



The Blood of the Martyrs and Legal Liability

Theresa Lynn Sidebotham, Esq.

Table of Contents

Summary of the Challenge to Missions Organizations	1
Introduction: The Lawsuits Missions Organizations Could Face	1
Danger and Responsibility for Danger: The Historical Setting	2
Twentieth Century Changes in Legal Liability	3
Legal Liability and How It Works	4
Missions Organizations Are Likely a Target.....	5
Three Possible Approaches for Litigation Prevention	7
Consent to the Vision and Supporting Principles	7
Conclusion	9

This resource is for informational purposes only and may not apply to a given place, time, or set of facts. It is not intended to be legal advice and should not be acted upon without specific legal advice based on the particular situation.



Theresa Lynn Sidebotham, Esq.
tls@telioslaw.com

19925 Monument Hill Rd. | Monument, CO 80132 | ph. 855-748-4201 | f. 775-248-8147



Summary of the Challenge to Missions Organizations

Missions organizations in today's legal landscape are like a housing neighborhood built in a wooded Colorado canyon undergoing a drought. While all seems serene, the fire danger poses an extreme threat. If fire comes from lightning or arson it may sweep up the canyon, destroying everything in its path. This paper discusses these precarious legal conditions and proposes an approach to protect organizations from legal liability in a way that maintains their vision and testimony.

Introduction: The Lawsuits Missions Organizations Could Face

What could be the spark that starts the fire? Here are six possible scenarios for legal liability. While some of these situations may have led to the occasional lawsuit in the past, this paper argues that the climate has changed, the woods have dried out, and missions are in danger of more and more litigation.

1. A student goes on a short-term trip to Mexico and gets in a bad car accident in a van rented by the mission. The initial medical care is poor and the student's spine is damaged further, causing her to be a quadriplegic. The student isn't insured for such an accident, particularly outside the country. The family has some medical coverage, but nothing that would cover a lifetime of care. They sue the missions organization for millions of dollars.
2. A missionary wife follows her husband somewhat reluctantly to a remote and dangerous part of the world, along with several of their children, leaving a teenage son in high school in America. The State Department has issued warnings, but the husband feels a strong call to stay. The mission allows them to choose whether to stay or leave. They are first taken hostage and then killed by terrorists. The wife's mother (who has always been hostile to missionary service and bitter towards her son-in-law) and the orphaned teenager sue because they have been deprived of their family. They allege negligence by the organization in permitting the family to go to that field and for how it handled the hostage situation.
3. A former and now middle-aged missionary kid (MK) had an unhappy time in boarding school. In recent years, she has heard that other students in the boarding school were sexually molested. After meeting with the other students and participating in an MK blog, she has recovered memories that she was molested as well. She joins other students in suing, saying that the mission had notice that the staff member might be abusing kids and did not take action.
4. A field leader in a dangerous area of the world has a laptop stolen. The laptop was not password-protected and the hard drive was not encrypted. The laptop contains information about team members who are in the country and not on missionary visas. The next week, explosives blow up three of the team members' homes, killing several people. Lawsuits by the survivors allege not only negligence of the individual who lost the laptop, but also negligence in training by the organization on computer security protocol.
5. A missionary with a technical job has a mental breakdown and has to be asked to leave the field. He sues for wrongful termination (saying that the ministerial exception does not apply) and also



Theresa Lynn Sidebotham, Esq.

tls@telioslaw.com

19925 Monument Hill Rd. | Monument, CO 80132 | ph. 855-748-4201 | f. 775-248-8147



for emotional damages because of his field placement. It turns out that he has a history of mental health instability that he did not reveal during orientation.

6. An MK grows up on the mission field and never learns the language. He is very poorly socialized in any culture. Although his parents have been concerned about him, there was never any extensive testing, and the mission has encouraged them to remain on the field doing very valuable work. Upon returning to America in late adolescence, he discovers that he has Asperger's Syndrome. Because he has missed appropriate educational and therapeutic interventions, his life is significantly and perhaps permanently impacted. He sues for negligence in member care and extensive damages.

