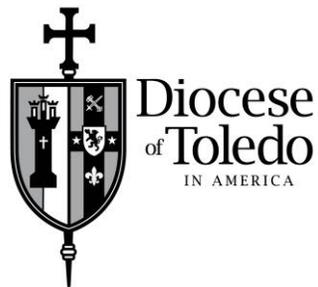


Office of Conciliation and Arbitration Procedural Manual



**Office of the Bishop
1933 Spielbusch Avenue
Toledo, Ohio 43604
(419) 244-6711**

October 24, 2013

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MOST REVEREND LEONARD P. BLAIR
BISHOP OF TOLEDO IN AMERICA

DECREE

To effectively accomplish Christ's work here on earth, it is important that we work together. However, as human persons, conflicts can arise, even among people of good will.

In an effort to assist employees of the Diocese of Toledo, its parishes, schools, and institutions, in the resolution of their disputes, the Court of Equity was established in 1969. Over the course of the last two years, the members of the Court of Equity have met to research and discuss a revised set of procedures for conflict resolution. Having accepted their revisions, I am now pleased to announce the establishment of the successor of the Court of Equity: the Office of Conciliation and Arbitration.

The Office of Conciliation and Arbitration serves the common good by pursuing a path to reconciliation among individuals that respects their dignity as disciples of Jesus Christ, in keeping with the Scriptures, the principles of Catholic social teaching, and the Church's canonical norms governing hierarchical recourse. The services of the Office of Conciliation and Arbitration are available to members of our diocesan parishes, schools, institutions, and agencies. I encourage its use as a desirable means of settling disputes and preserving unity in this local church.

I extend my gratitude to the individuals who have and continue to support the pursuit of justice and the common good through their service on the Court of Equity, and now through the Office of Conciliation and Arbitration.

All things to the contrary notwithstanding.

Given at the Chancery this twenty-fourth day of October in the year of our Lord, two-thousand thirteen.


The Most Reverend Leonard P. Blair, STD
Bishop of Toledo


The Reverend Monte J. Hoyles, JCL
Chancellor

I. INTRODUCTION

This is my Commandment: *Love one another as I have loved you.* (John 15:13)

God's presence is found and reflected in our love for him and for one another. It is through faith and love that the mission of the Church—to preach the Gospel—is accomplished. When we are in conflict with each other, and with entities that seek to serve the common good, there is a fundamental spiritual and social need to resolve such conflict.

The Office of Conciliation and Arbitration serves individuals and entities that are in conflict, but who seek reconciliation in a manner fitting for disciples, in keeping with the Scriptures, the principles of Catholic social teaching, and the Church's canonical norms governing hierarchical recourse.

In fulfilling its mission, the Office of Conciliation and Arbitration recognizes four key principles of Catholic teaching: the value and dignity of the human person, the common good, participation, and justice. By applying these principles, we seek to restore a harmonious relationship among individuals and organizations.

In seeking to resolve conflicts, the Office of Conciliation and Arbitration encourages all participants in these processes:

1. To acknowledge and call upon God in this process, in discourse and in prayer;
2. To be respectful in speech and manner of acting;
3. To open their hearts to the needs and voices of others, in the spirit of good will and justice;
4. To recognize that no law can be as compelling as Christ's commandment to love one another; and
5. To recognize that the ultimate goal is to find Christ and His Love for us through a process of reconciliation with each other.

The Office of Conciliation and Arbitration offers its services as a simple and readily accessible response to human conflicts with the hope that it will help the people of the Diocese of Toledo to live as true disciples of Christ in a manner that gives witness to the Kingdom of God.

II. DEFINITIONS

For purposes of this Procedural Manual, the following definitions shall apply:

