



“Plan UMC Revised” Still Partly Unconstitutional

By Linda Bloom (UMNS)

One of the proposed plans to re-align the structure of The United Methodist Church will need yet another revision if the denomination’s top legislative body decides to adopt it.

In a May 9 ruling, the United Methodist Judicial Council declared, “Plan UMC Revised contains components that fail the test of constitutionality and components that are, as stated, entirely constitutional.”

Whether church delegates want to take action on the “constitutionally adequate” parts of the plan “is a legislative matter left to the processes of General Conference,” the denomination’s top court said. General Conference meets May 10-20 at the Oregon Convention Center.

Decision 1310 was one of eight decisions issued after the Judicial Council’s May 6-9 spring meeting at the convention center.

Another General Conference-related decision addressed questions posed by the Northeastern Jurisdiction College of Bishops regarding episcopal areas within a

jurisdiction. Decision 1312 found that several different provisions of the constitution “address separate, not conflicting, aspects of the connectional pattern in which The United Methodist Church establishes and forms its episcopacy.”

Who has the authority?

The United Methodist Council of Bishops initially made a request for a declaratory decision on Plan UMC Revised last fall, but Judicial Council declined to rule at that time, fearing any action “could potentially place a constitutional seal of approval on one proposed legislative item,” as noted in Decision 1303.

Some of the constitutionality concerns are over issues of authority. “Plan UMC Revised” gives new authority and power to the Connectional Table, a church coordinating body; re-aligns the general agencies and eliminates three commissions.

In the May 9 ruling, the council found “problematic” a proposed addition to Paragraph 705 in *The Book of*

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Agenda for Wednesday Morning, May 11

7:00 A.M.

Seminary Student Briefing
Committee on Agenda and Calendar
Committee on Reference

8:00 – 8:30 A.M.

Worship

8:30 – 9:35 A.M. – Plenary Session

Episcopal Address (45 minutes)
Greetings from Portland

• Reports:

- o Committee on Courtesies and Privileges
- o Committee on Credentials
- o Committee on Correlation and Editorial Revision

- o Committee on the Journal
 - o Committee on Reference
 - o Committee on Agenda and Calendar
 - o Committee on Presiding Officers
- Announcements

9:35 A.M. – 9:55 A.M.

Morning Break

The remainder of Wednesday’s schedule will be reported by the Committee on Agenda and Calendar on Wednesday morning.



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Call to Worship: **Meredith McNabb, Virginia**

Scripture Reader: **Jisun Kwak, Greater New Jersey**

Scripture Response: **Carol Rapanut, Pacific Northwest**

Scripture Response: **Audun Westad, Norway**

Call to Confession: **Bishop Sandra Steiner Ball,
West Virginia Episcopal Area**

Call to Confession: **Johannes Knoller, Germany South**

Call to Confession: **David Kim, Korea**

Call to Confession: **Betty Katiyo, West Zimbabwe**

Call to Confession: **Owen Ross, North Texas**

Call to Confession: **Sergei Nikolaev, Central Russia**

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Rigidity

Rigid, harsh, sour, crabbed, rough-hewn spirits
are unfit for union. This is against the rule of the
apostle: "Each of us should please our neighbors
for their good in order to build them up"
(Romans 15:2-3).

From *The Causes, Evils, and Cures of Heart and Church Divisions*,
compiled by Francis Asbury and first published in 1792.
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Discipline, the denomination's law book, which would add a responsibility to "determine mission and purpose" to the duties of the church's boards and general agencies.

But that could infringe upon General Conference's authority "to initiate and direct all connectional enterprises," as stated in Paragraph 16.8, and expand beyond the stated tasks of boards or agencies of "promotion and administration." The plan's amendment to 705(a) "lacks the limits intended in Para. 16.8 of the constitution and thus is unconstitutional," the court said in its decision.

Another potential problem is how Plan UMC Revised assigns "monitoring and reviewing" responsibility to the Connectional Table, since the constitution gives "general oversight" to the Council of Bishops.

If monitoring and reviewing is limited to the program agencies the Connectional Table oversees, the provision is constitutional, but if the assigned responsibility reaches beyond that, it is not. "Any clarification of this tension would need to be resolved legislatively by the General Conference," the council pointed out in its ruling.

Because Paragraph 16.3 gives General Conference the authority to establish commissions "for the general work of the church," it also could discontinue the current commissions on the Status and Role of Women, Religion and Race and Archives and History, the decision said. That action would occur if that current recommendation

in Plan UMC Revised is retained and the plan approved by delegates.

But the plan's proposed Paragraphs 901.3 and 901.4 allowing the Connectional Table to consolidate overall administrative and programmatic leadership, along with administrative services "...for all general church activities," are unconstitutional, the court declared, as well as the Connectional Table's proposed power to elect and dismiss general secretaries of program boards.

"Although coordination of program functions is highly desirable and is constitutional, any loss of a board's decision-making authority is a usurpation of the General Conference's prerogative in establishing such boards," the council noted in its decision. "Plan UMC Revised has dimensions that are constitutionally sound and dimensions that are constitutionally uncertain or defective," the decision's analysis and rationale section concluded. "The Judicial Council does not take a position on the wisdom and soundness of the proposals of Plan UMC Revised; that is a legislative determination to be made by the General Conference."

Two Oral Hearings

The request by the Northeastern Jurisdiction College of Bishops to rule on two paragraphs in *The Book of Discipline* related to episcopal areas was the subject of



Members of the United Methodist Judicial Council pose for a group photograph during their Oct. 22, 2014 meeting in Memphis, Tenn. The men, from left, are: Ruben T. Reyes, the Rev. Dennis Blackwell, the Rev. Belton Joyner, N. Oswald Tweh Sr. and the Rev. William B. Lawrence. The women, from left, are: Sandra Lutz, the Rev. Kathi Austin Mahle and Beth Capen. Not pictured is the Rev. J. Kabamba Kiboko. Photo by Mike Dubose, UMNS

one of the two oral hearings held by Judicial Council on May 6.

The college believes the two paragraphs are in conflict, but the denomination's top court disagreed.

Bishop Thomas Bickerton explained that the college's request was made to seek clarity "for what appears to be an inconsistency in our *Book of Discipline*" about the formation of episcopal areas after a modification to Paragraph 40 in 2012. "Rather than creating a clear line of authority," he noted, the new version of Paragraph 40 seems to raise points of conflict.

The Northeastern Jurisdiction College of Bishops already had been informed by the denomination's General Council on Finance and Administration that the number of bishops in the jurisdiction would be reduced from 9 to 8 in the next quadrennium, due to the loss of membership. The jurisdiction's committee on episcopacy has appealed "for a missional exception to allow the NEJ to retain nine episcopal areas."

The Judicial Council's decision in this case noted the complexity of connectional balances, particularly as new legislation is enacted. "When the constitution changes by the method of amendment, the balances among and between authorities in the church will experience changes," the decision said.

Judicial Council found that Paragraph 404.2, "which legislates the 'uniform plan' for electing bishops in the jurisdiction," is constitutional."

During the second oral hearing, the Rev. Thomas Griffith of the California-Pacific Conference presented its request for a ruling on wording in *The Book of Discipline* that, the conference says, allows General Conference to usurp a constitutional right of a conference's committee on investigation and trial court.

In Memorandum 1316, Judicial Council said it was unable to obtain the required number of votes needed for establishing the unconstitutionality of the two paragraphs in question — 2702.1 (a) and 2702.1 (b) — so the paragraphs "remain constitutional."

Other Decisions

In other business, Judicial Council:

- Upheld the process followed by the Western Jurisdiction Committee on Appeals to uphold a verdict by a Rocky Mountain Conference trial court to terminate the membership of the Rev. Filimone Havili Mone (Decision No. 1315).
- Declared that an annual conference lay leader in the Desert Southwest Conference has the right to be present at cabinet meetings "when coordination, implementation or administration of the conference

program is on its agenda" and also can give a laity address or report during the annual conference session (Decision No. 1313).

- Reversed part of a decision of law in the California-Pacific Conference, say that a bishop "does not have the authority to create a task force, nor select its members nor chair such a group that reports directly to the annual conference (Decision No. 1311).
- Affirmed a bishop's decision of law in the East Ohio Conference regarding an involuntarily retired elder, ruling that "the questions raised deal with administrative and judicial matters that are not proper questions for a substantive ruling by a bishop" (Decision No. 1314).
- Denied reconsideration of a decision from the council's Fall 2015 meeting (Decision No. 1309).

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Judicial Council Decisions 1310 and 1312, and Memorandum 1316, are printed below.

SUBJECT TO FINAL EDITING

**JUDICIAL COUNCIL OF THE UNITED
METHODIST CHURCH
DECISION 1310**

IN RE: Request for a Declaratory Decision from the Council of Bishops Regarding Legislation Called “Plan UMC Revised” Proposed for the 2016 General Conference

Digest

Plan UMC Revised contains components that fail the test of constitutionality and components that are, as stated, entirely constitutional. The appropriateness of the constitutionally adequate portions of Plan UMC Revised as an action of the General Conference is a legislative matter left to the processes of the General Conference.

Statement of Facts

An individual submitted to the 2016 General Conference a petition known as “Plan UMC Revised.” The Council of Bishops, meeting in Berlin, Germany, on May 5, 2015, voted to request a declaratory decision from the Judicial Council on that proposed legislation. The Council of Bishops stipulated that “The action taken (requesting a declaratory decision) was in no way in support or opposition of Plan UMC but made in order to better facilitate the work of GC 2016.”

