

# ETHICAL PRACTICES

## **Ethical Practices for Rostered Leaders of the USS:**

*(Adopted by the Upper Susquehanna Synod Assembly in 1996; revised 2018)*

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### **INTRODUCTION**

The Oath of Ordination requires a pastor to “discipline *yourself* in life and teaching that you preserve the truth, giving no occasion for false security or illusory hope” The church requires of the pastors it has ordained integrity, compassion, belief in the dignity and worth of human beings through Christ’s death and resurrection, a commitment to Christian service, and a dedication to the truth as known in Jesus Christ. Similarly, the rites for consecration/commissioning of deacons pray that these leaders’ lives, teaching and vocation will “reflect [God’s] grace [so] that many may come to know [God] and love [God]”. Therefore, this document embodies certain common standards of ethical behavior in the conduct of ministers of Word and Sacrament and of Word and Service of the Upper Susquehanna Synod, Evangelical Lutheran Church in America, and provides the basis for helping them make judgments about their actions before and after they occur. Ethical behavior in a given situation must satisfy more than the personal judgment of the rostered leader; therefore, the rostered leader is expected to be guided

by the principles in this document that have a bearing upon any situation in which ethical judgment is to be exercised. The course of action chosen is expected to be consistent with the spirit as well as the letter of this document, and any exceptions should be for sound pastoral reasons.

Each rostered leader of the Upper Susquehanna Synod shall share these guidelines with his/her congregation so that members and councils may be aware of these ethical standards and thus be able to encourage and support their rostered leaders in fulfilling these responsibilities.

As a rostered leader:

I. My primary obligation is to the Gospel, in the context to and in which I am called;

II. I recognize there are times when I must give precedence to my pastoral responsibilities over my personal life;

III. I hold myself responsible for my efforts towards the quality, effectiveness, and extent of my ministry;

IV. I respect and support the position and call of my colleagues. I will express my concerns regarding their views or actions to them personally, and in serious cases, through established processes (Matthew 18: 15- 17; The Upper Susquehanna Synod Constitution, Chapter 17 "Adjudication"; and the ELCA Constitution, Chapter 20, "Consultation, Discipline, Appeals, and Adjudication");

V. I accept the responsibility to stand against false teachings, false practices, and unethical and immoral behaviors by individuals or organizations engaged in or claiming to engage in the public exercise of Christian ministry; *as identified by the ELCA or synod.*

VI. I distinguish clearly and openly between my statements and actions as an individual and as a representative of the church;

VII. I accept the following standards of behavior in my ministry:

## **A. BAPTISM**

1. It is expected that the persons exercising parental responsibility for a child to be baptized will be consulted as to their current religious affiliation and their desire or willingness to have the child baptized. When one or both parents are members in another congregation, it is expected that the sacrament will be administered in the congregation where that person holds membership, either full or associate.

2. The presiding minister will be the called or interim pastor of the congregation where the Baptism is being celebrated. Any other presider will have the prior approval of that congregation's pastor, or the Bishop of the Upper Susquehanna Synod if the pastorate is vacant.

3. A presiding minister at the Baptism of a child whose parents belong to another congregation will have the approval of the home pastor and will send the necessary data for proper recording in the home congregation's Parish Register.

4. Baptismal instruction will precede every Baptism and will include the meaning of Baptism and the responsibilities for the Christian growth of the baptized. The presiding minister will be responsible for this instruction. In case of emergency instruction will take place after the baptism whenever possible.
5. All sponsors will be baptized persons.
6. Whenever possible, Baptism will be celebrated in the presence of the worshipping congregation.<sup>1</sup>

## **B. COMMUNION**

1. Whenever Communion is to be celebrated, the whole congregation will be invited to participate, e.g, at weddings, funerals, etc.<sup>2</sup>
2. The presiding minister at Communion will be the called or interim pastor of the congregation. Any other presider (supply pastor or Authorized Lay Worship Leader<sup>3</sup>) will have the prior approval of the congregation's pastor or the Bishop of the Upper Susquehanna Synod if the pastorate is vacant.
3. Communion will also be administered to those incapable of attending the congregation's worship; it is the responsibility of church members to advise the pastor when home Communion is desired.<sup>4</sup>
4. When requested by the communicant the host congregation will inform the home congregation when visitors commune.
5. In order to celebrate Communion outside the congregation, permission from the Bishop of the Upper Susquehanna Synod will be required. The Use of the Means of Grace (1997) define such situations as those "in established centers of the church -- e.g., seminaries, colleges, retreat centers, charitable institutions, and administrative centers." "In institutions not formally associated with the church, e.g, hospitals, retirement homes, colleges/universities, military bases, where there is a called pastor or chaplain, authorization for the celebration of Holy Communion rests with the pastor in consultation with the calling-sending agency/board of the church."<sup>5</sup>

## **C. WEDDINGS**

1. When a wedding is to take place in the church it is expected that the presiding minister will be the called or interim pastor of that congregation. Any other presider or participating clergy will have prior approval of the congregation's pastor, or the Bishop of the Upper Susquehanna Synod if the pastorate is vacant.

