

Policy for Divorce Appeals

(Updated 9-5-19)

Policy and Procedures for Accrediting Divorced and Remarried Persons

This Policy is intended to guide district superintendents and members of the District Licensing, Ordination, and Consecration Council regarding accreditation and licensing persons who have been divorced and remarried, or who have married divorced persons. They are designed to maintain alignment between districts and encourage uniformity in practice with respect to licensing persons for ministry in The Alliance.

A separate page of instructions is available online for the use of applicant's who are seeking to be licensed for ministry following a divorce and remarriage. All forms necessary for an appeal can be found on the Alliance website at MyCMA, Application for Ministry.

Foundations

Section H2 of the *Manual of The Christian and Missionary Alliance* sets forth a view of marriage, divorce, and remarriage adopted by General Council. The General Bylaws of The Christian and Missionary Alliance, Article XII, Section 12.2 outlines practice concerning licensing divorced and remarried persons and those whose spouse has been divorced.

In keeping with our high view of the sanctity of marriage and the family, The Christian and Missionary Alliance expresses its opposition to divorce on any grounds other than scriptural grounds (Malachi 2:16; Mathew 19:9; 1 Corinthians 7:15). Furthermore, The Christian and Missionary Alliance recognizes that a believer's lack of success in remaining the "husband of one wife" (1 Timothy 3:2) or wife of one husband jeopardizes both his/her Christian witness and his/her ability to exercise church leadership with integrity. As a rule, divorced persons who are remarried shall not be elected or appointed to the National Office or be given the C&MA official worker credentials or Christian worker certificates. Exceptions may be made only upon appeal and where the divorce and remarriage were on scriptural grounds (Matthew 19:9, 1 Corinthians 7:15) or occurred prior to conversion." (*C&MA Manual – Revised Council 2002*).

Biblical Grounds

The General Bylaws of The Alliance (see above) do not allow divorced and remarried persons to be given an official workers license except upon appeal. Section 12.2 of the

General Bylaws allows for exceptions to this general policy. When it appears that the divorce was on "scriptural grounds," or if the divorce occurred prior to conversion, an exception to the general policy may be made. This provision in the General Bylaws does not define "scriptural grounds," though Section E does refer to Matthew 19:9 and 1 Corinthians 7:15. The Statement on Marriage – Divorce – Remarriage found in the *Manual of The Christian and Missionary Alliance* elaborates upon these references (See Manual, H2).

All appeals for an exception to the general policy forbidding licensing of divorced and remarried persons or persons married to divorced persons, are to be reviewed by the district superintendent and, upon his recommendation, subsequently adjudicated by the members of the Licensing, Ordination, and Consecration Council. Only after this has been done, may the district proceed to process an Application for Ministry.

The standard by which the LO&CC judges divorce appeals includes the following of three “scriptural grounds.”

- Divorce and remarriage is permissible when one’s spouse (not oneself) has been found guilty of adultery and restoration of the broken marriage vows has proven to be impossible. (Matthew 19:9) • Divorce and remarriage is permissible when one’s spouse (not oneself) abandons the marriage (1 Corinthians 7:15).

Note: The context of the passage in 1 Corinthians suggest Paul was specifically referring to abandonment resulting from one’s profession of faith in Christ. Most agree however, that acts of violence toward one’s spouse, physical abuse, or endangerment of life may also be recognized as abandonment of one’s vows and thereby, grounds for dissolution of the marriage. Divorce actions taken for the protection of children from sexual abuse or physical harm have also been validated as constituting abandonment of one’s marriage vows.

- Divorce and remarriage are permissible if the parties made no profession of faith prior to the time of the divorce. This consideration rests upon the recognition that unbelievers may not be held to the same standard of conduct as those who profess faith, and that Christ’s sacrifice expiates sin.

