

0423-07
South Central Jurisdiction
Questions of Law

Dixie Brewster, Great Plains, laity, rose to request a bishop's ruling of law, which reads:

In accordance with ¶51 and 2609.6 of the United Methodist *Book of Discipline* and in light of ¶ 304, 341, 361, 635, 2701-2719, Judicial Council decisions # 886, 1201, 1292, 1340, 1343, 1344, and 1403, and other relevant church law, I respectfully ask and request a decision on the following questions of law about the resolution recently adopted by the South Central Jurisdictional Conference on "Queer Delegates 'Call to Center Justice and Empowerment for LGBTQIA+ People in the UMC":

Do any of the numbered provisions at the end of the resolution impermissibly negate, ignore, violate, [or] encourage actions that are contrary to, or discourage the enforcement of *Discipline* ¶304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2711, or other relevant church law, or contradict the *Book of Discipline's* rules for holding complaints in abeyance outlines in ¶362.1g? And, if so, is this section null, void, and of no effect?

Does the passage of this resolution in any way limit or restrict the rights or obligations of bishops, district superintendents, counsels for the church, committees on investigation, trial courts, boards of ordained ministry, or district committees on ministry to fully comply with and uphold ¶304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2706, and 2711 of the *Book of Discipline*? And, if so, is this resolution null, void, and of no effect?

**QUEER DELEGATES' CALL TO CENTER JUSTICE AND EMPOWERMENT
FOR LGBTQIA+¹ PEOPLE IN THE UMC**

Resolution to the 2022 South Central Jurisdictional Conference

Whereas, in a groundswell response to the passage of harmful legislation at the 2019 Special Session of General Conference, Annual Conferences elected queer clergy and lay persons to be General and Jurisdictional Delegates in record numbers, for the first time empowering queer delegates to speak and act from our diverse experiences, and

Whereas, the 2019 Special Session of the United Methodist General Conference passed the Traditional Plan, which increased penalties for United Methodists clergy who are LGBTQIA+ and for clergy who support the LGBTQIA+ community through officiating their weddings, and

Whereas, in an attempt to address the divide within The United Methodist Church, an abeyance or moratorium was proposed to the General Conference, referenced below,² by the authors of the Protocol of Reconciliation and Grace through Separation, and

Whereas, we understand our call and responsibility as United Methodists to do good, do no harm, and stay in love with God, and

Whereas, we call straight and cisgender allies to do good by using their voice and vote to support, empower, and amplify the voices of the LGBTQIA+ community in The United Methodist Church,

Therefore be it resolved that the 2022 South Central Jurisdictional Conference of The United Methodist Church:

1. Supports and amplifies the queer delegates' call to justice and empowerment for the LGBTQIA+ community in our Jurisdiction, within and beyond our churches and agencies;
2. Affirms the spirit of the abeyance or moratorium as proposed to the General Conference, as referenced above, until changes can be made in *The United Methodist Book of Discipline*.
3. Implores our member Annual Conferences to either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution process any complaints against clergy regarding their sexual orientation or clergy who officiate weddings of LGBTQIA+ persons;
4. Urges that as a Jurisdiction we either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution process any complaints against Bishops regarding their sexual orientation or those who officiate weddings of LGBTQIA+ persons;
5. Supports the election of episcopal leaders who commit to upholding this resolution and who will further justice for and empowerment of LGBTQIA+ people in the annual conferences where they serve;

6. Commits to a future of The United Methodist Church where LGBTQIA+ people will be protected, affirmed, and empowered in the life and ministry of the church in our Jurisdiction, including as laity, ordained clergy, in the episcopacy, and on boards and agencies.