The request stated:

The Council of Bishops requests a declaratory decision whether the proposed legislation entitled “Plan UMC Revised” would be unconstitutional if enacted, including, but not limited to, (a) whether the proposed legislation violates ¶¶ 16.8, 16.9, 47 & 49 of the Constitution; (b) whether it unlawfully delegates legislative authority reserved to the General Conference; (c) whether it unconstitutionally interferes with the general oversight authority of ¶¶ 45—49 of the Constitution; and (d) if any part of Plan UMC Revised is unconstitutional, whether there are other parts of the proposed legislation that may be constitutionally implemented if the legislation is enacted.

Several persons submitted briefs on the matter. On October 21, 2015, in St. Louis, Missouri, the Judicial

Council conducted an Oral Hearing on this request. Bishop Gregory Palmer spoke for the Council of Bishops, as the petitioner. The Rev. Dr. Clayton Oliphint and Mr. Lonnie D. Brooks spoke on behalf of the proposed legislation.

On October 24, 2015, the Judicial Council released its decision to defer the matter until the Spring 2016 meeting of the Judicial Council. (See Judicial Council Decision 1303.) In part, the Analysis and Rationale portion of that decision said:

While a proper request from the Council of Bishops has clearly been delivered to the Judicial Council, there remains a subtle but important consideration about the merits of rushing quickly to assess the constitutionality of one piece of proposed legislation when other proposed legislation may also exist on the same issues that the “Plan UMC Revised” seeks to address.

The originator of Plan UMC Revised filed a brief addressing issues raised at the October 21, 2015, Oral Hearing. Two persons, who identified themselves as “opponents” of Plan UMC Revised, jointly submitted a brief. An amicus curiae provided a brief in reply to the “opponents.” There were no additional requests made for Judicial Council judgment on any other legislation proposed for the 2016 General Conference.

Jurisdiction

The Judicial Council has jurisdiction under ¶ 2609.2 of the 2012 Discipline.

Analysis and Rationale

The roots of Plan UMC Revised are an action of the 2012 General Conference and a subsequent decision of the Judicial Council.

On May 2, 2012, by a vote of 567 in favor and 384 against, the 2012 General Conference adopted the legislative proposal referred to as “Plan UMC” (2012 DCA, p. 2639). By a vote in excess of one-fifth, the General Conference voted to request a declaratory decision as to the constitutionality of Plan UMC, with particular reference to ¶¶ 16.8 and 16.9. On May 3, 2012, the Judicial Council conducted oral hearings on the matter and began its deliberations. On May 4, 2012, the Judicial Council released its decision. That decision is as follows:

Under the Constitution, the creation and establishment of general Church boards and agencies, the fixing of their structure, the determination of their functions, duties and responsibilities, and the establishing of Church priorities are legislative functions reserved to the General Conference alone. These legislative functions may not be delegated. The Constitution limits the

General Conference in the authority it may delegate to the boards and agencies it creates. This authority is limited to the work of promotion and administration. Such boards and agencies as the General Conference establishes under its constitutional authority may not determine policies of the Church, nor may they determine their own functions except as such action is consistent with actions already taken by the General Conference. These boards and agencies are not free to transfer functions or change internal structures that have been specified in the Discipline through legislative enactments of the General Conference. Plan UMC is unconstitutional.

The Council of Bishops became aware of a petition (Plan UMC Revised) submitted to the 2016 General Conference. The Council of Bishops made its request for a declaratory decision before Plan UMC Revised was assigned to legislative committees of the 2016 General Conference. Based on the advice of the General Conference Petitions Secretary, a planning group for Plan UMC Revised re-submitted Plan UMC Revised with a portion of the sixty-five page document being sent to six different legislative committees: Discipleship, Financial Administration, Faith and Order, General Administration, Independent Commissions, and Ministry and Higher Education/Superintendency. The General Conference will have to determine if this process is in compliance with ¶ 507.2.

A proponent of Plan UMC Revised stated in a brief “No substantive differences exist between the petition as it was originally submitted in April and as it was submitted in parts in November.” Nevertheless, the request from the Council of Bishops was based on the original submission as one complete document, so the Judicial Council must base its judgments on that material and not on the text as it was redacted for legislative committee work.

The request from the Council of Bishops was in accord with ¶ 2609.2 which authorizes the Council of Bishops to seek such a declaratory decision. As expressed in Judicial Council Decision 1303, there is concern that this provision could potentially give privilege to some proposed legislation before the General Conference considers other petitions related to the matter. Is the Council of Bishops’ authority to make such requests coterminous with sessions of the General Conference? The Book of Discipline does not say so. Is the term “proposed legislation” the same as “petition” as elaborated in ¶ 507? In this context, we think so.

There are constitutional concerns around Plan UMC Revised that center on ¶¶ 16.8, 16.9, 16.13, and 45-49 (particularly ¶¶ 47 and 49). All portions of Plan UMC Revised, both those referenced in this decision and those

that by implication are indicated, must be tested against these constitutional provisions.

Paragraphs 16.8 and 16.9 address the General Conference’s full legislative power “over all matters distinctively connectional” and state that such authority includes:

8. To initiate and to direct all connectional enterprises of the Church and to provide boards for their promotion and administration.³²

9. To determine and provide for raising and distributing funds necessary to carry on the work of the Church.³³

The Proposed ¶ 905.7 in Plan UMC Revised gives one of the essential functions of the Connectional Table as follows:

7. In order to be accountable, along with the General Council on Finance and Administration, to The United Methodist Church through the General Conference, the Connectional Table shall have the authority and responsibility in the following matters:

a) To collaborate with the General Council on Finance and Administration in the preparation of budgets for the apportioned funds as provided for in ¶¶ 806.1 and 810.1. In the process of preparing budgets for General Conference consideration and approval primary responsibility for providing the assessment of the resource potential of the Church rests with the General Council on Finance and Administration, and primary responsibility for determining the optimum distribution of those resources among the various needs and opportunities rests with the Connectional Table. (The underlined portions are in the original and represent language that, if approved, would be new for The Book of Discipline.)

The introduction to ¶ 806 speaks of the fiscal responsibilities of the General Council on Finance and Administration:

¶ 806. Fiscal Responsibilities—All monies contributed by a local church to any of the general funds of the Church, as listed or defined in ¶ 810.1, and such other funds as may have been authorized by the General Conference shall be held in trust by the council and distributed only in support of the ministries of the respective funds. The council shall be accountable to The United Methodist Church through the General Conference in all matters relating to the receiving, disbursing, and reporting of such funds, and agencies receiving such funds shall be fiscally accountable to the council. In the exercise of its fiscal accountability role, the council shall have the authority and responsibility to perform the following functions: (The bold is added for emphasis.)

The provisions that follow in ¶ 806.1 note that action and determination of budgets are the purview of Gener-

al Conference (§ 806.1). Recommendations are to the General Conference [§ 806.1(a), 806.1(b)(3), 806.1(c). Approval comes from the General Conference (§ 806.2). By reference to § 806.1, Plan UMC Revised erases any possible constitutional conflict with the authority of the General Conference prescribed in §§ 16.8 and 16.9 of the Constitution. The work of preparing recommendations for the General Conference is indeed part of the administrative function the Constitution grants to boards created by the General Conference.

More problematic in Plan UMC Revised is a proposed addition to § 705. In listing basic responsibilities of the boards and general agencies, the amendment includes this responsibility: “determine mission and purpose.” Paragraph 16.8 gives the General Conference authority “to initiate and direct all connectional enterprises” while boards are provided “for their promotion and administration.” Any board or agency task that is beyond the boundary of “promotion and administration” is unconstitutional. How does this relate to proposed § 705(a)?

The General Conference has defined the Mission of the Church: “The mission of the Church is to make disciples of Jesus Christ for the transformation of the world. Local churches provide the most significant arena through which disciple-making occurs.” (§ 120). Beyond that, the General Conference has stated a “Rationale for Our Mission” (§ 121), “The Process for Carrying Out Our Mission” (§ 122), “The Global Nature of Our Mission” (§ 123), and “Our Mission in the World” (§ 124).

These definitions give the parameters within which a board or agency may establish its own statement of “mission and purpose.” The Plan UMC Revised amendment to § 705(a) is too broad in calling on the boards and agencies to “determine mission and purpose.” That particular language lacks the limits intended in § 16.8 of the Constitution, and thus is unconstitutional.

Does Plan UMC Revised intrude on the authority of the Council of Bishops to “plan for the general oversight and promotion of the temporal and spiritual interests of the entire Church...”? At the heart of this question is an amendment labeled as § 901.2:

The Connectional Table (CT) shall have responsibility for monitoring and reviewing the work of all program agencies of The United Methodist Church. The CT shall work in partnership with other agencies and the Council of Bishops to conduct necessary research efforts as needed to support strategic thinking and planning and the implementation of mission critical ministries.

