

1 **Attachment D**
2 **Additional Guidelines and Resources for Ministerial Conduct**
3 **in the Arizona Region**
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5 I. **Additional Guidelines for Ministerial Conduct in the Christian Church (Disciples of**
6 **Christ)**
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8 To maintain Standing, the Christian Church (Disciples of Christ) (DOC) requires all DOC
9 Commissioned and Ordained ministers engaged in active ministry (including active
10 retired ministers) to continue to meet the personal qualifications for admission to the
11 Order of Ministry, as set out in Section II.A.2 of the *TFPCOM*. This includes, but is not
12 limited to, strong moral character and personal integrity. In addition, all Commissioned
13 and Ordained ministers with Standing in the DOC, whether active, retired active or
14 retired inactive, must continue to adhere to the *Ministerial Code of Ethics of the*
15 *Christian Church (Disciples of Christ)* as set out in Section II.I. of the *TFPCOM*, as it may
16 be amended from time to time.

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

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

22 In order to maintain Standing as a Commissioned or Ordained minister (whether
23 active, retired active or retired inactive) within the Arizona Region, a minister must
24 continue to meet the applicable requirements set out in Attachment C to the
25 *AZPCOM*, as it may be amended from time to time.
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- 27 i. With respect to ministerial conduct, ministers in active service (including
28 retired active) must continue to do and report the following:
29 a. Meet the personal qualifications for admission to the Order of Ministry,
30 as set out in Section II.A.2 of the *TFPCOM*; and
31 b. Adhere to the *Ministerial Code of Ethics of the Christian Church (Disciples*
32 *of Christ)*. * (See Section II, “Current Regional Forms and Informational
33 Materials Relating to Ordained Ministry” for the most current version of
34 each of the forms/informational pieces marked with an “*” below).
35 c. As part of the annual certification process, all Commissioned and
36 Ordained ministers engaged in active practice of ministry must timely
37 submit a request for continued Standing, in the prescribed format
38 (annual Ministerial Standing Form*), documenting that they continue to
39 meet applicable requirements.
40 ii. With respect to ministerial conduct, retired Ordained ministers who are no

41 longer engaged in the practice of ministry may seek and maintain Standing as
42 retired inactive ministers, so long as they continue to adhere to the
43 *Ministerial Code of Ethics of the Christian Church (Disciples of Christ)*, hold
44 participating membership in a recognized local Disciples congregation, where
45 feasible,* and timely submit a request for continued Standing, in the
46 prescribed format. If an inactive retired minister decides to once again take
47 up the practice of ministry, that minister must once again seek status as an
48 active retired minister.

49 B. Misconduct

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51 In the Arizona Region, ministerial misconduct is defined as activity which violates the
52 covenantal character of the ministerial office as expressed in the *Ministerial Code of*
53 *Ethics*. Investigation and adjudication of violations of the Ministerial Code of Ethics is
54 the responsibility of the Region through the RCOM (or the GCOM, if applicable).
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56 The Arizona Region has implemented the following procedures to meet its
57 obligations regarding ministerial misconduct:
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- 59 i. The Arizona Region will report formal actions and decisions to remove
60 Standing for misconduct to the Office of Search and Call and/or other
61 appropriate General Church office(s) with responsibility for ministerial
62 vocations, which may change from time to time.
- 63 ii. In extreme situations of alleged misconduct, the Arizona Region may
64 temporarily suspend Standing during the period of investigation and
65 adjudication.
- 66 iii. With respect to sexual misconduct, the Arizona Region has established key
67 definitions, Regional goals and general guidelines, which are currently set out
68 in Appendix I, entitled *Clergy Sexual Misconduct Policy* (as it may be
69 amended from time to time), attached to and by this reference made a part
70 of this Attachment D.
 - 71 a. The Arizona Region will periodically and systematically review the key
72 definitions, Regional goals and general guidelines contained in the
73 *Clergy Sexual Misconduct Policy* and will communicate this
74 information to ministers and congregations in the Region.
 - 75 b. The policies relating to identification, investigation and adjudication
76 of suspected clergy sexual misconduct shall generally follow and be
77 consistent with other Regional policies and procedures relating to
78 potential clergy misconduct set out in the *AZPCOM* and related
79 attachments, including Sections C., D., and E. below.
- 80 iv. With respect to other serious categories of ministerial misconduct, the
81 Arizona Region may adopt such additional definitions, policies and

82 procedures as they deem necessary and appropriate to identify, investigate
83 and adjudicate suspected misconduct in those categories, as well.

