

SLIDE 1:

On Friday, April 26, the Judicial Council of the United Methodist Church released the results of its deliberations on petitions from the 2019 called General Conference that were referred to it.

SLIDE 2:

The UMC's top court has found that while some provisions of the newly adopted Traditional Plan remain unconstitutional, the rest of the plan is valid as church law. Exit provisions passed by the General Conference were affirmed as constitutional.

SLIDE 3:

These are the petitions that were ruled unconstitutional.

SLIDE 4:

Same Sex Marriage

SLIDE 5:

When clergy commit actions that are against policies of the United Methodist Church found in the Book of Discipline and are brought up on charges, the Bishop and Cabinet members work through a Disciplinary process that includes outcomes for the clergyperson involved if it is proven that they are guilty of an offense.

The Traditional Plan replaces any potential outcomes of this process with mandatory penalties for clergy who perform same-sex marriage services.

- For the **first offense** of performing a same-sex marriage, clergy will be suspended from service for one year. During this time, they will not receive a salary from the church to which they are appointed.
- Clergy who commit a **second offense** will lose their clergy credentials and their relationship with the Annual Conference will be terminated.

SLIDE 6:

Candidacy, licensing, commissioning, or ordination. Note that nothing in the Traditional Plan specifically referenced Lay Servant Ministries or Certified Lay Ministers. At this point, nothing has changed in the definitions or requirements for those lay ministries.

SLIDE 7:

The Traditional Plan brings greater definition to the Discipline's use of the term, "self-avowed, practicing homosexual." Greater definition limits confusion over whether a person is a homosexual and therefore ensures that they will be excluded from being approved as a candidate for ministry, licensed as a local pastor, commissioned or ordained as an elder or deacon. The definition now includes anyone who is living in a domestic partnership or civil union or who has ever made a public declaration of being gay.

SLIDE 8:

The Traditional Plan prohibits the members of District Committees on Ordained Ministry and the Conference Boards of Ordained Ministry to recommend anyone who meets the definition of a self-avowed, practicing homosexual. Such persons are also not to be appointed for service in the United Methodist Church.

SLIDE 9:

If a Board of Ordained Ministry would recommend a self-avowed, practicing homosexual for ministry in the UMC, the Traditional Plan prohibits a bishop from commissioning or ordaining such persons.

SLIDE 10:

Consecration of Bishops

SLIDE 11:

The Traditional Plan is clear that self-avowed, practicing homosexuals are not allowed to serve as bishops in the church. Should such persons be duly elected by delegates at a Jurisdictional Conference, bishops are prohibited from consecrating such persons. This will ensure that if practicing homosexual persons are elected, they will not be able to properly serve. Note that this piece of legislation differs from the others in that it does not include the word "practicing". While it is presumed that it was the intention to include the word in this legislation, it is currently unclear. It is likely that clarification will occur through discussion and/or through amended legislation at the 2020 General Conference.

SLIDE 12:

Trials

SLIDE 13:

Complaints against practicing homosexuals cannot be delayed or continue without action. If a practicing homosexual is tried in an annual conference where their credentials are not removed, "the church," i.e., "the counsel for the church," or the prosecutor of the case against the gay pastor has a right to appeal if there were egregious errors of church law, or administration. For example, if, due to their favorable standing by members of their Annual Conference who comprise the jury, the person's homosexual practice is not taken into account as the Traditional Plan requires, the case could be appealed and retried so that the person would lose their ministerial credentials.

SLIDE 14:

Just Resolution

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A Just Resolution must clearly state identified harms and how they will be addressed by the church and other parties in the complaint. This means that the penalties and consequences will be unambiguous and show that the practicing homosexual was removed from ordained

ministry or the pastor who performs a same-sex marriage was placed on unpaid leave for a year for the first offense or terminated for the second.

