

MEMBER APPEAL COMMITTEE – SCOPE AND RESPONSIBILITIES

OVERVIEW

On November 12th 1996 (amended December 3rd, 1999), the Council of Elders of the UCGIA established a policy and process whereby Church members could seek to redress what they perceived as inappropriate disciplinary measures in their local congregations. The policy and processes prescribed were designed to fulfill the terms of Bylaw Article 8.10, viz:

“All lay members of UCGIA have the right to appeal any disciplinary or other adverse actions or decisions against them to the Council, by following the process of appeal approved by the Council or within the Rules of Association.”

In February, 2010, the Council of Elders, after a review by Ministerial Services and the Council’s Roles and Rules Committee, approved and adopted two replacement documents (attached):

“Policy for Member Appeal to the Council of Elders” and,
“Procedure for Member Appeal to the Council of Elders”.

To meet the requirements of Article 8.10, a Member Appeal Committee (MAC) was established. As part of the review process described above, the job description of this committee was also reviewed and its scope and responsibilities are as described in this document.

OPERATION OF THE COMMITTEE

The MAC operates within the terms of the two documents mentioned above and this Scope and Responsibilities document. Action prescribed in the documents is initiated when the MAC receives advice and direction from the chairman of the Ethics Committee of the Council of Elders that a member appeal has been submitted and requires determination by the MAC.

The MAC keeps all information submitted in connection with an appeal in confidence at all times during the process.

SPECIFIC TASKS

1. The chairman of the MAC receives appeal documentation direct from the chairman of the Ethics Committee, noting that the work of the Committee is to be completed within sixty (60) days of the dispatch date of the documents. The chairman is required to formally acknowledge receipt of the documents in writing or by email to the Ethics Committee chairman.

The MAC chairman distributes the appeal documentation to the members of the MAC and to the alternate members and keeps the chairman of the Ethics Committee advised of the progress of the appeal, maintaining confidentiality while doing so.

2. MAC members review the appeal documentation individually and independently in order to form their own questions and judgments on the appeal. The reviewers strive to be faithful to biblical standards, ensure fairness to all involved in the appeal, and seek complete objectivity.

3. After an appropriate time the MAC chairman initiates a discussion amongst the Committee members via email, supplemented by a teleconference(s) at the discretion of the chairman.

4. The MAC may request further information from the parties involved in the appeal, and from others, if it feels additional information is required or necessary to supplement what has already been provided. The additional information is obtained in writing so that all MAC members have full and equal access. If, during the course of the appeal, conversations take place with the parties involved in the appeal, or with others, a concise written record is made and distributed to all MAC members.

5. The MAC contacts the appellant by telephone at the outset of the deliberations to give him or her confidence that he or she is being heard. If practicable, two or more MAC members meet personally with the appellant to raise questions and/or concerns relative to the appeal. This reinforces the fairness of the process in the appellant's mind. Any meeting with the appellant is a fact-finding exercise. MAC members are not there to decide on the appeal.

Prior to any meeting with the appellant, the MAC reviews the material so that questions and concerns have been identified and are addressed at the meeting. For ease of use the questions and/or concerns are consolidated into one document.

6. Consideration is given as whether the appellant has maintained appropriate confidentiality during the appeal process.

7. After the appeal material has been reviewed and the meeting with the appellant has taken place, the MAC chairman schedules a teleconference with MAC members to discuss the appeal. The Home Office assists in arranging the teleconference if such assistance is requested. If it is convenient, MAC members meet face-to-face rather than by teleconference. All relevant factors are discussed, including the wisest form of advising the outcome of the appeal to the parties involved.

REPORTING ON AN APPEAL

8. If a decision is reached by a majority, the MAC chairman will coordinate the drafting of a letter to the appellant advising the outcome of the appeal and summarizing the reasons for the MAC's decision. All MAC members are given an opportunity to comment on the draft and provide input. If there is less than a majority the Committee will continue its deliberations until a required majority is reached.

9. When a final version of the letter has been agreed to by the MAC it is forwarded to the UCGIA legal counsel for opinion prior to dispatch to the appellant.

