel (1-801-240-6301 or 1-800-453-3860, extension 2-6301) or from the area office.

6.6 Seeking Forgiveness and Disclosing Information

As part of the repentance process, transgressors should seek forgiveness from the people they have wronged. The repentance of a married person who is involved in a sexual transgression usually includes confessing to and seeking forgiveness from his spouse. A young unmarried

person who commits a sexual transgression should be encouraged to inform his parents.

Repentance may include disclosure to government authorities. If confidential information indicates that a member has violated applicable law, the bishop or stake president urges him to report the matter to appropriate government authorities. The member should also be counseled to seek competent legal advice before reporting. To obtain guidance on local laws that govern reporting abuse, see the instructions in 17.3.2.

Disclosure of the identity of others who participated in a transgression is *encouraged* as part of the repentance process, especially when this can help Church leaders assist those participants in their repentance.

Disclosure of the identity of others who participated in a transgression may be *required* when it is necessary to restore or protect persons who have been or may be seriously injured as a result of the transgression. For example, a sexual transgressor who has been exposed or who has exposed others to a sexually transmitted disease must make the disclosures necessary to protect others. Predators may need to be identified to protect potential victims. A transgressor who holds or has held a prominent position of trust may need to be identified to Church leaders for the spiritual protection of members.

6.7 Determining Whether a Disciplinary Council Is Necessary

6.7.1 When a Disciplinary Council Is Not Necessary

A disciplinary council normally is not necessary in the following instances.

Failure to Comply with Some Church Standards

A disciplinary council should not be held to discipline or threaten members who do not comply with the Word of Wisdom, who are struggling with pornography or self-abuse, or whose transgressions consist of omissions, such as failure to pay tithing, inactivity in the Church, or inattention to Church duties.

Business Failures or Nonpayment of Debts

Church leaders or members should not use the threat of Church discipline as a form of harassment or as a device to settle business controversies. Business failures and nonpayment of debts are not reasons for convening a disciplinary council. However, a disciplinary council

may be held for deceptive practices, false representations, or other forms of fraud or dishonesty in business transactions.

Civil Disputes

Disciplinary councils should not attempt to resolve disputes over property rights or other civil controversies. However, if such a dispute involves accusations that a member has committed acts that would justify Church discipline, leaders treat the accusations like any other accusations of transgression.

If Church leaders are asked to help settle civil disputes, they should act as unofficial, private advisers and should not involve the Church.

Passage of Time

If a member voluntarily confesses a serious transgression that was committed long ago and his faithfulness and service in the intervening years have demonstrated full reformation and repentance, a disciplinary council often is unnecessary (see "Time between Transgression and Confession" in 6.10.6).

6.7.2 When a Disciplinary Council May Be Necessary

Serious Transgression

Formal Church discipline *may* be necessary for any member who commits a serious transgression. As used here, *serious transgression* is defined as a deliberate and major offense against morality. It includes (but is not limited to) attempted murder, forcible rape, sexual abuse, spouse abuse, intentional serious physical injury of others, adultery, fornication, homosexual relations, deliberate abandonment of family responsibilities, robbery, burglary, theft, embezzlement, sale of illegal drugs, fraud, perjury, and false swearing.

Abortion

Presiding officers carefully review the circumstances of members who have been involved in abortions. Formal discipline may be necessary for members who submit to, perform, arrange for, pay for, or encourage abortions. However, Church discipline should not be considered for members who were involved in an abortion before they were baptized or because (1) the pregnancy resulted from forcible rape or incest, (2) the life or health of the mother was in serious jeopardy, or (3) the fetus was known to have severe defects that would not allow the baby to survive beyond birth (see 17.3.1). Bishops refer

questions on specific cases to the stake president. The stake president may direct questions to the Office of the First Presidency if necessary.

Transsexual Operation

Church leaders counsel against elective transsexual operations. If a member is contemplating such an operation, a presiding officer informs him of this counsel and advises him that the operation may be cause for formal Church discipline. Bishops refer questions on specific cases to the stake president. The stake president may direct questions to the Office of the First Presidency if necessary.

6.7.3 When a Disciplinary Council Is Mandatory

A disciplinary council *must* be held when evidence suggests that a member may have committed any of the following transgressions.

Murder

As used here, *murder* refers to the deliberate and unjustified taking of human life. It requires excommunication. It does not include police or military action in the line of duty. Abortion is not defined as murder for this purpose. If death was caused by carelessness or by defense of self or others, or if mitigating circumstances prevail (such as deficient mental capacity), the taking of a human life might not be defined as murder. Bishops refer questions on specific cases to the stake president. The stake president may direct questions to the Office of the First Presidency if necessary.

Incest

As used here, *incest* refers to sexual intercourse between a parent and a natural, adopted, or foster child or a stepchild. A grandparent is considered the same as a parent. Incest also refers to sexual intercourse between brothers and sisters. It almost always requires excommunication. Bishops refer questions on specific cases to the stake president. The stake president may direct questions to the Office of the First Presidency if necessary. If a minor commits incest, the stake president contacts the Office of the First Presidency for direction.

Child Abuse

As used here, *child abuse* refers to a sexual offense against a child or physical abuse of a child. If priesthood leaders learn of or suspect

child abuse, they follow the instructions in 17.3.2. If a minor abuses a child, the stake president contacts the Office of the First Presidency for direction.

Apostasy

As used here, *apostasy* refers to members who:

1. Repeatedly act in clear, open, and deliberate public opposition to the Church or its leaders.
2. Persist in teaching as Church doctrine information that is not Church doctrine after they have been corrected by their bishop or a higher authority.
3. Continue to follow the teachings of apostate sects (such as those that advocate plural marriage) after being corrected by their bishop or a higher authority.
4. Formally join another church and advocate its teachings.

Priesthood leaders must take disciplinary action against apostates to protect Church members. The Savior taught the Nephites that they should continue to minister to a transgressor, "but if he repent not he shall not be numbered among my people, that he may not destroy my people" (3 Nephi 18:31; see also Mosiah 26:36).

Total inactivity in the Church or attending another church does not constitute apostasy. However, if a member formally joins another church and advocates its teachings, excommunication or name removal may be necessary if formal membership in the other church is not ended after counseling and encouragement.

Serious Transgression While Holding a Prominent Church Position

A disciplinary council must be held for a member who commits a serious transgression while holding one of the following prominent Church positions: Area Seventy; temple, mission, or stake president; patriarch; or bishop (but not branch president). The term *serious transgression* is defined in 6.7.2.

Transgressor Who Is a Predator

A disciplinary council must be held for a member who commits a serious transgression that shows him to be a predator with tendencies that present any kind of serious threat to other persons.

Pattern of Serious Transgressions

A disciplinary council must be held for a member who demonstrates a pattern of serious transgressions, especially if prior transgressions have resulted in Church discipline.

Serious Transgression That Is Widely Known

A disciplinary council must be held for a member who commits a serious transgression (as defined in 6.7.2) that is widely known.

6.8 Informal Church Discipline

A bishop or branch president normally administers informal Church discipline. His counselors do not participate, and no disciplinary council is held. Except for the most serious transgressions, informal discipline may be sufficient for persons who are genuinely repentant (especially if they have confessed voluntarily), for first-time offenders, for those who have not violated temple covenants by their transgression, and for those with significant mitigating circumstances (see D&C 42:25–26; see also 6.10.6).

