

Bullying in the Church

*A free Workshop for Ministers concerned
for their own ministries, for their clergy colleagues and for the wellbeing of the Church,
with special emphasis on United Church of Canada clergy*

“There really are clergy killers.”

“...like terrorists, they are willing to go to any end, and in fact specialize in doing harmful things intentionally, in order to intimidate and scare other people into doing what they want them to do.”

“So the newest factor is the fact that we really have terrorists in some congregations. I think it’s about 40 % of congregations in Canada and it’s about 25 to 30 % in the U.S. And these are the people who will do anything to get their way and abusing the pastor is often part of that.”

- Rev. Dr. G. Lloyd Rediger, author of *Clergy Killers: Guidance for Pastors and Congregations Under Attack* and *The Toxic Congregation: How to Heal the Soul of Your Church*. Dr. Rediger’s remarks were broadcast on a program about bullying in the church, produced by The Current on CBC National Radio, April 12, 2007.

Our Bullying in the Church Workshop:

- Examines the realities of abuse happening in our United Churches today
- Identifies the warning signs
- Shares proactive, protective and defensive strategies
- Reveals what help is available and where to obtain it
- Brings clergy and their families together in a secure, supportive and respectful environment

Remember: A strong and healthy clergy means a strong and healthy church!

*Bullying in the Church Workshops are sponsored by
Unifor Unifaith Community Chapter.*

All workshops begin at 10 a.m. and conclude at 3:30 p.m.

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PROGRAM PARTICIPANTS' WORKBOOK

PROGRAM OVERVIEW:

1. **Our Call to Ministry as a Vocation**

- a) What is our understanding of and sense of call to ministry as a vocation?
- b) How does such a call shape our faith and our personal identity?

2. **Bullying in the Church**

- a) What is normal conflict?
- b) What is bullying?
- c) What are the 5 D's of clergy killers?
- d) Why is bullying unacceptable in a community that calls itself the Church?
- e) What are the signs of an abusive congregation?
- f) What are some of the personality disorders exhibited by abusive individuals in the church?
- g) What are the types or profiles of abusive congregations?
- h) How is abuse denied?
- i) What are the typical progressions of abuse?

3. **Preparing for potential clergy abuse and responding when it happens**

- a) What are some of the results of unacceptable levels of conflict in the Church?
- b) How do you prepare for clergy abuse?
- c) How do you protect the minister's family?
- d) How do you preserve and protect the identities of the minister and family?
- e) How can you support other ministers and their families caught up in abnormal conflict?
- f) What are Clergy Street Smarts?
- g) What precautions and strategies can you adopt against bullying?

4. **Available help and support**

- a) What help is available?
- b) Who do you contact?
- c) What resources does the United Church's recommend?

5. **Examining clergy abuse**

- a) Exploring a comprehensive scenario of clergy abuse
- b) Determining possible responses through group discussion, based on personal experience and knowledge gleaned from this program

6. **Hot Topics**

- a) Addressing the group's anonymously submitted issues regarding church bullying and clergy abuse

7. **Litany of Affirmation and Celebration of Communion**

Our Call to Ministry as a Vocation

Let's explore the meaning of "call" and "vocation," as relating to life, faith, and ministry. For the Christian community, the reference to vocation has a much deeper meaning than simply describing where one works and what one does. Arising from the Latin word *vocare*, meaning "to call or summon," the word suggests a calling from someone – to someone – for some purpose. Let's examine the phenomenon of call over the course of history, both as it relates to individuals—including those called as family leaders (Noah, Abraham, Sarah, Jacob, Rachel, Moses, Miriam, Naomi), prophets (Samuel, Elijah, Isaiah, Jeremiah) and preachers (Peter, Paul), and to communities (nation of Israel, followers of the early church).

GROUP DISCUSSION

In the context of Christian tradition, for those whose vocation is professional ministry, a call involves both the sense of one's "inward" call and the "outward" acknowledgement/ recognition of a wider Christian community. We invite you to share your personal sense of call in terms of faith and ministry, such as:

- 1) what first motivated you to serve?
- 2) what encourages you to continue serving?

What is bullying?

Conflict in the church is normal. Incivility and abuse are not. The following is from G. Lloyd Rediger's *Clergy Killers*. For clarity, we will identify bullying as belonging to categories b) and c).

a) Normal conflict responds to rational, competent and caring management methods. Therefore, when dealing with diversity, disagreements, personality clashes and frustrated parishioners, an effective model of negotiation includes:

- Establishing ground rules
- Clarifying grievances and needs
- Speaking, listening and giving feedback
- Affirming areas of agreement
- Brainstorming creative options
- Negotiating a resolution
- Evaluating

b) Abnormal conflict is distinguished by the elements of mental or personality disorders. If these elements can be identified and dealt with therapeutically, then the conflict may be managed through a negotiation model. These disorders have great potential for disrupting and sabotaging normal negotiations, unless professional therapy is used.

It is not realistic to expect the average lay leader or pastor to handle conflicts involving personality disorders without professional advice.

Disorders most commonly appearing in church abnormal conflict situations are: antisocial, borderline, paranoid and schizoid and narcissistic personalities. (These are clinical designations as described in the *Diagnostic and Statistical Manual of Mental Disorders* Fourth Edition. Published by the American Psychiatric Association. (DSM-IV))

The major characteristics of people suffering from personality disorders is as follows (as per DSM- IV)

- Antisocial Personality Disorder - breaks social rules, is cruel, is deceitful, is impulsive.
- Borderline Personality Disorder - is unstable, has inappropriate and intense reactions, is irresponsible, and often is charming.
- Paranoid Personality Disorder - is suspicious, rigid, judgmental and vindictive.
- Abuse Disorder (similar to Post Traumatic Stress Disorder) - is distrustful, has selective avoidance, has inappropriate guilt, uses scapegoating.

These types often do not have healthy relationships to support their efforts, therefore they will seek out communities where they have greater access and freedom to move. We will examine personality disorders more fully later on.

c) Spiritual Conflict differs from normal and abnormal in that the instigators have an intentionally unhealthy agenda (evil). They resort to abusive tactics without remorse, and have a persistent energy for their causes which wears people down. These people Lloyd Rediger identifies as Clergy Killers.

Five D's of clergy killers:

Destructive: Intentional destructiveness. They do not just disagree or criticize, they insist on inflicting pain and damaging their targets. They use; sabotage, subverting worthy causes, inciting others to do their dirty work, and causing victims to self- destruct.

Determined: Do not stop. They may pause, go underground, or change tactics, but they will intimidate, network, and break rules of decency to accomplish their destruction. They insist that their agenda has priority.

Deceitful: Manipulate, camouflage, misrepresent, and accuse others of their own tactics. Their statements and negotiations are not trustworthy.

Demonic: Are evil, and may be mentally disordered. Spiritual leaders become symbols and scapegoats for the internal pain and confusion they feel.

Main line churches and popular culture have essentially discarded the concept of evil by labeling sin and evil as mental illness or human failure. It is important to regain a spiritual understanding of this and to use spiritual gifts of enlightenment, grace, discipline and courage to confront evil. (See M. Scott Peck's *People of the Lie*).

Denial: This is where the church colludes in the agenda of the clergy killer. Most are unwilling to admit to the reality of clergy killers (and abuse), nor is there acknowledgement of the intentional damage caused. There is a belief that "This shouldn't happen in the church." This leaves the clergy killer unrestrained and the whole church vulnerable.

Why bullying is unacceptable in a community that calls itself the church

Bulling in the church is unacceptable because spiritual health (wholeness) is the missing ingredient whenever there is abuse within the community. Jesus' ministry included exorcizing demons from the community. In order for a community to be whole, those factors that serve to disrupt the life of the community must be identified and dealt with in appropriate ways.

We must be prophetic in the biblical sense of identifying evil and fighting to rid the community of its influence and consequences. In order for a community to be a witness to an alternative vision in the world, the community must first **discern** (Rediger's sixth D). The spiritual gift of discernment is God's grace, used to see and understand the presence of evil.

Discernment is followed by confronting evil. Confrontation works best in a healthy congregation.

If the community is not willing or able to discern and confront evil and abuse, then the community is destined to be consumed by it and ultimately be destroyed.

The tribe that kills its shaman loses its soul.

Information and Guidelines Related to Problem Personalities and Problem Congregations

- A helpful information resource is found at: www.balmnet.co.uk
- This document holds information from G. Lloyd Rediger, *The Toxic Congregation* (Abingdon, 2007) and the *Diagnostic and Statistical Manual of Mental Disorders* (1980).

Signs of an Abusive Situation or Congregation

It is often very difficult in ministry to admit that an individual or a congregation is antagonistic, abusive, and even "toxic." Such terms seem degrading of others. They also seem to contradict the very motivations that bring one into Christian ministry: a desire to serve others, to practice compassion, to share the good news, and to help individuals or communities reach their full potential. Yet, whether religious or otherwise, every community by nature struggles to express its identity and to define its place in society. And communities particularly defined as helping communities or communities of solidarity are especially attractive to individual personalities or groups that seek to control social agendas or bully individuals in direct and personal ways. Sometimes a church community can be under the influence of such a group or a remarkably dominant individual and can consequently be a community of high stress characterized by dysfunction and abuse.

There is little or no training for ministers in seminary to identify a problem congregation or a problem individual. Equally, the church's governing bodies are largely volunteer based and ill equipped to understand and handle an abusive situation correctly. Instead, ministers suffer alone or take personal responsibility for a toxic situation without recognizing that the history of the congregation is toxic and without being able to turn to the church's governing bodies for support, advocacy, and action.

It is not unusual, as statistics demonstrate overwhelmingly, for a clergy person to suffer an emotional or physical breakdown and/or to be forced, for the sake of "peace," to find a new call. Sometimes clergy find themselves out of the church entirely, feeling deceived and disempowered as they try to put their lives and those of their families back together.

There are signs that a situation or a congregation is one of abuse rather than promise. However, it is always important to note that there is no formula to predetermine an abusive situation since human personalities and group dynamics are so variable. Abuse can alter its form from one situation to another. Equally, sometimes individuals are too sensitive and it can be difficult to distinguish between honest, if harsh, criticism and abuse. Nevertheless, abuse, when it does occur, is real. And another guise of abuse is exactly to deny that it has occurred, causing the victim of abuse to feel even more inadequate and isolated. So, it is important to understand that abuse, as opposed to criticism, is repetitive and predictable behaviour in which another person or group is consistently targeted, degraded, or defamed.

Submit rather than Serve

In congregational life, a minister can be abused when the attitude and action of individuals or committees is such that the minister should submit to the authority of the group rather than serve the congregation. In such a situation, the abusive person or committee understands its identity in a supervisory way. The minister may be told, "Your job is to preach the Word of God," even though the committee or individual who so instruct lack the theological education to understand the meaning of this phrase. Instead, the real meaning is "I (or we) want you to preach sermons that conform to my (or our) understanding of Christianity." In this example, there is no longer a relationship of service to the community where the gospel plays the role of challenging individuals or groups to change or reconsider their understanding. Instead, the voice of the minister as both prophet and pastor is forced to conform to the selected standard of one or a few.

Control rather than Support

Another example of an abusive pastoral relationship is found when an individual or community relationship is based on control. In place of supporting the ministry of the church, a select number can seek to control its path and expression ensuring that the minister is either "on their side" (set against others) or, in a more difficult situation, ensure the minister suffers as the "other" in the community.

In an effort to please others, ministers can get caught up in issues of control and not realize the situation until it has deteriorated into abuse. An example of such behaviour can be when a congregational member or a committee seeks special information from the minister that would normally be privileged information. Or, another example, an individual or committee can inappropriately expect that the minister is on their side in relation to an issue. In one instance, a congregational member was caught rifling through the personal files of a minister and claimed, when called into question, that such files "belong to the congregation." In another instance, a minister was accused of "siding with the youth" when a motion was presented to change the seating arrangements of the sanctuary. In these instances, the intention is to disempower the minister by refusing to recognize the autonomy of the person called to give pastoral care.

Dependence rather than Vision

Another repetitive activity that defines abuse occurs when the minister is made to feel dependent on an individual or group rather than free to articulate a community vision. In place of an inspired community that works together for a common cause, it becomes necessary for the community to check in with a powerful few before it can act. A minister can also get caught up in this, finding it necessary to please specific individuals before making decisions.

In one congregation, a finance committee inappropriately accumulated extraordinary power such that it became necessary for any program expense to be pre-approved by the committee. Aside from fixed expenses, there was no budget set for the year and no authority of any group to spend money without prior consent. This created a situation where all other committees of the church needed to ingratiate themselves with the finance committee in order to carry on their activities. Even the minister needed prior consent to take a Study Leave. This situation meant that the life of an entire congregation and its minister depended on one group. The excitement of a shared vision and a shared ministry was lost.

Structure rather than People

The most common situation where abuse can occur relates to the church building. Essentially, the building becomes more important than the ministry, and consequently decisions about the ministry and the minister are secondary to paying the bills or maintaining the property. In one instance, a minister was asked to receive his paycheque two weeks late. The minister agreed, but when he arrived at his office the next day a work crew was repairing the brickwork around the front door of the church. The congregation was clearly having trouble paying for both the minister and the building, but when push came to shove, the building was more important. The message to the minister was obvious.

While many churches struggle to maintain their buildings, the abusive element emerges when a minister and the minister's family are made to suffer personally for the sake of the building. There are horrendous stories about clergy families living in condemned manses, having no water, working in unsafe or poorly heated offices, and suffering financial losses or interruptions of pay - all for the sake of building maintenance. Admittedly, a building helps give identity to a community, but when the building substitutes for the identity of the community and when persons called to serve the community suffer unjust employment practices, abuse has occurred.

Sometimes the tendency is to assume abusive stories belong to the old days when ministers could receive groceries in place of payment or when there were no housing allowances. In fact, all of the examples above are real situations drawn from the past fifteen years. Similar instances of abuse continue today.

