

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

DECISION NO. 1422

(Docket No. 1021-10)

IN RE: Review of a Bishop's Ruling on Questions of Law in the North Georgia Annual Conference Concerning the Circumstances under which a Local Church may Pursue Disaffiliation.

DIGEST

The bishop's Decision of Law is affirmed.

STATEMENT OF FACTS

During the 2021 session of the North Georgia Annual Conference, on June 4, 2021, the Conference Board of Trustees presented a plan for disaffiliation of local churches, consisting of two parts: "Steps of Disaffiliation Process under ¶ 2553," listed as item 205a, and "Disaffiliation Agreement Pursuant to ¶ 2553," item 205b on page 50 of the *Reports*. Immediately after the report, a lay member [hereinafter Movant] raised the following Question of Law:

Does a local church that identifies itself as Traditional in the current understanding of that word as it applies to whether or not a church supports the current language of the Discipline regarding the practice of homosexuality, the marriage of same sex persons, and the ordination and appointment of LGBTQIA+ people have recourse to ¶2553 which provides a mechanism for the local church to disaffiliate from The United Methodist Church? More specifically, does the portion of ¶2553 that says the following:

¶ 2553. Disaffiliation of a Local Church Over Issues Related to Human Sexuality
1. Basis — Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, 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 as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues...

provide Mt. Bethel United Methodist Church authority to invoke ¶2553 as providing a process for its disaffiliation since the leadership of the North Georgia Annual Conference has stated in its document entitled "Love is Making Room" the following:

We believe that harmful language about LGBTQ people and restrictions on marriage and ordination should be removed from the Book of Discipline.

On June 30, 2021, Bishop Sue Hauptert-Johnson issued her Decision of Law in which she ruled:

I find that no ruling of law is required because the North Georgia Annual Conference Board of Trustees has indicated that it will not question “the reasons of conscience” behind a church’s decision to disaffiliate. If the church sets forth this paragraph in the call for the called church conference, and the church conference is held fairly and in conformance with the BOD, and the motion contains the language of this paragraph and is duly voted upon, the Board of Trustees will not pursue any inquiry into the “reasons of conscience” behind the vote.

JURISDICTION

The Judicial Council has jurisdiction pursuant to ¶ 2609.6 of *The Book of Discipline 2016*.

ANALYSIS AND RATIONALE

Paragraph 51 of the Constitution mandates that a Bishop presiding over an annual, central or jurisdictional conference shall decide all question of law coming before the bishop in the regular business session of the Annual Conference. Bishops are given 30 days to issue a ruling and are constrained to respond to the question placed before them. The record supplied confirms the bishop acted in accordance with the provision of ¶ 51 which is substantiated by the Movant and the interested party.

The interested parties and *amicus curiae* conceded in their briefs of record that the bishop’s ruling was correct and should be affirmed. All other issues raised by the Movant and the *amicus* are outside the scope of the Question of Law as presented and cannot be addressed by the Judicial Council. The reach of our judicial authority is limited to “the decisions of law made by bishops...upon questions of law submitted to them in writing in the regular business of a session.” ¶ 2609.6 [emphasis added].

RULING

The bishop’s Decision of Law is affirmed.