1. “**Arbitrator**” shall mean the person to whom a conflict is presented for final and binding determination in accordance with the rules governing arbitration set forth herein.
2. “**Advisor**” shall mean the person appointed and identified by a petitioner or a respondent to assist and to support them as he or she utilizes the process of conciliation or arbitration.
3. “**Bishop**” shall mean the current bishop of the Catholic Diocese of Toledo in America;
4. “**Bishop’s Delegate for Hierarchical Recourse**” (herein referred to as the “Bishop’s Delegate”) shall mean the individual appointed and identified by the Bishop to: receive petitions for Hierarchical Recourse, as well as petitions for conciliation and arbitration. This Delegate shall have the responsibility of supervising the Office of Conciliation and Arbitration on behalf of the Bishop and of determining which petitions shall be accepted in accordance with the criteria set forth in Section IV.
5. “**Board of the Office of Conciliation and Arbitration**” (herein referred to as the “Board”) shall mean that group of individuals appointed by the Bishop who are responsible for supervising, monitoring and evaluating the diocesan conflict resolution program and maintain the panel of conciliators, arbitrators and advisors of the Office of Conciliation and Arbitration. Such board members also may serve as conciliators and arbitrators.
6. “**Conciliator**” shall mean the person to whom a conflict is presented for conciliation who guides and facilitates the conciliation process as the parties attempt to achieve a voluntary, just and peaceful resolution of their conflict.
7. “**Diocese**” shall mean the Catholic Diocese of Toledo in America;
8. “**Director of the Office of Conciliation and Arbitration**” (herein referred to as the “Director”) shall mean that person appointed by the Bishop who shall have the responsibility of administering the conciliation and arbitration process, including responsibility for receiving all filings after a petition is lodged with the Bishop’s Delegate, and for all communication with the parties to the conciliation or arbitration process and with the Bishop’s Delegate.
9. “**Hierarchical Recourse**” shall mean the canonical process whereby an individual petitions the superior of the author of an administrative act to confirm, amend, or revoke the subordinate’s decision.
10. “**Magisterium**” shall mean the teaching office of the Church.
11. “**Petitioner**” shall mean individuals, groups of persons or organizations within the Diocese who have requested conciliation or arbitration by submitting a petition; and
12. “**Respondent**” shall mean individuals, groups of persons or organizations within the Diocese against whom a petition for conciliation or arbitration has been lodged.

III. CONCILIATION AND ARBITRATION

The Office of Conciliation and Arbitration of the Diocese offers two methods to resolve conflicts.

1. **Conciliation.** In conciliation, the parties are the agents for reaching a just resolution of their conflict, with the assistance of an experienced and impartial conciliator approved by the parties. The object of conciliation is for the parties to work together to develop a just resolution. The proposed resolution must be accepted by all of the parties in order to be a binding resolution. In this process, the conciliator assists the parties in developing proposals for resolution, but does not have any authority to impose a resolution without the agreement of all the parties.

The Office of Conciliation and Arbitration encourages parties to seek resolution through this conciliation process because persons of goodwill, committed to the Gospel spirit of love and reconciliation can often find resolution with the assistance of another committed to that same spirit.

2. **Arbitration.** Because not all conflicts can be resolved through conciliation, arbitration also is offered. Arbitration is the reference of a conflict to an impartial person or persons for final and binding determination on the basis of information, evidence and arguments presented by the parties. In arbitration, those in conflict agree to allow an experienced and impartial arbitrator approved by the parties to resolve the conflict. Arbitration involves the added, important element of the readiness of the parties to accept the decision of the arbitrator as final and binding.

IV. ALLOWABLE AND NON-ALLOWABLE CONFLICTS

The Office of Conciliation and Arbitration shall be responsible for conciliating and arbitrating only such conflicts, lodged with the Bishop's Delegate in the form of a petition, as the Bishop's Delegate determines will be allowed in accordance with the following criteria.

1. **Allowable conflicts** include those conflicts:
 - a. Between individuals, groups of persons, organizations, or institutions within the Diocese who contend that an action or decision of some other individual, group of persons, organization or institution within the Diocese has violated a right recognized as such in the law of the Roman Catholic Church, including the particular law of the Diocese, or in the documents of the Magisterium;
 - b. Between individuals, groups of persons, organizations or institutions within the Diocese who contend that the failure to act or the failure to make a decision of some other individual, group of persons, organizations or institutions within the Diocese has violated a right recognized as such by the Roman Catholic Church, including the particular law of the Diocese, or in the documents of the Magisterium; or
 - c. Between an employee and an employer of the Diocese concerning the terms and conditions of employment, when such disputes cannot be resolved through less formal procedures.
2. **Non-Allowable conflicts** include those conflicts:
 - a. Which are pending or resolved in another conflict resolution process, including civil courts;
 - b. Involving a challenge to basic tenants, doctrinal matters of faith and morals, or authority of the Roman Catholic Church;
 - c. For which canonical processes are provided, including the formal procedure of Hierarchical Recourse;
 - d. Involving the internal affairs of members of religious orders or non-diocesan religious institutions;
 - e. Involving material or disclosures protected by the Seal of Confession;
 - f. In which the alleged injury, action or inaction took place more than one hundred twenty (120) days before the filing of the petition, unless the running of such time limit is tolled under Section V.2, or unless a canonical statute of limitation requires a longer period of time;
 - g. That have not completed the formalized grievance procedure referred to under Section V.1 hereof;
 - h. Involving the validity of marriage;
 - i. Involving labor union contracts;

- j. Which involve the academic and internal affairs of non-diocesan institutions;
- k. Involving matters of the Toledo Diocesan Review Board.