Cluster "B" Personality Disorders: Types That Can Be Involved

Here again, when we talk about personality disorders, we need to be cautious. There are two warnings to heed. One is that, to different degrees, everybody holds variations and potential problems in their personalities: areas of insecurity, of control, of anger, fear, or self-consciousness. It is not unusual in any given description of a disorder to see characteristics of oneself. A problem personality, however, is an extreme case with particular obsessions in one type of behavioural pattern.

Secondly, there is no intention here to draw a one to one correspondence. It is not the case that such and such a personality is necessarily going to engage in clergy abuse. Rather, these personality disorders are documented in the *Diagnostic and Statistical Manual of Mental Disorders*. They *can* be involved in persistent and abusive behaviour, but only an expert can truly diagnose such personalities. Here, the disorders are described according to the Statistical Manual. Understanding them may help understand a situation or a particular behavioural pattern. Still, while helpful in this way, these descriptions do not solve any problems. However they do make it clear that specific types of behaviour can reflect genuine personality disorders that need serious attention. They may also help a clergy person not to take such behaviour personally but learn to seek help.

Each personality disorder described below is known as a "Cluster B Personality Disorder." These personality disorders are social in nature to the extent that they are normally acted out in relation to others or in the setting of group dynamics. Each is characterized by dramatic, emotional, or erratic behaviour.

Antisocial Personality Disorder (APD)

This personality disorder is characterized by a disregard of social norms, group or community policies, and impulsive behaviour. The individual is typically indifferent to the feelings of others. Individuals suffering this disorder seem indifferent to pain, show no regard for the consequence of their actions, and do not change their behaviour when threatened or disciplined. Antisocial disorder is statistically more common among men than women. This personality also is prone to substance abuse.

Other traits that qualify this personality are: repeatedly performing acts against a policy or a law; deceitfulness or conning others to get what one wants; failure to plan ahead; aggressiveness; consistent irresponsibility; lack of remorse.

Borderline Personality Disorder (BPD)

This personality disorder is characterized by a pattern of instability. It is called "borderline" due to the affected person displaying consistent extremes in action or thought (that is, "either/or" thinking). The affected person exhibits a compulsive yet imagined fear of abandonment and can be prone to suicide. Relationships alternate between idealization and devaluation. Mood swings are intense: sadness, irritability, and anxiety. There can be an intense and inappropriate anger that rages out of control.

Other traits that qualify this personality are: extreme sensitivity to how others perceive the individual such that the reaction can be very strong, full of anger, and vengeful. Though the condition is really one of persistent, inner, emptiness, the outer manifestation can be expressed in the manipulation of others, mean-spirited and degrading criticism, and physically destructive behaviour. While the individual is constantly looking for relationships and affirmation, the individual can also turn upon him or herself (becoming a danger to the self).

Narcissistic Personality Disorder (NPD)

This personality disorder is named after the Greek myth Narcissus and is considered the most difficult diagnosis of Cluster B Disorders. Narcissistic Personality Disorder is characterized by an unhealthy sense of entitlement or self-importance, fantasies about one's own brilliance or success, an arrogant attitude in which other individuals are a means to an end, and a lack of empathy for others. This personality disorder may be the most difficult to diagnose because the narcissistic individual is extremely clever at disguise, fooling both counselor and self. Typically, the narcissist does not really know who he or she is: the image is more important than the reality.

Other traits that qualify this personality are: a preoccupation with success, power, and reputation; cruelty in relation to the feelings of others; an imaginary belief that others are envious of her or himself; a belief that he or she is in a special category that entitles her or him to special treatment, status, or justification.

Histrionic Personality Disorder (HPD)

This personality disorder is characterized by extreme emotional expression and excessive attention-seeking behaviour. An individual with this disorder displays a pervasive pattern of sexual misconduct: continuous flirtation, inappropriate seductiveness, obsessive attention seeking strategies, and sexual misconduct. It is believed that this disorder is more commonly found among women than men, but it is possible that this finding reflects a general social sexism in which such behaviour is more acceptable among men.

Other traits that qualify this personality are: a constant need for approval, dramatic or exaggerated displays of emotion, excessive sensitivity to criticism, an inflated concern with physical appearance, low tolerance of frustrated or delayed gratification, self-centredness, and a tendency to believe relationships are more intimate than they actually are.

Types of Abusive Congregations

Similar to identifying abusive personalities or situations, labeling a congregation abusive is often difficult and disheartening. No one who enters ministry arrives at a congregation with any other hope than success. When the situation is abusive, not only is a congregation disempowered in ministry but also a minister suffers under enormous and sometime career ending depression.

It is also true that the research and understanding of abusive congregations is relatively new. Few people comprehend the issues deeply, and fewer still have the training necessary to judge the situation accurately. More often than not, individual ministers are fingered as the problem. Authors like G. Lloyd Rediger, consequently, have used poignant language when it comes to addressing problem congregations. Due to the history of denominational churches sending in "problem-solving pastors" to highly troubled congregations, Rediger adopted such words as "toxic, killer, and dysfunctional congregations" not only to identify the depth of trouble but also to raise awareness in denominations that the issues far exceed the capacity of one (usually year-long) problem solver. [\[1\]](#)

In the discussion below, some of Rediger's terms are used (toxic, killer, and dysfunctional) to help identify the serious and extreme nature of problem congregations.

The examples employed are anonymous in nature but represent situational types that to which many clergy can relate.

Killer Congregations

A killer congregation is one that has a consistent history of targeting and firing clergy. In this situation, one group clearly rules the roost and will bully the minister until the minister leaves. In one case it was reported that some members of the group followed the minister to the setting of a new call to attend the first worship service and to spread harmful rumours among congregants about their new minister's "troubled past."

A killer congregation usually holds a troubled history that when examined expresses a warning. There may be frequent clergy turnover or several stories of clergy who suffered stress related health problems. Though it is never possible to draw definite conclusions from a few observations, when viewed historically, killer congregations have pronounced patterns of abuse that surface in the stories of the clergy who have served them.

Ideally, a Christian community is ruled by love. Even if the ideal is not met, a healthy congregation will strive to live in light of the love of God. Killer congregations replace the marks of love (compassion, kindness, and forgiveness) with those of anger (hatred, cruelty, and vindication). The consequence is an environment with a high level of distrust and consistently malicious activity. In killer congregations, positive relationships of love are displaced by negative relationships of anger.

This story of a killer congregation comes from a middle class context where a growing immigrant population has meant a change in the context and age of the neighbourhood. The congregation officially numbers about 250 but holds only 100 active donors and approximately 70 regular attendees. For as long as anyone can remember, the congregation has been highly influenced by an extended and influential family. The family even gave itself a nickname, "the tornados." Collectively, the tornados count for almost 50% of the offering and en masse hold the ability to severely jeopardize the financial stability of the congregation. A recent issue in the congregation was to change its worship style and sanctuary layout to attract new audiences from the neighbourhood.

However, the tornados would not agree to alter the traditional service or sanctuary layout. After the congregation's board voted to explore these options, the tornados served notice that they would withhold their financial pledges. The minister visited with some of the main members of the tornados to see if their hard feelings could be dissuaded but found out instead that the tornados firmly blamed the minister for disrupting the peace. Due to their numbers, the tornados invoked a 363 review of the minister, ultimately forcing the minister into a change of pastoral relations. After the fallout, the Presbytery voted to appoint a minister for a one-year probationary period; following this, the congregation was again open to a new call.

This is an example of a "killer congregation" because 1) the minister was targeted and essentially fired without cause, and 2) the congregation was open for a new call without the underlying issues being appropriately resolved.

Toxic Congregations

In as much as a killer congregation is ruled by anger, a toxic congregation is one in which the ideal of joy is invaded and transformed by sorrow. Toxicity is different from the situation of a killer congregation because "toxic" refers to the inter-relationship of all members. It is as if sorrow has invaded the relationship between people rather than the power of one specific group directing anger against others in the community.

A toxic congregation may also hold a history of abusing clergy, but this may not be its main community pattern. Instead, the pattern of a toxic congregation is expressed in its style of administration and the general confusion of its purposes, methods, authority structures, and policies of accountability. Toxic congregations can bully their minister but equally can have committees or individuals that bully each other. Essentially, it is a church of consistently high tension expressed whenever an issue or a change is on the horizon.

The situation for a minister in a toxic congregation like the congregation itself is sorrowful. There are several things that can go wrong for the clergy person. One is that groups or individuals within the congregation will compete for the attention of the minister. Secondly, if the minister is perceived to favour one group over another, then the group that feels left out can adopt "killer" tactics—that is, targeting the minister and causing difficulties and stress in the pastoral relationship. A third characteristic is the development of inappropriate authority behaviours. Frustrated committees or individuals will exercise power either to get even with another body or to assume a decision-making role that the church structure does not actually grant. Finally, toxic congregations are dominated by alliances (persons and groups aligned one against another). This can feed the tendency for groups to exercise inappropriate authority because relationships of accountability are undermined.

At first a toxic congregation can appear to be very successful since, outwardly, it is active. The toxicity becomes obvious only when it is realized that the surface relationships hide a sorrowful and broken community.

An example of a toxic congregation is drawn from a small town located on the outskirts of a large and encroaching city. The growing city has meant both good news and bad news. The congregation was established historically as a close knit, stable, but small community. Within the last two decades, the town has become home to a new professional class that works in the city but prefers life in the nearby country. Added to this is the fact that many family farms, which were the heart of this community, have closed and been sold to corporate interests. The congregation now is a mixture of country and city folk and holds all the variations this implies: technology mixed with tradition, a professional class mixed with a farming class, city knowledge mixed with country knowledge, preferences for new homes and mega stores mixed with preferences for older homes and grocery stores. The consequence of this growing mixture of families, histories, and experiences slowly transformed a quiet church into a highly active church with several committees, programs and events.

The issue of the congregation was a planned expansion. There were too many ideas about the needs and too many differences about what was appropriate. Comments reflecting these problems ranged from "if you build it, they will come" to "we can't afford a new auditorium" to "we don't need high-speed internet." A board meeting finally voted in favour of an expanded sanctuary and new, modern offices. But in place of the decision uniting the congregation, the decision set off tremendous dissatisfaction resulting in a loss of membership and many broken relationships. Rumours started about the minister favouring one group's vision over another and not really giving proper leadership. The congregation became known in the neighbourhood as a troubled one, and the minister felt distrusted and isolated in the midst of serving the community.

This story ended with the Ministry and Personnel committee of the congregation inappropriately interpreting its mandate to be the supervisory body of the minister. The consequent stress on the minister led to a change in pastoral relationship within a year of the board's vote on expansion. Yet, since from the outside the congregation looked like it was successfully growing and changing, the congregation was opened to a new call without any visitation or review from the Presbytery.

Dysfunctional Congregations

Another ideal in ministry is the pleasure of working in a Christian community and using one's training and talents to serve others. But a dysfunctional congregation cancels the pleasure of service with the presence and power of fear.

A dysfunctional congregation characteristically is one in which a definite direction or policy is rarely adapted. Everyone is too concerned about avoiding old conflicts such that genuine debate and decision-making become highly problematic and sometimes impossible. Still, in place of toxic relationships, a dysfunctional congregation maintains a consistent structure and membership. What happens is simply that it is unable to move forward and usually, consequently, slowly dies. Within the dysfunctional congregation, abuse is often tolerated because persons who do abuse or who are troubled personalities are excused as "being like that" rather

than confronted or disciplined. The appropriate slogan for a dysfunctional congregation is "peace at all costs," even when the cost is the future of the congregation or the minister.

The story of a dysfunctional congregation comes from a downtown city congregation with its roots in pre-union history. Until the 1950's the church was highly successful and wealthy, but since the 1960's the trend has been to lose members to new suburban life. Also, over the years the downtown culture of the city has completely changed. Poverty, unemployment, the drug trade, and nighttime violence now define the context. Yet, with the passing of the founding generations, the congregation holds a large endowment fund.

The wealth of the congregation gives the community several possibilities. It could transform its building from a large cathedral-styled church into a downtown ministry based on social services. It could create several office spaces, develop different types of ministry both secular and Christian in nature, and could rent much of its unused space to support such creative forms of ministry. It could sell its building to the city for use as a concert hall and buy or rent a much smaller premises to focus on downtown ministry and small, regular, and accessible worship services. It could diversify its worship, moving from one main gathering to several smaller gathering of different styles, times, and audiences in an effort to address a new postmodern culture. The wealth of the congregation opens a field of possibilities, but currently things go on as usual and a large endowment is drawn upon and reduced yearly to make ends meet.

The dysfunction of the congregation set in over time as important issues in the denomination were met and debated locally. Issues included the ordination of women, changes in the understanding of ministry, inclusive language, and the ordination or commissioning of homosexual ministers. These and other issues had the affect of attrition, making new decision difficult and constructive debate almost impossible.

A new minister was called to this historic congregation with the expressed wish that the minister provide leadership for vision and change. But the pastoral relationship lasted less than two years. First, the congregation could not face change. In place of a prophetic ministry, which was the gift of the called person, the ministry soon became almost strictly pastoral care to a dying and insipid congregation. Second, when a plan was raised and presented to the board, the board repeatedly request revisions until, finally, the minister felt obliged to give up. Third, because it was the minister presenting ideas rather than the community debating ideas, the dysfunction expressed itself as a division between the minister and the congregation. The Presbytery at large blamed the minister for creating unrest even though the call was approved on the basis of the new minister making changes and articulating a vision. The minister consequently felt isolated and alone, describing the situation as if "I was left holding the bag."

In place of the pleasure of serving a congregation with one's gifts, in this story the dysfunction of a fearful congregation contradicted and annulled the basis on which a call was extended. The abusive element occurred when blame for community dysfunction is placed on an individual minister, leaving the minister isolated and stigmatized.