Informal Church discipline includes (1) private counsel and caution and (2) informal probation.

6.8.1 Private Counsel and Caution

Private counsel and caution may be sufficient discipline for members who have committed minor transgressions and are genuinely repentant.

Presiding officers counsel members to resist temptation and help them take preventive action to resist specific temptations. Such counseling often helps members who have committed minor moral transgressions guard against major transgressions. Such counseling also helps protect and strengthen those who are courting, are having difficulty in their marriages, or are separated or divorced. Presiding officers need not wait for members to seek such help, but may call them in for counseling.

For more information about counseling, see 7.2.

6.8.2 Informal Probation

Informal probation is a means for a presiding officer to restrict some of a transgressor's privileges of Church membership. Such restrictions may include suspending the right to partake of the sacrament, hold a Church position, exercise the priesthood, or enter a temple. If the privilege of entering a temple is suspended, a member

gives his temple recommend to the presiding officer for the period of suspension. Wisely administered and humbly received, informal probation can be effective in helping a transgressor repent.

In less serious cases, a presiding officer may determine that a member needs a more active rather than a less active exercise of the privileges of Church membership. In these cases, informal probation may include positive conditions such as regular Church attendance, regular prayer, and reading selected scriptures or Church literature.

Informal probation is not an option when priesthood leaders administer Church discipline for a member who has been involved in any of the serious transgressions listed in 6.12.10.

A bishop normally does not inform anyone of a decision to place a member on informal probation. No official record is made of such decisions, but the bishop may make private notes for his own use. He keeps these notes secure and destroys them after the probation concludes. If a bishop is released or if the member moves to a new ward before informal probation ends, the bishop may inform the new bishop to the extent necessary for the new bishop to supervise the remaining probation.

When a member on informal probation makes specified progress and meets prescribed conditions, the presiding officer may end the probation. If the member does not make this progress and meet the conditions, additional disciplinary action may be needed.

6.9 Formal Church Discipline

At times, formal discipline is the only way to help a transgressor repent, to protect the innocent, or to safeguard the purity and good name of the Church. Presiding officers approach formal discipline with a prayerful desire to help, not to condemn. A presiding officer who is unwilling to proceed in such cases is not fulfilling his responsibilities as a common judge.

Formal Church discipline is administered in a disciplinary council (see 6.10). Because formal Church discipline is ecclesiastical, not civil or criminal, it can affect only a member's standing in the Church (see D&C 134:10). Court procedures of a state or nation do not apply.

Formal Church discipline includes formal probation, disfellowshipment, and excommunication.

6.9.1 Formal Probation

Formal probation is an action taken by a disciplinary council to restrict or suspend some of a transgressor's privileges of Church membership. These restrictions could include or go beyond those imposed by informal probation. Positive conditions similar to those imposed by informal probation could also be prescribed (see 6.8.2).

Formal probation is not an option when priesthood leaders administer Church discipline for a member who has been involved in any of the serious transgressions listed in 6.12.10. If a minor commits incest or abuses a child, the stake president contacts the Office of the First Presidency for direction.

When a member on formal probation makes specified progress and meets prescribed conditions, the presiding officer may convene another disciplinary council to consider ending the probation (see 6.12). If the member does not make this progress and meet the conditions, the disciplinary council may continue probation or take more severe disciplinary action.

6.9.2 Disfellowshipment

A person who is disfellowshipped is still a member of the Church but is no longer in good standing. Disfellowshipment is a severe action that may be adequate for all but the most serious transgressions.

A person who is disfellowshipped may not hold a temple recommend, serve in a Church position, or exercise the priesthood in any way. He is encouraged to attend public Church meetings if his conduct is orderly, but he may not give a talk, offer a public prayer, partake of the sacrament, or participate in the sustaining of Church officers. The presiding officer may impose additional conditions, such as staying away from pornographic materials and other evil influences. He may also impose positive conditions such as regular Church attendance, regular prayer, and reading selected scriptures or Church literature.

Disfellowshipped members are encouraged to pay tithes and offerings, to continue wearing temple garments if endowed, and to seek a return to fellowship in the Church through sincere repentance and righteous living.

Disfellowshipment is intended to be temporary but usually lasts at least one year. When a member shows true repentance and satisfies the conditions imposed, the presiding officer may convene another disciplinary council to consider

restoring him to full fellowship (see 6.12). If a member does not repent, the disciplinary council may continue disfellowshipment or consider excommunication.

6.9.3 Excommunication

A person who is excommunicated is no longer a member of the Church. Excommunication is the most severe Church disciplinary action. As directed by the Spirit, it may be necessary for:

1. Members who have committed serious transgressions, especially violations of temple covenants (see "Violation of Covenants" in 6.10.6).
2. Members who have been disfellowshipped and have not repented and for whom excommunication seems to offer the best hope for reformation.
3. Members whose conduct makes them a serious threat to others and whose Church membership facilitates their access to victims.
4. Church leaders or prominent members whose transgressions significantly impair the good name or moral influence of the Church in the community that is aware of the transgression.

Excommunication is mandatory for murder (as defined in 6.7.3) and is almost always required for incest.

A person who is excommunicated does not enjoy any privileges of Church membership. He may not wear temple garments or pay tithes and offerings. He may attend public Church meetings if his conduct is orderly, but his participation in such meetings is limited the same as for disfellowshipped members.

Excommunication almost always lasts at least one year. If a person shows true repentance and satisfies the conditions imposed while he is excommunicated, he may be readmitted by baptism and confirmation. The readmission process is explained in 6.12.

For information about the effects of excommunication on temple sealings, see "Effects of Excommunication or Name Removal" in 3.6.1.

6.10 Disciplinary Councils

A presiding officer convenes a disciplinary council when he has determined that formal Church discipline may be necessary. Procedures in a disciplinary council must be fair and considerate of the feelings of all who participate.

6.10.1 Leaders Who Are to Participate

Stake Disciplinary Councils

All three members of the stake presidency, all twelve members of the high council, and a clerk participate in a stake disciplinary council. If a counselor in the stake presidency is unable to participate, the stake president asks a member of the high council to take the counselor's place. If a high councilor is unable to participate, the stake president asks a high priest in the stake to take the high councilor's place. If the stake president is unable to participate, the First Presidency may authorize one of his counselors to preside in his place. If filling one vacancy creates another, the presiding authority fills it as prescribed in this paragraph.

Without exception, fifteen high priests participate in a stake disciplinary council: the three members of the stake presidency or those who are authorized to participate in their places, and the twelve members of the high council or those who are authorized to participate in their places.

Ward Disciplinary Councils

All three members of the bishopric and a clerk participate in a ward disciplinary council. If the bishop is unable to participate, he refers the case to the stake president, who convenes a stake disciplinary council. The bishop may not assign a counselor to convene or preside over a disciplinary council. If a counselor in the bishopric is unable to participate, the bishop may ask a high priest in the ward to take the counselor's place. If a high priest is unavailable, the bishop refers the case to the stake president, who convenes a stake disciplinary council. In these circumstances, as with other stake disciplinary councils, the participation of the stake presidency and high council is required as outlined above.