V. THE PROCESS FOR CONCILIATION

1. The primary focus of the Diocesan conciliation process is to bring about the reconciliation of the parties and to heal relationships that have been damaged. Therefore, before lodging a petition, the parties must have attempted to directly address the conflict with the person with whom they are in conflict, or with his or her immediate supervisor. When the conflict involves an employment conflict, the parties must utilize the local level process (e.g., a formalized grievance process) for resolving work-related conflicts, except when the established grievance process would refer the matter back to the parties involved in the conflict.
2. The process for conciliation is initiated by lodging a completed and signed Petition for Conciliation, with the Bishop's Delegate at the office of the Bishop. There are no costs to lodge a petition. The lodging of a petition shall toll the time within which a petition for arbitration must be lodged until the filing of the final, written report of a conciliator under Section VII.
3. The Bishop's Delegate then must determine within 21 days whether the petition falls within the scope of an allowable or non-allowable conflict.
 - a. If the Bishop's Delegate determines the petition presents a conflict which falls within the scope of a non-allowable conflict, the Bishop's Delegate shall, within seven (7) days after such determination, give written notice of that decision and the basis for rejection to the petitioner, and advise the petitioner of petitioner's right to appeal the decision directly to the Bishop. Within 14 days after the Bishop's Delegate sends such written notice, the petitioner must request that the petition be reconsidered by the Bishop, or the rejection of the petition shall be final and non-appealable. In all events, the Bishop's determination shall be final and is non-appealable.
 - b. If the Bishop's Delegate determines the petition presents a conflict which falls within the scope of an allowable conflict, the Bishop's Delegate shall immediately file a copy of the allowable petition with the Director.
4. Within seven (7) days after the filing of an allowable petition from the Bishop's Delegate, the Director shall forward a copy of the petition, along with an Agreement to Conciliate to the petitioner and the respondent, along with an invitation to the respondent to participate in the conciliation process. If the respondent is an entity or individual employed by the Diocese or under the direction of the Bishop, such respondent is obligated to participate in the conciliation process.
5. Within 21 days after the Director's mailing a copy of the petition and Agreement to Conciliate, respondent shall file with the Director, respondent's answer setting forth respondent's response to the substance of the allegations in the petition and stating whether respondent is willing to conciliate.
6. Prior to going forward with the actual conciliation process, petitioner and respondent, and their advisors and attorneys, if any, as well as the conciliator shall sign and file their Agreement to Conciliate, which describes the necessity of confidentiality and other key principles of the conciliation process, to which all parties, their advisors and attorneys, and the conciliator must agree in advance.

7. At any time during the conciliation process, the petitioner or respondent may request the services of an advisor appointed by the Director, or either may notify the Director of their intention to retain the services of their own advisor or attorney at their own expense. An employer or party affiliated with the Diocese must consult with the General Counsel of the Diocese prior to taking any action. Attorneys and advisors may attend and participate in any conciliation meetings.
8. Diocesan conciliators and advisors shall serve without compensation.

VI. SELECTION OF THE CONCILIATOR

1. After the parties have agreed to participate in the conciliation process, the Director shall promptly provide them with the names and brief biographies of at least three conciliators selected from the approved Diocesan list.
2. Within seven (7) days thereafter, the parties shall advise the Director which, if any, of the conciliators are unacceptable, and which of the remaining conciliators, in order of preference, are acceptable. The Director shall then appoint one conciliator from the remaining acceptable conciliators.
3. If no acceptable conciliator is found, the process in sections VI.1. and VI.2., shall be repeated. If after that process is completed, the parties still have not agreed upon a conciliator within seven (7) days, the Director shall appoint a conciliator.