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<sup>1</sup> The Use of the Means of Grace: A Statement on the Practice of Word and Sacrament, Adopted by the Fifth Biennial Churchwide Assembly of the ELCA, 1997: Principle 25 (p. 31)

<sup>2</sup> The Use of the Means of Grace: Principle 49 (p. 52)

<sup>3</sup> Authorized Lay Worship Leaders must have the permission of the bishop in all instances prior to presiding.

<sup>4</sup> The Use of the Means of Grace: Principle 48 (p. 51)

<sup>5</sup> The Use of the Means of Grace: Principle 39 (p.44)

When one or both of the subjects to be married hold membership in another congregation the presiding minister will consult the pastor of the congregation in which they have membership. Weddings between members of Lutheran, Episcopalian or Roman Catholic churches will follow the guidelines Mixed Marriage Celebration and Preparation between Episcopalians, Lutherans, and Roman Catholics in Central Pennsylvania (see Appendix B).

2. Pre-marital instruction will precede every wedding and will be the responsibility of the presiding minister. It will include an interpretation of the Christian understanding of marriage and instruction regarding the ELCA's statement on marriage.

3. The presiding minister will conform to the laws of the Commonwealth of Pennsylvania concerning the solemnizing of a marriage.<sup>6</sup>

#### **D. FUNERALS**

1. The funeral or memorial service for an active member is most appropriately held in the church in which that person was a full or associate member, and the presiding minister will be the called or interim pastor of that congregation. Any other presider or participating clergy will have the prior approval of the congregation's pastor or the Bishop of the Upper Susquehanna Synod if the pastorate is vacant.

2. Funeral services for members of another congregation shall not be conducted without prior approval of the called or interim pastor of that congregation. Information concerning the death shall be sent to that congregation for proper recording in the Parish Register

3. A distinction of both content and form shall mark the funeral services for non-church members without affecting pastoral care and concern for the bereaved<sup>7</sup>.

4. Pastors should provide educational opportunities for dealing with death and grief.

5. With the assistance of the pastor, members should be encouraged to prepare their own funeral service in accordance with the practice of the church.

#### **E. PASTORAL VISITATION**

1. A pastoral visit is any visit that a rostered leader makes on the basis of his/her office.

2. Any pastoral visit made to a member of a congregation not served by that pastor shall be at the request or with the consent of that member's called or interim pastor.

#### **F. PASTORAL CARE/COUNSELING**

1. The pastoral care/counseling ministry of the rostered leader will normally be to the members of his/her congregation.

<sup>6</sup> [http://www.legis.state.pa.us/cfdocs/legis/LI/Public/cons\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/LI/Public/cons_index.cfm): Title 23: Domestic Relations

<sup>7</sup> *Manual on the Liturgy*; Lutheran Book of Worship, page 356f. See also, *Ministers Desk Edition* LBW p. 37f; *Leaders Desk Edition* ELW, p. 43-44; Using ELW Volume 2: *The Christian Life*, p. 157ff.

2. The rostered leader will not advertise as a “Counselor” unless accredited by a certifying body in that field and with the approval of his/her congregation’s council.

3. Information which is shared with a pastor as part of pastoral care/counseling is considered private and shall remain confidential, insofar as confidentiality is in accordance with Pennsylvania law regarding privileged information (Federal Health Insurance Portability<sup>8</sup> and Accountablility Act HIPAA; Pennsylvania Consolidated Statutes, Title 42, Chapter 59<sup>9</sup>):

a. Absolute privileged information is that which is shared in an appropriate confessional setting between priest and penitent; disclosure cannot be forced under any circumstance except by law.

b. Privileged information is that shared with the rostered leader in his/her official capacity but outside the confessional setting, e.g., a counseling session. Disclosure is allowed with the written consent of the parties involved or with a court order.

c. Confidential information includes all other pastoral conversations, and disclosure is required upon request by law enforcement and judicial agencies.

d. Information concerning child abuse committed on church property or within a church-sponsored program, e.g., scouts and clubs, even though not on church property, is not considered absolute privileged information and is required to be reported to the appropriate agency.<sup>10</sup>

e. Rostered leaders may seek advice from their congregation’s legal counselor the legal counsel of the Upper Susquehanna Synod (any fee is the responsibility of the congregation).

f. Rostered leaders should not agree to serve as executor or power of attorney for members or others with whom they have a pastoral relationship.