LO&CC members must exercise careful judgment when deciding upon divorce appeals. God’s Word clearly links the qualifications for church leadership to an individual’s ability to manage their household well. Occasionally, people who have been divorced and remarried multiple times seek to be licensed for ministry. Each incident may have occurred prior to their confession of faith or as a result of their partner’s unfaithfulness. Nonetheless, multiple failures in life’s most fundamental personal relationship, even if they occurred before faith, signal a need for caution regarding the individual’s capacity to lead God’s people well. Paul’s insists that elders and deacons must be faithful to their wife (literally a “one-women man,” 1 Tim. 3:2, Titus 1:6). In 1 Timothy 5:9, the apostle also instructs Timothy concerning widows who appear on the church’s official list to receive help from the congregation. They are to be included only if they have been faithful to their spouse (again, literally a “one-man woman.”) The prophet Malachi condemns Israel’s priests because they have divorced their wives, an act God regards as faithlessness (2:14).

It is unwise to grant a divorce appeal without first having investigated thoroughly. This may be particularly true in cases of pre-conversion divorce since it is often difficult to pinpoint the precise moment of conversion. Many applicants who appeal the circumstances of their divorce and remarriage diminish the significance of Christian experience as children or teenagers, prior to their divorce. They often insist that their appeal is qualified as a pre-conversion appeal since it was only

after the divorce, or possibly because of the trauma associated with divorce, that they made a “genuine” profession of faith. Genuineness is difficult to determine.

Divorce is a painful experience. Person’s wishing to appeal their divorce on biblical grounds are often deemed an “innocent party” and in many circumstances, he/she neither desired nor sought divorce. It came only after attempts to reconcile proved unfruitful. Nonetheless, the ultimate cause for divorce lies within the human heart. Jesus told the Pharisees, “Because of your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so.” (Matthew 19:8)

Repentance paves the way to forgiveness and the restoration of one’s fellowship with God. It does not necessarily qualify someone for leadership. At times, an applicant’s hesitancy to acknowledge personal responsibility for failed relationships signals an additional need for caution. Approving a divorced and remarried individual for licensing is advised only when there is evidence of genuine repentance (if appropriate), selfreflection, and growing spiritual maturity. Persons who indicate that they became romantically attached to their present spouse while separated from their former husband/wife, or while divorce proceedings were in progress and/or the divorce decree was not yet obtained, warrant additional evaluation before an appeal is granted.

Persons who have been recently divorced or divorced and remarried should be discouraged from submitting a divorce appeal until some time has passed between their remarriage and the application for ministry. Time is required for the character of the current marriage relationship to be revealed and since the quality of one’s marital relationship does impinge upon leadership ability, we do not recommend hasty appeals. Church Ministries does not recommend approving divorce appeals when less than two years has elapsed since the remarriage.

Processing the Divorce Appeal

“Applicants who have been divorced and remarried may be eligible for licensure. Following a preliminary interview with the district superintendent, and upon his recommendation, an applicant may initiate the required divorce appeal process to determine eligibility for license.” (The Uniform Policy on Licensing, and Certification, Article IV, D, Divorce and Remarriage (E3-8).

1. **Application for Alliance Ministry**

All applicants for whom a divorce appeal is required must first complete relevant portions of the Application for Alliance Ministry. If an application is currently on file, the applicant should review the document and update the information where it is necessary.

The following portions of the Application for Ministry may be submitted following a decision on the divorce appeal.

- Section K: Agreement for Ministry
- Doctrinal Questionnaire

Where do Applicants find the necessary application forms?

Applicants for ministry can find the forms they need to make an application for service in The Alliance by clicking on the “Application for Ministry” tab in their **MyCMA** account. If they do not have a MyCMA account, they must first go to **AppTrack** and establish an identification with *active status*. Once the applicant has an ID, the MyCMA account may then be created using an e-mail that matches the AppTrack account on record.

- Biographical Inventory
- Academic Transcripts

3. Release of Records and Mediation Agreement

A Release of Records and Mediation Agreement is required of all applicants. Both the applicant seeking an exception to the divorce policy and his/her spouse must complete the release and mediation documents. Signed documents are also necessary if the spouse, rather than the applicant, is the divorced party.

