

Manitoba Baptist Association
North American Baptist Conference
April 17, 2007

Hello Manitoba Baptist Association Pastors,

Some of you have spoken to me about our church's approach to dealing with the issues relating to safeguarding the church against lawsuits in regards to the use of facilities by same-sex couples for weddings, receptions and parties/celebrations. We have just gone through that whole process in our business meetings and done constitutional amendments to take care of the situation. We used the guidelines issued by EFC and ran everything past our in-house legal beagle, Wolfgang Tiegs. I'm attaching our church's documentation with this email for any and all who may want to use it for your own purposes.

It is important to note that it is not enough protection to say "Our Conference and Association have policies in regard to same-sex marriage, so we are covered by that." NYET!! If you are an autonomous congregation, you must make your own policies and abide by them. You can't claim autonomy in areas of governance and mission on the one hand, and then hide under the Conference and Association umbrellas for legal protection on the other hand. You may use the NAB policies to bolster your position, but you must, as a church, hold and practice your own position.

Also, your church's position and facilities' use policies must flow out of what you believe. You can't just have a statement or policy somewhere stating that you are against same-sex marriage. That will be deemed exclusionary and discriminatory under law. All your statements and policies must flow logically from your stated religious beliefs. So, you need to have 1) a statement of faith with a clause in it stating what you believe marriage to be; and 2) a statement that goes out with your church use application form that the applicant will sign stating that they understand the church's position and will abide by it. (NOTE: Under 1) above, make sure that you specify marriage to be heterosexual in nature – ie. "a covenant relationship between one man and one woman...") Depending on how tight you want your position to be, you could also include a statement in your staff code of conduct agreement that states that "members of our leadership and staff will be allowed to officiate at and/or take part in the solemnization or celebration of a marriage only when it conforms to our congregational statements on marriage."

As your Moderator,

Pastor Mark Woods
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