VII. RESOLUTION OF THE CONFLICT

1. Conciliators shall strive to conclude the process of conciliation within ninety (90) days after their appointment, except when unusual circumstances justify a longer period or when the parties wish to continue.
2. The conciliator shall be responsible for establishing and enforcing all procedural rules for the conciliation process, including the participation of advisors and all other non-attorneys permitted to be present, as well as any issues dealing with the production or exchange of documentation.
3. Conciliators shall not force the parties to agree to a solution.
4. If the conflict is resolved by agreement, the conciliator shall prepare a summary, written report of the conflict, the issues involved and the agreed resolution, which report shall be signed by all parties to the conciliation and filed with the Director within 14 days after the agreed resolution. The Director shall then forward the final written report to the Bishop's Delegate, who after review submits the written report to the Diocesan Bishop for approval, rejection or modification within 30 days of submission.
5. If the conflict remains unresolved, despite the good faith efforts of the parties, the conciliator shall submit to the Director a written report advising only that a resolution was not agreed upon, which report shall be filed with the Director within 14 days after the conciliator determined conciliation failed. The Director shall forward such report to the Bishop's Delegate, with copies to the parties.

VIII. THE PROCESS OF ARBITRATION

1. The agreement to submit a conflict for resolution by arbitration is subject to the voluntary agreement of the parties to do so, which is indicated by all parties signing their Agreement to Arbitrate. In situations where arbitration is not the appropriate first step, the parties are encouraged to explore other forms of conflict resolution such as conciliation. Conciliation should not be bypassed to allow direct use of arbitration proceedings, except only for serious reasons.
2. On occasions, variations in the arbitration procedures and time limits described in this manual will better serve the interests of justice. If such variations are acceptable to the parties and the arbitrator, they may be employed, unless rejected by the Director or the Board.
3. The process for arbitration is initiated by lodging a completed and signed Petition for Arbitration with the Bishop's Delegate at the office of the Bishop.
4. The Bishop's Delegate must then determine within 21 days whether the petition falls within the scope of an allowable or a non-allowable conflict.
 - a. If the Bishop's Delegate determines the petition presents a conflict which falls within the scope of a non-allowable conflict, the Bishop's Delegate shall, within seven (7) days after such determination, give written notice of that decision and the basis for rejection to the petitioner, and advise the petitioner of petitioner's right to appeal the decision directly to the Bishop. Within 14 days after the Bishop's Delegate sends such written notice, the petitioner must request that the petition be reconsidered by the Bishop, or the rejection of the petition shall be final and non-appealable. In all events, the Bishop's determination shall be final and is non-appealable.
 - b. If the Bishop's Delegate determines the petition presents a conflict which falls within the scope of an allowable conflict, the Bishop's Delegate shall immediately file a copy of the allowable petition with the Director.
5. Within seven (7) days after the filing of an allowable petition from the Bishop's Delegate, the Director shall forward a copy of the petition, along with an Agreement to Arbitrate to the petitioner and the respondent, along with an invitation to the respondent to participate in the arbitration process. If the respondent is an entity or individual employed by the Diocese or under the direction of the Bishop, such respondent is obligated to participate in the arbitration process.
6. Within 17 days after the Director's mailing a copy of the petition and Agreement to Arbitrate, respondent shall file with the Director respondent's answer setting forth respondent's response to the substance of the allegations in the petition and stating whether respondent is willing to arbitrate.
7. Prior to going forward with the arbitration process, petitioner and respondent, and their advisors and attorneys, if any, and the arbitrator shall sign and file their Agreement to Arbitrate, which describes the necessity of confidentiality and the other key principles of the arbitration process, to which all parties and their advisors and attorneys, as well as the arbitrator, must agree in advance.

8. At any time during the arbitration process, the petitioner or respondent may request the services of an advisor appointed by the Director, or either may notify the Director of their intention to retain the services of their own advisor or attorney at their own expense. An employer or party affiliated with the Diocese must consult with the General Counsel of the Diocese prior to taking any action. Attorneys and advisors are permitted to attend and participate in arbitration meetings and hearings.
9. Diocesan arbitrators and advisors shall serve without compensation.
10. All expenses for witnesses and the production of evidence shall be paid by the party producing the witness or evidence.
11. All expenses of witnesses or the production of evidence requested by the arbitrator shall be borne and paid for by the parties equally, unless the arbitrator's decision assesses these expenses against a specified party.
12. Arbitration services are funded by the Annual Catholic Appeal and are provided at no cost to the parties.