Submitted by the following queer delegates from the South Central Jurisdiction:

Jesi Lipp, Jurisdictional Conference Delegate, South Central
Adam Phillely, Jurisdictional Conference Delegate, South Central
Hidden Faithful, General Conference Delegate, South Central

Support by the following queer delegates from other Jurisdictions:

Walker Brault, Reserve Delegate, North Central
Bill Brownson, General Conference Delegate, North Central
Britt Cox, Reserve Delegate, North Central
Hidden Faithful, General Conference Delegate, North Central
Hidden Faithful, General Conference Delegate, North Central
Gregory Gross, General Conference Delegate, North Central
Alberto Hidalgo, Jurisdictional Conference Delegate, North Central
Fred Lewis, General Conference Delegate, North Central
Bobbi Ruddock, Jurisdictional Conference Delegate, North Central
Hannah Bonner, Jurisdictional Conference Delegate, Northeastern
Kaleigh Corbett-Rasmussen, General Conference Delegate, Northeastern
Ann Craig, Jurisdictional Conference Delegate, Northeastern
Rev. Dr. Becca Girrell, General Conference Delegate, Northeastern
Claire Holston, Jurisdictional Conference Delegate, Northeastern
Jorge Lockward, General Conference Delegate, Northeastern
Effie McAvoy, General Conference Delegate, Northeastern
J.J. Warren, General Conference Delegate, Northeastern
Rev. Dr. Jay Williams, General Conference Delegate, Northeastern
Leo Yates, Jurisdictional Conference Delegate, Northeastern
Jessica Barber Scott, Jurisdictional Conference Delegate, Southeastern
Matt Dailey, General Conference Delegate, Southeastern
Mark Elder, General Conference Delegate, Southeastern
Rushing Kimball, Jurisdictional Conference Delegate, Southeastern
Antony Larry, General Conference Delegate, Southeastern
Caleb Parker, General Conference Delegate, Southeastern
Helen Ryde, General Conference Delegate, Southeastern
Derrick Scott III, General Conference Delegate, Southeastern
Rye Standifer, Jurisdictional Conference Delegate, Southeastern
Austin Adkinson, Reserve Delegate, Western
John Angermayr, Jurisdictional Conference Delegate, Western
Elizabeth Brick, General Conference Delegate, Western
Cedrick Bridgeforth, General Conference Delegate, Western
Megan Burg, Jurisdictional Conference Delegate, Western

Becca Cramer-Mowder, Jurisdictional Conference Delegate, Western
Rev Mary Klaehn, Jurisdictional Conference Delegate, Western
Randall Miller, Jurisdictional Conference Delegate, Western
Jan Nelson, General Conference Delegate, Western
Kylie Nelson, Jurisdictional Conference Delegate, Western
Kristin Stoneking, Jurisdictional Conference Delegate, Western
Jason Takagi, Jurisdictional Conference Delegate, Western
Phillip Valdes, Jurisdictional Conference Delegate, Western
Kathleen Weber, Jurisdictional Conference Delegate, Western
Wendy Woodworth, General Conference Delegate, Western
Frank Wulf, Jurisdictional Conference Delegate, Western

1. As delegates, we choose to describe ourselves using the umbrella term "queer," but refer to the broader community of persons with the LGBTQIA+ acronym.

2. "Effective immediately upon adjournment of the 2020 General Conference, no complaint proceedings (including, without limitation, a bishop's supervisory response, suspension proceedings, attempts to achieve a just resolution, or referral of a complaint) shall be initiated, and all current or pending complaint proceedings shall be suspended, insofar as the alleged Book of Discipline violation asserted in the complaint is that the respondent is a 'self-avowed practicing homosexual' (however that term may be defined, including, without limitation, living in a same-gender marriage, domestic partnership or civil union); that the respondent has conducted, officiated, performed, celebrated, or blessed a same-gender wedding or other same-gender union; that the respondent has certified, licensed, commissioned, ordained, consecrated, or appointed a 'self-avowed practicing homosexual'; that the respondent has provided 'funds to any gay caucus or group' or used funds 'to promote the acceptance of homosexuality'; or that the respondent has otherwise engaged in conduct that The Book of Discipline of The United Methodist Church currently states is 'incompatible with Christian teaching' as it pertains to LGBTQ relationships. This moratorium on all new and pending complaint proceedings concerning human sexuality provisions applies not only to charges that are explicitly based on ¶ 2702.1b, but also to any charge that the same alleged underlying conduct constitutes a chargeable offense under any other provision of the Discipline, including (without limitation) 'immorality' under ¶ 2702.1a; 'disobedience to the order and discipline of The United Methodist Church' under ¶ 2702.1d; and 'dissemination of doctrines contrary to the established standards of doctrine of The United Methodist Church' under ¶ 2702.1e. This moratorium is inclusive of charges related to the following paragraphs: ¶ 161, ¶ 304.3, ¶ 310.2, ¶ 341.6, ¶ 613.19, ¶ 806.9, and ¶ 2702.1b. This moratorium does not apply to charges under any of these provisions in which the underlying alleged actions address a different subject matter, including but not limited to sexual misconduct, sexual abuse, and sexual harassment. This moratorium shall remain in effect until the close of the first General Conference of The United Methodist Church after other denominations separate. Any complaints pertaining to this paragraph filed during this period shall be held in abeyance, and no time limits shall commence until the above-referenced General Conference has concluded." -From the Protocol of Reconciliation and Grace through Separation

