

**PRESBYTERY OF SAN FERNANDO
MINISTERIAL CONDUCT GUIDELINES**

THE PURPOSE OF THESE GUIDELINES. These ethical guidelines for ministerial conduct serve a twofold purpose. First, they are to serve as a guide for those who undertake the office of ministry in the Presbytery of San Fernando. Second, they are to inform the laity of what they can expect from their ministers.

These guidelines do not presume to speak to all areas of ministers' lives. They assume basic honesty and integrity of conduct. Standards for ministerial conduct grow out of a vision of the Christian life and a sense of calling to a particular service. Like other Christians, ministers experience sin, grace, alienation, and forgiveness. Along with other Christians, they are expected by the Christian community to witness to the renewal of humanity in Christ by demonstrating in their daily lives love, compassion, and respect for other persons, fidelity in marriage, responsibility in parenthood, joy in service, and integrity and trustworthiness in all their dealings with others.

A. MINISTERS AS PERSONS

1. MINISTERS AND CONFIDENTIALITY

Ministers who are given information in confidence are not to disclose that information unless released from the exercise of confidentiality by the one giving the confidence.

Those who speak with ministers should be able to expect that what is said will be handled with good judgment and in a way which is most helpful to all involved. Whether or not information comes as a confidence, ministers are expected to exercise discretion in the use of private information which may come to their attention.

2. MINISTERS AND FEES OR HONORARIA

Ministers should ordinarily not charge or accept fees or honoraria for their personal use in exchange for pastoral services to families or individuals within the congregation. Such services include performing baptisms, marriages, funerals, and counseling. However, there may be occasions when even though the minister has declined the gift, still the gift is given. In those cases ministers may use their own best judgment as to what to do with the gift.

3. MINISTERS AND SPECIAL PRIVILEGES

Ministers, as servants of the Servant of God, need to exercise special vigilance so as not to exploit or take advantage of the special relationships and feelings of generosity which may come to them because of the office they hold. There have been cases where parishioners have felt exploited by ministers promoting their own books or travel tours with publicity in worship, or establishing counseling practices which encourage former parishioners to come to them for a fee. Ministers need to be sensitive to the danger of any use of the authority of the pastoral office for personal benefit.

In some instances ministers have accepted personal loans from the congregations they serve, from parishioners and former parishioners. This changes the relationship between the minister and the congregation from spiritual leader to debtor and opens an opportunity for the erosion of the trust in the congregation's leaders. Accepting a loan from a congregation or its parishioners is not permitted. (Shared equity agreements, as housing loans from congregations to ministers are permissible.) Ministers need to be sensitive to the danger of any use of authority of the pastoral office for personal benefit.

4. PARTICIPATION IN NON-PARISH ACTIVITIES

Though ministers are expected to participate in Presbytery, ecumenical, and other non-parish activities, it is wise for the minister to discuss the time involved in such activities with the session. "Discussion" does not mean "seek permission", as pastors are expected to participate in the governing bodies of the church by virtue of their ordination vows (G-14.0405b.9). A satisfactory balance needs to be maintained between outside commitments which benefit the pastor primarily and those which primarily serve the congregation's ministry. There should also be agreement about the disposition of honoraria received for speaking, teaching, or other activities carried on during time which would otherwise be available to the congregation. Such agreement presupposes common understanding between minister and session concerning the limits of the congregation's claim on the pastor's time. Pastors are free to undertake profitable enterprises using time which would normally be seen as their own. However, any such enterprises should not conflict with their duties and responsibilities as a pastor and should not create the appearance of impropriety.

5. LANGUAGE AND BEHAVIOR

Ministers should strive to foster by their language and behavior a climate where persons of all races, sexes, ages, nationalities, and capabilities feel comfortable and fully welcome and respected in the church. In all relationships, ministers are expected to abstain from the use of language or behavior which is perceived as demeaning, intimidating, offensive, or designed to embarrass.

6. MINISTERS AND SEXUAL BEHAVIOR

All ministers are reminded of the responsibility church leaders have to be models to others in all areas of life including human sexuality. The Presbytery has defined in its "Sexual Conduct Policy" specific reporting procedures for any in the church community who feel they have been sexually harassed or abused by those in authority in the church. All church leaders including ministers are expected to refrain from any activity that could be interpreted as sexual harassment or sexual abuse.

A. Unethical Sexual Conduct is behavior (actions) which may result in ecclesiastical disciplinary proceedings governed by Scripture, the *Book of Confessions* and the Book of Order.

