

## Fitness Review Process Checklist

This record is confidential and for use by the association/conference office only.

**ABBREVIATED TERMS:**

MIQ = Minister in Question

PRQ = Person Raising Questions

CM or ACM = Conference Minister or Associate Conference Minister

RT = Response Team

COM = Committee on Ministry

FR = Fitness Review

NA = Not Applicable

**Basic Reminders:**

Certify all mail sent to the MIQ. The CM or ACM is a consultant to the process, answering questions about procedure, but not serving as the process guide or offering pastoral support for any persons within the process.

\_\_\_\_\_

(Name of authorized minister subject of the Fitness Review)

DATE	ACTION	PERSONS INVOLVED	NOTES
	<b>I. INFORMATION SURFACES</b>		
	1. A concern regarding a minister's fitness is raised – by a person, media or other sources.		
	2. Information forwarded to CM/ACM and COM Chair.		
	3. Secular authorities notified if necessary.		
	4. Consult with other judicatory if minister holds multiple ecclesiastical standings.		
	<b>II. COMMITTEE MAKES INITIAL DECISION(S)</b>		
	1. COM Chair and CM/ACM draft the complaint without obvious identifiers (“blind case”) to share with COM		
	2. Schedule COM meeting or conference call to consider blind case.		

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	<p><i>Possible Outcomes from COM's review of blind case:</i></p> <ul style="list-style-type: none"> <li>a) Even if true, case does not call fitness into question. No action; COM Chair and CM/ACM report decision to PRQ.</li> <li>b) Even if true, case does not call fitness into question, but Situational Support Consultation in order. The COM then calls for it.</li> <li>c) Additional information needed to make determination. That information is then gathered by CM/ACM or COM Chair, and the COM is reconvened to determine whether to initiate a review.</li> <li>d) If true, this case does call fitness into question. COM votes to begin FR.</li> </ul>		
	<p>3. Transfer adjudication to a designated Fitness Review Committee of the Conference/ Association (in those places where the FR Committee is not the COM).</p>		
	<p>4. COM votes to accept decision of the Conference/Association designated Fitness Review Committee; keep record of vote in COM minutes.</p>		
	<p>5. If a minister resigns ministerial standing before a FR can be initiated, the COM should vote to receive the resignation of standing with bias and record it as such in the UCC Data Hub and the minister's file.</p>		
	<p><b>III. FITNESS REVIEW BEGINS/ DECISION PENDING</b></p>		
	<p>1. COM confirms that it has formally adopted Association process for this FR and for</p>		

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	<p>appeal process; keep record in minutes.</p>		
	<p>2. Focus on question raised: Summarize nature of the question in statement that avoids high degree of detail; use Ministerial Code of Ethics to frame the concern. Add identifying information to the concern for the benefit of the COM.</p>		
	<p>3. Is there any conflict of interest among COM members?</p>		
	<p>4. Does adjudication need to be moved because of an entire COM's conflict of interest? If so, CM/ACM (in possible conjunction with MESA) can arrange for another COM to adjudicate and provide procedural recommendations for the originating COM.</p>		
	<p>5. If another body will adjudicate the review, COM must:</p> <ul style="list-style-type: none"> <li>a) Negotiate with the adjudicating body any procedural differences between the two groups;</li> <li>b) Vote to accept the decision of the adjudicating body;</li> <li>c) Keep a record of these minutes in the files relating to this FR;</li> <li>d) Negotiate in advance a cap for any expenses associated with the adjudication of the FR.</li> </ul>		
	<p>6. COM (or CM/ACM with COM Chair) identify separate process guides for MIQ, PRQ, and Ministry Setting. These process guides should be individuals who understand confidentiality, and are trained on the polity and process of a fitness review.</p>		

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	<p>7. CM/ACM and COM Chair identify team of two (the Response Team) to interview parties, being sensitive to gender, clergy/laity balance, as well as any specific skills relevant to the questions raised.</p>		
	<p>8. COM Chair communicates the following information with MIQ:</p> <ul style="list-style-type: none"> <li>○ Describes the nature of the concern raised in a general way;</li> <li>○ Explains that FR is underway;</li> <li>○ Describes process and where to find information about the process;</li> <li>○ Provides name of Process Guide, who will contact MIQ to answer any process questions;</li> <li>○ Makes clear that this is an ecclesiastical process, not a legal one, and that attorneys have no role in this process;</li> <li>○ Secures MIQ's signature on non-contact/non-communication form ASAP.</li> </ul>		
	<p>9. CM/ACM notifies the MESA Ministry Team that FR is underway, using the appropriate form.</p>		
	<p>10. MESA notes that a FR has been initiated in the MIQ's Data Hub record. A hold is placed on further distribution of a ministerial profile and a recall message is sent to any conference where the MIQ's profile is currently circulating.</p>		
	<p>11. CM/ACM and COM Chair contact church moderator and request immediate meeting with church leaders to answer any questions. This meeting</p>		