0423-07
South Central Jurisdiction
Interested Parties
Review of an Episcopal Ruling on Questions of Law

INTERESTED PARTIES

Jesi Lipp - Great Plains Conference, Laity - 1803 Woodland Blvd. Kansas City, Kansas 66106 - jesi.lipp@gmail.com

Adam Philley - Louisiana Conference, Laity - 3904 Reily Ln. Shreveport, Louisiana 71105 - adam.philley@gmail.com

Hidden Faithful, General Conference Delegate, South Central Jurisdiction

Dixie Brewster - Great Plains Conference, Laity - 1527 W 140th Ave N. Milton, Kansas 67106 - dixiebrewster66@gmail.com

COUNCIL OF BISHOPS

Bishop Thomas Bickerton, President of Council of Bishops—110 Maryland Avenue NE, Suite 1, Washington, D.C. 2002

Bishop Jonathan Holston, Secretary of Council of Bishop—4908 Colonial Drive-#121, Columbia, SC 29203

SOUTH CENTRAL JURISDICTION

Eddie Erwin, Executive Director—15814 Champion Forest Dr. #1968, Spring, Texas 77379 – eerwin@scjumc.org

SCJ COLLEGE OF BISHOPS-ACTIVE AND RETIRED

SCJ BISHOPS 2022

NAME	ADDRESS	CITY	STATE	ZIP	EMAIL
ACTIVE					
Farr, Robert D.	3601 Amron Ct.	Columbia	MO	65202	rfarr@moumethodist.org
Fierro Harvey, Cynthia	527 North Blvd	Baton Rouge	LA	70802	bishop@la-umc.org
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McKee, Michael	P.O. Box 866188	Plano	TX	75086	bishop@ntcumc.org
Mueller, Gary E.	800 Daisy Gaston Bates Dr.	Little Rock	AR	72202	bishop@arumc.org
Nunn, James G.	P.O. Box 60467	Oklahoma City	OK	73146	jnunn@okumc.org
Schnase, Robert C.	16400 Huebner Rd	San Antonio	TX	78248	bishops@riotexas.org
Saenz Jr., Ruben	1207 SW Executive Dr	Topeka	KS	66615	bishop@greatplainsumc.org
RETIRED					
Blake, Bruce P.	3100 Cabrillo Dr.	Winfield	KS	67156	karbru@cox.net
Bledsoe, W. Earl	19523 S. Oblong Circle	Cypress	TX	77429	bledsoe.wilbert@yahoo.com

Crutchfield, Charles N.	124 Mountain Dr.	Biltmore Lake	NC	28715	cncrutch@aol.com
Hayes Jr., Robert E.	58 N Lochwood Way	The Woodlands	TX	77375	roberthayes951@yahoo.com
Hutchinson, William W.	818 Larrimore Trail	Reno	NV	89523	lahutchs@aol.com
Huie, Janice R.	1524 FM 1349	Beeville	TX	78102	janicerigglehuie@gmail.com
Martinez, Joel	14710 Kinsem	San Antonio	TX	78248	joelnmartinez@yahoo.com
Mutti, Albert Frederick (Fritz)	508 NW Murray Road 202D	Lee's Summit	MO	64081	fritzmutti@gmail.com
Norris, Alfred L.	726 Lexington Ave.	Jonesboro	GA	30236	bishopnorris@bellsouth.net
Russell, John W.	Brookdale Broadway City View 5301 Bryant Irvin Road, #122	Ft. Worth	TX	76123	jmjrussell@sbcglobal.net
Sherer-Simpson, Ann	200 Katy Fort Bend Road, Apt. 4402	Katy	TX	77494	absherer@yahoo.com
Solomon, Dan E.	410 Fox Crossing	Burnet	TX	78611	bishdesolo@gmail.com
Whitfield, D. Max	2602 Tulip Drive	Richardson	TX	75082	bishopwhit@gmail.com
Wilke, Richard B.	811 E. 10th	Winfield	KS	67156	rwilke@sckans.edu
Wilson, Joe A.	275 White Heron Dr.	Georgetown	TX	78628	jwbish@suddenlink.net