- 1) Sexual malfeasance is defined as a breach of trust by clergy/professional lay leader, resulting from an inappropriate romantic relationship and/or sexual contact within a ministerial or professional relationship, (e.g. clergy with a member of their congregation, counselor with a client, lay employee with a church member, presbytery administrative staff with a committee member). This definition is not meant to cover relationships between spouses, nor is it meant to restrict church professionals from having mutual, social, intimate, or marital relationships.
- 2) Adultery or marital infidelity
- 3) Production, distribution, or use of pornography as defined by actions/policy statements of the General Assembly of the Presbyterian Church (U.S.A.)
- 4) Fornication is voluntary sexual intercourse between two unmarried persons or two persons not married to each other.
- 5) Homosexual Relations which are defined as: sexual conduct or contact with the body for sexual stimulation by two persons of the same gender.

- B. Sexual Misconduct is behavior (actions) which may result in civil and criminal law proceedings. It is implicitly included in the Unethical Sexual Conduct Section (IV). The following specific categories are included in the definition, but do not limit it.
- 1) Child sexual abuse is defined as: including, but not limited to, any contact or interaction between a child (under the age of 18 years) and an adult when the child is being used for the sexual stimulation of the adult person or a third person. The behavior may or may not involve touching but may involve: risque jokes, innuendo, unacceptable visual contact, unwelcome casual touch, unwelcome and inappropriate hugs and kisses, and sexually suggestive pictures between an adult and child.
 - 2) Sexual Harassment is defined as: sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or continued status in the Presbytery
 - b. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or participation in presbytery and/or church related activities by creating an intimidating, hostile, or offensive environment based on the declared judgement of the affected individual.
 - c. Lack of intent to harass is no defense. Examples of sexual harassment include, but are not limited to:
 - (1) Verbal: sexual innuendos, risque jokes, sexually suggestive or insulting questions, comments, or sounds, jokes or teasing of a sexual nature, sexual propositions or threats, continuing to make sexual advances or comments or otherwise expressing personal interest after being informed the interest is unwelcome, sexual remarks regarding clothing, body, or love life, or any type of subtle pressure for sexual activity.
 - (2) Visual: sexually suggestive or gender derogatory objects, pictures, computer software, posters or letters; leering, whistling, or obscene or sexually suggestive gestures.
 - (3) Physical: unwanted physical contact, including touching, pinching, brushing the body, impeding or blocking movement, sexual intercourse or assault.
 - (4) Encouraging attitudes or patterns of verbal, visual, or physical conduct (may or may not be obviously directed at a particular person) which may reasonably be perceived as tending to legitimate, rationalize, or make light of unwanted sexual advances.
 - 3) Rape or sexual contact by force, threat, or intimidation.
 - 4) Child pornography as defined by the laws of the State of California.

B. MINISTERS AND THE PRESBYTERY

1. MINISTERS AND THEIR COLLEAGUES

When problems arise relating to a minister's conduct, it is often difficult to decide when to give him or her the benefit of the doubt and when to take steps to remedy what may be perceived as an abuse. If it appears that the conduct of a minister is harmful to an individual, a congregation, the Presbytery, or the minister him/herself, the one with the information should speak directly to the colleague or seek the advice of the Executive Presbyter, the Associate Executive Presbyter, or the Chair of the Committee on Ministry. Persons who register complaints should, whenever possible, be willing to let their identities be known, to encourage a frank and open discussion of the problem. Confidentiality of the process and participants should be maintained if requested.

2. THE MINISTER AND THE NON-MEMBER

Ministers are sometimes called upon to officiate at weddings and funerals for persons who are not members of the congregation. If these persons are active members of another church, the minister should suggest that they procure the services of their own minister, and should attempt to contact that minister directly before agreeing to perform the service.

3. THE MINISTER AND NEIGHBORING CHURCHES

Ordinarily ministers should not knowingly call upon members of another church in the community. If the member requests it, a visit may be appropriate. If such a visitation occurs, it is a helpful courtesy to inform the colleague to whose church the person belongs regarding the visitation.

4. THE MINISTER AND THE MULTIPLE STAFF

All ministers are installed in their positions by action of Presbytery and any change in the pastoral relationship must be approved by Presbytery. While the pastor serves as head of staff in a congregation and bears the responsibility which this implies, the spirit within the staff should be that of a shared ministry where all bring their particular gifts to the work of ministry. To this end, everyone should be understanding of the mistakes of colleagues and seek to give support and help when needed. Care should be taken to avoid inappropriate criticism, negative suggestions and innuendoes.

