

Can a church ever file a lawsuit?

Question: Can a church or Christian use attorneys, civil courts, and law suits?

Answer: Yes.

It is troubling for many to think that any Christian church would ever find it necessary to employ an attorney or to use civil courts to file a law suit. After all, doesn't the Bible say Christians shouldn't sue other Christians? There is a significant scripture that brings up this important question.

1 Corinthians 6:1-8 If any of you has a dispute with another, dare he take it before the ungodly for judgment instead of before the saints? Do you not know that the saints will judge the world? And if you are to judge the world, are you not competent to judge trivial cases? ... Therefore, if you have disputes about such matters, appoint as judges even men of little account in the church! I say this to shame you. Is it possible that there is nobody among you wise enough to judge a dispute between believers? But instead, one brother goes to law against another - and this in front of unbelievers! The very fact that you have lawsuits among you means you have been completely defeated already. Why not rather be wronged? Why not rather be cheated? Instead, you yourselves cheat and do wrong, and you do this to your brothers.

First, that scripture must be read in the entirety of its context and the broader context of the whole Bible. It is clear that Christians should not rush into courtrooms as a first approach to disputes. However this is directed specifically at judging "trivial cases".

However, this scripture does not prohibit all use of civil courts by Christians and churches. Before examination of that single reference, others scriptures ought to be put on the table for a student of the Bible.

Who wrote these words in 1 Corinthians 6:1-8? Answer: The Apostle Paul.

This same Apostle Paul did use civil authorities in his own defense on other occasions. It was not in trivial matters. However, he did call on civil authorities for his own protection against a threat to his life and an extreme violation of his personal rights as a citizen of Rome. There is a long discussion of Paul's own personal legal defense that is described from Acts 22:22 all the way through the end of Acts chapter 28.

In these chapters, here is one of three places Paul appealed to civil law for his protection.

The next day he convened the court and ordered that Paul be brought before him. 7 When Paul came in, the Jews who had come down from Jerusalem stood around him. They brought many serious charges against him, but they could not prove them. 8 Then Paul made his defense: "I have done nothing wrong against the Jewish law or against the temple or against Caesar." 9 Festus, wishing to do the Jews a favor, said to Paul, "Are you willing to go up to Jerusalem and stand trial before me there on these charges?" 10 Paul answered: "I am now standing before Caesar's court, where I ought to be tried. I have not done any wrong to the Jews, as you yourself know very well. 11 If, however, I am guilty of doing anything deserving death, I do not refuse to die. But if the charges brought against me by these Jews are not true, no one has the right to hand me over to them. I appeal to Caesar!" 12 After Festus had conferred with his council, he declared: "You have appealed to Caesar. To Caesar you will go!" - Acts 25:6-12

In another clear teaching, Paul underlines the God-given role of civil authority. He writes about the valuable role of government, military, police, and our court system. He wrote this to a church and Christians in Rome. Even the Roman legal system - with all its problems, injustices and potential for abuse of power - was described as God's servants. See Romans 13:1-7.

So when can a church or Christians use an attorney or civil courts?

First, efforts should be made to honor the teachings of Matthew 18:15-17. Jesus says that in conflict we should first go to that person directly. If that doesn't work, seek other witnesses to help in communication. Finally, there are unfortunate, but necessary steps of discipline.

Other scriptures instruct that elders of the local church must "guard the flock" like shepherds who are assigned to protect sheep under their care. This protection includes addressing false teaching and people who are divisive. Paul wrote "Warn a divisive person once, and then after a second time, have nothing to do with them." Titus 3:9-10

In conclusion, we submit that by the teaching of the Bible that there is a place for discipline by the eldership of its members. We believe that spiritual matters of sin should be addressed within the spiritual context of believers. However, we believe that if a false accusation is made of criminal charges against a Christian leader, this may be dealt with, as a last resort, through the civil legal system. That process is called a "civil law suit" and it is a rare, but appropriate system to handle criminal charges. To represent a church or church leader in a civil case, it is wise to seek the expertise of an attorney to give counsel and representation for that complex process.