Session #3

Thursday, November 3, 2022 10:15-12:00

Bishop Cynthia Fierro Harvey called the Conference back from recess at 10:16 a.m. She delivered a comment from the General Commission on Archives and History regarding episcopal elections: Only twice in history have all episcopal vacancies been filled on the first ballot. In 1832, 2 bishops were so elected; in 1852, 4 bishops were so elected. This means that the election of all new bishops on the first ballot is unprecedented since the Jurisdictional system was put in place and that yesterday's election is the only time in the history of The United Methodist Church that such an election has occurred.

Stan Copeland, North Texas, clergy, rose on a point of personal privilege, which included four questions for the College of Bishops:

1. Who, if not our own College of Bishops, addresses the action of our Bishops Mike Lowry, Robert Hayes, Jr., and Scott Jones, regarding their promotion and support of the Global Methodist Church in matters regarding disaffiliation from The United Methodist Church?
2. Who, if not our own College of Bishops, deems whether the action of retired and active bishops is a violation of their consecration vows to support The UMC's order, unity, mission, and the "building up of the church"?
3. What is the status of Mike Lowry whom I read yesterday is speaking in the former United Methodist Church in Ardmore, Oklahoma as "Bishop Emeritus Mike Lowry, Bishop Emeritus of the Global Methodist Church"?
4. Were Bishop Lowry's credentials surrendered and to whom were they surrendered?

Bishop Harvey instructed **Stan Copeland** to submit his questions in writing to the chair and the Secretary and commented that the College will strive to answer his questions by the end of the Conference.

Tommy Williams, Texas, clergy, rose on a point of personal privilege to respond to Rev. Copeland's comments; **Stan Copeland** rose to briefly respond.

Vincent Harris rose to continue the report of the Committee on Petitions and Resolutions.

Kim Jenne, Missouri, clergy, rose to present Resolution #2: Support of a U.S. Regional Conference, and spoke in favor of its adoption. No other delegate rose to speak for or against its adoption. Resolution #2 was adopted by a vote of 140-24.

Jesi Lipp, Great Plains, laity, rose to present resolution #3: Queer Delegates' Call to Center Justice and Empowerment for LGBTQIA+ People in The UMC, and spoke in favor of its adoption.

Speaking in favor of adoption were:

Adam Philley, Louisiana, laity

Shandon Klein, North Texas, laity

Speaking in opposition to adoption was:

Jessica Vittorio, North Texas, laity

Resolution #3 was adopted by a vote of 128-35.

Dixie Brewster, Great Plains, laity, rose to request a bishop's ruling of law, which reads:

In accordance with ¶51 and 2609.6 of the United Methodist *Book of Discipline* and in light of ¶ 304, 341, 361, 635, 2701-2719, Judicial Council decisions # 886, 1201, 1292, 1340, 1343, 1344, and 1403, and other relevant church law, I respectfully ask and request a decision on the following questions of law about the resolution recently adopted by the South Central

Jurisdictional Conference on “Queer Delegates’ Call to Center Justice and Empowerment for LGBTQIA+ People in the UMC”:

Do any of the numbered provisions at the end of the resolution impermissibly negate, ignore, violate, [or] encourage actions that are contrary to, or discourage the enforcement of *Discipline* ¶¶304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2711, or other relevant church law, or contradict the *Book of Discipline*’s rules for holding complaints in abeyance outlines in ¶362.1g? And, if so, is this section null, void, and of no effect?

Does the passage of this resolution in any way limit or restrict the rights or obligations of bishops, district superintendents, counsels for the church, committees on investigation, trial courts, boards of ordained ministry, or district committees on ministry to fully comply with and uphold ¶¶304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2706, and 2711 of the *Book of Discipline*? And, if so, is this resolution null, void, and of no effect?

Bishop Harvey noted that she has 30 days to respond to this request for a ruling of law.