The bishop always consults with the stake president and obtains his approval before convening a disciplinary council.

Branch Disciplinary Councils in a Stake

A branch president in a stake may convene a disciplinary council when authorized by the stake president. All three members of the branch presidency should participate in the disciplinary council.

Mission Disciplinary Councils

When a mission president holds a disciplinary council for members or full-time missionaries

under his jurisdiction, he appoints two Melchizedek Priesthood holders to assist him. A disciplinary council in a mission follows the procedures and exercises the authority specified for a disciplinary council in a stake, except that a high council does not participate.

If time or distance prevents a mission president from personally holding a disciplinary council for a member under his jurisdiction, he may authorize three Melchizedek Priesthood holders to convene a mission disciplinary council. Normally the presiding officer is the member's district president or branch president (see "District and Branch Disciplinary Councils in a Mission" below).

A mission president must preside over disciplinary councils for full-time missionaries in his mission. Before doing so, he must receive authorization from a General Authority in the Missionary Department (see 6.2.5 and the *Mission President's Handbook*).

District and Branch Disciplinary Councils in a Mission

A district president or branch president in a mission may convene a disciplinary council when authorized by the mission president. District councils do not participate in disciplinary councils. See also 6.2.5 and 6.2.6.

Additional Instructions about Participation

If a transgressor objects to the participation of a counselor in the bishopric or stake presidency, the presiding officer evaluates the objection. If the presiding officer concludes that the objection is reasonable in fact or appearance, the counselor should not participate. If the transgressor objects to the participation of the bishop, the disciplinary matter must be referred to the stake president, who convenes a stake disciplinary council. If the transgressor objects to the participation of the stake president, or if the stake president feels that he cannot be impartial in the matter, he consults the Office of the First Presidency.

If a member of a bishopric, stake presidency, or high council or a clerk has a legal duty because of his occupation (such as a law enforcement officer) to report to government authorities facts that are likely to be disclosed in a disciplinary council, he should not participate.

6.10.2 Notice and Scheduling

A presiding officer should not schedule a disciplinary council until (1) he has had adequate

time to determine the relevant facts and (2) he and the transgressor and the aggrieved parties have had adequate time to give unhurried consideration to the consequences of the transgression.

The presiding officer gives a member written notice of a disciplinary council that will be held in his behalf. This notice is addressed to the member by his full name and is signed by the presiding officer. It states:

"The [stake presidency or bishopric] is considering formal disciplinary action in your behalf, including the possibility of disfellowshipment or excommunication, because you are reported to have [set forth the charge in general terms, such as 'been in apostasy' or 'participated in conduct unbecoming a member of the Church,' but do not give any details or evidence].

"You are invited to attend this disciplinary council to give your response and, if you wish, to provide witnesses and other evidence in your behalf.

"The disciplinary council will be held on [date and time] at [place]."

Two Melchizedek Priesthood holders deliver the notice to the member personally and privately with courtesy and dignity. The members who deliver the notice must give the clerk of the disciplinary council a signed statement certifying that the member was notified and describing how he was notified.

If the notice cannot be delivered in person, it may be sent by registered or certified mail, with a return receipt requested.

A member who is incarcerated when a council is to be held is notified as specified in the preceding paragraphs, with one exception: since he will not be able to attend, he is not invited. However, the letter should invite him to send evidence in his behalf, including a written response about the crime with which he has been charged and, if applicable, convicted. The letter may also invite him to tell how he feels about continued fellowship or membership in the Church.

6.10.3 Communicating with Aggrieved Victims

When there is an aggrieved victim (such as for incest, child abuse, or spouse abuse), the presiding officer of the upcoming disciplinary council contacts the victim's current bishop or stake president. If the victim's current bishop or stake president already knows about the situation, the two leaders determine whether it would be helpful

and appropriate for the victim to be given an opportunity to provide a written or oral statement about the known or alleged misconduct and how it has affected the victim and his or her family.

Any interview with an aggrieved victim for this purpose is conducted by his or her current bishop or stake president. Any inquiries about a victim who is under 18 years of age are made through the child's parent(s) or legal guardian(s). Great care must be taken to avoid causing further trauma, especially with a victim of sexual or physical abuse. In the United States, Canada, and selected other countries, the Church has established a help line for cases that involve abuse. Priesthood leaders should call the help line for guidance in such cases (see 17.3.2). In the United States and Canada, the telephone number is 1-801-240-1911 or 1-800-453-3860, extension 2-1911.

6.10.4 Procedures of the Council

The stake president, bishop, mission president, district president, or branch president conducts the disciplinary council. He also rules on the procedures that are followed and the evidence that is presented.

A clerk records the proceedings of the council as a basis for completing the Report of Church Disciplinary Action form, but he does not participate in the discussion or decision.

The presiding officer helps the member prepare for the disciplinary council by explaining its purpose and procedures. He also explains the consequences of the decisions the council may reach.

If the member has confessed, the presiding officer asks for consent to use the confession as evidence in the council. Information received in a member's confession cannot be used as evidence in a disciplinary council without the member's consent. When necessary, the presiding officer attempts to persuade the member to give this consent. He explains that refusal reflects a lack of contrition and repentance, preventing justice and mercy from operating fully for the good of the transgressor.

A lack of consent to use a confession as evidence does not prevent a disciplinary council from proceeding on the basis of other evidence. Also, the presiding officer can still impose informal discipline on the basis of the confession, even if the member does not give consent for the confession to be used in the council.

Immediately before the council begins, the presiding officer tells his counselors (and the high council if it is a stake disciplinary council) whom it is for and what the reported misconduct is. If necessary, he explains the procedures of the council to these leaders. The person is then invited into the meeting and introduced.

The presiding officer conducts the disciplinary council as follows:

1. Invite a participant to open the council with prayer.
2. State the reported misconduct, or designate someone else to state it. Ask the member to respond by admitting or denying it.
3. If the member admits to the misconduct, proceed to number 5 below. If he denies the reported misconduct, present evidence of it or ask someone else to do so. This evidence may include the written or oral statements of witnesses, reliable documents, and the substance of the member's confession (if he has confessed and given consent). The member must be given an opportunity to question any witnesses who give evidence against him. (If witnesses are unable to attend, see "Party or Witness Unable to Attend" in 6.10.12.)
4. If the member desires to present evidence in his behalf, invite him to bring in witnesses one at a time, submit other relevant evidence, comment on the evidence, and make any other statements he desires.

Witnesses should be Church members unless the presiding officer has determined in advance that a nonmember witness will respect the purposes and procedures of a Church disciplinary council. Witnesses wait in a separate room until they give their evidence. The presiding officer asks them not to talk with each other about the matter either before or after they testify.

5. Ask questions of the member or witnesses in an orderly, polite manner, avoiding argument. Allow counselors in the bishopric or stake presidency to do the same. Questions are to be brief and limited to the essential facts of the case.
6. In a stake disciplinary council, invite members of the high council to participate as outlined in "High Council Participation" (see the next heading).
7. When all relevant matters have been presented, excuse the member and, with counselors in the bishopric or stake presidency,

prayerfully deliberate over what action to take. The presiding officer is the judge. He makes the decision through inspiration and invites his counselors to sustain it. If they have a different opinion, he listens and seeks to resolve the differences so the decision can be unanimous.