IX. SELECTION OF THE ARBITRATOR

1. After the parties have agreed to participate in the arbitration process, the Director shall promptly provide them with the names and brief biographies of at least five arbitrators selected from the approved Diocesan list.
2. Within seven (7) days thereafter, the parties shall advise the Director which, if any, of the arbitrators are unacceptable, and which of the remaining arbitrators, in order of preference, are acceptable. The Director shall then appoint three arbitrators from the remaining acceptable arbitrators.
3. If three acceptable arbitrators are not found, then process in Sections IX.1. and IX.2. shall be repeated. If after that process is completed, the parties still have not agreed upon three arbitrators within seven (7) days, the Director shall choose five potential arbitrators. After deciding by lot which party may first strike a name, each party in turn shall strike a name. The three remaining names on the list, shall then be appointed by the Director as the arbitrators for the case.

X. RESOLUTION OF THE CONFLICT – THE HEARING

1. Arbitrators shall schedule the arbitration hearing within 60 days of their appointment, unless the parties agree to an extension thereof.
2. Parties to the arbitration may be represented at the hearing by their attorney or other authorized advisor.
3. All hearings shall be open to the public unless the parties, the arbitrator or the Bishop's Delegate determine to proceed in a closed hearing. All hearings shall be recorded. All documents and records produced in the hearing shall be filed with the Director,
4. For good cause shown, the arbitrators may adjourn or reopen a hearing upon the request of a party or at the personal initiative of the arbitrators anytime before a decision is rendered.
5. Arbitration hearings may proceed in the absence of any party who, after due notice fails to be present or to obtain a continuance from the arbitrator.
6. The arbitrators shall hear and resolve the parties' conflict upon the evidence produced at the hearing. The parties may offer such relevant evidence as they desire, and shall produce such additional evidence as the arbitrators may deem necessary to a proper understanding and determination of the conflict. The arbitrators shall judge the relevancy and admissibility of the evidence offered. Conformance to the rules of evidence shall not be required.
7. All hearings shall be opened by recording the place, date and time of the hearing, and the presence of all parties, the arbitrators and all other persons in attendance
8. The parties are entitled to be heard, to present information, documents and other evidence pertinent to the conflict, and to question witnesses appearing at the hearings.
9. The arbitrators have the discretion to vary the normal procedure under which the petitioner's claims are presented first, to determine the admissibility of all evidence, and to resolve all questions of procedure in the hearing, including, but not limited to: the necessity for and scope of pre-hearing discovery, a pre-hearing conference, presentation of opening and closing arguments, the need for further hearings, etc., so long as the parties are afforded a full and equal opportunity for presentation of relevant proofs.
10. Exhibits offered in evidence, as well as the names and addresses of all witnesses, shall be made a part of the record.

XI. RESOLUTION OF THE CONFLICT – THE ARBITRATOR’S FINAL DECISION

1. The decision of the majority of the arbitrators shall be rendered within 30 days from the closing of the hearing, or if the oral hearing has been waived, within 30 days from the date the arbitrators receive the final statements and proofs from all the parties.
2. The arbitrators’ decision shall be in writing, signed and dated by the arbitrator, and filed with the Director. Within 7 days after the arbitrator’s decision is filed, the Director shall then forward the final written decision to the Bishop’s Delegate who after review shall submit the written decision to the Diocesan Bishop for the Bishop’s approval, rejection, or modification within 30 days after submission.
3. Within 10 days after receipt of the arbitrators’ decision as approved, modified, or rejected by the Diocesan Bishop, the Bishop’s Delegate shall send a copy of such decision to all parties, attorneys, advisors, and to the Director.
4. The arbitrators’ decision, as approved, modified, or rejected by the Diocesan Bishop shall become final and binding upon all parties twenty (20) days after the decision is delivered to the parties.
5. All documents in the arbitration process shall be retained solely by the Bishop’s Delegate.

