

“Shepherd the Flock of God”—1 Peter 5:2

April 2021

Chapter 12

Determining Whether a Judicial Committee Should Be Formed

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1. Elders should act promptly when they receive a report of serious wrongdoing so as to safeguard the congregation and provide assistance to the wrongdoer. (Jude 4) Neglecting to care for such matters can hinder the flow of Jehovah’s holy spirit to the congregation. Elders must first assess whether the wrongdoing, if established, is serious enough to require a judicial committee.—See 12:2-39; 15:1.

OFFENSES REQUIRING REVIEW BY THE ELDERS

2. Listed below are offenses that may require review by a judicial committee. Of course, this list is not comprehensive. There may be other matters that would also merit the attention of a judicial committee. The elders must use good judgment and reasonableness when evaluating the seriousness of the alleged wrongdoing. They should consider the extent and nature of the misconduct, intent and motive, frequency or practice, and so forth. If there is a question about whether certain wrongdoing merits judicial action, the body of elders may write to the Service Department requesting further direction concerning the case.

3. **Sexual Immorality (*Por-nei’a*):** (Lev. 20:10, 13, 15, 16; Rom. 1:24, 26, 27, 32; 1 Cor. 6:9, 10) *Por-nei’a* involves immoral use of the genitals, whether in a natural or in a perverted way, with lewd intent. There must have been another party to the immorality—a human of either sex or a beast. Willing participation incurs guilt and requires judicial action. It is not a casual touching of the sex organs but involves the manipulation of the genitals. It includes oral sex, anal sex, and manipulation of the genitals between individuals not married to each other. (*w06 7/15* pp. 29-30; *w04 2/15* p. 13; *w00 11/1* p. 8 par. 6; *w83 6/1* pp. 23-26; *lvs* p. 120) *Por-nei’a* does not require skin-to-skin contact, copulation (as in penetration), or sexual climax.

(1) “Immoral use of” conveys the thought not just of touching but of operating, manipulating, or employing something. For example, it is one thing to touch a musical instrument; it is something different to make “use of” a musical instrument.

(2) “Lewd intent” identifies the motive. For example, a doctor may need to manipulate the genitals in examining a patient. A veterinarian, farmer, or rancher may do something similar to an animal. However, the intent is not sexual gratification.

(3) “Manipulation” conveys the idea of operating something, whether by use of the hands or some other means, and does not require skin-to-skin contact. Momentary touching of another’s genitals, even if intentional, would generally not be considered *por-nei’a*.

4. Masturbation of oneself is not *por-nei’a*.—*lvs* p. 250.

5. One who was raped would not be guilty of *por-nei’a*. Discernment is needed in considering claims of rape, taking into consideration such factors as the mental disposition of the person, the circumstances that led up to the incident, and any delay in reporting.—*w03 2/1* pp. 30-31; *w83 3/15* p. 30, ftn.; *it-1* pp. 862-864.

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6. When determining if an individual is guilty of *por-nei'a*, it is important to establish the facts. This is especially true when Scriptural freedom to remarry is involved. (Mal. 2:16a) In situations in which the elders are uncertain or divided on their conclusions, it is best to write the Service Department.—See 12:71-76.

7. Strong Circumstantial Evidence of Sexual Immorality (*Por-nei'a*): If at least two eyewitnesses report that the accused stayed all night in the same house with a person of the opposite sex (or with a known homosexual) under improper circumstances, judicial action may be warranted. (*w18.07* p. 32) The elders cannot apply one rule to every case; each situation has unique circumstances. After two elders have thoroughly investigated, the body of elders must use good judgment in determining whether serious wrongdoing has occurred. If the elders are unsure how to proceed, they should consult with the Service Department.—If questions are raised regarding Scriptural freedom to remarry, see Chapter 12, paragraphs 71-76.

(1) Have the couple been pursuing a romantic relationship? Have they been previously counseled regarding their conduct with each other? What circumstances led to their spending the night together? Did they plan ahead to do so? Did they have a choice in the matter, or were there extenuating circumstances, perhaps an unforeseen occurrence or genuine emergency that left them with no choice but to spend the night together? (Eccl. 9:11) What were the sleeping arrangements? Since each situation is different, there may be other relevant factors. If there are no extenuating circumstances, a judicial committee would be formed on the basis of strong circumstantial evidence of sexual immorality.

(2) Depending upon the attitude of the accused, there might even be evidence of brazen conduct.

8. Consider an example in which judicial action would be warranted: A married brother spends an inordinate amount of time with his female secretary after work hours but insists there is no romantic interest. His concerned wife informs the elders, who give him strong counsel. Later, when he claims to be leaving overnight for a “business trip,” his suspicious wife and a relative follow him to the secretary’s home. They observe the secretary invite him inside at 10 p.m. and continue watching *all night* until he leaves the home at 7 a.m. When the elders speak to him, he admits that he spent the night with his secretary, but he denies that he committed adultery. In such a case, the elders have a basis to take judicial action because there is strong circumstantial evidence of *por-nei'a* and there may be elements of brazen conduct. The innocent mate’s conscience may allow her to divorce him and remarry; she should not be criticized if that is her decision.

9. Below are examples in which judicial action would likely not be warranted:

(1) An elderly Christian living alone has a member of the opposite sex move into the home to help care for him. There is no evidence of a romantic attachment or reason to suspect sexual immorality.

(2) After attending a social gathering at a single sister’s home, a brother walks to a train station to catch the train home. After waiting for some time, the brother learns that the last train for the day has already left the station. He walks back to the sister’s home, but by the time he arrives, everyone has left and it is quite late. The sister allows him to sleep in the living room while she sleeps in her bedroom.

(3) A single brother visits a married couple for several days. One night after everyone goes to bed, the husband is called to an emergency at his place of work and does not

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return until morning. The wife and the single brother are alone in the home all night sleeping in separate bedrooms.

10. Adulterous Marriage: If a divorced person remarries and he was not Scripturally free to do so—in other words, if adultery and rejection by the innocent mate had not occurred—he has entered into an adulterous marriage. In Jehovah’s eyes, he has married someone while still bound to another. Entering into such a marriage would call for judicial action.—See 12:76.

11. The elders should be very cautious in extending any special privileges to such an individual, even after judicial restrictions have been lifted. He could share in the cleaning and repair of the local Kingdom Hall. He may eventually present student assignments on the midweek meeting if his doing so would not disturb others. However, he would not be assigned to help with literature, accounts, attendants, sound, video, or similar privileges in the congregation as long as the innocent former mate is alive, unmarried, and has not been guilty of *por-nei’a*.

12. Although a Christian’s remarriage may not be adulterous, if he deliberately committed adultery in a scheming way so as to end his previous marriage or he pressured his innocent mate to reject him so that she eventually agreed to a divorce, he has dealt treacherously with her. (Mal. 2:14-16) His conduct is similar to entering into an adulterous marriage, and he would not qualify for special privileges for many years.—See 22:26-27.

13. Child Abuse: Child abuse includes the sexual or physical abuse of a minor. It would also include the extreme neglect of a minor by her parent. Child sexual abuse is a perversion and generally includes sexual intercourse with a minor; oral or anal sex with a minor; fondling the genitals, breasts, or buttocks of a minor; voyeurism of a minor; indecent exposure to a minor; or soliciting a minor for sexual conduct. Depending on the circumstances of the case, it may include involvement with child pornography or “sexting” with a minor. “Sexting” involves the sending of sexually explicit messages or images electronically.—See Chapter 14.

14. Gross Uncleaness, Uncleaness With Greediness: (2 Cor. 12:21; Gal. 5:19; Eph. 4:19) Galatians 5:19-21 lists many vices that are not classed as *por-nei’a* but that could lead to one’s being disqualified from God’s Kingdom. Among them are uncleaness (Greek, *a-ka-thar-si’a*). When one practices uncleaness to a serious degree, it can be grounds for disfellowshipping from the Christian congregation. Elders should use good judgment in discerning whether the conduct is minor uncleaness that can be handled by counsel or is gross uncleaness that requires the formation of a judicial committee.—*w06 7/15 pp. 29-31; w83 3/15 p. 31; lvs p. 249.*

15. Though this is not an exhaustive list, gross uncleaness may be involved in the following:

(1) **Momentary Touching of Intimate Body Parts or Caressing of Breasts:** If such conduct occurred on a few isolated occasions, especially between two persons involved in a courtship with the intent to marry, counsel from two elders may suffice to handle such minor uncleaness. The elders should inform the coordinator of the body of elders of the situation. However, if the conduct occurred on numerous occasions and the actions escalated in gravity and frequency, it may constitute gross uncleaness with greediness, requiring judicial action. Their wrongdoing may constitute brazen conduct if they give evidence of a disrespectful, insolent attitude toward God’s laws. For example, the individuals may have no intentions of pursuing marriage.

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(2) **Immoral Conversations Over the Telephone or the Internet:** A practice of engaging in immoral conversations over the telephone or the Internet, including “sexting,” can involve obscene speech or gross uncleanness, either of which can be a basis for judicial action. If such conduct occurred on a few isolated occasions, judicial action may not be necessary. Counsel from two elders may be sufficient to handle such minor uncleanness. The elders should inform the coordinator of the body of elders of the situation. However, such conduct may escalate in gravity and by frequent repetition become gross uncleanness with greediness requiring judicial action, especially if the individual had been previously counseled. The elders must use good judgment in determining whether the wrongdoing has escalated to a point warranting judicial action.—*w06 7/15* pp. 30-31.

(3) **Viewing Abhorrent Forms of Pornography:** See 13:2-4.

(4) **Misuse of Tobacco or Marijuana and Abuse of Medical, Illicit, or Addictive Drugs:** Elders should use good judgment in weighing the circumstances and extent of the wrongdoing so as to determine whether a judicial committee should be formed. For example, one or two elders may handle matters by means of counsel if a Christian abused an addictive drug or smoked cigarettes *on one or two occasions and the matter is not widely known*. The coordinator of the body of elders should be informed. However, a judicial committee is required for a *practice* of abusing addictive drugs, including betel nut, marijuana, and tobacco. (2 Cor. 7:1; *w06 7/15* pp. 30-31; *Ivs* pp. 110-117) If a medical doctor authorizes and/or prescribes marijuana for a medical problem, a Christian may choose to make use of this form of treatment. Although no judicial action would be taken, if an issue arises in the congregation, the elders will need to determine whether the individual can be viewed as exemplary. The proper use of addictive drugs under medical supervision, such as for pain management, would not require judicial review. When questions arise, consult with the Service Department.

(5) **Extreme Physical Uncleanness:** (Deut. 23:12-14; 2 Cor. 7:1; *Ivs* pp. 108-110) Every effort should be made to help the offender see the need to keep his body and place of residence clean. Before judicial action would be considered, the elders would need to be certain that the uncleanness is pronounced and offensive, bringing much reproach upon Jehovah’s good name and his people in the community. Appropriate counsel should be given. If this is not heeded, then a warning talk may be necessary. (See 12:77-80.) If there is blatant, willful disregard of the counsel given and extremely offensive unclean conditions continue, judicial action would be warranted.