In reviewing an earlier iteration of Plan UMC Revised (Plan UMC as approved by the 2012 General Conference), the Judicial Council observed:

On the basis of this test, Plan UMC has a serious constitutional defect. In § 47, the Constitution authorizes the Council of Bishops to bear the responsibility for general oversight. The constitutional authority of the Council of Bishops cannot be compromised or modified by legislative enactments. (Judicial Council Decision 1210)

Plan UMC Revised has avoided the word “oversight” in delineating the responsibilities of the Connectional Table. It speaks of “monitoring and reviewing the work of all program agencies of The United Methodist Church.” This is a clear effort to avoid the defect identified in Judicial Council Decision 1210. The problem, however, is not so much the word “oversight” (It is used in numerous disciplinary listings of specific functions of specific bodies, e.g., §§ 226, 335, 403, 606, 703, 1004, 1101, 1119, 1806, 2529). The problem would emerge if there were universalization of “oversight” by the Connectional Table. It is one thing to have watch-care over an assigned portion of the Church’s work; it is quite another thing to have such oversight over “the whole Church” (See § 403), “the entire Church” (See § 47). That “general oversight” is constitutionally given to the Council of Bishops and it cannot be delegated elsewhere. Activities of the Connectional Table must not intrude on the constitutional role of the Council of Bishops for “general oversight.” To the extent that the “monitoring and reviewing” responsibility of the Connectional Table is limited to those program agencies within its bailiwick, that provision is constitutional. To the extent that the “monitoring and reviewing” responsibility reaches beyond those program agencies, it is unconstitutional. The Council of Bishops, in turn, has oversight “...of ‘the entire Church’” (See § 47), including the Connectional Table. Any clarification of this tension would need to be resolved legislatively by the General Conference.

Paragraph 16.3 of the Constitution gives the General Conference the authority “to establish such commissions for the general work of the Church as may be deemed advisable.” That responsibility cannot be delegated. Plan UMC Revised discontinues the General Commission on the Status and Role of Women and the General Commission on Religion and Race (and creates a United Methodist Committee on Inclusiveness); Plan UMC Revised discontinues the General Commission on Archives and History (and creates a Committee on Archives and History under the General Council on Finance and Administration). Plan UMC Revised substitutes United Methodist Men for the General Commission on United Methodist Men and substitutes United Methodist Communications for the General Commission on Communication. Such action is within the constitutional purview of the General Conference.

The text of Plan UMC Revised §§ 901.3 and 901.4 present key ingredients in the plan.

Paragraph 901.3: In the exercise of its responsibility prescribed in ¶ 2 hereof, the Connectional Table shall have authority during the 2017 to 2020 quadrennium to guide and work with all program and administrative agencies and connectional bodies, to include the general secretaries, of The United Methodist Church to plan for and implement the overall restructure and reorganization approved by the 2016 General Conference for those agencies and bodies. One of the goals is the consolidation of program and administrative leadership to eliminate unnecessary duplication of efforts as provided in ¶ 806.13 and ¶ 811.1 while ensuring that critical and important connectional ministries are functional and adequately carried forward.

Paragraph 901.4: The Connectional Table's responsibility, shared with the General Council on Finance and Administration, to monitor and review the work of the agencies shall include authority for the consolidation of administrative services to the extent practicable for all general church activities into the appropriate agency on a fee for service basis as it affects agencies receiving general church funds.

Proposed ¶ 901.3 gives the Connectional Table the responsibility for consolidating program and administrative leadership of "all program and administrative agencies and connectional bodies." Additionally, proposed ¶ 901.4 calls for the consolidation of administrative services "...for all general church activities." Such consolidation must not intrude on the General Conference's constitutional authority "to initiate and direct all connectional enterprises of the Church and to provide boards for their promotion and administration" (¶ 16.8); thus §§ 901.3 and 901.4 of Plan UMC Revised are unconstitutional.

The centralization in the Connectional Table of the election of the general secretaries (¶ 713 of Plan UMC Revised) and the authority assigned to the Connectional Table to dismiss general secretaries oversteps ¶ 16.8 that grants the General Conference the authority to establish boards. Although coordination of program functions is highly desirable and is constitutional, any loss of a board's decision-making authority is a usurpation of the General Conference's prerogative in establishing such boards. Those portions of ¶ 713 that give the Connectional Table the authority to elect and dismiss general secretaries of program boards are unconstitutional.

Paragraph 701.2 of Plan UMC Revised calls for the general agencies of The United Methodist Church to "report directly to General Conference." Paragraph 713 of Plan UMC Revised indicates that the general secretar-

ies of the program boards will "report administratively to the Executive General Secretary of the Connectional Table." This potential conflict within Plan UMC Revised risks diminution of the relationship between the boards and the General Conference as made clear in proposed ¶ 701.2 and constitutionally in ¶ 16.8.

In a brief filed by an elder and a home missionary, the claim is made that Plan UMC Revised creates the Connectional Table as "a continuous General Conference." This assertion is based on the language of the proposed ¶ 901.3:

In the exercise of its responsibility prescribed in .2 hereof, the Connectional Table shall have authority during the 2017 to 2020 quadrennium to guide and work with all program and administrative agencies and connectional bodies, to include the general secretaries, of The United Methodist Church, to plan for and implement the overall restructure and reorganization approved by the 2016 General Conference for those agencies and bodies. (Emphasis added)

This is clearly an administrative duty assigned by the General Conference, in keeping with ¶ 16.8. The provision, if enacted, would meet both the "initiate" and "direct" requirements of ¶ 16.8. It is constitutionally acceptable.

Plan UMC Revised has dimensions that are constitutionally sound and dimensions that are constitutionally uncertain or defective. The Judicial Council does not take a position on the wisdom and soundness of the proposals of Plan UMC Revised; that is a legislative determination to be made by the General Conference.

Decision

Plan UMC Revised contains components that fail the test of constitutionality and components that are, as stated, entirely constitutional. The appropriateness of the constitutionally adequate portions of Plan UMC Revised as an action of the General Conference is a legislative matter left to the processes of the General Conference.

May 9, 2016

CONCUR IN PART AND DISSENT IN PART

In part, I concur with my colleagues in determining portions of Plan UMC to be constitutional and portions to be unconstitutional. On the other hand, I dissent from the conclusion that §§ 901.3 and 901.4 fail the test of constitutionality. Paragraph 901.3 is clear that the Connectional Table is acting only on the instruction of

the General Conference; that is not a delegation of the “initiate and direct” authority that ¶ 16.8 grants to General Conference. Paragraph 901.4 speaks of consolidation of administrative services; that is in keeping with the administrative role the Constitution gives to boards created by the General Conference (¶ 16.8). Paragraphs 901.3 and 901.4 of Plan UMC Revised are constitutional.

F. Belton Joyner, Jr.
May 9, 2016

Concur in Part and Dissent in Part

I concur with my colleagues’ conclusions regarding the unconstitutional portions of the petition however I disagree with the proposition that the matter may be brought to the Judicial Council prior to the convening of General Conference. The Judicial Council review of proposed General Conference legislation, which is authorized under ¶ 2609.2, is permitted when General Conference is in session. This is particularly important because each General Conference votes on its own Rules of Order and Plan of Organization. For example, by the setting of their rules at the commencement of General Conference, the members could potentially decide, albeit unlikely and probably imprudent, that they will not consider any documents that were submitted by one church or one person as constituting legislation properly before the body. Similarly, the General Conference might choose to recognize as proper legislation only those documents that were submitted by an annual conference. Under either of those hypotheticals the petition in this case would be excluded as “proposed legislation” of the General Conference because it was submitted by an individual.

Furthermore, I believe that the Judicial Council and the Council of Bishops are at risk of improperly influencing the early stages of the legislative process by giving attention and visibility to documents which might not otherwise garner much excitement or support from a meaningful number of the General Conference delegates. Each General Conference is a newly constituted body and is unique from those that convened before it and from those that will sit thereafter. What excites one General Conference one year may be replaced by a different concern of the General Conference that meets four years later. The issues and concerns that occupy one particular General Conference will not be exactly the same for the General Conference which convenes four years later. Our history seems to bear this out despite the overlap in membership (e.g., persons that are re-elected as General Conference delegates). One quick example is all of the work and energy surrounding legislation at the

1992 General Conference which called for the relocation of the General Board of Global Ministries from New York City to Reston, Virginia. I recall intensive lobbying by interested parties for and against the move as well as lapel pins that were available to wear as a continual witness by those in opposition to the relocation. Despite the very strong and committed beliefs of those who sought the move at the 1992 General Conference, four years later at the 1996 General Conference there was no attention nor debate concerning the relocation of GBGM to Virginia nor anywhere else.

It is also of concern that a petition lifted by the Council of Bishops for review and ruling (a declaratory decision) by the Judicial Council is, by this very process, given visibility prior to the convening of General Conference. Such visibility, conferred before the commencement of General Conference, by the Council of Bishops and the Judicial Council under ¶ 2609.2 can constitute an unfair advantage over other issues, legislation, and legislative priorities which emerge once General Conference convenes. The reason that it is unfair is because the only bodies that can ask the Judicial Council to review proposed General Conference legislation are the General Conference.

Beth Capen
May 9, 2016

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

DECISION 1312

IN RE: Request for a Declaratory Decision from the Northeastern Jurisdiction College of Bishops Regarding the Meaning, Application, and Effect of ¶ 404.2 in Light of ¶¶ 40 and 48 and Regarding the Constitutionality of ¶ 404.2

Digest

Paragraph 40 of the Constitution authorizes jurisdictional and central conferences to determine the names, numbers, and boundaries of annual conferences and episcopal areas. Paragraph 48 authorizes each College of Bishops to arrange episcopal supervision within its jurisdiction or within the region of its central conference, but does not authorize bishops to set the names, numbers, or boundaries of episcopal areas. Paragraph 16 of the Constitution authorizes the General Conference to establish both a uniform method for electing bishops

in jurisdictions and a connectional method for funding the episcopacy, thereby giving the General Conference authority for setting the number of bishops in each jurisdiction. These provisions in the Constitution address separate, not conflicting, aspects of the connectional pattern in which The United Methodist Church establishes and forms its episcopacy. Paragraph 404.2 is constitutional.