XII. RESOLUTION OF THE CONFLICT – APPEAL TO THE BOARD

1. Any party may appeal the final decision of the arbitrators to the Board of the Office of Conciliation and Arbitration by filing a notice of appeal to such effect with the Director within thirty (30) days after the arbitrators' decision becomes final.
2. Thereupon, three members of the Board, appointed by the Director, shall review the appeal of an arbitrators' decision.
3. Jurisdiction to review the arbitrators' decision shall be limited to the following circumstances:
 - a. New evidence has been discovered of a character which could not have been discovered previously by due diligence and is likely to have materially altered the final decision.
 - b. Principles of fundamental procedural fairness in the arbitration process were violated to the prejudice of one of the parties.
 - c. The agreed upon method for selection of arbitrators was not followed.
 - d. Evident bias or partiality on the part of the arbitrators is shown.
 - e. The arbitrators exceeded their power and authority.
 - f. The arbitrators refused to hear relevant and material evidence to the conflict, or otherwise conducted the hearing in a way that adversely affected a substantial right of a party.
 - g. The decision of the arbitrators was arbitrary and capricious.
 - h. The arbitrators' decision was obtained by fraud, corruption or other illicit means.
4. The Board shall have the authority to:
 - a. Confirm, reverse, modify, correct or clarify the arbitrators' decision, or
 - b. To order a rehearing before the arbitrator who rendered the decision being appealed, or before a different arbitrator chosen in the same procedure as the original panel of arbitrators.
5. Within seven days after it is filed, the Board's decision shall be submitted to the Bishop's delegate, who after review, shall submit the decision to the Diocesan Bishop for acceptance, rejection, or modification within 30 days after submission.
6. Within 10 days after receipt of the Board's decision as approved, modified, or rejected by the Diocesan Bishop, the Bishop's Delegate shall send a copy of such decision to all parties, attorneys, advisors, and to the Director.
7. The Board's decision, as approved, modified, or rejected by the Diocesan Bishop shall become final and binding upon all parties twenty (20) days after the decision is delivered to the parties.

XIII. CONFIDENTIALITY

1. All oral discussions and written communications, all pleadings, written conciliation reports and decisions of arbitrators and the Board of appellate review, and all documents or any other information, in whatever form, produced, generated or exchanged, during the process of conciliation or arbitration by any of the parties, their advisors or attorneys, and all witnesses and other participants shall be treated and maintained as CONFIDENTIAL by all those who share in them. Conciliators and arbitrators shall impress upon all parties and participants in conciliation or arbitration proceedings at the outset the importance of maintaining such confidentiality.
2. Any and all communications that occur during the conciliation process are treated as confidential, settlement negotiations, and thus not admissible for any purpose in a court of law. This rule extends to all records, reports, letters, notes, online communications, and any documents received as part of the conciliation process. The Conciliator may not be compelled to divulge any documents or to testify in regard to this conciliation process, or any information divulged therein, in any other judicial or diocesan tribunal. Final settlement agreements shall also be treated as confidential unless all parties to a dispute sign a written waiver of confidentiality, or unless an agreement or decision must be filed with a civil court for purposes of enforcement.

XIV. RECORDS AND DOCUMENTS PRODUCED IN CONCILIATION AND ARBITRATION

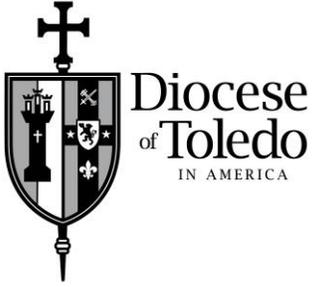
1. All records, documents, petitions, answers, transcripts, recordings, exhibits, photographs or any other information produced in connection with any conciliation or arbitration proceeding hereunder shall be retained by the Board for a period of one hundred eighty (180) days from the date of the filing of any final written report of a conciliator or final decision rendered by a panel of arbitrators or final decision on appeal by the Board, and, thereafter, all such records and information, with the exception of the petition, answer, agreements to conciliate or arbitrate, and any final conciliator's report or final decision of a panel of arbitrators or Board shall be destroyed. In the meantime, the parties shall be permitted, within ninety (90) days after the filing of any final written report of a conciliator or final decision rendered by a panel of arbitrators or final decision on appeal by the Board, to retrieve any of the foregoing materials they have submitted, except the originals of any petition, answer, conciliation or arbitration agreements, and any final conciliator's report or final decision of an arbitrator or Board, which documents shall remain in the permanent custody of the Bishop's Delegate.