The Abuse of Denying Abuse

A form of abuse occurs when abuse is denied: beware of the following attitudes:

- I'm aware that you *believe* you were bullied.
- Oh, these things happen, you just forgive and move on.

- Dealing with difficult people is part of the job.
- No pain, no gain
- You've got to put the past behind you and move forward.
- The problem is not the bullying, but your inability to cope with it.
- Inability to cope with stress is a sign of spiritual inadequacy
- Depression is a spiritual problem
- Pray harder and it will all go away.
- Bullying doesn't happen in the church - we're a caring organisation

From Ingratiation to Bullying: Typical Progressions of Abuse

The following four statements portray a series of steps that typically define the tactics of a bully in the church. The bully moves from initially ingratiating him or herself with the minister to eventually (and in surprisingly short order) bullying the minister. These steps are set forth before as 1) ingratiating, 2) advising, 3) directing, and 4) bullying.

1. The bully often meets a new minister with *ingratiating* acts. These are not attempts to welcome the new minister but to ensure the new minister knows who is who.
2. After ingratiating with the new minister, the next stage involved the move to *advising* the minister. The bully advises on how to handle others, whether or not a proposed change is a good idea, and gives the impression that he or she is providing a privileged “behind the scenes” look at another individual, proposed idea, or a particular event at the church.
3. After the advisory period is over, the *directing* period begins. This is when the bully begins to direct the minister, making decisions on behalf of or in place of the clergy person, changing or re-interpreting what the clergy person has said, attempting to tell the clergy person what to do, how to act, or what policy to observe or decision to make.
4. The *bullying* stage begins when the “behind the scenes” comments are now made about the minister. The bully will take deliberately take actions that do not accord with church policy or that knowingly trouble the pastoral relationship. A type of “vendetta” against the minister is carried out: paycheques are delayed, study allowances are not honoured, snooping in private files occurs, public accusations are raised against the minister, criticisms and demeaning comments become a matter of course. A bully can employ many different tactics, ranging from the very explicit to the very subtle. But the one common element is that the bullying is real and repetitive. The mistake of the church community and even of affected ministers is to search for excuses, not to believe bullying is real, and to fail to take to act against it collectively.

Preparing for potential clergy abuse and what to do when it happens to you

In the United Church, unacceptable levels of out of control conflict have:

-
- Undermined the effectiveness of the minister’s ministry
 - Impacted the minister’s health and emotional well-being
 - Brought about an unwarranted review (known as the dreaded 363 review) of the minister

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- Led to unfair discipline of the minister, whereby the minister is ordered to undergo psychiatric evaluation, subject to supervision, take a course or even be suspended or removed from the pastoral charge
 - Taken legal action against the minister and family
 - Forced the family to move, uprooting children from school and friends and taking the partner away from his or her employment
 - Discredited the reputation of the minister and family
 - Resulted in abuse, avoidance and abandonment of the minister and family
 - Made it difficult, and sometimes impossible, for the minister to find a new charge
 - Caused the minister and family financial hardship
 - Triggered mental illness, heart disease, chronic disease in the minister and/or family members
 - Led to substance abuse within the minister's family
 - Led to marital and family breakdown

Preparing for clergy abuse

According to the Review of The Survey of Ministry Personnel – Study of Isolation in Ministry for The United Church of Canada, distributed in April, 2006:

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- 78.5 % of ministers work more than 40 hours per week. 45 % work more than 50 hours per week. 12 % work more than 60 hours per week. A small number work more than 70 hours per week.
 - Almost 75 % of ministers feel they have too much work for one minister to do.
 - Almost 44 % of ministers often feel lonely.
-

If you are perpetually tired, out of shape, work too many long hours and have a compromised immune system, you won't last long if a clergy killer targets you. You need to take control. Be a good steward to yourself through responsible self-management.

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- On Sunday night, look through your day timer, figure out where the free time is in the coming week's schedule, and write in Pastoral Care Visits with Your Partner and Children. If you can't find any free time, then make some. Get your priorities straight. Write the entry in a firm hand and in ink!
 - Honour the importance of regular meals, rest and recreation. Design a simple wellness plan and commit to it. Go for walks after dinner or on your lunch break. Engage in a fitness activity with family members so you spend time together while staying fit. Share at least one good belly laugh with your family or friends daily. Otherwise, you and your family won't share many mealtimes, you will be grouchy when you do see them, and you will become out of condition, burned out and ill.
 - Early in the morning of your day off, grab your partner or pal, jump in the car and take off for the day or overnight, out of the manse, out of community and away from the church. Drive for at least an hour till you reach a spot where you will be unlikely to run into a church member. Otherwise, someone else may try to claim your time and energy.
 - Make a habit of praying with your partner and children. Either first thing in the morning, over the evening meal or at bedtime, hold hands and pray together, for one another, your family and friends and about the things that concern you, outside of the congregation.
 - Don't set yourself up for disappointment. If it seems an emergency call always comes in just as you are going out the door to a theatre production, don't book tickets in advance. Take your chances with rush seats. Make last minute dinner reservations. Let houseguests know ahead of time that you might not be around for the entire time. Make time for serendipitous pleasures without creating frustration.
 - Cultivate your own interests and friendships outside of the church. Join a class scheduled on your day off, make some friends, take up a hobby that will occupy your time happily. Invite your partner to

take ballroom dance lessons or cooking classes with you. Make sure it is something independent of the church – something just for you or for the both of you.

- Get regular medical checkups, as well as dental care and vision tests.
-

Protecting the minister's family

- Ministry personnel experience a higher level of depression and stress when compared to other populations – particularly amongst clergy who are under 40 years of age.
 - More than 44 % have difficulty building strong social networks in the United Church
 - Nearly 60 % feel there are few people they can openly trust and confide in
-

These statistics often mean that when the minister needs to talk about her/his cares, the partner becomes the sounding board, confidante and support system, all rolled up into one uncertain, reluctant package.

Some tips for the minister's partner:

- Let your partner know that you are here to listen – but that you are the life partner, not a therapist.
 - If possible, take the discussion outside of your home. Home should be sanctuary, not a place of tension. Talk while walking in a quiet park or on the outskirts of town. If you live near church members, drive to a quiet spot and hash things out. One place where you can likely talk without being disturbed is the cemetery (anyone driving by will think you are researching local families).
 - Try to determine if the minister is really distressed or just needs to let off steam.
 - If the minister continues to be perturbed for a period of time, talks frequently about a person or situation that has become intolerable or if the minister becomes withdrawn, recommend the minister see the doctor.
 - Consider calling the Employee Assistance Program and requesting a counsellor. A qualified, confidential counsellor may help bring perspective.
 - Or take a counselling course as part of your continuing education. The minister can learn a lot that will be of personal help and benefit.
 - Consider going to see the counsellor, too. If the minister has been under pressure, you likely have been, as well. A visit to the counsellor, individually or as a couple, could help you both. (EAP may cover about \$300 in counselling fees per person. Depending on what your counsellor charges, that could be three to five counselling sessions for each of you).
 - Watch for signs of despondency, hopelessness or despair. Urge your partner to see a medical doctor and a counsellor.
 - Try to cultivate a friendship with another couple whom you both like. Over time, the minister may come to trust the couple and could open up to them, also, when troubled.
 - Perhaps a retired minister and his/her partner may extend help, friendship or mentoring. Being with people who have made it through a long ministry and gaining the benefit of their experience could prove helpful.
-

Protecting the PKs

Ministers have been driven out of their charges because of undue criticism of their children. It is up to the minister to shield their children from the petty, hurtful and often deceitful remarks of the nit-pickers.

- Try not to leave your kids unattended when the critics are around. They might be accused of doing something they never did. They can't defend themselves and it's their word against the accuser.

-
- Limit your children's exposure to the congregation. They can't be little angels all the time. One of you is sure to crack.
 - Give your young children and teenagers opportunity to be themselves, not the preacher's kids. Take them to visit out-of-town friends or send them to relations for March Break. Send them to camp, out of your local area, for a week in the summer. Let them discover who they are and find out that they really are terrific people – not those brats the lady at church is always complaining about.
 - Introduce your kids to other PKs. They can swap stories, share their feelings and help one another in a way that you can't.
 - Teach your children to be respectful, honest and mannerly. Trust them to follow your example.
 - The minister could make things easier on everybody at home by asking the charge for a cell phone, rather than a minister's phone line in the home. Then your kids won't get blamed if the line is busy when a church member tries to call, or if a phone message is lost or forgotten. If the charge won't comply, get a separate line for your family. Don't give it out to anyone in the charge, as people may phone your family line and disrupt your home life.
 - If at all possible, don't live in the same school zone as the minister's church. If you do, see if you can arrange for your kids to attend a different school. Then your child can go to school without worrying about being the PK all the time, too. It also eliminates bullying or shunning by church members on the school bus or in the schoolyard.
 - If the criticism of your children is affecting their self-esteem and happiness, report it to the M & P Committee. They just may become more protective of your kids or quicker to defend them.

Preserving and celebrating the identities of the minister and family

Various people from all sectors of a church and community will try to impose their definition of a minister's family upon you. Honour and maintain your uniqueness and live as God made you.

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- Stay connected with your old friends, no matter how far you roam. They will remind you of who you really are.
 - Do things just for you, activities that interest you, travels that take you out of community.
 - Learn to say No, without apology or guilt. With practise, you can do it!
 - The minister must remember to protect the partner, by not volunteering her to do church work or sending someone to you her pastoral care in the guise of a little chat and a cup of tea.
 - Try not to let your paid accountable ministry overshadow your partner's own ministry. God is calling him, too. Ensure you respect his time so that he can receive the message and honour his unique calling.
 - Find a place where your family can be spiritually fed. You can't minister to your family. One minister's partner goes to her husband's church about once a month and worships with other congregations on the other Sundays. Another attends a Bible Study at another church.
 - Encourage your partner to ignore the critics, while acknowledging the partner's feelings. Somebody is always going to be trying to minimize the partner's contribution or tear him/her down. After all, s/he is the person closest to their minister, and some pathetic people just don't like that. To them, the partner is the Other Woman or Man who doesn't deserve such a wonderful person for a partner. That's their problem. Don't let it become yours.

Supporting other ministers and their families caught up in abnormal conflict:

The most common experience of ministers and their families who are in conflict with a person or faction within the Church is isolation. At a time when clergy most need pastoral care, they are often left severely and noticeably alone.

If we are to honour the teachings of Jesus Christ and care for the least of these, then it is up to us to seek out the suffering, bewildered, frustrated, despondent, tired, drained and angry minister and his partner. Extend:

Authentic compassion

- Complete confidentiality
 - Real concern
 - Heartfelt prayers
 - Respect
 - A public show of solidarity. Minister to the minister. By example, remind others that they are called to be the Church. Shunning one of their own is not right. Sit by the minister at Presbytery. Attend the minister's church one Sunday and share a hymn book with the minister's partner during worship. Tell members of the congregation during coffee time how blessed they are to have such a caring minister and partner.
 - Action. Tell your Conference personnel minister that you are concerned about this minister and are hoping he is doing all that he can to honour the minister's covenant.
 - Assistance. If the minister or partner feels too overwhelmed to contact the Employee Assistance Program and request counselling, offer to make the call, with the minister and partner present. If the minister feels too unwell to keep a doctor's appointment, offer to drive and wait.
 - Advocacy. Offer to be present at any meetings the minister may have with the Charge's Ministry and Personnel Committee or Session, Presbytery M,P & E Committee or any other meeting that may be scheduled. At the very least, you will be an important witness to what takes place.
 - Community. Gather other ministers and partners you believe you can trust and build a community of trust for the minister and partner under attack.
 - Encourage and accompany the minister and family to another place of worship, perhaps in another denomination.
 - Opportunity for the minister and partner to talk about what is going on, their view of the problem and their resultant anxieties.
 - An invitation to your home for dinner or drinks. When a minister and partner feel like lepers within their own community, it is reassuring to be welcomed into a colleague's home.
 - A day or night off from care and stress. Offer to babysit their children so they can have a private conversation or just time to take in a movie. Or take the couple out for a walk in the woods and a picnic. A simple outing may restore some feeling of normalcy during a frightening and seemingly crazy time.
 - Help with the move. The United Church's current common strategy for dealing with church conflict is Peace at any Price – and the minister pays the price. Common advice given to ministers under attack is: "Move on to another charge as fast as you can, before your reputation is destroyed." If the minister is indeed forced to move, offer to help pack and load up the truck. Host a little farewell party – nothing too jolly; it's a sad occasion. But don't let the minister and family feel like they have to slink out of town.
 - Keep in touch.
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Clergy Street Smarts

In his book, Clergy Killers, Lloyd Rediger identifies street smarts or survival skills for clergy, as follows:

“1. Believe that it is possible for someone to want to destroy you.

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2. Understand that your denomination typically has little power or inclination to save you from clergy killers.
 3. Learn the danger signals and patterns of behaviour of clergy killers (see the six D's).
 4. Be aware that proaction is far better than reaction in dealing with clergy killers.
 5. Learn that building relationships in the congregation is key to preventing clergy killer attacks and provides a protective synergy. It is also good pastoring.
 6. Accept the fact of evil and mental disorder in the church.
 7. Expect the attacks of clergy killers to have serious negative effects on your congregation and loved ones. Therefore, your survival skills are also important for their protection and should be taught to them as well.
 8. Learn that awareness and survival skills need not produce paranoia, nor rob you of the joy of ministry. They simply aid you to function in ways appropriate to contemporary reality.”