Many missions leaders could point out that they have faced similar scenarios in the past without an existential threat to the organization. What, if anything, has changed? Probably not the danger level, as missions has always been risky.

Danger and Responsibility for Danger: The Historical Setting

Missions work has been dangerous from the very beginning. For instance, the Apostle Paul's world was dangerous, both from natural causes and hostile reactions to the Gospel. He tells us:

From the Jews five times I received forty stripes minus one. Three times I was beaten with rods; once I was stoned; three times I was shipwrecked; a night and a day I have been in the deep; in journeys often, in perils of waters, in perils of robbers, in perils of my own countrymen, in perils of the Gentiles, in perils in the city, in perils in the wilderness, in perils in the sea, in perils among false brethren; in weariness and toil, in sleeplessness often, in hunger and thirst, in fastings often, in cold and nakedness—¹

Paul did not have to worry about legal liability. In fact, he received warnings more accurate than the State Department's, which he chose to ignore. When Paul's team landed at Tyre, "[t]hey told Paul through the Spirit not to go up to Jerusalem."² A little later, in Caesarea, he was warned that he would be bound and delivered into the hands of the Gentiles.³ Paul said he was ready not only to be bound, but also to die. His companions commented, "So when he would not be persuaded, we ceased, saying, 'The will of the Lord be done.'"⁴ And they packed up and went to Jerusalem—not just Paul, but also his companions. The team is listed as Sopater, Aristarchus, Secundus, Gaius, Timothy, Tychicus, Trophimus, and Luke.⁵ Some of the disciples from Caesarea traveled with the team as well, along with a man named Mnason, with whom it seems everyone planned to stay.⁶

Being a companion of Paul's could lead to pain and danger. For instance, Paul had met Timothy at Derbe and Lystra, and wanted to take him along. Though technically Jewish, as the son of a Jewish

¹ 2 Cor. 11:24-27, New King James Version.

² Acts 21:4.

³ Acts 21:11.

⁴ Acts 21:13-14.

⁵ Acts 20:4.

⁶ Acts 21:16.



woman, Timothy's culture was apparently more Greek, like his Greek father, and he had not been circumcised. We are not told exactly how old Timothy was, but he had to have been fairly young at that time, since Paul could write to him at Ephesus some years later to "[l]et no one despise your youth."⁷ The narrative states, "Paul wanted to have him go on with him. And he took him and circumcised him."⁸ The record is silent as to whether Timothy needed or received permission from the parents who had chosen not to have him circumcised as an infant, but one can imagine legal objections today to such a painful and intrusive procedure, particularly if Paul performed the operation himself, which it sounds like he may well have done. Timothy then apparently shared the dangers of the second and third missionary journeys. Paul put this much younger man in danger on a regular basis.

Though we know more details of Paul's story than of anyone else's, the other apostles must have taken similar risks, since most of them were martyred planting the Church. Also, we know that the early Church was plagued by crisis in the form of sin and scandal, like any modern religious organization. The story of Ananias and Sapphira would have made an interesting lawsuit, with its overtones of fraud, breach of contract, and of course, their deaths when they were struck down by God.⁹ And Paul's blunt and rather public pastoral comments about the man who was sleeping with his stepmother might have triggered a nice defamation claim.¹⁰ Fortunately, tort liability was unknown in the ancient world.

This all began to change as tort liability developed into the form with which we are familiar. The industrial revolution and the increasing preponderance of corporate defendants slowly changed the system.¹¹ Gradually negligence became evaluated by the standard of a reasonable person (rather than by morality).¹² Insurance was another important development in tort law. It provided a way to transfer the loss throughout society, giving the broader community a vested interest in negligence and liability determinations.¹³ Over time, this development would transform our legal system.

