

## **Appendix II**

### **Other Categories of Ministerial Misconduct**

This policy, which is Appendix II to Attachment D of the *Policies and Criteria for the Ordering of Ministry of the Christian Church (Disciples of Christ) in Arizona (AZPCOM)*, has been established by the Regional Commission on the Ministry (RCOM), acting on behalf of the Christian Church (Disciples of Christ) in Arizona (the Arizona Region), to assure that all clergy with Standing (whether as Commissioned or Ordained ministers) within the Arizona Region meet the highest standards of personal and professional conduct.

In the *Clergy Sexual Misconduct Policy* (the “*Sexual Misconduct Policy*”), which is Appendix I to Attachment D, the RCOM has identified sexual misconduct as an extremely serious breach of ministerial ethics. From time to time, the RCOM shall also establish specific definitions for additional categories of serious ministerial misconduct. Policies and procedures for identifying, investigating and adjudicating such additional categories of misconduct are set out in Sections C., D. and E. of Attachment D.

The following is a list, with applicable definitions and examples, of additional categories of serious ministerial misconduct. Although the RCOM has attempted to distinguish key aspects of each category of misbehavior, there may be elements of certain ministerial misconduct that are identified under multiple categories. For example, abuse of the elderly or disabled may also involve exercise of undue influence and/or financial mismanagement. The RCOM reserves the right to periodically reevaluate, further refine and add to the categories set out below.

In addition, in order to determine whether a serious breach of ministerial conduct has occurred with respect to one or more of the categories of misconduct set out below, the RCOM will apply a total facts and circumstances scope of review. Depending upon the alleged misconduct, the RCOM will consider certain related facts and circumstances, including, but not limited to, the following:

- Specific examples of the alleged misconduct
- Frequency of the alleged misconduct
- Multiplicity and credibility of sources identifying and/or reporting the misconduct
- Seriousness of the alleged misconduct with respect to the adverse impact to individuals involved, as well as the congregation and the larger church
- Efforts to avoid, minimize and/or resolve the issue
- Attempts to mitigate against harm or to make restitution
- Acknowledgment of inappropriate behavior and other evidence of repentance
- Efforts to bring about reconciliation
- Willingness to seek professional help and otherwise work at changing unacceptable behavior

### **Inappropriate Personal Relationships within the Congregation**

38 Applicable principles from the *Ministerial Code of Ethics of the Christian Church (Disciples of*  
39 *Christ)*:

- 40 • Maintaining high moral standards in my sexual behavior
- 41 • Regarding all persons with equal respect and concern and undertaking to minister
- 42 impartially
- 43 • Protecting confidences; covenanting to only tell those who need to know, what they
- 44 need to know, when they need to know it
- 45 • Seeking to know, understand, and respect the diversity of opinions and people within
- 46 the Christian Church (Disciples of Christ) [including the congregation currently being
- 47 served]
- 48 • Seeking the counsel of the Regional Minister should divisive tensions threaten my
- 49 relationship with those I serve
- 50 • Supporting and at no time speaking maliciously of the ministry of my predecessors or
- 51 another minister
- 52 • Encouraging the ministry of my successor upon my retirement or other departure from
- 53 a ministry position, without interfering or intruding and by making it clear to former
- 54 parishioners that I am no longer their pastor, nor will I perform any pastoral services
- 55 unless requested by the congregation's elders and current pastor

56  
57 Inappropriate relationships within the congregation generally involve a serious, sometimes  
58 egregious, failure to meet one or more of the ethical principles set out above. For example, as a  
59 general rule, it may be problematic for a minister to enter into a dating relationship with a  
60 member of the congregation or organization they serve. Such behavior tends to strain  
61 professional boundaries, and the subtlety of power abuse issues in such a relationship makes it  
62 challenging. Very close personal relationships with parishioners may also lead to inappropriate  
63 sharing of personal and/or confidential information, including information entrusted to the  
64 pastor by other members of the congregation.

65  
66 In addition, even in a congregation that is part of a denomination that encourages mutual  
67 respect for different points of view, there are likely to be significant differences of opinion,  
68 from time to time. The minister needs to minister to the entire congregation and to avoid  
69 being perceived as taking one side against another. Significant divisions can also occur when  
70 there are tensions among clerical staff, particularly when clergy are inappropriately critical of  
71 colleagues within the congregation. Additional problems stemming from confusion and mixed  
72 loyalties with respect to prior and successor pastors may arise following significant transitions  
73 in pastoral leadership.

74  
75 **Impairment**

76 Applicable principles from the *Ministerial Code of Ethics*:

- 77 • Dedicating time, strength, vitality, and energy for effective ministry
- 78 • Taking time for physical and spiritual renewal, recreation, and vacation

- 79       • Keeping physically and emotionally fit and refraining from substance abuse and other  
80       abusive behaviors

81 Professional ministry is one of the helping professions. Persons in the helping professions  
82 generally care about people. Unfortunately, in doing so, they may forget to care for  
83 themselves. The stress of everyday life, potentially conflicting loyalties, and often unrealistic  
84 and unreasonable expectations, can take their toll on ministers. Addictions of all types,  
85 including opioid addiction, are at epidemic levels. Ministers, like the rest of society, can  
86 develop inappropriate, even abusive, behavior patterns, which can negatively impact not only  
87 the individual, but also their family, friends and congregation.