Precautions and Strategies:

- Take the initiative when dealing with a clergy killer. Normal pastoral behaviour is not effective. Clergy killers rarely cease and desist if left unchallenged.
- Ask your church board to purchase and distribute copies of the United Church's handbooks for congregational committees.
- Ask your church board to purchase and read copies of instructive and realistic books such as G. Lloyd Rediger's *The Toxic Congregation* and *Clergy Killers*, so that they may be prepared for potential problems, even if there are none evident at present.
- Provide your M & P Committee and Church governing board with The Manual's section on Conflict Resolution.
- Provide your M & P Committee and Church governing board with the United Church's Dispute Resolution Policy Handbook (included in this package). The United Church admits the policy has its flaws, but it gives some basis to work from. It also has important criteria, such as all complaints must be received in writing and signed, and that the person being accused must receive a copy of the complaint as soon as possible.
- Keep an accurate day timer, in which you record instances of abuse on the appropriate date, with notes (i.e. 2 to 3 p.m., May 3: John Doe barged into my office, demanding my apology for a comment he erroneously claims I made in my sermon, etc.) You may be called upon by the church or by a court of law to provide your notes pertaining to clergy abuse.
- Consider obtaining a small tape recorder so that you can tape conversations with people whom you suspect may become abusive. This will enable you to replay the conversation, discern what was really said and determine how to respond.
- Bring a witness or advocate to any meeting that you are concerned potentially abusive people may be attending.
- Avoid being caught alone with a potential or known clergy killer. If you see her coming, start moving for the door. If the clergy killer tries to detain you, explain you have a pastoral emergency to attend to. (It's yours!). If you are unable to leave because worship is about to start or for some other reason, head for where the crowd is. Clergy killers will accuse you of saying things you never said and doing things you never did. There is some protection in numbers.

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- If a clergy killer insists on meeting with you privately, book an appointment at the church and have a trusted witness/advocate stationed outside the open door. If the clergy killer demands that the door be shut, state that you cannot meet under those terms. If the clergy killer says that the matter is of a personal, private nature, offer to arrange a meeting between you with an elder present. Do not agree to meet alone.
 - Report your concerns about clergy abuse to your M & P Committee and your congregational governing board. It is the congregation's responsibility, per The Manual, to discipline a church member.
 - Follow church policy and process, according to The Manual, in everything you do relating to the clergy killer.
 - If you are concerned about your own or your family's safety, contact the local police and ask for advice and help.
 - Establish and nurture mutually affirming and supportive relationships with a good cross section of the congregational membership. Increase the number of relationships each year. You support them; they support you, as church community is intended to be. Hopefully, if a clergy killer attacks, some of these people will stand by you.
 - Build relationships with potentially troublesome people or people with whom you have personality clashes. You will gain insight into how they function, make them feel recognized and important and hopefully circumvent potential abuse.
 - Establish a personal support system of people you trust.
 - Manage your personal health: physical, emotional and spiritual.
 - Continue to learn, grow and improve in your pastoral capabilities. Take your full study leave. Attend continuing education programs. Spend your book allowance and make time to read.
 - Take your full holidays due to you. Ensure statutory holidays off are included in your employment contract.
 - Maintain a list of professional consultants – lawyers, mentors, pastoral counselors – whom you can call upon when needed.
 - Recognize when you need help and ask for it. See a counselor. Consult your doctor. Appoint an advocate or designate. Take stress leave. Get the best care you can. Honour your feelings. Retreat or fight – whatever is right for you. Take time to heal.

Seeking support and finding help when you are under attack

When bullies come calling, pick up the phone and make some calls of your own:

- A trusted friend or colleague (choose carefully)
- Someone who belongs to an ethical organization and will act as your witness and advocate at meetings where clergy killers or cliques will be present
- An organization dedicated to the care and support of abused clergy, such as Unifor Unifaith Community Chapter's Solidarity in Action chairperson at 519-860-1161 or evansjamesdouglas@gmail.com or the Clergy Support Network at 800-545-3681 or clergysupport.ca
- Your family doctor: make an appointment for a thorough checkup
- Your counselor or therapist, if you have seen one in the past and have a useful relationship
- The police, in situations of stalking, harassment, threats or assault to your physical person or property
- Your lawyer. If you do not have one or cannot afford to consult a lawyer, consider calling The Law Society's Lawyer Referral Service (LRS). For \$6, the LRS will provide the name of a lawyer who will provide a free consultation of up to 30 minutes to help you determine your rights and options. You can access the service by calling: 1-900-565-4LRS (4577).
- If the nature of the abuse you are suffering is related to your gender or race, you can contact The Ontario Human Rights Commission. It has a duty to receive and process complaints of discrimination filed under the Ontario Human Rights Code. The Commission also has a duty to investigate and attempt to settle all complaints filed by the public in a timely manner. Call 1-800-387-9080.
- If you are being subjected to sexual harassment, read The Ontario Human Rights Commission's policy document called Policy on Sexual Harassment and Inappropriate Gender-Related Comments and Conduct, which is available at www.ohrc.on.ca, or call in confidence during regular office hours from Monday to Friday, 800-387-9080

The following resources are recommended by The United Church of Canada:

- Shepell-fgi – Employee Assistance Program for counseling - 800-461-9722 or www.shepellfgi.com
- The Centre for Clergy Care & Congregational Health - 416-978-7799 or www.caringforclergy.ca
- Your conference personnel minister

A comprehensive scenario of clergy abuse

June is a thirty one year old ordained United Church minister, graduated from seminary almost five years ago. She spent her first three years on a settlement charge in Saskatchewan. She is highly energetic and extroverted, and she enjoys creative worship, preaching, has a good pastoral heart, and commitment to social justice issues.

She was called to Calvin United Church in suburban Ontario almost two years ago. She followed a twenty year pastorate of reverend Dave who was highly regarded by the congregation and there was no interim ministry. Immediately upon arriving at Calvin, she noticed tension between herself and the organist Bill Jones. Bill had been the organist there for fifteen years, and he had a close relationship with the previous pastor. Bill and his wife had a close relationship to Reverend Dave and his wife. The couples took holidays together and enjoyed each others company for many years.

Immediately upon her arrival, Bill began bad mouthing reverend June. June was well acquainted with Voices United from her University days and followed the lectionary and wanted to use some of the new hymns in the back of Voices United. Bill started by being very critical of her to the choir during the choir practice, making totally inappropriate remarks. He began calling people in the congregation, complaining about the ministry of reverend June, trying to get a group going to end her ministry at Calvin. June was extremely frustrated because he never attended worship committee meetings and Bill was extremely defensive when she suggested music that would fit into the liturgical season but that he did not approve of.

She talked to her M&P committee, while they listened politely it was obvious to her that because of their long term relationship with Bill they would take no action. The M&P committee only hoped that he would soon retire and be rid of the problem. Bill had lost his wife three years previously and so he seemed to have time to engage in this kind of behaviour.

June talked to the conference personnel officer but found nothing helpful in that meeting. She was feeling pressed against the wall, battered, and her self-esteem was shrinking. She knew that she had a large percentage of the congregation who appreciated her ministry and style of leadership, but she was also feeling a distance between herself and the chair of the official board, on top of the problems with Bill.

Bill Jones had the ear of the chairman of the official board so this was making June's situation even more untenable as she could get neither the support of the board chair, M&P committee, nor the worship committee. The worship committee, when asked about his attendance at the meetings for long term worship planning, simply said, "That is the way Bill is and we are never going to change him."

What would you suggest June do? What are your psychological and theological reflections?

GROUP DISCUSSION

Closing Litany of Affirmation and Celebration of Communion

(sources: *Banquet Liturgy of Courage*, David Galston, and *Bread for the Journey*, ed. Ruth Duck)

HYMN: VU #672 "Take Time to Be Holy" (vv. 1-2)

SHARING OF THE PEACE

ONE: All life is a call and response. God calls us into creation. God calls us into life. How we live is our response to God. As we share in this call to awareness, let our response be "God calls us this day." God calls us to Life! God calls each of us to move among the creation of this world, to bring joy and renewing love.

ALL: God calls us this day.

ONE: God calls us to Love, to plunge ourselves into the hurts and horrors, to give ourselves fully to all those in need. God calls us to be present to those who are without love.

ALL: God calls us this day.

ONE: God calls us to dance, to move out our joy and sadness, shedding our self-consciousness and clothing ourselves with peace. No longer can we afford to wait and see. We are the builders of the Body of Christ, the Church.

ALL: God calls us this day.

ONE: Let us take heart. The world challenges and disappoints, but it also feeds us and gives us vision. Here at Christ's banqueting table, we are welcomed and accepted. Here may we find new life and renewed hope to serve with courage and integrity. Like Jesus' followers who immediately after his death attributed to him the saying, "Whoever would come after me, must be prepared to take up their cross," we know it refers not to a challenge or burden but to a way of life, marked by a new vision and sealed as a new covenant in his name. As we gather here to share of the bread and wine, let us celebrate and affirm our call and vocation as a sacred trust and gift of God.

BREAD BROKEN/ WINE POURED/ WE SHARE TOGETHER

CLOSING PRAYER AND AFFIRMATION

For the bread

broken, for the wine poured, for our sharing together, we thank you God, that we may be strengthened in body and in spirit to serve you in Jesus' name. Thank-you for making possible this gathering together of your servants; guide us as we make our way home. May we know your blessing and your peace in our ministries and in our lives.

Rise, for God has come among us.

Rise, for we are part of God's loving creation.

Rise, for Christ has taken our burden.

Rise, for we are not alone in the world.

HYMN: VU #672 "Take Time to Be Holy" (v. 3)

Unifor Unifaith Community Chapter: *Defending the minister who is being abused*

Addressing the problem of bullying effectively requires several components.

1. Our congregations need to be educated about acceptable expectations of the minister so that they can be responsible and just in their treatment of the church's employees. Within Unifaith, our faithworkers are creating a small, easily understood handbook that can be downloaded and available to all congregations. The handbook will list the minister's covenanted duties, the expected hours of work, and the minister's employment rights under the UC Manual and under labour law. There will also be information regarding common sense and courtesy in the congregation's expectations and dealings with the minister, with examples of what is not acceptable. i.e. It is not acceptable to phone the minister at 11 p.m. at home with an announcement to put in next Sunday's bulletin or to inquire if the minister is having sex. (Real life instances). It is acceptable to phone the minister at 11 p.m. for a pastoral emergency, i.e. if a church member is dying or in urgent need of pastoral care.

By making the handbook freely accessible, church members will be made aware of the types of abuse their ministers and other faithworkers could experience. Obviously, most church members would never dream of nailing a dead chicken, bearing a note to "Get out of town", on the minister's door. Or demanding an hour or more of the minister's time, every day. Or making sexual advancements upon the faithworker. But these things have happened and continue to happen. By educating our congregations, they will become more vigilant regarding clergy abuse. And the bullies will be forewarned.

2. Through Unifor and Unifaith webcasts and workshops, our Unifaith members can be educated about harassment, abuse, conflict resolution and other important areas that impact their ministries. Unifor offers courses on a variety of subjects year-round at its exceptional Family Education Centre in Port Elgin, Ontario, as well as at Unifor union facilities across the country.

3. In every province, Unifaith volunteer representatives will be trained and prepared to assist a faithworker faced with an abusive situation. (At present, please contact in confidence Solidarity in Action Chairperson Jim Evans at 519-860-1161 or evansjamesdouglas@gmail.com). The faithworker can call or meet to discuss what is happening. This discussion may be an informal chat to find out options for best handling of the situation; or it may be a formal grievance against the abuser. The abused faithworker decides.

Unifor maintains that it is best to deal with problems when they are small. The right wisdom, given by a properly trained Unifaith representative, can diffuse a lot of situations before they get out of hand. And before they become common, public knowledge, causing embarrassment for the faithworker and discomfort for church and board members.

Options include:

Bringing the Unifaith representative in to meet with the faithworker and the church's M & P committee, so that everyone knows what their responsibilities are in dealing with the situation. These responsibilities will be clarified, through the UC Manual and labour law.

Investigating the abuse, which involves meeting with some or all of the following, separately and perhaps jointly: the faithworker, the abuser, witnesses, the M & P, the church board and the appropriate Presbytery committee.

Helping the church establish its complaint review committee, according to the United Church's own Dispute Resolution Policy, with clarification of acceptable procedure by the union.

The Unifaith representative will monitor the situation to ensure it is properly resolved. i.e. When the minister has a legitimate complaint of bullying (or unsafe working environment, or whatever the problem is unresolved through the usual church procedure) the Unifaith representative provides the church board clarification and direction as to its responsibility to its minister. The Unifaith representative discusses the elements of the situation with the church board and then outlines a legal and ethical approach to resolving the issue. The Unifaith representative recommends to the church board a reasonable deadline to put the plan in place, i.e. two weeks. At the end of that period, the Unifaith representative checks with the minister and the church boards as to progress. If it is unsatisfactory and the minister wants to take the case further, the Unifaith representative brings the matter to the next level, working with the board with the intention to achieve results.

Since Unifor Unifaith Community Chapter does not have a collective agreement negotiated with the United Church of Canada and ratified by its members, Unifaith does not have the strength of a collective agreement and some avenues that accompany it. For example, in extreme cases, in which the church refuses to recognize its legal responsibilities, a collective agreement would give Unifaith the ability to take the grievance to arbitration at the provincial Labour Board.

Even so, Unifaith can do much for faithworkers and their families in the way of support, encouragement, behind the scenes confidential advice, upfront advocacy, experience and wisdom, erosion of isolation and uplifting one another through Solidarity.

Unifaith is United FOR You. United FOR All.

**If you are a former or current, waged or non-waged United Church faithworker
or an immediate family member, it is easy
to become a member of Unifor Unifaith Community Chapter.
Just download the application at
www.unifaith.ca/page6.html, fill it out and send it to us.**

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02/21/2002 - Updated 02:28 AM ET

Revolving clergy harms religion

By Gerald L. Zelizer

The Rev. Charles Chandler felt so blindsided when he was forced out of his church eight years ago that he established the Ministering to Ministers Foundation, which provides emergency funds, housing and legal, psychological and career assistance for clergy of any denomination who have suffered a similar fate.

