Attachment D
Additional Guidelines and Resources for Ministerial Conduct
in the Arizona Region

I. Additional Guidelines for Ministerial Conduct in the Christian Church (Disciples of Christ)

To maintain Standing, the Christian Church (Disciples of Christ) (DOC) requires all DOC Commissioned and Ordained ministers engaged in active ministry (including active retired ministers) to continue to meet the personal qualifications for admission to the Order of Ministry, as set out in Section II.A.2 of the TFPCOM. This includes, but is not limited to, strong moral character and personal integrity. In addition, all Commissioned and Ordained ministers with Standing in the DOC, whether active, retired active or retired inactive, must continue to adhere to the Ministerial Code of Ethics of the Christian Church (Disciples of Christ) as set out in Section II.I. of the TFPCOM, as it may be amended from time to time.

To assure that all such DOC Commissioned and Ordained ministers within the Arizona Region continue to meet the highest standards of ethical ministerial conduct, the Arizona Region has implemented the following policies and procedures:

A. Annual Certification (and Recertification) of Standing of those Commissioned and Ordained by the DOC

In order to maintain Standing as a Commissioned or Ordained minister (whether active, retired active or retired inactive) within the Arizona Region, a minister must continue to meet the applicable requirements set out in Attachment C to the AZPCOM, as it may be amended from time to time.

i. With respect to ministerial conduct, ministers in active service (including retired active) must continue to do and report the following:
   a. Meet the personal qualifications for admission to the Order of Ministry, as set out in Section II.A.2 of the TFPCOM; and
   b. Adhere to the Ministerial Code of Ethics of the Christian Church (Disciples of Christ).* (See Section II, “Current Regional Forms and Informational Materials Relating to Ordained Ministry” for the most current version of each of the forms/informational pieces marked with an “*” below).
   c. As part of the annual certification process, all Commissioned and Ordained ministers engaged in active practice of ministry must timely submit a request for continued Standing, in the prescribed format (annual Ministerial Standing Form*), documenting that they continue to meet applicable requirements.

ii. With respect to ministerial conduct, retired Ordained ministers who are no
longer engaged in the practice of ministry may seek and maintain Standing as retired inactive ministers, so long as they continue to adhere to the *Ministerial Code of Ethics of the Christian Church (Disciples of Christ)*, hold participating membership in a recognized local Disciples congregation, where feasible, *and* timely submit a request for continued Standing, in the prescribed format. If an inactive retired minister decides to once again take up the practice of ministry, that minister must once again seek status as an active retired minister.

B. Misconduct

In the Arizona Region, ministerial misconduct is defined as activity which violates the covenantal character of the ministerial office as expressed in the *Ministerial Code of Ethics*. Investigation and adjudication of violations of the Ministerial Code of Ethics is the responsibility of the Region through the RCOM (or the GCOM, if applicable).

The Arizona Region has implemented the following procedures to meet its obligations regarding ministerial misconduct:

i. The Arizona Region will report formal actions and decisions to remove Standing for misconduct to the Office of Search and Call and/or other appropriate General Church office(s) with responsibility for ministerial vocations, which may change from time to time.

ii. In extreme situations of alleged misconduct, the Arizona Region may temporarily suspend Standing during the period of investigation and adjudication.

iii. With respect to sexual misconduct, the Arizona Region has established key definitions, Regional goals and general guidelines, which are currently set out in Appendix I, entitled *Clergy Sexual Misconduct Policy* (as it may be amended from time to time), attached to and by this reference made a part of this Attachment D.

   a. The Arizona Region will periodically and systematically review the key definitions, Regional goals and general guidelines contained in the *Clergy Sexual Misconduct Policy* and will communicate this information to ministers and congregations in the Region.

   b. The policies relating to identification, investigation and adjudication of suspected clergy sexual misconduct shall generally follow and be consistent with other Regional policies and procedures relating to potential clergy misconduct set out in the AZPCOM and related attachments, including Sections C., D., and E. below.