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	<p>should include a plan for how this information is shared with the church/ministry setting, as well as addressing whether an administrative leave is needed. (See step 13 for more details about this meeting.)</p>		
	<p><b><i>Note: Steps 12-14 should happen concurrently.</i></b></p>		
	<p>12. Process Guide for PRQ communicates with PRQ:</p> <ul style="list-style-type: none"> <li>○ Explains that FR is underway;</li> <li>○ Describes process and where to find information about the process;</li> <li>○ Clarifies Process Guide role and relationship;</li> <li>○ Offers to continue to be in touch as the process unfolds to answer any process questions;</li> <li>○ Secures PRQ's signature on non-contact/non-communication form.</li> </ul>		
	<p>13. Process Guide for MIQ communicates with MIQ:</p> <ul style="list-style-type: none"> <li>○ Reiterates that FR is underway;</li> <li>○ Describes process again and clarifies Process Guide role and relationship;</li> <li>○ Offer to continue to be in touch as the process unfolds to answer any process questions.</li> </ul>		
	<p>14. CM/ACM, COM Chair, and Process Guide for congregation meet with church leadership to:</p> <ul style="list-style-type: none"> <li>○ Address the general nature of question;</li> <li>○ Explain that a FR is underway;</li> <li>○ Describe process and where to find information</li> </ul>		

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	about the process; <ul style="list-style-type: none"> <li>○ Ensure all leaders have the same information;</li> <li>○ Assist with any plan to inform the congregation or ministry setting;</li> <li>○ Assist the leadership as they determine whether an administrative leave (with pay) is appropriate;</li> <li>○ Process Guide for congregation offers to continue to be in touch as the process unfolds to answer any process questions.</li> </ul>		
	15. CM/ACM notifies insurance provider or directs church leader to do so.		
	16. Consider consulting MESA or others who have experience with FRs.		
	17. If a minister resigns their ministerial standing once a fitness review has begun but before the COM has deliberated, the process must come to an end. The COM should vote to receive the resignation of standing with bias, then submit documentation demonstrating that the FR outcome was Resignation of Standing during Fitness Review. The Fitness Review will need to be reopened and adjudicated before a request for reinstatement of standing can be heard.		
	<b>IV. INFORMATION GATHERING STAGE</b>		
	1. Before any interviews begin, Response Team confirms that Non-Disclosure/Non-Communication form has been signed by the MIQ.		

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	2. RT sets up a meeting with the PRQ in a neutral location.		
	3. Ensure that Non-Disclosure/ Non-Communication form signed by PRQ.		
	4. RT interviews PRQ, creates a summary of the interview, and asks the PRQ to sign the interview report after noting any changes.		
	5. RT interviews others having relevant information. RT asks these individuals to sign a non-communication form. RT creates a summary of these interviews and asks individuals to sign their interview reports after noting any changes.		
	6. Information may be gathered from local church if relevant.		
	7. Public records may be gathered, if relevant.		
	8. Experts or others with specialized knowledge (forensic accountant, sexual abuse counselor, etc.) may be invited to be interviewed or to offer any other relevant information.		
	9. RT interviews MIQ, ensuring that the MIQ responds to each concern raised. The MIQ may view the documents from the other interview reports, but may not retain a copy of them in any form (photocopy, PDF, picture). RT creates a summary of this interview, returns it to the MIQ, and requires the MIQ to sign it after making any corrections. The MIQ may not retain a copy of this or any other interview report.		
	<b>V. COMMITTEE REVIEWS INFORMATION</b>		

DATE	ACTION	PERSONS INVOLVED	NOTES
	1. RT provides COM with summaries of its interviews with PRQ, MIQ, others.		
	2. COM meets with RT to review documents and ask questions.		
	3. After all information is reviewed, COM develops plan to meet with persons involved.		
	<b>VI.COM PREPARES FOR AND MEETS WITH PARTIES</b>		
	1. CM/ACM & COM Chair prepare concise summary of questions being pursued in FR. Consult Manual on Ministry Section 8 and any other conference/association policies in creation of agenda for the meeting.		
	2. Create an agenda for this meeting, taking into consideration the following: <ul style="list-style-type: none"> <li>○ Who should speak directly with COM: MIQ? PRQ? Others?</li> <li>○ What questions does the COM have for these individuals?</li> <li>○ How much time should the COM devote to each person meeting with the COM?</li> </ul>		
	3. Share written agenda with COM, PRQ and MIQ at least 1 week prior to the meeting. Recommend sending via certified letter.		
	4. Reiterate no involvement of attorneys at ecclesiastical proceedings. May have the assigned process guide present, without voice.		
	5. Conduct meeting in accordance with policies and procedures, as outlined in the prepared agenda.		

