

# New Business

## NB 1. Amendments to the “Appeal” Section of the “Ethics in Ministry Relations” Polity

As Standing Committee reviewed its appeal process, it recognized that some of its concerns would require a change in the polity established by the “Ethics in Ministry Relations” paper. Currently, our “Ethics in Ministry Relations” polity states regarding an appeal which involves the termination of a ministerial license by a district ministry commission or the termination of an ordination by a district board:

*Standing Committee will hear such appeals received forty-five (45) days prior to its next regularly scheduled meeting. If an appeal is received less than forty-five (45) days prior, it will be heard at a subsequent meeting of Standing Committee.*

Standing Committee has several concerns about this polity:

1. Standing Committee is concerned that 45 days would not have been adequate for the work of the Appeals Committee in recent years as it has done its work, which includes verifying through written documentation that district level resolution procedures have been exhausted, gathering as much information as is available to clarify issues, and achieving agreement between the parties as to what constitute the key issues on appeal. Standing Committee needs a minimum of 60 days for such preparatory work.
2. Standing Committee is concerned that current polity specifies that Standing Committee “will” hear an appeal that is received within the designated time period prior to its next regularly scheduled meeting. In recent years, Standing Committee would only have had enough time to hear one appeal of this kind. Standing Committee has not as yet had a circumstance where two or more were received within the stated time period, but it seems wise for polity to use the same language that the Standing Committee Appeal Process uses, that the appeal “could” be heard or “may” be heard.
3. Standing Committee’s Appeal Process requires that “the dissatisfied party shall have exhausted every means of resolution or reconsideration” at the district level before asking that an appeal be heard by Standing Committee. “Unless and until such initiatives are demonstrated to have been pursued in good faith, access to this Standing Committee Appeal Process will be regarded as premature. The means to be utilized include, but are not limited to, submission of the issue to a district Shalom Team or other reconciliation workers and/or reconsideration of the matter by the district board.” This requirement is not stated in the section about appeal in the “Ethics in Ministry Relations” polity. Standing Committee believes it should be made clear in polity that Standing Committee will require such steps be taken prior to hearing an

appeal. As Standing Committee’s Appeal Process goes on to clarify: *“This is consistent with our historic understanding of Matthew 18:15-20, which calls us to take matters first to the parties involved in a disagreement or conflict before bringing it to the church as a whole.”*

4. Further, Standing Committee is concerned that the issue of fairness is recognized in the first but not in the final paragraph of the section about appeal in the “Ethics in Ministry Relations” polity. The first paragraph states:

*The aggrieved, the accused, or the congregation through its official board has the right to appeal whether the process was followed and conducted fairly by the ethics committee or district board.*

But the final paragraph is more restrictive:

*The task of those hearing an appeal is not to repeat the deliberative process of the committee, but to review and evaluate whether or not the disciplinary process was properly carried out.*

Standing Committee recommends that the wording of the final sentence be the same as the wording of the first sentence in our polity.

**Standing Committee therefore recommends that the “Appeal” section of the “Ethics in Ministry Relations” polity, as found in section II.D.5.d. of chapter 5 of the *Manual of Organization and Polity*, be amended as follows:**

d. Appeal

The aggrieved, the accused, or the congregation through its official board has the right to appeal whether the process was followed and conducted fairly by the ethics committee or district board.

1) In cases decided and implemented by the ethics committee, written appeal may be made to the executive committee of the district board within thirty (30) days of the ethics committee’s action. The district board chair and/or moderator are responsible for overseeing the appeal process in consultation with the Office of Ministry. Executive committees shall handle all appeals within 45 days of receipt. In the meantime, the action will be implemented.

2) In cases involving termination of license by the ministry commission or ordination by the district board, written appeal may be made to Standing Committee of Annual Conference within thirty (30) days after being informed of the final district action, which shall take place after every means of resolution or reconsideration by the district have been exhausted. The means to be utilized include, but are not limited to, recon-

1 sideration of the matter by the district board and submission of the issue  
2 to a district shalom team or other reconciliation workers. This is consis-  
3 tent with our historic understanding of Matthew 18:15-20, which calls  
4 us to take matters first to the parties involved in a disagreement or conflict  
5 before bringing it to the church as a whole. Annual Conference officers  
6 are responsible for overseeing the appeal process in consultation with the  
7 Office of Ministry and the denomination’s risk management officer.  
8 Standing Committee ~~will~~ may hear such appeals received ~~forty-five (45)~~  
9 ~~days~~ at least 60 days prior to its next regularly scheduled meeting. If the  
10 appeal is received less than ~~forty-five (45) days~~ 60 days prior, it ~~will~~ may  
11 be heard at a subsequent meeting of Standing Committee. In the mean-  
12 time, the action will be implemented.

13  
14 The task of those hearing an appeal is not to repeat the deliberative process  
15 of the committee, but to review and evaluate whether or not the disciplinary  
16 process was properly carried out and conducted fairly by the ethics com-  
17 mittee or district board.

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19 **Action by the 2021 Standing Committee:** On June 29, 2021, the Standing Com-  
20 mittee of the 2021 Annual Conference approved the proposed amendments to  
21 the “Appeal” section of the “Ethics in Ministry Relations” polity of the Church of  
22 the Brethren and recommended their adoption by the 2022 Annual Conference.

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24 Paul Munday, Moderator  
25 David Sollenberger, Moderator-elect  
26 James M. Beckwith, Annual Conference Secretary

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