Statement of Facts

At its meeting on October 5, 2015, in Hershey, Pennsylvania, the Northeastern Jurisdiction College of Bishops voted to request that the Judicial Council make a declaratory decision on four specific questions:

1. What is the meaning, application, and effect of the new ¶ 40 in relation to ¶ 48 as to where the authority resides for setting the number, names, and boundaries of the annual conferences and episcopal areas?
2. What is the meaning, application, and effect of the new ¶ 40 in relation to ¶ 404.2 as to where the authority resides for setting the number of bishops in a jurisdiction?
3. What is the meaning, application, and effect of the new ¶ 40 in relation to the constitutionality of ¶ 404.2?
4. Do the provisions of ¶ 40 require the General Conference to provide financial support for the number of areas determined by the jurisdictional conference?

The petition from the Northeastern Jurisdiction College of Bishops names other parties with an interest in this matter, as provided in ¶ 2610 of the 2012 Discipline and Judicial Council Decision 437. The parties include the General Council on Finance and Administration, the Committee on Episcopacy of the Northeastern Jurisdiction, and the Inter-Jurisdictional Committee on Episcopacy, to whom the College of Bishops has (in another, separate action) submitted a request in “consideration of its missional need for an exception” as provided through ¶ 404.2b. If granted, the exception would allow the Northeastern Jurisdiction to continue having nine bishops, rather than eight as ¶ 404.2a would require for the 2016-2020 quadrennium.

An Oral Hearing was conducted in Portland, Oregon, on May 6, 2016. Bishop Thomas Bickerton appeared on behalf of the College of Bishops.

Jurisdiction

The Judicial Council has jurisdiction under ¶ 2610 of the 2012 Discipline.

Analysis and Rationale

The questions that have been posed by the College of Bishops in its request for a declaratory decision raise exceedingly complex issues. But, in essence, these questions from the College identify, and enable us to focus on, the provisions in the Constitution of The United Methodist Church that control the way the episcopacy is established for the mission and ministry of the church:

- the General Conference cannot on its own “do away with episcopacy” in “our plan of government” nor can the General Conference “destroy the plan of our itinerant general superintendency.” (¶ 19 [Article III of the Restrictive Rules]);
- the “full legislative power” of the General Conference includes authority to “fix a uniform basis upon which bishops shall be elected by the jurisdictional conferences and to determine the number of bishops that may be elected by central conferences” (¶ 16.10);
- the General Conference has authority and responsibility “for raising and distributing funds necessary to carry on the work of the Church,” which includes the work of the episcopacy (¶ 16.9);
- the Colleges of Bishops “shall arrange the plan of episcopal supervision of the annual conferences, missionary conferences, and missions in their respective jurisdictions” (¶ 48);
- and “the number, names, and boundaries of the annual conferences and episcopal areas, shall be determined by the jurisdictional conferences in the United States and by the central conferences outside the United States of America in a manner that is not circumscribed or limited by the authority provided to the College of Bishops to arrange a plan of episcopal supervision” (¶ 40).

Embedded within the questions posed by the College of Bishops about provisions in the Constitution is another question that asks about the constitutionality of a legislative act by the General Conference. It asks whether the legislation to provide a mathematical method for determining the number of bishops within each jurisdiction, namely ¶ 404.2, is constitutional.

The system of government, with which The United Methodist Church constitutes itself, is based on an interconnected set of authorities. The system balances and constrains the power exercised by each of the authorities individually and by all connectionally.

There are other ecclesial bodies that choose to vest all authority in one entity. That entity might be a single congregation, a regional synod, an episcopacy, or even an individual pastor. In The United Methodist Church, no single entity has authority for all ecclesial matters.

Each authority center is balanced or constrained by other authorities.

In the history of The United Methodist Church and its predecessor bodies, this system has been tested and examined many times.

Judicial Council Decisions 57 and 517 recognized, affirmed, and concurred with the historical assumptions and practices by bishops that under an earlier version of ¶ 40 (previously ¶ 37 of the 1964 Book of Discipline and ¶ 53 of the 1980 Book of Discipline) it was their responsibility to determine the boundaries of the respective areas. During the General Conference of 1948, an amendment was proposed to ¶ 440, which if adopted would have required consent of the Jurisdictional Committee on Episcopacy for fixing the boundaries of the episcopal areas. In Decision 57, the Judicial Council declared the proposed amendment unconstitutional “as this power is reserved to the Bishops as a part of Episcopal administration under the Constitution.”

The 1968 General Conference adopted legislation in ¶ 624.3, which provided that the Jurisdictional Committee on Episcopacy shall recommend the boundaries of the episcopal areas after consultation with the College of Bishops and the assignment of the bishops to their respective residences for final action by the Jurisdictional Conference.

The provision had remained the law of the church in substantially the same form, although without requiring any consultation with the College of Bishops as can be seen in the 1980 Book of Discipline as ¶ 622.3(b).

In Decision 517, the Judicial Council declared ¶ 622.3(b) of the 1980 Book of Discipline to be constitutional.

However, Decision 517 declared ¶ 507.1 of the 1980 Book of Discipline contrary to ¶ 53 of the Constitution and unconstitutional to the extent that it authorized the fixing of boundaries of episcopal areas by final action of the Jurisdictional Conference. In its Decision 517, the Judicial Council also held that this power is reserved to the bishops as part of the episcopal administration under the Constitution.

Paragraph 507.1 had stated the following:

Assignment Process-1. Jurisdictional Committee on Episcopacy-The Jurisdictional Committee on Episcopacy, after consultation with the College of Bishops, shall recommend the boundaries of the episcopal areas and the assignment of the bishops to their respective residences for final action by the Jurisdictional Conference ...

Decisions 57 and 517 were affirmed in Decision 735. In the 1992 session, the General Conference approved an amendment to the Constitution as ¶ 43:

Changes in the number, names, and boundaries of

the Annual Conferences and Episcopal Areas may be effected by the Jurisdictional Conferences in the United States of America and by the Central Conferences outside the United States of America according to the provisions under the respective powers and pursuant to the respective structures of the Jurisdictional and Central Conferences.

In Decision 735, the Judicial Council held that ¶ 43 did not address the question of authority to determine those boundaries. It spoke only to effecting any changes those decisions may require. The result was to establish an understanding of the Constitution that, as a matter of legislative and constitutional procedure, has been understood and has been practiced by The United Methodist Church for many quadrennia.

But, an amendment to the Constitution can require significant changes in process.

The specific request from the Northeastern Jurisdiction College of Bishops for a declaratory decision, accompanied by the written and oral presentations that are part of the record, has shown just how complex these connectional balances can be.

Multiple provisions within the Constitution now balance one another in new and different ways. The Constitution has changed. And the bases on which to determine how many bishops are to be elected, where the bishops are to be assigned, and what funding mechanism will support the budgets to sustain the ministries of the bishops are also now changed.

Amendments to the Constitution can do that. A properly adopted amendment, which may seem not merely to alter the balance but to conflict with other provisions in the Constitution, is still part of the Constitution. By definition, nothing in the Constitution is unconstitutional.

Therefore, with regard to the formation of the episcopacy, the plain meaning of the Constitution is clear from the way the constitutional balances have been established. Regardless of the order in which one lists them, there are elements in the Constitution that both constrain and balance one another:

- the episcopacy exists and functions according to a plan of itinerant general superintendency, which the General Conference cannot alter or destroy (¶ 19);
- the collective episcopacy within a jurisdiction, known as a College of Bishops, arranges episcopal supervision of annual conferences, missions, and missionary conferences in that jurisdiction (¶ 48);
- the jurisdictional conferences in the United States and the central conferences outside of the United States determine the number of episcopal areas to which bishops will be assigned (¶ 40);
- the General Conference, which determines the

number of bishops to be elected by the central conferences, fixes a uniform basis for the election of bishops in the jurisdictional conferences and provides for the funding of the bishops so elected, thereby determining how many bishops there will be in each jurisdiction (§ 16);

- and authority to set the number of episcopal areas in a jurisdiction (§ 40) is not the same as authority to determine the number of bishops in a jurisdiction (§ 16).

These balances can create friction or tension.

In theory, a jurisdictional conference could determine a number of episcopal areas that is greater than the number of bishops that can be elected by the uniform plan which the General Conference established. If a circumstance of this kind were to exist, it would be the responsibility of the College of Bishops to arrange episcopal supervision over the episcopal areas in the jurisdiction, since the number of bishops would not be equal to the number of areas. Further, if a jurisdictional conference were to determine a number of episcopal areas that is greater than the number of bishops whose positions the General Conference will fund, an adjustment in funding levels could be sought in the General Conference, which is solely responsible for funding these positions. (See Decision 30) However, in exercising its authority to set the number of episcopal areas in a jurisdiction, a jurisdictional conference cannot compel the General Conference to fund a number of episcopal offices that is equal to the number of episcopal areas, which it has established.

Judicial Council Decision 735 in 1995 addressed potential or perceived conflicts between two of the provisions in the Constitution, one of which was a recently adopted amendment. In its Decision, the Judicial Council ruled that the constitutional language as amended had authorized one body to “effect” or implement changes that were controlled by decisions made elsewhere in the Church. The Judicial Council found in Decision 735 that there was not any conflict within the Constitution.