XV. INTERPRETATION AND AMENDMENT OF THE PROCEDURAL MANUAL

1. All questions concerning the meaning, interpretation and application of the rules contained in this Procedural Manual shall be determined by a majority in number of the Board, whose decision shall be final, subject to the final approval of the Diocesan Bishop.
2. Any amendments of this Procedural Manual shall be made and determined by a majority in number of the Board, subject to the final approval of the Diocesan Bishop.

APPENDIX

Petition for Conciliation and Arbitration ii
Agreement to Conciliate iv
Agreement to Arbitrate vii



OFFICE OF
CONCILIATION AND ARBITRATION
**Petition for
Conciliation or Arbitration**

Please complete the following form and return to:

Office of Conciliation and Arbitration
1933 Spielbusch Avenue
Toledo, Ohio 43604

Indicate whether this is a Petition for Conciliation or a Petition for Arbitration

Petition for Conciliation

Petition for Arbitration

Name: _____

Mailing Address: _____

City, State, Zip Code: _____

Phone: _____

Email: _____

Name of Your Advisor / Attorney: _____

Mailing Address: _____

City, State, Zip Code: _____

Phone: _____

Email: _____

Respondent's Name: _____

Mailing Address: _____

City, State, Zip Code: _____

Phone: _____

Email: _____

Position (if applicable): _____

Please answer the following questions. You may use additional sheets of paper if necessary.

1. Please identify the parties involved.
2. Please describe the dispute which you would like to submit for conciliation or arbitration.
3. Please describe the efforts you have made to resolve this issues prior to this time.
4. What result of you hope to achieve through the conciliation / arbitration process?

By signing this petition, I agree to take part in conciliation or arbitration in the spirit of good will and Christian values. I also agree to abide by the principles outlined in the “Agreement to Conciliate” or “Agreement to Arbitrate” appropriate to the process I am requesting.

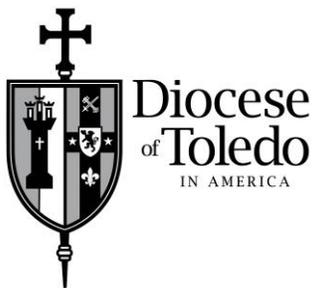
Signature

Date

For Office Use Only

Date Received

Assigned Protocol Number



OFFICE OF
CONCILIATION AND ARBITRATION
AGREEMENT TO CONCILIATE

Protocol Number: _____

As party to this conciliation:

1. I am interested in reconciling with the other party in the spirit of Christianity, which reflects Gospel values and principles. I will be mindful that mutual forgiveness is a goal of this process.
2. I will use this process to come to some understanding of the dispute, with the realization that there are different perceptions of the issue(s). I understand the importance of coming to a joint constructive resolution of the issue(s).
3. I come as an equal to this discussion in an attempt to balance the issue of power and to emphasize that we are brothers and sisters in Christ.
4. I will be respectful in my speech and manner, and the values of good will and justice will have priority.
5. I will be aware of my own feelings and the feelings of the other party(ies), but understand that only focusing on feelings associated with the past will not move us in a forward direction.
6. Only with the permission of all parties of the conciliation will I invite others who are neither parties to the dispute nor advisors to take part in the conciliation sessions. I further understand that my attorney is not permitted to be present or to participate in the conciliation process.
7. I will practice confidentiality. That is, I will not speak about the discussion that has taken place at this conciliation to others who are not parties in the process, except as necessary to seek advice or counsel.
8. I will respond to all requests and communications made by the conciliator within the timeframe allotted.

I will therefore agree to take part in conciliation in the spirit of good will and Christian values as described in the principles stated above.

Date

Signature of Petitioner

Phone

Address, City, State, Zip

_____ *Date*

_____ *Signature of Respondent*

_____ *Phone*

_____ *Address, City, State, Zip*

As an advisor or conciliator:

1. I will thoughtfully deliberate upon my role and ask for Christ’s help in this ministry of service.
2. I will attempt to find ways to acknowledge Christ’s presence in this process, in words and prayer.
3. I understand that secular law should not necessarily determine outcome, that I will follow the teachings of the Catholic Church in making my deliberations and decisions as well as the norms provided in the *Code of Canon Law* and the particular law of the Diocese of Toledo, and realize that my involvement in this matter is to be guided by Christ’s own commandment to “love one another.”
4. I will not presume anything about an individual, whether they be petitioner or respondent, whether they have acted individually or on behalf of others.
5. I will encourage the parties to understand the perspective of the other and to open their hearts.
6. I understand that the ultimate goal is to find Christ and His love for all of us through reconciliation with Him and each other, and not simply negotiate or justify a result.
7. I will practice confidentiality. That is, I will not speak about the discussion which has taken place at this conciliation to others who are neither parties in this process nor advisors other than as is necessary to report to or consult with the Director, the Board of the Office of Conciliation and Arbitration, the Bishop of Toledo, or his Delegate for Hierarchical Recourse.
8. I will respond to all requests and communications made by the conciliator within the timeframe allotted.

