

July 7, 2007

Dear DHC Members:

Now that the judicial process on behalf of Pastor Schmeling is at an end and we no longer need to be concerned about improper communication with panel members, we wanted to thank you personally for your prayerful service as a member of the discipline hearing committee ("DHC").

As you may know, on July 2 the Committee on Appeals affirmed the decision of the DHC that Pastor Schmeling should be removed from the clergy roster of the ELCA. At Bishop Warren's urging, the Committee on Appeals also overruled the DHC's decision that Pastor Schmeling's removal would be effective on August 15. The Committee on Appeals made his removal effective with the date of its decision, July 2. Again at Bishop Warren's urging, the Committee on Appeals also chastised the DHC for commenting that the policy provision in *Definitions and Guidelines for Discipline* is probably unconstitutional and for suggesting the means by which the policy could be changed through the legislative process of the Church. We enclose a copy of the Committee on Appeals decision.

As pastors we are deeply grateful that you listened so attentively to the testimony we presented to try to show how God is powerfully at work in the ministry of Pastor Schmeling at St. John's and how the proclamation of the gospel of Jesus Christ has not been impeded by his lifelong partnership with Pastor Easler. We are also grateful that, even though seven of you voted in favor of removal, your decision spoke with compassion and reflected a concern that the Church's discipline process be exercised in a way that promotes the ministry of the gospel. You appreciated the gravity of the harm that Church discipline can inflict upon the accused, the affected congregation, and the witness of the Church to the world when discipline is not focused on the pastoral objectives of forgiveness, reconciliation, and healing.

As pastors we grieve deeply that the decision of the Committee on Appeals reflects no similar concern, but is impersonal in tone and devoid of any mention of the pastoral objectives of discipline, the name of God, or the ministry of the gospel of Jesus Christ. We are deeply distressed that it seems more concerned with institutional rule keeping than with the heart of the gospel, and that this is the Church's witness to the world. The Committee on Appeals made its decision based solely on the paper record, without any opportunity for face-to-face interaction with, hearing argument from, or asking questions of the representatives of the parties (although we requested that opportunity). We have witnessed firsthand the deep pain that this decision, and particularly its impersonal tone and delivery, have inflicted upon Pastor Schmeling and the St. John's congregation.

We have learned that 24 synods have followed the suggestion of the DHC to memorialize the Churchwide Assembly to either eliminate or moderate the Church's policy of discrimination against ministers in a committed same-gender relationship and the congregations that call them. We fear that there will be efforts to postpone any substantive debate and vote on the content of these memorials at the Churchwide Assembly and that many congregations and leaders—and ultimately the proclamation of the gospel of Jesus Christ—will suffer if that effort is successful. If you will be a voting member at the Churchwide Assembly, we hope you will support these memorials so that the vibrant ministry of pastors like Pastor Schmeling will be able to continue. Even if you are not a voting member, we hope you will speak to those who will be voting members in support of these memorials and, if able, will attend the Churchwide Assembly so that you can add your voice and witness to the work that God is doing through pastors like Pastor Schmeling.

If you are interested in the arguments the parties made to the Committee on Appeals, you can find the parties' written submissions on the St. John's Lutheran Church website at [www.stjohnsatlanta.org/trial\\_update.html](http://www.stjohnsatlanta.org/trial_update.html).

Again, please accept our deep thanks for your service in this matter and your prayerful efforts to discern the Spirit's leading and to proclaim God's amazing grace. We hope that you will continue to hold the Church in prayer as it continues this conversation during the 2007 Churchwide Assembly.

May God's peace be with you.

In the name of Christ,

The Rev. Robert A. Rimbo and  
The Rev. Jane E. Fahey,  
Counsel for Pastor Schmeling

Enclosure

Cc: James C. Ellefson, Esq.  
The Rev. Herb Carlmark  
David Hardy, Esq.  
The Rev. Mark S. Hanson  
The Rev. Lowell G. Almen