16. Brazen Conduct: (2 Cor. 12:21; Gal. 5:19; Eph. 4:19; *Ivs* p. 249) The Greek word translated “brazen conduct” is *a·sel'gei·a*. *Strong’s Exhaustive Concordance of the Bible* uses very forceful terms to define it: “licentiousness . . . filth[iness], lasciviousness, wantonness.” *The New Thayer’s Greek-English Lexicon of the New Testament* adds to the list “unbridled lust, . . . outrageousness, shamelessness, insolence.” Another lexicon defines *a·sel'gei·a* as conduct that “violates all bounds of what is socially acceptable.” Rather than relating to bad conduct of a somewhat petty or minor nature, “brazen conduct” describes acts that reflect an attitude that betrays disrespect, disregard, or even contempt for divine standards, laws, and authority. Therefore, two elements are involved in brazen conduct: (1) The conduct itself is a serious violation of Jehovah’s laws, and (2) the attitude of the wrongdoer toward God’s laws is disrespectful, insolent.—*w06 7/15* p. 30.

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17. Though this is not an exhaustive list, brazen conduct may be involved in the following if the wrongdoer has an insolent, contemptuous attitude made evident by a practice of these things:

(1) Unnecessary Association With Disfellowshipped or Disassociated Individuals:

Willful, continued, unnecessary association with disfellowshipped or disassociated *nonrelatives* despite repeated counsel would warrant judicial action.—Matt. 18:17b; 1 Cor. 5:11, 13; 2 John 10, 11; *lvs* pp. 39-40.

If a publisher in the congregation is known to have unnecessary association with disfellowshipped or disassociated *relatives* who are not in the household, elders should use the Scriptures to counsel and reason with him. Review with him information from the *Remain in God's Love* book, page 241. If it is clear that a Christian is violating the spirit of the disfellowshipping decree in this regard and does not respond to counsel, he would not qualify for congregation privileges, which require one to be exemplary. He would not be dealt with judicially unless there is persistent *spiritual* association or he persists in openly criticizing the disfellowshipping decision.

(2) Dating Though Not Scripturally Free to Remarry: Continuing to date or to pursue a romantic relationship with a person though one or both are not legally or Scripturally free to remarry, doing so despite repeated counsel and generally after a warning talk to the congregation, would warrant judicial action.—Gal. 5:19; 2 Thess. 3:6, 14, 15.

18. Drunkenness: (1 Cor. 5:11; 6:9, 10; *it-1* p. 656; *lvs* pp. 20-21, 83) A judicial committee is required when there is a practice of drunkenness or a single incident of drunkenness that brings notoriety. (*w83* 5/1 p. 8) A Scriptural description of drunkenness can be found in the following references: Job 12:25; Psalm 107:27; Proverbs 20:1; 23:29-35; Isaiah 24:20.

19. If an individual confesses to an elder that on one occasion he overindulged in alcohol to the point of drunkenness in a private setting, such as in his home, *and there is no notoriety*, it may suffice for the elder to give strong counsel. In any case, the elder should inform the coordinator of the body of elders of the matter.

20. Gluttony: (Prov. 23:20, 21; *w04* 11/1 pp. 30-31) A glutton routinely shows a lack of restraint, even gorging himself on food to the point of feeling very uncomfortable or becoming sick. Gluttony is determined, not by someone's size, but by his attitude toward food.

21. Stealing, Thievery: (1 Cor. 6:9, 10; Eph. 4:28; *w86* 11/15 p. 14) Though all stealing is wrong, the body of elders should use discernment in weighing the circumstances and the extent of the involvement in wrongdoing to determine whether it is a judicial matter.—*w10* 3/1 pp. 12-14; *w94* 4/15 pp. 19-21; *jd* pp. 105-106.

22. Deliberate, Malicious Lying; Bearing False Witness: (Prov. 6:16, 19; Col. 3:9; Rev. 22:15; *it-2* pp. 244-245) Though all lying is bad, judicial action is taken only if there has been a practice of deliberate, malicious lying. “Malicious” means deliberately harmful, harboring ill will or enmity. Lying that requires judicial action involves more than just exaggerations or petty, misleading statements of relatively minor consequence or lying because of momentary pressure or fear of man.—Matt. 26:69-75.

23. Generally, elders should not consider administering discipline if a Christian charges another Christian with making false statements in a court dispute. For example, this may involve divorce, child custody and support, and so forth. The Christian making the charge can express

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his concerns to the court that has the responsibility to determine what is truthful when rendering a judgment.

24. Fraud, Slander: (Lev. 19:16; Matt. 18:15-17; *w97* 3/15 pp. 17-22; *it-1* pp. 870, 989-991; *od* chap. 14 pars. 13-20; *lvs* p. 163) Fraud is defined as the intentional use of deception, trickery, or perversion of truth for the purpose of inducing another to part with some valuable thing belonging to him or to give up a legal right. Slander is defined as a false report meant to do harm to the good name and reputation of another. Such talk is generally malicious. Slander is not identical to negative gossip. Negative gossip may be true; slander is always false. Negative gossip requires counsel but not judicial action. (*w89* 10/15 p. 10; *it-1* p. 990 par. 2) The congregation would not consider forming a judicial committee unless the offended Christian had taken steps one and two of Matthew 18:15, 16 and had initiated step three as described in Matthew 18:17.—*lvs* pp. 253-254.

25. If asked, elders could participate in step two, but they do not represent the body of elders. If the matter proceeds to step three, any elders who were witnesses in step two could serve only as witnesses in step three. They would not be used to serve on the judicial committee.

26. It is not the place of elders to become arbitrators of financial agreements. They are not debt collectors. Nor should they be involved in formulating contracts or written agreements, not even signing as witnesses to such. The same holds true should the matter reach step three.

27. The body of elders may first need to investigate before appointing a judicial committee. If so, the brothers involved in step two would not be used to investigate; they would be interviewed as witnesses.

28. One who reports an accusation to the police, the court, the elders, or others who have authority to look into matters and render a judgment would not be viewed by the congregation as guilty of committing slander. (*it-1* p. 990) This is true even if the accusation is not proved.—*w97* 8/15 p. 28 par. 1.

29. Reviling: (1 Cor. 6:10; *it-2* pp. 801-802; *lvs* p. 164) Reviling involves subjecting a person to insulting speech, heaping abuse upon him. The body of elders should weigh the circumstances and extent of wrongdoing so as to determine whether a judicial committee should be formed. Elders should not be quick to take judicial action; a judicial committee would be formed only if the reviling is extreme, disrupts the peace of the congregation, and persists despite repeated counsel.

30. Obscene Speech: (Eph. 5:3-5; Col. 3:8; *lvs* p. 162) Obviously, certain words are more offensive than others. However, obscene speech involves sexually explicit, filthy expressions. (*g03* 6/8 pp. 19-20) Is the speech sexually explicit? Does it persist despite repeated counsel? This would include obscenities used both in written and in oral communication, such as Internet chat rooms, phone sex, or e-mail.—See 12:15.2.

31. Greed, Gambling, Extortion: (1 Cor. 5:10, 11; 6:10; 1 Tim. 3:8; *it-1* pp. 789, 1005-1006) Elders do not generally involve themselves in what an individual does with regard to petty gambling solely for entertainment. However, if such petty gambling affects his spirituality or becomes a cause of stumbling for others, counsel should be given. If he does not respond favorably to the counsel and his conduct continues to have a negative effect on him or others, he could not be viewed as exemplary in the congregation. (Isa. 65:11; *w11* 3/1 pp. 12-14; *w02* 11/1 p. 31; *g* 3/15 pp. 14-15) If an individual's gambling reveals a course of greediness, perhaps

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causing harm to himself or others, and he ignores repeated counsel, judicial action would be appropriate.

32. An individual continuing in employment directly involved with gambling or employment making him a clear accomplice or promoter of gambling would be subject to judicial action, usually after being allowed six months to make the needed adjustments. (*lvs* pp. 204-209) In questionable cases, consult the Service Department.

33. If a business gives out prizes or prize money to winners of a contest or to potential customers for advertising, accepting the gift is an individual's decision to make. However, a person needs to be careful that accepting such a prize does not stir up greed.—Rom. 14:21; 1 Cor. 10:31-33; *w73* p. 127; *g75* 7/8 p. 28.

34. A Christian who greedily and unrepentantly extorts a high bride-price may be dealt with judicially.—1 Cor. 5:11, 13; 6:9, 10; Heb. 13:5; *w98* 9/15 pp. 24-25.

35. Refusal to Provide for Family: (1 Tim. 5:8; *lvs* p. 251) Adamant refusal to provide materially for one's own family, leaving wife and children destitute when having the means to provide, may warrant judicial action. Some of the factors the body of elders should consider before forming a judicial committee are the following:

- (1) Does the husband adamantly refuse to provide for his family or is the failure to provide for them because of other factors, such as health or financial difficulties? Is he doing what he reasonably can do to provide necessities for the family?
- (2) Has counsel been previously given, and has there been an opportunity for him to respond?
- (3) Does his wife have material resources affording a secure life so that the family is not destitute?
- (4) If the family is destitute, is it because they have rejected the family head's provisions by choosing to live apart from him?
- (5) When a separation is involved, to what extent is the wife responsible?

36. Fits of Anger, Violence, Domestic Violence: (Mal. 2:16; Gal. 5:20; Col. 3:19) A Christian who cannot control his anger cannot be viewed as exemplary in the congregation. After his attitude, the pattern of behavior, and the severity of damage to the lives of others have been considered, a person who gives in to uncontrolled fits of anger may need to be dealt with judicially. (*g97* 6/8 p. 20) In questionable cases, consult the Service Department.

37. If a Christian took up professional boxing and refused to stop despite repeated counsel, judicial action would be appropriate.—*w81* 7/1 pp. 30-31.

38. Manslaughter: Aside from deliberate murder, bloodguilt may be incurred if a person causes loss of life through carelessness or because of violating a traffic law or other safety law of Caesar. The elders should investigate and if warranted appoint a judicial committee to hear the matter. The committee should base its decision on clearly established facts, not simply on a decision that may have been made by secular authorities.—Deut. 22:8; *w06* 9/15 p. 30.

39. Apostasy: Apostasy is a standing away from true worship, a falling away, defection, rebellion, abandonment. It includes the following:

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(1) **Celebrating False Religious Holidays:** (Ex. 32:4-6; Jer. 7:16-19) Not all holidays directly involve false religion and require judicial action.

(2) **Participation in Interfaith Activities:** (2 Cor. 6:14, 15, 17, 18) Apostate acts include bowing before altars, shrines, idols, and images and sharing in false religious songs and prayers.—Rev. 18:2, 4.

