

American Baptist Churches of Pennsylvania and Delaware

AN ECCLESIASTICAL PROCESS FOR REVIEW OF MINISTERIAL STANDING

Introductory Statement:

The American Baptist Churches of Pennsylvania and Delaware (ABCOPAD) is committed to the highest biblically based standards for Christian conduct on the part of all its ministerial leaders. We will not tolerate clergy misconduct. We encourage our constituency to live out Paul's words to the Corinthian church "giving no offense in any thing that the ministry be not blamed; but in all things proving ourselves as God's ministers." (II Corinthians 6:3-4) We ask our people to truly reflect the person of Jesus Christ, and provide the highest standard for human dignity, integrity, and honesty in all relationships.

In the context of ongoing care for churches and their ministerial leaders, there may be occasions in which allegations may be raised about a particular ministerial leader. ABCOPAD affirms its longstanding commitment to creating and maintaining an atmosphere where such allegations can be heard and dealt with under biblical guidelines, such as those found in Matthew 18:15-17. ABCOPAD seeks to strengthen the spiritual health and vitality of both its constituent churches and its ministerial leaders through the following process of ecclesiastical review.

The ABCOPAD Commission on Ministerial Leadership is charged with the responsibility to uphold professional standards of conduct among those it recognizes as ministerial leaders within the Region. The Commission is responsible for the recognition of Ordination and Certification and for the church's review of recognition of Ordination and Certification.

It must be stated that this is an ecclesiastical process to be conducted within the confines of the church's structure and polity. It is NOT a legal process. Hence, the parties involved are not bound by the dictates of the judicial system. ABCOPAD is, and will remain, committed to justice and fairness for all concerned. As an ecclesiastical process, there is no official role or place for attorneys in this review process. If any parties wish to seek legal counsel, they must do so outside the official review process. Attorneys are not permitted to participate in the preliminary exploration, the Review Hearing itself, or the appeal process.

**AN ECCLESIASTICAL PROCESS
FOR REVIEW OF MINISTERIAL STANDING**

RECOMMENDED STEPS

Step One—Written Allegations: Formal allegations of professional misconduct shall be addressed to the Chair of the ABCOPAD Commission on Ministerial Leadership, with an additional copy to the Regional Executive Pastor. The allegations must be specific in their content, made in writing, and signed by the individual making the allegations. These allegations may be lodged from Region staff, other professional church leaders, or lay persons and should be related to the following categories:

- *Delinquency of a moral, ethical, or financial nature which brings the church into disrepute.
- *Violation of the expectation the church has for ethical behavior for its ministerial leaders as articulated in The Covenant and Code of Ethics for Ministerial Leaders of American Baptist Churches.

Stated allegations should not include issues of compatibility between a ministerial leader and his/her congregation.

Step Two—Pastoral Care: At such time as any allegations may be brought, ABCOPAD recognizes the need for ongoing pastoral care for the person or persons making the allegations, the professional church leader or Certified Lay Minister in question, their families (if any), and the congregation being served. Pastoral care will be coordinated by either members of the Region staff, or by members of the Commission on Ministerial Leadership, or by the Region Ministers Council.

Step Three—Informing the Person of the Allegations: The Commission on Ministerial Leadership shall inform the person in writing of the allegations, providing him/her with information about the review process, and requesting a meeting with the person for a preliminary exploration of the allegations. This preliminary exploration shall be held in a timely manner so that the parties involved may proceed with the recommended process as quickly as possible.

Step Four—Preliminary Exploration: The Commission on Ministerial Leadership shall delegate representatives who shall meet with the person making the allegations within 30 days of receiving written notice. The person making the allegations will be asked to clarify the allegations and respond to any questions.

In a separate meeting, the Commission on Ministerial Leadership, through its delegated representatives, shall meet with the individual in question to explore the allegations and determine what subsequent steps to take. Following each of these exploratory Hearings, the delegated representatives of the Commission on Ministerial Leadership may:

- a. Discover that there is no warrant for additional review and will exonerate the accused individual.
- b. When the individual accused acknowledges the allegations before the Commission's delegated representatives, the Commission will work with the individual in deciding which of the actions listed under Step 6c will be followed.

- c. In the event of an unusually grave or emergency situation, the delegated representatives may recommend to the Commission on Ministerial Leadership, a temporary suspension of the recognition of Ordination or Certification for a period not more than 90 days. During this suspension period, the Commission will convene a Review Hearing to consider the matter fully. Full notice of this decision shall be given to the individual in question and to the appropriate Regional bodies.
- d. When the accused individual disputes the allegations, either in full or in part, but is willing to work with the Commission's delegated representatives to develop a plan for dealing with the situation without utilizing the full process of the Review Hearing; the delegated representatives shall meet with the individual within 90 days to develop such a plan. Notice of this plan shall be given to the individual's Regional Minister with a copy sent to the Regional Executive Pastor.
- e. The review process may continue as follows if the Commission decides that there is sufficient testimony to the written allegations.

All persons involved are permitted to seek whatever counsel is appropriate, including legal counsel, in preparation for the preliminary exploration. However, attorneys are not permitted to act as legal counsel in the process of preliminary exploration. The Commission on Ministerial Leadership may find it appropriate to appoint new delegates for the Review Hearing.