In 2001, his organization helped approximately 500 ousted or beleaguered ministers. That's up from 400 the year before and 100 when he started.

While few churches routinely keep track of clergy firings, a general survey of those who do suggests the trend is getting worse:

- A study by the Barna Research Group, which does marketing studies of American culture and the Christian faith, found that whereas 20 years ago the average minister remained at least seven years in his parish, today his stay has eroded to barely five years. Barna's research, conducted between July 2000 and June 2001, was based on a survey of 1,865 senior pastors of Protestant churches nationwide. This trend, George Barna warns, "may be shortchanging pastors — and the congregations they oversee — by prematurely terminating their tenure."
- Rabbi Joel Meyers, executive vice president of the Conservative Rabbinical Assembly, acknowledges that 30% of rabbis who changed positions in 2000 did so because they were forced to leave their congregations.
- Similarly, Marcia Myers, director of personnel services for the Presbyterian Church (USA), reports that of the 84 cases in which relations were ended in 2000, one-fourth were involuntary.

To give some context to these numbers, Kevin Leicht, professor of sociology at the University of Iowa and author of *Professional Work*, says, "Clergy firings are very high compared with the national labor force, where 1.2% of all employees are involuntarily terminated. The rate is even higher than coaches in the NFL, a notoriously unstable profession." This uprooting comes with costs to both the church and its minister:

- The congregation misses the most productive period of the pastor's tenure, which Barna says is from years 10 through 14.
- There are the emotional wounds to the congregation as they push God's emissary out.
- Most grievous is the trauma to the minister, who must dislodge his family and leave town.

For the good of the congregation and clergy, more aggressive strategies are needed to halt this trend. A separate study by church consultant Alan Klaas, president of Mission Growth Ministries, investigated the causes of ousters in various Christian denominations and tried to find the source of

the problem and where opportunities for reforms exist. The report put most of the blame on the congregation:

- In 67% of the cases, the congregation had been in conflict with the previous pastor, too.
- In 45% of the cases, a minority faction was successful in manipulating a supportive majority to push the pastor out.
- Only 7% of the time was the cause the personal misconduct of the minister.
- Sadly for all, in 62% of the cases, regional officials of these various denominations who could have helped mediate were kept away until it was too late to solve the dispute.

To put a human face on this problem, consider the case of Pastor Matthew Robinson. Robinson says he was asked in 1995 to bring stability to the First Presbyterian Church in Hobbs, N.M., which had lost more than 100 members and suffered from financial problems.

Through his programs for new and potential members, the church's roster quickly grew by 50 new members. By 1996, the church's finances were the healthiest in a decade. But for some longtime laity, their previous gifts to the church suddenly seemed mediocre when measured against the burgeoning new pledges that Robinson's stewardship was eliciting.

With the arrival of many new faces, one angry churchgoer complained to the pastor, "You are bringing in too many blue-collar members," and another said his dramatics in worship were not done "decently and in order."

Finally, Robinson sought other posts. By Thanksgiving 1999, he was called to a larger and more stable church in Kearney, Neb. "I could have stuck it out," he says, "but it was not worth a heart attack."

This ecclesiastical hell is bred in the contradictory situation of the minister who works for God and simultaneously for the will of his congregation. But even within that conflicting organizational structure, more can be done.

For one, church elders should skillfully exclude from leadership roles laity whom the author G. Lloyd Rediger calls "clergy killers." Their complaints should be heard, but they should be blocked from bullying the silent and satisfied majority of parishioners into unreasonable dissatisfaction.

Secondly, all denominations should appoint teams composed of a layperson and a clergy member to actively intervene as the relationship between a particular congregation and its minister begins to sour, to identify the problems, recommend solutions and then return to monitor improvement.

The leaders of Protestant and Jewish houses of worship, which are largely autonomous and decentralized, would likely resist this solution. But if it is not done, the risk is that the most competent clergy will flee the calling, mediocrity will fill the void, church numbers will erode, and America's faiths will diminish.

Gerald L. Zelizer is rabbi of Neve Shalom, a Conservative congregation serving the Metuchen-Edison, N.J., area. Zelizer is a member of USA TODAY's board of contributors.

The Centre for Clergy Care & Congregation Health

(The following is copied from the Centre's website)

Are you a minister or other ministry professional seeking a supportive network? Are you a congregational leader looking for resources? Do you find ministry overwhelming at times, lonely or draining?

OUR MISSION

The Centre for Clergy Care and Congregational Health exists to support the well-being of clergy and congregations and to enhance the overall ministry of the church in Canada.

Using cultural research, pastoral psychology, spiritual direction and other means of discernment, the Centre seeks to:

- offer ongoing education, retreats, workshops and visiting lectureships
- coordinate efforts to support clergy well-being at key points in ministry - beginning, continuing and ending well
- work to establish small support groups for clergy and offer facilitation training
- provide resources to assist congregations in exploring areas of growth and care to promote healthy ministry
- create a resource base for the areas of pastoral psychology and clergy well-being

May you find through the Centre's varied ministries to clergy, lay leaders and congregations, rejuvenation, rest for your soul, and edification of your mind to benefit you and your own work for Christ's kingdom.

Contact us:

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59 St. George St., Toronto, ON

DISPUTE RESOLUTION

POLICY

HANDBOOK

The United Church of Canada

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BACKGROUND TO THE POLICY

1. Introduction

In 1997, the Dispute Resolution Policy was adopted by the 36th General Council. The Policy had been developed by the working group known as the “Dispute Resolution Task Group” which was established by the General Secretary, General Council. The Dispute Resolution Task Group has continued as an advisory body to the General Secretary with respect to dispute resolution processes within the church.

The present member of the Task Group are: John Burton, Roslyn Campbell, John Hamilton, Marilou Reeve, James Scott, Jim Sinclair and Jim Tyler, with staff resource of Cynthia Gunn, Legal/Judicial Counsel and Joan McConnell, Division of Ministry Personnel and Education.

The Policy has been amended twice since 1997: by the General Council Executive in November, 1998 and by the 37th General Council in August, 2000.

2. The issue of conflict

Conflict is an unavoidable part of life. In our diverse society, the goals of individuals or groups vary widely, as do the methods of achieving those goals. As individuals or groups attempt to meet their goals, they will inevitably come into conflict with others. Conflict within the church may occur between individuals, between Courts, committees, or other bodies, or between a combination of individuals and other bodies. Within the church, we are challenged by the broad range of issues which may become the subject matter of disputes, ranging from pastoral relations to property, theological to jurisdictional (different areas of authority of different Courts).

Conflict is not inherently bad. It can be the agent of constructive change. Through conflict, problems are exposed and misunderstandings are brought into the open. The resolution of the conflict brings with it the potential for greater understanding and growth for all participants in the conflict. The key to realizing this potential lies in how we deal with conflict, in both the process we use for resolving the conflict and the spirit in which we work through the process.

3. Formal dispute resolution processes: a critique

Under the United Church Manual, there is a formal hearing process for resolving disputes. The formal hearing is sometimes viewed as a superior process for dispute resolution, in comparison to the informal processes laid out in the Manual. But a formal hearing is a costly process for all concerned - the parties and the Court holding the hearing. In addition to the financial cost of legal representation and other formalities of the process (transcript of the hearing, hearing facilities), a great deal of time and human energy is diverted away from other things, including the work of the church.

A formal hearing is an adversarial process which, by definition, results in a “winner” and a “loser” in the dispute. It also means that a solution to the conflict will be imposed on the parties, instead of having been developed, negotiated and mutually agreed to by them. Where conflict is dealt with through lengthy adversarial processes, none of the parties may be satisfied with the outcome, and

they may remain alienated through anger or mistrust. Healing from the conflict may be slower, or even impossible.

A formal hearing is a legalistic process, like a hearing in the civil courts. The legal rules of evidence apply to the formal hearing process. In the church, people without legal training may be called upon to serve as members of formal hearing committees or advocates. This may create inconsistency and uncertainty in the way in which formal hearings are conducted across the church. It also brings with it the risk of legal error, that an individual may be deprived of procedural fairness or natural justice.

All of these factors have contributed to a lack of credibility in the church's conflict resolution process. People often resort to the civil courts to resolve a church dispute, because they do not believe that they will obtain justice through the church's dispute resolution process. A civil Court proceeding, however, will likely be even more costly to the church than a formal hearing, and also results in the church losing governance over its own processes.

The alternative dispute resolution procedures outlined in the Dispute Resolution Policy are a positive alternative within the church Courts to civil Court process.

4. Alternative models of conflict resolution

In North American society, various processes for conflict resolution have gained some popularity as alternatives to the formal judicial-type model. The generic description for these processes is "alternate dispute resolution", but they offer a wide range of different approaches to conflict resolution. The following is a description of a few of the more common processes:

Mediation - Mediation is a process for resolving disputes where a neutral third party assists the parties in coming to a mutually acceptable resolution. The mediator does not have the authority to impose a resolution. The mediator helps each of the parties to identify their needs, wants and concerns, and to explore a range of solutions that will meet these interests. Even if the process does not result in a mutually satisfactory solution, it can assist the parties by identifying and narrowing the issues which are really in dispute, which may help expedite any other conflict resolution process which may be attempted. Because any resolution must be mutually acceptable to the parties, neither party emerges as the "loser" from the process.

Mediation is generally conducted on the basis that the information shared by the parties in the process is confidential and cannot be used outside of the mediation process against any of the parties. The mediator provides a written report at the end of the process indicating whether or not the mediation resulted in any agreement between the parties, and if so, the specific points of agreement. The mediator does not make any assessment of the merits of the dispute.

Mediation is considered appropriate only where both parties are participating voluntarily. There is divided opinion on whether mediation is appropriate in cases where there is a significant power imbalance between the parties for any reason.

Arbitration - Arbitration is a quasi-judicial procedure for resolving disputes, which means that it has some of the features of a formal hearing. The arbitrator is a neutral third party, usually with expertise in the subject matter of the conflict. There may be a single arbitrator or a panel of arbitrators hearing the matter. The arbitrator's role is to hear the parties, their evidence, and their arguments. Unlike a mediator, the arbitrator makes a decision on the issue in conflict, which may

be binding or non-binding. If it is binding, it imposes a solution on the parties in the same way as in a formal hearing process. If it is non-binding, the arbitrator makes only an advisory decision.

Arbitration can be a quicker, more streamlined process than a formal judicial hearing.

Mediation/Arbitration - This process is a combination of mediation and arbitration. The parties start out by trying to resolve the conflict through mediation, but they agree in advance that if they are unable to resolve the conflict this way that the mediator will continue to deal with the matter as an arbitrator. At the end of the process the mediator/arbitrator will present a binding decision on all the issues that have not been resolved by the mediation process. The outcome will be the settled points, if any, reached in the mediation phase, plus a binding decision for any outstanding points on which mediation was not successful.

Ombuds - If a party who has made a complaint feels that it is not possible to obtain a fair hearing through official channels in an organization, a representative is appointed for the party to work within the organization towards resolution of the dispute. The ombuds does not have authority to impose a decision, but attempts to achieve a creative resolution of the dispute within existing policies of the organization. This concept has been adopted in some large organizations where the existence of bureaucracy may in large part be responsible for the conflict.

Community Conferencing: community-based resolution initiatives - This type of process is being used in cases where an “offence” has been committed by one party, but it also has potential for application to other forms of conflict. The focus of the process is a gathering of the offender and the community which has been affected by the offence. The gathering provides an opportunity for the victim and community members to tell their own stories of how the offence has impacted on them. The offender hears these stories and also has an opportunity to speak about the offence. The process will be facilitated by an individual or a small group of neutral outsiders, who assist the group in working towards some common resolution.

The outcome of the process will be decided by the group. It may be an agreement by the offender to perform specific acts of restitution and/or to obtain professional help. There will also be a plan for monitoring compliance with this agreement.

In addition to facilitating the gathering, the facilitators meet with the key participants in the event (offender, victim, witnesses) to prepare them for it. The facilitators also help to define the “community” affected by the offence and to ensure that all appropriate members are included in the process.

5. Underlying Principles for the Dispute Resolution Policy

The models of alternate dispute resolution described above are different, and may be more or less suitable to resolve a particular dispute depending on the particular combination of the parties involved and the nature of the dispute. A “one size fits all” approach is unrealistic and flexibility is an important characteristic of the Policy.

At the same time, there are a number of fundamental principles that represent a basic common thread in the resolution of all types of disputes within the church. The development and ongoing administration of the Policy has guided by these principles:

- (i) Holistic - There must be emphasis on responding to all of the needs of the whole person for each of the parties in the conflict.
- (ii) Inclusive - The interests of the community affected by the conflict must be accommodated in the resolution of the conflict.
- (iii) Focus on healing - There must be emphasis on re-establishing right relationship and balance in the community affected by the conflict. The focus is not on punishment.
- (iv) Fairness - The empowerment, dignity, respect and care of all parties in the dispute must be ensured. There should be no "losers".
- (v) Problem-solving - The focus should be resolution of the conflict, not blaming and scapegoating of participants in the conflict.
- (vi) Accountability - There must be accountability for harm that has been done.
- (vii) Justice - There must be determination to address the needs of all those affected by the conflict.
- (viii) Love - Overwhelming evil with good.

6. The Dispute Resolution Policy

The Dispute Resolution Policy for conflict resolution is mandatory in all cases where a written complaint has been made except in the case of a charge of sexual abuse (sexual harassment, sexual exploitation, pastoral sexual misconduct or sexual assault). Those types of complaints continue to be dealt with through the approved policies and procedures for sexual abuse (sexual harassment, sexual exploitation, pastoral sexual misconduct or sexual assault).

The Dispute Resolution Policy may also be used as a resource for the resolution of conflicts within the church which do not involve the making of a complaint. The parties to any kind of dispute may voluntarily agree to resolve their dispute by following the Dispute Resolution Policy or by incorporating some of the steps of the Dispute Resolution Policy in their own process. A major focus of the Dispute Resolution Policy is to allow the parties involved in a dispute to have the greatest participation possible in the resolution of their dispute.