Twentieth Century Changes in Legal Liability

In the West, a full-fledged litigation system was developing while modern communications came online. The rest of the world, however, lagged behind in communications. This delay may partly explain why litigation has come late to the missionary enterprise. The mission field truly felt like a different world. Here is part of my own story as an MK. It was 1965 in Djakarta, Indonesia. That time would later be aptly called in a book and film "The Year of Living Dangerously." My parents had recently arrived in the country after a year of language study in Singapore. They had a toddler and a baby. Djakarta was hungry, literally and metaphorically. My earliest memories include a large rat

⁷ 1 Tim. 4:12.

⁸ Acts 16:1-3.

⁹ Acts 5:1-11.

¹⁰ 1 Cor. 5:1-11.

¹¹ D. Ibbetson, "The Tort of Negligence in the Common Law in the Nineteenth and Twentieth Centuries." In *Negligence: The Comparative Legal History of the Law of Torts*, edited by E. Schrage (Berlin: Duncker & Humblot, 2001).

¹² Mark Lunney and Ken Oliphant. *Tort Law: Text and Materials*. (Oxford University Press 2008) (3d ed.), 15.

¹³ *Id.* at 16.



scuttling across my bare foot, the black, slow, fetid waters of the sewage canals in which people bathed, and the swollen bellies of the children. The Communists had infiltrated the country and revolution was imminent.

The State Department issued the word for Americans to leave. It would fly U.S. citizens for free to Clark Air Force Base in the Philippines. That was as far as the American government would take them. Later—if there was a later—they would have to find their own way back to Indonesia.

My parents' missions board declined the offer. With a long corporate history of facing revolution and martyrdom bravely, they saw no need to encourage departure, and they made it clear to their missionaries that the missions board would not pay for the further travels from the Philippines in any direction.

My parents had no money and a lot of courage, so they stayed. The Communist revolution broke out and raged across Djakarta. My parents were trapped in their tiny house, and listened to Voice of Australia to learn what was happening. I had the whooping cough—or so we suppose, since they couldn't get to a doctor. Later they found that all the missionaries had been on the Communist death list.

After five days, the military staged a counter-coup and took the country back. The anti-Chinese and anti-Communist bloodbath that followed ended the threat of Communism in Indonesia, and incidentally set the stage for one of the world's greatest modern revivals.

Today, it is unlikely any missions board would recommend that its missionaries stay and risk their lives in defiance of a State Department advisory of that magnitude. In that day, the missions board obviously felt fairly safe. But even in 1965, if the Communists had stayed in power and implemented their death list, the missions board would have been open to severe criticism and even possible legal consequences, unlike the martyrdoms in China a generation before. To understand this changing landscape, we should first understand how this type of litigation works.

Legal Liability and How It Works

There are many possible types of legal claims: torts, breach of contract, employment claims, intellectual property, and so forth. Because of the potential high value of the claim, and because it is a common type of lawsuit that can take many forms, we will focus on the tort of negligence resulting in a personal injury, with the mission organization as a defendant. While individual defendants are usually named, some sort of shared liability with the organization is likely because it has greater financial resources.

For liability to exist, several elements must be present. The first element is a duty of care. The missions organization may have a duty of care to the missionary, or perhaps the missionary child. Missions organizations can expect nowadays that they will have both the duty of care of an employer to an employee and the duty of care of a religious organization to its members. The second element is breach of duty, or whether the organization was negligent. Did it somehow fail to carry out this duty of care, and was that failure reasonable? This analysis will depend on what a reasonable person would be



expected to do, given the specific facts of what happened. The third element is causation; whether the negligence caused an injury. If no injury was caused, or if the injury would have happened anyway without negligence, then this element isn't met. The last element is that there must be harm, or injury. The recovery sought by the plaintiff is called "damages," which implies that it is a measure of the harm.

A further necessary element, though not a legal element, is a source of cash. Personal injury litigation rarely happens if no one has any money. Therefore, in addition to individual defendants who are alleged to have made bad choices or done wrong things, there will nearly always be an organizational defendant if one is available. Especially dangerous are scenarios where the damages sought are extremely high and/or there are multiple plaintiffs (or a pool of potential plaintiffs). If the litigation goes badly, and particularly if insurance coverage is inadequate, such litigation can and often does bankrupt an organization. Many people consider the modern tort system to be out of control, and a number of states have enacted statutes for tort reform.