The difference between the circumstances addressed in Decision 735 and the case now before the Judicial Council is that § 40 newly confers constitutional authority on the jurisdictional conference to determine “the number, names, and boundaries of the annual conferences and episcopal areas.” Hence, the Constitution now says that the jurisdictional conference will not merely effect a decision made elsewhere but will itself decide on “the number” of episcopal areas. Nevertheless, the constitutional change that confers upon the jurisdictional conferences the authority to decide how many episcopal areas will exist in its jurisdiction does not confer upon the jurisdictional conference—or compel any other constitutional authorities—to concede any constitutional authority to the jurisdictional conference.

In an effort to be precise, we will try to illustrate the balancing of connectional authorities under the Constitution as it now exists.

- The Northeastern Jurisdictional Conference has the constitutional authority to declare that there are ten (or, indeed, any number of) episcopal areas in its jurisdiction. Further, the jurisdictional conference can give names to those episcopal areas and define their boundaries.

- The General Conference has the constitutional authority to determine, through the uniform plan that it has adopted, that the Northeastern Jurisdiction is entitled to elect only eight bishops. The General Conference also has the constitutional authority to determine, through its responsibility for raising and distributing connectional funds, that the Church will fund eight bishops for the jurisdiction.

- The College of Bishops in the Northeastern Jurisdiction has the constitutional authority to arrange episcopal supervision for the annual conferences in the jurisdiction. If the number of episcopal areas established constitutionally by the jurisdictional conference is larger than the number of bishops established constitutionally by the General Conference, then the College of Bishops has the sole constitutional authority and responsibility to arrange episcopal supervision, even if that means one or more bishops will be arranged to offer episcopal leadership for more than one episcopal area.

When the Constitution changes by the method of amendment, the balances among and between authorities in the Church will experience changes. In the extreme, some of the constitutional changes could create the possibility of a constitutional crisis. What is going to occur if a jurisdictional conference, by its constitutional authority, numbers and names more episcopal areas than the General Conference, under its constitutional power, authorizes for election? What is going to occur if that jurisdictional conference says it can find funding for the other episcopal areas—and hence episcopal offices—that are not to be funded by the General Conference? Will the additionally elected bishops be viewed as connectionally elected and assigned? Will they be members of the College of Bishops? Will they be viewed as members of the Council of Bishops?

Some constitutional changes may compel modifications of church law, lest some church laws be newly found unconstitutional.

Yet, such determinations should not be made hastily.

A legislative act of the General Conference that has its basis in one provision of the Constitution is constitutional. It cannot be found unconstitutional simply because it does not appear to have a basis in some other provision or provisions of the Constitution. Entities that

are established by the Constitution for the governance of the Church have powers that, by design, balance one another. Actions taken by those entities under the authority granted to them by the Constitution also can balance one another.

Paragraph 404.2 in the 2012 Discipline is the expression of a legislative action by the General Conference. It offers “a uniform basis upon which bishops shall be elected by the jurisdictional conferences.” (See ¶ 16.10) Paragraph 40 does not change the authority or responsibility of the General Conference to “fix a uniform basis” for electing bishops.

Under ¶ 16 of the Constitution, the General Conference has “full legislative power over all matters distinctively connectional.” In The United Methodist Church, episcopacy is “distinctively connectional.”

Paragraph 404.2, which legislates the “uniform plan” for electing bishops in the jurisdiction, is constitutional. It is a legislative enactment, which the General Conference adopted under the authority of ¶ 16. Therefore, its constitutionality remains intact.

Decision

Paragraph 40 of the Constitution authorizes jurisdictional and central conferences to determine the names, numbers, and boundaries of annual conferences and episcopal areas. Paragraph 48 authorizes each College of Bishops to arrange episcopal supervision within its jurisdiction or within the region of its central conference, but does not authorize bishops to set the names, numbers, or boundaries of episcopal areas. Paragraph 16 of the Constitution authorizes the General Conference to establish both a uniform method for electing bishops in jurisdictions and a connectional method for funding the episcopacy, thereby giving the General Conference authority for setting the number of bishops in each jurisdiction. These provisions in the Constitution address separate, not conflicting, aspects of the connectional pattern in which The United Methodist Church establishes and forms its episcopacy. Paragraph 404.2 is constitutional.

May 9, 2016

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM 1316

In Re: Request for a Declaratory Decision from the California – Pacific Annual Conference Regarding the

Constitutionality of ¶¶ 2702.1(a) and 2702.1(b) in Light of the Authority Given the Annual Conference in ¶ 33.

Statement of Facts

During the regular business session of the 2015 California-Pacific Annual Conference a clergy member made the following request for a declaratory decision from the Judicial Council based upon Paragraph 2610.2(j) of the 2012 Discipline of The United Methodist Church.

The motion was as follows:

I move the Annual Conference request a Declaratory Decision from the Judicial Council:

Under the provisions of para 2610.2(j) of the 2012 Book of Discipline, The California-Pacific Annual Conference of the United Methodist Church submits the following questions in request for a Declaratory Decision:

Does the inclusion of specification(s) “found in the phrases beginning with the words “including but not limited to...” at para2701(a) (sic) and para2701(b) (sic), have the effect of the General Conference unconstitutionally usurping the constitutional right of the ministerial members in full connection of an Annual Conference as represented by its Committee of Investigation and Trial Court, (respectively), to define and/or ratify the specific facts in each situation which might affect the character and/or conference relationship of one or more of its members (¶ 33)?

A clergy member requested permission to request an oral argument and to argue on its behalf. The clergy member was authorized to present the case before the Judicial Council.

An Amicus Curiae brief was filed. An oral hearing was conducted on May 6, 2016, in Portland, Oregon. The Reverend Thomas Griffith represented the Annual Conference at the oral hearing.

Jurisdiction

The Judicial Council has jurisdiction under ¶ 2610 of the 2012 Discipline.

Digest

Pursuant to ¶ 2608.2 of the Discipline, the requisite number of votes needed for establishing unconstitutionality of paragraphs 2702.1(a) and 2702.1(b) was not obtained. Hence, the paragraphs in question remain constitutional.

May 9, 2016

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WHERE: Booth #82 in the Exhibit Hall

DATE: May 11th

TIME: 11:00 am & 2:00 pm



Bryan Bliss is a graduate of Vanderbilt Divinity School, has been a youth pastor for 15 years, and is a published author as well as an experienced curriculum developer.



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GCSRW Monitoring Report

Once again, we come together as a global church to discern our future. Everyone will go home happy about some things, and unhappy about others. That is inevitable. With 864 delegates from across the world, we can't be expected to agree on everything. But as one colleague from the New England Conference has said, "We are not the people who agree. We are the people who come to the table" (Steve Garnaas-Holmes).

The metaphor of the table is appealing; General Conference as a sort of huge family gathering. If that's our model, let's try to be as functional a family as we can. Let's say please and thank you. Let's make sure there is enough for everyone. Let's wait to eat until others are served. In fact, let's make sure, not only that everyone is served, but also that everyone genuinely feels welcome.

On the other hand, the metaphor is limited, since there are no mere recipients of THIS meal, but everyone here should be an active contributor to the menu. Perhaps we should think of each person as one of the cooks. But then we come up against the adage about too many cooks in the kitchen, spoiling the broth. General Conference could go the way of a beautiful shared meal, or a chaotic kitchen marked by competing chefs.

Interestingly, the table AND the kitchen are primarily associated with women, even now, a long 40 years after the establishment of the General Commission on the Status and Role of Women. That General Conference (1976) was also held here in Portland. That year, 21 percent of the delegates were women, up from just 13 percent at the General Conference immediately before, in 1972. That is, in a short four years, women's representation grew a whopping 38 percent.

This year, women make up 36 percent of the delegates, an increase of 42 percent in the 40 years since 1976; that's not that much more than in the four years BEFORE the Commission was established. We are getting closer to the gender equity we desire, but we still have a ways to go. In fact, 36 percent is really problematic light of the fact that 58 percent of United Methodists in the United States are women. We have QUITE a ways to go.

Back to our metaphors. We have a choice. Are we going to gather at the table for a lovely shared meal, or are we going to battle in the kitchen? It is the job of the Commission on the Status and Role of Women to monitor the meeting and make sure we're doing more of the former and less of the latter. To that end, we will have monitors in all of the sessions, counting up to make sure everyone is being heard. The results will be reported to the chairs and presiding officers so they can make sure to include each cook's ingredients in subsequent sessions.

Here in the DCA, we hope to highlight at least one "Star of Inclusion" each day – a person or group that stands out as radically welcoming. We'll be looking for those people who actively reach out to others, who make sure everyone is fully included. I think it's safe to say that the kitchen in which we will work these next days is going to get hot, as kitchens do. The Commission wants to lift up and celebrate those who actively turn DOWN the heat and who remind us that Christ's recipe calls for radical hospitality and full inclusion. There's a "top chef" in this kitchen, and it's Christ's table we set.

Envy

Envy is a squint-eyed fool.