(3) **Deliberately Spreading Teachings Contrary to Bible Truth:** (2 John 7, 9, 10; *lvs* p. 245; *it-1* pp. 126-127) Any with sincere doubts regarding the Bible truth taught by Jehovah’s Witnesses should be helped. Loving assistance should be provided. (2 Tim. 2:16-19, 23-26; Jude 22, 23) If one obstinately is speaking about or deliberately spreading false teachings, this may be or may lead to apostasy. If there is no response after a first and a second admonition, a judicial committee should be formed.—Titus 3:10, 11; *w86* 4/1 pp. 30-31.

(4) **Causing Divisions, Promoting Sects:** (Rom. 16:17, 18; Titus 3:10, 11) This would be deliberate action disrupting the unity of the congregation or undermining the confidence of the brothers in Jehovah’s arrangement. It may involve or lead to apostasy.—*it-2* p. 886.

(5) **Employment Promoting False Religion:** Continuing in employment that makes one an accomplice to or a promoter of false worship would subject one to disfellowshipping after being allowed six months to make the needed adjustments.—*w99* 4/15 pp. 28-30; *lvs* pp. 204-206.

(6) **Spiritism:** (Deut. 18:9-13; 1 Cor. 10:21, 22; Gal. 5:20; *lvs* pp. 216-217)

(7) **Idolatry:** (1 Cor. 6:9, 10; 10:14) Idolatry includes the use of images, including pictures, in false religious worship.

EVIDENCE ESTABLISHING WRONGDOING

40. Even though a Christian has been accused of wrongdoing serious enough to require judicial action, a judicial committee should not be formed unless the wrongdoing has been established by sufficient evidence. Please note the following regarding evidence:

(1) **Confession:** Admission of wrongdoing, either written or oral, may be accepted as conclusive proof without other corroborating evidence. (Josh. 7:19) There must be two witnesses to a confession, and the confession must be clear and unambiguous. For example, a statement from a married Christian that his mate is “Scripturally free” would not by itself be viewed as a clear confession of adultery. A guilty plea entered in court by a Christian as part of a plea bargain, perhaps on the advice of an attorney so as to avoid the possibility of a harsher sentence, would generally not in itself be viewed by the congregation as an admission of guilt.

(2) **Eyewitnesses:** There must be two or three eyewitnesses, not just people repeating hearsay; no action can be taken if there is only one witness. (Deut. 19:15-17; John 8:17; 1 Tim. 5:19, 24, 25) If there are two or three witnesses to the same kind of wrongdoing but each one is witness to a separate incident, the elders can consider their testimony. While such evidence is acceptable to establish guilt, it is preferable to have two witnesses to the same occurrence of wrongdoing. The testimony of youths may be considered; it is up to the elders to determine whether the testimony has the ring of

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truth. The testimony of unbelievers and disfellowshipped or disassociated ones may also be considered, but it must be weighed carefully.

41. If wrongdoing has not been established but serious questions have been raised, the body of elders should appoint two elders to investigate the matter promptly. For example, there may be just one witness. In some cases, it may be appropriate for the witness to encourage the accused to approach the elders. (Jas. 5:14) The elders can then allow the accused a few days to approach them. In other cases, it may not be advisable for the witness to confront the accused. For example, the witness may be extremely timid. A victim of rape or of child sexual abuse is never required to confront the accused. (If the accusation involves child sexual abuse, see Chapter 14.) Whether the witness approaches the accused or not, the two elders appointed should speak with the accused regarding the accusation.—*w97 8/15 p. 27.*

42. If the accused denies the accusation, the investigating elders should try to arrange a meeting with him and the accuser together. (If the accusation involves child sexual abuse, see Chapter 14.) If the accuser or the accused is unwilling to meet with the elders or if the accused continues to deny the accusation of a single witness and the wrongdoing is not established, the matter cannot be handled judicially. The investigating elders should compose a record, sign it, put it in a sealed envelope, and give it to the secretary to be placed in the congregation’s confidential file. (See 22:21-27.) Additional evidence may later come to light to establish matters.

THOSE HAVING CERTAIN PRIVILEGES OF SERVICE

43. If someone in the congregation who has one of the following service privileges is accused of or confesses to serious wrongdoing, two elders with knowledge of the circumstances should *immediately* contact the Service Department for direction on handling the matter. These privileges would include serving as a Bethel family member, a temporary volunteer at Bethel, a construction servant, a construction volunteer, a full-time or part-time or occasional commuter to Bethel, a full-time or part-time construction commuter, a remote servant or volunteer, a Bethel consultant, a field missionary, a temporary special pioneer, a special pioneer, an Assembly Hall servant, or a Bible school facility servant.

THOSE WHO HAVE NOT ASSOCIATED FOR MANY YEARS

44. In deciding whether or not to handle such a person judicially, the body of elders should consider the following:

- (1) Does he still profess to be a Witness?
- (2) Is he generally recognized as a Witness in the congregation or the community?
- (3) To what degree have lives been affected or damaged by the wrongdoing? For example, does the matter involve child abuse or adultery?
- (4) Does the person have a measure of contact or association with the congregation so that a leavening, or corrupting, influence exists?
- (5) Is the person willing to meet with a committee, thus admitting accountability to the Christian congregation?

45. Depending upon the length of inactivity and other factors noted above, the elders may determine to hold the matter in abeyance. In such a case, they would make a record of the person’s questionable conduct for the congregation file. (See 22:21-27.) If the individual shows

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interest in returning to the congregation, the elders can clarify matters at that time.—w08 11/15 pp. 14-15 pars. 12-13.

46. If the sinful conduct is known only to believing family members and no congregation action has been taken, believing relatives will likely determine to curtail family association severely, viewing the relative as bad association.—1 Cor. 15:33; w85 7/15 p. 19 par. 14.

UNBAPTIZED PUBLISHERS

47. The elders should promptly handle a case of serious wrongdoing by an unbaptized publisher. While a judicial committee would not be formed, the body of elders should select two elders to meet with him, perhaps the ones who approved him as an unbaptized publisher. (If the unbaptized publisher is a minor, see Chapter 12, paragraph 55.) They should try to readjust him and to determine whether he continues to qualify. (od chap. 14 pars. 38-40) The body of elders should be updated on the results, including whether any restrictions will be imposed and whether any announcement will be made to the congregation.

48. If the individual is repentant, the assigned elders may decide to place certain restrictions on the individual for a time, such as not commenting at meetings, not presenting student assignments on the midweek meeting, or not sharing in the field ministry.

49. If the individual is repentant but the assigned elders determine that (1) the wrongdoing is widely known or might become widely known later or (2) the congregation needs to be on guard concerning the individual, the coordinator of the body of elders should arrange for an elder to make the following announcement at the next midweek meeting: “A matter involving [name of person] has been handled, and he [she] continues to serve as an unbaptized publisher with the congregation.”

50. There may be reasons for the body of elders to determine that a Scriptural talk about the sort of wrongdoing involved should be given to the congregation a few weeks after the announcement.

51. If the individual is unrepentant, the two elders should inform him that he no longer qualifies as an unbaptized publisher. Or if he informs the elders that he no longer desires to be a publisher, they will accept his decision. In either case, the coordinator of the body of elders should arrange for an elder to make the following announcement at the next midweek meeting: “[Name of person] is no longer recognized as an unbaptized publisher.” Because of his unrepentant wrongdoing, it would be best for a time not to call on him if he raises his hand to comment at meetings.

52. If the elders see that such a person is a threat to the flock, they can privately warn those endangered. For example, despite the announcement, the wrongdoer might attempt to socialize with youths in the congregation. In that situation, the elders would speak privately to the parents of the endangered ones and perhaps to those youths.

53. There is no specific arrangement for an appeal or a seven-day waiting period before announcing the decision that one is no longer recognized as an unbaptized publisher. If he expresses dissatisfaction with the conclusion, the body of elders should choose two different elders to review the case.

54. If someone who was previously removed as an unbaptized publisher begins to make progress and wishes once again to share in the ministry, two elders (perhaps those who met with him earlier) should meet with him to determine his qualifications. If he qualifies, the

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coordinator of the body of elders should arrange for an announcement to be made that he is an unbaptized publisher. There is no need to wait until he reports field service again to make the announcement.

55. If the unbaptized publisher is a minor, the two elders should meet with the Witness parents to discern what occurred, the child’s attitude, and the corrective steps that the parents are taking. If the parents have the situation in hand, the two elders may discern that it is not necessary to include the minor in the meeting. The elders will check with the parents from time to time to offer helpful counsel, specific suggestions, and loving encouragement.—See Chapter 14, paragraphs 29-30, if the minor engaged in sexual misconduct.

56. At the conclusion of the case, the two elders should prepare a written record. The secretary files this record in the congregation’s confidential file.—See 22:21-27.

SERIOUS WRONGDOING THAT OCCURRED YEARS IN THE PAST

57. Depending upon the circumstances, serious wrongdoing that occurred years in the past may need to be handled by a judicial committee. However, if wrongdoing occurred more than a few years ago and the individual is genuinely repentant and recognizes that he should have come forward immediately when he sinned, counsel by two elders may be sufficient.

58. The body of elders should appoint two elders to gather the facts so that the body can determine whether a judicial committee is needed or not, taking into consideration answers to the following questions:

- (1) When did the wrongdoing take place?
- (2) How widely known is the matter?
- (3) Does the erring one show evidence of spiritual progress as opposed to evidence that progress is being hindered?
- (4) Will counsel be sufficient to restore him, or will more be required for him to have a clean conscience?
- (5) Are there works befitting repentance?
- (6) Did he voluntarily confess, or did the matter come to light by other means?
- (7) If the body of elders decides not to form a judicial committee, will the elders continue to have the respect of the congregation?
- (8) If adultery was involved, has a confession been made to the innocent mate?—See 16:10.5.
- (9) To what degree have lives been affected or damaged by the wrongdoing? For example, does the matter involve child abuse or adultery?

59. If the individual is serving in an appointed capacity, such as a ministerial servant, elder, or pioneer, his qualifications should be reviewed.—See 8:25-27; 9:4.

VALIDITY OF WRONGDOER’S BAPTISM

60. When dealing with a wrongdoer, the elders should not raise questions about the validity of the individual’s baptism. If the individual raises the issue, the elders may refer him to the February 15, 2010, *Watchtower*, page 22.

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61. At times a wrongdoer will claim that his baptism is not valid and that he feels he is not accountable to a judicial committee because he secretly engaged in wrongdoing shortly before he was baptized. If the elders had been aware of his serious wrongdoing committed just before baptism, likely they would not have approved him for baptism. However, this does not necessarily mean that he did not make a valid dedication. Some individuals make a dedication long before their baptism; others have made a dedication shortly before. The elders are not in a position to read the heart and know for a certainty how Jehovah viewed the person at the time he was baptized. If the elders learn that a baptized individual secretly engaged in serious wrongdoing while he was an unbaptized publisher but the wrongdoing ceased before baptism, they should give counsel and encouragement. A judicial committee should not be formed for prebaptism wrongdoing. (1 Cor. 6:9-11) However, if the individual resumed serious wrongdoing after baptism, the elders would generally deal with him on the basis of what he has professed to be, a dedicated and baptized Christian, and would meet with him judicially.