- 84 a. Definitions and unique aspects of each category will be set out in
85 Appendix II, entitled *Other Categories of Serious Clergy Misconduct*,
86 (as it may be amended from time to time), attached to and by this
87 reference made a part of this Attachment D.
- 88 b. General policies and procedures to identify, investigate and
89 adjudicate such misconduct are set out in Sections C., D. and E.
90 below.

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92 C. Complaint, Investigation and Negotiation

93 i. Prior preparation

- 94 a. The RCOM will identify a pool of persons (e.g., psychotherapists and
95 other counselors with relevant expertise, lawyers with expertise in
96 liability and insurance, human resource professionals, other advisers)
97 authorized to assist them in the investigation and adjudication of
98 suspected misconduct, if applicable. This pool will also include
99 persons to act as translators or interpreters, as necessary to assure
100 that all persons involved in the process set out in this policy
101 understand the process, the information disclosed, and the
102 consequences of actions proposed and/or taken. The RCOM will also
103 identify and be prepared to provide such assistive devices as may be
104 necessary to conduct a fair and thorough investigation and
105 adjudication of any and all complaints received.
- 106 b. The RCOM will identify and train a standing Response Team of four
107 persons, including men and women. Members will be selected for a
108 three-year term, on a rotating basis. The chair of the RCOM or a
109 designee will be an ex-officio member, who is to be kept informed
110 and act as a liaison to the RCOM. The training will include an
111 overview of the RCOM's policies and procedures for investigation and
112 adjudication of alleged misconduct, development of effective
113 interviewing techniques (including appropriate documentation), and
114 training on potential areas of misconduct, including, but not limited
115 to, sexual misconduct.
- 116 c. During every step in the process, the RCOM will provide such
117 resources, including the assistance of translators and interpreters, as
118 well as other appropriate assistive devices, as may be necessary to
119 conduct a fair and thorough investigation and adjudication of any and
120 all complaints received.

121 ii. Receiving the complaints

- 122 a. Any person may submit a complaint charging misconduct by a
123 minister. The complaint will be initially received and reviewed by the

- 124 Regional Minister and the RCOM chair. If reported orally, the receiver
125 must reduce it to writing. In any event, it must be signed by the
126 complainant.
- 127 b. The complaint must be specific with respect to the alleged
128 misconduct, with corroborating documents and other witness
129 statements, if possible.
- 130 c. If the alleged misconduct, if true, would constitute a crime subject to
131 mandatory reporting under Arizona state law, the Regional Minister
132 and RCOM chair will report it to the applicable authorities. Such
133 reporting may occur at any time during the investigation and/or
134 adjudication process or after the final adjudication, as appropriate.
- 135 iii. Initial response to the complaint
- 136 a. The initial response to any ethical complaint against a minister will be
137 made by the Regional Minister. The focus of this response, to both
138 the complainant and the minister named in the complaint, will be
139 pastoral in nature with the aim of resolving the issue of the
140 complaint, if possible, at the pastoral level. Even if resolved at this
141 point, a record of the complaint and its resolution will be retained in
142 the minister's file.
- 143 b. If pastoral resolution is not possible, a brief summary of the
144 complaint will be brought to the RCOM through the chair with a
145 recommendation to investigate or not to investigate.
- 146 1. If the recommendation is not to investigate and the RCOM
147 approves, both the complainant and the minister accused of
148 misconduct will be notified of the decision, the reasons behind
149 it and any recommendations made by the RCOM.
- 150 2. If the recommendation is to investigate, and the RCOM
151 approves, throughout the process that follows it will be the
152 responsibility of the Regional Minister and RCOM chair to
153 ensure that appropriate pastoral care is offered to both the
154 complainant, and the victim(s) if different, and the minister
155 named in the complaint.
- 156 3. In either case, a record of the complaint and the RCOM's
157 decision will be maintained in the minister's file.
- 158 iv. Investigation of the complaint
- 159 a. Upon a decision by the RCOM to investigate, the Chair and the
160 Regional Minister will assign two members of the Response Team to
161 begin a timely investigation and meet with the complainant within 30
162 days. Where sexual misconduct is alleged, the response team must
163 include one man and one woman.
- 164 b. The Response Team will first meet with the complainant and victim(s)
165 if they are different.