SLIDE 16:

The Traditional Plan creates a new requirement for a Just Resolution. The **complainant** (the person bringing the charge) must agree that the charged party has been sufficiently corrected and disciplined before the matter is considered resolved. For example, if a practicing homosexual is not completely removed from ordained or licensed ministry or candidacy, the complainant can require the just resolution process be continued until he or she is satisfied. The new standard created by the Traditional Plan for a Just Resolution is that “every effort shall be made to have **the complainant(s)** agree” to the provisions of the resolution.

SLIDE 17:

Exit Provisions

SLIDE 18:

The 2019 General Conference passed legislation that would create an opportunity for congregations who have differences related to LGBTQ inclusion to exit the denomination and keep their property. Property of any UMC is held in trust by its trustees for the denomination. Currently bishops have the ability to negotiate an exit of a congregation from the Annual Conference with their property under ¶ 2549. Conditions and requirements vary between various churches and conferences. This legislation sets a common set of requirements for an exit of a congregation in light of the level of disagreement over LGBTQ inclusion. This standardization of conditions and requirements is an attempt to create a fair outcome for all.

This is an opportunity that is limited in time and will expire on 12/31/23. Due to the process required, the first consideration of a church exit would probably not come until the 2020 Annual Conference Session. The exit would require a 2/3rds affirmative vote of the professing members of the local church present at a duly called church conference.

SLIDE 19:

Before a congregation would be allowed to exit with their property, the following conditions must be satisfied:

- Pay unpaid apportionments for the past 12 months
- Pay apportionments for the coming 12 months
These provisions allow the Annual Conference to make a financial adjustment to the departure of the local church.
- Pay the congregation’s share of unfunded pension liability which they would have paid over time had they remained in the connection. Each local church has been served by United Methodist pastors who are now retired and whose pension is not fully secure. It would be unfair of the church to depart without meeting this obligation to those who have served the church. This requirement ensures that pensions of retired clergy will not be diminished or endangered due to conflict over LGBTQ inclusion.

- All loans and liabilities must be settled before the departure so that creditors cannot sue the United Methodist Church over obligations of the departing congregation when it no longer has the security of the congregation's property as collateral.

SLIDE 20:

The Annual Conference Session must approve the congregation's request to exit by a majority vote.

SLIDE 21:

The following slides describe the **results** of petitions that were ruled unconstitutional. These provisions were a part of the proposed Traditional Plan and included in the bundle of legislation that was passed by the 2019 General Conference. Because these petitions were ruled unconstitutional by the Judicial Council:

SLIDE 22:

Members of the Board of Ordained Ministry will NOT have to certify that they will uphold the Book of Discipline requirements that restrict practicing homosexual persons from being recommended for ordained ministry.

SLIDE 23:

Members of the Board of Ordained Ministry will NOT have to conduct an examination, including the candidate's social media accounts to ascertain if they are a practicing homosexual.

The Traditional Plan stated that if a bishop and annual conference failed to certify members of the Board of Ordained Ministry, GCFA would withhold denominational funds from that Annual Conference and deny it the ability to use the denominational logo. For example, this would have meant that financial support of that Conference's bishop, offered through the Episcopal Fund, would be withheld so that the bishop would receive no salary. In this way, the Traditional Plan would have created negative consequences to any who did not comply to the certification requirement for members of the Board of Ordained Ministry. Withholding of such funds by GCFA will NOT happen.

SLIDE 24:

Bishops will NOT be subject by review by the entire Council of Bishops but will be reviewed by those in their own jurisdiction as they are at this time. The Traditional Plan hoped to have bishops who are in jurisdictions who look the other way when they ordain practicing gay persons, or do not discipline pastors who perform gay marriages, to be disciplined by the entire Council of Bishops rather than by Jurisdictional colleagues who, in agreement with their actions, may not discipline them. The hope of the Traditional Plan was that by placing them under the auspices of the entire Council of Bishops, these bishops would be more likely to be reprimanded.

SLIDE 25:

Since bishops will NOT be subject to review by the entire Council will, it will not have the ability to place a bishop on involuntary leave or in a retired relationship without their consent, as provided for by the Traditional Plan.