Step Five—Notice of Review Hearing: When the Commission has scheduled a Review Hearing, all parties involved shall be notified. Information on the review process and how to prepare for it should also be included in the notification. The Review Hearing should take place not less than 30 days nor more than 90 days following notification.

The ministerial leader shall be supplied with a written copy of the allegations, a description of the Review Hearing procedure, and a notification of his/her rights, which include the right to be present, the right to present evidence including witnesses on his/her behalf, and the right to have an advocate present for the Hearing. This advocate may be clergy or lay, and is intended to provide support and assistance to the person throughout the process.

Step Six—The Review Hearing: is held by the Commission on Ministerial Leadership through its delegated representatives to thoroughly investigate the allegations.

- a. The Review Hearing shall be fair, impartial, and confidential—for all persons involved. The Commission may specify the amount of time allowed for presentation of the allegations, for the defense and for summary statements. If any of the persons notified of the Hearing fail to appear, the Commission may proceed with the review in their absence; however, the Commission will consider a reasonable request from either party for postponement.

All persons involved in the Review Hearing process are permitted to seek whatever counsel is appropriate, including legal counsel, in preparation for the Hearing. However, attorneys are not permitted to act as legal counsel in the Review Hearing process. It is not necessary for the person making the allegations to personally confront the person in question. The Review Hearing is an opportunity for the Commission's delegated representatives to hear all relevant information in order that it may reach a decision based on the presented information.

- b. The Review Hearing will proceed in this order:
 1. Opening statement
 2. Introduction

3. Statement on how the Hearing will be conducted
 4. Prayer
 5. Reading of the allegations
 6. Testimony and/or information in support of the allegations
 7. Testimony and/or information refuting the allegations
 8. Opportunity for response by those making the allegations
 9. Opportunity for response by the individual in question
 10. Questions by the Commission to any of those offering information, testimony, refutation, or response.
 11. Closing statement by those making the allegations or by his/her designated representative.
 12. Closing statement by the individual in question or by his/her designated representative.
 13. Prayer for continuing guidance and comfort for those involved in this situation, and for those who are given the responsibility to come to a decision.
 14. Executive session by the Commission's delegated representatives.
- c. Following the Hearing, delegated representatives will meet to deliberate and make a finding from the following options:

Make a finding that does not uphold the allegations

1. exonerate the individual
2. exonerate the individual and take steps to stop further allegations

Make a finding that upholds the allegations

1. develop a plan for addressing the issues short of censure, suspension of recognition of Ordination or Certification, or withdrawal of recognition of Ordination or Certification
2. allow the individual to voluntarily relinquish recognition of Ordination or Certification
3. censure the individual, but allow the recognition of Ordination or Certification to stand
4. suspend the recognition of the individual's Ordination or Certification
5. withdraw the recognition of the individual's Ordination or Certification

Step Seven—Notification of the Commission's Decision: The Commission will notify all parties of its decision within 15 days of the Review Hearing. In the event that the individual concerned is exonerated, that person shall receive a letter acknowledging this action, a copy of which shall also be sent to those making the allegations. In the event of suspension or withdrawal of recognition of Ordination or Certification, the ABCOPAD Commission on Ministerial Leadership shall also send notification of its decision to the ABCUSA Office of the General Secretary, the American Baptist Personnel Service, the Regional Executive Ministers Council, the Ministers and Missionaries Benefit Board, the national and Regional Ministers Councils, the original ordaining/certifying church or organization, the church being served at the time the allegations were made, the church or organization currently being served, and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition.

Step Eight—Appeal: Any individual whose recognition of Ordination or Certification has been suspended or withdrawn may, within 30 days, appeal to the Executive Committee of the ABCOPAD Board of Managers. The decision rendered by the Executive Committee of the ABCOPAD Board of Managers will be final.

Step Nine—Pastoral Follow-up: Once the review process has been completed, an intentional effort needs to be made at reconciliation and healing for all persons involved. The Region will seek to provide appropriate pastoral care for these individuals. The local church shall be encouraged to find ways to offer ongoing support and concern to the individuals involved, and find ways of expressing forgiveness and grace to those who have been disciplined.

Step Ten—Reinstatement: An individual whose recognition of Ordination or Certification has been suspended may be subsequently reinstated if there is such a desire. In such an event, the Commission on the Ministry will meet with the individual to review the original finding when all requirements have been met. Following a reinstatement Hearing, the Commission will notify the individual of its decision. The Commission may request appropriate documentation in order to make a more informed decision. Should the Commission reinstate the recognition of Ordination or Certification, the bodies named in Step 7 (Notification of the Commission's Decision) shall then be notified of the reinstatement. Should the Commission uphold or extend its original suspension, the individual shall be notified. Individuals may apply to the Commission again following further recommendation by the Commission or the Regional Executive Pastor.

**AN ECCLESIASTICAL PROCESS
FOR REVIEW OF MINISTERIAL STANDING**

DEFINITION OF TERMS

Recognition of Ordination or Certification: in Baptist tradition, Ordination or Certification is by the local congregation, in cooperation with other local churches. The denomination does not ordain or certify; it recognizes (or chooses not to recognize) actions of a local church, or in other denominations. A person may voluntarily give up the recognition of his/her Ordination or Certification. The Region may choose to withdraw recognition of Ordination or Certification either for cause or a specified period of inactivity.

