

General Board

Business Item No. GB-10-0691

Title: Updated Community of Common Interest Document

Origin: OGMP via Legal Counsel

Background Information:

In 2009 OGMP changed legal firms, selecting Baker and Daniels of Indianapolis as their new legal firm. As need has arisen, Baker and Daniels has been reviewing documents used by OGMP or approved by the General Board, as appropriate. In providing counsel on a matter related to Community of Common Interest, Baker and Daniels, through Scott Himsel, who specialized in Law related to the Separation of Church and State, noted a need to update and strengthen our community of common interest document. The document had not been updated since its inception in 2000 (GB-00-1677). The rationale for having the document is contained in the opening paragraph of the document.

The Document:

**Rationale
for Adopting a Declaration of the Christian Church (Disciples of Christ)
Community of Interest for Sharing Confidential Information**

Members of the church who are involved in calling ministers or in particular disciplinary matters need information regarding the background, character, and fitness of ministers and therefore have a common interest in the sharing of information to guard and preserve the church's well-being. This declaration concerning the sharing of confidential information will enhance the oversight of our congregations and pastors by explicitly stating the normal, expected, and responsible need for information.

**The Christian Church (Disciples of Christ)
Community of Interest
*for Sharing Confidential Information***

Introduction: Responsible oversight of the church's life and ministries calls for appropriate and thorough sharing of information within and between congregations, regions, and general ministries. This is of particular importance as it relates to sharing confidential information about personnel matters, especially as related to ordained and licensed ministers.

The church has made available in the past, and continues in the present to communicate, confidential information to appropriate persons and groups in the church. The intent of this declaration is to make explicit our practice and responsibility in order to have a clear point of reference and to provide theological and ecclesial foundations.

Biblical, Theological, and Historical Foundations: The Apostle Paul refers to the church as “the body of Christ” and in I Corinthians 12 describes the inter-relatedness of different parts of the body. This powerful metaphor is foundational to the Christian Church (Disciples of Christ). This understanding of the church indicates the need for thorough communication among the parts of the body. The well-being of the whole body is related to sending and receiving information from the various parts. It is important in congregational life, in the regional church, and in the general ministries.

Following the Biblical order and patterns for church life and mission, the Disciples have organized themselves in three expressions (congregational, regional, and general) that are part of the whole church, yet have distinct responsibilities. The scriptures identify episcopal functions or oversight as a way to monitor and pastor church members and their leaders. When Paul and Barnabas visited the churches they had helped to establish, they appointed elders (presbyters) in the congregations to provide this ministry of oversight (Acts 14:23). Paul kept watch over other churches he had planted and participated in the first “search and call processes” by recommending Timothy for ministry. Paul’s references and commendations were an important part of sharing appropriate information and they demonstrate historical precedents for such episcopal functions.

In the years and centuries that followed, the church formalized episcopal ministries in the congregations and in the family of churches that evolved. In 1886 the Assembly of African-American Disciples in North Carolina acted to set standards for pastors and recommended procedures for considering persons for ordination, as a part of the Assembly’s general oversight of church life. In the 1930’s the International Convention began to identify and recommend standards for ministry and ordination. In more recent years the Disciples established an “Order of Ministry” and mandated to the regions particular ministries of oversight of pastors and congregations in *The Design of the Christian Church (Disciples of Christ)* (1968). Maintaining and sharing information concerning the gifts and graces of ministry and careful assessment of fitness and readiness for ministry are essential to a ministry of oversight and care.

Current Practices: Since adopting the *Policies and Criteria for the Order of Ministry in the Christian Church (Disciples of Christ)*, the three expressions of the church have worked together to develop policies and practices to advance, cultivate, nurture, and guard the church’s ministries. The church has used various means (information schedules, reference forms, disclosure statements, psychological testing, field education reports, interviews) to generate, receive, and appropriately share information in order to promote and uphold the church’s well-being. Much of this information is confidential and not for general publication or dissemination. Policies and procedures are in place to protect the privacy of persons.

Without the responsible transmission and sharing of information, the three expressions of the church cannot adequately or responsibly fulfill their mandates for oversight.

The need for complete sharing of information is particularly necessary in the Search and Call Process and in the review of a person’s ministry when allegations of misconduct

have been made and accompanied with some form of factual foundation. Individuals dealing with allegations should seek legal counsel to assist them in determining whether disclosures should be made and how disclosures should be made if they are required. In addition, regional ministers should always seek legal counsel before writing a recommendation regarding a minister who has been terminated. The communication of information, whether positive or negative, is necessary for the well-being of pastors and churches. Congregations require **full** information in order to make informed decisions regarding the call or discipline of a pastor. This is a long standing practice, and this statement declares the church's common interest in the free flow of information.

Interchurch Relations: In addition to the need for the communication within the Disciples, the Christian Church (Disciples of Christ) has a parallel need to transmit and receive confidential information, especially concerning ministers from sister church bodies. The Disciples are ecumenical in vision and practice. Disciples also maintain an Ecumenical Partnership with the United Church of Christ and nurture relationships with many other churches in North America and around the world. The same need for a full flow of confidential information exists in these relationships.

Intent and Purpose: This statement describes policies and practices without expanding or diminishing current policies. The intent is to make explicit what we do. Through this document Disciples clarify and identify our need for a free flow of confidential information among responsible and appropriate agencies and personnel within the church.

Declaration: The Christian Church (Disciples of Christ) hereby declares that it has a "community of interest" in the sharing of confidential information between appropriate persons within the church and with other communions in order that congregations and church agencies may make decisions based on comprehensive information.

Recommended Action:

The General Board accepts the legal counsel of Baker and Daniels and approve the updated version of the Community of Common Interest Document.