4. Divorce Appeal Personal Information

Both the applicant and his/her spouse (if also divorced or if the spouse is the divorced party) must each complete the personal information form. Whenever possible, the name, address and other contact information of the former spouse should be provided. Be certain permission has been given on the form to contact the former spouse if the district superintendent and the LO&CC decides it is necessary to do so.

The personal information form should be accompanied by:

Statement of Personal Faith in Christ

A one-page, typewritten personal testimony of his/her new birth and spiritual experience. This statement must clearly identify the time of conversion relative to the time of the divorce and if applicable, the divorce and remarriage. It should include an assessment of the circumstances of the divorce indicating how it has impacted their Christian walk and their current marriage relationship as well as identifying evidence of God's faithfulness and grace.

If the applicant was divorced prior to coming to faith, the statement should reflect upon the divorce considering his/her subsequent experience of forgiveness and spiritual birth. If the applicant's spouse has been divorced, he/she must also submit this statement.

Statement of Biblical Understanding

A statement of biblical understanding concerning marriage and divorce must accompany the appeal. The statement must also include a personal evaluation of the circumstances and the basis upon which the applicant's request for an exception to the general licensing policy is justified. If the spouse has been divorced, he/she must submit a statement also.

Copy of the Original Divorce Decree.

Please be certain the copy is clearly legible. In some circumstances, when for instance, the applicant is an immigrant to the United States and the divorce occurred before they entered the United States, it may prove difficult to secure a copy of the divorce decree. This may also be true in circumstances where governments do not issue such documents

(i.e. tribal cultures). In these situations, it is wise to solicit independent testimony to verify the divorce⁸. No appeal should be considered without verification.

Copy of the Current Marriage Certificate

Please be certain the copy is clearly legible. In some circumstances, when for instance the applicant is an immigrant and the marriage occurred prior to immigrating to the United States, it may prove difficult to secure a copy of the Certificate of Marriage. In such circumstances, please secure additional, independent testimony to verify the legality of the marriage. No appeal should be considered without verification.

4 References

The *Divorce Appeal Reference Form* is available for download on The Alliance website, under MyCMA, “Application for Ministry” tab.

The applicant must provide the names of three persons who are able to comment on the circumstances regarding the person’s divorce and remarriage. References may be submitted to the district electronically. Applicants should be encouraged to provide stamped envelopes with the district’s mailing address for those who wish to submit handwritten forms.

The following references are required:

- Pastoral Reference
- Reference from an elder or other recognized congregational leader familiar with the applicant and the circumstances of the divorce and remarriage.
- Reference from a friend who is familiar with the applicant and the circumstances of the divorce and remarriage.

5. Recommendation and Referral

The appeal process begins with an informal interview with the applicant and his/her spouse by which the district superintendent determines whether to proceed. After receiving the necessary documents and completing a Personal Information Form, the district superintendent shall forward a recommendation to the LO&CC, accompanied by the required documentation. The recommendation shall be in the form of a resolution to *approve* or *not approve* the Divorce Appeal.

Approval of an appeal does not obligate the LO&CC to grant any applicant an official worker license. Even when an applicant’s circumstances meet the guidelines adopted by the Board of Directors for licensing someone who has been divorced and remarried, the district’s LO&CC

⁸ Ethnic/linguistic districts and associations may be of assistance to geographical districts in securing the necessary verification.

retains the right to issue an official worker license at its own discretion. Family relationships clearly impinge upon a candidate's ability to serve in pastoral leadership, as Scripture unequivocally states (I Timothy 3,5; Titus 1). Doubts about the ability of a candidate to manage his/her marriage and/or household well must be taken seriously. Other factors may result in a refusal to license an applicant despite the validity of his/her divorce appeal.

f. Report

A copy of the minute recording the action of the LO&CC to approve or not approve the appeal shall be placed in the applicant's permanent ministry file along with the other divorce appeal documents. Appeals that have been denied should be retained for a minimum of three years after which they may be discarded.

- The Clerk of the LO&CC shall write a letter communicating the Council's decisions to the applicant in writing. A copy of the letter shall be sent to the vice president for Church Ministries for his information.