Katie McKay Simpson, Louisiana, clergy, rose for a point of personal privilege, expressing sorrow for the harm the SCJ has done to Bishop Oliveto, her partner Robin, the Mountain Sky Conference, and the Western Jurisdiction through its 2016 request for a declaratory decision regarding Bishop Oliveto’s election.

Susan Brumbaugh, New Mexico, laity, Chair of the Committee on Conference Boundaries, rose to give the committee’s report, including a motion:

To ensure a vibrant UMC witness throughout the Jurisdiction, the Boundaries Committee shall extend its work on the number and boundaries of Annual Conferences through the end of the quadrennium and make a report of its recommendations to the next SCJ Conference.

The motion passed 157-3.

Terri Swan, Chair of the Committee on Finance and Administration for the Mission Council, rose to deliver the committee's report, including the presentation of the budget and enabling motions. **Derrek Belase**, Oklahoma, clergy, moved to table the discussion of the report and budget until the report is available in Guidebook and after the service honoring retiring bishops. The motion to table was adopted by a vote of 154-7.

Ron Enns, Northwest Texas, laity, chair of the Mission Council, rose to give the Council's report. Three matters outside of the Council's normal work occurred over the last seven years:

1. The five U.S. Jurisdictional Conference Coordinators for Volunteers in Mission organized a new 501c3 corporation to consolidate their activities and to provide for better coordination and communication within all the conferences.
2. Hiring of **Eddie Erwin** to the position of Executive Director to replace Rev. Brian Bakeman (former Executive Director) and Rev. Linda Brinkworth (former Associate Director)
3. The lawsuit regarding the decision made by the Trustees of Southern Methodist University to sever the University's relationship with the Jurisdiction and denomination; the lawsuit is currently pending in the Court of Appeals for the Fifth District of Texas.

David Livingston, Great Plains, clergy, rose to ask **Ron Enns** if it would be possible for the jurisdiction to take action similar to the SMU lawsuit in the cases of churches voting to disaffiliate. **Ron Enns** replied that it is a completely different legal issue and was not able to answer the question. **Bishop Farr** responded that the annual conferences, not the jurisdictional conference, has jurisdiction over local congregations.

Carla Cardoza, President of the Lydia Patterson Institute, rose to give the Institute's report.

Eddie Erwin, Executive Director, rose to give the Executive Director's report.

Eddie Erwin, Texas, laity, rose to give the report of the Jurisdictional Youth Ministry Organization.

Karen Distefano, Coordinator for SCJ Volunteers in Mission, rose to present the Volunteers In Mission report.

Bishop Harvey moved the Conference to its lunch recess at 12:02 p.m., to return for the service honoring retiring bishops at 1:30 p.m.

I hereby certify these minutes.

Edgar L. Erwin IV

Date: December 1, 2022

Edgar L. Erwin, IV
Secretary, South Central Jurisdiction

**SOUTH CENTRAL JURISDICTION OF THE
UNITED METHODIST CHURCH**

DECISION OF LAW OF BISHOP CYNTHIA FIERRO HARVEY

The Resolution In Question

On November 3, 2022, the following resolution was pending before the South Central Jurisdiction of the United Methodist Church:

**QUEER DELEGATES' CALL TO CENTER JUSTICE AND EMPOWERMENT
FOR LGBTQIA+ PEOPLE IN THE UMC**

Resolution to the 2022 South Central Jurisdictional Conference

Whereas, in a groundswell response to the passage of harmful legislation at the 2019 Special Session of General Conference, Annual Conferences elected queer clergy and lay persons to be General and Jurisdictional Delegates in record numbers, for the first time empowering queer delegates to speak and act from our diverse experiences; and

Whereas, the 2019 Special Session of the United Methodist General Conference passed the Traditional Plan, which increased penalties for United Methodist clergy who are LGBTQIA+ and for clergy who support the LGBTQIA+ community through officiating their weddings; and

Whereas, in an attempt to address the divide within The United Methodist Church, an abeyance or moratorium was proposed to the General Conference, referenced below, by the authors of the Protocol of Reconciliation and Grace through Separation; and

Whereas, we understand our call and responsibility as United Methodists to do good, do no harm, and stay in love with God, and

Whereas, we call straight and cisgender allies to do good by using their voice and vote to support, empower, and amplify the voices of the LGBTQIA+ community in The United Methodist Church,

Therefore be it resolved that the 2022 South Central Jurisdiction of The United Methodist Church:

1. Supports and amplifies the queer delegates' call to justice and empowerment for the LGBTQIA+ community in our Jurisdiction, within and beyond our churches and agencies;

2. Affirms the spirit of the abeyance or moratorium as proposed to the General Conference, as referenced above, until changes can be made in *The United Methodist Book of Discipline*.