The Region: the approved Region in which an individual serves may act on behalf of the whole denomination in recognizing, failing to recognize, allowing a recognition to lapse, or withdrawing recognition of Ordination or Certification. There is a principle of reciprocity among the various bodies of the ABC, with all Regions and National Boards agreeing to accept the process as applied in other partner Regions.

Commission on Ministerial Leadership: the term used to apply to the body within ABCOPAD that is charged with the responsibility for recognition or withdrawal of recognition of Ordination and Certification.

Review Hearing: the process by which allegations against an individual are reviewed and a decision is rendered either for or against the individual. This is not a criminal or civil process, but is rather a church process by which the churches are seeking to order their life together under the leading of God's spirit.

Censure: an official statement of the Commission on Ministerial Leadership's disapproval of the behavior of one who has been recognized to practice as an ordained minister or as a Certified Lay Minister of the American Baptist Churches, USA. It is offered as a warning, indicating that further similar conduct is unacceptable and is grounds for subsequent withdrawal of recognition of Ordination or Certification.

Emergency Suspension of Recognition of Ordination or Certification: is intended to interrupt the ministry and pastoral selection process while the investigative and decision-making process proceeds as approved by the Commission on Ministerial Leadership. The recognition of Ordination or Certification may be suspended for a period not to exceed 90 days in the event of unusually grave or emergency situation. Written notice of such emergency suspensions shall be sent to the bodies named in Step 7 of the approved ecclesiastical process documents.

Suspension of Recognition of Ordination or Certification: a withdrawal of recognition of Ordination or Certification for a specific period of time in order to implement a plan approved by the Commission on Ministerial Leadership. The conditions of the suspension and possible reinstatement shall be clearly stated. Notice of suspension of recognition of Ordination or Certification shall be made to the bodies named under Step 7 of the approved ecclesiastical process documents.

Withdrawal of Recognition of Ordination or Certification: American Baptist Churches, USA will no longer recognize the validity of an Ordination or Certification. Notice of such a withdrawal by the ABCOPAD Commission on Ministerial Leadership shall be made by the bodies named in Step 7 of the ecclesiastical process documents.

**IMPLEMENTING GUIDELINES FOR
THOSE MAKING ALLEGATIONS
For the Review Process**

(Note: The steps below are the steps of “An Ecclesiastical Process for Review of Ministerial Standing”)

Step One—Written Allegations: The Commission on Ministerial Leadership has been given the task of governance over the Ordination and Certification processes and the process of recognition of Ordination and Certification and any review of such recognition.

- a. Any person making an allegation about the conduct of a ministerial leader which may call for a Review Hearing shall address those concerns in writing to the Chair of the Commission on Ministerial Leadership (c/o the Region office) with a copy to the Regional Executive Pastor of the Region. Allegations about a ministerial leader must be made in writing whether they are made by staff, other ministerial leaders, or lay persons. The allegations must be presented in a clear and concise manner, signed, and fall in one or both of the following categories so that the nature of the allegations are clearly understood by all:

*Delinquency of a moral, ethical, or financial nature which brings the church into disrepute.

*Violation of expectations the church has about ethical behavior for its ministerial leaders as articulated in The Covenant and Code of Ethics for Ministerial Leaders of American Baptist Churches.

- b. The process of exploration of allegations, and potentially, a Review Hearing shall be guided by two principles:

*Concerns for the spiritual health and vitality of the church are at the heart of the process. Pastoral concern for both the ministerial leader 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 person or persons making the allegations, and the wider church family. This is a church process and not a civil or criminal proceeding. The nature of the allegations must be clearly understood, that the ministerial leader 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 shall maintain confidentiality.

- c. While these allegations need to be concise, they must also contain sufficient data for the Commission on Ministerial Leadership in its preliminary exploration. In this stage the ministerial leader in question will be given an opportunity to respond to the written allegations. Those making the allegations will be asked to attend a separate meeting with the Commission on Ministerial Leadership to clarify their allegations and respond to any questions. The Commission on Ministerial Leadership will then rule whether there is sufficient evidence to proceed with a formal Review Hearing.
- d. At the time a person or persons makes allegations about a particular ministerial leader, those person or persons should receive a copy of these Implementing

Guidelines and a copy of “An Ecclesiastical Process for Review of Ministerial Standing”.

Step Six—The Review Hearing: The individual or individuals bringing the allegations have several responsibilities at the time of the Review Hearing. With all the persons involved in the review process, they must keep in mind that the spiritual health and vitality of the church and all its people is the central concern. One of the hopes and goals of this process is reconciliation and healing. For this reason the Hearing is to be conducted:

- * in a spirit of prayer, seeking God’s guidance,
- * in a fair and impartial manner consistent with Matthew 18:15-17, and with a high regard for confidentiality.

(Note: in the following paragraph, please refer to Step Six in the document “An Ecclesiastical Process for Review of Ministerial Standing”.)

Those making allegations about the ministerial leader in question shall have three opportunities during the Review Hearing to address issues. The first will include testimony and/or information in support of the allegations (#6). The second will be the opportunity for response following the presentation of the ministerial leader in question (#8). The third will be the closing statement by those making the allegations or his/her designated representative (#11). Because there are limitations of time, these presentations will need to be limited to the allegations made and the relevant evidence. Those who offer testimony or information may be asked questions by the Commission on Ministerial Leadership. The ministerial leader in question will have the same opportunity, within the time limits allowed, to present whatever evidence he/she may have regarding the allegations. In this format, with presentations by both sides, they may raise questions during the time of either party. They will be in the form of a presentation to the Commission on Ministerial Leadership, rather than addressed directly to one of the participants in the Review Hearing process.