Mission organizations have only just begun to experience legal threats. Such threats will likely manifest with increasing frequency on a widespread basis. Danger and scandal may not have changed since the days of Paul. But the climate has changed. Like a Colorado neighborhood in a drought, the fire danger has become elevated.

Missions Organizations Are Likely a Target

In the past, missionaries died of illness and violence in great numbers. Africa, for instance, was called the "white man's graveyard." No one thought that was anyone's fault, but just a risk accepted with the calling. Now, potential for organizational liability is much greater. Western culture has developed a strong value that injury and death are preventable and compensable (despite the fact that the death rate holds at 100%). And while there have always been some lawsuits against religious organizations, there also used to be a feeling that churches and ministries were "set apart" and it was bad form, or perhaps bad luck, to sue them, even after the changes in the legal system. That deferential feeling towards religious organizations has eroded for three likely reasons. First, no one really doubts that attitudes towards religion have changed in the culture. Second, significant flaws in religious organizations, such as with the Catholic sexual abuse scandal, have shaken faith in those institutions. And third, missionary family attitudes have shifted tremendously. The second and third factors are intertwined.

Children raised overseas, or who were sent back to the home country away from their parents to be educated, have always faced special challenges. Some 19th century literature reflects their struggles, such as Rudyard Kipling's "Baa Baa Black Sheep," an autobiographical short story published in 1888 about the misery of children being sent "home" from India to England and trying to adjust culturally. Not until the 1980s did awareness about the special needs of MKs become widespread. Research on Third Culture Kids (TCKs), of which MKs are a subset, has continued through today. Before that time, missionary leaders considered MKs' experiences of the mission field to be similar to those of their parents. Now, leaders know that the experience of being an MK is quite different and may be



much more difficult. While MKs have many traits and abilities that are invaluable in an increasingly interconnected and cosmopolitan world, they may also feel isolated and misunderstood.

To complicate matters, some people allege that some missions organizations historically dealt with certain situations like child sexual abuse in ways that were flawed. Like other public and private organizations in the same time period, some may not have always sufficiently protected the children in their care and held perpetrators accountable. Where there has been abuse, responding to people who suffered under the care of the organization as children requires a high degree of pastoral care.

Litigation around historic incidents, well beyond the statute of limitations, poses particular problems that are beyond the scope of this article to describe in detail. To summarize these problems briefly, witnesses have died, standards of care have changed, and evidence may not be available. Many memories of alleged victims are “recovered” years later rather than continuous, which casts great doubt on their reliability. Still, litigation is likely despite these problems. Various groups and websites may promote healing in some cases, but may also be encouraging a “victim culture.” If so, this provides fertile ground for lawsuits.¹⁴ While much more can be said about historic child sexual abuse, the pastoral responsibility to people who have been hurt, the legitimacy of litigation, and ways to defend it, child abuse has affected the litigation climate.¹⁵

Because of these factors, much more litigation is likely to come, both in the abuse arena and around other allegations of negligence. In a legal framework where someone must be responsible for things that go wrong, it is easy to envision extensive litigation. The missions agency house is sitting in the middle of a tinder-dry forest. What should organizational responses be?

If the organization is already in a lawsuit, the answer is easy. It needs a fire-fighting team, and a good one. The organization should have a litigation defense team familiar with missions and the type of negligence that is being alleged. Personal injury litigation is difficult, unpleasant, emotional, draining, expensive, and can be an existential threat if the alleged injuries are serious enough or there are multiple plaintiffs. After a test case, others may come in waves. To have any fighting chance, organizations need an expert response by specialists.

But this article focuses on prevention. How can organizations prepare?

¹⁴ See for instance www.mksafetynet.net and the accompanying <http://health.groups.yahoo.com/group/mkadvocates/> or <http://childrenofsim.wordpress.com/>.

¹⁵ This is discussed in more detail in an article I authored, “Protecting Children and Organizations from Child Sexual Abuse: An Overview of Legal and Practical Issues.” available at <http://telioslaw.com/downloads/religious-law/file/child-protection-practical-legal-issues?id=1>.



