

IMPLEMENTING GUIDELINES FOR THE DEPARTMENT OF MINISTRY For the Review Process

(Note: the steps referred to below are the steps of "A Process for Review of Ministerial Standing.")

Step One of the Process -- Written Allegations: The Department of Ministry, through the Chairperson, shall insure that the person making allegations about a particular professional church leader receives a copy of the "Implementing Guidelines for those Making Allegations" and a copy of the "Region's Process for Review of Ministerial Standing". In the event that written allegations are made, the Department of Ministry, through the Chairperson, shall insure that the written allegations are:

- clearly stated, specific, and signed,
- clearly related to one or both of the grounds for action.

When allegations are made about a particular professional church leader, the Department of Ministry through the Chairperson, shall insure that the person is informed and that he or she receives a copy of the "Guidelines for the Minister in Question," as well as a copy of the "Region's Process for Review of Ministerial Standing."

At every step of this process, the Department of Ministry shall seek to work in close cooperation with the Executive Minister of the Region or another staff person who may be designated to work with the Department of Ministry.

There are two principles which ought to guide the process:

- *Concerns for the spiritual health and vitality of the church are at the heart of the process. This means that the pastoral concern for both the minister in question and the church body may call for times in which such care may be given for either or both, the individual and the group.*
- *The hearing shall be fair, impartial, and confidential for the person in question, the persons making the allegations, and the wider church family. While this is a church process and not a civil or criminal proceeding, it is to be fair, impartial, and confidential. This means that the nature of allegations must be clearly understood, that the minister in question is given adequate opportunity for response, that all persons are aware of the process that will be followed, and that all people involved will maintain confidentiality.*

When these kinds of allegations are made, the Department of Ministry, through the Chairperson, shall inform those making the allegations about the process which shall be followed, calling particular attention to the meaning of the preamble and the second step, which calls for pastoral intervention. The nature of the Preliminary Exploration needs to be clarified, since those making the allegations will not be present.

The Preliminary Exploration allows for several possibilities. There is a pastoral role which may be played with the person in question. There is the danger that this full process may be used inappropriately to accuse professional church leaders, when the issues may have more to do with style of ministry and theological position than is apparent in the allegations. If the goal is to work for reconciliation and healing (for both the professional church leader and the church), the Preliminary Exploration may provide a more informal process for finding a way to accomplish this.

Adopted by the National Commission on the Ministry, January 18, 1991

Revised: January 23, 1993

* Edited by the Ministerial Leadership Commission, March 15, 1995

It is important, even at this early stage, to uphold the value of confidentiality. There are several reasons for this. From the perspective of the church, the possibility of healing and reconciliation may be damaged if the allegations become the subject of gossip. From the perspective of legal problems, there are those who believe that the church is most vulnerable to law suits if the issue is made public and not kept within the church. Therefore, at all stages, the Region staff should help all participants in the process to understand the need for confidentiality in this matter.

Step Three of the Process -- Informing the Person of the Allegations: The Department of Ministry, through the Chairperson, shall insure that proper written notice is given to the person in question. This shall include a copy of "A Process for Review of Ministerial Standing," a copy of the written allegations, a copy of the "guidelines for the minister in question," and an invitation to meet with the Department of Ministry for the Preliminary Exploration. There should be both a formal and a personal element to this notice. The formal notice should be sent by certified mail (and the receipts preserved for the record).

Step Four of the Process -- Preliminary Exploration: The Preliminary Exploration, as noted above, is a more informal process that seeks to find reconciliation and healing in the process of exploring whether or not there is sufficient cause to proceed with a full review hearing. That is a difficult balance to achieve. The Department should remember that they are not being asked to 'decide about recognition of ordination' at this stage, but only whether or not there is a need for a full hearing.

Two things should be noted. First, the Department will be dealing with the written materials of those who are making the allegations, while having either written or personal presentations from the person in question. Second, the Department may choose to delegate the responsibility to a smaller, representative group in order to facilitate the process. (In some Regions it will be possible, and maybe even helpful, to separate the functions of the Preliminary Exploration from the Review Hearing. This might mean having a part of the Department or a designated group serve as the small panel for the Preliminary Exploration while the rest of the Department serves as the panel for the Review hearing. In some Regions, for a number of reasons, this may not be possible. The process allows for either choice).

