

**THE PERMANENT JUDICIAL COMMISSION  
OF THE GENERAL ASSEMBLY  
OF THE PRESBYTERIAN CHURCH (U.S.A.)**

Carl James Sohn and Hang Mo Koo,	)	
Complainants, Appellants,	)	
	)	
v.	)	<b>ORDER OF DISMISSAL</b>
	)	
Session of Serone Church (formerly Korean	)	Remedial Case 216-14
Independent Presbyterian Church),	)	
Respondent, Appellee.	)	

**History**

This remedial case came before this Commission on an appeal filed by the Complainants/Appellants against decisions of the Permanent Judicial Commission of the Synod of Southern California and Hawaii (SPJC) dated November 22, 2003.

The Session of Serone Church (formerly Korean Independent Presbyterian Church), Respondent/Appellee, purported to exercise church discipline against Complainants/Appellants as members and officers of the church in removing them from membership. Complainants/Appellants filed a remedial complaint challenging as irregular these actions by the Session. Complainants/Appellants also filed an appeal from the disciplinary action of the Session.

The SPJC assumed original jurisdiction of both matters after Hanmi Presbytery failed to act. In its decisions of November 22, 2003, the SPJC concluded that the "Session . . . did not follow the required procedure for exercising church discipline of a member." The SPJC specifically found that the "record clearly indicates that the steps described in Chapters 10 and 11 of the Rules of Discipline were not followed." Therefore, the SPJC ordered the reinstatement of Complainants/Appellants to the roll of active members with all the rights, privileges, and responsibilities of membership, and further ordered that its decision be reported to, and the full decision entered upon the minutes of, Hanmi Presbytery.

The SPJC also dismissed the remedial complaint filed by Complainants/Appellants as moot, reasoning that "[t]his decision has acknowledged irregularity in the proceedings and reversed the [Session's] decision" so that "no further process is required."

The Session appealed the SPJC's reversal in the disciplinary cases. The Session has now, however, complied with the SPJC's decision and reinstated Complainants/Appellants to full membership and office. Having received written verification of these official actions by the Session, this Commission has permitted the withdrawal of the Session's appeals and dismissed those disciplinary matters.

This Commission finds that Complainants/Appellants have standing to file the appeal, that the appeal papers were properly and timely filed, and that the appeal states one or more grounds for appeal set forth in D-8.0105. However, because the Session has corrected the irregularities challenged in the remedial complaint by restoring Complainants/Appellants to membership and office, this Commission further finds that this matter is moot, and it therefore lacks jurisdiction. (D-8.0301)

### **Order**

This Commission orders that the appeal in this remedial case be dismissed as moot.

IT IS FURTHER ORDERED, that the Stated Clerk of the Synod of Southern California and Hawaii report this decision to the Synod at its first meeting after receipt, that the Synod enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

IT IS FURTHER ORDERED, that the Stated Clerk of the Hanmi Presbytery report this decision to the Presbytery at its first meeting after receipt, that the Presbytery enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

IT IS FURTHER ORDERED, that the Clerk of Session of Serone Church report this decision to the Session at its first meeting after receipt, that the Session enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

The following members were not present and took no part in the Order: June Lorenzo, and Mildred Morales. Leon Fanniel was recused in this matter.

Dated the 15<sup>th</sup> day of May, 2004.

### **Certificate**

We certify that the foregoing is a full and correct copy of the Order for Dismissal of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Disciplinary Case 216-14, Carl James Sohn and Hang Mo Koo, Complainants/Appellants, v. Session of Serone Church (formerly Korean Independent Presbyterian Church), Respondent/Appellee, made and announced at Louisville, Kentucky, on May 15, 2004.

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Jane E. Fahey, Moderator  
Permanent Judicial Commission of the General Assembly

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Ernest E. Cutting, Clerk  
Permanent Judicial Commission of the General Assembly

I certify that I did transmit a certified copy of the foregoing to the following persons by UPS Next Day Air, directing C. Laurie Griffith to deposit it in the mail at Louisville, Kentucky, on May 17, 2004.

Carl James Sohn, Individually and as Counsel for Hang Mo Koo  
Byung Chil Kim, Clerk of Session, Serone Church  
Bryan Hance, Counsel for Serone Church  
Christopher Pae, Stated Clerk, Hanmi Presbytery  
Margaret Wentz, Stated Clerk, Synod of Southern California and Hawaii  
General Assembly Permanent Judicial Commission (regular mail)

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) by delivering it in person to C. Laurie Griffith on May 16, 2004.

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Ernest E. Cutting, Clerk  
Permanent Judicial Commission of the General Assembly

I certify that I received a certified copy of the foregoing, that it is a full and final correct copy of the decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.), sitting during an interval between meetings of the General Assembly at Louisville, Kentucky, on May 15, 2004, in Disciplinary Case 216-14, Carl James Sohn and Hang Mo Koo v. Session of Serone Church (formerly Korean Independent Presbyterian Church) and that it is the final judgment of the General Assembly of the Presbyterian Church (U.S.A.) in the case.

Dated at Louisville, Kentucky, on May 16, 2004

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C. Laurie Griffith  
Manager of Judicial Process and Social Witness