62. There are rare occasions when it is obvious that the baptism was invalid because serious wrongdoing did not cease before baptism, even for a brief period of time. For example, it may be that at the time of baptism, the individual was living immorally with a member of the opposite sex or the same sex, was a member of a nonneutral organization, or something similar. If there are questions, the Service Department should be consulted.

DETERMINING WHICH CONGREGATION SHOULD HANDLE THE MATTER

63. Bodies of elders should cooperate if there is a question regarding which congregation should handle a case of wrongdoing. Which congregation has the facts? Which congregation can handle the case most effectively? Jurisdiction should not become an issue.

64. If a wrongdoer moves before a case has been concluded, it is usually best for the elders of the original congregation to follow through if possible and if distance permits. They are acquainted with the person and his circumstances. If he has moved a great distance away, the elders of the original congregation should not insist on handling matters if the wrongdoer says he is unable to return to the congregation for the meeting. In such a case, it may be advisable to refer matters to the elders of the congregation where he now lives. There should be good communication between the two bodies.

65. If the elders learn that a publisher who is visiting the area for a short period of time is guilty of wrongdoing, they should promptly report the matter to the elders of his congregation.

WRONGDOING INVOLVING INDIVIDUALS FROM DIFFERENT CONGREGATIONS

66. If an individual confesses to wrongdoing that involves a person in another congregation, the elders should promptly pass along what they know to the elders of the other congregation and allow them time to investigate. Does the other individual admit the wrong? Do their accounts match, or are there significant differences? The elders handling the matter should communicate freely and cooperate in obtaining the facts. There are many advantages to interviewing individuals jointly to ascertain what actually occurred and to clarify discrepancies. (Prov. 18:13, 17) If a joint meeting is held, thereafter the elders handling the matter from each congregation will withdraw and handle the case of the person from their own congregation. The elders in one congregation should generally not conclude their case before the elders of the other congregation have fully investigated the situation.

PERMITTING INDIVIDUALS TO COMMIT SEXUAL IMMORALITY IN THE HOME

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67. If a publisher were to allow an individual to commit sexual immorality while living in the publisher’s home, he would be giving tacit approval to immoral conduct. This would also be true of allowing an individual to commit sexual immorality while visiting the publisher’s home. Such a publisher would not be exemplary.

68. When congregation elders come to know of such a situation, they should patiently provide Scriptural counsel. The publisher should be helped to see that what he is allowing could stumble others. He may then take action to change the situation so as “not to put a stumbling block or an obstacle before a brother.”—Rom. 14:13.

69. Perhaps the publisher is genuinely concerned that what he has been allowing may be a cause for stumbling. For certain reasons, however, he may feel that he has no recourse at the present time. For example, elderly Witness parents may need the assistance of an unbelieving son or daughter. Under such circumstances, no judicial action would be taken, but the qualifications of the publisher to serve in an exemplary position would be reviewed by the body of elders.

70. Suppose the publisher, upon being approached by the elders, manifests a brazen attitude, not really caring if others are stumbled. Even if he does not encourage others to do what he is doing, the elders may decide to arrange for a talk to be given that serves as a warning to the congregation. (2 Thess. 3:14, 15; see 12:77-80.) On the other hand, if a baptized publisher actively promotes allowing individuals to commit sexual immorality in the home, then the matter could be handled judicially on the grounds of condoning sexual immorality, causing divisions, and, in effect, speaking against “the teaching of the Christ.”—2 John 9-11; Gal. 5:19, 20; Rev. 2:20.

SCRIPTURAL FREEDOM TO REMARRY

71. It is the responsibility of the individual desiring to remarry to produce convincing evidence to establish Scriptural freedom to remarry. If an individual’s divorce occurred before baptism, the elders should not assume the individual is Scripturally free to remarry, as baptism does not dissolve previous marital ties. Elders should be very careful when it comes to giving direction on whether an individual is Scripturally free to remarry and should consult with the Service Department on any questions. This is especially true since the decisions a person makes in such matters will affect not only his relationship with his marriage mate but also his relationship with Jehovah. Elders shoulder a heavy responsibility in such matters and need to be cautious when offering counsel, especially when the answer may not be readily apparent.—Luke 12:48; Jas. 3:1.

72. Scriptural freedom to remarry requires three conditions: (1) sexual immorality (*por-nei’a*); (2) a rejection (refusal to reconcile) by the innocent mate; and (3) a legal, final divorce. (Matt. 5:31, 32; 19:9; Heb. 13:4) For example, if an individual contemplating remarriage confesses that he has been guilty of sexual immorality after his former mate legally divorced him or if his former mate has admitted to committing sexual immorality since the legal divorce, both are Scripturally free to remarry.

73. If a baptized Christian accuses his believing mate of adultery and wishes to establish freedom to remarry, the matter should be referred to the body of elders. The publisher should be advised that he is not to view himself as Scripturally free to date or remarry until the elders have investigated the matter and guilt of *por-nei’a* is established. (Deut. 19:15; John 8:17) If the accused mate is associated with another congregation, the evidence should be presented to the elders of that congregation for review and a determination.

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74. In some cases adultery is not established. However the accused may confess or two eyewitnesses may report that the accused stayed all night in the same house with a person of the opposite sex (or a known homosexual) under improper circumstances. (See 12:7-9.) The elders should carefully consider the situation. (See 12:7.1.) Although the elders cannot tell the innocent mate that he is free to remarry, if the innocent mate is convinced that adultery did occur, the elders may allow him to take responsibility before Jehovah for obtaining a Scriptural divorce; if he remarries, no judicial action will be taken.

75. Even if the accused mate is not one of Jehovah’s Witnesses (disfellowshipped, disassociated, or never baptized), two witnesses are also generally required to establish wrongdoing that would provide a basis for Scriptural freedom. An exception may be made, however, if the unbeliever privately makes an unambiguous confession of adultery to the Christian mate. In such a case, if the innocent Christian mate believes that the confession is true and does not wish to reconcile, he can submit a letter to the elders outlining his situation. The body of elders should then consider the letter. Is there any known reason to conclude other than that the unbelieving mate has been immoral? For example, was the confession worded ambiguously? Did the unbeliever later deny making the confession? If the unbeliever is willing to speak with the elders and matters are unclear, the elders may choose to ask the accused mate directly. If there is no known reason to conclude otherwise, the innocent mate can be allowed to take responsibility before Jehovah for obtaining a Scriptural divorce; if he remarries, no judicial action will be taken.

76. The following constitutes rejection by the innocent mate:

(1) The innocent mate initiates a divorce either before or after learning of the adultery.

(2) The innocent mate signs a divorce decree or in some other way indicates he does not object to a divorce initiated by the guilty mate, either before or after learning of the adultery. In some lands it is possible for the innocent mate to sign legal documents that stipulate custody of the children and financial support without indicating he agrees with the divorce; his signing such papers in itself would not indicate a rejection.—*w00* 12/15 pp. 28-29.

(3) Though verbally expressing forgiveness and not seeking a divorce, the innocent mate refuses to resume sexual relations for a very prolonged period of time, a year or even years. Before indicating to the guilty mate that he is free to pursue a Scriptural divorce, the elders should consult with the Service Department. The innocent mate is not required to make a quick decision to forgive or not.

MARKING DISORDERLY ONES

77. At times it may be necessary to mark those who display a flagrant disregard for Jehovah’s standards though not practicing a grave sin that merits judicial action. (2 Thess. 3:6, 14, 15; *w99* 7/15 pp. 29-31) This could include such things as being grossly lazy or critical or being a profitless talker who is a constant ‘meddler with what does not concern him.’ (2 Thess. 3:11) It may involve one who schemes to take material advantage of others, indulges in entertainment that is clearly improper, dates an unbeliever, or dates when not legally or Scripturally free.—*od* chap. 14 pars. 9-12.

78. If the disorderly conduct is *generally unknown to others* and poses no threat to their spiritual well-being, usually it is best to handle things through admonition and counsel. The body of elders should not be hasty in deciding to give a warning talk. However, if the individual does not see the error of his way but continues to be an unwholesome influence, a warning talk may

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be given to the congregation. Elders must use reasonableness and discernment in determining whether a particular situation is sufficiently serious and disturbing to require a warning talk.

79. For example, if a baptized Christian is dating an ‘unbeliever,’ the elders should first counsel him and try to help him. (2 Cor. 6:14; *w04* 7/1 pp. 30-31) If he persists in disregarding Bible principles in spite of repeated admonition, the body of elders may decide that a warning talk should be given to the congregation. If an individual is dating an *unbaptized publisher*, a warning talk may not be needed. Much would depend on the circumstances, on the attitude of the Christian, on the level of disturbance to the congregation, and other factors. Nonetheless, if he is dating with a view to marrying someone who is unbaptized, he is not obeying the Bible’s counsel at 1 Corinthians 7:39 to marry “only in the Lord,” and loving counsel should be given.

80. If the disorderly one is moved to change, the elders can individually decide to resume personally socializing with him. This will indicate to the congregation that they consider that the individual is no longer marked.

ATTEMPTED SUICIDE

81. A suicide attempt may be the result of deep despair or major depression. Elders should deal carefully and compassionately with such a person. In most cases, a judicial hearing is not required.—Ps. 88:3, 17, 18; Prov. 15:13; Eccl. 7:7; *g* 4/14 pp. 6-9.

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Chapter 14 Child Abuse

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Sexual Misconduct Involving Only Minors 29-30

1. Elders should adhere closely to the direction in this chapter when a matter involving child abuse comes to their attention. Doing so will uphold the sanctity of Jehovah’s name and contribute toward the safety of minors.—Isa. 32:1, 2; 1 Pet. 2:12; *w19.05* pp. 8-13.

2. While the information in this chapter refers to an accused in the masculine gender and to the victim in the feminine gender, it applies equally regardless of the gender of the accused or the gender of the victim. References to parents and family heads apply equally to legal guardians.

3. Child abuse includes the sexual or physical abuse of a minor. It would also include the extreme neglect of a minor by her parent. Child *sexual* abuse is a perversion and generally includes sexual intercourse with a minor; oral or anal sex with a minor; fondling the genitals, breasts, or buttocks of a minor; voyeurism of a minor; indecent exposure to a minor; or soliciting a minor for sexual conduct. Depending on the circumstances of the case, it may include involvement with child pornography or sexting with a minor. Sexting involves the sending of sexually explicit messages or images electronically.

4. From the Bible’s standpoint, child sexual abuse is a gross sin. (Deut. 23:17, 18; Gal. 5:19-21; *w97 2/1* p. 29) Jehovah’s Witnesses abhor child sexual abuse. (Rom. 12:9) Thus, the congregation will not shield any perpetrator of such repugnant acts from the consequences of his sin. The congregation’s handling of an accusation of child sexual abuse is not intended to replace the secular authority’s handling of the matter. (Rom. 13:1-4) Therefore, the victim, her parents, or anyone else who reports such an allegation to the elders should be clearly informed that they have the right to report the matter to the secular authorities. Elders do not criticize anyone who chooses to make such a report.—Gal. 6:5.

