

## DECISION 1284

### **IN RE: Review of a Bishop's Decision of Law in the Northern Illinois Annual Conference Regarding Legislation "In Support of Marriage Equality" In Light of ¶¶ 304.3 and 2702.1**

#### **DIGEST**

The Bishop's Ruling of Law is reversed and is, therefore, null, void, and of no effect. Bishops are not authorized to answer hypothetical questions which may be propounded nor to answer requests for information which involves no legal matter.

#### **STATEMENT OF FACTS**

During the regular business of the 2014 Northern Illinois Annual Conference, a clergy member requested a Decision of Law regarding Document 700.08 "In Support of Marriage Equality." The request for a Ruling of Law reads as follows:

First, in light of Judicial Council Decision #886 as well as other relevant Judicial Council decisions and the document before us (Doc. 700.08 "In Support of Marriage Equality"), are Annual Conferences and their churches generally and the Northern Illinois Annual Conference and its local churches particularly permitted to disobey disciplinary provisions that prohibit United Methodist clergy from conducting ceremonies which celebrate homosexual unions or performing same-sex wedding ceremonies (par. 2702.1), that refuse candidacy, ordination, and appointment to self-avowed practicing homosexuals (par. 304.3), and that restrict our church buildings from being used to host ceremonies which celebrate homosexual unions or same-sex wedding ceremonies?";

Second, if, by your ruling, Annual Conferences and their churches generally and the Northern Illinois Annual Conference and its local churches particularly are permitted to disobey these provisions of the discipline, to

what extent is an Annual Conference and its churches permitted to disobey other provisions of the Discipline?

The legislation (Doc. 700.08, "in Support of Marriage Equality") was approved by a large majority of the delegates to the Northern Illinois Annual Conference on June 9, 2014, after minimal debate and with no speeches against. The request for a ruling cited Decision 886, which clearly states that "annual conferences may not legally negate, ignore, or violate provisions of the Discipline with which they disagree, even when the disagreements are based upon conscientious objections to those provisions."

### **JURISDICTION**

The Judicial Council has jurisdiction under ¶¶ 51 and 56.3 of the Constitution and ¶ 2609.6 of the *2012 Discipline* as modified by Decision 1244.

### **ANALYSIS AND RATIONALE**

On June 9, 2014, a clergy member of the Northern Illinois Conference requested a Decision of Law regarding Document 700.08 "In Support of Marriage Equality."

The response of the presiding Bishop is a thorough explanation and analysis of the document 7008 entitled "In Support of "Marriage Equality." The document according to the record supplied underscores previous historical statements that the Northern Illinois Annual Conference has made in regards to a compassionate and caring response to LGBTQ.

However, in Judicial Decision 33, the Judicial Council held that it is not the duty of the presiding bishop to rule upon any hypothetical questions which may be propounded, nor to answer requests for information which involve no legal matter. *See* Decision 33. The questions presented to the Bishop during the 2014 Northern Illinois Annual Conference are hypothetical in their present form. The clergy person failed to establish the relationship between the resolution entitled

“In Support of Marriage” and specific provisions of the *Discipline*. Therefore, the Bishop’s Ruling 1 – 4 is null, void, and of no effect.

### **DECISION**

The Bishop’s Ruling of Law is reversed and is, therefore, null, void, and of no effect. Bishops are not authorized to answer hypothetical questions which may be propounded nor to answer requests for information which involves no legal matter.

J. Kabamba Kiboko was absent.

Timothy K. Bruster, first clergy alternate, took part in this decision.

William B. Lawrence, President

F. Belton Joyner, Jr., Secretary

October 25, 2014