When disagreements among staff members do arise, every effort should be made to settle the case amicably within the staff or it should be referred to some appropriate third party (session's personnel committee or Presbytery's Committee on Ministry) for counsel. It is not appropriate to attempt to seek to ally other church staff members in disagreements.

5. THE MINISTER IN AN INTERIM SITUATION

The purpose of an interim pastor is to provide pastoral service and to prepare a particular congregation for new pastoral leadership. An interim pastor should avoid seeking to mold loyalties to the interim ministry, and should make it absolutely clear that "a minister may not be called to be the next installed pastor or associate pastor of a church served as interim pastor" (G-14.0513b).

The interim pastor may be involved, at the invitation of the PNC Chair, as an advisor in the mission study phase of the work of the Pastor Nominating Committee, but under no circumstances should the interim pastor become involved in the search and selection work of the PNC. Presbytery representatives should make this policy clear to the congregation at the time the congregation elects a Pastor Nominating Committee.

6. THE MINISTER AND THE SUCCESSOR

When a minister is called to another parish, the minister should exercise due care not to influence directly or indirectly the policies of the successor. Frequent visits to one's former parish should be avoided. Even when occasional visits occur, it is a courtesy to pay one's respects to one's successor and to inform the successor about the nature and purpose of the visit. During the period of temporary supply or interim ministry the former pastor should avoid performing ministerial services (weddings, funerals, baptisms, etc.). Even when a successor issues an invitation to a former pastor to take part in a ministerial function, it is a wise idea for the former pastor to take the initiative in a candid discussion with the successor about the propriety of such functioning and the possible harmful effects on the life of the congregation in terms of its new ministry.

In all such situations, the former pastor and the present pastor should seek the advice and approval of the current session of the church. Form of Government G-14.0606 states: "Former pastors, associate pastors, and assistant pastors may officiate at services for members of a particular church, or at services within its properties, only upon invitation from the moderator of the session or, in case of the inability to contact the moderator, from the clerk of session." If misunderstandings arise in these areas, it is appropriate for the former pastor and the present pastor to seek the counsel of Presbytery's Committee on Ministry.

7. THE PASTOR-ELECT

During the interval of time when a new pastor (pastor-elect) has been selected, but before he or she begins the new call, the pastor-elect shall not participate in the life of the new church unless invited to do so by the current pastor or interim pastor.

8. THE MINISTER AND RETIREMENT

Paragraphs #5 and #6 above are relevant for the retired pastor, but some additional matters also require comment. Unlike a pastor who moves to a new location and a new church, the retired pastor often remains within the boundaries of Presbytery and sometimes near a former parish. This can create problems both for the successor and for the retired pastor. This should be a matter for serious discussion by the session of the local church and for Presbytery's Committee on Ministry.

There are no easy answers to this potentially difficult situation. It is important for all concerned to recognize some fundamental professional priorities: (a) that the local church and its new ministry should be uppermost in everybody's minds; (b) that the new ministry will probably develop new directions and should be encouraged in freedom to do so; (c) that there will be a natural tendency for some in the church to resist change, and that it is very important for the successor and the retired pastor to deal with this resistance by reiterating with love and understanding that the mission of the church should be oriented to the future rather than the past. It is the primary responsibility of the retired pastor to make these priorities known.

In addition, the retired pastor should make it completely clear that "retired" means "withdrawn from active service", at least in that location. There will naturally be misunderstandings about these matters, and there will be occasions when the line between "old friends" and "parishioner" will be hopelessly muddled. In all such situations of ambiguity, it is the retired pastor who bears primary responsibility for making clear what "retired" means.

9. **THE MINISTER AND THE PREDECESSOR**

If the former pastor or retired pastor bears primary responsibility for making clear that the ministry in a given location should be directed to the future rather than to the past, it is the primary responsibility of the successor or the currently installed pastor to show respect and gratitude for the heritage of that church and for the positive work of the predecessor. Ordinarily it is wise for the successor to take the initiative in making contact with a predecessor to discuss the mission and work of that church. There may be occasions when it is appropriate to invite a predecessor to return to the church for a visit, possibly to celebrate a special occasion or event, and to assist in a ministerial function. The years have built up loyalties that are strong and precious, and the successor or currently installed pastor should be sensitive to ways in which the past may be absorbed in creative ways for building an exciting future for the church in that place.