The Dispute Resolution Policy attempts to strike a balance between precise procedural detail and more flexible general directions. It offers a wide degree of latitude for the conflict resolution facilitator to determine the appropriate techniques for resolving a dispute, based on the circumstances of the particular dispute. At the same time, the Dispute Resolution Policy includes enough structural outline of fair process to help ensure that no party is deprived of natural justice in the resolution process.

7. Normalizing the alternatives in dispute resolution

It is the view of the Task Group that, in many cases, the interests of the church and all of the parties to a conflict can best be served through an “alternative” form of dispute resolution. The Dispute Resolution Policy represents a shift away from viewing mediation and other forms of conflict resolution as “alternative” processes. These processes become the norm in conflict resolution, while the formal hearing process becomes an alternative to be used in a limited number of cases where circumstances may result in an “alternative” collaborative process being unsuccessful or inappropriate.

8. Conflict Resolution Facilitators

There is a pool of trained individuals available to take on the role of the Conflict Resolution Facilitator under the Dispute Resolution Policy. The purpose in having trained individuals serve as Conflict Resolution Facilitators is to help ensure that all disputes are handled with a consistent degree of skill. It also helps increase confidence in the church’s ability to resolve disputes internally in a fair and (comparatively) economical way.

A Conflict Resolution Facilitator must have sufficient familiarity with the different types of conflict resolution to determine the appropriate method of resolution for a particular conflict. If a Conflict Resolution Facilitator determines that the appropriate method of resolution is one that he/she is not skilled to provide, the Conflict Resolution Facilitator must be able to make a suitable referral. Because Conflict Resolution Facilitators use mediation and community conferencing as primary methods of conflict resolution, they are required to have specific training in at least these methods of conflict resolution.

Each Conference maintains a pool of at least three trained individuals to serve as Conflict Resolution Facilitators. It is up to each Conference to determine the suitability of an individual who applies to have his or her name added to the pool for that Conference.

As minimum qualifications, individual applicants have to have completed the following:

- (i) a basic course in alternative dispute resolution approved by the General Council Office. There are many courses currently available throughout North America which are offered by universities, other institutions or private individuals that meet this “basic course” requirement.
- (ii) a course offered through the General Council Office which addresses multi-party dispute resolution and United Church polity issues. This course has been designed with the assistance of an outside consultant. It is offered by church staff and volunteers who have experience or expertise in these areas (including individuals appointed as Conflict Resolution Facilitators by the Conferences). This course is mandatory for those seeking to have their names added to a Conference pool of conflict resolution facilitators. There is a fee payable by each course participant, in order to recover the costs associated with offering the course and the ongoing work of the Task Group. In some cases, Conferences have chosen to assist with the payment of part or all of this fee.

The completion of the required courses does not guarantee that an individual will be included in the pool of conflict resolution facilitators. As noted above, an individual applicant must still be approved by the Conference.

THEOLOGICAL AFFIRMATIONS

As Christians, we believe that all people are created in the image of God, are of intrinsic value and are worthy of respect and love.

We believe that we are called to a common vision. The Biblical vision of shalom as God's intention for creation is characterized by right relationships with God and with one another that result in harmony, wholeness, peace, well-being, joy and justice. Injustice and oppression on either the personal or social level are contrary to the vision of shalom.

We believe that diversity in creation and in humankind is a gift from God to challenge and enrich us. Celebrating our common vision and our diversity, we are called into community. Community is the crucible in which we learn to dialogue, to embrace diversity, and to seek to define the ethic of an active love.

We believe that conflict is a normal part of life and is, in fact, necessary for personal and social development. Conflict is a spiritual issue. When it is addressed constructively, conflict can provide opportunities for growth, new understanding and transformation.

We believe that conflict becomes destructive when, through attitudes, words and actions, it leads to exclusion, wounded self-esteem, broken relationships, loss of a sense of well-being, alienation, distrust, undue stress, misunderstanding, abuse and violation.

We believe that harm and violation are contrary to God's will.

We believe that the Biblical concept of justice (sedeqah) and the teachings of Jesus are primarily concerned with the restoration of right relationships between God and people, and between people and each other, enabling the movement towards shalom. Often this means not a return to the status quo but an improvement that addresses existing injustices and promotes growth, new understanding and transformation.

We believe that we are called to look to God's action in Christ as normative. Through covenantal renewal and grace, God moves beyond wrath to the restoration of relationships. God's love for us continues even when our behaviour must be denounced.

We believe we are called to restore broken relationships wherever they occur, and to practice ministries of healing and reconciliation. We believe that conflict can and should, whenever possible, be resolved in ways that are non-adversarial, and which emphasize accountability, inclusivity, understanding, reparation, tolerance, safety, respect for human dignity and forgiveness. Healing may not mean agreement.

We believe that conflict resolution through "winning" reflects an ethic of domination and control rather than the Christian ideal of love. To love one another is the ultimate challenge for Christians and for humankind, particularly in the midst of conflict. The church is called to be a transforming presence, to promote right relationships within its midst and in the world.

We believe in the movement of the Holy Spirit in our midst, reminding us that we can trust that the conflict and pain need not be the end, but part of the spiritual journey which can lead to places of wholeness and health for the people and congregations involved.

We believe that our response to conflict is a theological statement.

ANNOTATED DISPUTE RESOLUTION POLICY

Note: The Dispute Resolution Policy was adopted by the United Church's General Council in August, 1997, and was amended by the General Council Executive in November, 1998 and the General Council in August, 2000. The Policy is in regular (non-italicized) typeface. The commentaries (*in italics below*) do not form part of the Policy itself but are intended to provide useful guidance to all parties involved as they follow the process outlined in the Policy.

1. Starting the process

1.1 The complaint is made, in writing, to the appropriate Court of the Church.

Commentary: *The request for conflict resolution assistance comes to the officer of the Court. There is a “two-track” system for conflict resolution under the Dispute Resolution Policy:*

“Track one”: if the request is in the form of a written complaint made under section 072 of The Manual, the process under the Dispute Resolution Policy is mandatory.

~~“Track two”: if a complaint has not (yet) been made under section 072 of The Manual, the process under the Dispute Resolution Policy is not mandatory. Where, however, there is any issue or dispute between individuals or church bodies that might benefit from the assistance that a Conflict Resolution Facilitator could provide, the Court with oversight of those individuals or church bodies is encouraged to use a Conflict Resolution Facilitator as a resource.~~

To determine what Court is the “appropriate Court”, see Section 067 of The Manual for the primary Court of accountability and discipline.

1.2 The appropriate Court for the complaint shall be one of the following, and the complaint shall be sent to the officer or committee of that Court as indicated below:

(i) if the appropriate Court is the Session or Church Board or Church Council, or the Presbytery, the complaint shall be sent to the Chair or Secretary of that body;

Commentary: *If the appropriate Court is the Session or Church Board or Church Council or the Presbytery, and the complaint is about the Chair of that body, then the complaint should be sent to the Secretary of that body. If the complaint is about the Secretary of that body, it should be sent to the Chair of that body. If the complaint is about someone other than the Chair or the Secretary of that body, it should be sent to either the Chair or the Secretary.*

(ii) if the appropriate Court is the Conference, the complaint shall be sent to the Executive Secretary of the Conference; and

Commentary: *If the complaint is about the Conference Executive Secretary, the complaint should be sent to the body to whom that person is accountable. If that person is a member*

of the Order of Ministry, that person would be accountable to a Presbytery, and the complaint should be sent to the Chair or Secretary of that Presbytery. If that person is a lay member, that person would be accountable to a Session or Church Board or Church Council, and the complaint should be sent to the Chair or Secretary of that body.

(iii) if the appropriate Court is the General Council, the complaint shall be sent to the General Secretary of the General Council, except that if the complaint is made about the General Secretary of the General Council, the complaint shall be sent to the Supervision and Oversight Committee for the General Secretary of the General Council.

Commentary: *If the complaint is sent in error to the wrong officer or wrong Court, that officer should forward the complaint to the correct officer, respecting confidentiality around the complaint.*

1.3 The complaint must name the party against whom it is made, give brief details of the conflict, the names of persons involved in it, and the date or dates on which it occurred. The complaint must be signed by the party making the complaint. For ease of reference only, the party making the complaint is referred to in this Policy as “**the complainant**” and the party responding to the complaint as “**the respondent**”.

Commentary: *A person or church body who complains in writing about another person or a church body may not be making a complaint under section 072 of The Manual that would have the effect of triggering the dispute resolution process. They may be seeking informal assistance with a conflict or they may simply wish to have their complaint received by an officer of the Court. In cases where the intent of the person or church body is unclear, it would be helpful for the officer to contact the person or church body and verify whether a complaint is being made under section 072 of The Manual, or whether some kind of assistance is being requested.*

Where the person or church body does not intend to make a complaint under section 072 of The Manual, the matter falls under “track two” of this Policy. The Court may consider appointing a Conflict Resolution Facilitator to attempt to resolve the dispute. The officer should also consider what alternative ways of responding to the complaint might be appropriate. For example, the Presbytery Pastoral Relations Committee is available to members of a Pastoral Charge and to Ministry Personnel for consultation and advice regarding the pastoral relationship. The Ministry and Personnel Committee of the Pastoral Charge provides a consultative and supportive agency for staff of a Pastoral Charge and for members and Adherents of the Congregation(s). There may be other committees and/or persons within the church structure whom it would be appropriate for the person or church body making a complaint to approach. The officer should assist by informing or reminding the person or church body who made raised the matter of these possible alternatives.

If the complaint is being made under section 072 of The Manual, it falls under “track one” of this Policy and the process under the Policy is mandatory. The officer of the Court should provide the complainant with a standard information package about the process, including an intake form, and ask the complainant to complete the form. The intake form is to be appended to the complaint.

There is a need to have a minimum amount of standard information with each complaint. If the complaint does not contain this, then the Officer will have to collect it prior to proceeding. The Officer should assign an identification number to the case for identification purposes.

The officer should consider the pastoral needs of the parties during the interim period prior to the meeting of the Executive of the Court to deal with the complaint, and should arrange for those pastoral needs to be met on an interim basis.

1.4 The Court officer who receives the complaint from the complainant shall provide the respondent with a copy of the complaint as soon as possible.

1.5 The complainant shall be entitled to withdraw the complaint at any stage of the process upon written notice to the Court to which the complaint was made. The notice shall be sent to the officer or committee of the Court as indicated below:

i) if the complaint was made to the Session or Church Board or Church Council, or the Presbytery, notice shall be sent to the Chair or Secretary of that body;

(ii) if the complaint was made to the Conference, notice shall be sent to the Executive Secretary of the Conference; and

(iii) if the complaint was made to the General Council, notice shall be sent to the General Secretary of the General Council, except that if the complaint was made about the General Secretary of the General Council, the complaint shall be sent to the Supervision and Oversight Committee for the General Secretary of the General Council.

As soon as possible, the Court officer who receives the written notice shall notify the respondent that the complaint has been withdrawn.

2. Appointment of Conflict Resolution Facilitator

2.1 The officer of the Court who receives the complaint shall report to the Executive of the Court the fact that a complaint has been made. The Executive shall keep the matter in complete confidence.

Commentary: *The officer of the Court receiving the complaint should inform the Executive only that a complaint has been received and not the names of the parties to the complaint nor the subject matter of the complaint.*

2.2 The minutes of the Executive meeting shall record only the fact that a complaint has been laid and the appointment of a named conflict resolution facilitator, and the date by which the Conflict Resolution Facilitator is to report to the Executive, without disclosing any names or other information about the complaint.

2.3 The Executive of the Court shall:

(a) ensure that appropriate pastoral care is immediately made available to the complainant and to the respondent, including arranging an appropriate support person for the complainant, and an appropriate support person for the respondent .

Commentary: *This action is to be taken on behalf of the Executive by the officer of the Court since no one else on the Executive would or should know the names of the parties. It is the responsibility of the Executive of the Court to “ensure” that pastoral care is provided and that would be accomplished by the Executive checking that the same officer who received the complaint had also arranged for pastoral care for both parties. It does not have to be an onerous task for the Officer. The officer could approach it by asking each party these*

questions: do you have pastoral care? do you want the names of some persons who could provide you with pastoral care? do you want me to find someone to provide pastoral care for you? The officer would then follow up as required, based on the responses to these questions.

- (b) appoint a Conflict Resolution Facilitator, after ascertaining that neither of the parties has any objections to the appointment of that particular Conflict Resolution Facilitator; and

Commentary: *The Conflict Resolution Facilitator would be contacted by the officer first to ascertain that person's availability and whether that person is aware of any potential conflict of interest that would preclude that person serving as Conflict Resolution Facilitator. Once this has been done, it does not matter who is contacted next and asked whether there are any conflict of interest issues that would preclude the Conflict Resolution Facilitator acting in a particular case; either the party making the complaint or the party responding to the complaint could be contacted next. It will be left to the Court officer to make these contacts in whatever order is helpful and reasonable in the circumstances.*

Once a Conflict Resolution Facilitator has been located to whom neither party has any objection based on conflict of interest, and once that person has been appointed by the Court as Conflict Resolution Facilitator for the complaint, the officer forwards to the Conflict Resolution Facilitator a completed appointment form, a copy of the complaint, and information about the pastoral care which has been arranged for each party. The officer should also ensure that the Conflict Resolution Facilitator has a blank Agreement to Participate, a Notice of Applicant Withdrawal form and a Diagnosis report form. The officer should also provide the Conflict Resolution Facilitator with any information from the minutes of the court that may be relevant to the complaint.

- (c) specify a date by which the Conflict Resolution Facilitator is to report to the Executive of the Court. Normally, that date shall be no later than thirty (30) days after the Conflict Resolution Facilitator is appointed.

