

to Adventist philosophy and standards. Rule 14 of the "General Conduct of Care" section states that medical staff members "should not be in conflict with" denominational and hospital "ethics, principles, and philosophy." It then spells out hospital emphasis on the Judeo-Christian tradition, Sabbath observance, vegetarianism, and the prohibitions against alcohol and tobacco. "We want to indicate to anyone who wants to apply that we have a unique philosophy," says Charles H. Brinegar, Jr., M.D., president of the medical staff.

For now, LLU Medical Center anticipates business as usual. Other agencies, including the federal government and private insurance companies, are expected to follow Medi-Cal's example. Teaching hospitals throughout the United States may soon face similar decisions.

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More Davenport Repercussions

by Bonnie Dwyer

Insurance negotiations, organizational studies, and membership considerations have kept the name of Donald J. Davenport before Adventist committees from the local church to the General Conference in 1983, two years after the doctor filed for bankruptcy.

Here is a roundup of significant actions taken by those committees:

Insurance Negotiations

Although the Seventh-day Adventist Church advocates that members settle disputes in the church without litigation in secular courts, the North Pacific Union, the Oregon

Conference, and the Georgia-Cumberland Conference Association Boards voted in May to pursue insurance negotiations to the point of filing lawsuits against former officers. The three union and local conferences are trying to recoup—partially through their officers liability insurance—for the losses they suffered by making loans to Davenport.

But the Arbitration Steering Committee, which was established to settle disputes among church entities over Davenport loans, and the General Conference Officers Committee quickly voted actions disagreeing with the three entities over the advisability of such lawsuits.

Within insurance circles it is not often that an organization paying the premiums files action against its own former officers, as the three Adventist entities are considering doing. Officers liability insurance usually protects the organization from third party actions. But to collect on the policy, the entities have to say their officers were negligent in their duties and be willing to sue their former employees. Potentially approximately \$5 million might be recovered from the insurance policy, which is why negotiations continue, despite the actions of the General Conference and the Arbitration Steering Committee.

All entities that suffered Davenport losses send representatives to the meetings of the Arbitration Committee. There were 28 people at the meeting held May 16 in Riverside, Calif., where employee lawsuits were discussed. At the close of the meeting a vote was taken and the motion to allow suits against former employees was defeated 21 to 6 with one person abstaining.

Discussion of the suits continued, however. On May 19, the General Conference Officers Committee took up the subject. In a unanimously approved statement, the officers said, "Though an argument can be made that litigation seeking recovery through other insurance coverage is not violative of the (church's) historic position on litigation, it is the counsel of the General

Conference that litigation against former agents and employees not be pursued by church entities.”

In explanation, the officers first noted that financial advantage, purchased at a price of serious erosion of spiritual growth, is not a viable option for a church committed to a world mission of love and unity. Also, no assurance could be given that such litigation would result in recovery of a substantial portion of the losses sustained. Thirdly, targeting specific defendants, given the large number of people selected for discipline, would be a delicate task. The officers suggested litigation could generate a ripple effect, and undercut the central values and mission of the church.

This General Conference action, however, went out simply as a recommendation to local church entities. In the Georgia-Cumberland Conference, President Gary Patterson said a few members threatened litigation against the conference if it did not seek to recover the losses on the loan for the building to which former President Des Cummings holds the title and the conference holds a worthless first trust deed. Another vote of the conference committee will be taken, and consideration given to the General Conference action, Patterson says.

The National Union Insurance Company of New York City carries the denomination's single policy on officers. The fact that a single policy covers the entire denomination helps to explain why the Arbitration Steering Committee and the General Conference are concerned that suits by one or two conferences will lead to suits by all. Nevertheless, it is possible that some local conferences will attempt to collect on their own.

Organizational Studies

When the President's Review Commission convened in Takoma Park, Md., May 30, even its vice chairman Judge Terrence

Finney thought that, because of previous disagreements with the General Conference officers, the commission members might vote themselves out of existence. The commission had not approved the decision of the General Conference officers to withhold from publication the names of church officials recommended by the commission for substantial discipline.

Nine members of the commission had voted in March to tell General Conference President Neal Wilson that for the commission to continue it needed to: broaden its investigation to include church reorganization; draw on experts for staffing data; and make its recommendations available to the whole church.

Wilson responded to this request with a letter saying expansion of the commission's task to the world-wide church was inappropriate and that the commission, which was called into existence by him, should report directly to him and let its report be released to the church members through the General Conference officers.

A major share of the commission's time on May 30 went to discussion of the issues in Wilson's letter, because the commission felt he misunderstood their request.

In the end, the commission voted to continue. Finney said that members felt that Wilson, in essence, understood what they wanted. So the commission will look at church structure, but only within the North American Division, which is what they had intended from the start. Its report will be given to the church after it has gone to President Wilson and the General Conference officers.

The commission will not hold hearings on discipline, or deal further with reprimanding individuals, although the Southeastern California Conference and the Adventist Lawyers Association had requested that the commission do so. “We want nothing more to do with Phase I,” Finney said. The commission heard a report from General Conference Secretary William Bothe on disciplinary actions, Finney said of the May

30 meeting, but there was no discussion on those measures. The commission meets again in September.

Davenport's Church Membership

Another important action took place at a business meeting of Davenport's local congregation in May, when the Loma Linda University Church voted to discontinue Davenport's membership. Pastor Louis Venden said his congregation did not come to the decision easily or quickly. "We had been considering this matter since last July, and felt that we had to act based on the materials at hand. Davenport was very much the Christian gentleman throughout the process. It was a difficult situation for him, because the church at large is his adversary in court. As a church family, we needed more help from him which he could not give. The meeting was not a hatchet job. We did not presume to make a legal judgment. We acted as a church family."

Davenport was invited to speak at the meeting, or to have someone talk on his behalf, but he declined the invitation. He told Pastor Venden that he did want to remain a member, but legal concerns prevented him appearing at the meeting, even though his membership was at stake. At the business session, a motion to censure, rather than to disfellowship received a second, but was easily defeated. The moral implications of some of Davenport's actions and the disrepute he brought to the church were cited as grounds for discontinuing his membership.

In making the motion to disfellowship Davenport, Gordon Thompson, M.D., referred to Paul's experience in the early church where such an action was intended to be a call to the church to give the individual supporting care.

Mrs. Davenport sent a request to the University Church in June requesting that her name also be dropped from the membership list.

Commission Proposes Genuine Full-Fledged North American Division

by Bonnie Dwyer

Saying that the Adventist organization has too many levels, a lengthy and dramatic study on church structure commissioned by the Pacific Union Conference recommends adoption of new organizational models for the local church and local conference, and a substantially different role for the union conference within an organized, full-fledged North American Division.

The six-member committee which prepared the report said there is no reason to have a union conference as it is now constituted. It suggested that the function of union conferences be changed to purely administration, eliminating the need for departmental work. Under this proposal, the unions would exist as regional offices of the North American Division and the number of unions would be reduced. The local church and local conferences would become the key operational organizations.

After hearing a two-hour presentation on the committee report June 1, 1983, the Pacific Union Executive Committee voted to accept the 300-page document, and created a second, 39-person committee to suggest by November 1984 how to implement the report's six recommendations.

Adoption of new organizational models came first on the list. The report suggested working with the General Conference and North American Division in establishing a new role for the unions. "Develop a sound organizational transition plan," it said, "communicate it and implement it in increments. Do not attempt to patch present structures—more drastic change is needed."

Secondly, the report urged decentralizing decisions, plans, and programs to the local