3. Implores our member Annual Conferences to either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution process any complaints against clergy regarding their sexual orientation or clergy who officiate weddings of LGBTQIA+ persons;

4. Urges that as a Jurisdiction we either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution process any complaints against Bishops regarding their sexual orientation or those who officiate weddings of LGBTQIA+ persons;

5. Supports the election of episcopal leaders who commit to upholding this resolution and who will further justice for and empowerment of LGBTQIA+ people in the annual conferences where they serve;

The resolution passed by a vote of 128 to 35.

The Question of Law

Dixie Brewster, a jurisdictional conference delegate from the Great Plains Annual Conference made the following request for a decision of law on the foregoing resolution:

In accordance with Paragraphs 51 and 2609.6 of the United Methodist Book of Discipline and in light [sic] Paragraphs 403, 341, 361, 635, 2701-2719, Judicial Council Decisions #886, 1201, 1292, 1340, 1343, 1344, and 1403, and other relevant church law, I respectfully ask and request a decision on the following questions of law about the resolution recently adopted by the South Central Jurisdiction Conference on "Queer Delegates' Call to Center Justice and Empowerment for LGBTQIA+ People in the UMC":

Do any of the numbered provisions at the end of the resolution impermissibly negate, ignore, violate, encourage actions that are contrary to, or discourage the enforcement of Discipline paragraphs 304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2711, or other relevant church law, or contradict the Book of Discipline's rules for holding complaints in abeyance outlined in Paragraph 362.1g? And if so, is this section null, void, and of no effect?

Does the passage of this resolution in any way limit or restrict the rights or obligations of bishops, district superintendents, counsels for the church, committees on investigation, trial courts, boards of ordained ministry, or district committees on ministry to fully comply with and uphold Paragraphs 304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2706, and 2711 of the Book of Discipline? And if so, is this resolution null, void, and of no effect?

Decision of Law

Authority & Jurisdiction

I am issuing this decision of law pursuant to the authority given to me as a presiding officer in ¶51 of the 2016 Book of Discipline. The decision is made within the time prescribed by ¶2609.6 of the Discipline.

The question of law complies with the requirements of Decisions 799, 1103 and 1279. Therefore, it is properly before me and I have jurisdiction to issue a decision of law.

Ruling

For the reasons stated below, I rule that paragraphs 1, 2 and 5 of the resolution in question are proper and do not violate the Discipline. I rule that portions of paragraphs 3 and 4 of the resolution that implore or urge conferences or persons not to pursue complaints are improper and therefore are null, void and of no force and effect, with the remaining portions of those paragraphs being proper.

In Decision 886, the Judicial Council stated as follows:

The Discipline is the law of the Church which regulates every phase of the life and work of the Church. As such, 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.

The foregoing standard has also been applied to resolutions passed by jurisdictional conferences. *See, e.g.*, Decision 1340. In Decision 1398, the Judicial Council characterized this standard as follows based on Decision 96: "All actions of a jurisdictional or annual conference must be faithful to and consistent with *The Discipline*." A helpful summary of various decisions applying the standard is found in Decision 1255.

In subsequent decisions, the Judicial Council has further clarified Decision 886 and similar decisions related to whether a resolution is proper. *See, e.g.*, Decisions 1044, 1052, 1111, 1220, 1255, 1340, 1389, 1392, 1395, 1406, 1435. These decisions all turn on the specific language of the resolutions at issue and are decided on a case-by-case basis. Thus, notwithstanding that there have been many decisions related to resolutions dealing with human sexuality and related provisions of the Discipline, the SCJ resolution in question must be examined based on its language with guidance as to how similar language has been interpreted by the Judicial Council.