In a stake disciplinary council, the stake presidency withdraws from the council room to confer in private. After the stake president reaches a decision and his counselors sustain it, he announces it to the high council as outlined in "High Council Participation" (see the next heading).

If there is not enough evidence to justify formal Church discipline but it seems inappropriate to conclude the matter immediately by a decision of no action, the presiding officer adjourns the council temporarily to seek additional evidence.

8. Invite the person back into the council meeting to inform him of the decision. If the decision is formal probation, disfellowshipment, or excommunication, explain the terms and conditions that are imposed, tell the person in a spirit of love how to overcome those restrictions, and offer other appropriate instruction and counsel.
9. Explain the person's right to appeal (see 6.10.10).
10. Invite a participant to close the council with prayer.

If the person holds a valid temple recommend and the right to enter the temple has been withdrawn, he gives the recommend to the presiding officer at this time, unless he has already done so.

If the person does not attend the council, the presiding officer informs him of the decision and gives instruction and counsel by meeting with him or by other means if necessary.

Video or audio recordings of disciplinary councils should not be made.

High Council Participation

Stake disciplinary councils always include the high council. Principles governing the participation of the high council, including the casting of lots to determine the order of speaking, are stated in Doctrine and Covenants 102:12–23.

This section provides additional instructions as stake presidencies and high councils apply these principles. Except as stated here, up to the

time of deliberation, the procedures for a stake disciplinary council are the same as those prescribed for other disciplinary councils.

A Church disciplinary council is not organized as a criminal trial and does not follow the procedures of such a trial. The high council is not a jury.

The stake president may invite any member of the high council to ask questions in an orderly, polite manner, avoiding argument. Questions are to be brief and limited to the essential facts of the case.

After all the evidence has been presented, the appointed high councilors present their views of the matter. They are not prosecutors or defenders. They are councilors, responsible to see that the evidence is examined in its true light before the council. Each is to speak "according to equity and justice" (D&C 102:16). One-half of those appointed to speak are responsible "to stand up in behalf of the accused, and prevent insult and injustice" (D&C 102:17).

The accused member and the accuser (if any) are then given another opportunity to speak, after which they are excused from the council room.

The stake president may ask for any additional comments from the high council. He and his counselors then withdraw from the council room to confer in private.

After the stake president reaches a decision and his counselors sustain it, he announces it to the high council and asks them as a group to sustain it. The high council cannot veto the decision; it is binding even if it is not sustained unanimously. However, if one or more high councilors object to the decision, the stake president makes every effort to resolve the concerns and achieve unanimity. He may recall witnesses for further questioning. If necessary, the disciplinary council may again review the evidence, but not in the presence of the member.

For instructions on how to proceed when one or more high councilors are not available, see "Stake Disciplinary Councils" in 6.10.1.

For instructions on high council participation in disciplinary councils to consider ending Church discipline, see 6.12.8.

6.10.5 Possible Decisions

A disciplinary council can reach any of the following decisions:

1. No action. A disciplinary council can reach this decision even if a transgression has been committed. As part of this decision, the member may be given cautionary counsel, or he may be referred to his bishop for an interview that might lead to informal discipline.
2. Formal probation (see 6.9.1).
3. Disfellowshipment (see 6.9.2).
4. Excommunication (see 6.9.3).

If discipline is imposed, the presiding officer interviews the person regularly. The officer counsels him in love, helps him repent, and encourages him to live so he may again enjoy the full blessings of Church membership.

6.10.6 Considerations in Reaching a Decision

This section lists some of the factors that leaders may need to consider in reaching decisions on formal and informal Church discipline. These factors are listed in order from those that suggest stern discipline to those that suggest more lenient discipline. None of these factors dictates any particular decision. They are only aids to a decision that must be pursued prayerfully and guided by the Spirit of the Lord.

Violation of Covenants

If a transgressor has been endowed, he has made covenants to live a higher standard of behavior than applies to those who have not been endowed. Violating these covenants magnifies the seriousness of the transgression. Therefore, endowed persons who commit adultery or fornication (including homosexual relations) are subject to stern Church discipline.

Adultery is a more serious sexual transgression than fornication because adultery involves a violation of marriage covenants. See also "Removing a Restriction against Temple Sealing" in 3.6.1.

Position of Trust or Authority

If a transgressor occupied a position of trust or authority (such as parent, bishop, or teacher) that was violated by the transgression, the seriousness of the transgression is magnified. For example, incest is a most serious form of sexual transgression for a parent because it violates the sacred trust of parental authority. Embezzlement is a most serious form of theft because the transgressor has been trusted with funds; it is a particularly serious offense when it involves Church

funds. See also "Serious Transgression While Holding a Prominent Church Position" in 6.7.3.

Repetition

If a transgression that was previously confessed and seemingly forsaken is repeated, the repetition may be viewed as part of a pattern of conduct that shows a lack of repentance, even though the earlier transgression had been resolved with Church authorities. The Lord warned those He had forgiven, "Go your ways and sin no more; but unto that soul who sinneth shall the former sins return" (D&C 82:7).

Magnitude

The seriousness of a transgression is measured in part by the number of sinful acts and the number of persons injured. The number of persons who are aware of the transgression also affects its seriousness.

Age, Maturity, and Experience

Presiding officers consider a transgressor's age, maturity, and experience when administering Church discipline. The Lord revealed, "For of him unto whom much is given much is required; and he who sins against the greater light shall receive the greater condemnation" (D&C 82:3).

Leniency is often appropriate for those who are immature in the gospel. Leniency may also be appropriate for young members who are involved in a moral transgression if they forsake the sin and manifest sincere repentance. However, young members who persist in immoral conduct may require formal disciplinary action.

Interests of the Innocent

When administering and announcing discipline, presiding officers consider the interests of innocent victims and the transgressor's innocent family members.

Time between Transgression and Confession

If a transgression occurred many years before it was confessed, the presiding officer carefully considers the intervening circumstances. If the sin was not repeated and the member has lived righteously in the interim, his conduct during the intervening time can show that he has forsaken the sin. In this instance, confession may complete rather than start the process of repentance.

Voluntary Confession

Voluntary, complete confession demonstrates a repentant attitude, which may favor leniency.

An admission of guilt after a person has been accused of or interviewed about a transgression is less indicative of repentance. A person who admits guilt when interviewed by a bishop shows greater repentance than one who tries to deceive and admits guilt only when confronted with evidence.

Evidence of Repentance

Normally, evidence of repentance is the most important single factor in determining how to accomplish the first purpose of Church discipline: saving the soul of the transgressor. Genuine repentance is demonstrated more reliably by righteous actions over a period of time than by intense sorrow during a single interview.

Judgments about the adequacy of a person's repentance require spiritual discernment. Factors to consider include the nature of the confession, depth of sorrow for the sin, success in forsaking the sin, strength of faith in Jesus Christ, faithfulness in obeying other commandments, truthful communications to Church officers, restitution to injured persons, obedience to legal requirements, and willingness to follow the direction of Church authorities.