From *The Causes, Evils, and Cures of Heart and Church Divisions*,
compiled by Francis Asbury and first published in 1792.
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Report of Committee on Reference

Monday & Tuesday, May 9-10, 2016

Petition # /			Petition # /		
Material	Request	Decision	Material	Request	Decision
60972	Reassign from CC to FA	Approve	¶408.3.a)	Receive Alaska Conference petition	Deny
60999	Reassign from CO to MH	Approve	60335	Withdraw & Void	Approve
60664	Reassign from LC to MH	Approve	¶511.5.e)	Receive AACLL petition	Deny
60538	Reassign from CO to MH	Approve	Four requests		
60666	Reassign from FA to MH	Approve		Reassign multiple petitions to GA	Deny
60517	Reassign from CO to MH	Approve	60987	Reassign from MH to CO	Deny
60036	Reassign from GA to FA	Approve	60988	Reassign from JA to CO	Deny
60174	Reassign from GA to FA	Approve	60989	Reassign from GA to CO	Deny
60200	Reassign from GA to FA	Approve	60990	Reassign from GA to CO	Deny
60304	Reassign from GA to FA	Approve	61028	Reassign from CO to JA	Approve
60710	Reassign from CA to FA	Deny	60912	Reassign from MH to JA	Approve
60263	Reassign from CB to CA	Approve	60915	Reassign from MH to JA	Approve
60422	Reassign from CB to CA	Approve	60916	Reassign from MH to JA	Approve
60400	Reassign from CB to CA	Approve	60913	Reassign from MH to JA	Approve
60440	Reassign from CA to CB	Approve	60919	Reassign from MH to JA	Approve
60453	Reassign from FA to CA	Approve	61027	Reassign from MH to JA	Approve
60479	Reassign from GM to CA	Approve	60130	Reassign from MH to JA	Approve
60403	Reassign from CB to CA	Approve	60805	Reassign from MH to JA	Approve
60763	Reassign from JA to MH	Deny	60520	Reassign from MH to JA	Approve
60781	Reassign from FO to MH	Deny	60914	Reassign from MH to JA	Approve
60784	Reassign from CB to MH	Deny	60917	Reassign from MH to JA	Approve
60820	Reassign from CB to MH	Deny	New ¶ in 300's		
¶ 1308.2	Receive GBGM petition	Approve		Receive petition - Bradford Refer -	
R 3144	Receive COB-OCUIR petition	Approve		GBHEM 2702.1, 341.6, 304.3,	
60425-CA & 60323-GM				161.F Create petitions - Neff	Deny
	Combine and delete one	Approve	¶¶ 160, 160B, 160D		
60537	Reassign from CA to GM	Approve		Delete paragraphs	Deny
60308	Reassign from CO to MH	Approve	R 1001, 1002, 1023, & 1026		
60015	Receive East Ohio AC petition	Approve		Delete resolutions	Deny
10 petitions	Receive Desert Southwest		¶ 160.C	Receive petition - Currier	Deny
	AC petitions	Deny			

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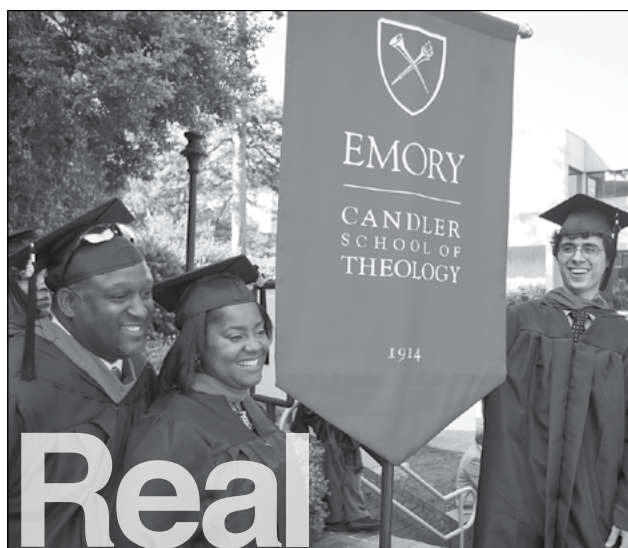
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Petitions

¶1308.2.

Petition Number: 61045-GM-¶1308.2; Kemper, Thomas - New York, NY, USA for General Board of Global Ministries.

Elected Staff

Amend ¶1308.2 as follows:

2. The board shall elect, for quadrennial terms, a general treasurer/chief operating officer and as many executive directors ~~deputy general secretaries and associate general secretaries~~ as the board thinks are appropriate to carry out its work.

Rationale:

In connection with Global Ministries' impending re-location from NYC to Atlanta and creation of new Regional Offices, the agency structure was re-imagined. That re-structuring plan was not developed until long after the deadline for submitting petitions to GC. An element of the re-structuring changed the titles of elected staff, replacing...

R3144.

Petition Number: 61046-DI-R3144; McKinney, Sarah E.H. - Summerfield, NC, USA for Office of Christian Unity and Interreligious Relationships - Council of Bishops.

Resolution of Intent: With a View to Unity

Replace Resolution 3144 with the following:

3144. Resolution of Intent: With a View to Unity

In 1750, John Wesley wrote the sermon "Catholic Spirit," in which he presented his views on mutual tolerance among those seeking to unite in love:

"... And 'tis certain, so long as 'we know' but 'in part', that all men [sic] will not see all things alike. It is an unavoidable consequence of the present weakness and shortness of human understanding that several men will be of several minds, in religion as well as in common life. So it has been from the beginning of the world, and so it will be 'till the restitution of all things.'

"Nay farther: although every man necessarily believes that every particular opinion which he holds is true (for to believe any opinion is not true is the same thing as not to hold it) yet can no man be assured that all his own opinions taken together are true. Nay, every thinking man is assured they are not, seeing humanum est errare et necire—to be ignorant of many things, and to mistake

in some—is the necessary condition of humanity. This therefore, he is sensible, is his own case. He knows in the general that he

himself is mistaken; although in what particulars he mistakes he does not, perhaps cannot, know.

"Every wise man therefore will allow others the same liberty of thinking which he desires they should allow him; and will no more insist on their embracing his opinions than he would have them to insist on his embracing theirs. He bears with those who differ from him, and only asks him with whom he desires to unite in love that single question. 'Is thine heart, as my heart is with thy heart?' " (The Works of John Wesley, Volume 2, Sermons II, "Catholic Spirit," 83-85).

In 1970 the General Conference adopted a resolution of intent. It was offered to the conference by Albert Outler on behalf of the Theological Study Commission on Doctrine and Doctrinal Standards. Engaged in the debate, among others, were Harold A. Bosley, Robert E.ushman, and Georgia Harkness. The resolution was adopted as presented (Journal of the 1970 General Conference, The United Methodist Church, 255). However, the resolution was not included in, or was mistakenly deleted from, The Book of Resolutions of The United Methodist Church, 1970.

At the General Conference of 1992, a new resolution, "Ecumenical Interpretations of Doctrinal Standards," offered by the General Commission on Christian Unity and Interreligious Concerns

(now the Office of Christian Unity and Interreligious Relationships), was received, adopted, and subsequently printed in The Book of Resolutions of The United Methodist Church, 1992 (245-46). Although grounded in the Study Commission's resolution of intent, this document is not as comprehensive in its scope as was the original, with specific reference to our current understanding

of the composition of our Doctrinal Standards.

The original resolution of intent is resubmitted as a substitute for "Ecumenical Interpretations of Doctrinal Standards":

WHEREAS, it is common knowledge that the context of the original Thirty-Nine Articles (1563—and specifically Articles XIV, XIX, XXI, XXII, XXIV, XXV, XXVIII, XXX) was bitterly polemical, it is of prime importance in an ecumenical age that they should be reconsidered and reassessed. They were aimed, deliberately, at the Roman Catholic Church in a time of reckless strife, and were a mix of the theological and nontheological convictions of embattled schismatics fighting, as they believed, for na-

tional survival and evangelical truth. John Wesley's hasty abridgement (1784) of the original Thirty-Nine Articles (down to twenty-four) retained seven out of the ten of these anti-Roman references (XIV, XV, XVI, XVIII, XIX, XX, XXI) in his enumeration. This reflects his conviction as to their applicability to the Roman Catholic Church as he perceived it at the time. This much must be recognized and acknowledged as belonging to our inheritance from our Anglican-Wesleyan past.

It is, however, one of the virtues of historical insight that it enables persons, in a later age, to recognize the circumstances of earlier events and documents without being slavishly bound to their historical evaluation, especially in a subsequent epoch when relationships have been radically altered. Such a transvaluation will enable us freely to relegate the polemics in these articles (and the anathemas of Trent, as well) to our memories "Of old, unhappy, far-off tales/And battles long ago" and to rejoice in the positive contemporary relationships that are being developed between The United Methodist Church and the Roman Catholic Church, at levels both official and unofficial.

Therefore, be it resolved, that we declare it our official intent henceforth to interpret all our Articles, Confessions, and other "standards of doctrine" in consonance with our

best ecumenical insights and judgment, as these develop in the light of the Resolution of the 1968 General Conference on "The Methodist Church and the Cause of Christian Unity" (Book of Resolutions 1968, 65- 72). This implies, at the very least, our heartiest offer of goodwill and Christian community to all our Roman Catholic brothers and sisters, in the avowed hope of the day when all bitter memories (ours and theirs) will have been redeemed by the gift of the fullness of Christian unity, through our common Lord, Jesus Christ (Journal of the 1970 General Conference, The United Methodist Church, 255).

ADOPTED 2000

READOPTED 2008

RESOLUTION #3145, 2008 Book of Resolutions

RESOLUTION #97, 2004 Book of Resolutions

RESOLUTION #86, 2000 Book of Resolutions

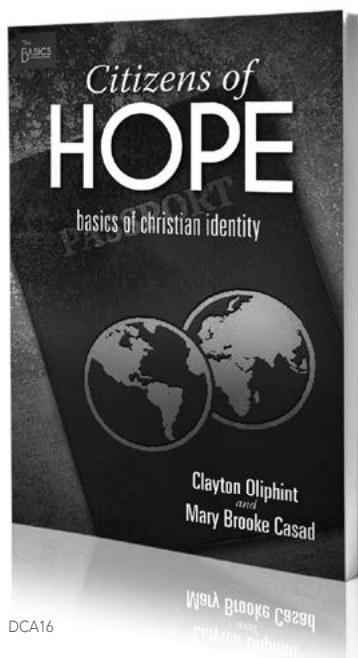
See Social Principles, ¶ 162.