Commentary: *The Report referred to here is the report referred to in Section 3.2 of the Policy. That report is the conclusion of a diagnostic process in which the Conflict Resolution Facilitator provides information to and gathers information from the parties, decides whether there should be some form of alternative dispute resolution process with respect to the complaint and, if so, specifies on the appropriate form of dispute_resolution.*

2.4 In selecting the Conflict Resolution Facilitator, care shall be taken not to have any person selected whose judgment or objectivity might be impaired because of a relationship with or knowledge of any of the parties or witnesses to the conflict. If the Court to which the complaint was made is a Session or Church Board or Church Council of a Congregation, or a Presbytery, or a Conference, the Conflict Resolution Facilitator shall (where practicable) be from a Court other than the one to which the complaint was made.

Commentary: *It is quite acceptable where, for reasons of cost, the conflict Resolution Facilitator is from the same Presbytery as long as conflict of interest concerns that would affect the ability of the Conflict Resolution Facilitator to be neutral are not present.*

2.5 In some cases, there may be multiple complaints pending: more than one complaint against the same respondent or more than one complaint by the same complainant against different respondents. Where there are multiple complaints pending and it appears to the Court officer that the complaints relate to the same subject matter, the Court officer should ensure that there is

appropriate co-ordination of the dispute resolution processes for all of the complaints and that, wherever possible, the same Conflict Resolution Facilitator is appointed.

3. Conflict Resolution Facilitator - preliminary role - determining whether there should be an alternative dispute resolution process for the complaint

3.1 The Conflict Resolution Facilitator shall:

- (a) ensure that pastoral care is being continued for both the complainant and respondent, and that the care is appropriate in the circumstances, and make recommendations to the Executive of the Court for other appropriate pastoral care, if advisable in the opinion of the Conflict Resolution Facilitator;
- (b) explain the conflict resolution process to the parties;
- (c) arrange to have the parties sign an agreement acknowledging the terms of the conflict resolution process, including confidentiality of information given and received by the parties in the process; and

Commentary: *The concept of confidentiality extends to the actual conflict resolution process. There is no prohibition against the respondent contacting the complainant under the Dispute Resolution Policy, as there is in the case of complaints under the church's Sexual Abuse Policy. Under the Dispute Resolution Policy, the parties should be encouraged to resolve conflicts themselves, and contact between them may facilitate a resolution.*

The agreement mentioned in paragraph (c) is the Participation Agreement – see page no. 27.

Although sexual abuse complaints are excluded from the Dispute Resolution Policy, concerns about safety, power imbalance etc. should still be considered. It is suggested that the Conflict Resolution Facilitator when conducting the initial interviews of the parties check if either party has these concerns and what might be required to address them. Any mutually agreed upon (i.e. agreed upon by both the party making the complaint and the party responding to the complaint) conditions around contact may be included in the parties' Agreement to Participate in the conflict resolution process, for example, that there is to be no communication between them regarding the subject matter of the complaint except with the Conflict Resolution Facilitator present.

- (d) conduct a preliminary meeting with each of the parties individually.

Commentary: *The meeting may take place in person or by telephone.*

3.2 After completing the steps in Section 3.1 above, the Conflict Resolution Facilitator shall report to the Executive of the Court and to the parties that, in the opinion of the Conflict Resolution Facilitator, either:

- (a) there should be some form of alternative dispute resolution process with respect to the complaint, in which case the Conflict Resolution Facilitator shall specify the form of alternative dispute resolution, specify a date to report to the Executive of the Court and shall continue as outlined in Section 4.1 and on;

or

(b) there should not be some form of alternative dispute resolution process with respect to the complaint. In such case:

(i) before reporting to the Executive of the Court, the Conflict Resolution Facilitator shall advise the parties of further possibilities for action on the complaint as outlined in Section 5.4; and

(ii) the Executive of the Court shall deal with the complaint as outlined in Section 5.5.

In either case, the Conflict Resolution Facilitator shall include with the report any recommendations for further pastoral care, if appropriate. The Executive shall ensure that appropriate pastoral care is arranged or continued.

Commentary: *It is expected that the Conflict Resolution Facilitator would decide that there should be some form of alternative dispute resolution process with respect to the complaint in most cases. In some cases, however, the Conflict Resolution Facilitator may be of the opinion that an alternative dispute resolution process is inappropriate with respect to the complaint. In such cases, the Conflict Resolution Facilitator would respond using the Diagnostic Report form. No reasons are to be given by the Conflict Resolution Facilitator. Appropriate pastoral care should be arranged or continued.*

That report shall be the Decision of the Court that appointed the Conflict Resolution Facilitator, and is not subject to debate or appeal.

4. Conflict Resolution Facilitator - continuing role

4.1 The continuing role of the Conflict Resolution Facilitator is to act as facilitator of the alternative dispute resolution process and to report to the Executive of the Court by the specified date as to the status of that process.

Commentary: *This does not mean that the appointed Conflict Resolution Facilitator must facilitate the dispute resolution process personally, but that the Conflict Resolution Facilitator should ensure that the facilitation is done, perhaps by another facilitator with more appropriate skill or experience, or through co-facilitation with another facilitator. If the dispute involves more than two parties, the Conflict Resolution Facilitator facilitating the process must be capable of facilitating an appropriate multi-party dispute resolution process.*

4.2 All parties are required to participate in good faith in the alternative dispute resolution process.

Commentary: *To act in good faith includes appreciating the potential of the dispute resolution process for resolving the dispute, putting forth an honest effort to co-operate with all the parties involved, and not frustrating the process.*

5. Possible outcomes of the alternative dispute resolution process

5.1 At any time prior to the specified report date, if the Conflict Resolution Facilitator is of the opinion that either of the parties is not participating in the dispute resolution process in good faith, ~~then~~ the Conflict Resolution Facilitator shall terminate the process and report to the Executive of the Court that there has not been resolution of the complaint through the alternative dispute resolution process. In that case, the Executive shall deal with the complaint as outlined in Section 5.5.

In all cases where the parties do not resolve the matter, the Conflict Resolution Facilitator reports to the Executive simply the fact that the matter has not been resolved through the conflict resolution process. No reasons or details are provided, in the interests of preserving the confidentiality around the content of the dispute resolution process.

5.2 If, by the specified report date, the alternative dispute resolution process results in a written memorandum of understanding agreed to by all parties, or other resolution agreed to by all parties, then:

- (a) the Conflict Resolution Facilitator shall report this fact to the Executive of the Court;
- (b) the Executive of the Court shall arrange for appropriate monitoring of the parties' agreement other than by the Conflict Resolution Facilitator; and

Commentary: *If there are portions of the parties' memorandum of understanding that need to be monitored, the Conflict Resolution Facilitator should ensure that the parties have also included directions as to how those portions are to be monitored. In the memorandum of understanding, the parties should also address the cost of monitoring the agreement, and they should not assume that the Court will fund that cost. The person doing the monitoring does not need to be given a copy of the entire memorandum of understanding, only the portions that need monitoring.*

- (c) the parties' agreement shall remain confidential unless the parties all agree otherwise.

Commentary: *The parties may agree that their memorandum of understanding is to be public; they may agree that certain options are to be public; they may agree that the agreement or certain portions of it may be disclosed to certain individuals because of the necessity of having portions of the agreement monitored, or the parties' wish to share the agreement with their family members or other specific individuals.*

5.3 If, by the specified report date, the alternative dispute resolution process does not result in a written memorandum of understanding or other resolution agreed to by all parties, and the Conflict Resolution Facilitator is of the opinion that the process should be continued for an additional specified period of time, the Conflict Resolution Facilitator shall make this recommendation to the Executive of the Court. Based on the Conflict Resolution Facilitator's recommendation, the Executive of the Court may direct that the Conflict Resolution Facilitator continue the alternative dispute resolution process for the additional period of time as recommended by the Conflict Resolution Facilitator.

5.4 If, by the specified report date, the alternative dispute resolution process does not result in a written memorandum of understanding or other resolution agreed to by all parties and the Conflict Resolution Facilitator is not of the opinion that the process should be continued for an additional period of time, before reporting to the Executive of the Court, the Conflict Resolution Facilitator shall advise the parties of further possibilities for action on the complaint as follows:

(a) either party may request a Formal Hearing, which will be held if the Formal Hearing Committee makes a decision to proceed with a Formal Hearing under Section 075 of *The Manual*;

Commentary: *If the Session or Church Board or Church Council is the appropriate Court of accountability, it may hold a Formal Hearing.*

(b) the complainant may withdraw the complaint as provided in Section 1.5; or

(c) upon receipt of the report of the Conflict Resolution Facilitator, the Executive of the Court shall take such other action as it considers appropriate.

5.5 If, by the specified report date, the alternative dispute resolution process does not result in a written memorandum of understanding or other resolution agreed to by all parties:

(a) the Conflict Resolution Facilitator shall report this fact to the Executive of the Court;

(b) the Court officer who received the complaint shall provide a copy of it to the Executive of the Court; and

(c) the Executive of the Court shall take such action as it considers appropriate with respect to the complaint.

Commentary: *The action that an Executive of the Court "considers appropriate" could be any action that is within the power of that Court. Here are some examples:*

- *The Executive could order a Formal Hearing of the complaint.*

- *The Executive could refer the complaint for further consideration/action to a Committee of that Court or of another Court that had expertise or a mandate over the subject matter of the complaint.*

- *The Executive could decide that a dispute resolution process should be attempted again between the parties after a “cooling off” period of some specified weeks or months.*
- *The Executive could decide that the complaint between two individuals signalled concern about the health of an entire church body (e.g. a Congregation) that needed to be addressed through a resolution process involving a larger circle of participants.*
- *If the Court is the Presbytery and one of the parties to the complaint is Ministry Personnel, the Executive could decide that the complaint raised a question about the effectiveness of the Ministry Personnel. In that case, the Executive could order a review under section 363 of The Manual.*
- *The Executive could to take no further action on the complaint, except for ensuring that pastoral care remains available to the parties.*

The Executive could also consider any other option within its power.

6. Fee

The Conflict Resolution Facilitator shall be entitled to a fee for the services performed under this Policy. For situations where a complaint has been made, the fee shall be as set from time to time by the General Council Executive. For situations where a complaint has not been made, the fee shall be as negotiated between the Conflict Resolution Facilitator and the appointing Court. In either case, in addition, the Conflict Resolution Facilitator is entitled to be reimbursed for out-of-pocket expenses (i.e. travel, photocopying, etc) in accordance with church policy.

7. Advocates and Lawyers

If a party is accompanied or represented by an advocate or legal counsel at any stage of the resolution process, that party shall be responsible for the cost of the advocate or legal counsel. It is intended that participants will, under usual circumstances, participate in the conflict resolution process on their own behalf without representation by advocates or lawyers.

8. Alternative Dispute Resolution for situations other than a Complaint

In circumstances where a complaint has not been made but there has been a written or oral request to a Court for conflict resolution assistance, the Court may appoint a Conflict Resolution Facilitator to assist the parties involved in the conflict through facilitation of alternative resolution process. Participation in this process does not prevent a party to the conflict from making a complaint in relation to the conflict if the process does not result in resolution of the conflict.

Commentary: This is “track two” of the two track process under the Dispute Resolution Policy. There is an important benefit to the parties and to the church in resolving conflict at the lowest level of escalation possible: before a complaint is made under section 072 of The Manual. The use of Conflict Resolution Facilitators - and other resources in the church - should be encouraged in all conflict situations.

QUESTIONS and ANSWERS

a) *Could there be a single point of contact for those making a complaint - ie. one Conference officer?*

The Policy clearly provides that a specific officer of the relevant Court is to receive and deal with the complaint. Under the existing Policy, it would not be permissible to have all complaints within a Conference (Congregation, Presbytery and Conference) dealt with by a single officer.

The existing policy reinforces the Task Group's view that it is preferable for the "Court of accountability" to handle a particular complaint, and for the complaint to be dealt with only on a "needs to know basis". In this respect, the Policy operates in the same way as the Sexual Abuse Policy has been operating for a number of years.

It is hoped that involvement of the officers of different Courts of the church will help to familiarize these officers (and the Executives of the various Courts of the church) with the Policy since they will have specific administrative tasks under it. The Task Group considers it to be a matter of educating church Courts about the new Policy to ensure that officers carried out their role under the Policy, rather than having a single coordinator take on this role for them.

b) *Who will answer questions regarding the interpretation of the Policy?*

Questions on interpretation of the Policy should be directed to the General Council Office, to the attention of the General Secretary, General Council. Information about the proper procedure under the Policy may also be obtained from one of the General Council staff lawyers. If the question involves another policy, the question should be directed to the appropriate place, for example, questions regarding the Sexual Abuse Policy or ministry personnel policy would be directed to the Conference Personnel Minister or to the General Council Division of Ministry Personnel and Education, as appropriate.

c) *How should Conflict Resolution Facilitators prioritize requests to handle complaints under the Policy, and conflict resolution work in the church outside the policy?*

The Task Group recognizes that it is inevitable that Conflict Resolution Facilitators will be approached to handle situations in which there is no complaint made under section 072 of *The Manual*. In fact, this is in keeping with the Task Group's overall intention to have conflict resolved within the church at the earliest possible opportunity. Conflict Resolution Facilitators should treat both types of requests (ie. where complaint has been made, and where a Court requests their involvement in a situation without a complaint) equally. Neither should be given preference in terms of priority simply on the basis of there being - or not being - a complaint made.

d) *What records should be kept by Conflict Resolution Facilitators?*

After the Conflict Resolution Facilitator has made a final report to the appointing Court, the Conflict Resolution Facilitator should retain only the following documents:

- Conflict Resolution Facilitator Appointment (Preliminary Diagnosis)
- Conflict Resolution Facilitator Preliminary Diagnosis Report
- Conflict Resolution Facilitator Appointment (Delivery of Facilitation)
- Participation Agreement
- Conflict Resolution Final Report

In addition, if there has been a resolution of the complaint, the Conflict Resolution Facilitator may retain a copy of any written agreement with details of the resolution.