Three Possible Approaches for Litigation Prevention

One approach: try to guarantee safety. In this model, you take every possible precaution. You eliminate every tree from the property and turn your home into a concrete bunker. A concrete bunker in the middle of an empty field isn't in much danger of fire. Neither is it a welcoming place for the family to visit.

One reason attorneys are unpopular is the perception that they try to take risk down close to zero—which makes for a boring, if safe, life that would make it practically impossible to do much, including missions in most of the world. Truly eliminating the risk is not a good solution. One cannot imagine the early Church or the Chinese Church or any other being planted in that way. Missions leaders must assume that when Jesus talked about laying down our lives and picking up the Cross, it wasn't purely metaphorical. If to live is Christ and to die is gain, a perfectly safe life is not a Christian goal, let alone a missionary goal. In addition, many missionaries are stubborn, independent risk-takers who would not take kindly to being micromanaged for their own safety. Attempting to guarantee safety is the approach of paralysis.

A second approach: ignore liability issues and trust in God. In this model, you leave the yard and shingles and siding as they are, and hope and pray that fire never comes through the neighborhood. This approach would advise following the model of early missions and trusting God to take care of the situation. Very few missions organizations formally take this approach across the board, as most have fairly well developed member care and crisis management policies and strategies. This approach emerges *de facto* whenever a missions organization avoids addressing certain problem areas, perhaps from lack of courage or for lack of financial or knowledge-based resources. Ignoring potential liability is the approach of negligence.

A third approach involves preparation that maintains the nature of the home. In this model, you cut out the unhealthy trees, trim off dead branches, clean away shrubs and undergrowth that are ladder fuel, move the woodpile, and replace the old wood siding and shingles with stucco and a fire-resistant roof. The home still remains attractive and functional, serving its vision.

This approach recognizes that accepting danger is part of the vision. In the book of Acts, God sends a message at least twice about what will happen to Paul. Paul responds, “What do you mean by weeping and breaking my heart? For I am ready not only to be bound, but also to die at Jerusalem for the name of the Lord Jesus.”¹⁶ Paul receives the information and makes a conscious determination to suffer for his spiritual vision. Then he moves forward on his mission with an extensive team supporting him.

Consent to the Vision and Supporting Principles

The model I recommend is that of the body of Christ working as a team to fulfill the vision. Often people think of human resources and crisis management work as policy stuff. They see it as unrelated to the vision of the organization, perhaps hindering and hampering missionaries. It is the

¹⁶ Acts 21:13.



responsibility of dull people in HR and legal. But the following four legal and spiritual principles take HR and legal support further into vision and testimony.

First: the principle of consent. Consent to a particular activity can be a complete defense to allegations of negligence. A soccer player who gets slammed into, breaking his collarbone, is unlikely to sue, because he has consented to some violent touching that would immediately bring a lawsuit or criminal charges if it happened in the street. In Colorado, a person who wishes to slide down an icy mountain on a couple of slippery sticks has to sign a waiver with the lift ticket. Colorado law gives very strong protection to the ski resorts when this person runs into a tree and breaks a leg. He cannot even sue for negligence by the ski resort unless it reaches some extraordinary level. Even more so, a person must waive liability to play with organizations that provide extreme sports experiences. While consent, as expressed in documents like waivers, isn't foolproof, courts take consent seriously. The more clearly a person expresses understanding of the risks and intent to accept them, the better. Therefore, consent to the rules of engagement for missionary service can be protection for the organization as well as a growth stage towards spiritual maturity.

Second is the principle of negligence. When member care is done properly, when the mission reasonably takes care of its MKs, when it screens and trains, and when crisis management policies are in place and are implemented, bad things can and still will occasionally happen. But if the mission has fulfilled its duty of care and has not been negligent, it is not responsible for the injuries. Therefore, avoiding negligence is a component of and provides incentive for robust pastoral care and protects the organization as well.