iv. With respect to other serious categories of ministerial misconduct, the Arizona Region may adopt such additional definitions, policies and
C. Complaint, Investigation and Negotiation

i. Prior preparation

a. The RCOM will identify a pool of persons (e.g., psychotherapists and other counselors with relevant expertise, lawyers with expertise in liability and insurance, human resource professionals, other advisers) authorized to assist them in the investigation and adjudication of suspected misconduct, if applicable. This pool will also include persons to act as translators or interpreters, as necessary to assure that all persons involved in the process set out in this policy understand the process, the information disclosed, and the consequences of actions proposed and/or taken. The RCOM will also identify and be prepared to provide such assistive devices as may be necessary to conduct a fair and thorough investigation and adjudication of any and all complaints received.

b. The RCOM will identify and train a standing Response Team of four persons, including men and women. Members will be selected for a three-year term, on a rotating basis. The chair of the RCOM or a designee will be an ex-officio member, who is to be kept informed and act as a liaison to the RCOM. The training will include an overview of the RCOM’s policies and procedures for investigation and adjudication of alleged misconduct, development of effective interviewing techniques (including appropriate documentation), and training on potential areas of misconduct, including, but not limited to, sexual misconduct.

c. During every step in the process, the RCOM will provide such resources, including the assistance of translators and interpreters, as well as other appropriate assistive devices, as may be necessary to conduct a fair and thorough investigation and adjudication of any and all complaints received.

ii. Receiving the complaints

a. Any person may submit a complaint charging misconduct by a minister. The complaint will be initially received and reviewed by the
Regional Minister and the RCOM chair. If reported orally, the receiver must reduce it to writing. In any event, it must be signed by the complainant.

b. The complaint must be specific with respect to the alleged misconduct, with corroborating documents and other witness statements, if possible.

c. If the alleged misconduct, if true, would constitute a crime subject to mandatory reporting under Arizona state law, the Regional Minister and RCOM chair will report it to the applicable authorities. Such reporting may occur at any time during the investigation and/or adjudication process or after the final adjudication, as appropriate.

iii. Initial response to the complaint

a. The initial response to any ethical complaint against a minister will be made by the Regional Minister. The focus of this response, to both the complainant and the minister named in the complaint, will be pastoral in nature with the aim of resolving the issue of the complaint, if possible, at the pastoral level. Even if resolved at this point, a record of the complaint and its resolution will be retained in the minister’s file.

b. If pastoral resolution is not possible, a brief summary of the complaint will be brought to the RCOM through the chair with a recommendation to investigate or not to investigate.

1. If the recommendation is not to investigate and the RCOM approves, both the complainant and the minister accused of misconduct will be notified of the decision, the reasons behind it and any recommendations made by the RCOM.

2. If the recommendation is to investigate, and the RCOM approves, throughout the process that follows it will be the responsibility of the Regional Minister and RCOM chair to ensure that appropriate pastoral care is offered to both the complainant, and the victim(s) if different, and the minister named in the complaint.

3. In either case, a record of the complaint and the RCOM’s decision will be maintained in the minister’s file.

iv. Investigation of the complaint

a. Upon a decision by the RCOM to investigate, the Chair and the Regional Minister will assign two members of the Response Team to begin a timely investigation and meet with the complainant within 30 days. Where sexual misconduct is alleged, the response team must include one man and one woman.

b. The Response Team will first meet with the complainant and victim(s) if they are different.
1. The Response Team will explain the process to be followed as per this policy and provide a copy of this policy.

2. The response team will work with the complainant(s) to make a written record of the complaint(s), including all evidence supporting the allegation(s) made. The complainant(s) will be requested to sign their individual portion(s) of the record.

c. The Response Team will then meet with the minister named in the complaint.
   1. The Response Team will present the complaint and explain the process to be followed as per this policy and provide a copy of this policy.
   2. The Response Team will work with the minister named in the complaint to develop a written record of their response to the complaint and any evidence supporting the response. The minister will be requested to sign this statement.

d. The Response Team may also interview other persons as deemed necessary to the investigation. A written record of each interview will be made and the person interviewed will be requested to sign the statement.