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	<b>VII. DELIBERATION PHASE</b> COM considers all information and determines:		
	1. Were specific concerns found to have merit, and what is the rationale for this decision?		
	2. Is person currently fit for ministry in and on behalf of the UCC?		
	3. What outcome is discerned to be appropriate? <ul style="list-style-type: none"> <li>• Reaffirmation of fitness.</li> <li>• Refer to Situational Support Consultation</li> <li>• Conditional affirmation of fitness (with prescribed program of growth)</li> <li>• Censure (may have a prescribed program of growth)</li> <li>• Suspension of ministerial standing (with a prescribed program of growth)</li> <li>• Termination of standing</li> </ul> <i>Please note: Censure, Suspension and Termination will always be disclosed on a ministerial profile, while a conditional affirmation will need to be disclosed if there is a <u>current</u> program of growth.</i>		
	4. If necessary, COM develops a program of growth related to the concern(s) and the outcome. This should include timelines and benchmarks for the MIQ and the COM.		
	<b>VIII. FOLLOW-UP PHASE</b>		
	1. COM creates letter for MIQ and local congregation (or ministry setting) that outlines the decision, the program of growth (if any), and other relevant information.		
	2. COM rep meets with MIQ to communicate and interpret decision, including any		

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	<p>program of growth. COM rep should also share any information about the appeal process. Written document outlining program of growth and other conditions is signed by MIQ and COM rep. MIQ retains a copy of this information, as does the COM.</p>		
	<p>3. COM rep meets with PRQ to communicate and interpret the decision and answer any questions. This may also be conveyed in written form.</p>		
	<p>4. COM rep, in partnership with the process guide for the congregation and CM/ACM, meets with the leadership of the congregation (or ministry setting) to communicate and interpret decision as well as any program of growth, and to answer any questions. This meeting should also help the ministry setting's leadership determine the best way to share this information with the congregation/ministry setting. Written document conveying this information should also be shared by the COM rep.</p>		
	<p>5. Outcome is reported to conference office.</p>		
	<p>6. Outcome is reported to MESA.</p>		
	<p>7. Outcome is shared in the COM Annual Report. All FR records are sealed and stored in the minister's file. A copy of the COM minutes is also kept in the minister's file. COM destroys all other copies of extraneous notes/ documents.</p>		
	<p>8. After the program of growth is completed, the MIQ comes before the COM to request reaffirmation of fitness. A</p>		

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	program of growth may be extended if necessary.		
	9. Once the MIQ's fitness for ministry is reaffirmed or terminated, this information must be reported to MESA and included in the MIQ's file. MESA records this information in the Data Hub.		
	10. If the MIQ resigns standing following the deliberation and decision of the COM and before the successful completion of a program of growth, that resignation is reported as a "final outcome" to MESA, who records that information in the Data Hub.		
	<b>IX. IN CASE OF APPEAL</b>		
	1. Only MIQ may appeal the decision.		
	2. The association governing body (or other appeal body as outlined in association by-laws or policies) reviews the process of the FR. Appeals may only consider the process not the facts of the situation.		
	3. Association governing body votes to either: a) Affirm the FR process and endorse the outcome reached by the COM; or b) If a significant procedural irregularity is found to have occurred, the body determining the appeal will direct COM to re-conduct such portion(s) of the FR necessary to be in procedural compliance and to issue a determination in consideration of that revisited procedure.		

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	4. The decision of the association governing body is final.		
	5. Any requests for reinstatement of standing, including of ministers who have resigned their standing or had it terminated due to a FR must come before the COM where standing was last held.		

## ADDENDUM OF PERSONS INVOLVED IN FITNESS REVIEW

MIQ = Minister in Question: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

PRQ = Person Raising Questions: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

RT = Response Team Members:

\_\_\_\_\_ (male/female/clergy/lay)

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

\_\_\_\_\_ (male/female/clergy/lay)

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Process Guides:

For MIQ: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

For PRQ: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

For Congregation: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_