Before the Hearing, the Commission on Ministerial Leadership will notify all participants as to the particular time limits for each part of the Hearing and any other ground rules that may be needed. The time limits are intended to be fair and yet move the process forward.

Step Seven—Notification of the Commission’s Decision: Those making the allegations and their representatives shall be notified of the decision by the Commission on Ministerial Leadership within 15 days of the Review Hearing.

**IMPLEMENTING GUIDELINES FOR
THE MINISTERIAL LEADER IN QUESTION
For the Review Process**

(Note: the steps below are the steps of “An Ecclesiastical Process for Review of Ministerial Standing”)

The intention of the review process is to build up the whole church. The process is to be guided by two principles:

*Concerns for the spiritual health and vitality of the church are at the heart of the process. Pastoral concern for both the ministerial leader 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 person or persons making the allegations, and the wider church family. This is a church process and not a civil or criminal proceeding. The nature of the allegations must be clearly understood, that the ministerial leader 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 shall maintain confidentiality.

One of the intentions of “An Ecclesiastical Process for Review of Ministerial Standing” is to assure that the ministerial leader is not subject to unfair allegations or a process which may be unfair to him or her. While a structured process may seem at first to be threatening, some parts are specifically intended to provide fairness for the ministerial leader in question.

The insistence that allegations be made in writing may seem to draw lines between the involved parties very sharply. The intent of written allegations is that some extraneous issues are eliminated and the real issues are hopefully brought into focus.

At all points, the process is intended to be fair to the person about whom the allegations are made. It is also hoped that this process is surrounded by pastoral care for all persons.

Step Four—Preliminary Exploration: The preliminary exploration is intended to be an informal process in which the Commission on Ministerial Leadership and the ministerial leader in question can explore the allegations made. In light of the guidelines above, the goal of the exploration is to seek a resolution to the issues raised. This is helpful to both the ministerial leader as well as to the church community. The Commission on Ministerial Leadership will meet with those making the allegations separately. Following these preliminary explorations, the Commission may choose one of the following options:

- a. discover that there is no warrant for additional review and will exonerate the accused individual.
- b. when the individual accused acknowledges the allegations before the Commission’s delegated representatives, the Commission will work with the individual in deciding which of the actions listed under Step 6c in the “Ecclesiastical Process For Review of Ministerial Standing” will be followed.
- c. in the event of an unusually grave or emergency situation, the delegated representatives may recommend to the Commission on Ministerial Leadership, a temporary suspension of the recognition of Ordination or Certification for a period

not more than 90 days. During this suspension period, the Commission will convene a Review Hearing to consider the matter fully. Full notice of this decision shall be given to the individual in question and to the appropriate Regional bodies.

- d. When the accused individual disputes the allegations, either in full or in part, but is willing to work with the Commission's delegated representatives to develop a plan for dealing with the situation without utilizing the full process of the Review Hearing; the delegated representatives shall meet with the individual within 90 days to develop such a plan. Notice of this plan shall be given to the individual's Regional Minister with a copy sent to the Regional Executive Pastor.
- e. The review process may proceed if the Commission decides that there is sufficient testimony to the written allegations.

It is important to note that the process has intentionally deferred the direct consideration of any action on the recognition of Ordination for a more formal Hearing. Having called for the preliminary exploration, the Commission on Ministerial Leadership cannot go beyond the five actions named above. It is hoped that this will help to create a climate in which resolution and reconciliation are possible. By the time the process has come to this point, the minister in question should have received:

- 1. a copy of "An Ecclesiastical Process for Review of Ministerial Standing" documents
- 2. a copy of the written allegations
- 3. a copy of the "Guidelines for the Ministerial Leader in Question"

Once the ministerial leader in question receives notice of the allegations, it is his/ her responsibility to inform the Commission on Ministerial Leadership as to their response to the allegations. The response to the allegations will be made at a preliminary exploration with the delegated representatives of the Commission on Ministerial Leadership. It should be noted that the Commission on Ministerial Leadership may proceed with a Review Hearing whether or not the ministerial leader in question chooses to respond to the allegations or not.

Once the ministerial leader in question receives notice of the allegations, it is his/her responsibility to inform the Commission on Ministerial Leadership as to their response to the allegations. The response to the allegations will be made at a preliminary exploration with the delegated representatives of the Commission on Ministerial Leadership. It should be noted that the Commission on Ministerial Leadership may proceed with a Review Hearing whether or not the ministerial leader in question chooses to respond to the allegations or not.

Step Six—the Review Hearing: If the Commission on Ministerial Leadership chooses to proceed with a Review Hearing, there are several things which should be noted. With all the persons involved in the review process, the ministerial leader in question must keep in mind that the spiritual health and vitality of the church and all its people is the central concern. One of the hopes and goals of this process is reconciliation and healing. For this reason the Hearing is to be conducted:

- *in a spirit of prayer, seeking God's guidance,
- *in a fair and impartial manner consistent with Matthew 18:15-17, and with a high regard for confidentiality.

