



against both the Presbytery of East Tennessee and the Synod of Living Waters over an alleged irregularity

on the part of the Presbytery and the alleged failure of the SPJC to address the substance of the complaint in the appeal of the disciplinary matter. The Moderator and other members of the Commission have determined that this Commission does not have jurisdiction over a remedial case filed against the Presbytery and that the Complainant does not have standing to file a case against the Synod.

Further this Commission reiterates its holding in *Evans vs. Presbytery of Lake Michigan, Minutes, 1995, 121*, that a remedial case may not be used to attack a disciplinary case determination.

IT IS HEREBY ORDERED that the motion to assume jurisdiction is denied and the remedial case is dismissed.

This Commission notes for the record that the Manager of Judicial Process is available to all parties and does not sit with the Commission in its deliberations.

Dated this 9th day of February, 1997.

\*In adopting amendments to the Form of Government and Rules of Discipline, the 208th General Assembly (1996) affirmed this Commission's request that all cases filed before the adoption of the amendments be adjudicated in accordance with the Rules of Discipline then in effect. Therefore, we consider this case in accordance with the 1995-1996 version of the Rules of Discipline. All references in this decision shall be to the 1995-1996 Rules of Discipline.