5. The Scriptures place the responsibility on parents for teaching and protecting their children. (Eph. 6:4) As spiritual shepherds, elders can help parents to shoulder their Scriptural

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responsibility. Our publications and website contain much helpful information to assist parents.—w19.05 pp. 12-13.

LEGAL CONSIDERATIONS

6. Child abuse is a crime. In some jurisdictions, individuals who learn of an allegation of child abuse may be obligated by law to report the allegation to the secular authorities.—Rom. 13:1-4.

7. To ensure that elders comply with child-abuse reporting laws, two elders should immediately call the Legal Department for legal advice when the elders learn of an accusation of child abuse. A call should be made even when both persons involved are minors. The elders should not ask an alleged victim, the accused person, or anyone else to call the Legal Department on the elders’ behalf. The elders should call the Legal Department even in the following situations:

- (1) The alleged abuse occurred many years ago.
- (2) The alleged abuse is based on the testimony of only one witness.
- (3) The alleged abuse is believed to be a repressed memory.
- (4) The alleged abuse involved perpetrators or victims who are deceased.
- (5) The alleged abuse is believed to have already been reported to the secular authorities.
- (6) The alleged perpetrator or victim is not in your congregation.
- (7) The alleged perpetrator is a non-Witness associating with the congregation.
- (8) The alleged abuse occurred before the alleged perpetrator or victim was baptized.
- (9) The alleged victim is now an adult.
- (10) The alleged abuse occurred in the past, and it is unclear whether your congregation elders ever called the Legal Department for direction.

8. The Legal Department will provide legal advice based on the facts and the applicable law. If the individual who is accused of the child abuse is associated with your congregation, the two elders calling should provide the Legal Department with the individual’s full name, date of birth and, if applicable, date of baptism. After speaking with the Legal Department, the caller will be transferred to the Service Department.

9. Prison Inmates: Two elders should *immediately* call the Legal Department regarding any prison inmate, baptized or unbaptized, who has been accused of child abuse and who is now associating with a congregation. This would include his attending congregation meetings held in the prison. In some cases, elders may not be permitted to inquire about the offense that an inmate may have committed. However, if the elders learn that the alleged offense has to do with child abuse, they should *immediately* call the Legal Department.

10. Child Pornography and Sexting: If the elders become aware of an adult associated with a congregation who has been involved with child pornography, two elders should *immediately* call the Legal Department. Likewise, if the elders become aware of an adult or a minor associated with a congregation who is sexting with a minor, the Legal Department should

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be called *immediately*. The Legal Department does not need to be informed when the elders receive reports of adults sexting one another.

CONGREGATION CONSIDERATIONS

11. When discussing child sexual abuse from a congregation standpoint, we are not considering a situation in which a minor who is a willing participant and who is approaching adulthood is involved in sexual activity with an adult who is a few years older than the minor. Nor, generally speaking, are we discussing situations in which only minors are involved. (See 14:29-30.) Rather, we are referring to an adult guilty of sexually abusing a minor who is a young child, or an adult guilty of sexual involvement with a minor who is approaching adulthood but was not a willing participant.

PROVIDING SPIRITUAL ASSISTANCE TO VICTIMS

12. Elders should demonstrate empathy and compassion when anyone approaches them about a matter involving child abuse. Ongoing spiritual shepherding is especially important for victims of child sexual abuse and their families.—Isa. 32:1, 2; Eph. 4:32; 1 Pet. 5:2.

13. Two elders should always be involved when shepherding an adult sister who is a victim of child abuse. An elder should never become the sole confidant of a sister to whom he is not closely related.—See 25:12.

14. When shepherding a child abuse victim who is still a minor, two elders and the minor’s parents should be involved. (Deut. 6:6, 7; Eph. 6:4) Of course, if one of the parents is the accused, the accused parent would not be involved. If neither parent can be present, then another adult publisher in the congregation who is a confidant of the victim should be included.

15. As spiritual shepherds, elders should be good listeners. (Prov. 21:13; Jas. 1:19) While some victims may prefer not to talk about past abuse, others have found it helpful to talk with empathetic elders who can listen and then “speak consolingly” from God’s Word. (1 Thess. 5:14; Prov. 12:25; Jas. 5:13-15) Though it may be necessary for the elders to ask a few tactful questions to help an afflicted one express herself, they should avoid probing unnecessarily or repeatedly into the details of the abuse. However, discussing Biblical examples of others who endured a difficult childhood and yet succeeded in becoming faithful servants of Jehovah may provide needed comfort. In time, Jehovah God will heal “the brokenhearted.”—Ps. 30:2; 94:19; 147:3; *w19.05* pp. 14-20; *w11 10/15* pp. 23-27; *w01 4/15* pp. 25-28; *w83 10/1* pp. 27-31; *g 7/09* pp. 6-9; *g91 10/8* pp. 3-11.

16. The time that elders can spend shepherding an individual in the congregation who is a victim of child abuse is limited, so they must balance this important responsibility with their other responsibilities, which include caring for the spiritual, emotional, and material needs of their own family. In some cases, a victim of child abuse may seek more spiritual support from the elders than they can reasonably give. In such cases, some elders have found it beneficial to set limits on the time for such shepherding. It may take several visits to assist a victim effectively. When circumstances limit the extent of the assistance the elders can provide on a particular occasion, elders should still seek to share words of encouragement, assuring a victim of Jehovah’s love, reading an appropriate scripture, and offering a prayer. This will confirm the elders’ interest and willingness to help to the extent possible.

17. In addition to the spiritual shepherding provided by the elders, the victim or her family may desire other assistance. For example, an adult sister who suffered abuse as a child may choose to approach an empathetic sister for emotional support and encouragement. (Prov.

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17:17) Or the victim or her family may decide to consult a mental-health professional. Whether a victim or her family pursues treatment from psychiatrists, psychologists, or therapists is a personal decision. (Gal. 6:5) If an elder is asked for advice on this matter, he may direct attention to appropriate Bible principles and material in our publications.—*w15 9/15* pp. 9-11; *w08 11/15* pp. 23-27.

INVESTIGATING ALLEGATIONS

18. The elders may learn of an allegation of child sexual abuse directly from the victim, through her parents, or through a trusted confidant of the victim. After receiving assistance from the branch office and if the accused is a publisher in the congregation, the body of elders will appoint two elders to investigate. These elders should carefully follow Scriptural procedures and the Bible-based direction in this chapter and in Chapter 12. During the investigation process and during the judicial committee process, a victim of child sexual abuse is not required to make her allegation in the presence of the alleged abuser. Generally, elders should be able to obtain necessary information from the parents. In addition, sufficient evidence needed to establish wrongdoing on the part of an alleged abuser may already be available to the elders. (See 12:40-42.) In the exceptional event that the two elders believe it is necessary to speak with a minor who is a victim of child sexual abuse, the elders should first contact the Service Department.

JUDICIAL COMMITTEE

19. If the body of elders concludes that there is sufficient Scriptural evidence to warrant the formation of a judicial committee on the grounds of child sexual abuse, the coordinator of the body of elders should first contact the circuit overseer. (See 12:40-42; 15:1-2.) The circuit overseer will designate an experienced elder to serve as chairman of the judicial committee. Thereafter, the body of elders will select the other members of the committee. If an appeal committee is needed, the circuit overseer will select experienced elders to serve on the committee and will designate the chairman. (See 17:1.) If wrongdoing is established and the wrongdoer is not repentant, he should be disfellowshipped. (See 16:26-31.) On the other hand, if the wrongdoer is repentant and is reproofed, the reproof should be announced to the congregation at the next midweek meeting. (See 16:20-25.) This announcement will serve as a protection for the congregation. Victims of child sexual abuse are not handled judicially. If the body of elders believes that congregation action may be warranted in the case of a minor who was a willing participant in the wrongdoing, two elders should call the Service Department before proceeding.

REINSTATEMENT COMMITTEE

20. If a person who has been disfellowshipped for child sexual abuse applies for reinstatement, the coordinator of the body of elders should contact his circuit overseer and provide the names of those who served on the original committee. The circuit overseer will designate an experienced elder to serve as chairman of the reinstatement committee. Thereafter, the body of elders will select the other members of the committee. If the decision is to reinstate, two elders serving on the committee should *immediately* call the Service Department. This call must be made before the person is informed of the decision and before the reinstatement is announced to the congregation.—See 19:10-12.

21. If a person who has been disfellowshipped for child sexual abuse has moved and applies for reinstatement in a different congregation, the coordinator of the body of elders of the new congregation should contact his circuit overseer. The circuit overseer of the new congregation will designate an experienced elder to serve as chairman of the reinstatement

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committee in the new congregation. Thereafter, the body of elders will select the other members of the committee. If that committee recommends that the person be reinstated, the committee should contact the coordinator of the body of elders of the original congregation, who should then contact his circuit overseer and provide the names of those who served on the original judicial committee. That circuit overseer will designate an experienced elder to serve as chairman of the reinstatement committee in the original congregation. Thereafter, the body of elders will select the other members of the committee. If that committee agrees to reinstate, two elders from each congregation’s committee should *immediately* call the Service Department. These calls must be made before the person is informed of the decision and before the reinstatement is announced in both congregations.—See 19:10-12.

RESTRICTIONS

22. The elders should carefully adhere to all direction provided by the Service Department. For example, the Service Department will provide direction when (1) it is determined that a publisher (baptized or unbaptized) who is guilty of child sexual abuse is repentant and will remain in the congregation, (2) one disfellowshipped for child sexual abuse is reinstated, (3) a publisher (baptized or unbaptized) who denies an accusation of child sexual abuse is convicted by the secular authorities, or (4) one viewed as a child molester by the community or the congregation becomes a publisher or gets baptized.

23. In such cases, direction from the Service Department to the elders will include restrictions imposed on the individual’s activities within the congregation, on his participation in the field ministry, and on his interaction with minors. The elders will be directed to caution the individual never to be alone with a minor, not to cultivate friendships with minors, not to display affection for minors, and so forth. The Service Department will direct the elders to inform family heads of minors within the congregation of the need to monitor their children’s interaction with the individual. The elders would take this step *only* if directed to do so by the Service Department. The coordinator of the body of elders should ensure that newly appointed elders and elders who move into the congregation are made aware of the Service Department’s direction regarding such individuals.

24. One who has engaged in child sexual abuse does not qualify to receive *any* privileges in the congregation for many years, if ever; this includes minor privileges. Paul’s counsel to Timothy has special relevance in the case of baptized adults who have molested children: “Never lay your hands hastily on any man; neither become a sharer in the sins of others.” (1 Tim. 5:22; w97 1/1 pp. 26-29) If the body of elders believes that one who has engaged in child sexual abuse decades ago may now qualify for minor privileges, such as carrying or adjusting microphones, operating sound and video equipment, serving as an attendant, or assisting with accounts, literature, or territories, they should assign two elders to call the Service Department. The assigned elders should call the Service Department before any congregation privileges are extended.