## **G. CONTINUING EDUCATION**

The rostered leader will participate in continuing education in order to increase and strengthen his/her pastoral skills. It is expected that rostered leaders will participate in at least two weeks of continuing education per year in order to strengthen his/her pastoral skills.

## **H. DUAL MEMBERSHIPS**

1. Pastors sharing a congregation member through associate membership will also share with each other information concerning pastoral acts.

2. Associate membership status as described in the Model Constitution for Congregations is understood to mean persons holding membership some distance from the congregation to which they are applying for associate membership. Associate

<sup>8</sup> <https://www.hhs.gov/hipaa/for-professionals/index.html>

<sup>9</sup> [42 PA Cons Stat § 5943 \(2014\)](#)

<sup>10</sup> see <https://www.pacode.com/secure/data/049/chapter42/s42.42.html> and other PA code information.

membership is not to be used as a way to avoid dealing with conflict with their home congregation or pastor.

## **I. PASTORAL RELATIONSHIPS WITH FORMER CONGREGATIONS**

1. A rostered leader who retires or accepts a call to a non-congregation ministry will normally transfer his/her membership and the membership of his/her spouse and dependent children from the congregations he/she formerly served.
2. It is expected that a rostered leader will not return to a former congregation to conduct pastoral acts. e.g., Baptisms. Weddings. Funerals.
3. The congregation's called or interim pastor, or the Bishop of the Upper Susquehanna Synod if the pastorate is vacant, may invite a former rostered leader to assist.
4. When a rostered leader resigns his/her call at a congregation s/he will agree to abide by the "Covenant of Closure" (appendix A).

## **J. REIMBURSEMENT FOR SERVICES**

1. The Sacraments, marriages, funerals, pastoral visitations, and pastoral care/counseling are normal responsibilities of pastoral ministry to members of the congregation, who shall not be charged a fee for these services. Any fee charged to nonmembers is at the discretion of the pastor and the congregation's council.
2. An honorarium is not a fee but a gift, and its acceptance and use is at the discretion of the pastor.

## **K. FISCAL RESPONSIBILITIES<sup>11</sup>**

Ministers of this church are expected to conduct their fiscal affairs in accordance with ethical and legal requirements. Among those fiscal activities that may be considered conduct incompatible with the character of the ministerial office are:

- a. Indifference to or avoidance of legitimate and neglected personal debts;
- b. Embezzlement of money or improper appropriation of the property of others;
- c. Using the ministerial office improperly for personal financial advantage.

## **L. SEXUAL MATTERS**

The expectation of this church is that an ordained minister is to lead a chaste and decent life in word and deed. In keeping with this expectation, chastity and abstinence are required outside of marriage or outside publicly accountable, lifelong, monogamous, same-gender relationships, and chastity and fidelity are required within marriage or within such same-gender relationships. Adultery, infidelity, casual sexual relationships, promiscuity, the sexual abuse of another or the misuse of the pastoral relationship for

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<sup>11</sup> From *Definitions and Guidelines for Discipline*, ELCA December 2014

sexual activity constitute conduct that is incompatible with the character of the ministerial office.<sup>12</sup>

All rostered ministers are required to participate in workshops designed to promote awareness of sexual power and abuse every three years.

### **M. ANTI-RACISM**

In accordance with ELCA policy, rostered leaders are encouraged to learn about racism and its effects upon all members of the church. This synod expects its rostered leaders to work to end racism within themselves and in this church. To that end, rostered leaders are expected to attend workshops designed to foster understanding of racism and white privilege every three years.

### **N. WILLS AND POWER OF ATTORNEY**

Rostered leaders may at times be asked to serve as executor of an estate or as power-of-attorney for a member. In general, it is expected that rostered leaders will not accept such requests, instead they should refer the member to appropriate legal resources.

It is expected that rostered leaders will make every effort to discourage being named beneficiary in estates of members.

### **O. VISION AND EXPECTATIONS AND OTHER SOURCES<sup>13</sup>**

All rostered leaders are expected to abide by the guidance of the ELCA *Vision and Expectations*, approved by the Church Council in 2010.

All rostered leaders, at ordination/consecration/commissioning, agree to abide by the constitutions of the ELCA. ELCA constitution Chapter 7, synod constitution chapter S14, and the Model Constitution for Congregations specifically address rostered leaders.

Further reference may be made to the ELCA document *Definitions and Guidelines for Discipline*.

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<sup>12</sup> From *Definitions and Guidelines for Discipline*, ELCA December 2014

<sup>13</sup> <http://www.elca.org/en/About/Churchwide/Office-of-the-Secretary/Rostered-Ministers>

## *Appendix A*

### *A Covenant of Closure*

#### ***Guidelines for the Relationship of a Congregation and Former Pastors***

We believe that the Holy Spirit is acting when a pastor is called to serve God's people and also that that the Holy Spirit is acting when it is time for that pastor to accept another call, including the call into retirement.