e. The Response Team will notify the appropriate leadership of the employing or calling body that this matter is under investigation, communicating to the appropriate leadership a summary of the complaint and response and a copy of this policy.

v. Negotiation of settlement of complaint
   a. Negotiation of a settlement may occur at any point in the process prior to completion of the investigation. If a settlement is reached, subject to the approval of the RCOM, the investigation is concluded. All negotiations will be conducted by the Chair of the RCOM and the Regional Minister.

b. If the minister admits culpability for the substance of the charge(s) in the complaint, negotiation may be held with the minister and complainant in order to determine the appropriate consequences for all involved.
   1. Among the possible consequences, the minister may agree:
      a) To resign their position;
      b) To enter into mediation with the complainant to negotiate an appropriate settlement;
      c) To obtain professional counseling;
      d) To pay for counseling for the victim(s);
      e) To accept a period of supervised probation;
      f) To surrender Standing for cause.

   2. Any negotiated settlement will be forwarded to the RCOM and, if approved, will be reported in writing to the
complainant, any victims (if different from the complainant), and the minister. A copy of the terms of the settlement will be retained in the minister’s file.

c. If the minister does not admit culpability or if negotiation fails to reach a mutually satisfactory resolution approved by the RCOM, the RCOM may proceed to a formal hearing.

D. Formal Hearing

i. A formal fact-finding hearing is an ecclesiastical meeting, not a trial or court proceeding. The goal is to find the truth of what happened through a fair, timely, and effective process that respects and preserves the rights of all concerned: the accused minister, the Region, the complainant, any victims (if different from the complainant) and any witnesses. Hearing Board members are neutral decision makers (clergy and laity from the RCOM) who should have no prior involvement in the case (other than as a member of the RCOM), and who must be able to render a fair recommendation. They may be challenged and removed if found to be biased.

ii. It is expected that all parties will conduct themselves in a respectful and compassionate manner at the hearing. Hearings are closed except to the Hearing Board, the accused minister, the complainant, one or more members of the Response Team and the witnesses (who are present only during the time they testify, unless they request and receive permission from the Hearing Board to remain in the room after their testimony). Others may attend the hearing only with the approval of the Hearing Board or the RCOM.

iii. Other specific procedures include the following:
   a. A formal hearing may be requested by the RCOM, the minister named in the complaint or by the complainant.
   b. Three members of the RCOM appointed by the Chair shall comprise the Hearing Board.
   c. The hearing will seek to be fair to all concerned, but is not held to strict legal procedures.
   d. This is an ecclesiastical and not a legal proceeding. Both the minister and the complainant may select an advocate to provide support, care and procedural guidance, with 15 days advance notice to the Regional Minister and the RCOM chair.
   e. At least ten days prior to the formal hearing the Response Team will communicate its written report, including the charges and the response by the minister accused, to the members of the Hearing Board.
   f. At the hearing, the Response Team will present a summary of their findings and in doing so may call witnesses. The minister and complainant may also call witnesses.
The Hearing Board will make a written report of their findings and recommendations to the RCOM within 15 days of the conclusion of the hearing. The RCOM will make the final adjudication decision.

The recommendations of the Hearing Board and the decision for action on the part of the RCOM may include any of the consequences listed under Section E, below.

All decisions and rationale of the RCOM will be recorded in the minister’s investigative file. This file will be secured in the Office of the Regional Minister for a minimum of fifty years. The Regional Minister will notify, in writing, the complainant, the minister and the appropriate employer of the action taken.

Investigation Disposition

The RCOM’s responsibility and authority pertains to the minister’s Standing. The RCOM has no authority in matters of the minister’s relationship to their place of employment or calling.

The actions of the RCOM regarding a minister’s Standing affect that minister’s access to search and call. Each ministerial profile contains a Disclosure and Release Form requiring the minister to disclose any disciplinary reviews for ministerial misconduct that resulted in censure, suspension of Standing, or termination of Standing and whether any official disciplinary proceedings are currently pending. A detailed explanation is required for any and all affirmative answers.