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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

209 complainant, any victims (if different from the complainant),
210 and the minister. A copy of the terms of the settlement will
211 be retained in the minister's file.

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

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216 D. Formal Hearing

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

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

234 iii. Other specific procedures include the following:

235 a. A formal hearing may be requested by the RCOM, the minister named
236 in the complaint or by the complainant.

237 b. Three members of the RCOM appointed by the Chair shall comprise
238 the Hearing Board.

239 c. The hearing will seek to be fair to all concerned, but is not held to
240 strict legal procedures.

241 d. This is an ecclesiastical and not a legal proceeding. Both the minister
242 and the complainant may select an advocate to provide support, care
243 and procedural guidance, with 15 days advance notice to the Regional
244 Minister and the RCOM chair.

245 e. At least ten days prior to the formal hearing the Response Team will
246 communicate its written report, including the charges and the
247 response by the minister accused, to the members of the Hearing
248 Board.

249 f. At the hearing, the Response Team will present a summary of their
250 findings and in doing so may call witnesses. The minister and
251 complainant may also call witnesses.

- 252 g. The Hearing Board will make a written report of their findings and
253 recommendations to the RCOM within 15 days of the conclusion of
254 the hearing. The RCOM will make the final adjudication decision.
255 h. The recommendations of the Hearing Board and the decision for
256 action on the part of the RCOM may include any of the consequences
257 listed under Section E. below.
258 i. All decisions and rationale of the RCOM will be recorded in the
259 minister's investigative file. This file will be secured in the Office of
260 the Regional Minister for a minimum of fifty years. The Regional
261 Minister will notify, in writing, the complainant, the minister and the
262 appropriate employer of the action taken.
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- 264 v. Investigation Disposition
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- 266 i. The RCOM's responsibility and authority pertains to the minister's Standing.
267 The RCOM has no authority in matters of the minister's relationship to their
268 place of employment or calling.
- 269 ii. The actions of the RCOM regarding a minister's Standing affect that
270 minister's access to search and call. Each ministerial profile contains a
271 Disclosure and Release Form requiring the minister to disclose any
272 disciplinary reviews for ministerial misconduct that resulted in censure,
273 suspension of Standing, or termination of Standing and whether any official
274 disciplinary proceedings are currently pending. A detailed explanation is
275 required for any and all affirmative answers.
- 276 iii. Based on the written record of the Response Team or Hearing Board, the
277 RCOM has several options for disposition of the case:
- 278 a. Dismissal of the complaint. If the RCOM determines that the
279 complaint is without merit, they may dismiss the complaint. A
280 confidential record of the proceedings will be kept, but the minister
281 will not be required to disclose the complaint in future requests for
282 Standing or in the ministerial profile for search and call.
- 283 b. Probation. If the RCOM determines that the complaint has merit and
284 determines that the minister should take action, but that the nature
285 of the complaint is not something that needs to be reported beyond
286 the Region, the Hearing Board (as defined above) or the RCOM may
287 choose to place a minister on probation until the minister has
288 completed a set of required actions to the RCOM's satisfaction.
- 289 1. A timeline for completing the actions will be established.
290 Satisfaction of the requirements is at the discretion of the
291 RCOM. Should the minister fail to complete the tasks in the
292 allotted time, the RCOM may impose a letter of censure,
293 suspension of Standing or removal (termination) of Standing
294 for cause.