A healthy relationship between a pastor and God's people is often mutually enriching and joyous. While serving a congregation, a pastor is deeply involved in the lives of God's people, and it is appropriate that strong bonds of trust, friendship, commitment and interdependence develop.

However, when the Holy Spirit leads the pastor to a new call or into retirement, those relationships, however strong, must change for the future health of both the congregation and the pastor. For the congregation to move forward, its members need to accept fully the authority and guidance of succeeding pastors, both interim and called, even as they cherish the memory and leadership of the former pastor. For former pastors to live into their new lives of service or retirement, and for the good of the congregation they once served, they need to surrender pastoral authority and sever pastoral ties with their former congregations and their people.

The following expectations will help clarify the new relationship between former pastors and congregations:

#### **Congregations and Members:**

- Will not reach out to former pastors for professional pastoral care in times of emotional, spiritual, or physical need, but rather exclusively to their current pastor.
- Will not invite or approach former pastors to perform or participate in pastoral acts, such as weddings, funerals, baptisms, home communions, etc., but rather exclusively the current pastor.
- Will not seek the counsel of former pastors (or their family members) on matters relating to the congregation, including its worship life, finance, administration, leadership, or issues. Members should avoid talking with former pastors (and family members) about congregational matters.
- Will not expect former pastors (or their family members) to retain membership in the church, to attend worship, or to participate in activities or events in the life of the congregation.
- Will speak positively of former pastors (and their family members). As Martin Luther explains in the *Small Catechism*, the Eighth Commandment compels us to do so: "We are to fear and love God, so that we do not tell lies about our neighbors, betray or slander them, or destroy their reputations. Instead, we are to come to their defense, speak well of them and interpret everything they do in the best possible light."
- Will, in continuing personal relationships, regard former pastors as friends only. Although it is proper to address any ordained minister as "pastor," in light of the new relationship members will remember that the former leader is no longer serving as *their* pastor.

**Former Pastors:**

-Will politely but firmly refuse requests to provide ministerial care to former congregational members, instead referring them to the current pastor. For the health of the congregation and the integrity of the ministry of the current pastor, this rule will be without exception.

-Will politely but firmly refuse all requests to perform or participate in pastoral acts, such as weddings, funerals, baptisms, home communions, etc., instead referring them to the current pastor. (Former pastors will respond to all such requests with an unequivocal "no" and not suggest that members ask the current pastor if it is okay. Such a request puts the current pastor in a very difficult position, creates an unhealthy relationship, and can set a dangerous precedent.)

-Will decline to comment on matters relating to the former congregation, including worship life, finance, administration, interpersonal relationships, conflicts, or politics. Former pastors will counsel their family members similarly to decline. It is wise for former pastors to discourage members even from talking with them about congregational affairs.

-Will move the official membership for themselves and immediate family members to another congregation. Former pastors and family members will refrain from attending worship or participating in regular events and activities in the life of the congregation. Adult children of the pastor are strongly encouraged to move their membership as well.

-Will speak well of the former congregation, its leaders, and its members. As Martin Luther explains in the *Small Catechism*, the Eighth Commandment instructs us to do so: "We are to fear and love God, so that we do not tell lies about our neighbors, betray, or slander them, or destroy their reputations. Instead, we are to come to their defense, speak well of them, and interpret everything they do in the best possible light."

-Will, in continuing personal relationships, regard members of the former congregation as friends only. In light of this new relationship, former pastors may encourage former congregation members to address them by their given name. When they are addressed with the honorific of "Pastor," ministers may remind, as appropriate, former members that they no longer serve as *their* pastor.

**Covenant of Closure**

In order to promote a healthy closure to the ministry tenure of our departing pastor and a healthy beginning to the tenure of successor pastors, we the undersigned agree to do our best to abide by the conditions of this covenant. We will encourage others in our congregation and our families to do the same by making this covenant a public and living document.

**Signatures**

\_\_\_\_\_  
Congregation Council President Vice President

Date: \_\_\_\_\_

\_\_\_\_\_  
Pastor

## ***A Covenant of Closure:***

### ***Guidelines for the Relationship of a Congregation and Their Former Ministers of Word and Service***

We believe that the Holy Spirit is acting when a minister of Word and Service is called to serve God's people and also that the Holy Spirit is acting when it is time for that minister to accept another call; including the call into retirement.

A healthy relationship between a deacon and God's people is often mutually enriching and joyous. While serving a congregation, a deacon is deeply involved in the lives of God's people, and it is appropriate that strong bonds of trust, friendship, commitment, and interdependence develop.