6.10.7 Written Notice of the Decision

The presiding officer ensures that a person who is placed on formal probation, disfellowshipped, or excommunicated by a disciplinary council receives prompt written notice of the decision and its effects, even if he has been advised orally. This notice consists of a general statement that the person has been placed on formal probation, disfellowshipped, or excommunicated for conduct contrary to the laws and order of the Church. It could also include counsel to help the person come back into full fellowship in the Church. The presiding officer does not give the person a copy of the Report of Church Disciplinary Action form.

6.10.8 Maintaining Contact with a Person Who Has Been Excommunicated

When a person is excommunicated, his name is removed from the membership records of the Church. Although the person no longer has a membership record, the presiding officer of the disciplinary council asks for his consent to retain his name and address so Church leaders can continue to assist him. The presiding officer does this with genuine love and concern at a time when the excommunicated person is most likely to consent. This may be immediately after the

person is told of the excommunication decision or at a later time. If the person consents, this is noted on the Report of Church Disciplinary Action form.

If an excommunicated person moves after consenting to have the Church maintain contact with him, the bishop contacts the bishop of the new ward, gives him the person's name and address, and communicates relevant information about the disciplinary action.

If an excommunicated person moves after not giving consent to have the Church maintain contact with him, the bishop contacts the bishop of the new ward, identifies the person involved, and indicates that a disciplinary council has been held and that the person has requested that no further information be shared and no contact be made. The request of the excommunicated person should be respected until there is a change of mind.

6.10.9 Announcement of the Decision

When announcing Church discipline, leaders must consider the feelings of the transgressor's innocent family members and the needs of innocent potential victims.

A decision to place a member on informal probation is not announced.

A decision to place a member on formal probation may be announced to those who need to know as determined by the presiding officer.

A decision of disfellowshipment or excommunication is announced only to those who need to know. The principles and procedures in the following paragraphs govern these announcements.

No announcement is made if a decision is being appealed, unless the presiding officer of the disciplinary council concludes that an announcement pending appeal is necessary to protect potential victims, to support the healing of victims (although victims' names are not announced), or to safeguard the name of the Church.

The bishop announces the decision in confidence in ward priesthood executive committee meeting to guide priesthood officers who might otherwise consider the disciplined person for Church service, offering prayers, or giving talks or lessons.

The bishop advises the ward Relief Society president in confidence when a member of the Relief Society has been disciplined or has been a victim.

If a case concerns (1) preaching of false doctrine, (2) a transgressor whose predatory tendencies seriously threaten other persons, or (3) other flagrant transgressions (such as plural marriage, cultist teachings to attract a following, or ridicule of Church leaders), then, with the approval of the stake president, the bishop announces the decision in meetings of the elders quorum, high priests group, and Relief Society in his ward. In such cases the stake president may also need to authorize a broader announcement, such as in a stake priesthood meeting or to the Melchizedek Priesthood brethren and Relief Society sisters of other wards in the stake. In some cases the presiding officer may find it beneficial to notify some or all of the victims and, when necessary, their families that the transgressor has been the subject of a disciplinary council.

When an announcement of Church discipline is necessary, it is limited to a general statement that the person has been disfellowshipped or excommunicated for conduct contrary to the laws and order of the Church. The officer who makes the announcement asks those who hear it not to discuss it with anyone. Announcements of disfellowshipment or excommunication do not require a sustaining vote.

To dispel rumors, a bishop or stake president may need to announce that a disciplinary council considered charges against a member but that no action was taken.

6.10.10 Appeals

A person who has been excommunicated, disfellowshipped, or placed on formal probation by a disciplinary council may appeal the decision. An appeal of the action of a ward disciplinary council is to the stake presidency (and high council). An appeal of the action of a stake disciplinary council is to the First Presidency. An appeal of the action of a branch or district disciplinary council is to the mission president. An appeal of the action of a disciplinary council presided over by a mission president is to the First Presidency.

If a person who has been disciplined wants to appeal the decision, he specifies in writing the alleged errors or unfairness in the procedure or decision. The person presents the appeal within 30 days to the presiding officer of the disciplinary council that made the decision. If a bishop or branch president presided over the council, he forwards the appeal with the Report of Church

Disciplinary Action form and other relevant documents to the stake or mission president. If a stake or mission president presided over the council, he forwards the materials to the First Presidency.

The decision on the appeal may be to (1) let the initial decision stand, (2) modify the initial decision, or (3) direct the disciplinary council to rehear the matter. In addition, the First Presidency may refer an appeal to another priesthood officer or body for review (with or without receiving additional evidence) and resubmittal to the First Presidency with a recommendation.

6.10.11 Reports on Disciplinary Councils

The presiding officer asks a clerk to summarize the proceedings of the disciplinary council on a Report of Church Disciplinary Action form. The form provides instructions on how to complete it, whether to retain or submit it, and how to submit it.

6.10.12 Procedures in Exceptional Circumstances

Conduct Examined in Criminal or Civil Courts

Normally a disciplinary council is not held to consider conduct being examined by a criminal trial court until the court has reached a final judgment. In some cases it may also be appropriate to delay disciplinary proceedings until the period of appeal has expired or the appeal has been rejected.

Criminal charges may or may not necessitate Church discipline. Acts that constitute serious crimes under local law normally would be considered serious transgressions. However, minor offenses under local law, such as traffic violations or unintentional failure to comply with technical government regulations, normally would not. Criminal charges that have serious moral overtones may warrant Church discipline even if a criminal court dismisses these charges for technical reasons. Acts such as fornication, adultery, or abortion are serious transgressions though they may not be crimes under local law.

When a member is convicted of a crime or found guilty in a civil action for fraud or other dishonest or immoral conduct, the judgment of the criminal or civil court is a sufficient basis for holding a Church disciplinary council. A finding of guilt in a court may be considered as evidence of guilt for purposes of Church discipline. Reliable evidence submitted to a court may also be considered in a Church disciplinary council.

To avoid implicating the Church in legal matters to which it is not a party, leaders should avoid testifying in civil or criminal cases reviewing the conduct of members over whom they preside. For specific guidelines, see 17.1.26.

Church leaders should not try to persuade alleged victims or other witnesses either to testify or not to testify in criminal or civil court proceedings.

For information about membership records of those who are incarcerated and face Church disciplinary action, see 6.13.8.

Notice of Criminal Court Conviction

If a member has been convicted of a crime involving conduct that might threaten the well-being of other persons or of the Church, the presiding officer of the disciplinary council promptly sends to the Office of the First Presidency a written statement about the nature of the offense and the sentence imposed by the criminal court, even if a disciplinary council does not impose formal discipline.

Reporting Embezzlement of Church Funds

If a person is disciplined for embezzling Church funds, the presiding officer reports it as outlined in 14.9.5.

Party or Witness Unable to Attend

If a party or essential witness is unable to attend a disciplinary council, the presiding officer invites him to submit a written statement. Such a statement may be considered as evidence. When necessary, the party or witness may be questioned further, in writing or orally.

Preserving Evidence

If a witness will not likely be available for a possible future disciplinary council, the presiding officer invites him to write his testimony for use when needed.

