

SUBJECT TO FINAL EDITING

**JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH**  
**DECISION NO. 1344**

IN RE: Review of a Bishop's Decision of Law in the Northern Illinois Annual Conference concerning (a) If the Conference Board of Ordained Ministry is required to ascertain whether a candidate meets the qualifications for candidacy and ordained ministry, including whether or not she or he is exhibiting "fidelity in marriage and celibacy in singleness" or is a "self-avowed practicing homosexual", and (b) if the Conference Board of Ordained can legally recommend to the clergy session a candidate whom they believe to be in violation of the fidelity, celibacy, or definition of marriage standard

**DIGEST**

The Board of Ordained Ministry [hereinafter Board] is mandated by *The Book of Discipline, 2012* to examine all applicants as to their fitness for the ordained ministry, and make full inquiry as to the fitness of the candidate for: (1) annual election to local pastor, (2) election to associate membership (3) election to provisional membership, (4) election to full conference membership ¶ 635.2(h). The Board's examination must include all paragraphs relevant to election of pastoral ministry, including those provisions set forth in paragraphs that deal with issues of race, gender, sexuality, integrity, indebtedness, etc. ¶¶ 304.2, 305, 306, 310. Candidates for licensed or ordained ministry in the United Methodist Church should be treated fairly and denial of entry must be based upon the evidence received from the results of the full examination. The bishop's decision of law is modified.

**STATEMENT OF FACTS**

This is a continuation of Judicial Council Decision [hereinafter JCD] 1329. At the June 5, 2016 Clergy Session of the Northern Illinois Annual Conference, a motion to direct its Board of Ordained Ministry (Board) "to maintain the minimum standard for licensed or ordained ministry of fidelity in marriage and celibacy in singleness" was defeated. Thereafter, a request for an episcopal decision of law ensued on two questions:

- 1) Is the Conference Board of Ordained Ministry required to ascertain whether a candidate meets the qualifications for candidacy and ordained ministry, including whether or not she or he is exhibiting "fidelity in marriage and celibacy in singleness" or is a self-avowed practicing homosexual?
- 2) Can the Board legally recommend to the clergy session a candidate whom they believe to be a self-avowed practicing homosexual or otherwise in violation of the fidelity and celibacy standard?

The presiding bishop responded that the questions are moot and hypothetical. The Judicial Council was not persuaded and it remanded the matter to the bishop for proper ruling.

The bishop ruled, among others, that the language in the request goes well beyond what *The Book of Discipline, 2012* directs by asking whether the Board is required to ascertain whether someone exercises the highest ideals of the Christian life. The Board, she said, does not have the capacity to conduct an

investigation leading them to be certain of anything; but in the exercise of their discernment and judgment, they can be satisfied as to the integrity of the answers to Disciplinary questions for ordination.

On the second question, the bishop stated that the Board cannot recommend someone who, by self-avowal, fails to comply with the requirements for ordination. But she cautions that the word believe is problematic because to believe something does not necessarily mean that one knows for certain; it could be hearsay which is usually disallowed in a court of law.

## **JURISDICTION**

The Judicial Council retained jurisdiction on this matter in JCD 1329 and has jurisdiction independently under ¶ 2609.6 as modified by JCD 1244.

## **ANALYSIS AND RATIONALE**

Paragraph 635.2h of *The Discipline* imposes on the Board the duty “to examine all applicants as to their fitness for the ordained ministry and make full inquiry as to the fitness of the candidates...”(Emphasis supplied). This provision obviously aims to ensure that the Disciplinary standards are met. The duty of the Board is to conduct a careful and thorough examination and investigation, not only in terms of depth but also breadth of scope. There are a variety of methods to accomplish this investigative responsibility, ranging from evaluating written exams, conducting personal interviews, to reading social media postings of candidates. We recognize that the members of the Board often work with limited personnel, financial resources, and time. They are, nevertheless, required to fulfill the disciplinary mandate.

Although the bishop did not directly answer the second question, the duty of the Board is to conduct a careful and thorough examination and investigation, not only in terms of depth but also breadth of scope. Thus, in answer to the second question, the Board can only legally recommend to the Clergy Session a candidate for whom they have conducted a thorough examination and who has met the disciplinary standards for fitness.

## **RULING**

The Board of Ordained Ministry [hereinafter Board] is mandated by *The Book of Discipline, 2012* to examine all applicants as to their fitness for the ordained ministry, and make full inquiry as to the fitness of the candidate for: (1) annual election to local pastor, (2) election to associate membership (3) election to provisional membership, (4) election to full conference membership ¶ 635.2(h). The Board’s examination must include all paragraphs relevant to election of pastoral ministry, including those provisions set forth in paragraphs that deal with issues of race, gender, sexuality, integrity, indebtedness, etc. ¶¶ 304.2, 305, 306, 310. Candidates for licensed or ordained ministry in the United Methodist Church should be treated fairly and denial of entry must be based upon the evidence received from the results of the full examination. The bishop’s decision of law is modified.