But when the Holy Spirit leads the deacon to a new call or into retirement, those relationships, however strong, must change for the future health of both the congregation and the minister. For the congregation to move forward, its members need to accept fully the authority and guidance of succeeding ministers, both interim and called, even as they cherish the memory and leadership of their former minister. For deacons to live into their new lives of service or retirement, they need to surrender ministerial authority and sever ministerial ties with the congregations and people they formerly served.

The following expectations will help clarify the new relationship between deacons and they congregations and people they formerly served:

#### **Congregations and Members:**

- Will not reach out to former ministers of Word and Service for professional care in times of emotional, spiritual, or physical need, but rather exclusively to their current ministers.
- Will not invite or approach former ministers of Word and Service to participate in pastoral acts, such as weddings, funerals, baptisms, home communions, etc., but rather exclusively the current ministers.
- Will not seek the counsel of former ministers of Word and Service (or their family members) on matters relating to the congregation, including its worship life, finance, administration, leadership, or issues. Members will avoid even talking with former ministers of Word and Service (and family members) about congregational matters.
- Will not expect former ministers of Word and Service (or their family members) to retain membership in the church, to attend worship, or to participate in activities in the life of the congregation.
- Will speak positively of former ministers of Word and Service (and their family members). As Martin Luther explains in the *Small Catechism*, the Eighth Commandment compels us to do so: "We are to fear and love God, so that we do not tell lies about our neighbors, betray, or slander them, or destroy their reputations. Instead, we are to come to their defense, speak well of them, and interpret everything they do in the best possible light."
- Will, in continuing personal relationships, regard former ministers of Word and Service exclusively as friends. Although it is proper to address any minister of Word and Service with the title "Deacon", in light of the new relationship members are wise to remember that the former ministers of Word and Service no longer serve them or their community.

**Former Ministers of Word and Service:**

-Will politely but firmly refuse requests to provide ministerial care to former congregational members, instead referring them to the current ministers. For the health of the congregation and the integrity of the ministry of the current ministers, this rule will be without exception.

-Will politely but firmly refuse all requests to perform or participate in pastoral acts, such as weddings, funerals, baptisms, etc., instead referring them to the current minister. (Former ministers of Word and Service will respond to all such requests with an unequivocal "no" and not suggest that members ask the current leader if it is okay. Such a request puts the current leader in a very difficult position, creates an unhealthy triangle, and can set a bad precedent.)

-Will decline to comment on matters relating to the congregation they used to serve, including worship life, finance, administration, interpersonal relationships, conflicts or politics. They will counsel their family members similarly to decline. It is wise for ministers of Word and Service to discourage members from congregations they used to serve even from talking with them about church affairs.

-Will move the official membership of themselves and all family members to another congregation. Ministers of Word and Service (and family members) will refrain from attending worship or participating in regular events and activities in the life of the congregation they used to serve.

-Will speak well of the former congregation, its leaders, and its members. As Martin Luther explains in the *Small Catechism*, the Eighth Commandment instructs us to do so: "We are to fear and love God, so that we do not tell lies about our neighbors, betray, or slander them, or destroy their reputations. Instead, we are to come to their defense, speak well of them, and interpret everything they do in the best possible light."

-Will, in continuing personal relationships, regard people they used to serve as friends and only friends. In light of this new relationship, ministers of Word and Service may encourage former congregation members to address them by their given name. When addressed by an honorific title, ministers may remind former members, as appropriate, that they no longer serve their community.

**Covenant of Closure**

In order to promote a healthy closure to the ministry tenure of our departing minister of Word and Service and a healthy beginning to the tenure of successor ministers, we the undersigned agree to do our best to abide by the conditions of this covenant. We will encourage others in our congregation and our families to do the same by making this covenant a public and living document.

**Signatures**

\_\_\_\_\_  
Congregation Council President

\_\_\_\_\_  
Vice President

Date: \_\_\_\_\_

\_\_\_\_\_  
Minister of Word and Service

## Appendix B

### MIXED MARRIAGE CELEBRATION AND PREPARATION BETWEEN EPISCOPALIANS, LUTHERANS, AND ROMAN CATHOLIC IN CENTRAL PENNSYLVANIA

#### Introduction

On May 23, 1993, the Bishops of the Episcopal Diocese of Central Pennsylvania, the Roman Catholic Diocese of Harrisburg, and the Lutheran Synods of Upper and Lower Susquehanna signed a [*sic*] historic Covenant Agreement among themselves and their Churches. This event culminated a process of growing trust and formal conversations among clergy. It also began an era of even closer relationship among the judicatories and a commitment to renew and revitalize the relationships among clergy and laity within the three traditions.