Evidence When Adultery Is Charged

If a person who is accused of adultery denies the charge and the matter is being considered in a disciplinary council, revelation requires that "every word shall be established against him or her by two witnesses of the church" (D&C 42:80). "Two witnesses" means two separate sources of evidence. This could include the personal evidence of a participant and some other source of evidence of the member's guilt.

Questions about Procedure

If a bishop is unsure of the procedures to follow in administering Church discipline, he consults his stake president. If a branch president is unsure of procedures, he consults his stake or mission president. A stake or mission president refers unresolved procedural questions to the Office of the First Presidency.

Questions about Decisions

Local presiding officers should not expect General Authorities to tell them how to decide difficult matters. Decisions on Church discipline are within the discretion and authority of local presiding officers as they prayerfully seek guidance from the Lord.

First Presidency Authority

The First Presidency has ultimate authority over all Church discipline. Decisions of the First Presidency take precedence despite any rules or procedures to the contrary.

If a person who has been disciplined moves from the ward before he has returned to full fellowship and, when necessary, received a restoration of blessings, the bishop informs the person's new bishop of the discipline and what remains to bring the member back to full fellowship and blessings. The bishop makes this same contact for excommunicated persons who have consented to be assisted by Church leaders (see 6.10.8).

6.11 Fellowshiping after Discipline

The bishop's role as a common judge does not end when a member has been disciplined. It continues until the person returns to full fellowship and, when necessary, receives a restoration of blessings. Disciplinary action should be the first step on the way back to the full blessings of Church membership. Leaders and members should be eager to help a person who has been disciplined to repent so he can enjoy these blessings. The bishop oversees these efforts.

The time just after a person has been disciplined is difficult and critical for the person and his family. During this time, priesthood leaders and other Church members should be patient and sensitive to the needs of those involved and should give special encouragement and assistance. The bishop frequently interviews the person and, if necessary, his spouse.

The bishop ensures that mature, caring home teachers and visiting teachers are assigned to a person who has been disfellowshipped or excommunicated—and to his immediate family members. In some situations, couples may be assigned. Home teachers and visiting teachers make regular contacts and see that the person, his spouse, and other family members receive the counsel and fellowship they need during this critical period of anguish, repentance, and healing.

6.12 Ending Formal Probation, Disfellowshipment, or Excommunication**6.12.1 Determine Jurisdiction and Participation**

To consider ending formal probation, disfellowshipment, or excommunication, a presiding officer where the person currently lives must convene a disciplinary council. The council should have the same (or higher) level of ecclesiastical authority as the council that took the initial disciplinary action. For example:

1. If a bishop presided over the disciplinary council that administered the discipline, the person's current bishop normally presides over another council to consider changing the person's status.
2. If a stake or mission president presided over the disciplinary council, a stake or mission president presides over another council to consider changing the person's status. Any exceptions to this policy require the approval of the First Presidency.
3. If a branch president in a mission presided over the disciplinary council and the disciplined person later lives in a stake, the person's current bishop normally presides over another council to consider changing the person's status (see number 5 below for an exception).
4. If a district president in a mission presided over the disciplinary council and the disciplined person later lives in a stake, the stake president presides over another council to consider changing the person's status. Any exceptions to this policy require the approval of the First Presidency (see also number 5 below).
5. If a district or branch president in a mission presided over a disciplinary council that excommunicated a Melchizedek Priesthood holder (with authorization from the mission president), and if the excommunicated person later lives in a stake, the stake president

presides over another council to consider readmitting the person into the Church.

A bishop needs approval from the stake president to convene a disciplinary council to consider changing a person's status. In a mission, a branch or district president needs the approval of the mission president to convene such a disciplinary council.

6.12.2 Review the Proceedings of the Initial Council

The current presiding officer reviews the proceedings of the initial disciplinary council. These proceedings are summarized on the Report of Church Disciplinary Action form.

For disfellowshipped or excommunicated persons, the presiding officer requests a copy of the original report from the Office of the First Presidency.

For members on formal probation, the presiding officer obtains a copy of the report from the presiding officer of the unit where the initial disciplinary action was taken.

6.12.3 Interview the Person

The presiding officer interviews the person thoroughly to determine the strength of his faith in Jesus Christ, the extent of his repentance, and whether the conditions specified in the initial disciplinary action have been met.

6.12.4 Determine Status of Criminal or Civil Court Action (If Necessary)

If a person who has had Church discipline has been convicted of a crime or found guilty in a civil action of fraud or other dishonest or immoral conduct, a disciplinary council is not held to consider changing his Church status until he has fulfilled all terms and conditions of any sentence or judgment imposed by legal authorities. These conditions may include imprisonment, probation, parole, and fines or restitution. Any exceptions require the approval of the First Presidency.

6.12.5 Contact the Presiding Officer Where Action Was Taken

If the presiding officer has questions or concerns as he reviews the report of the initial disciplinary council, he may consult with the current presiding officer of the unit where the council was held to see if he knows the circumstances and can provide clarification.

In cases of incest, child abuse, or spouse abuse, the presiding officer of the disciplined person must contact the current presiding officer of the unit where the initial disciplinary action was taken. If that officer already knows about the situation, the disciplined person's presiding officer seeks his opinion on the advisability of a proposed change of status for the disciplined person. This discussion must take place before a disciplinary council is held to consider reinstating the disciplined person to full fellowship or readmitting him into the Church.

6.12.6 Contact the Priesthood Leaders of Aggrieved Victims

The presiding officer of the upcoming disciplinary council contacts the current bishop or stake president of any aggrieved victim (such as in cases of incest, child abuse, or spouse abuse). If the victim's current bishop or stake president already knows about the situation, the two leaders determine whether it would be helpful and appropriate for the victim to be given an opportunity to provide a written or oral statement about how the disciplined person's misconduct has affected the victim and his or her family. A victim may also comment on evidence of the person's repentance since the disciplinary action was taken.

Any interview with an aggrieved victim for this purpose should be conducted by his or her current bishop or stake president. Inquiries about a victim who is under 18 years of age are made through the child's parent(s) or legal guardian(s). Great care must be taken to avoid causing further trauma, especially with a victim of sexual or physical abuse. In the United States, Canada, and some other countries, the Church has established a help line for cases that involve abuse. Priesthood leaders should call the help line for guidance in such cases (see 6.10.3).

6.12.7 Give Notice of the Disciplinary Council

The presiding officer notifies the person of the date, time, and place of the disciplinary council where his change of Church status will be considered so he can attend or submit a written statement if he desires.

6.12.8 Convene and Conduct the Disciplinary Council

The presiding officer convenes and conducts the disciplinary council. The person is invited into the room, the council is opened with prayer,

and the presiding officer or someone designated by him states the purpose of the council. The presiding officer then asks the person questions about what he has done to repent and about his commitment to the Church and the strength of his testimony.

In a stake disciplinary council that is convened to consider ending Church discipline, the role of the high council is much the same as outlined in 6.10.4, but it is not necessary for high councilors to draw lots or to speak before the council.

When all relevant matters have been presented, the presiding officer excuses the member and, with his counselors, prayerfully deliberates over what action to take. See 6.10.4 for instructions about these deliberations and about informing the member of the council's decision.

