

13. **Reinstatement of Ministers Under Temporary Exclusion Policy Changes:** The Committee on Ministry recommends that presbytery approve the changes indicated in italics in the attached document, "Process for Reinstatement of a Minister of Word and Sacrament under Temporary Exclusion Pursuant to D-12.0104g"

Preamble (D-1.0101-1.0102)

Church discipline is the church's exercise of authority given by Christ, both in the direction of guidance, control, and nurture of its members and in the direction and constructive criticism of offenders. Thus, the purpose of discipline is to honor God by making clear the significance of membership in the body of Christ; to preserve the purity of the church by nourishing the individual within the life of the believing community; to correct or restrain wrongdoing in order to bring members to repentance and restoration; to restore the unity of the church by removing the causes of discord and division; and to secure the just, speedy, and economical determination of proceedings. In all respects, members are to be accorded procedural safeguards and due process, and it is the intention of these rules so to provide.

The power that Jesus Christ has vested in his Church, a power manifested in the exercise of church discipline, is one for building up the body of Christ, not for destroying it, for redeeming, not for punishing. It should be exercised as a dispensation of mercy and not of wrath so that the great ends of the Church may be achieved, that all children of God may be presented faultless in the day of Christ.

Reinstatement Policy

This document specifies the Presbytery of the Twin Cities Area policy for reinstatement of a minister of Word and Sacrament after temporary exclusion resulting from a disciplinary action. It is intended to give the presbytery as well as the minister on temporary exclusion (applicant for reinstatement) a fair, equitable standard of judgment and process. The process may be reviewed and modified to fit particular circumstances. This process applies to all cases of temporary exclusion regardless of the reason for discipline.

1. An applicant desiring reinstatement shall communicate his or her request in writing to the Stated Clerk. Upon receipt, the Stated Clerk will acknowledge the request, forward a copy of this policy to the applicant, and notify the chair of the Committee on Ministry of the request.

2. In determining whether a minister of Word and Sacrament should be reinstated after temporary exclusion, the Committee on Ministry may use any or all of the following criteria:
 - a. The other requirements of the temporary exclusion have been fulfilled.
 - b. The applicant has a genuine understanding of the offense, its effect on the congregation and/or individual, and why discipline was necessary.
 - c. Steps have been taken by the applicant to atone for the offense.
 - d. The applicant has learned about the offense, himself or herself, and ministry during the time of temporary exclusion.
 - e. The applicant has an understanding of the power, authority, and responsibility that one has by virtue of being a minister of Word and Sacrament and serving in ordained ministry.
 - f. The applicant has developed a relationship with an advocate or mentor from within the presbytery.
 - g. The applicant has refrained from contact with members of the congregation during the time of exclusion in accord with the presbytery's Separation Ethics Guidelines.

- h. The applicant has, during the period of temporary exclusion, maintained employment, taken time off, and conducted himself or herself in a manner befitting a minister of Word and Sacrament.
 - i. Steps have been taken by the applicant to continue an active church life, continue his or her education, obtain counseling, etc., even if these were not required by the terms of the temporary exclusion.
 - j. Steps have been taken by the applicant to deal with other life issues, e.g., marital issues, chemical dependency, anger, grief, etc.
 - k.. Steps have been taken by the applicant to reduce the risk of offending in the future.
 - l. The applicant has a renewed sense of call to active ministry.
 - m. The applicant does not pose an unreasonable risk to future parishioners, children, vulnerable persons, or the Presbyterian Church (U.S.A.).
 - n.. Such other criteria as the Committee on Ministry may add for particular cases.
3. The Committee on Ministry will appoint a task force of not less than three of its members to review all relevant information and make recommendations to the full Committee on Ministry. The Committee on Ministry may consider consulting with others who may be helpful to the task force if particular insights, skills, and expertise are needed in specific cases. The stated clerk and/or executive presbyter shall be staff to the task force. The Committee on Ministry will not consult with the counsel for the applicant, any member of the investigating or prosecuting committee, or any member of the permanent judicial commission, though all relevant documentation will be available to the Committee on Ministry and the task force. In the event that there is any expectation the pastor may return to the previous pulpit, the task force shall have regular contact with any task force working with that congregation. The appointment of a task force for each case shall be included in the report of the Committee on Ministry to the presbytery.
4. The task force shall review the record and determine who else should be interviewed and what other records should be reviewed. The task force shall publish a general invitation to presbytery to give relevant input either in writing

or at an announced meeting of the task force, which may meet in executive session. It shall obtain releases of information from the applicant to enable it to obtain relevant information, contact secondary references and other persons, check self-care records, conduct criminal background check in all jurisdictions in which the applicant has lived since temporary exclusion, obtain employment verifications, etc. While the task force cannot request personal counseling records, it shall have the authority to require an evaluation by an independent person or group in order to assess readiness for reinstatement. The task force and Committee on Ministry will have access to such evaluation records.