One of the practical goals of this agreement was to invite the bishops of these Judicatories and several others, especially the Roman Catholic Diocese of Scranton who was a signatory of the original document, to revise and update Guidelines they had issued for the preparation and celebration of marriage. This document is a direct result of that decision. We have revised and updated those Guidelines entered into by the above judicatories in 1988 in order to reaffirm our belief that if we are to live out our commitment to each other we must take seriously the need to jointly minister to our people, especially when they undertake to enter into an ecumenical marriage. The following text is meant to reflect the practices of the various traditions, to provide pastoral guidance to both clergy and laity with regard to mixed marriage preparation and celebration, and to educate both clergy and laity.

#### THEOLOGICAL REFLECTIONS

Lutheran, Episcopalians, and Roman Catholic differ in the understanding of the sacramentality of marriage. Nonetheless, we all affirm that:

1. Marriage is instituted and ordained by God.
2. According to Scripture marriage is a sign and symbol of the covenant between God and His people.
3. Christian marriage reflects the mystical union of Christ and His Church.
4. Those who enter into Christian marriage model this unique relationship through a life of service and faithful love.

It was also to reaffirm this basis that the Anglican-Roman Catholic Commission on the Theology of Marriage, established by Pope Paul VI and Archbishop Michael Ramsey, at its first meeting recorded agreement on three fundamental principles. While no such bilateral agreements exist between Roman Catholic and Lutherans or Anglicans and Lutherans, we believe that these principles so well underlie the premise of this present document that we put them forward in the hope that they will serve to set the tone for all our future mutual cooperation and sharing.

- i. *“...Holy Baptism itself confers Christian status and is the indestructible bond of union between all Christians and Christ, and so of Christians with one another. This baptismal unity remains firm despite all ecclesiastical division.*
- ii. *...in Christian marriage the man and woman themselves make the covenant whereby they enter into marriage as instituted and ordained by God; this new unity, the unity of marriage, is sacramental in virtue of the Christian baptism and is the work of God in Christ.*
- iii. *...this marriage once made possesses a unity given by God to respect which is a primary duty: This duty creates secondary obligations for the Church in both its pastoral and its legislative capacity. One is the obligation to discourage marriages in which the unity would be so strained or so lacking in vitality as to be both a source of danger to the parties themselves and to be a disfigured sign of or defective witness to the unity of Christ with His Church. Another is the obligation*

*to concert its pastoral care and legislative provisions to support the unity of marriage once it is made and to ensure as best it can that these provisions be not even unwittingly divisive.”*

*(“Final Report” of the joint Anglican-Roman Catholic Commission on the Theology of Marriage and its Application to Mixed Marriages; CALLED TO FULL UNITY, p. 103, United States Catholic Conference; 1986)*

## **PASTORAL PROCEDURES**

The following are presented as guidelines to assist clergy in the preparation of couples for intermarriage in which the pastors of both churches are asked to participate. *(For the purposes of this document, “Pastors” are those entrusted by their respective churches with the preparation and celebration of marriages.)* In the application of these guidelines we presume that all parties involved are active in their respective faith traditions and will follow the established norms of their respective churches. We also recognize that each marriage has its own special set of circumstances that require the special judgment of the clergy and parties involved.

### **A. Initial Procedures**

1. The Church in which the wedding is to be celebrated may be determined by the couple.
2. The pastor of the church where the marriage will take place should assume the primary responsibility for the marriage arrangements:
  - a. Pre-marital counseling
  - b. Leadership in planning of the liturgical celebration
  - c. Insuring that the couple complies with the requirement of civil law
  - d. Reminding the party from the other Church that they should contact their appropriate pastor.
3. As soon as one of the pastors is contacted by the couple regarding the marriage, contact should be made with the pastor of the other church so that the two pastors may discuss how the responsibilities mentioned above may be met. *“Positive steps should be taken...to establish contacts with the minister of the other church or ecclesial community, even if this may not always prove easy. In general, mutual consultation between Christian pastors for supporting such marriages and upholding their values can be a fruitful field of ecumenical collaboration.”* *(“Directory of the Application of Principles and Norms on Ecumenism,” 147, Pontifical Council for Promoting Christian Unity, June 8, 1993)*
4. It would be most valuable if at least one joint counseling session could be planned so that both pastors could be present with the couple. Such sessions witness to the mutual respect and support from both churches and allow for an opportunity for