(In the following paragraph please refer to “An Ecclesiastical Process for Review of Ministerial Standing” documents)

The ministerial leader in question shall have three opportunities during the Review Hearing to address issues. The first will include testimony and/or information refuting the allegations (#7). The second will be the opportunity for response following the presentation of the person or persons making the allegations (#9). The third will be the closing statement by the ministerial leader or his/her designated representative (#12). Because there are limitations of time, these presentations will need to be limited to the allegations made and the relevant evidence. Those who offer testimony or information may be asked questions by the Commission on Ministerial Leadership. The person or persons making the allegations will have the same opportunity, within the time limits allowed, to present whatever evidence he/she may have regarding the allegations. In this format, with presentations by both sides, they may raise questions during the time of either party. They will be in the form of a presentation to the Commission on Ministerial Leadership, rather than addressed directly to one of the participants in the Review Hearing process.

Before the Hearing, the Commission on Ministerial Leadership will notify all participants as to the particular time limits for each part of the Hearing and any other ground rules that may be needed. The time limits are intended to be fair and yet move the process forward.

Step Seven—Notification of the Commission’s Decision: Those making the allegations and their representatives shall be notified of the decision by the Commission on Ministerial Leadership within 15 days of the Review Hearing.

IMPLEMENTING GUIDELINES FOR THE REGION STAFF For the Review Process

(Note: the steps below are the steps for “An Ecclesiastical Process for Review of Ministerial Standing”)

The role of the Region staff in the review process is complicated by the various roles which may need to be assumed. Region staff are appropriately charged with the responsibility to facilitate the process, working with the Commission on Ministerial Leadership to insure that the process is followed, with proper notice being given and records being kept. Region staff are appropriately concerned about the spiritual health and vitality of the ministerial leader in question as well as those persons making allegations, and the pastoral care of all persons involved in the review process; as well as concerned about insuring that the process is fair to all those involved. Region staff are also appropriately concerned about the spiritual health and vitality of the church in which the ministerial leader has been serving, as well as about the wider church family. At some point, these roles may be in conflict and great care must be taken to ensure that each of these needs is being met. This may necessitate the delegation of some specific tasks and roles. Sometimes this may mean that the Region staff may have to excuse themselves from the decision making process of the Commission on Ministerial Leadership.

Step One—Written Allegations: Making sure that the written allegations are precise, clear, and related to the given categories is vital to the whole process. When allegations are vague or imprecise it is unfair to the ministerial leader in question, and is far more difficult to the Commission on Ministerial Leadership to come to appropriate decisions. Therefore, Region staff will need to work with the Chair of the Commission in this process. (It should be remembered that the allegations need to be specific enough for actions as well as to be informative enough for the Commission on Ministerial Leadership to act at the time of the preliminary exploration.)

This step of the process may necessitate working with the Region staff, other ministerial leaders, or people from the church. Sometimes a member of the Commission on Ministerial Leadership or a member of the Region staff will need to be among those making the allegations. When this occurs, there must be a clear delineation of responsibility so that it is clear who is working with the Commission on Ministerial Leadership, who is working with those making the allegations, and who is seeking to provide pastoral care for those involved in the process. When it is necessary for a Region staff person or a member of the Commission on Ministerial Leadership to be among those making allegations, he or she should not be a part of the deliberating or decision-making process of the Commission on Ministerial Leadership.

The Region staff may need to ensure that the person or persons making the allegations and the ministerial leader about whom allegations have been made receive copies of the Regions “An Ecclesiastical Process for Review of Ministerial Standing” and the appropriate guidelines.

Step Two—Pastoral Care: Although it is hoped that other parts of the church may take this concern seriously, Region staff are to be sure that someone other than themselves are providing pastoral care for all persons involved in this process.

Step Three—Informing the Person of the Allegations: Working with the Chair of the Commission on Ministerial Leadership, Region staff must ensure that proper notice is given to the ministerial leader in question. This shall include a copy of “An Ecclesiastical Process for Review of Ministerial Standing”, a copy of the written allegations, a copy of the “Guidelines for the Ministerial Leader in Question”, and an invitation to meet with the Commission on

Ministerial Leadership for preliminary exploration. Notice should be sent by certified mail with receipts preserved for the record.

Because of the litigious nature of our society, careful records must be kept of the process. This includes official minutes of all meetings, copies of all correspondence, receipts for mailings, etc. Care must be taken to ensure that these records are confidentially maintained and preserved. Because of the provisions for documentation being provided in the event of a request for reinstatement, the records need to be preserved for an extended period of time, as long as such a request is possible.

Step Four—Preliminary Exploration: As staff to the Commission on Ministerial Leadership, the Region staff may be in the best position to insure that the various elements of the preliminary exploration are present. As staff to the Commission it may be helpful to remind them that this is an informal process in which they are not being asked to decide about recognition of Ordination or Certification. As pastoral support for the ministerial leader in question, it is important to ensure that the ministerial leader receives fair treatment. If this preliminary exploration becomes adversarial, the potential for some of the possible courses of action is reduced.

Step Five—Notice of Review Hearing: It is important that the Region staff assure that proper and full notice of the Hearing is given and that adequate records are kept.

Step Six—The Review Hearing: The Review Hearing is a church matter and not a criminal or civil proceeding. The goal is to seek reconciliation and healing, as well as justice.

The underlying principle of the civil and criminal court system is that truth is best found in the 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 uphold the spiritual health and vitality of the 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. Beginning with assumptions about relationships rather than abstract ‘truth’, the ecclesiastical process outlined resembles more closely a debate process than a courtroom setting.