FILING

25. Information concerning individuals associated with the congregation and accused of child sexual abuse (established or not), including letters of introduction, should be placed in an envelope labeled with the individual’s name and marked “Do Not Destroy.” This envelope should be kept in the congregation’s confidential file. This would include *Notification of Disfellowshipping or Disassociation* (S-77) forms on individuals who have committed child sexual abuse, even if later reinstated.

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MOVING TO ANOTHER CONGREGATION

26. When an individual associated with the congregation who has been accused of child sexual abuse (established or not) moves to another congregation, two elders from the congregation the individual moves *from* should *immediately* call the Legal Department. The elders should be prepared to provide the name of the new congregation, if known. This should also be done if the individual (1) is disfellowshipped or disassociated and is attending meetings, (2) regularly moves away to live at a second residence, or (3) is in prison and is transferred to another facility or is released. The Congregation Service Committee should not send any information to the new congregation until after receiving legal advice from the Legal Department and direction from the Service Department.

27. When the elders are informed that an individual who has been accused of child sexual abuse (established or not) has moved *into* the congregation, two elders should *immediately* call the Legal Department. This should also be done if the individual (1) is disfellowshipped or disassociated and is attending meetings, (2) regularly moves away to live at a second residence, or (3) is in prison and has transferred from another facility or is released.

NOTIFICATION BY SECULAR AUTHORITIES

28. From time to time, secular authorities may inform the elders that a sex offender is living in the area. The notice may provide the address of the individual and may state the nature of his criminal activity. In such a case, the elders should list that address on the appropriate congregation territory card as a “do-not-call.”

SEXUAL MISCONDUCT INVOLVING ONLY MINORS

29. What steps should elders take when minors engage in sexual misconduct with one another? As stated earlier, two elders should *immediately* call the Legal Department even when both persons are minors. Minors who engage in sexual misconduct with one another are not generally considered by the congregation as having engaged in child sexual abuse. However, regardless of the ages of those involved, such misconduct is serious and may even warrant congregation judicial action. The body of elders should work with the parents to ensure that the minors receive spiritual assistance. If elders have questions regarding a specific case, they should call the Service Department.—See 15:15.

30. When baptized minors become involved in “sexting,” the elders must use good judgment in determining whether the wrongdoing has escalated to a point warranting congregation judicial action. Helpful information can be found in “Questions From Readers” in the July 15, 2006, issue of *The Watchtower*. Please review this material carefully before concluding that a baptized minor is guilty of gross uncleanness or brazen conduct. (See 12:14-17.) If a baptized minor has been previously counseled on this matter and persists in the wrong course, in most cases, judicial action would be taken. However, each case must be evaluated on its own merit. In all cases, the body of elders should work with the parents to ensure that the minors receive spiritual assistance. If elders have questions regarding a specific case, they should call the Service Department.

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Chapter 16 Procedure for Judicial Hearings

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1. The judicial hearing is opened with prayer with the accused present. Generally, observers are not allowed. (See 15:12-13, 15.) The chairman then states the reason for the hearing and explains that audio or video recordings of the hearing are not permitted. He should then read a scripture, such as Proverbs 28:13 or James 5:14, 15. In imitation of Jehovah, the elders will convey their desire to be helpful and will treat the accused with kindness. (Ezek. 34:11, 12) They should listen patiently and not draw conclusions before they have heard all the evidence. Even if the accused is belligerent, they should treat him kindly and respectfully, never harshly.—w89 9/15 pp. 19-20.

2. The chairman invites the accused to make a personal statement. If the accused claims that he is innocent, the witnesses to the wrongdoing are presented one at a time. It is best that the witnesses give their testimony in the presence of the accused, although a victim of rape or of child sexual abuse is *never* required to do so. If a witness lives a great distance away or for some other reason is not able to be physically present, his testimony may be presented by means of a phone call or videoconference (if confidentiality can be maintained) or perhaps submitted in writing and read to the accused.

3. After each witness has testified, the accused is given opportunity to respond. If he wishes to present witnesses to establish his innocence, he may do so. Only witnesses who have relevant testimony regarding the alleged wrongdoing are allowed to testify. Witnesses should be informed of their responsibility to maintain confidentiality. Additionally, they should not be present to hear the testimony of other witnesses.

4. In the rare event that testimony presented during the hearing causes the judicial committee to conclude that the matter should not be handled judicially, the hearing should be suspended. Inform the person that he will be contacted further regarding the matter. The body of elders should then be consulted to determine whether the judicial committee ought to be disbanded.

5. The committee should first seek to establish the facts and ascertain the attitude of the accused. This requires skillful and discreet questions. The judicial committee should be thorough but not inquire about needless details, especially in regard to sexual misconduct. However, when Scriptural freedom to divorce and remarry is an issue or when the nature of Scriptural wrongdoing must be determined, details may need to be clarified. When the elders on the judicial committee feel that they have a clear understanding, they should excuse the accused from the room and discuss the case and the individual's repentance or lack thereof. The judicial committee ought to feel free to seek Jehovah's wisdom through prayer at any time during their private deliberations.—Jas. 1:5.

DETERMINING GENUINE REPENTANCE

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6. In the Bible, two Greek verbs are used in connection with repentance. The first stresses a changed viewpoint or disposition. The second emphasizes a feeling of regret. Therefore, repentance involves a deep regret over a damaged relationship with Jehovah, remorse over the reproach brought upon God’s name and people, and a sincere longing to come back into Jehovah’s favor. It includes a heart-motivated rejection of the bad course as something repugnant, hated. (Rom. 12:9) Such an attitude should be demonstrated by “fruits that befit repentance,” making evident to an adequate degree a sinner’s claimed repentance.—Luke 3:8; *it-2* pp. 770-777.

7. Judging repentance is not simply a matter of determining whether the wrongdoer is weak or wicked. Weakness is not synonymous with repentance. Neither should the judicial committee’s decision be determined by the notoriety of the wrong. The judicial committee should look for clear works of repentance commensurate with his wrongdoing. (2 Cor. 7:10, 11) The committee must be convinced that the wrongdoer has a changed heart condition, that he has a zeal to right the wrong, and that he is absolutely determined to avoid it in the future. Even if this is the individual’s first time before a judicial committee, he must give evidence of genuine repentance if he is to remain in the congregation.

8. The extent to which the person deviates from righteousness may be major or minor, and logically the degree of regret (repentance) ought to be commensurate with the degree of deviation. Was the individual caught off guard so that he momentarily succumbed to temptation, or did he plan to do wrong? Was he unaware of the gravity of his sin? Did he deliberately ignore counsel or warnings? Was it a single offense, or was it a practice? The more an individual repeats serious sin, the more that one reasonably gives evidence of being like wicked people who are “practicing what is hurtful.”—Ps. 28:3.

9. The judicial committee should be very concerned about keeping the congregation clean and the need to exercise particular care if the wrongdoer has secretly carried on gross sin over a long period. In such cases, an individual might not be able to demonstrate sufficient repentance to the committee at the time of the hearing. If so, he must be disfellowshipped, allowing time to pass for him to prove his repentance. Or it may be that the individual has been dealt with judicially a number of times in the past. Because he appeared repentant, he was reprovved each time. Now he has sinned again. In these cases, the committee must consider whether the person’s *life course* gives evidence that he is producing “fruit that befits repentance.”—Matt. 3:8.

10. Below are some indications of repentance. However, none of these factors is the only consideration when determining whether the sinner is repentant.

(1) Was his confession voluntary, or did he have to be accused by others? Some offenders are so deeply ashamed or have such difficulty expressing themselves that they are reluctant to speak.

(2) Is the individual truthful? (Acts 5:1-10) When questioned, are his answers forthright? Is he cooperative with the judicial committee? The judicial committee should be especially cautious if the individual has shown himself to be guilty of hypocrisy, lying, or deliberate efforts to deceive.

(3) Has he prayed to Jehovah and asked for his forgiveness? Keep in mind that some wrongdoers, though repentant, find it difficult to pray.—Jas. 5:14.

(4) What has he done to repair his relationship with Jehovah and with others he has hurt by his actions? Has he made amends, expressed willingness to do so, or

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apologized to those damaged by his sinful course? Has he asked for the forgiveness of those he has wronged?

(5) If he has committed adultery, has he confessed to the innocent mate and asked for forgiveness?—w73 pp. 351-352.

The option to forgive adultery rests with the innocent mate. The guilty mate cannot be viewed as repentant if he refuses to inform her and allow her the opportunity to forgive. If the wrongdoer is unwilling to confess and ask for forgiveness because of *fear of violence* by the innocent mate or for some other reason, the elders should contact the Service Department before proceeding.

(6) Does he manifest a spirit of heartfelt regret over having damaged his relationship with Jehovah?—Ps. 32:3-5; 51:1-4.

(7) Does he demonstrate godly sadness or worldly sadness? (2 Cor. 7:8-11) Is his sadness primarily because of hurting Jehovah and bringing Him into reproach or because of the disappointment he has caused to family and friends and the shame he has experienced? (Ezra 10:1; Luke 22:59-62) Individuals vary in their emotional makeup and control. Tears do not necessarily indicate sincere repentance; neither does a lack of strong emotion show a lack of repentance.—Gen. 25:29-34; 27:34.

(8) Does he accept responsibility for his error, or does he rather minimize or justify his bad course?—1 Sam. 15:24; 2 Sam. 12:13.

(9) Does he recognize that lesser sins may have led up to serious wrongdoing, and is he determined to avoid these?

11. Each case is different. The judicial committee should consider what they know about the wrongdoer’s background and any factors unique to the case. This will help the judicial committee to understand the wrongdoer better.

12. The same is true regarding wrongdoers who suffer from mental or emotional problems. (See 15:17.) If the wrongdoer is able to carry out normal daily activities and is viewed by the community as being accountable for his actions and decisions, the congregation should not overlook his wrongdoing. However, the judicial committee should show consideration and patience in their dealings with him and be especially aware of the need for discernment in evaluating his repentance. On the other hand, if the judicial committee discerns that his mental condition is so severe that others generally regard him as not being responsible for what he does, they may recommend to the body of elders that no judicial action be taken, explaining the reasons for their recommendation.

IF REPENTANCE IS UNCLEAR

13. If the extent of the wrongdoer’s repentance is unclear, the committee should invite him back into the room for further discussion. They should use God’s Word to help him understand why his conduct was wrong and how it has affected his relationship with Jehovah and the congregation. It is possible that even as late as the judicial hearing, he will demonstrate repentance to the point that mercy may be warranted. In most cases, the individual will show some repentance, but is it commensurate with the degree of his wrongdoing? The judicial committee needs to be modest and keep in mind that if the wrongdoer has demonstrated few or no works of repentance before the judicial hearing is held, it may not be possible during the hearing to move him to demonstrate sufficient repentance to justify extending mercy. Even if it is

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determined that he must be disfellowshipped, their efforts to lead him to repentance may help him to begin making straight paths for his feet and work toward reinstatement. (Heb. 12:13) After trying to help him and hearing his further expressions, the judicial committee should excuse him from the room and continue to deliberate.

