

Dear West Virginia Conference,

I pray for the churches, the lay leadership and the clergy of this Conference each day. I give thanks to God for your mission and ministry. I give thanks for the hope, light, and Christian witness you give that bring others to the saving knowledge of Christ. As I share the latest information following the meeting of the Judicial Council, I encourage you to keep your focus on Christ, the perfecter of our faith, so that you may continue to enthusiastically and passionately carry on the mission and ministry to which Christ has commissioned us.

### **Judicial Council makes its ruling on the Special Session of General Conference 2019**

When the General Conference passed the Traditional Plan by a margin of 54 votes, there was a request made for the Judicial Council to review the legislation that was passed. The Judicial Council's function is to examine whether General Conference legislation complies with the constitution of The United Methodist Church. It makes no judgment on whether the legislation is wise or is supported by Holy Scripture or anything of that nature. It considers only whether the legislation enacted by the General Conference is in alignment with the Constitution of The United Methodist Church. Items found not to be in alignment with the constitution of The United Methodist Church - even though affirmed by the General Conference - are ruled unconstitutional and the changes requested by the General Conference are null and void and are not added to the Book of Discipline.

The Judicial Council made two decisions related to legislation passed at General Conference 2019. In Decision 1378, the Judicial Council ruled some parts of the Traditional plan constitutional and other parts unconstitutional. In Decision 1379, the Judicial Council ruled the disaffiliation petition constitutional but clarified that the petition must be read with other paragraphs of the Discipline that speak to process and requirements. Specifically, the Council clarified that the annual conference must approve a church's decision to disaffiliate along with satisfying the other requirements found in the new legislation.

Now what does this mean for local congregations, clergy, and conferences?

Here is what did not change:

- We affirm that all persons are individuals of sacred worth, created in the image of God. We affirm God's grace is available to all. We implore families and churches not to reject or condemn lesbian and gay members and friends. We commit ourselves to be in ministry for and with all persons. - paragraph 161.G
- All persons, regardless of age, gender, marital status, or sexual orientation, are entitled to have their human rights and civil rights ensured and to be protected against violence.
- Par. 341.6 Ceremonies that celebrate homosexual unions shall not be conducted by our ministers and shall not be conducted in our churches.
- Candidacy for Ordination par. 304.3 The practice of homosexuality is incompatible with Christian teaching. Therefore, self-avowed practicing homosexuals are not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church.
- Paragraph 161.C - Marriage is defined as a covenant between a man and a woman.
- Paragraph 120 – The mission of the Church is to make disciples of Jesus Christ for the transformation of the world.

- Paragraph 202 – The function of the local church, under the guidance of the Holy Spirit is to help people to accept and confess Jesus Christ as Lord and Savior and to live their daily lives in light of their relationship with God.

The following changes are determined to be constitutional and will be added to the Book of Discipline.

- 1). Wespeth petitions. If a Church enters a process to exit the UMC, they must pay their fair share of pension liability as a part of that process. Clergy who exit the denomination retain their pension, but their accrued pension benefits at the date they exit will be converted to an actuarially equivalent account balance, which both secures and protects the accrued benefits and limits further liability to the conference.
- 2). Language will be added to the current wording of a footnote to par. 304.3, to clarify that the phrase “self-avowed practicing homosexual” is now understood to include “living in a same-sex marriage, domestic partnership or civil union, or a person who publicly states he or she is a practicing homosexual.”
- 3). Bishops are prohibited from consecrating bishops who are self-avowed practicing homosexuals and from commissioning or ordaining persons on the deacon or elder track who are self-avowed practicing homosexuals.
- 4). Minimum penalties have been added for pastors who perform same gender weddings and are convicted by trial: First offense – one-year suspension without pay. Second offense – Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.
- 5). The just resolution process clarifies that complainants shall be a party to just resolution processes.
- 6). A new par. 2553 was added which establishes a process for local churches to seek to disaffiliate with The United Methodist Church if they disagree with the changes the General Conference has made to the Discipline relating to the practice of homosexuality, same gender marriage, or the ordination or self-avowed practicing homosexuals. There are requirements set forth in this new legislation, including payments to cover unfunded pension liabilities and apportionments, among other costs and processes. The local church’s decision to withdraw from the denomination must be approved by a two-thirds majority of all local church members present and voting at a duly called Church Conference. If approved by the church conference, a written disaffiliation agreement must be negotiated between the church and the Conference Board of Trustees, which must also be approved by the vote of a majority of the members of the annual conference. The Judicial Council clarified that this new language must be read in light of other paragraphs that speak to the connectional nature of the UMC, property matters, and the Conference Board of Trustees.

This is a summary of the Judicial Council decisions in terms of what will be added or changed in our current Book of Discipline. United Methodists across the globe are meeting and discussing the new legislation. New questions will no doubt be raised and asked in relation to clarifying processes that some of the new additions to the Book of Discipline require.

Although the Judicial Council has now ruled on the constitutionality of what happened at the 2019 General Conference, this does not mean the conversation about homosexuality, the LGBTQ + community, or the future structure of the Church is over. Some of the same conversations will no doubt be taken up at the 2020 General Conference. In the midst of these conversations, continuing pain and harm is being experienced and expressed across the theological spectrum. Debate and difference of theological and biblical interpretation is not new for the church, but how we handle the challenges in the midst of disagreement, difference, and debate can impact our witness for Christ. Let us not fear the challenging conversations. However, as we do so, let us remember our three simple rules: Do no harm; Do good; Stay in love with God. Let us remember the words of Christ: Love God and love neighbor. And most importantly, let us remember our mission: We are called by Christ, commissioned by Christ to draw people to God, to make disciples of Christ, to build relationships that bridge people and connect people to the transforming, redeeming power of Christ. We are not called to reject or condemn people, but to invite all people to know and accept the love of God through Christ Jesus so that they and we might accept in body, mind, spirit, word, and action the gift offered through Christ – the gift of salvation and eternal life. May it be so.

Peace,

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Resident Bishop, West Virginia Conference  
The United Methodist Church