5. discussions of the differences and similarities in the teachings of the churches as regards marriage.
  6. Pre-marital counseling should be provided by the pastors of each church in accordance with the requirements of the respective churches. Each church should respect the preparation and notification requirements of the other churches.
    - a. The Roman Catholic Diocese of Harrisburg currently requires notification of the parish priest or deacon at least four months prior to the wedding.
    - b. The Episcopal Church currently requires notification at least one month prior.
    - c. The Evangelical Lutheran Church in America leaves this concern to the discretion of the pastor or parish.
  7. If for any reason one pastor refuses to solemnize the marriage and another pastor, when approached, agrees to do so, the two should discuss the situation to arrive at a mutual understanding. Each should respect the decision of the other, no matter how the situation turns out. Each in turn has the obligation to explain to the couple the reason for this course of action and the implications for the marriage.
- 8. B. Freedom to Marry**
1. The pastors of both churches have the responsibility of determining that the two parties are free to marry both ecclesiastically and/or civilly and have the intention of entering a Christian marriage.
    - a. The Episcopal pastor will be responsible for seeing that the Declaration of intention is properly signed.
    - b. The Roman Catholic pastor will be responsible for seeing that all the necessary forms required by Canon law are filled out and that the necessary permissions and/or dispensations required for validity when entering into an ecumenical marriage are obtained from the Secretariat for Canonical services or the Chancery Office.
    - c. The Lutheran pastor's responsibilities are not defined in specific church regulations. However, the pastor does have the responsibility of determining the couple's suitability and intent to enter Christian marriage.
  2. Differences exist in the doctrine and discipline of the churches regarding indissolubility of the marriage bond. Therefore, at times the churches will respond differently to remarriage after civil divorce.
    - a. If one or both parties have been divorced, the Roman Catholic and Episcopal pastors must present the situation to their respective Diocesan offices for resolution. Both pastors should advise the couple that no date may be set nor arrangements made for the marriage until both churches have decided freedom to marry.
      1. The Episcopal pastor will be responsible for gathering the necessary documentation and petitioning the bishop for consent for an Episcopal priest to officiate at the intended remarriage. If the intended marriage is to take place outside the Diocese of Central Pennsylvania, consent must also be obtained from the Episcopal bishop in whose jurisdiction the intended marriage is to take place. It should be noted that the consent given by the Episcopal bishop is consent for an Episcopal priest to officiate at the intended marriage liturgy.

2. The Roman Catholic pastor will assist the couple in presenting the case to the Tribunal and in gathering all necessary information so that a decision might be reached.
- b. The Lutheran pastor must make a decision with regard to remarriage after counseling the divorced person and the intended spouse.
- c. One church might declare a person canonically free to marry while another might not. In such cases each pastor will have the responsibility of instructing the couple in the consequences of entering into a marriage which one or both churches does not consider valid. If, after counseling, the couple decided to marry, they should be informed that their action might deprive them of the sacraments of a particular church should the marriage not conform to the canonical requirements of that church. Nevertheless, they should know that a genuine concern for their temporal and spiritual welfare remains in both churches.
- d. In cases where one pastor decided to solemnize a marriage in which the other pastor cannot or will not have a part, each pastor should respect in good conscience of the other and try to understand the other's position.

### **C. Pre-marital Counseling**

1. In a preceding Section (A, 4) it was recommended that joint counseling be held. Each pastor should counsel couples in his/her church's teaching and practice.
2. Counseling should include at least such issues as the nature of Christian marriage, communication skills, conflict management, human sexuality, finances, family background and personality differences. For the Roman Catholic Church this counseling would normally include participation in the Pre-Cana process.
3. Certain specific issues should receive special attention in the counseling, especially the following:
  - a. Mutual respect: Each party in the marriage should be led to a better understanding of and appreciation for the religious traditions and beliefs of his or her partner. This should also include a deepening of commitment by each partner to his or her own church tradition.
  - b. By virtue of Baptism and Matrimony an ecumenical marriage becomes a domestic church whose life is strengthened by common prayer in the home. The couple should therefore develop shared patterns of prayer with which they are both comfortable. As the family is the nurturing place of prayer, it is a good thing for a family to worship together. For the ecumenical family this presents special decisions. Each couple should be encouraged to remember always the spiritual unity of their marriage. This calls them to develop a pattern of worship that both encourages partners to worship in their respective churches and also to strengthen their marriage bond by occasionally worshipping together.
  - c. Responsible parenthood: This is a sensitive area and one in which the parties might have different points of view. It should be thought through very carefully and discussed frankly. It is the responsibility of the pastor, in a discussion of family planning, to raise all the aspects of parental responsibility – spiritual, economic, social, moral – and to enunciate clearly the teachings of his or her church in the matter.
  - d. Religious education of children: As the primary educators of their children, all Christian parents have the responsibility of religious education within their families. As well as requiring that the Roman Catholic party reaffirm his or her faith, the Roman Catholic Church also requires that he or she promises “to do all in my power to share the faith I have received with our children by having them baptized and reared as

(Roman) Catholic” (Required by Canon 1125). Here again the parties themselves will have to work out how they will handle this issue.

In any resolution, care must be taken so that the children grow in a deep awareness of and appreciation for the gospel and the religious convictions of both parents. The children should also be made aware of the many areas of agreement between the churches, as well as the differences.

