

PROPOSED COVENANT MINISTERIUM BYLAWS AMENDMENT

Article V - Contested Credentials Hearing

Introduction

This document is a proposal for an amendment to the Bylaws of the Covenant Ministerium. This amendment is in direct response to the shortcomings of the Contested Credentials Hearing that took place under executive session at the June 2019 Annual Meeting of the Covenant Ministerium. The hope of this Bylaw amendment is to reform and clarify the Ministerium's Annual Meeting process to receive clergy who may want to contest a recommendation of the Board of Ordered Ministry, so that if that we ever find ourselves in a similar situation our role in that process is clear and meets the following goals:

1. To clearly delineate the Covenant Ministerium's role as well as lines of jurisdiction between the Board of Ordered Ministry and the ECC Annual Meeting.
2. To maintain both a separation of powers, as well as checks and balances, between the various parties involved.
3. To provide a fair and just space for all parties involved to speak to the merits of their case.
4. To establish a just threshold for a decision of significant importance.
5. To maintain proper order in the midst of consequential decisions where emotions can run high.
6. To protect both the rights of the credentialed minister involved (who may hold a minority view) and to honor our constitutional commitment to majority rule, which is key to any constitutionally organized society which seeks to be simultaneously self-governed and just.
7. Lastly, and perhaps most importantly, to create a space where we can discern, debate and decide together the wisdom of the Holy Spirit on matters of significant importance related to credentials.

The Covenant Ministerium has a limited but important role as it pertains to the governance of the ECC. The Covenant Ministerium Annual Meeting can recommend items to the Board of Ordered Ministry, and votes on motions received from the Board of Ordered Ministry which constitutionally require the Covenant Ministerium's approval in order for them to be forwarded on to the Covenant Annual Meeting. These motions include the nomination of Executive Minister of the Board of Ordered Ministry, making changes to the credentialing process, the credentialing of ministers, and the removal of credentials. Within this limited space we have an opportunity, and an obligation as credentialed ministers of the ECC, to take our role seriously and to aid the delegates of the ECC Annual Meeting in their important work of discernment. While there are certainly matters that come before the Covenant Ministerium that are unpleasant and difficult, such as the potential removal of credentials, just as we play an important role in approving candidates for credentialing so too must we play a role if the occasion arrives to discern the contested removal of those credentials. Earlier ECC Annual Meetings established the precedent that a minister wishing to contest the removal of his/her

credentials would be afforded that space before their peers at the Covenant Ministerium Annual Meeting.

Process

A working draft of this Bylaws amendment was presented by the Covenant Ministerium Executive Board to the Covenant Ministerium Executive Committee (comprised of regional conference Ministerial Chairs and the Presidents of AAMA, CAPA, ALIPE, ACCW, and CCA) who offered feedback which was incorporated into the final draft. Both the Executive Board and Executive Committee of the Covenant Ministerium unanimously voted in favor of forwarding this amendment for a vote at the Ministerium Annual Meeting 2020. Due to COVID-19 and the cancellation of the 2020 Ministerium Annual Meeting, this amendment is now on the agenda for a vote at the 2021 Ministerium Annual Meeting.

The Constitution and Bylaws of the Covenant Ministerium allow for amendments to the Bylaws in the same year if a two-thirds vote threshold is reached.

Proposed Amendment

ARTICLE V

Contested Credentials Hearing

Section 5.1 A Minister who has been notified by the Board of Ordered ministry that the Board of Ordered Ministry will recommend to the Covenant Ministerium the removal of said Minister's credentials may contest such a recommendation before the Annual Meeting of the Covenant Ministerium. Any Minister who seeks to contest the removal of their credentials must submit their intent to do so in writing to both the President of the Covenant Ministerium and the Chair of the Board of Ordered Ministry no less than 90 days prior to the Annual Meeting of the Covenant Ministerium.

Section 5.2 The Executive Officers of the Covenant Ministerium will notify the Covenant Ministerium in writing no less than 60 days prior to the Annual Meeting of the Covenant Ministerium at which a Contested Credentials Hearing is to take place. This notification will include the charges of the Board of Ordered Ministry against the Minister in question.

Section 5.3 The minister who is contesting the removal of their credentials and the Board of Ordered Ministry will be given equal time to present their cases at each stage of the Contested Credentials Hearing.

Section 5.4 Prior to the start of the Contested Credentials Hearing the President of the Covenant Ministerium will introduce a motion to establish time frames for the Contested Credentials Hearing, including deliberations and debate. The President of the Covenant Ministerium must submit this motion to both the Minister in question and the Board of Ordered Ministry at least one month prior to the Annual Meeting of the Covenant Ministerium so as to provide adequate time for preparation. This motion may be debated and amended by the Covenant Ministerium.

Section 5.5 No testimony that is directly relevant to the Contested Credentials Hearing may take place prior to the hearing itself. Anyone wishing to present first-hand information about the minister in question or the recommendation of the Board of Ordered Ministry must do so as a witness during the Contested Credentials Hearing. The President of the Ministerium will determine what constitutes directly relevant testimony.

Section 5.6 The President of the Covenant Ministerium will preside over the Contested Credentials Hearing and will be responsible to maintain proper order. The President of the Covenant Ministerium must make every reasonable effort to preside in an impartial manner ensuring an equitable and fair process. No one, save for those directly involved in the Contested Credentials Hearing or the President of the Covenant Ministerium, may obtain the floor during the hearing. Any questions, or points of order arising during the hearing must be submitted to the President of the Ministerium in writing. If the President of the Covenant Ministerium feels that he or she cannot be impartial for whatever reason they may recuse themselves and the Vice-President of the Covenant Ministerium will assume the responsibilities of the President for the purposes of the Contested Credentials Hearing.

Section 5.7 The Board of Ordered Ministry will present first at each stage of the Contested Credentials Hearing. The hearing will be ordered as follows:

- a) Opening Statements.
- b) Witness testimony.
- c) Closing Statements.

Section 5.8 Deliberation will begin following the conclusion of closing statements. Both the minister who is contesting the removal of their credentials and the representatives from the Board of Ordered Ministry who presented will exit the room until a decision has been reached. Deliberation will be ordered as follows:

- a) Debate on approving or not approving the recommendation of the Board of Ordered Ministry to remove the credentials of the minister in question.
- b) Vote on the recommendation for the removal of credentials, a two-thirds vote is required to approve the recommendation.
- c) If a two-thirds vote is reached on the recommendation for the removal of credentials, the Board of Ordered Ministry will then, with the concurrence of the Covenant Ministerium, submit the recommendation to the Annual Meeting of the ECC.
- d) If a two-thirds vote is not reached then the matter returns to the Board of the Ordered Ministry.