Rationale:

Since Resolution 3144 is scheduled to expire in 2016 and since it is still highly relevant, the resolution has been revised and is being resubmitted in its revised form.

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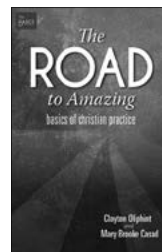
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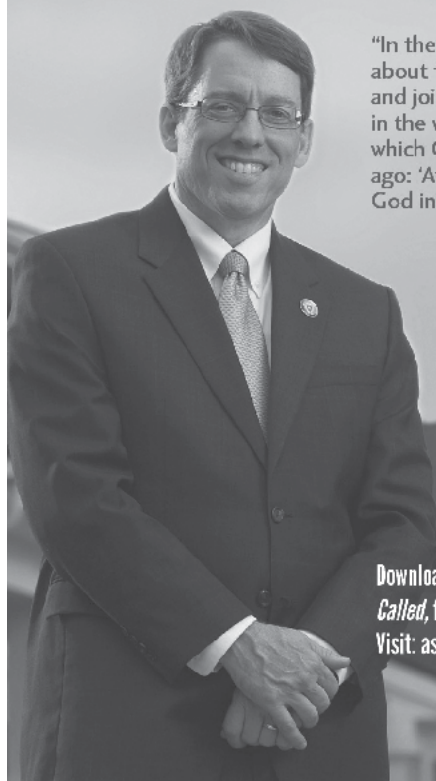
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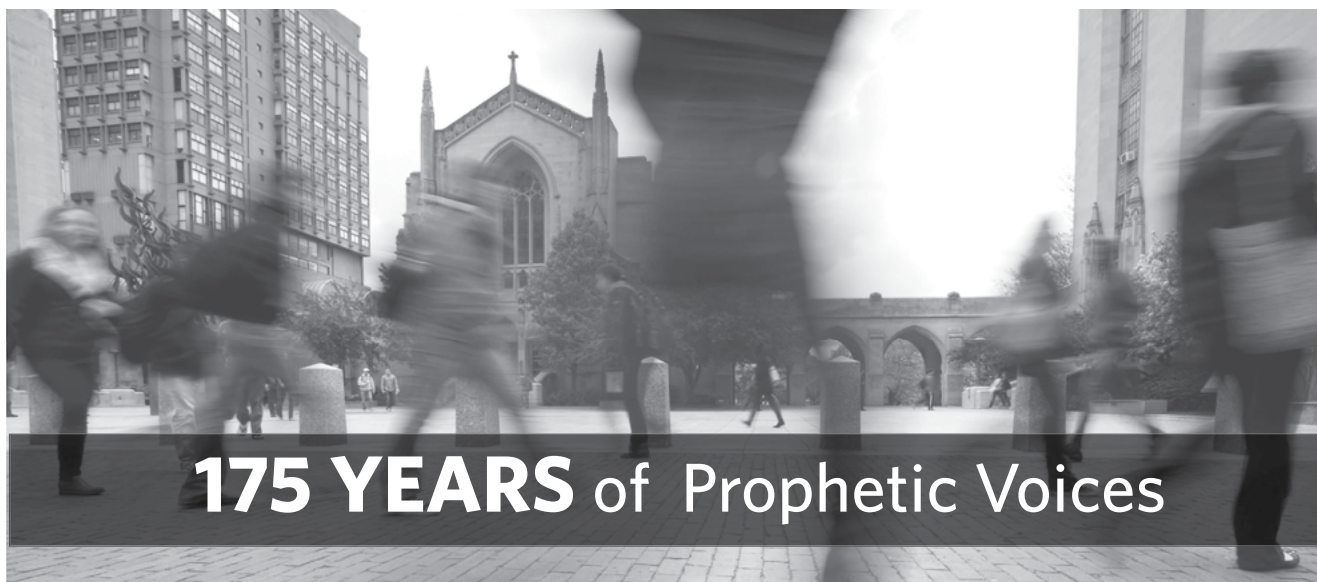
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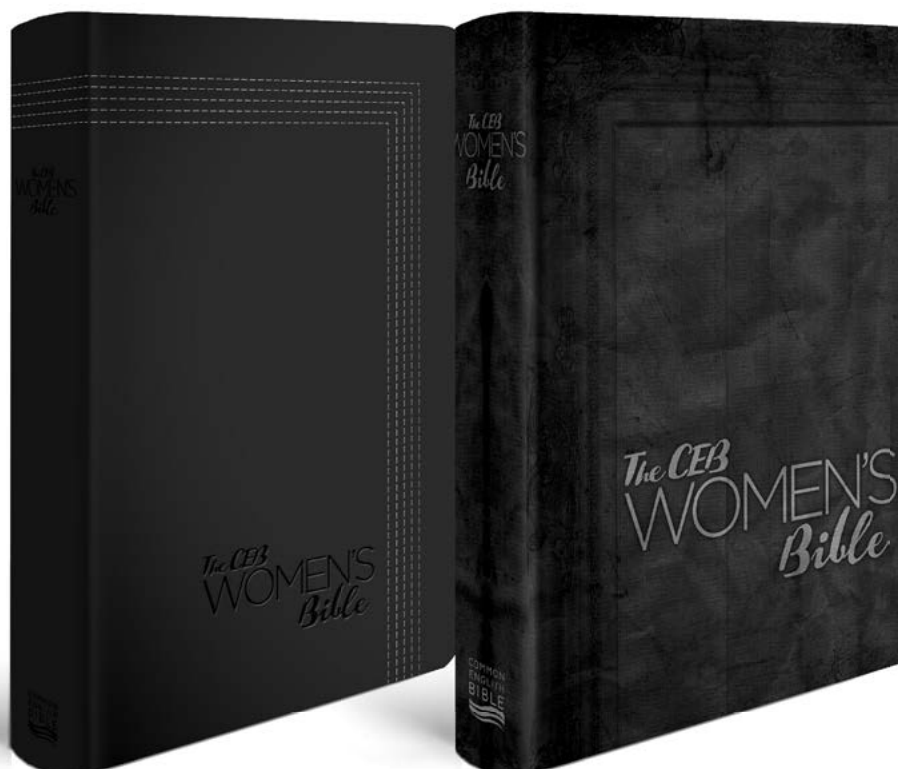