I will therefore agree to take part in conciliation in the spirit of good will and Christian values as described in the principles stated above.

_____ *Date*

_____ *Signature of Conciliator*

_____ *Phone*

_____ *Address, City, State, Zip*

Date

Signature of Advisor for the Petitioner

Phone

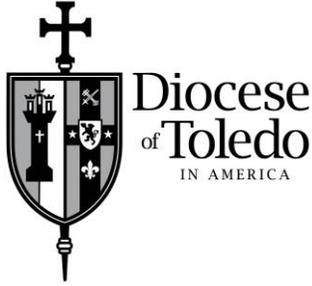
Address, City, State, Zip

Date

Signature of Advisor for the Respondent

Phone

Address, City, State, Zip



OFFICE OF
CONCILIATION AND ARBITRATION
AGREEMENT TO ARBITRATE

Protocol Number: _____

As party to this arbitration:

1. I am interested in reconciling with the other party in the spirit of Christianity, which reflects Gospel values and principles. I will be mindful that mutual forgiveness is a goal of this process.
2. I will use this process to come to some understanding of the dispute, with the realization that there are different perceptions of the issue(s). I understand the importance of coming to a joint constructive resolution of the issue(s).
3. I come as an equal to this discussion in an attempt to balance the issue of power and to emphasize that we are brothers and sisters in Christ.
4. I will be respectful in my speech and manner, and the values of good will and justice will have priority.
5. I will be aware of my own feelings and the feelings of the other party(ies), but understand that only focusing on feelings associated with the past will not move us in a forward direction.
6. Only with the permission of the arbitrator will I invite others who are neither parties to the dispute nor advisors to take part in the arbitration sessions.
7. I will practice confidentiality. That is, I will not speak about the discussion that has taken place at this arbitration to others who are not parties in the process, except as necessary to seek advice or counsel.
8. I will respond to all requests and communications made by the arbitrator within the timeframe allotted.

I will therefore agree to take part in conciliation in the spirit of good will and Christian values as described in the principles stated above.

Date

Signature of Petitioner

Phone

Address, City, State, Zip

Date

Signature of Respondent

Phone

Address, City, State, Zip

As an advisor:

1. I will thoughtfully deliberate upon my role and ask for Christ's help in this ministry of service.
2. I will attempt to find ways to acknowledge Christ's presence in this process, in words and prayer.
3. I understand that secular law should not necessarily determine outcome, that I will follow the teachings of the Catholic Church in making my deliberations and decisions as well as the norms provided in the *Code of Canon Law* and the particular law of the Diocese of Toledo, and realize that my involvement in this matter is to be guided by Christ's own commandment to "love one another."
4. I will not presume anything about an individual, whether they be petitioner or respondent, whether they have acted individually or on behalf of others.
5. I will encourage the parties to understand the perspective of the other and to open their hearts.
6. I understand that the ultimate goal is to find Christ and His love for all of us through reconciliation with Him and each other, and not simply negotiate or justify a result.
7. I will practice confidentiality. That is, I will not speak about the discussion which has taken place at this arbitration to others who are neither parties in this process nor advisors other than as is necessary to report to or consult with the Director, the Board of the Office of Conciliation and Arbitration, the Bishop of Toledo, or his Delegate for Hierarchical Recourse.
8. I will respond to all requests and communications made by the arbitrator within the timeframe allotted.

I will therefore agree to take part in conciliation in the spirit of good will and Christian values as described in the principles stated above.

Date

Signature of Conciliator

Phone

Address, City, State, Zip

Date

Phone

Date

Phone

Date

Phone

Date

Phone

Signature of Advisor for the Petitioner

Address, City, State, Zip

Signature of Advisor for the Respondent

Address, City, State, Zip

Signature of Attorney for the Petitioner

Address, City, State, Zip

Signature of Attorney for the Respondent

Address, City, State, Zip