



NEW ORLEANS
BAPTIST ASSOCIATION

Aids to Navigating Policies After the SCOTUS Decision

Suggestions for NOBA Churches
on Marriage and Membership

If your church is thinking about amending its governance documents regarding marriage, membership and/or use of its facilities, then you may want to consider whether one or more of the following suggestions may be appropriate for your purposes. Before amending your church's governance, it is wise to consult legal counsel regarding your particular concerns and governance documents.

I. Statement of Faith

If your church has a Statement of Faith, then you may want to review it. If it doesn't, then consider whether it is prudent to adopt one. The following is sample language. A doctrinal statement will need to be approved by your church's governing body and used in its key governance documents, such as its Constitution, Articles of Incorporation, Covenant, and/or By-Laws. The following language has been fashioned after the Doctrinal Statement in NOBA's Constitution:

Doctrinal Statement

This church accepts and adopts as its only source of Christian doctrine, beliefs, faith, and practice the Holy Bible as the inspired and unerring Word of God. This church also accepts and adopts as an adequate interpretation and expression of the doctrines, beliefs, faith, and practice contained therein *The Baptist Faith and Message* as adopted by the Southern Baptist Convention on June 14, 2000. All questions of doctrine, beliefs, faith, and practice that arise in the church shall be determined on the basis of the foregoing.

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NOTE: *The Baptist Faith and Message, 2000*, referred to in the above sample Doctrinal Statement, provides:

XVIII. The Family

God has ordained the family as the foundational institution of human society. It is composed of persons related to one another by marriage, blood, or adoption.

Marriage is the uniting of one man and one woman in covenant commitment for a lifetime. It is God's unique gift to reveal the union between Christ and His church and to provide for the man and the woman in marriage the framework for intimate companionship, the channel of sexual expression according to biblical standards, and the means for procreation of the human race.

The husband and wife are of equal worth before God, since both are created in God's image. The marriage relationship models the way God relates to His people.

A husband is to love his wife as Christ loved the church. He has the God-given responsibility to provide for, to protect, and to lead his family. A wife is to submit herself graciously to the servant leadership of her husband even as the church willingly submits to the headship of Christ. She, being in the image of God as is her husband and thus equal to him, has the God-given responsibility to respect her husband and to serve as his helper in managing the household and nurturing the next generation.

Children, from the moment of conception, are a blessing and heritage from the Lord. Parents are to demonstrate to their children God's pattern for marriage. Parents are to teach their children spiritual and moral values and to lead them, through consistent lifestyle example and loving discipline, to make choices based on biblical truth. Children are to honor and obey their parents.

Genesis 1:26-28; 2:15-25; 3:1-20; Exodus 20:12; Deuteronomy 6:4-9; Joshua 24:15; 1 Samuel 1:26-28; Psalms 51:5; 78:1-8; 127; 128; 139:13-16; Proverbs 1:8; 5:15-20; 6:20-22; 12:4; 13:24; 14:1; 17:6; 18:22; 22:6,15; 23:13-14; 24:3; 29:15,17; 31:10-31; Ecclesiastes 4:9-12; 9:9; Malachi 2:14-16; Matthew 5:31-32; 18:2-5; 19:3-9; Mark 10:6-12; Romans 1:18-32; 1 Corinthians 7:1-16; Ephesians 5:21-33; 6:1-4; Colossians 3:18-21; 1 Timothy 5:8,14; 2 Timothy 1:3-5; Titus 2:3-5; Hebrews 13:4; 1 Peter 3:1-7.

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II. Marriage Policy

You may want to consider adopting a policy on marriage, and, if so, then your church's governing body will need to approve it, and your church may consider incorporating it into its Covenant, By-Laws, and/or Policy. This suggested policy on marriage contemplates that the church will have adopted a doctrinal statement that includes, at least by reference, *The Baptist Faith and Message, 2000*.

The provisions on Marriage, Membership, and Leadership Qualifications have been fashioned from language in a document on the LBC website entitled *Suggested Policies For Louisiana Baptist Churches Concerning Marriage and Membership* (<https://louisianabaptists.org/wp/wp-content/uploads/2015/07/SUGGESTED-POLICIES-FOR-LOUISIANA-BAPTIST-CHURCHES-CONCERNING-MARRIAGE-ETC-combined-docs-7-16-15.pdf>):

Marriage

Based on our doctrine, beliefs, faith, and practice, the policy of this church is that no ceremony or action by any minister or representative of this church shall attempt to join in marriage any persons other than one man and one woman, irrespective of the location of the ceremony or action. Prior to every marriage ceremony performed by a minister or representative of this church irrespective of the location of the marriage ceremony, the Bride and Groom shall present a valid Marriage License and a copy of the Certificate of Live Birth for each person to be married.

III. Membership and Leadership Qualification Policies

Your church may wish to consider amending its policy on (1) membership and (2) qualifications for leadership, volunteers or workers in the church. Again, these changes will require action by your church's governing body, who, should they opt to adopt a provision of this sort, may want to consider including it in its By-Laws or Policy. The language should be tailored as appropriate for your church:

Membership

In addition to the other qualifications for membership in this church, it shall be required that each candidate for membership affirmatively declare to the appropriate church minister or representative(s) that he/she concurs with and will strive to live according to the doctrine, beliefs, faith, and practice expressed and referenced in this church's doctrinal statement.