10. When the letter has been finalized the MAC chairman mails it to the appellant, with copies to the Chairman of the Council of Elders, Ministerial Services (or international equivalent) and other parties directly involved in the appeal (e.g. the pastor of the appellant).

MEETINGS OF THE COMMITTEE

The Committee meets as and when required at the request of the chairman of the Ethics Committee of the Council of Elders, when a member appeal requires its determination. Points 3 and 7, following, provide details of meetings necessary during the appeal process.

MEMBERSHIP AND TENURE

By resolution on March 4th, 2008, the Council of Elders determined that the MAC will consist of five (5) members and two (2) alternate members to be called upon if any of the regular members are unable or unwilling to act.

MAC members are chosen by the Council of Elders from amongst those elders nominated but not selected to serve on the Elder Expulsion Appeal Committee at the most recent election. A vacancy caused by the inability or unwillingness of a member or alternate member to continue to serve is filled in the same manner.

At the time these guidelines were prepared, the terms of two (2) members and one (1) alternate member expire on August 31st, 2011 and the terms of three (3) members and one (1) alternate member expire on 31st August, 2012. When the current terms expire, replacement members and alternate members will be appointed for four (4) year terms.

There is no provision for members and alternate members to be reappointed when their terms of office expire.

COMMITTEE EXPENSES

Members of the MAC receive no compensation for their services but may be reimbursed for authorised and reasonable expenditures incurred in the course of their duties.

ATTACHMENTS:

Policy for Member Appeal to the Council of Elders
Procedure for Member Appeal to the Council of Elders
Member Appeal Form

Adopted April 2, 2003

Amended and adopted May 5, 2010

Amended by the Council of Elders December 10, 2019

POLICY FOR MEMBER APPEAL TO THE COUNCIL OF ELDERS

Preamble

The care of the brethren is one of the major responsibilities entrusted to the ministry (1 Timothy 3:5; 2 Corinthians 1:24). Section 8.10 of the Bylaws of the United Church of God, *an International Association* (hereafter “UCGIA” or “the Church”) was written to ensure that the members may have a process to address what they perceive to be mistreatment through the improper use of disciplinary measures. The Council of Elders has established this policy for appeal by the Church membership.

Bylaw Article 8.10 RIGHT OF APPEAL

“All lay members of UCGIA have the right to appeal any disciplinary or other adverse actions or decisions against them to the Council, by following the process of appeal approved by the Council or within the Rules of Association.”

Definition

Church Member: An individual who has been duly baptized and possess God’s Holy Spirit is a member of the Church of God, regardless of organizational affiliation (Acts 2:38-39; Romans 8:9). However the term “Church Member” as used in this policy applies only to an individual who has been duly baptized and is considered to be a member in good standing of the UCGIA and may be listed on the membership roles of the Church (where available).

Appeal Criteria

A member who appeals to the Council of Elders of UCGIA and who seeks the Council of Elders’ determination on disciplinary actions and/or adverse ecclesiastical decisions, should have first sought a Christian resolution by following the biblical principles as outlined in Matthew 7:1-5; Matthew 18:15-18; 1 Corinthians 6:1-8 and Galatians 6:1-2. Pending any appeal or review, any disciplinary action or other decision from which the appeal or review has been taken shall remain in force.

A Brief Description of the Appeal Process

1. Seek a resolution as outlined in Criteria section above.
2. Communicate verbally and in writing with the local pastor.
3. Communicate verbally and in writing with regional pastor and Ministerial Services Team (or international equivalents)
4. Communicate verbally and in writing to the Member Appeal Committee.
5. Appeal to the Council of Elders via the Member Appeal Form (Attached)

A full description of the appeal process can be found in the document “Procedure for Member Appeal to the Council of Elders”.

Adopted by the Council of Elders May 5, 2010
Amended by the Council of Elders December 10, 2019

PROCEDURE FOR MEMBER APPEAL TO THE COUNCIL OF ELDERS

Preamble

This document describes the process to be used by church members when they wish to appeal what they perceive to be mistreatment through the improper use of disciplinary measures. It should be read in conjunction with the document "Policy for Member Appeal to the Council of Elders".