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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

338 be necessary to inform such decisions. Surrender of Standing is
339 handled like termination of Standing as regards reporting and
340 reinstatement. Reinstatement may only be granted by the region
341 where Standing was surrendered.

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343 F. Restoration of Standing

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

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

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

362 1. Criteria for Restoration Candidacy; the offender shall

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

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

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

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

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

378 f) Make financial restitution to the Region for all
379 appropriate expenses incurred as a result of their
380 behavior.

- 381 g) Request that their counselor and/or pastor furnish a
382 written report on the rehabilitation actions and results
383 to the RCOM.
- 384 2. Procedures for Restoration Candidacy
- 385 a) The applicant for restoration to ministry will follow the
386 procedures for Candidacy to the Ordering of Ministry as
387 outlined in Section I.A. of the *AZPCOM* and related
388 Attachment A (Commissioned Ministry) and Section I.B.
389 of the *AZPCOM* and related Attachment B (Ordained
390 Ministry).
- 391 b) Upon completion of a satisfactory interview with the
392 RCOM and favorable vote, the offender is accepted as a
393 candidate and taken under care for restoration.
- 394 c) The requirements to be fulfilled by the offender during
395 the restoration period are outlined in the above-
396 referenced sections of the *AZPCOM* and related
397 attachments. If the Ordained Minister offender has
398 completed the academic requirements, that
399 requirement is waived for the Ordained Minister.
400 However, the Commissioned Minister offender will be
401 required to complete any educational requirements
402 outstanding. In addition, the RCOM may require
403 additional research, study and writing in areas that it
404 deems appropriate to assist the offender in the
405 restoration process.
- 406 d) If the RCOM determines that this individual is fit for
407 restoration to ministry within the Christian Church
408 (Disciples of Christ), it will vote and submit its
409 recommendation to the Regional entity responsible for
410 such determinations to reinstate this individual's
411 Standing. The authorized Regional entity will receive a
412 full report from the chair of the RCOM that this
413 individual has completed all requirements, exhibited
414 genuine repentance for the substantiated misconduct,
415 received a favorable recommendation from the local
416 congregation, and by the recommendation of the RCOM
417 is now deemed fit to reenter ministry within the
418 Christian Church (Disciples of Christ).
- 419 e) The authorized Regional entity will vote on this matter
420 and if approved, the candidate's Standing will be
421 restored. If Standing is restored, the offender will
422 receive notification in writing and notification will also
423 be sent to the appropriate General Church office(s) with

424 responsibility for ministerial vocations, which may
425 change from time to time. Only after the completion of
426 this process, will all rights, privileges and responsibilities
427 associated with being a Commissioned or Ordained
428 minister within the Christian Church (Disciples of Christ)
429 in the United States and Canada as determined in the
430 Ordering of Ministry, be fully reinstated.

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432 G. Right of Appeal

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434 i. Right of appeal at the Regional level

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

440 1. The acceptable grounds for appeal are:

- 441 a) The appellant believes the Region violated its own related
442 written policies and procedures.
443 b) The appellant believes the Region violated the *Theological*
444 *Foundations, Policies and Criteria for the Ordering of Ministry*
445 *of the Christian Church (Disciples of Christ)*.

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

448 ii. Right of appeal at the General level

449 a. The right of appeal at the Regional level does not in any way infringe
450 upon, hinder or limit any right of appeal to the GCOM by persons
451 subject to decisions with adverse effect on Ordination,
452 Commissioning, transfer of credentials, and/or Standing. Such right
453 of appeal shall be in accordance with relevant provisions in the
454 *TFPCOM* (as it may be amended from time to time) and applicable
455 policies and procedures established by the GCOM.
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457
458 **II. Current Regional Forms and Informational Materials Relating to Standing***

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460 A. Annual Ministerial Standing Form

461 B. Ministerial Record Form?

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

463 D. *The Arizona Regional Christian Church Policy and Procedure for Response to Clergy*
464 *Sexual Misconduct*

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*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/