14. In complex cases, if the judicial committee is not sure of the Bible’s direction or the organization’s counsel, the hearing may be adjourned and reconvened a few days later. However, an additional meeting should not be scheduled just to give the accused time to stop the wrongdoing or to demonstrate works of repentance. If he has demonstrated little or no repentance during the initial hearing, there would generally be no basis on which to prolong the case and schedule a second meeting.

15. At times, complicated judicial cases may necessitate consultation with an experienced elder in another congregation or the circuit overseer. In such a situation, inform the wrongdoer that the decision is pending. Do not inform him that you will be consulting with parties outside of the judicial committee, which may at times include the branch office. While pertinent details may be discussed, names should not be used when discussing the case with another elder outside the congregation. However, when the circuit overseer is consulted or when circumstances require that the branch office be contacted, the judicial committee should reveal the names.

16. Those serving on a judicial committee should endeavor to be unanimous in their decision. Any difference of opinion can usually be resolved by discussing matters thoroughly as a judicial committee, researching the Scriptures and Christian publications, praying for wisdom and direction, and even consulting with an experienced elder outside the congregation. However, if the committee is unable to reach a unanimous conclusion, the minority should give support to the decision reached by the majority.

17. Anything submitted in writing to the committee by the alleged wrongdoer or by witnesses should be kept in strict confidence. If it is necessary to continue the matter later, the members of the committee should turn over to the chairman any personal notes they have taken. The chairman will keep these notes in a secure place to prevent breaches of confidentiality. The notes may be returned to the committee members for consultation before the hearing resumes.

IF THE DECISION IS TO REPROVE

18. If the elders on the judicial committee determine that the wrongdoer is genuinely repentant, they should inform him of the decision, the judicial restrictions, and whether the reproof will be announced to the congregation. They should also give reproof from the Scriptures, showing the seriousness of the wrongdoing and the minor sins that may have led up to it. Reproof is defined as “that which is designed to convince others of their having erred, in order to move them to acknowledge their mistakes and correct these.” (*it-2* p. 780) Hence, judicial reproof includes more than just making a decision and announcing it to the congregation. It involves reinforcing the wrongdoer’s resolve to do what is right. In the Bible, the original-language word for reproof comes from a verb meaning ‘to show plainly, point out by facts, demonstrate, show by evident or convincing reasons or arguments.’ Helpful suggestions should be given to help him make needed adjustments. If witnesses testified during the hearing, they may be invited to hear the Scriptural reproof. In this way the wrongdoer is reproofed “before all onlookers.” (1 Tim. 5:20) The judicial committee should pray with the repentant wrongdoer before concluding the hearing. As soon as possible after the hearing, a brief summary of the case should be prepared and signed by the judicial committee. (See 22:21-27.) The body of

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elders should be updated on the results of the hearing, including what restrictions will be imposed and whether any announcement will be made to the congregation.

19. In all cases of judicial reproof, the wrongdoer is disqualified from special privileges, such as pioneering or offering congregation prayer, until he has made further spiritual progress. This also includes other congregation assignments that might be given to those who are exemplary. In addition, some judicial restrictions should be imposed by the judicial committee in all cases of judicial reproof. Judicial restrictions may include not commenting at congregation meetings and not presenting student assignments on the midweek meeting. When the elders inform a repentant wrongdoer of restrictions, it would be helpful to tell him the date of the next meeting, at which time his progress will be reviewed.—See 16:22

20. The judicial committee determines whether the reproof will be announced to the congregation. Reproof should be announced in the following situations:

(1) The sin is widely known or will likely become known in the congregation or community. In such cases, an announcement will safeguard the reputation of the congregation. For example, in a case of adultery, an innocent mate may lean toward forgiveness but is not ready to resume sexual relations at the time that the judicial committee concludes the case. (*w16.08* p. 12 par. 15) If the possibility of a Scriptural divorce still exists, an announcement would protect the reputation of the congregation and that of the innocent mate.

(2) The judicial committee has specific reasons to believe that the congregation needs to be on guard concerning the repentant wrongdoer. For example, in a case involving child sexual abuse, announcing the reproof of a repentant wrongdoer will serve as a protection for the congregation.—See 14:19.

21. The coordinator of the body of elders should approve the announcement before an elder reads it to the congregation at the next midweek meeting. It should read as follows: “[Name of person] has been reproofed.” The announcement should be made in only one congregation. Restrictions are not announced.

22. The judicial committee should monitor the spiritual progress of the repentant wrongdoer and be alert to remove judicial restrictions gradually as he recovers spiritually. It may be discouraging to the repentant wrongdoer if restrictions are imposed for a prolonged period. In most cases, the elders will remove some or even all of these restrictions before many months have passed. The committee should use good judgment in determining if there is a need to consult with other elders on the body before removing any restrictions. (Prov. 15:22) In all cases, the body of elders should be informed when any restrictions are removed. (See 22:21-27.) When an elder serving on the original committee moves or is no longer serving as an elder, the body of elders will select a replacement to monitor the wrongdoer’s progress. If the wrongdoer moves before the committee lifts all of his restrictions, the new congregation should receive sufficient details so that the elders can evaluate his true spiritual condition. The elders should provide the type of information and details they would appreciate receiving if the individual was moving into their congregation. (If the wrongdoing involved child sexual abuse, see Chapter 14, paragraphs 26-27.) The elders of the new congregation should choose two or three elders to continue to monitor the wrongdoer’s progress and lift the remaining judicial restrictions.

23. In some cases the body of elders may feel that it is necessary to warn the congregation about the type of wrongdoing by means of a Scriptural talk. A member of the judicial committee

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should generally give the talk. He should explain the wrongness of the conduct and how to avoid it but without saying anything that would connect the wrongdoer with the type of sin under discussion. In the case of an announced reproof, the elders should wait a few weeks before giving such a talk; when the reproof is not announced to the congregation, there is no need to wait.

24. Generally, once a case has been concluded, no further judicial action would be taken. However, as an exception, the case might be reopened if *within a few days of the decision* new information comes to light that strongly indicates that the wrongdoer was not genuinely repentant. Perhaps he gave misleading testimony or purposely omitted important facts during the hearing. If so, two elders from the committee should contact the Service Department for direction. If the committee is directed to reopen the case, the individual would be informed of any new evidence and would be allowed to present his side of the matter.

25. If the person again engages in serious wrongdoing after the judicial committee renders a decision and completes the case, the body of elders should meet and select a new judicial committee. There may be advantages to assigning the same elders who served on the original committee, if they are available and still qualify.

IF THE DECISION IS TO DISFELLOWSHIP

26. If the wrongdoer lacks genuine repentance, he should be disfellowshipped. The committee should inform him of this decision and express their hope that he will change his ways and in time qualify to return to Jehovah’s organization. (2 Cor. 2:6, 7; *od* chap. 14 pars. 25-28; *rj* pp. 10-14) In a kind and positive way, the committee may read an appropriate concluding scripture such as Isaiah 1:18; 2 Corinthians 7:10, 11; or Hebrews 12:5-7, 11. In addition, the following information should be conveyed orally to the person:

- (1) Explain the need for repentance as well as what steps he can take toward being reinstated in due time.
- (2) Inform him that he may send a letter of appeal to the judicial committee within seven days if he feels a serious error in judgment has occurred. The judicial committee should neither encourage nor discourage him from doing so.
- (3) Inform him that he may obtain a personal copy of the magazines and other literature, including special-request items, at the Kingdom Hall.

27. Before dismissing the person, the elders should ask if he has any questions. After dismissing him, the judicial committee should conclude with prayer. As soon as possible after the hearing, a brief summary of the case should be prepared and signed by the judicial committee and the *Notification of Disfellowshipping or Disassociation (S-77)* form should be filled out, with the date of the announcement left blank. (See 22:21-27.) The body of elders should be informed of the committee’s decision.

28. If the unrepentant wrongdoer did not attend the judicial hearing, the judicial committee should make reasonable efforts to inform him orally of their decision, his option to appeal, and so forth. The elders should not leave such confidential information on an answering machine or voice mail or send it by way of e-mail, text message, or other forms of electronic messaging. If he does not cooperate with the efforts to inform him, two elders from the committee should contact the Service Department before making an announcement.

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29. The seven-day appeal period should be allowed to elapse even if the person states he does not wish to appeal. The coordinator of the body of elders should approve the announcement before an elder reads it to the congregation at the midweek meeting. It should read as follows: “[Name of person] is no longer one of Jehovah’s Witnesses.”

30. Disfellowshipping takes effect at the time of making the announcement to the congregation. In the interim before the public announcement, the wrongdoer should not be called on to comment or offer prayers at congregation meetings or care for any special privileges of service. The announcement should be made in only one congregation.

31. After the announcement is made to the congregation, the judicial committee should insert the date of the announcement on the *Notification of Disfellowshipping or Disassociation* form and send the form promptly to the Service Department.—See 22:21-27.

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Chapter 22 Correspondence and Records

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JW.ORG E-MAIL

1. It is recommended that elders check their jw.org e-mail inbox at least once each week. Confidential information should not be sent using outside e-mail providers. Use of jw.org e-mail is governed by the “Terms of Use” policy available on jw.org.

2. When the elders in one congregation need to write to the body of elders of another congregation, it is usually best that they send the correspondence to the congregation’s jw.org e-mail address rather than to the address of a specific elder. When correspondence is received, the coordinator of the body of elders and secretary should work together to ensure appropriate follow-through. They should also ensure that all elders have access to correspondence directed to the body of elders.

3. When electronic communication is possible, correspondence and forms should be sent to the branch office using jw.org rather than postal mail. Correspondence to the branch office on behalf of the body of elders is usually sent by the secretary. Confidential reports, such as the *Notification of Disfellowshipping or Disassociation (S-77)* form, would usually be sent to the branch office by one of the elders handling the matter.

4. Unless instructed otherwise, there is no need to sign correspondence or forms sent using jw.org e-mail. However, the names of the brothers who read and approved the correspondence should appear. Correspondence sent to the branch office as an attachment should be in a commonly used format, such as Microsoft *Word* or PDF. For a routine matter, such as an inquiry on the status of a literature request, the message may be typed directly into the body of the e-mail rather than attaching a separate document.

LETTERS OF INTRODUCTION

5. When a publisher (active or inactive) moves to another congregation, a letter of introduction and the *Congregation’s Publisher Records (S-21)* should promptly be sent to the new congregation. (See *Instructions for Congregation Use of JW.ORG [S-135]* regarding the transfer of congregation person records.) The Congregation Service Committee may take the

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initiative and send these items without waiting for a formal request from the new congregation. If a person who has been accused of child sexual abuse (established or not) moves to another congregation (even temporarily), see Chapter 14, paragraph 26. If a publisher regularly moves away to live at a second residence, follow the applicable direction in Chapter 8, paragraph 14.

