

Review of Legislation
Enacted at the
Special Session of the 2019
General Conference

Wespath Petitions – Petition 90016 & 90017

Amend ¶1504 to provide that local churches that change the nature of their connection to the Church must pay a proportional fair share of the annual conference's unfunded pension liability.

Amend corresponding Clergy Retirement Security Program documents so that active clergy who change their relationship are removed from the denomination's defined benefit and annuity risk pools for their former annual, and are provided an actuarially equivalent account balance benefit.

Constitutional: YES

Traditional Plan Overview

Principal Components (As Proposed)

- *Episcopal Accountability*
(Petitions 90033-36)
- *BOOM/Ordination Provisions*
(Petitions 90032, 37-40, 43)
- *Implementation Provisions (a/k/a the “Heart” of the Traditional Plan)*
(Petition 90041)
- *Judicial Proceedings*
(Petitions 90042, 44-47)

Enacted?

yes

yes

no

yes

Constitutional?

mostly no

yes & no

yes & no

mostly yes

Not Enacted: Petition 90041 – The “Heart” of the Traditional Plan

Principal Components

- Annual Conference certifications of support or non-support for human sexuality provisions.
 - Possible loss of GCFA funding depending on certification.
- Bishops must certify willingness to uphold the human sexuality provisions of the *Discipline*.
- Annual Conference “exit” provisions – to become a “self-governing” church.
- Local Church “exit” provisions – to join a “self-governing” church
- Clergy encouraged to transfer to “self-governing” churches/conferences if they cannot in good conscience comply.

Traditional Plan #1 - Footnote 1 Qualifications for Ministry - Par. 304.3 (Petition 90032)

Amended footnote 1 attached to ¶ 304.3 to make clear that “self-avowed practicing homosexual” includes “living in a same-sex marriage, domestic partnership or civil union, or is a person who publicly states she or he is a practicing homosexual.”

Constitutional: Yes

Traditional Plan #2-4 - Episcopal Accountability - (90033-35)

Amend ¶ ¶ 408, 410 and 422 to make bishops subject to disciplinary review by the entire Council of Bishops rather than just the College of Bishops in a bishop's own jurisdiction.

Constitutional: No

Traditional Plan #5 - Episcopal Responsibilities - Par. 415.6 (90036)

Amend by addition ¶ 415.6 to provide:

- Bishops are prohibited from consecrating bishops who are self-avowed homosexuals, even if they have been duly elected by the jurisdictional or central conference.
- Bishops are prohibited from commissioning those on the deacon or elder track if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference.
- Bishops are prohibited from ordaining deacons or elders if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference.

Constitutional: Yes

Traditional Plan #6 - Composition of Board of Ordained Ministry - Par. 635.1a (90037) (As Amended by Plenary)

Amend ¶ 635.1.a:

Prior to being nominated for membership on the Board of Ministry by the bishop, any individual must certify to the bishop that he or she will uphold, enforce, and maintain the Book of Discipline **in its entirety, including but not limited to all qualifications for ordination (¶¶304, 330, 335, 336)**. Additionally, the bishop must certify to the annual conference secretary that he or she only has nominated individuals who will uphold, enforce, and maintain the Book of Discipline **in its entirety, including but not limited to the qualifications for ordination (¶¶304, 330, 335, 336)**. To ensure adequate board membership . . .

Constitutional: **Uncertain**

Traditional Plan #7 - Full Examination - Par. 635.2h (90038)

Amend ¶635.2.h to provide for an enhanced examination of clergy candidates on human sexuality issues:

The Board of Ministry shall conduct an examination to ascertain whether an individual is a practicing homosexual, including information on social media, as defined by the Book of Discipline. The board shall certify that such an examination has occurred and its results. If it is determined as a matter of fact that an individual is a practicing homosexual, the board shall not recommend the individual to the clergy session of the annual conference for commissioning or ordination.

Constitutional: NO

Traditional Plan #8 - Composition of Board of Ordained Ministry - Par. 806.9 (90039)

Amend ¶ 806.9 to require :

- That annual conferences “certify that the bishop has nominated only members of the Board of Ministry who will uphold, enforce, and maintain the Book of Discipline related to ordination and marriage of practicing homosexuals.”
- That “failure to do so shall result in The General Council on Finance and Administration withholding all funds from The United Methodist Church and withdrawing the annual conference’s ability to use the denominational cross and flame logo.”

Constitutional: NO

Traditional Plan #11 – Minimum Penalty- Par. 2711.3 (90042)

Amend ¶ 2711.3 to set a minimum penalty for a conviction “for conducting ceremonies which celebrate homosexual unions, or performing same-sex wedding ceremonies.”

a) First (1st) offense – One (1) year’s suspension without pay.

b) Second (2nd) offense - Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.

Constitutional: YES

Traditional Plan #12 - Qualifications for Ministry - Par. 304.5 (90043)

Amend ¶ 304.5 to provide:

- The District Committee on Ordained Ministry and the Board of Ordained Ministry shall not approve or recommend any person for candidacy, licensing, commissioning, or ordination who does not meet the qualifications of ¶ 304.1-3.
- The bishop presiding in the clergy session shall rule any such unqualified candidate out of order and not eligible to be acted upon.

Constitutional: YES

Traditional Plan #13 - Complaint Process - Par. 362.1e (90044)

Amended ¶ 362.1e and ¶ 413.3d to require that the complainant receive notice of any dismissal of a complaint against a clergy person.

Constitutional: YES

Traditional Plan #14 - Just Resolution - Par. 2701.5 (90045)

Amends “Just Resolution” provisions in ¶¶ 362.1, 413.3c, 2701.5, 2706.5.c.3 to provide:

- Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint.”
- In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation.

Constitutional: YES & NO

Traditional Plan #15 - Just Resolution - Par. 2701.5 (90046)

Further amend “just resolution” provisions in §§ 2701.5 and 2706.5(c)3 to require that the “complainant” “shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect.”

Constitutional: YES

Traditional Plan #16 - Church Appeal - Par. 2715.10 (90047)

Amends ¶ 2715.10 to provide that the Church (not just the Respondent) can appeal a trial court judgment to the committee on appeals and then to the Judicial Council “based on egregious errors of Church law or administration that could reasonably have affected the findings of the trial court.”

Constitutional: YES

Disaffiliation Petition 90066, as amended by Minority Report

Amend the Discipline's Property Provision to provide a time-limited right for local churches to leave the denomination and keep their property.

New ¶ 2553 would allow local churches to “disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals.

- Limited in time. Must be completed by December 31, 2023, after which the disaffiliation provision would expire.
- Decision Making Process
 - Church Conference approval required.
 - Requires two-thirds (2/3) majority vote of the professing members of the local church present at the church conference.
- Requires a binding Disaffiliation Agreement between the annual conference and the trustees of the local church with the following provisions:
 - Recognition of the validity of the Trust Clause.
 - The local church shall pay any unpaid apportionments for the 12 months prior to disaffiliation, as well as an additional 12 months of apportionments.
 - Local church shall have the right to retain its real and personal, tangible and intangible property.
 - Local church shall contribute withdrawal liability in an amount equal to its pro rata share of any aggregate unfunded pension obligations to the annual conference. The General Board of Pension and Health Benefits shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church's share.
 - The local church shall satisfy all other debts, loans, and liabilities, or assign and transfer them to its new entity, prior to disaffiliation.

Constitutional: NO