5. The task force shall request that the applicant provide a written statement covering the following primary questions:
 - a. What are all of your addresses since commencement of temporary exclusion?
 - b. What is your employment history since commencement of temporary exclusion, including name and address of employer, positions held, and dates of employment?
 - c. What community and church activities have you been engaged in since commencement of temporary exclusion?
 - d. What is your current marital and family situation?
 - e. How have you complied with the terms of the temporary exclusion?
 - f. What have you done to prepare yourself for reinstatement to ministry?
 - g. Why do you believe that you are now ready to be reinstated to active ministry?
 - h. If you are reinstated to active ministry, what are your plans to seek opportunity for ministry?
 - i. The names, addresses, and telephone numbers of no less than four references to whom the task force may talk.

- j. Any other information requested by the task force.
 - k. Any other information that the respondent may wish to add to specifically address the general criteria (# 2 above).
6. Having reviewed information gathered above, the task force will determine if it needs any additional information before proceeding further, e.g., psychological evaluations, additional written references, progress on criteria at #2 above, etc.
 7. The task force shall conduct an in-person interview of the applicant. A clergy member of the presbytery, familiar with the disciplinary process may be present with the applicant for support with prior notification to the task force. This person shall not have voice in the process.
 8. The task force will determine if it needs additional information or to do further review.
 9. The task force shall prepare a written report and recommendation to the Committee on Ministry, provide a copy of the report to the applicant for his or her comments, and, after reviewing and discussing the written report, schedule an in-person interview with the Committee on Ministry.
 10. The Committee on Ministry shall conduct an in-person interview with the applicant, review the report, the applicant's written statement, and recommendation of the task force, and determine whether it needs any additional information.
 11. The Committee on Ministry will prepare a written report, which will include the applicant's statement and the Committee on Ministry recommendation to the presbytery. If the committee recommends reinstatement, it may include provisions for future oversight of the applicant as he or she seeks and performs ministry. If the committee determines that the applicant is not ready for reinstatement, it will so report to the presbytery.
 12. At a stated meeting of the presbytery, the Committee on Ministry shall report its readiness to recommend reinstatement:
 - a. The applicant shall appear in person by invitation of the presbytery and present a written statement as to why he or she feels ready to be restored to active ministry.

- b. Presbytery shall be given an opportunity to question the applicant and the Committee on Ministry. Presbytery shall determine who may speak.
 - c. After moving into executive session, the stated clerk of presbytery shall review the reinstatement process, read the original judgment of the Permanent Judicial Commission, review parliamentary procedure as it relates to deliberation of the recommendation, and recommend limits on the parameters of debate.
 - d. Presbytery may debate the recommendation without the applicant present.
 - e. Upon closure of debate, the presbytery will vote on the recommendation by secret ballot.
 - f. The results of the ballot will be announced with the applicant present and the presbytery will rise from executive session.
13. In the event that the applicant is restored to active ministry, a service of reconciliation shall be held at the same meeting to mark the occasion and to reaffirm the applicant's and presbytery's mutual commitment to ministry, followed by an appropriate prayer. In the event that the applicant is not restored, an appropriate prayer will be offered and the Committee on Ministry will be directed to review and continue the process.
14. The normal costs of photocopying, postage, and mileage of Committee on Ministry members shall be a cost of the presbytery in the reinstatement process. The cost of counseling, reports from employers, etc., and other expenses related to the fulfillment of the requirements of the temporary exclusion and reinstatement process, and also including transportation expenses to meet with the task force, Committee on Ministry, or the presbytery, shall be a cost of the applicant. The cost of psychological or other evaluation that is requested by and reported to the Committee on Ministry or its task force by this reinstatement process will be borne by the presbytery through the Committee on Ministry.
15. Records and documents gathered during the Committee on Ministry review shall be sealed with the Permanent Judicial Commission documents and opened only if those documents are accessed.