A disciplinary council may either end or continue Church discipline, but it cannot place a disfellowshipped member on formal probation.

If First Presidency approval is not necessary to end the discipline prescribed in the case, the presiding officer may end it himself. If First Presidency approval is necessary (as outlined in 6.12.10), the conclusion of the council can be only a recommendation to the First Presidency and not a final decision.

6.12.9 Complete and Submit a Report

See 6.10.11.

6.12.10 Apply for First Presidency Approval (If Necessary)

If the person was disfellowshipped or excommunicated for any of the following reasons, or if he committed any of these transgressions after being disfellowshipped or excommunicated, the approval of the First Presidency is required before he may be reinstated to full fellowship or readmitted by baptism and confirmation. For the purposes of Church discipline, some of the following terms are defined in 6.7.3.

1. Murder
2. Incest
3. Sexual offense against a child or serious physical abuse of a child by an adult or by a youth who is several years older than the child
4. Apostasy
5. Committing a serious transgression while holding a prominent Church position

6. An elective transsexual operation

7. Embezzlement of Church funds or property

In these circumstances, the presiding officer conducts the disciplinary council as stated previously. Preauthorization from the First Presidency is not required to convene the council. If the disciplinary council recommends a change in status, the presiding officer may notify the person of this recommendation. However, he explains that the status cannot be changed until the First Presidency gives written approval of the recommendation.

To submit a recommendation to the First Presidency, the presiding officer completes each step on the Application to the First Presidency form. This form is available electronically in units that use Church record-keeping software. In other areas it is available from the Area Presidency.

The stake or mission president sends (1) the completed application form, (2) the Report of Church Disciplinary Action form, and (3) any necessary attachments (such as letters that are required on the application form) to the Office of the First Presidency or to the Area Presidency if the unit is outside the United States and Canada. The Office of the First Presidency will notify the stake or mission president of the decision.

6.12.11 Give Written Notice of the Decision

The presiding officer ensures that after the disciplinary council, the person receives prompt written notice of the decision and its effects, even if he has been advised orally.

6.12.12 Readmission of Excommunicated Persons by Baptism and Confirmation

When all approvals have been received, a person who was excommunicated may be readmitted into the Church. After the person is baptized, he is confirmed a member of the Church as in any other confirmation. The bishop prepares a Baptism and Confirmation Record, noting on the form that the ordinances are for readmission.

Church Activity after Readmission

Members Who Were Not Previously Endowed. From the time of their baptism and confirmation, these members may participate in Church activity just as a new convert would.

Members Who Were Previously Endowed. From the time of their baptism and confirmation until their blessings are restored (see 6.15), these members may participate in any Church activity that

is permissible for an unendowed member who does not hold the priesthood. However, they may not wear temple garments, receive a temple recommend, or participate in vicarious baptisms for the dead until their blessings are restored.

Ordination after Readmission

Brethren Who Previously Held the Priesthood but Were Not Endowed. Immediately after baptism and confirmation, these brethren have the priesthood conferred upon them and are ordained to the priesthood office they held at the time of excommunication. In this circumstance, a sustaining vote of members is not required. The bishop records the ordination information in the spaces provided on the Baptism and Confirmation Record so it can be properly recorded at Church headquarters. See also 6.13.3.

Brethren Who Previously Held the Priesthood and Were Endowed. After baptism and confirmation, these brethren are not ordained to any priesthood office and may not perform ordinances until their priesthood and temple blessings are restored (see 6.15).

Temple Recommends after Readmission

See "Members Who Have Been Readmitted by Baptism and Confirmation after Excommunication or Name Removal" in 3.3.4.

6.13 Membership Records and Church Discipline

6.13.1 Records of Members Placed on Formal Probation

Formal probation is not noted on a membership record.

6.13.2 Records of Disfellowshipped Members and Those Reinstated to Full Fellowship

Disfellowshipment is noted on a person's membership record. Church headquarters or the assigned administrative office makes this note and provides an updated record after receiving the Report of Church Disciplinary Action form.

If a disfellowshipped member moves, the bishop transfers the membership record to the new ward. The record will notify the new bishop that the person has been disfellowshipped. The bishop may also contact the bishop of the new ward to communicate relevant information about the disciplinary action.

After a person has been reinstated to full fellowship, Church headquarters or the assigned

administrative office removes the notice of disfellowshipment and provides an updated membership record.

6.13.3 Records of Excommunicated Members and Those Readmitted by Baptism and Confirmation

After Excommunication

When a person is excommunicated, his name is removed from the membership records of the Church. Church headquarters or the assigned administrative office takes this action after receiving the Report of Church Disciplinary Action form.

Although a person who is excommunicated no longer has a membership record, the presiding officer of the disciplinary council asks for his consent to retain his name and address so Church leaders can continue to assist him. For instructions, see 6.10.8.

After Readmission

After a person is readmitted by baptism and confirmation, the stake president or bishop submits a copy of the Baptism and Confirmation Record, usually with the Report of Church Disciplinary Action form.

If the member was not endowed before excommunication, Church headquarters or the assigned administrative office provides the ward a membership record that shows the dates of the member's original baptism and other ordinances, with no reference to excommunication.

If the member was endowed before excommunication, Church headquarters or the assigned administrative office provides the ward a membership record that shows the member's new baptism date. This record also includes the message "Restoration of Blessings Required." After the member's blessings are restored, Church headquarters or the administrative office provides another updated membership record that shows the dates of the member's original baptism and other ordinances, including endowment (and current priesthood, if applicable), with no reference to excommunication.

6.13.4 Records with Annotations

In areas authorized by the First Presidency, an annotation may be placed on the record of a member whose conduct has threatened the well-being of other persons or of the Church. An annotation helps the bishop protect Church members and others from such individuals.

When a bishop receives an annotated membership record, he follows the instructions in the annotation.

Church headquarters will automatically annotate a person's membership record in any of the following situations:

1. The stake president or bishop submits a Report of Church Disciplinary Action form showing that the person was disciplined for incest, sexual offense against or serious physical abuse of a child, plural marriage, an elective transsexual operation, repeated homosexual activities (by adults), predatory conduct, or embezzlement of Church funds or property.
2. The stake president or bishop submits written notification that the person has been criminally convicted for one of these transgressions.
3. The stake president and bishop jointly submit written notification that the person has committed one of these transgressions before or after excommunication or name removal.

In addition, the stake president and bishop may jointly recommend that a person's membership record be annotated for other conduct that threatens the well-being of other persons or of the Church.

In all cases, an annotation on a membership record is removed only with First Presidency approval upon request of the stake president.

6.13.5 Records with Special Comments

The bishop and a clerk review the records of new ward members for special comments that Church headquarters or the assigned administrative office may have added. If a record includes such comments, the bishop contacts Church headquarters or the administrative office as needed and takes appropriate action.

6.13.6 Records with Bishop's Request for Contact

If a member moves and the bishop feels a need to share information with the member's new bishop, he instructs a clerk to place a request for contact on the record when sending it to the new ward. When a bishop receives a membership record with such a request, he contacts the previous bishop as soon as feasible.