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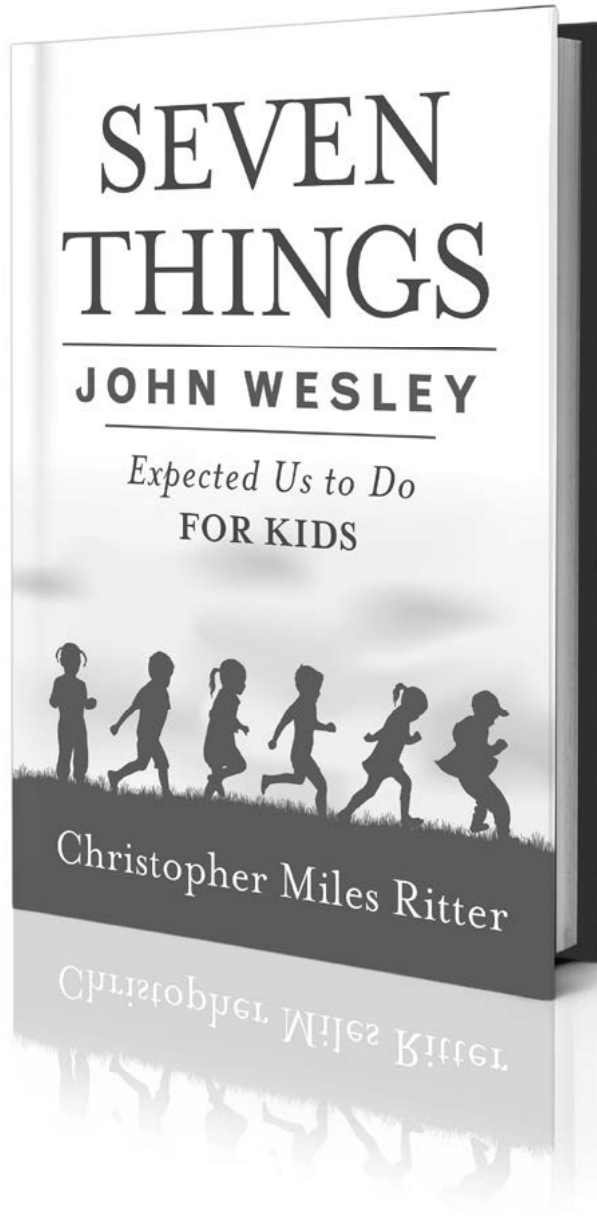
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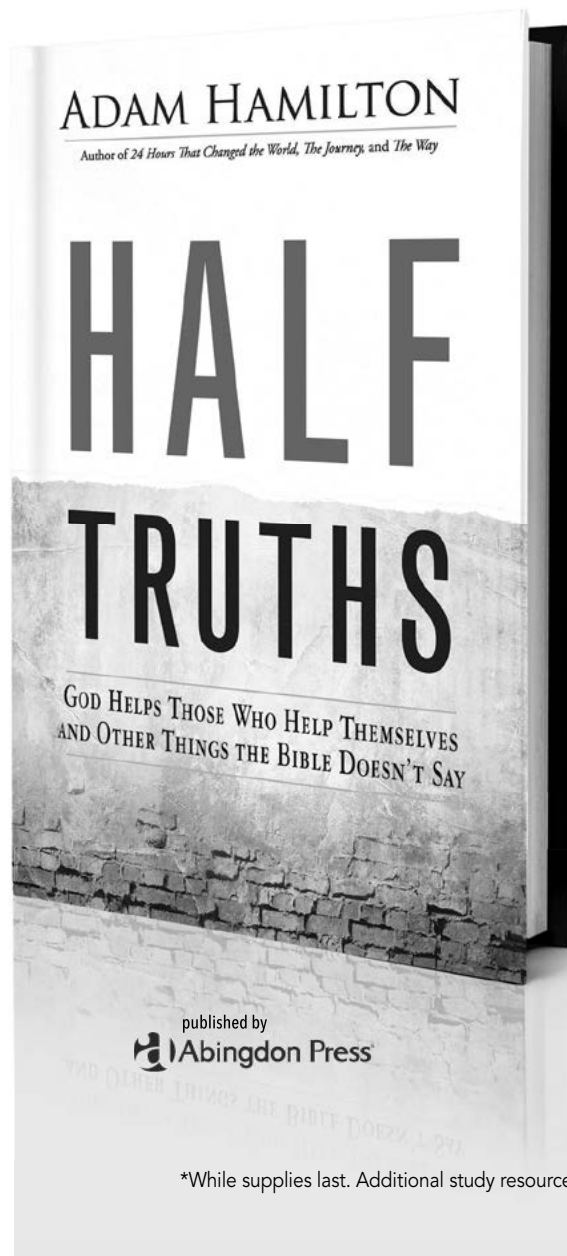
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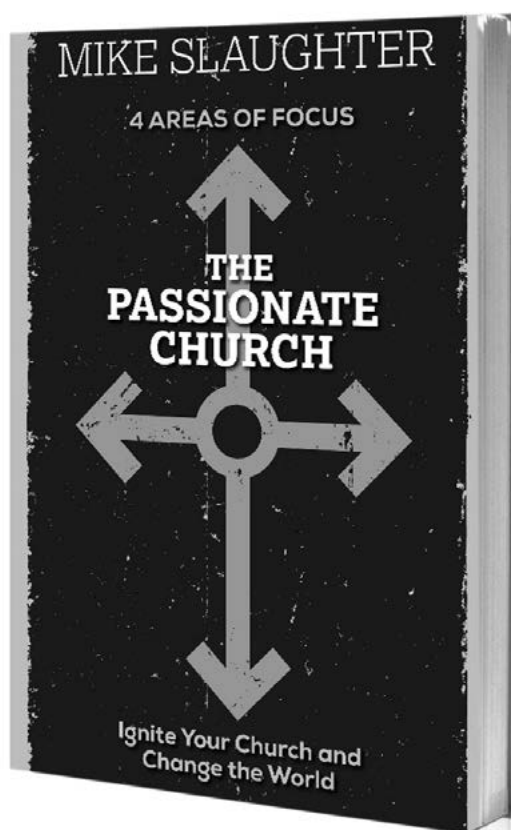
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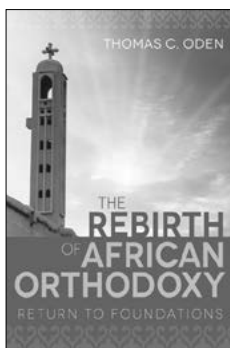
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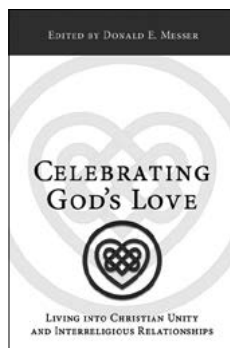
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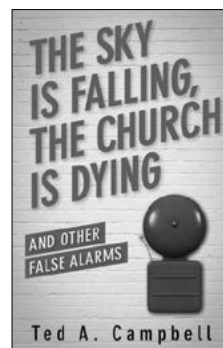
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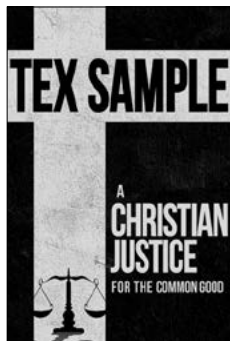
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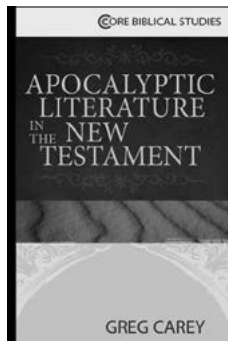
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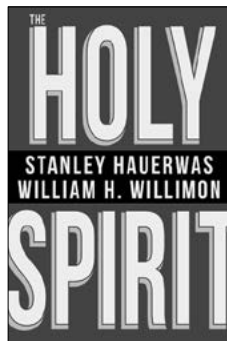
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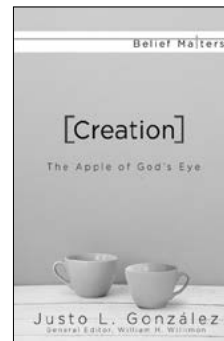
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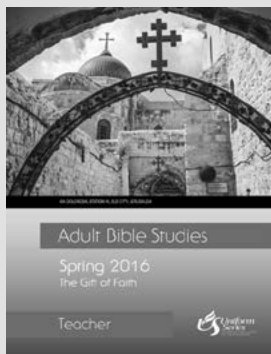
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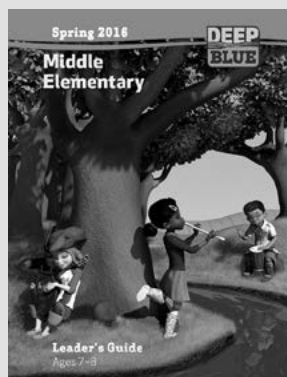
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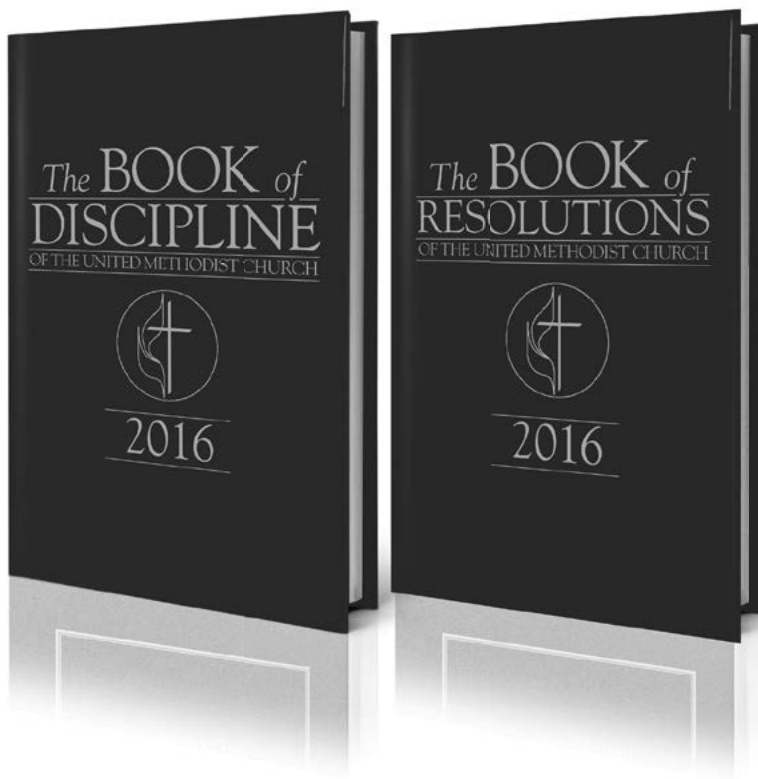
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WOMEN'S ORDINATION

1956-2016



THE FIRST WOMEN:

Maud Keister Jensen: 1956 Received Full Clergy Rights

Emma P. Hill: 1956 African American Ordained/Washington Conference

Antonia Wladar: 1958 Ordained/Central European Conference

Gusta A. Robinette: 1959 Ordained/DS/Indonesia-Medan Chinese District

Julia Torres Fernandez: 1961 Latina Ordained Elder

Margaret Henrichsen: 1967 American District Superintendent

Cornelia Mauyao: 1971 Ordained/Philippines Central Conference

Mutombo Ilunga Kimba: 1979 Ordained Elder/Congo/Africa Central Conf.

Marjorie Matthews: 1980 Bishop in the UMC

Mamie Ming Yan Ko: 1982 Chinese American Ordained Elder/CA-Pacific Conf.

Mochie Lam: 1982 Chinese American Ordained Elder/CA-Nevada Conf.

Colleen Kyung Seen Chun: 1983 Korean American Ordained Elder/CA-Pacific Conf.

Leontine T.C. Kelly: 1984 African American Ordained Bishop

Lois V. Glory-Neal: 1989 Native American/OK Indian Missionary Conf.; 1992 DS

Sharon Brown Christopher: 2002 President of the Council of Bishops

Linita Uluave Moa: 2003 Tongan Ordained Elder

Minerva G. Carcaño: 2004 Latina Bishop

Rosemarie J. Wenner: 2005 European Bishop

Joaquina Filipe Nhanala: 2008 African Bishop



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