Qualifications for Leadership, Volunteers or Workers in the Church

In addition to the other qualifications to be an elected leader and/or to act as a volunteer or worker in this church or in any of its sponsored activities wherever located, it shall be required that each proposed leader, volunteer or worker affirmatively declare to the appropriate church minister or representative(s) that he/she concurs with and will strive to live according to the doctrine, beliefs, faith, and practice expressed and referenced in this church's doctrinal statement.

IV. Church Discipline and Church Facility Policies

Not all churches have written policies regarding church discipline or use of the church's facilities. If your church has such a policy, then you may want it to reconsider the adequacy of its present policy. If your church doesn't have such policies, then now may be a good time to revisit the wisdom of that stance and either rethink it or reaffirm it.

The following are sample provisions addressing (1) church discipline and (2) a facility use policy. In the event your church decides to adopt one or both such provisions, then it will need to draft language as appropriate for its specific goals and usages. Additional considerations are noted below in bracketed italics.

The following two provisions are fashioned after sample language in a document published by the Christian Legal Society entitled *Church Guidance for Same-Sex Issues* (<http://clsnet.org/document.doc?id=852>):

Church Discipline of Members

The church is a body of Christian believers who hold certain beliefs and practices in common. On occasion, members of this church may conduct themselves in a manner contrary to Biblical standards and this church's corresponding Statement of Faith. It shall be a high priority for this church to restore such persons into conformity with the fellowship as outlined in Matthew 18: 15-17. The discipline of this church shall be entrusted to *[insert person(s) of authority]*. If Biblical discipline is necessary, the Pastor and *[insert person(s) of authority]* have the authority to place individual(s) under church discipline *[consider adding, "including termination of membership."]*

Facility Use Policy

This church owns certain real property, including a worship facility *[describe additional rooms or areas as needed:_____]* all of which is used to promote its religious purposes. The church seeks to exercise wise stewardship over all aspects of its property. Such stewardship may include occasional guest use *[and/or other description of anticipated use]* from time to time for purposes consistent with the church's religious purposes and doctrinal beliefs. Based on these considerations, the church shall allow use of its real property by others in accordance with the following requirements and guidelines:

1. Decision-making Authority. The church's *[insert person(s) of authority]* shall make decisions as needed regarding the use of the church's property, all in the best interests of the church. *[Optional: Such decision-making authority may be delegated to a committee of persons appointed by and responsible to the (insert person(s) of authority), subject to the following doctrinal restrictions.]*

2. Doctrinal Restrictions. The church's real property may be used only for purposes and in ways consistent with the church's Doctrinal Statement. The church's *[insert person(s) of authority]* shall be the final decision-maker regarding whether any use is in conformity with, or contrary to, the church's Doctrinal Statement.

3. The church may request donations or charge for cost-sharing contributions ("fees") in order to defray the estimated cost of facility use.

4. The church's *[insert person(s) of authority or a committee delegated thereby]* shall be responsible for documenting guest facility use. Such written agreements shall include identification of the religious purposes served by a guest's facility usage, with appropriate Scripture references (e.g., worship, strengthening families, outreach to the lost, recovery ministries, etc.).

5. Insurance coverage shall be maintained for all uses of the church's real property, including certificates of coverage from other users as appropriate. [*This language is per best practices and may be modified as deemed appropriate.*]

6. The church's [*insert person(s) of authority or a committee delegated thereby*] shall be responsible for communicating these requirements and other guidelines to all prospective guests of the real property. [*This policy must be carried out in actual practice in order for it to be meaningful and effective.*]

7. [*Additional church-specific provisions may be added as appropriate.*]

Conclusion

Now is a good time to review your church's governance and practices, making necessary adjustments, if any. It is always the right time to comply with your doctrine and policies.

Best practices cannot insulate a church from a lawsuit or even a possible judgment. But they can put your church in the best position to face the future. Good process can liberate your church to fulfill its mission.

Recommended Resources

- **Suggested Policies for Louisiana Baptist Churches Concerning Marriage and Membership**
(Louisiana Baptist Convention)
- **Church Guidance for Same-Sex Issues**
(Christian Legal Society)
- **Protecting Your Ministry from Sexual Orientation Gender Identity Lawsuits**
(Ethics and Religious Liberty Commission)

Caveats and Disclaimer

The following memorandum is provided to the churches of the New Orleans Baptist Association for general information purposes only and is not a substitute for legal advice or consultation. You should not act or refrain from acting solely on the basis of information contained in this document without seeking professional legal counsel particular to your situation.

By printing and distributing this information, NOBA is not providing legal advice, and the use of this information does not create an attorney-client relationship between you and NOBA or between you and any NOBA employee. In fact, if you plan to review your church's governance, then you should seek the counsel of a Christian attorney who is familiar with your governance and concerns.



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