Process

1. The individual must first communicate (verbally, as well in writing or by email) with the local pastor and seek resolution by openly discussing all matters that relate to the issue. (If the problem is a matter between the individual and the pastor himself, then the process begins with step 2, (providing the principles outlined in the "Criteria" section above have been followed.)
2. If the problem is not resolved at the local congregational level (step 1), the appealing Church member should communicate (verbally, as well as in writing or by email) with the regional pastor and the Ministerial Services Team (or international equivalents) responsible for the congregation in which the problem occurred. They should openly discuss all matters that relate to the issue of appeal. The regional pastor and the Ministerial Services Team (members of the team who have not been involved with the case thus far will be assigned to work with the case at this level) or international equivalents will confer in order to attempt to resolve the issue. In facilitating a resolution, the regional pastor and Ministerial Services Team (or international equivalents) must include the input and determination of the local pastor (if step 1 was not skipped because of the involvement of the local pastor in the issue). This should take no longer than **45 days**.
3. If the problem is not resolved at the second step and the Church member wishes to appeal to the Council of Elders, he/she must request a Member Appeal Form (attached) from the secretary of the Council of Elders. The appealing member must then submit the completed form via the secretary of the Council of Elders. This should take no longer than **30 days**.
4. The Member Appeal Form goes initially to the Ethics Committee of the Council for transmission to the Member Appeal Committee (MAC). This should take no longer than **15 days**.
5. In facilitating a resolution, the MAC must include the input and determination of those responsible for the ruling at the second step of this policy. The MAC shall review the written reports of the previous steps and, if necessary, conduct interviews and undertake any additional fact-finding it deems necessary to arrive at a proper decision. (If National Councils are responsible for the area, they should be involved in this step prior to the MAC receiving the case.) This should take no longer than **90 days**.

6. The decision of the Council of Elders, via the Member Appeal Committee, is final and binding on all parties. The case may only be reopened at the Council's discretion if substantive, new and relevant facts are discovered.

NOTE:

Upon entrance into an appellate process the pastor and/or elders of the appealing member's congregation should consider resolution of this matter to be a top priority in their ministry. The same ministry should provide him/her with spiritual support (e.g. telephone contact, personal visits, sermon tapes) while the appeal process is ongoing.

Both the ministry and the appealing member should exercise good faith and appropriate behavior throughout the appeal and support the ultimate decision. The pastor should agree with the appealing member what constitutes appropriate behavior during the appeal process. For example, not discussing the situation with other church members, etc. Any disagreement as to what constitutes appropriate behavior should be clarified with the regional pastor (or international equivalent).

Non-compliance by the member will result in termination of the appeal. Ministerial non-compliance will be dealt with by Ministerial Services (or international equivalent) and the Council will facilitate the continuation of the appeal.

Regardless of the time-lines included at certain steps of the process, it is incumbent upon all parties to the appeal to act expeditiously in order to conclude the appeal process without undue delay.

All information submitted in connection with an appeal to the Council of Elders must be kept in confidence. All parties involved at each level must document their opinions on the matter in writing. Materials submitted may not be reproduced by any means, except as such reproduction is necessary to facilitate a determination.

Amended and Adopted May 5, 2010

MEMBER APPEAL

To the Council of Elders

United Church of God, *an International Association*

Name of Appealing Member: _____

Home Address: _____

Phone: _____ **E-Mail:** _____

Pastor's name: _____

Elder(s)' name(s) involved: _____

The Issue(s):

With whom did the issue(s) arise?

Please clearly state what you are appealing:

(Please turn this page over to complete the form.)

5

Have you sought resolution as explained in the Member Appeal Policy? (Explain):

The Results:

Please list the titles of any attached documents:

Please feel free to add additional pages for more space to explain any of the sections above.

I, the undersigned, am the member who is appealing the decision or action described above or in any attachments. I have read the above and state that it is true, correct and complete to the best of my knowledge. *I agree to abide by and to accept the decision of the Council of Elders in this case.* I understand that failure to sign this statement and to make this commitment shall mean that the Council of Elders will not hear this appeal and that the decision which I am appealing will automatically become final.

Signature: _____ **Date:** _____
Appealing Member