## **THE PLANNING AND CELEBRATION OF THE MARRIAGE LITURGY**

The marriage Liturgy is the culmination of the process of preparation and sharing between the couple and their pastors described above. Since it is the celebration of the marriage bond, it is also seen as a public witness to the mutual respect and understanding of the couple for each other and for their religious traditions as well as a witness to the mutual support offered to the couple in their marriage by both churches. It is most appropriate for both pastors to participate in the planning and celebration of the Liturgy.

### **A. The Liturgy**

The marriage is normally celebrated according to the ritual and liturgy of the church in which the wedding takes place. The pastor of that church should preside and the other pastor should be given a place of honor and should take an appropriate role in the celebration. The respective roles of the pastors should clearly be defined prior to the time of the rehearsal.

Provided below is an outline of the Episcopal, Lutheran and Roman Catholic marriage liturgies outside the context of the Eucharistic Liturgy.

#### **1. Episcopal Book of Common Prayer**

The Exhortation	either pastor
The Declaration	either pastor
The Collect	the Episcopal pastor
The Lessons	appropriate for either or for lay participation
The Homily*	either pastor
The Marriage	Episcopal pastor
The Prayer	either pastor
The Blessing	Episcopal pastor

#### **2. Lutheran book of Worship Marriage Liturgy**

Apostolic Greeting	Lutheran pastor
Prayer of the Day	Lutheran pastor
The Lessons	appropriate for either or for lay participation
The Homily*	either pastor
Statement of Intent	either pastor
The Marriage	Lutheran pastor
Blessing	Lutheran pastor
Blessing by Parents and/or wedding party	Lay participation
Prayers	appropriate for either or for lay participation
Blessing	either or both pastors

#### **3. Roman Catholic “Rite of Marriage outside the Context of Mass” {Latin Rite}**

Greeting & Collect	Roman Catholic pastor
Hebrew and/or Christian Scripture Readings	appropriate for either or for lay participation
The Gospel and Homily*	either pastor

The Rite of Marriage	Roman Catholic pastor
Prayers and Petitions	either pastor or lay participation
Nuptial Blessing	Roman Catholic pastor
Final Blessing	either or both pastors

\* It is noted that while liturgical guidelines would permit either pastor to preach outside Eucharistic celebrations, normally the host pastor would deliver the homily.

## **B. The Eucharist**

An ecumenical marriage may, at the request of both parties, be celebrated in the context of a Eucharistic Liturgy. However, since intercommunion is not yet a reality, the Episcopalian or Lutheran would not be able to receive communion in the Roman Catholic Mass nor would the Roman Catholic be able to receive communion in the Episcopal or Lutheran Holy Communion. Both the Lutheran and Episcopal churches permit all baptized persons in good standing who acknowledge the Real Presence to receive communion. At this time the concelebration of the Eucharist by both pastors is not permitted in any of our churches. Lutheran and Episcopalians are participating in an interim sharing of the Eucharist according to published guidelines.

For these reasons the desirability of celebrating marriage within the context of an Eucharistic Liturgy should be carefully discussed in the preparation process, and both parties should be made aware of current teachings and restrictions. Pastors involved in marriages between a Roman Catholic and an Episcopalian or Lutheran **should** suggest alternative possibilities to a Eucharistic Liturgy and encourage those who have a deep Eucharistic devotion to receive at the parish Eucharist earlier on the day of the wedding in the company of their families.

In any event great care should be taken by the pastors in ministering to the couple, and patience and charity exercised by all.

## **C. Recording the Marriage**

Episcopal pastors are required to record the marriage in the parish register of the Episcopal Church regardless of where it takes place. Roman Catholic pastors are required to record the marriage in the parish register of the Roman Catholic Church where the marriage takes place.

When a Roman Catholic is married in a Lutheran or Episcopal ceremony, the marriage is recorded in the register of the Roman Catholic pastor who applies for the dispensation from canonical form. Lutheran pastors are required to record in the parish register only marriages at which they preside.

The pastor who presides at the marriage and witnesses the vows is responsible for signing and returning the civil marriage certificate.

## **CONTINUING SUPPORT**

While this document deals specifically with the preparation of couples for marriage, these couples should be reassured as to their churches' continuing concern for their marriage. This should be done by offering and encouraging opportunities for marriage counseling and enrichment.

## **DISSEMINATION OF THE DOCUMENT**

To assure that these Guidelines are given maximum exposure and are readily able to be studied and implemented, they are to be distributed to all clergy active in our respective Dioceses and Synods. Further, they are to be distributed in the future to every member of the clergy upon entering our dioceses and synods either by ordination or transfer.

The undersigned commend this document for joint study and use by the clergy of their respective churches.

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**Roman Catholic Church**

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May 1, 1996