6.13.7 Move Restrictions on Membership Records

If a member moves while Church disciplinary action or another serious concern is pending,

the bishop, or the ward clerk with the bishop's authorization, may contact Church headquarters or the assigned administrative office and ask for a move restriction on the membership record. A record that has a move restriction will not be moved to a new unit until the priesthood leader who requested the restriction authorizes it to be removed.

6.13.8 Records of Those Who Are Incarcerated in Correctional Facilities

If a member has been convicted of a crime and is incarcerated in a correctional facility, the stake president or bishop of the unit where the person resided at the time of conviction should proceed with any disciplinary action that may be necessary. This presiding officer should take the necessary action before forwarding the membership record to the unit that has ecclesiastical responsibility for the institution where the person is incarcerated.

6.14 Removing Names from Church Membership Records

An adult member who wishes to have his name removed from the membership records of the Church must send the bishop a written, signed request. A request that Church representatives not visit a member is not sufficient to initiate this action.

The bishop makes sure that a member who requests name removal understands the consequences: it cancels the effects of baptism and confirmation, withdraws the priesthood held by a male member, and revokes temple blessings. The bishop also explains that a person can be readmitted to the Church by baptism and confirmation only after a thorough interview (see 6.14.4).

If the bishop is satisfied that the member understands these consequences and is not likely to be dissuaded, he completes a Report of Administrative Action form and forwards it to the stake president. The bishop forwards the member's written request and membership record with the form.

If members of the stake presidency determine that the bishop has followed established procedures, they ask him to send the member a letter stating that his name is being removed from the records of the Church as requested. The letter should state the consequences of name removal. It should also state that the request for

name removal can be rescinded only if the member sends the stake president a written request for rescission within 30 days (the stake president's name and address should be included). If a member demands that his name be removed immediately from Church records, the 30-day waiting period may be waived.

If a member demands immediate name removal or does not request a rescission within 30 days, the stake president submits the completed Report of Administrative Action form and other documents requested on the form. Instructions for submittal are on the form. The person's name is then removed from the membership records of the Church.

If a member sends a written request for name removal directly to Church headquarters rather than to local leaders, the Office of the First Presidency will forward this letter to the member's stake president for action in accordance with this section. *The stake president should give prompt attention to such requests.* If Church headquarters has not received a response from the stake president within 60 days, the name removal request will be granted automatically.

A minor who wishes to have his name removed from the records of the Church must follow the same procedure as an adult with one exception: the written request must be signed by the minor (if over the age of 8) and by the parent(s) or guardian(s) who have legal custody of the minor.

If two or more family members want their names removed from the records of the Church, they need to prepare only one written request. However, a Report of Administrative Action form should be completed and signed for each person who has requested name removal.

If a member requesting name removal threatens legal action against the Church or its leaders, the stake president follows the instructions in 17.1.26.

Requests for name removal should be acted on promptly as outlined above. The Report of Administrative Action form and all supporting documentation should be submitted in a timely manner.

6.14.1 Name Removal and Suspected Transgression

A request for name removal should be acted upon whether or not priesthood leaders suspect or have evidence of transgression. Any allegations or evidence of unresolved transgressions

are noted on the Report of Administrative Action form so priesthood leaders may resolve such matters in the future if the individual applies for readmission into the Church.

6.14.2 Effects of Name Removal on Temple Sealings

See "Effects of Excommunication or Name Removal" in 3.6.1.

6.14.3 Announcement of Name Removal

In some cases a bishop may need to announce that a person's name has been removed from the membership records of the Church. The announcement merely states that the action was taken at the person's request. The announcement should not use the word *excommunication*. The guidelines in 6.10.9 apply.

6.14.4 Readmission after Name Removal

After name removal, a person must be baptized and confirmed to be readmitted into the Church. If the person was an adult when his name was removed from Church membership records, readmission is not usually approved until at least one year later.

When a person requests readmission, the bishop or stake president requests a copy of the Report of Administrative Action form that accompanied the request for name removal. This copy is available from the Office of the First Presidency. After reviewing the report, the bishop interviews the person thoroughly. He inquires about the reasons for the name removal request and the desire for readmission. He also determines whether any unresolved transgressions may have been committed before or after name removal.

If the person was on formal probation or was disfellowshipped at the time of name removal, a disciplinary council is held to consider the request for readmission.

If the bishop finds that before name removal the person committed transgressions that warranted disciplinary action but were not resolved, he does not approve a request for readmission until he is satisfied that the person has repented of those and any subsequent transgressions. No disciplinary council is held.

If the person committed any of the transgressions listed in 6.12.10, either before or after name removal, the approval of the First Presidency is required for readmission. If the person is readmitted after committing any of the transgressions listed under "Records with Annotations"

(see 6.13.4), either before or after name removal, an annotation will be made on the new membership record.

A person who requests readmission must meet the same qualifications as others who are baptized (see 16.3.3). When the bishop is satisfied that the person is worthy and sincere in wanting to be readmitted, he prepares a Baptism and Confirmation Record. He notes on the form that the baptism is for readmission. After the person is baptized, he is confirmed a member of the Church. The confirmation may be performed during the baptismal service or during a sacrament meeting.

Priesthood ordination, temple recommends, membership records, and the ordinance of restoration of blessings are handled the same as for an excommunicated person who has been readmitted by baptism and confirmation (see 6.13.3).

6.15 Restoration of Blessings

Endowed persons who were excommunicated and later readmitted by baptism and confirmation can receive their priesthood and temple blessings only through the ordinance of restoration of blessings. Such persons are not ordained to priesthood offices or endowed again, since all priesthood and temple blessings held at the time of excommunication are restored through the ordinance. Brethren are restored to their former priesthood office, except the office of seventy, bishop, or patriarch. (See also 6.12.12.)

Only the First Presidency can approve the performance of the ordinance of restoration of blessings. The First Presidency will not consider an application for this ordinance sooner than one year after the person is readmitted by baptism and confirmation.

To submit a recommendation to the First Presidency, the presiding officer completes each step on the Application to the First Presidency form. This form is available electronically in units that use Church record-keeping software. In other areas it is available from the Area Presidency.

The stake or mission president sends the completed application form and any necessary attachments (such as letters that are required on the form) to the Office of the First Presidency or, if the unit is outside the United States and Canada, to the Area Presidency. The Office of the First Presidency will notify the stake or mission president of the decision.

6.15.1 Performance of the Ordinance

If the First Presidency authorizes the restoration of blessings, they assign a General Authority or the stake president to interview the applicant. If the applicant is worthy, the General Authority or the stake president performs the ordinance to restore the person's blessings.

In designated areas, when an Area President receives authorization from the First Presidency to conduct an interview for restoration of blessings, he may delegate the authority to an Area Seventy. When assigned, this Area Seventy may then conduct the interview and perform the ordinance if the applicant is worthy.

6.15.2 For the Dead

See 3.7.9.

6.16 Retention of Records

The presiding officer destroys copies of paper and electronic records relating to a disciplinary action after the ward receives an updated membership record or other notification of action on the record. When such notification is received, the clerk immediately informs the bishop and stake president. If a disciplinary council has imposed formal probation, the presiding officer retains the records of the council until the matter is resolved.

The stake or mission president destroys copies of records relating to the submission of an Application to the First Presidency form after he receives notification that Church headquarters has received the application.