One of the important tasks of the Region staff is to make sure that the nature of the Review Hearing has been understood by all. This may mean that the Region staff will make sure that the ministerial leader in question has an advocate at the Hearing. The role of the advocate is to ensure that the process is fair, and that the possibility of reconciliation and healing is kept alive. If the ministerial leader in question does not have an advocate, Region staff may work to ensure that such is available. (The Region Ministers Council might be an appropriate body to appoint an advocate.)

In working with the Commission as it deliberates on its decision, it may be helpful to take note of the suggested statements listed in the “Implementing Guidelines for the Commission on Ministerial Leadership”. These are intended to suggest some possible ways of working an eventual finding that is in accord with this process. There are some careful distinctions which need to be studied to be understood. Region staff may need to clarify these distinctions for the Commission.

Step Eight—Appeal: In the event of an appeal to the Executive Committee of the Region Board, the Region staff shall ensure that the appellate body has all the appropriate documentation. It is important to note that the process allows for one appeal which shall be final.

Step Nine—Pastoral Follow-up: The Region staff needs to ensure that all persons involved in the Review Hearing process receive pastoral care.

Step Ten—Reinstatement: In the event of a person seeking to have recognition of his or her Ordination or Certification reinstated, the Region staff shall supply the Commission on Ministerial Leadership, in that Region or any other, with all of the appropriate documentation. This means that appropriate records need to be maintained for an extended period of time, as long as the request for reinstatement is possible.

**IMPLEMENTING GUIDELINES FOR
THE COMMISSION ON MINISTERIAL LEADERSHIP
For the Review Process**

(Note: the steps below are the steps for “An Ecclesiastical Process for Review of Ministerial Standing”)

Step One—Written Allegations: The Chair of the Commission on Ministerial Leadership shall ensure that the person or persons making allegations about a particular ministerial leader receives a copy of the “Implementing Guidelines for Those Making Allegations” and a copy of the Region’s “An Ecclesiastical Process for Review of Ministerial Standing”, In the event that written allegations are made, the Chair of the Commission on Ministerial Leadership 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 ministerial leader, the Chair of the Commission on Ministerial Leadership shall ensure that the ministerial leader in question is informed and receives a copy of the “Guidelines for the Ministerial Leader in Question” and the Region’s “An Ecclesiastical Process for Review of Ministerial Standing”.

At every step of this process, the Commission on Ministerial Leadership shall seek to work in close cooperation with the Region Regional Executive Pastor or other such persons as may be designated by the Region to work with the Commission during this process.

Two principles should guide this process:

- *Concerns for the spiritual health and vitality of the church are at the heart of the process. Pastoral concern for both the ministerial leader 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 person or persons making the allegations, and the wider church family. This is an ecclesiastical process and not a civil or criminal proceeding. The nature of the allegations must be clearly understood, that the ministerial leader 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 shall maintain confidentiality.

When these kinds of allegations are made, the Chair of the Commission on Ministerial Leadership shall inform those making the allegations about the process which shall be followed, calling particular attention to the introductory statement and Step Two, which calls for pastoral care. The nature of the Preliminary Exploration needs to be clarified as well.

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

It is important during all parts of the process 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 lawsuits 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.

The Chair of the Commission on Ministerial Leadership may designate representatives for the Preliminary Exploration, and additional designated representative for the Review Hearing at his/her discretion.

Step Three—Informing the Person of the Allegations: The Commission on Ministerial Leadership shall ensure that proper written notice is given to the ministerial leader in question. This shall include a copy of the Region’s “An Ecclesiastical Process for Review of Ministerial Standing”, a copy of the written allegations, a copy of the “Guidelines for the Ministerial Leader in Question” and an invitation to meet with the Commission on Ministerial Leadership’s delegated representatives for the Preliminary Exploration. The notice should be sent by certified mail with receipts preserved for the record.

Step Four—Preliminary Exploration: As noted above, the Preliminary Exploration is a more informal process that seeks to find reconciliation and healing. The Preliminary Exploration allows the delegated representatives to decide if there is sufficient evidence for a Review Hearing. The delegated representatives of the Commission should remember that they are not being asked to decide about the recognition of Ordination in the Preliminary Exploration, but only whether or not there is the need for a full Review Hearing.

The Commission on Ministerial Leadership will be dealing with the written materials of those who are making allegations prior to calling for the Preliminary Exploration with those who are making the allegations. At this stage, the delegated representatives shall meet with those persons making the allegations for the purpose of clarification or question only. At a separate meeting, the delegated representatives shall also meet with the ministerial leader in question to allow for a response to the allegations. The delegated representative shall then decide which of the following options to take:

- a. discover that there is no warrant for additional review and will exonerate the accused individual.
- b. When the individual accused acknowledges the allegations before the Commission’s delegated representatives, the Commission will work with the individual, deciding which of the actions listed under Step 6c will be followed
- c. In the event of an unusually grave or emergency situation, the delegated representatives may recommend to the Commission on the Ministry a temporary suspension of the recognition of Ordination or Certification for a period not more than 90 days. During this suspension period, the Commission will convene a Review Hearing to consider the matter fully. Full notice of this decision shall be given to the individual in question and to the appropriate Regional bodies.
- d. When the accused individual disputes the allegations, either in full or in part, but is willing to work with the Commission’s delegated representatives to develop a plan for dealing with the situation without utilizing the full process of the Review Hearing; the delegated representatives shall meet with the individual within 90 days

to develop such a plan. Notice of this plan shall be given to the individual's Regional Minister with a copy sent to the Executive Minister.