6. A letter of introduction should contain the following information:

- (1) The date of the letter.
- (2) The sending congregation’s full name.
- (3) The sending congregation’s postal address or jw.org e-mail address.
- (4) The receiving congregation’s full name.
- (5) The receiving congregation’s postal address or jw.org e-mail address.
- (6) The names of the three elders (usually the service committee) who approved the letter.
- (7) The publisher’s full name, the names of any immediate family members, and any privileges the publisher or his family members moving with him have enjoyed (such as presenting student assignments on the midweek meeting or serving as an elder or ministerial servant, an auxiliary or regular pioneer, a local design/construction volunteer, or a remote Bethel volunteer or Bethel consultant), and whether the elders recommend that they retain such privileges.—See 8:12.

7. Additionally, elders should ask themselves: ‘What information would we want to receive if this person moved into our congregation?’ (Matt. 7:12) If a person is under judicial restrictions, the elders in the new congregation should be informed of these. If a person was reprovved or reinstated in the distant past but is not presently under restrictions, there may be no need to mention past judicial action unless the offense involved entering into an adulterous marriage or some other notorious wrongdoing.—See 12:10-11.

8. The publisher’s new congregation should retain the letter for no longer than five years unless there is a need to keep it longer. For example, if an individual entered into an adulterous marriage, the letter should be retained for as long as the innocent former mate is alive, is unmarried, and has not been guilty of sexual immorality (*por-nei’a*).—See 12:10-11.

DISFELLOWSHIPED OR DISASSOCIATED INDIVIDUALS WHO MOVE

9. If the elders learn that a disfellowshipped or disassociated person has moved, they should not send the *Congregation’s Publisher Records* (S-21), the confidential file, or any correspondence about the person to another congregation. The congregation that took the disfellowshipping action or acknowledged the disassociation should retain the confidential file. If a disfellowshipped or disassociated person who moves is taking steps to be reinstated and would like for the elders in the new congregation to be informed, then two elders from each congregation should communicate orally about the matter. This will help the elders in the new congregation to continue to render spiritual assistance.—See Chapter 14, paragraph 26, for direction regarding a disfellowshipped or disassociated individual accused of child sexual abuse who moves and is attending meetings; see Chapter 19, paragraphs 13-16, for direction on communication between committees when an individual requests reinstatement.

CONGREGATION FILE

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10. Confidentiality and Security: The congregation file should be kept locked in a place that is safe and secure, preferably at the Kingdom Hall. Any ministerial servants substituting as members of the Congregation Service Committee should not have access to confidential records, such as correspondence regarding the appointment and deletion of elders and ministerial servants and judicial records. (See 2:2.) Each elder desiring to have a key to the file should be provided one. However, if the Kingdom Hall is particularly vulnerable, then such records may be kept in a locked cabinet in the home of an elder to prevent unauthorized entry. The service committee should plan how to protect and preserve congregation records and confidential files in the event of a disaster.—See 26:4.

11. Categories: For items that need to be retained in the congregation file, the following categories should be used. (Additional categories may be used as needed.)

- Accounts
- Applications
- Circuit Overseer’s Report on Visit
- Confidential Records (sealed envelopes)
- Elders and Ministerial Servants
- Kingdom Hall
- Letters of Introduction
- Territory

12. Field Service Records: The *Congregation’s Publisher Records* (S-21) belong to the local congregation. Each branch office provides direction to bodies of elders on whether to retain the records electronically or in printed form. If the records are retained electronically, the body of elders decides whether to use the form provided by the branch office or some other method that displays the same information in the same format. The congregation’s field service records should contain at least 13 months of activity but no more than 36 months. (*od* chap. 8 par. 30) The file is divided into two sections—“Active” and “Inactive.” The section for active publishers should be arranged alphabetically, with the records subdivided into sections for (1) regular and special pioneers and field missionaries and (2) all other publishers. The section for all other publishers should be arranged by field service group. Additionally, three separate *Congregation’s Publisher Records* should be filled out to reflect the combined monthly totals for (1) all regular and special pioneers and field missionaries, (2) all auxiliary pioneers, and (3) all other publishers.

13. The congregation’s report should be submitted to the branch office no later than the 20th day of the month. If a publisher turns in his report late, it should be added to the congregation’s report for the following month and the “Number Reporting” figure should be adjusted accordingly. Individual reports should be posted on the *Congregation’s Publisher Records* for the month shown on the report slip, regardless of when the report is received or when it is included in the congregation’s report submitted to the branch office. A publisher is not considered irregular because of a late report.

14. If the Congregation Service Committee has granted a publisher with very limiting circumstances permission to report field service in 15-minute increments, the secretary should keep track of these fractions of hours and carry them over to the following month if they total

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less than an hour. (*od* chap. 8 par. 29) Whenever the sum of these fractions adds up to a full hour, the secretary should include that hour with the congregation’s report. Publishers who have questions about what to report should be encouraged to review chapter 8, paragraphs 23-29, of the *Organized* book.

15. Regular pioneer reports are handled in the same way as other publisher reports. Hour credits for pioneers should be written in the “Comments” section of their *Field Service Report* (S-4) slips and should not be included with the congregation’s report submitted to the branch office. (See Chapter 9, paragraphs 11-13, for direction on hour credits for pioneers.) Since special pioneers, field missionaries, and other special full-time servants in the field report their field service activity to the branch office directly, their reports are not included with the congregation’s report. However, their activity should be posted on the *Congregation’s Publisher Record*.

16. *Field Service Report* slips should be destroyed after being tabulated and posted on the *Congregation’s Publisher Records*. A record of the last 12 months of field service activity of an inactive publisher should be retained. A record of the last 12 months of field service activity of a disfellowshipped or disassociated person should be retained in the sealed envelope.

17. While the *Congregation’s Publisher Records* may be kept by the secretary, they are to be made available to the other elders as needed.—See 7:2.6.

18. Meeting Attendance Records: The body of elders decides whether to retain *Congregation Meeting Attendance Records* (S-88) electronically or in printed form. If the records are retained electronically, the body of elders decides whether to use the form provided by the branch office or some other method that displays the same information in the same format. After the information contained in the *Report of Meeting Attendance* (S-3) slip has been transferred to the *Congregation Meeting Attendance Record*, the slip should be destroyed. The congregation’s meeting attendance records should contain at least 13 months of attendance but no more than 36 months.

19. Appointment and Deletion of Elders and Ministerial Servants: Records related to the appointment and deletion of elders and ministerial servants should be retained indefinitely. This would include past S-2 forms and S-52 acknowledgment letters from the branch office and letters of appointment and deletion from circuit overseers. In connection with any deletion, a brief explanation of the reason for the brother’s deletion should also be kept. Such background material will be helpful in supplying the circuit overseer with complete details in the event a brother is recommended for reappointment in the future.

20. Report on Circuit Overseer’s Visit With Congregation (S-303): Only the most recent report is retained.

21. Judicial Files and Other Confidential Reports: After a judicial committee, an appeal committee, a committee handling a request for disassociation, a reinstatement committee, or one or two elders handling a matter of wrongdoing have met with an individual, a brief summary of the proceedings is prepared and signed by the elders involved. The summary should be prepared regardless of the outcome of the meeting, for example, if the case was dismissed because of lack of evidence. (See 12:41-42.) The summary should include only pertinent facts and the final determination of the person’s standing in the congregation; it should not contain personal opinions. Any personal notes should be destroyed. No judicial information should be posted on *Congregation’s Publisher Records* (S-21).

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22. If the matter involves a *disfellowshipping, disassociation, or reinstatement*, the elders handling the case should ensure that only the following documents are placed in a sealed envelope:

- (1) Brief summary of the proceedings.
- (2) *Notification of Disfellowshipping or Disassociation (S-77)* form.
- (3) *Congregation’s Publisher Records* if not reinstated.
- (4) Any correspondence to or from the branch office regarding the wrongdoer.
- (5) Any letters requesting reinstatement.
- (6) Any letter of disassociation.

23. If the matter involves *judicial reproof or another matter involving wrongdoing handled by one or two elders*, the elders involved should ensure that the sealed envelope contains only the brief summary and any correspondence to or from the branch office regarding the wrongdoer.

24. The following information should be written on the front of the sealed envelope:

- (1) Name of the individual.
- (2) Action taken by the congregation, if any, and the date of such.
- (3) Any judicial restrictions imposed and the date the restrictions are removed.
- (4) Names of the elders who handled the matter.
- (5) The words “Do Not Destroy” for matters involving accusations of child sexual abuse (established or not).

25. The sealed envelope should be placed in the congregation file by the secretary. If there is a need to open these files in the future, such as in connection with a plea for reinstatement, this should be done only by the elders who are assigned by the body to handle the matter.

26. The sealed envelopes containing records on individuals who have not been reinstated should be kept indefinitely. If the person has been reinstated a full five years or has died, usually the file should be destroyed unless the case involved an accusation of child sexual abuse or an adulterous marriage or the committee believes there is some other reason to retain it. The same retention policy applies to records involving judicial reproof and wrongdoing handled by one or two elders. If it is determined that a sealed envelope should be retained after an individual has died, the date of death should be written on the outside of the envelope. If one or more of the elders who handled a specific case are no longer available, the Congregation Service Committee will assign other elders to determine if the file should be retained.

27. If a person entered into an adulterous marriage, the file should be kept for five years after the judicial action and thereafter as long as the innocent former mate is alive, unmarried, and has not been guilty of sexual immorality (*por-nei’a*).—See 12:10-12.

USE OF ONLINE STORAGE SERVICES

28. There is no objection to using online storage services for nonconfidential documents, such as those containing information that would be posted on the information board. However,

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information of a sensitive or confidential nature, including judicial matters, should never be stored online.—See 21:34.

APPLICATIONS

29. The My Profile and My Applications features on jw.org are the primary means for exemplary baptized publishers to submit applications to serve as regular pioneers, to assist with theocratic construction projects and disaster relief, to serve at Bethel, or to attend the School for Kingdom Evangelizers. If a publisher wishes to submit an online application and does not already have access to the My Profile and My Applications features, he should be directed to the congregation secretary. The secretary should consult with the other members of the Congregation Service Committee to determine whether the person is considered exemplary.—See 2:4 and *Instructions for Congregation Use of JW.ORG* (S-135).

30. If the service committee determines that the prospective applicant is exemplary but he wishes to submit a printed application, the service committee should provide a copy of the appropriate application as well as any additional documents he needs to review before submitting the application. If he is applying to assist with theocratic construction projects and disaster relief or for Bethel service, the service committee should arrange for him to view the appropriate videos.

31. When a publisher submits an application for any service privilege, the service committee should obtain comments from the appropriate group overseer and then meet promptly to consider the applicant's qualifications. The service committee should use good judgment in determining when it would be wise to confer with the other elders. (Prov. 15:22) Once the service committee has decided whether to provide a favorable recommendation or not, the body of elders should be updated on how the matter was handled. This should be done before the application is submitted. (See Chapter 9, paragraphs 1-3, for direction on processing regular pioneer applications.) If it is decided that the applicant cannot be given a favorable recommendation, two members of the service committee should meet with him and kindly explain the reasons. The two elders should also provide helpful guidance to the publisher so that he knows what he needs to do in order to qualify in the future.