In either case, no other records or papers or materials from either of the parties should be retained, and should be destroyed at the following times, as applicable:

- when the Conflict Resolution Facilitator has reported back to the Court that an alternative dispute resolution process is not appropriate for the complaint; or
- when the Conflict Resolution Facilitator has reported back to the Court that an alternative dispute resolution process is appropriate for the complaint, but the Conflict Resolution Facilitator will not be the facilitator of that process; or
- when the Conflict Resolution Facilitator has reported back to the Court that an alternative dispute resolution process is appropriate for the complaint, that Conflict Resolution Facilitator has facilitated the dispute resolution process, and the process has concluded

If the Conflict Resolution Facilitator wishes to keep any other information, the Conflict Resolution Facilitator may do so only with the written consent of the parties.

e) *If arbitration is the appropriate dispute resolution process, who finds the arbitrator?*

In cases where a Conflict Resolution Facilitator specifies arbitration as the appropriate form of dispute resolution, the Conflict Resolution Facilitator has no obligation to recommend an arbitrator. It is up to the Executive of the Court that appointed the Conflict Resolution Facilitator to retain an arbitrator in any particular situation. The Executive of the Court may consult with the Conflict Resolution Facilitator or outside sources to locate an arbitrator.

FORMS

Standardized forms for Conflict Resolution Facilitators

Conflict Resolution Assistance: complaint information

Conflict Resolution Facilitator Appointment Form [Preliminary Diagnosis]

This form deals with the appointment of the Conflict Resolution Facilitator to do the preliminary diagnosis work required under Sections 3.1 and 3.2 of the Dispute Resolution Policy, including deciding whether or not an alternative dispute resolution process is appropriate for the complaint.

Conflict Resolution Facilitator Preliminary Diagnosis Report

With this form, the Conflict Resolution Facilitator reports his/her opinion as to whether an alternative dispute resolution process is appropriate for the complaint with recommendations for further pastoral care, if appropriate. No other information is required from the Conflict Resolution Facilitator as part of this report.

Conflict Resolution Facilitator Appointment Form [Delivery of Facilitation]

This form documents the appointment of the Conflict Resolution Facilitator to do the conflict resolution facilitation work required under Section 4.1 of the Dispute Resolution Policy.

Conflict Resolution Facilitator Final Report Form

With this form, the Conflict Resolution Facilitator makes a final report on the Conflict Resolution process to the appointing Court. No other information is required from the Conflict Resolution Facilitator as part of this report.

Participation Agreement

This document records the parties' agreement to engage in the conflict resolution process.

CONFLICT RESOLUTION FACILITATOR APPOINTMENT FORM

[Preliminary Diagnosis]

You (*insert name*) have been appointed by (*insert name of appointing Court*) to fulfill the preliminary "diagnostic" duties of a Conflict Resolution Facilitator, under Sections 3.1 and 3.2 of the Dispute Resolution Policy of The United Church of Canada, in the matter of the conflict set out in the Request for Conflict Resolution Assistance file X (*insert the File # assigned the case*).

In accepting this appointment, you are volunteering your services in the Conflict Resolution Facilitator role. An honorarium in the amount of _____ [not to exceed \$200.00] will be paid to you on completion of your functions. Reasonable and necessary expenses incurred by you in performing this role will be reimbursed.

In accepting this appointment you declare that, in good faith, you are not aware of any conflict of interest, real or perceived, between you and any of the parties in this matter. Should you become aware of such a conflict during the course of performing your functions as a Conflict Resolution Facilitator in this matter you will immediately report this development to the Executive of the appointing Court.

As required by Section 2.3(c) of the Dispute Resolution Policy, you will report your opinion in the matter to (*insert name of Executive of the appointing Court*) by (*insert date*).

Signed this _____ day of _____, 20 ____.

Officer on behalf of
Executive of the Appointing Court

Conflict Resolution Facilitator

CONFLICT RESOLUTION FACILITATOR PRELIMINARY DIAGNOSIS REPORT

File # _____

Date _____

Conflict Resolution Facilitator Preliminary Diagnosis Report submitted by

I was appointed Conflict Resolution Facilitator in this matter on _____. After conducting preliminary meetings and discussions with the parties it is my opinion that: (check one)

_____ There should be some form of alternative dispute resolution with respect to the complaint.

I propose that the type of alternative dispute resolution be:

_____ consensus building

_____ mediation

_____ community conferencing

_____ other: _____

I propose that the facilitation be delivered by: _____ myself

_____ myself and another Conflict
Resolution Facilitator
(namely _____)

the following type of facilitation

In my view, the proposed facilitation will require _____ (amount of time)

_____ There should not be some form of alternative dispute resolution process with respect to the complaint.

I further recommend that the pastoral care being provided be: _____ continued _____ adjust as follows:

I understand that this Report has the effect of a decision of the appointing Court and is not subject to debate or appeal.

Conflict Resolution Facilitator

CONFLICT RESOLUTION FACILITATOR APPOINTMENT FORM

[Delivery of Facilitation]

You (*insert name*) have been appointed by (*insert name of appointing Court*) to deliver the conflict resolution facilitation, under Sections 4.1 and 5 of the Dispute Resolution Policy as adopted by The United Church of Canada, and in the manner identified as appropriate by (*insert your name/name of other CRF completing preliminary diagnosis*) in the matter of the conflict set out in the Request for Conflict Resolution Assistance file x (*insert the ID# assigned to the case*). In performing the Conflict Resolution Facilitators functions in this matter you will be working (by yourself/ ____ in a team with (*insert name of other Conflict Resolution Facilitator*) who is appointed separately to this matter).

In accepting this appointment you are volunteering your services in the Conflict Resolution Facilitator role. An honorarium in the amount of \$ _____ [not to exceed \$300.00] will be paid to you on the completion of your functions. Reasonable and necessary expenses incurred by you in performing this role will be reimbursed.

In accepting this appointment you declare that, in good faith, you are not aware of any conflict of interest, real or perceived, between you and any of the applicants and/or respondents in the matter. Should you become aware of such a conflict during the course of performing your functions as a Conflict Resolution Facilitator in this matter you will immediately report this development to the Executive of the appointing Court.

The "specified report date" in this matter is (*insert date*).

Signed this _____ day of _____, 20____.

Officer on behalf of
Executive of the Appointing Court

Conflict Resolution Facilitator

CONFLICT RESOLUTION FACILITATOR FINAL REPORT FORM

File # _____

Date: _____

Conflict Resolution Facilitator Report submitted by _____ and
_____ (Co-Conflict Resolution Facilitator)

I was appointed Conflict Resolution Facilitator in this matter on _____. After meeting with the parties involved I have determined that : (circle one)

A. A resolution to the conflict has been achieved and this matter can be closed.
_____ Attached to this Report are details of the resolution that the parties have agreed can be shared and that I am authorized by the parties to include with this report.

B. I have reached the "specified report date" and have not been able to bring about a resolution to the conflict. I am requesting an extension of the report date to _____ because I am of the opinion that with this extra time a reasonable chance exists for a successful outcome. Please indicate to me in writing the concurrence of the Executive of the Court with this extension, which letter will constitute an amendment of the report date in the Conflict Resolution Facilitator appointment form.

C. I have not been able to bring about a resolution to the conflict. Therefore, under Section 5.5 of the Dispute Resolution Policy:

- the Court officer who received the complaint shall provide a copy of it to the Executive of the Court; and
- the Executive of the Court shall take such action as it considers appropriate with respect to the complaint.

Statistical information

Type of conflict resolution intervention used: ___ mediation ___ consensus building
___ community conferencing
___ other (describe: _____)

Number of hours spent with parties: ___ separately
___ together

Other resources used by the CRF:

Process issues raised by this conflict that can be shared for learning and for development of the Dispute Resolution Policy:

PARTICIPATION AGREEMENT

We, the participants aspire to resolve our conflict through a *Dispute Resolution Process*. The Conflict Resolution Facilitator will guide this process. We agree with and promise to respect the conflict resolution guidelines set out in this agreement.

As participants, we enter into this conflict resolution process voluntarily and agree to respect the following rules:

- to participate in the process in good faith
- to provide willingly, all information that will help the discussion to be open and productive.
- to participate in the problem solving process by generating ideas and options
- to participate in the formulation of mutually acceptable solutions
- each participant and the Conflict Resolution Facilitator have the power to end the process at any time, but each participant agrees to make a genuine effort to make the process work
- each participant is responsible for obtaining their own legal advice or representation if they so wish during this conflict resolution process or in connection with a settlement reached as a result of this process
- no participant will ask the Conflict Resolution Facilitator to testify for any purpose with respect to any information disclosed during this process

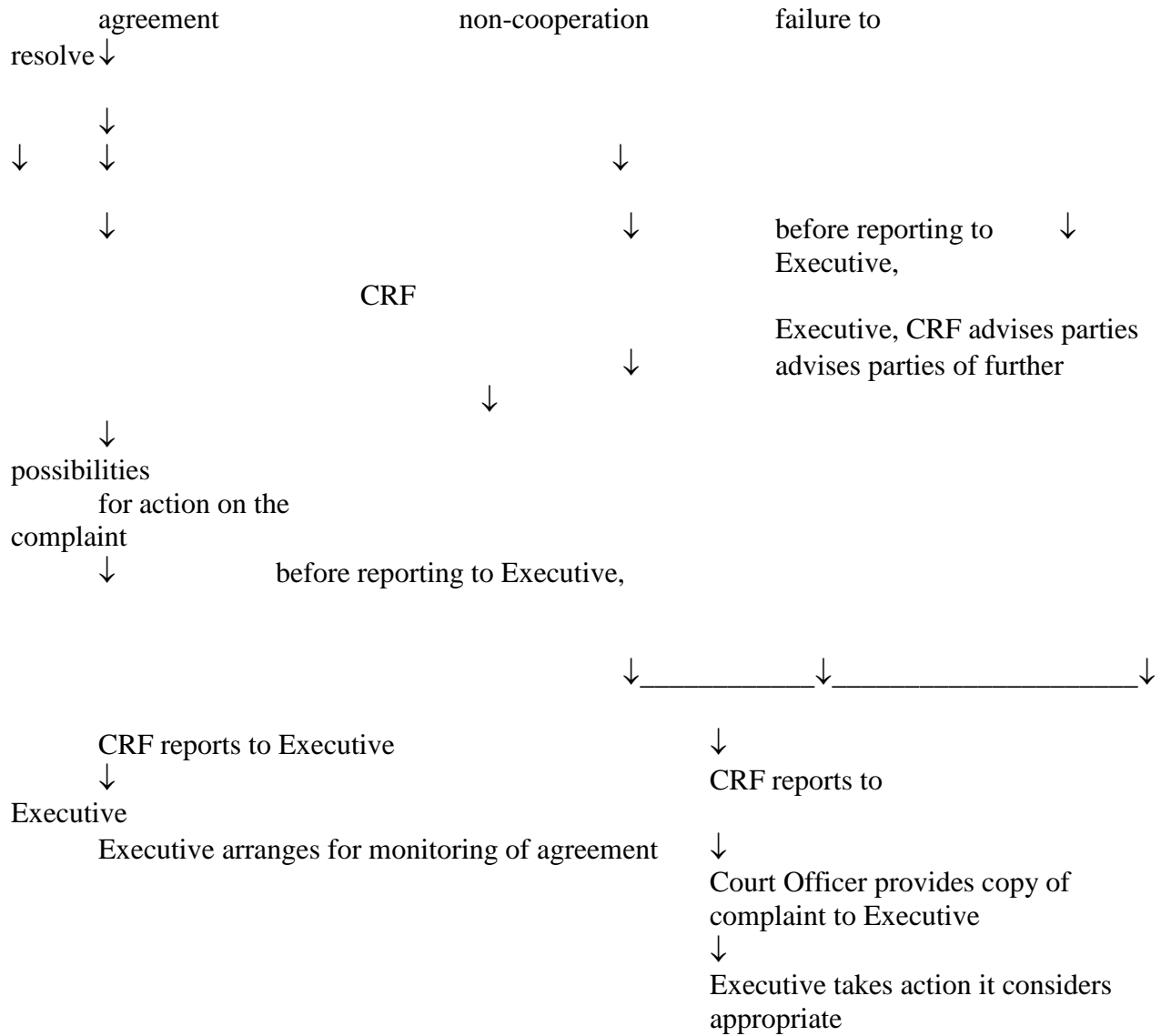
We, the participants, understand and agree that

- our willingness to participate in this process will not bind us or prejudice us in any way in the future
- all written and oral communication exchanged in this process is considered confidential unless we, the participants, agree otherwise
- no information or other communication made by any participant during this process can be used in any way by anyone in any future proceedings
- any written resolution/understanding arising out of this process will remain confidential unless we, the participants, agree otherwise
- the Conflict Resolution Facilitator cannot disclose any written or oral communication except that which is required under the Dispute Resolution Policy of The United Church of Canada OR as agreed to by the participants
- the notes and information recorded by the Conflict Resolution Facilitator cannot be subpoenaed for use in any future proceeding
- out of all the information recorded by the Conflict Resolution Facilitator during this process, only the information that is required to be reported under the Dispute Resolution Policy of The United Church of Canada will be disclosed to the Court of The United Church of Canada
- the Conflict Resolution Facilitator will have the same immunity from liability as a judge
- the Conflict Resolution Facilitator is neither a lawyer nor a representative for any of the participants in this process. The role of the facilitator is not to adjudicate (resolve) our conflict, but is instead to act as an impartial third party who will assist us in reaching our own solution

Each of us has read and understood the contents of this pact. We also acknowledge the receipt of a copy of the Dispute Resolution Policy of The United Church of Canada.

This agreement is made on

between



-Another Form of Conflict Resolution