Based on the written record of the Response Team or Hearing Board, the RCOM has several options for disposition of the case:

a. Dismissal of the complaint. If the RCOM determines that the complaint is without merit, they may dismiss the complaint. A confidential record of the proceedings will be kept, but the minister will not be required to disclose the complaint in future requests for Standing or in the ministerial profile for search and call.

b. Probation. If the RCOM determines that the complaint has merit and determines that the minister should take action, but that the nature of the complaint is not something that needs to be reported beyond the Region, the Hearing Board (as defined above) or the RCOM may choose to place a minister on probation until the minister has completed a set of required actions to the RCOM’s satisfaction.

1. A timeline for completing the actions will be established. Satisfaction of the requirements is at the discretion of the RCOM. Should the minister fail to complete the tasks in the allotted time, the RCOM may impose a letter of censure, suspension of Standing or removal (termination) of Standing for cause.
2. While a minister is on probation, the Regional Minister will withhold the Regional reference from the minister’s search and call profile. If the minister has an active profile, the Regional Minister will pull the regional reference, in effect removing the profile from circulation.

3. Once the RCOM is satisfied that the probationary requirements have been met, the Regional reference can be restored, and the minister’s profile may be circulated. A letter indicating that the minister has satisfied the requirements of probation will be placed in the minister’s file.

c. **Letter of censure.** If the Hearing Board or the RCOM determines that the complaint has merit, but the act(s) of the minister is/are not serious enough to warrant suspension or termination of Standing, but any actions taken since the complaint are insufficient to accomplish restitution, the RCOM will provide a letter of censure in the minister’s file.

1. A letter of censure would allow the minister to retain Standing, and the minister would still have access to search and call. However, the minister would have to indicate on the Disclosure and Release that the complaint resulted in censure and would have to provide a detailed explanation.

d. **Suspension of Standing.** If the Hearing Board or the RCOM determines that the complaint warrants disciplinary action against the minister’s Standing, one option is to suspend the minister’s Standing. In the event of suspension, the minister’s Standing is terminated, subject to the necessary notifications and requirements for reinstatement. Suspension of Standing will carry with it criteria under which the minister can apply for reinstatement of Standing. These criteria might include the passage of a set amount of time or the completion of specific tasks or both.

e. **Removal of Standing for cause.** In the case of egregious actions, the Hearing Board or RCOM may determine to remove a minister’s Standing for cause, subject to the necessary notifications. When Standing is removed for cause, a minister may not apply for reinstatement for 36 months from the date that termination of Standing is effective. As with any termination of Standing, reinstatement may only be granted by the Region that terminated Standing.

f. **Voluntary surrender of Standing.** In some cases the minister may voluntarily surrender Standing. In such cases, the RCOM has the discretion to continue to investigate the matter at issue. When a minister surrenders Standing, the RCOM has sole discretion regarding any future reinstatement of Standing, and ongoing investigation may
be necessary to inform such decisions. Surrender of Standing is handled like termination of Standing as regards reporting and reinstatement. Reinstatement may only be granted by the region where Standing was surrendered.

F. Restoration of Standing

i. Restoration of Standing is reentry into the Ordering of Ministry in the Christian Church (Disciples of Christ) after a clergy person has had their Standing removed or resigned their Standing because of an actual or pending investigation, clergy misconduct or disciplinary action. This process attempts to offer clergy forgiveness and reevaluates the individual’s personal and spiritual fitness for returning to ministry in the Christian Church (Disciples of Christ).

   a. After a minimum period of 36 months from the time Standing was removed, the offender may petition the commission for the restoration of Standing. The restoration may be granted if all the requirements are completed and the RCOM votes in favor of restoration of Standing.

   b. The following requirements are the established protocol intended to provide a course of action for justice, reconciliation, forgiveness and mercy to clergy (Commissioned or Ordained) who have had their Standing removed or resigned their Standing because of alleged or substantiated clergy misconduct.