88 Intemperate, erratic or irrational behavior may be indicative of potential impairment issues.

### 89 **Exercise of Undue Influence**

90 Applicable principles from the *Ministerial Code of Ethics*:

- 91       • Using my position, power, and authority in non-exploitive ways  
92       • Regarding all persons with equal respect and concern and undertaking to minister  
93       impartially  
94       • Administering the corporate finances of the church with personal integrity

95 The potential for exercising undue influence is an ongoing concern, given the nature of the  
96 pastor/parishioner relationship and the inherent imbalance of power. Unfortunately, because  
97 of the subtlety of abuse of power issues in this context, it may be difficult to detect. Moreover,  
98 pastors often interact with parishioners in circumstances where they are particularly  
99 vulnerable. These include situations where parishioners have experienced significant losses—  
100 death of family member or friend, employment termination or demotion, breakdown of marital  
101 relationship, empty nest—or are otherwise experiencing significant challenges—serious illness,  
102 marital infidelity, legal or financial difficulties.

103 In addition, many ministers act as counselors, on either a short- or long-term basis, which may  
104 develop into a level of intimacy that may lead to confusion as to the nature of the relationship.

105 At all times, the minister must continually ask themselves whether their motives and actions  
106 are primarily in the best interests of individual parishioners, as well as the congregation, rather  
107 than for their own personal gain. Finally, the minister must determine whether the influence  
108 being exerted is “undue.” That is, the minister must consider the manner and degree of  
109 influence being exerted, even in what they otherwise believe to be a “good” cause.

### 110 **Abuse of the Elderly and Disabled**

111 Applicable principles from the *Ministerial Code of Ethics*:

- 112       • Using my position, power, and authority in non-exploitive ways  
113       • Maintaining high moral standards in my sexual behavior

- 114 • Regarding all persons with equal respect and concern and undertaking to minister
- 115 impartially
- 116 • Acting to prevent and to report known or suspected cases of physical or sexual abuse or
- 117 neglect

118

119 Adult abuse includes the abuse of any older adult aged 65 and over and adults with  
120 developmental or physical disabilities or mental illness under the age of 65. Abuse can happen  
121 in a person's own home or the home of family or friends. It can also occur in a professional care  
122 setting such as a nursing facility, a residential care facility, an assisted living facility, an adult  
123 foster home, a retirement home or a room and board home.

124

125 Specific types of adult abuse include, but are not limited to, the following:

126

- 127 • Physical harm or injury
- 128 • Failure to provide basic care
- 129 • Abandonment by the caregiver
- 130 • Verbal/emotional abuse
- 131 • Financial exploitation
- 132 • Unwanted sexual contact
- 133 • Involuntary seclusion
- 134 • Wrongful restraint
- 135 • Self-neglect

136 As noted above, there may be elements of certain ministerial misconduct that fall under  
137 multiple categories. A prime example would be elder abuse involving the exercise of undue  
138 influence and/or financial exploitation. Many elderly individuals, in particular, may have  
139 outlived close family and friends who would otherwise be able to advise and protect them.  
140 Because of the nature of the pastoral relationship and the potential for abuse of power, they  
141 may be particularly vulnerable to this type of abuse by unscrupulous clergy. On the other hand,  
142 caring pastors may be in an excellent position to identify and report suspected adult abuse by  
143 others.

#### 144 **Financial Mismanagement or Impropriety**

145 Applicable principles from the *Ministerial Code of Ethics*:

- 146 • Being a faithful steward of God's gifts to me by managing time, talents, and financial
- 147 resources responsibly and generously
- 148 • Accepting responsibility for all debts that I incur
- 149 • Administering the sacraments/ordinances and services of the church with integrity and
- 150 not for financial gain
- 151 • Administering the corporate finances of the church with personal integrity
- 152 • Refraining from accepting any gift which would compromise the church's ministry

153

154 All who respond to God’s love through Jesus Christ, including ministers, are called to be  
155 responsible stewards of God’s gifts, including financial resources. They are not only  
156 accountable for the generous, but prudent, use of their own resources, but for the wise and  
157 prudent use of resources entrusted to them for the benefit of the work of their congregations  
158 or organizations.

159  
160 Mismanagement of financial resources generally refers to instances where a person fails to  
161 observe applicable laws or ethical guidelines when handling finances for another person or  
162 organization. Most mismanagement involves some form of negligence or neglect on the part of  
163 the responsible individual and the failure to implement appropriate internal controls.

164  
165 Financial impropriety, on the other hand, usually involves misuse of someone else’s financial  
166 resources for private gain. There is generally an element of intent, or, at the very least, gross  
167 negligence or willful disregard of the likelihood of harm to the financial resources of others,  
168 including both individuals and organizations. Examples of financial impropriety, include, but are  
169 not limited to, the following:

- 170
- 171 • Misappropriation of funds
  - 172 • Forgery
  - 173 • Theft
  - 174 • Embezzlement
  - 175 • Misrepresentation or fraud
  - 176 • Padding the expense account

177  
178 As noted above, financial impropriety involving exploitation of vulnerable parishioners, in  
179 particular, may be part of a larger scheme of adult abuse.