In Decision 1392, the Judicial Council noted that it had previously ruled in Decision 1340 that a resolution "is considered aspirational as long as it is not 'prescriptive', that is, does not demand or encourage actions that are contrary to Church law." Decision 1340's actual language, citing Decisions 1262 and 1292, was as follows: "In addition to not being allowed to directly negate, ignore or violate the Discipline, the Judicial Council has held that annual conferences may

not encourage other entities to violate Church law, or discourage the enforcement of Church law.” An aspirational resolution “does not require further actions of the ... conference.” Decision 1395. Yet, “[a]spirational statements are future oriented.” Decision 1406. Continuing in Decision 1406, the Judicial Council stated:

To adopt a future-oriented statement looking toward a United Methodist Church that includes LGBTIA people in its full life and membership and in which resources are not spent on church trials, investigations, or bringing charges against clergy based on sexual orientation, gender identity, and/or gender expression or related actions in ways perhaps currently precluded by The Discipline, that does not in any way negate or encourage the negation of the current Discipline, is the very essence of an aspirational statement.

None of the provisions of the resolution in question demands, or binds the jurisdictional conference to, action that is contrary to Church law. The issue, therefore, is whether the SCJ resolution encourages a violation of Church law or discourages the enforcement of that law.

Turning to the resolution in question, my rulings regarding specific paragraphs¹ are as follows:

1. Supports and amplifies the queer delegates’ call to justice and empowerment for the LGBTQIA+ community in our Jurisdiction, within and beyond our churches and agencies;

This paragraph is aspirational in nature. Expressing support for persons and amplifying such persons’ call to justice and empowerment for the LGTQIA+ community in the SCJ does not require any further action of the jurisdictional conference and properly expresses a hope for a new more inclusive future in the UMC. Decisions 1220, 1389, 1399, 1406.

2. Affirms the spirit of the abeyance or moratorium as proposed to the General Conference, as referenced above, until changes can be made in *The United Methodist Book of Discipline*.

If this paragraph required action by the jurisdictional conference or any other body, it would be encouraging violation of the Discipline and discouraging affirmative requirements the Discipline’s church process, which has held to be improper in whatever form an abeyance or moratorium or use of resources for the judicial process has taken. *See, e.g.*, Decisions 1340, 1389, 1435. However, the language of paragraph 2 of the resolution merely “[a]ffirms the spirit of the abeyance or moratorium” and is therefore supportive of an existing state of affairs in the UMC in certain areas, aspirational in nature, and proper.

3. Implores our member Annual Conferences to either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution

¹ The “Whereas” paragraphs do not require, encourage, or discourage any action that might violate Church law and are therefore aspirational as discussed in Decision 1396.

process any complaints against clergy regarding their sexual orientation or clergy who officiate weddings of LGBTQIA+ persons;

Urging the appropriate bodies within an annual conference, including its episcopal leaders and those who are a part of the judicial process to seek a just resolution is consistent with the Discipline, particularly paragraphs 362.1 (“A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all the parties.”) and 2701 (“[t]he judicial process shall have as its purpose a just resolution of judicial complaints ...”). However, imploring such persons to “not pursue” complaints is improper and violates the Discipline and decisions of the Judicial Council, including Decisions 1399 and 1435. Therefore, that part of paragraph 3 of the resolution that implores annual conferences not to pursue complaints against clergy regarding their sexual orientation or clergy who officiate weddings of LGBTQIA+ persons is null, void and of no effect.

4. Urges that as a Jurisdiction we either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution process any complaints against Bishops regarding their sexual orientation or those who officiate weddings of LGBTQIA+ persons;

The ruling regarding paragraph 3 above applies equally here. That part of paragraph 4 that urges a jurisdiction not to pursue complaints against bishops regarding their sexual orientation or those who officiate weddings of LGBTQIA+ persons is improper, null, void and of no effect.

5. Supports the election of episcopal leaders who commit to upholding this resolution and who will further justice for and empowerment of LGBTQIA+ people in the annual conferences where they serve;

This paragraph is aspirational in nature as it supports the election of persons who commit to upholding the point of view expressed in the resolution but requires no further action of the jurisdictional conference or the persons who are elected bishops. In fact, it expresses support for certain persons but has no binding effect on anyone or any body of the church. Therefore, it is proper.


BISHOP CYNTHIA FIERRO HARVEY
PRESIDING BISHOP

DATE: _____

12/2/22