The Chair of the Commission on Ministerial Leadership may find it appropriate to appoint different delegates for the Review Hearing should one be called for.

When a member of the Commission on Ministerial Leadership or a member of the Region staff is involved in making allegations, the role of that person needs to be clarified. If the church of the ministerial leader in question has not been involved in the process up to this point, and there is to be a Review Hearing, the appropriate church leader should be notified of the Hearing.

Step Five—Notice of Review Hearing: The Chair of the Commission on Ministerial Leadership shall ensure that proper notice as described above is given to all parties when a Review Hearing has been scheduled.

Step Six—The Review Hearing: the delegated representatives of the Commission will need to prepare for the Review Hearing by familiarizing themselves with the process and assigning responsibilities for the various parts. The Commission on Ministerial Leadership shall schedule the Review Hearing no less than 30 and no more than 90 days following the receipt of written allegations. The Chair of the Commission shall determine the necessary time limits to be essentially fair to both sides. When time limits have been determined, they should be communicated to all the participants with sufficient lead time so that they may prepare for the Hearing.

Following the recommended process for the Review Hearing as outlined in “An Ecclesiastical Process” documents, the delegated representatives shall deliberate and make a finding from the following options:

Make a finding that does not uphold the allegations

1. exonerate the individual
2. exonerate the individual and take steps to stop further allegations

The outcome could be that the allegations brought about a ministerial leader are found to be unwarranted and that no disciplinary action is called for. When this is the outcome, recognizing the harm that the allegations may have caused, public notice shall be given, as well as pastoral care for the ministerial leader in question. In some instances there may be some necessity for taking steps to stop the person or persons from making continued allegations.

Make a finding that upholds the allegations

3. develop a plan for addressing the issues short of censure, suspension of recognition of Ordination or Certification, or withdrawal of recognition of Ordination or Certification.

The outcome could be that the allegations brought about the ministerial leader result in a plan for the growth and development of the person in his/her ministry. The ministerial leader may or may not continue in his or her present position while undertaking the prescribed developmental work at the discretion of the Commission on Ministerial Leadership.

4. allow the individual to voluntarily relinquish recognition of Ordination or Certification.

The ministerial leader in question may voluntarily relinquish the recognition of his/her Ordination or Certification.

5. censure the individual, but allow the recognition of Ordination or Certification to stand.

Censure is an official statement by the Commission on Ministerial Leadership of the Region's disapproval of behavior as unbefitting a ministerial leader. Censure may be offered as a warning, indicating that further similar conduct is unacceptable and could lead to the suspension or the withdrawal of recognition of Ordination or Certification.

6. suspend the recognition of the individual's Ordination or Certification

Suspension for a period of time in order to implement a program prescribed by the Commission on Ministerial Leadership or in order to underscore the seriousness of the offense. For example, a ministerial leader could be suspended while undergoing a program of psychological testing or counseling. The suspension should clearly state the period of time for the suspension and the conditions that must be met prior to the ministerial leader seeking reinstatement by the Commission on Ministerial Leadership.

7. withdraw the recognition of the individual's Ordination or Certification

When the Commission on Ministerial Leadership votes to withdraw the recognition of a ministerial leader's Ordination or Certification, it should be clearly understood that this is a final resort when all other courses of action have failed to bring about reconciliation and healing for those involved in this process. There may be times when the Commission will choose this option even when the ministerial leader in question wishes to voluntarily relinquish the recognition of his/her Ordination or Certification.

When suspension of the recognition of Ordination or Certification or the withdrawal of recognition of Ordination or Certification is the chosen option, the Chair of the Commission on Ministerial Leadership shall inform the ABCUSA Office of the General Secretary, the American Baptist Personnel Service, the Regional Executive Minister's Council, the Ministers and Missionaries Benefit Board, the national and Regional Ministers Councils, the original ordaining church or organization, the church being served at the time the allegations were made, the church or organization currently being served, and any other bodies which have relied on American Baptist recognition for endorsement, approval, or recognition of its decision.

Step Seven—Notification of the Commission's decision: The Chair of the Commission on Ministerial Leadership shall ensure that proper notice of any decision shall be given to all parties within 15 days of the Review Hearing. When that notice involves the status of recognition, the Commission shall insure that proper notice is given to all appropriate bodies.