Third, consider the principle of the body of Christ. Missions is very tough work, and is not intended to be a solo enterprise. Paul went with a large team to Jerusalem to be imprisoned. Jesus went with a large team to Jerusalem when he set his face to go and die. Member care and crisis management should be embraced as a component of Christian community and the love that marks Christians.

Fourth: the principle of what one will die for. Not only should missionaries understand the risks, but they should openly and publicly embrace them. Just as a Colorado skier must acknowledge that riding up a lift and sliding down a mountain is enough fun to risk bodily injury and death, missionaries can do the same for a much higher calling. If they are not prepared to do this, it is not their calling.

These four principles should drive the mission's plan. Foundational mission documents should articulate the vision, and training and preparation candidly acknowledge the risks and prepare personnel in detail. All of this should be clearly documented, because this is the standard of care in the information age.

Once personnel have been trained and understand the risks, they should formally accept that risk. Waivers of liability should be extensive and cover a variety of situations, but need not be solely a legal statement of release. Instead, they can also acknowledge the vision and calling. Legal statements can say that some things are worth suffering and even dying for. People who are prepared to be martyrs if necessary can waive rights to a lawsuit as an appropriate response to death or injury from outside forces, such as disease, riots, or terrorism.



The mission continues its ongoing responsibility with careful member care, well up to contemporary standards, that protects personnel and children. Accountability in tough situations where there is failure or sin will help to prevent more problems and fulfill the duty of care.

When a crisis develops, the organization continues to follow its vision. Public statements in crisis situations should support and explain the vision. The legal team serving the missions organization both every day and in crisis should share and seek to implement the vision.

Once it is clear that a missionary has been well trained, understood the risks, deliberately accepted the risks for the sake of the vision, and has released others from liability, the sending organization should be as protected as an extreme sports provider.

Conclusion

The modern cultural approach to legal liability presents missions organizations with a different context for the challenges that missionaries historically faced. Our response to this, as to every cultural challenge, is to show the spirit of Christ in the context of the culture. While legal problems may be an existential threat to missions, there is no need for a fractured approach where one hand trusts God and the other hand drafts waivers and buys insurance. Instead, a mission can be consistent in stating its vision, caring for personnel, and protecting the organization.

Once we have prepared, let us hope and pray for each organization that I am wrong and that there will be no firestorm sweeping up the canyon. Being prepared along the lines I have suggested is both good stewardship and can lead to spiritual growth and more effective ministry.

Theresa Lynn Dixon Sidebotham, Esq., owner of Telios Law PLLC, is a former MK and TCK. She and her husband Bruce, both Wheaton graduates, also served on the field for 7 years, and are parents to four MKs. In addition to writing and speaking from her first-hand experience in missions, she has delivered talks and written a variety of publications on the unique legal issues religious organizations face in today's legal landscape. The majority of her legal practice includes serving churches and mission organizations on a variety of religious law issues, including helping organizations think through policies, crisis management, and minimizing the risk of legal liability in the face of uncertainty. She can be reached at tls@telioslaw.com, and her website is www.telioslaw.com.



Theresa Lynn Sidebotham, Esq.
tls@telioslaw.com

19925 Monument Hill Rd. | Monument, CO 80132 | ph. 855-748-4201 | f. 775-248-8147



Appendix: Crisis Management Checklist

The following list is not exhaustive, but will provide areas to consider in evaluating standards of reasonable care.¹⁷ It may not always be desirable to have a formal policy, but there should be at least a decision-making process that is documented.