When a member of the Department, or a member of the Region staff is involved in making the allegations (as will be appropriate, at times), the role of that person needs to be clarified. (That person may need to be a part of those making the allegations, and therefore not participate with the Department in its questioning of persons or its deliberation.) If the church of the person in question has not been involved in the process up to this point, and there is to be a review hearing, appropriate church officers should be informed of the review hearing.

Step Five of the Process -- Review Hearing Notice: The Department of Ministry, through the Chairperson, shall insure that proper notice is given (as described above) to all parties.

Step Six of the Process -- the Review Hearing: The Department of Ministry will need to prepare for the review hearing by going over the process and assigning responsibilities for the various parts. The nature of this hearing and its importance in the lives of both the church and the individuals call for sensitive preparation.

The underlying principle of the civil and criminal court system is that truth is best found in an adversarial arena. This means that both sides work very hard to defeat the other side on the assumption that truth is stronger. Within the church, we seek to hold to the "spiritual health and vitality of the church" (the whole church, the person in question, his or her accusers, and the wider church).

Thus, the beginning assumption is not "truth-through-adversarial-combat;" rather, we begin with the assumption of a process which is fair to all sides and seeks reconciliation and healing. Beginning with assumptions about relationships (rather than abstract "truth"), the church process outlined resembles more closely a debate process than a courtroom setting.

A critical part of the planning for the hearing involves the assigning of time limits to the various parts. This will undoubtedly require a balancing of the needs to give the participants adequate time to make their presentations with the time constraints with which the Department of Ministry must deal. However much time is allowed, it must be seen as essentially fair for both sides. When the time limits have been determined, they should be communicated to all the participants with sufficient lead time so they may prepare for the hearing.

As the Department prepares for its deliberation, the following options may help illustrate the rang of decisions which are possible:

- "No, the charge is unfounded." The outcome could be that the allegations brought about the person are found to be unwarranted and that no disciplinary action is called for. When this is the outcome, recognizing the harm that the accusation may have caused, public notice shall be given, as well as pastoral support provided to the person accused. In some instances there may be some necessity of taking steps to stop the person(s) from making continued allegations.
- "No, the charge about the person's fitness for ministry has not been proven, but some action is prescribed." The outcome could be that the allegations brought about the person result in a plan for the growth and development of the person in his or her ministry. The person may or may not continue in his or her present position while undertaking the prescribed developmental work.
- "The Department of Ministry makes no finding about the allegations and allows the person to voluntarily relinquish the recognition of his or her ordination." In this case, the person is allowed to request that recognition be withdrawn.
- "Yes, the charge is sustained and the person is censured." Censure may be an official statement by the Department of the church's disapproval of a behavior as unbecoming a professional church leader. Censure may be offered as a warning, indicating that further similar conduct is unacceptable and could lead to suspension or withdrawal of recognition of ordination.
- "Yes, the charge is sustained and the person is suspended." Suspension for a period of time in order to implement a program prescribed by the Department or to underscore the seriousness of the offense. For example, a person could be suspended while undergoing a program of psychological testing and counseling. The suspension should clearly state the period of time and conditions of the suspension.
- "Yes, the charge is sustained and the recognition of the person's ordination is withdrawn." In this case the Department votes to withdraw recognition of the person's ordination. (Note: there may be times in which the Department will choose this last option, even though the person is asking the Department of Ministry to allow him or her to voluntarily relinquish the recognition of ordination.)

Adopted by the National Commission on the Ministry, January 18, 1991

Revised: January 21, 1993

* Edited by the Ministerial Leadership Commission, March 15, 1995

Step Seven of the Process -- Notification of Decision: The Department of Ministry, through the Chairperson, shall insure that proper notice of the decision shall be given to all parties, or their representatives, within fifteen (15) days of the hearing. When the decision involves the status of recognition, the Department, through the Chairperson, shall insure that proper notice is given to all appropriate bodies.

*Effective January, 1, 1994, the National Commission on the Ministry was renamed the Ministerial Leadership Commission.

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