**AN ECCLESIASTICAL PROCESS
FOR REVIEW OF MINISTERIAL STANDING**

RECOMMENDED PROCEDURE FOR PROCESSING APPEALS

1. Any appeal following the Commission on Ministerial Leadership's decision must be mailed by certified mail, return receipt requested, to be addressed to the Chair of the ABCOPAD Board of Managers. A copy of the notice of intent to appeal should also be sent to the Region Regional Executive Pastor. The request for a review of the Commission on Ministerial Leadership's decision must be postmarked no later than 30 days following the notification of the Commission on Ministerial Leadership's original finding. Only decision to suspend the recognition of Ordination or Certification or the withdrawal of recognition of Ordination or Certification will be considered on appeal by the Executive Committee of the Board of Managers.
2. Upon receipt of an appeal, the Chair of the Board of Managers will secure all documents pertaining to the Review Hearing, as well as any additional pertinent information. Copies of these documents will be forwarded to the members of the Executive Committee for their review.
3. The Executive Committee will convene a meeting within 30 days of receiving and reviewing the necessary materials for appeal. This meeting may take place in person or via phone conference, as the Committee in its sole discretion shall deem necessary, to review the appeal and take action to affirm or modify the decision of the Commission on Ministerial Leadership. The entire process of appeal should be completed no later than 60 days following the receipt of the appeal of the Commission on Ministerial Leadership's original finding.
4. The Executive Committee shall proceed as follows:
 - a. **Decide to hear the appeal or decline the appeal.** Should the Executive Committee choose not to hear an appeal, no further action will be taken.
 - b. Should the Executive Committee decide to proceed with the appeal, it shall then **decide if the original finding by the Commission on Ministerial Leadership will be affirmed or modified.**
5. If the Executive Committee chooses to continue with the appeal, the following process shall be followed:
 - a. The Executive Committee shall review all documents generated as part of the Review Hearing, such as whatever documents were presented at the Hearing itself, all written statements presented to the Commission on Ministerial Leadership, the minutes of the Review Hearing, and any supplemental information presented addressing the procedures of the Commission or presenting new information as detailed in paragraph (g) below.
 - b. The Region Regional Executive Pastor may be present at and participate in all deliberations of the Executive Committee as an ex-officio member. Any member of the Executive Committee who participated in any manner in the Review Hearing, who has been a member of a congregation at a time when that congregation engaged

the accused as its ministerial leader, or whose participation in the appeal process may give the appearance of unfairness, will not be permitted to participate in the Executive Committee appeal meetings. The Chair of the Executive Committee shall notify such individuals in writing prior to the start of any appeal meetings. The Executive Committee may address questions to the Chair of the Commission on Ministerial Leadership, either orally or in writing, regarding any supplemental information presented pursuant to paragraph (g) below.

- c. The role of the Executive Committee shall be to review the decision of the Commission on Ministerial Leadership in light of the testimony and evidence upon which their finding was based. The Executive Committee will not hold a new Hearing, consider new evidence, or invite new arguments on the Commission's finding, with one exception. If and only if the accused asks to present new evidence that was not reasonably available to the accused at the time of the Review Hearing, the Executive Committee may in its sole discretion, review the written statements or take oral testimony directed solely to the previously unavailable evidence or refer the matter back to the Commission on Ministerial Leadership solely for consideration of the previously unavailable evidence.
- d. The Executive Committee may designate a subcommittee of not less than three members to review the appeal, consider previously unavailable evidence, or take such other action including the recommending a disposition of the appeal to the Executive Committee.
- e. In disposing of an appeal, the Executive Committee may affirm the finding of the Commission on Ministerial Leadership, reject the finding, modify it by taking less serious action, modify it by imposing more serious action, or refer the matter back to the Commission on Ministerial Leadership for further action.
- f. The finding of the Commission on Ministerial Leadership will only be modified or rejected by the Executive Committee if:
 - i. the Review Hearing was not conducted in a fair and reasonable manner consistent with "An Ecclesiastical Process for Review of Ministerial Standing". Errors or variations in procedure, which in the judgment of the Executive Committee did not substantially prejudice the rights of any party and does not appear to have affected the outcome of the Review Hearing will not be the basis for modifying or rejecting the finding of the Commission on Ministerial Leadership; **or**
 - ii. the finding of the Commission on Ministerial Leadership should be modified or rejected on the basis of evidence that was not previously available at the time of the Review Hearing; **or**
 - iii. the finding of the Commission on Ministerial Leadership was plainly and obviously incorrect. (The Executive Committee shall find that a decision of the Commission on Ministerial Leadership was "plainly and obviously wrong" only if no reasonable person acting objectively, could agree with it. The Executive Committee shall not reject a finding of the Commission on Ministerial Leadership merely because the members of

the Executive Committee would have reached a different conclusion if they served as members of the Commission on Ministerial Leadership.

- g. The Executive Committee will not accept summaries or restatements of position by the accused or any rebuttal or argument as to why the accused believes the finding was incorrect. The Executive Committee will restrict its review to the record before the Commission on Ministerial Leadership, previously unavailable evidence brought to the Committee's attention by the accused, and evidence that the accused believes demonstrates that the Review Hearing was not conducted in a fair and reasonable manner consistent with "An Ecclesiastical Process for Review of Ministerial Standing".

Any person appealing the finding of the Commission on Ministerial Leadership may tender appropriate information at any time. However, any information submitted after the mailing of the appeal to the Executive Committee (see paragraph #1 above) may not necessarily be included in the Executive Committee review. The Executive Committee will not delay its review to wait for supplemental information. Under the Ecclesiastical Process, a finding is issued by the Commission on Ministerial Leadership up to 15 days after the Review Hearing and another 15 days are allowed for appeal to the Executive Committee. If a person believes additional information is appropriate for submission to the Executive Committee in view of the above noted guidelines, such information should be submitted with the appeal letter or arrangements should be made with the Chair of the Executive Committee for submission of such information. In any event, such information pertaining to the appeal should be in the hands of the Chair of the Executive Committee no later than 10 days after the date of the appeal letter.