- Waivers/releases (Also note that many jurisdictions do not permit parents to waive or release liability on behalf of a child, so this must be part of the decision-making surrounding placement of families with children. Nor can liability ever be waived for gross negligence.)
 - Medical release
 - Media release to use stories, photos, or testimonials
 - Release related to terrorists, kidnapping
 - General release of liability against organization
 - Specific release of liability for particularly dangerous fields—and even more so where the mission recommends against staying
 - Release of private psychological information for appropriate personnel, such as team leaders
 - Sign off on burial policy
 - Attesting truth of personal statements, such as psychological history
- Policies
 - Child protection policies, such as those developed by Child Safety Protection Network, for both missionary kids and other children
 - Behavior protocols surrounding appropriate, moral, and acceptable behavior
 - Kidnapping and hostage-taking response and ransom policies
 - Policies on where families with children will be permitted to serve (Iraq? Bosnia? Afghanistan?) and under what conditions; whether (and where) new missionaries with adolescent children will be sent to the field
 - Mental health policies, including what information will be shared and with whom, and where people with mental health challenges may be stationed
 - Medical and immunizations requirements
 - Computer security protocols (encryption, secure equipment, procedures)
 - Security policies and contingency plans within country, which should take into account particular risk factors such as medical conditions, children's needs, or the vulnerability of certain people (like women in a culture where war victims are usually raped)
 - Evacuation policies; policies on emergency provision and supplies of food, water, cash, paperwork, travel documents; emergency communications plans
 - Medical airlift protocols
 - What is done for burial in case of death overseas
 - Documentation of mission investigations and decisions

¹⁷ Thanks to the following people for their helpful insights on best practices for personnel and crisis management issues: Timothy Cummings, Esq. of The Christian and Missionary Alliance; Dr. Dale Wolyniak of Colorado Christian University; Rick Roberts, M.A. of Greater Europe Mission; Dr. Brent Brantley of Wycliffe U.S.A.; and Dr. Brent Lindquist of Link Care Center.



- Document retention and confidentiality policies, keeping in mind
- statutory requirements like HIPAA and GINA
- Policies for trauma response and counseling, including professional standards of care for such counseling, especially if counseling is done on the field
- Member care policies for shepherding and regular evaluation of morale in difficult situations
- Disciplinary policies for moral lapses; protocols for psychological or physical breakdowns
- Debriefing policies for furlough, return from the field, or after difficult incidents
- Policies to handle secondment from other organizations and define which organization handles different components of preparation and training
- Background information
 - Medical screening
 - Psychological screening and testing, perhaps including MMPI, temperament analysis, life history, psychological background
 - Child protection background screening of all employees and volunteers
 - Ethical and moral counsel and screening regarding the missions call
 - Analysis of children's needs, including for schooling
 - Careful match of personnel with a suitable target culture
- Training
 - Medical and other safety conditions in country
 - Emergency medical training
 - Child abuse prevention training such as that provided by Ministry Safe and other safety issues for children
 - Cross-cultural training, with particular reference to risk assessment issues in different cultures, such as the prevalence of child abuse in a particular setting
 - Crisis situation and evacuation training, such as preparation for hostage situations
 - Personal security training, which may include intensive training for high-risk locations
- Investigation and response
 - Protocol for child abuse investigation with procedure and response plan
 - Legal reporting procedures locally and at home
 - Procedure for investigating other allegations, including when a lawsuit is threatened
 - Crisis management team in place for emergency situations; different training and preparation for different types of emergencies, such as death, evacuation in war or natural disaster, terrorism, hostage-taking
 - Protocol for investigation of psychological or moral emergencies



- Media management and public relations¹⁸
 - Designated single spokesperson for media inquiries for various types of emergencies
 - Media crisis response team defined and trained in advance
- Legal team
 - Review of policies and documents
 - Advisory (or investigative) role with most investigatory situations and personnel problems, to minimize legal liability
 - Advisory role when a lawsuit is threatened; active role in mediation or litigation
 - Assist organization on confidentiality and privileged information standards and document policies
- Insurance
 - Medical and emergency evacuation insurance
 - Life insurance
 - Short-term missions insurance
 - Travel insurance
 - International auto insurance
 - Kidnapping and ransom insurance. Even if the organization does not pay ransom, groups such as Control Risks provide specialists for kidnapping and extortion events
 - Liability insurance for organization with sexual abuse rider
 - Property insurance

¹⁸ Note the very helpful blog on Legal Crisis Strategies by the law firm McDermott, Will & Emery, <http://www.legalcrisisstrategies.com>.

