

## **Standing Committee Process for Hearing Appeals on Annual Conference Policies**

### **Introduction**

The Annual Conference of the Church of the Brethren “is the highest and final legislative authority of the Church of the Brethren in all matter of procedure, program, polity, and discipline” (from the Manual of Organization and Polity, Chapter 1, **The Annual Conference**, I. Introduction). The Standing Committee of Annual Conference is composed of the district representatives to the Conference and the immediate past moderator of the Conference (Ibid, III. Conference Structures and Relationships, 2. The Standing Committee). One of the functions of Standing Committee is *Judicial*, described in polity “for decisions on discipline and controversy involving members, congregations, districts, and denomination” (Ibid, a. Responsibilities, 3) Judicial functions). The 2010 Annual Conference, meeting in Pittsburgh, Pa., July 3-7, approved an update to polity which added to the judicial function of Standing Committee “the body to which appeals of the policies and decisions of the Annual Conference Program and Arrangements Committee are submitted” (2010 Annual Conference Minutes, pg. 226).

The Program and Arrangements Committee “is responsible for the arrangements, location, and operation of the Annual Conference” (Ibid, D. The Program and Arrangements Committee). Among the functions of the Program and Arrangements Committee is administering the policies guiding on-site activities of the Conference, including exhibits, insight sessions, meal events, and other program and on-site decisions.

Since the decisions of Program and Arrangements Committee may impact the participation of exhibitors, meeting planners, and others who wish to hold an event, exhibit a program or product, or be involved in a presentation at Conference, it is only fair that an appeal process be in place for those who may feel the response of Program and Arrangements Committee to their request or action has not been given fairly. Thus, in the event a person or a group is dissatisfied with the process of a final decision by the Program and Arrangements Committee, the decision may be appealed through the following procedure.

### **I. Initial Request for an Appeal Hearing.**

The person/group appealing the decision must file a formal request for appeal within 30 days after the decision of the Program and Arrangements Committee (P&AC) is received by the person or group. The request must be in writing (electronic means, e.g. e-mail, is acceptable) stating the nature of the request made to Program and Arrangements Committee, the wording of the decision of P&AC, and the reasons by which the person/group is making the appeal. This request is to be delivered to the Annual Conference Office, 1451 Dundee Ave., Elgin, Ill 60120 or e-mail: annual.conference@brethren.org. If the request for appeal is received less than 45 days prior to the opening meeting of Standing Committee for a given Annual Conference, then the appeal may not be heard by Standing Committee until the following year.

### **II. Response from Annual Conference Office.**

Upon receiving the appeal, the Annual Conference Office will respond in writing to the appealing party, acknowledging receipt and reviewing the steps and requirements of the appeal process. The Office shall also notify the Annual Conference Officers, as well as the Standing Committee Appeals Committee, that the appeal has been received and acknowledged.

### **III. Issue clarification and information gathering.**

As soon as the appeal is received, the Standing Committee’s Appeals Committee shall proceed to:

A. Through exchanges in writing (or e-mail), make contact with the Program and Arrangements Committee to ask for its response to the appealing party and for clarification of why it deems its decision justified.

B. Through exchanges in writing (or e-mail) make contact with the appeal party to seek information on any aspect of the appeal for which the appeals committee feels it needs clarification and /or invite any additional information the appealing party wishes to add to its initial statement.

C. Achieve agreement between the parties as to what constitutes the key issue(s) on appeal.

D. In consultation with the Conference Officers, establish a schedule and procedure for the hearing before Standing Committee.

E. Reasonably in advance of Annual Conference, provide notice to Standing Committee members that the appeal will be coming and provide orientation information with respect to a statement of the issues to be heard and the procedures to be followed in the appeal.

F. Throughout the process, to serve as interpreters and counselors to all parties regarding Standing Committee policy and procedure, and as support to Standing Committee with follow-up to help with healing and reconciliation where needed.

#### **IV. Context and procedure for the hearing.**

##### **A. At the time and day designated for the hearing.**

1. The immediate past moderator of Annual Conference shall preside over the hearing and shall retain the privilege of voting as a Standing Committee member in the event of a tie. The Annual Conference officers shall remain in the room, but shall recuse themselves from participation in the discussion or in the decision making by Standing Committee. The assistant to the Annual Conference secretary will be asked to be the recorder of the proceedings and decisions. The Standing Committee will hear the appeal in closed session.

2. Each party involved in the difference may have two representatives present for the hearing.

3. The presiding moderator will remind all present of our commitment to one another as the Body of Christ and issue such other counsel as will facilitate a fair hearing.

4. The person/group bringing the appeal will be allowed to present the grievance.

5. The Program and Arrangements Committee will then be allowed to present the committee's perspective.

6. After the information has been presented, Standing Committee members only will be allowed to ask additional questions of the presenters.

7. The parties involved in the dispute will then be allowed to ask questions of one another for clarification, without interruption from Standing Committee.

8. The parties will be dismissed with appreciation for their presentations.

9. In executive session the Standing Committee will discuss the issues and will make a decision on the appeal.

10. With the help of the Appeals Committee, Standing Committee also will offer a plan for follow-up and for facilitation reconciliation with the parties as needed or desired.

11. The parties will be invited to rejoin Standing Committee and the presiding moderator will inform them of the decision(s) of Standing Committee.

##### **B. Underlying framework and policy.**

1. The proceeding carried out under the terms of this document are to be understood as an ecclesiastical process for achieving understanding and fair dealing within church life. The process is not intended as a substitute for civil judicial procedure.
2. The role of the Appeals Committee shall be primarily to assemble information, clarify issues, insure proper procedure, and monitor the process with Standing Committee. The creation of such a committee is not intended to establish an alternative hearing body.
3. The decision of Standing Committee will be final and without appeal.
4. The appealing party must be present at the hearing, and will do so at his/her own expense. Without the personal attendance of the party seeking the appeal, the appeal will be considered forfeited. A postponement of the appeal may be granted by Standing Committee in the event of extremely extenuating circumstances.
5. The Appeals Committee may invite outside counsel of whatever nature they regard as appropriate to assist them in preparation for the hearing and/or in the hearing itself.
6. Standing Committee shall hear no more than two appeals related to P&AC decisions in any given year. It will give preference to the first two appeals received. In the event of a district-related appeal coming to Standing Committee in a given year, Standing Committee may respond to only one appeal related to P&AC in that year. The first appeal received will be the appeal heard; all other appeals will be postponed until the next Conference.

***Adopted by Standing Committee, Church of the Brethren  
June 30, 2011  
Grand Rapids, Michigan***