      1. Criteria for Restoration Candidacy; the offender shall

         a) Be an active and participating member of a Christian Church (Disciples of Christ) in an Arizona congregation for at least one year prior to the petition.

         b) Give a full account of the events that resulted in the removal of Standing to the pastor and board of the local congregation where the applicant holds membership.

         c) Seek and obtain the forgiveness, approval, and support from the congregation in which the applicant holds membership.

         d) Request that the local congregation where they are presently a member submit a strong letter of recommendation to the Commission in support of the individual’s restoration to ministry.

         e) Seek forgiveness and reconciliation from the individual(s)/congregation that they harmed.

         f) Make financial restitution to the Region for all appropriate expenses incurred as a result of their behavior.
g) Request that their counselor and/or pastor furnish a written report on the rehabilitation actions and results to the RCOM.

2. Procedures for Restoration Candidacy
   a) The applicant for restoration to ministry will follow the procedures for Candidacy to the Ordering of Ministry as outlined in Section I.A. of the AZPCOM and related Attachment A (Commissioned Ministry) and Section I.B. of the AZPCOM and related Attachment B (Ordained Ministry).
   b) Upon completion of a satisfactory interview with the RCOM and favorable vote, the offender is accepted as a candidate and taken under care for restoration.
   c) The requirements to be fulfilled by the offender during the restoration period are outlined in the above-referenced sections of the AZPCOM and related attachments. If the Ordained Minister offender has completed the academic requirements, that requirement is waived for the Ordained Minister. However, the Commissioned Minister offender will be required to complete any educational requirements outstanding. In addition, the RCOM may require additional research, study and writing in areas that it deems appropriate to assist the offender in the restoration process.
   d) If the RCOM determines that this individual is fit for restoration to ministry within the Christian Church (Disciples of Christ), it will vote and submit its recommendation to the Regional entity responsible for such determinations to reinstate this individual’s Standing. The authorized Regional entity will receive a full report from the chair of the RCOM that this individual has completed all requirements, exhibited genuine repentance for the substantiated misconduct, received a favorable recommendation from the local congregation, and by the recommendation of the RCOM is now deemed fit to reenter ministry within the Christian Church (Disciples of Christ).
   e) The authorized Regional entity will vote on this matter and if approved, the candidate’s Standing will be restored. If Standing is restored, the offender will receive notification in writing and notification will also be sent to the appropriate General Church office(s) with
responsibility for ministerial vocations, which may change from time to time. Only after the completion of this process, will all rights, privileges and responsibilities associated with being a Commissioned or Ordained minister within the Christian Church (Disciples of Christ) in the United States and Canada as determined in the Ordering of Ministry, be fully reinstated.

G. Right of Appeal

i. Right of appeal at the Regional level

a. All decisions by the RCOM or Hearing Board with adverse effect regarding Ordination, Commissioning, transfer of credentials, and/or Standing may be appealed at the discretion of the Regional Moderator within 30 days from the date on which the decisions become final.

1. The acceptable grounds for appeal are:
   a) The appellant believes the Region violated its own related written policies and procedures.
   b) The appellant believes the Region violated the Theological Foundations, Policies and Criteria for the Ordering of Ministry of the Christian Church (Disciples of Christ).

2. An appeal will not be considered, however, if legal proceedings are pending or in process.

ii. Right of appeal at the General level

a. The right of appeal at the Regional level does not in any way infringe upon, hinder or limit any right of appeal to the GCOM by persons subject to decisions with adverse effect on Ordination, Commissioning, transfer of credentials, and/or Standing. Such right of appeal shall be in accordance with relevant provisions in the TFPCOM (as it may be amended from time to time) and applicable policies and procedures established by the GCOM.

II. Current Regional Forms and Informational Materials Relating to Standing*

A. Annual Ministerial Standing Form

B. Ministerial Record Form?

C. Ministerial Code of Ethics of the Christian Church (Disciples of Christ)

D. The Arizona Regional Christian Church Policy and Procedure for Response to Clergy Sexual Misconduct
*These forms/informational pieces may be revised or replaced from time to time. To assure that you have the most current version, please check with the Regional Office or Regional Office website:

www.azdisciples.org/