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

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

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

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

**Impairment**

Applicable principles from the *Ministerial Code of Ethics*:

- Dedicating time, strength, vitality, and energy for effective ministry
- Taking time for physical and spiritual renewal, recreation, and vacation
• Keeping physically and emotionally fit and refraining from substance abuse and other abusive behaviors

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

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

**Exercise of Undue Influence**

Applicable principles from the *Ministerial Code of Ethics*:

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

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

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

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

**Abuse of the Elderly and Disabled**

Applicable principles from the *Ministerial Code of Ethics*:

- Using my position, power, and authority in non-exploitive ways
- Maintaining high moral standards in my sexual behavior
• Regarding all persons with equal respect and concern and undertaking to minister impartially
• Acting to prevent and to report known or suspected cases of physical or sexual abuse or neglect

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

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

• Physical harm or injury
• Failure to provide basic care
• Abandonment by the caregiver
• Verbal/emotional abuse
• Financial exploitation
• Unwanted sexual contact
• Involuntary seclusion
• Wrongful restraint
• Self-neglect

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

Financial Mismanagement or Impropriety

Applicable principles from the *Ministerial Code of Ethics*:

• Being a faithful steward of God’s gifts to me by managing time, talents, and financial resources responsibly and generously
• Accepting responsibility for all debts that I incur
• Administering the sacraments/ordinances and services of the church with integrity and not for financial gain
• Administering the corporate finances of the church with personal integrity
• Refraining from accepting any gift which would compromise the church’s ministry
All who respond to God’s love through Jesus Christ, including ministers, are called to be responsible stewards of God’s gifts, including financial resources. They are not only accountable for the generous, but prudent, use of their own resources, but for the wise and prudent use of resources entrusted to them for the benefit of the work of their congregations or organizations.

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

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

- Misappropriation of funds
- Forgery
- Theft
- Embezzlement
- Misrepresentation or fraud
- Padding the expense account

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