

## **2019 LEGISLATION APPROVED**

### **Motion for Special Annual Conference**

Bishop Bob, members of the annual conference: I move that in accordance with ¶603.5 of the 2016 Book of Discipline, we authorize a special session of Desert Southwest Annual Conference to meet on September 14, 2019 at a United Methodist Church to be named later. The purpose of this special session of the Annual Conference shall be to consider all remaining petitions and resolutions submitted to this current June 2019 session of Annual Conference as well as any other petitions or resolutions submitted for consideration related to the topics of a response to the 2019 special session of the General Conference and about the future of the Desert Southwest Annual Conference and/or The United Methodist Church, with the exception of Resolution 8, which is recommended to be considered at this 2019 June Annual Conference. At this June 2019 Annual Conference, we will proceed with legislation as time allows.

Originator: Rev. Dan Hurlbert, Prescott UMC

Amended by: Amy Notbohm, Dayspring UMC

**PETITIONS APPROVED**  
*2016 Book of Discipline ¶ 362*

**General Church Budget Implications: No**

**Global Implications: None**

Amend ¶ 362 as follows:

¶362.

*Complaint Procedures*—1. Ordination and membership in an annual conference in The United Methodist Church is a sacred trust. The qualifications and duties of local pastors, associate members, provisional members, and full members are set forth in *The Book of Discipline (2016) of The United Methodist Church*, and we believe they flow from the gospel as taught by Jesus the Christ and proclaimed by his apostles. Whenever a person in any of the above categories, including those on leaves of all types, honorable or administrative location, or retirement, is accused, by a professing lay member or another clergy member of the conference in which they serve and/or live (with exceptions being made for complaints where criminal charges or abuse may be involved), of violating this trust, the membership of his or her ministerial office shall be subject to review.

**Petitioners:** Rev. Dan Hurlbert, Rev. Anthony Tang, Rev. Mary Klaehn, Rev. Elizabeth Rambikur, Billie Fidlin, Jim Nibbelink, Paul Gomez, Rev. David Felten, Rev Jeff Proctor-Murphy, Rev. Stephen Govett, Rev. Jennifer Lambert

## Concerning Immigration

**Whereas** the Scriptures proclaim that “The Lord your God...loves the strangers, providing them with food and clothing. You shall also love the stranger, for you were once strangers in the land of Egypt” (Deuteronomy 10:17-19). And Jesus taught his disciples that when they took care of “the least of these,” including welcoming strangers, they were welcoming Him (Matthew 25:31-40);

**Whereas** *The United Methodist Social Principles* state “The mistreatment or torture, and other cruel, inhumane, and degrading treatment or punishment of persons by governments for any purpose violates Christian teaching and must be condemned and/or opposed by Christians and churches wherever and whenever it occurs,” *The Book of Discipline (2016) 2016*, Par. 164A, p. 138;

**Whereas** *The United Methodist Social Principles* also state “We commit ourselves as a Church to the achievement of a world community that is a fellowship of persons who honestly love one another. We pledge ourselves to seek the meaning of the gospel in all issues that divide people and threaten the growth of world community,” *The Book of Discipline (2016) 2016*, Par. 165, p. 143;

**Whereas** *The United Methodist Social Principles* also state “We reaffirm our historic concern for the world as our parish and seek for all persons and peoples full and equal membership in a truly world community,” *The Book of Discipline (2016) 2016*, Par. 165D, p. 144;

**Whereas** *The United Methodist Social Principles* also state “We recognize, embrace, and affirm all persons, regardless of country of origin, as members of the family of God. We urge the Church and society to recognize the gifts, contributions, and struggles of those who are immigrants, and to advocate for justice for all. We oppose the immigration policies that separate family members from each other or that include detention of families with children, and we call on local churches to be in ministry with immigrant families.” *The Book of Discipline (2016) 2016*, Par. 162H, p. 122;

**Whereas** Justice For Our Neighbors is a nationwide United Methodist organization offering legal assistance to immigrants in the United States. As Arizona Justice For Our Neighbors, in the Desert Southwest Conference, we welcome our immigrant brothers and sisters as fellow children of God, and neighbors in our conference; and

**Whereas** Arizona Justice For Our Neighbors opposes the incarceration of incoming migrants. We believe all of God's children, regardless of national origin are entitled to due process rights, including the ability to post bond, the opportunity to seek council, and await the resolution/determination of their case out of detention; now, therefore, be it

**Resolved**, that the Desert Southwest Conference petition the General Conference of the United Methodist Church to request that the General Board of Church and Society contact the appropriate United States Governmental Agencies, and demand the following:

1. All children who have been separated from their families in the United States be reunited with their families as soon as possible;
2. United States Government Agencies cease detaining individuals and families seeking asylum, and that those currently detained and those seeking to enter the United States as asylees be provided with due process as soon as possible;
3. The facilities where immigrants are being detained be open for inspection, with a priority on those where immigrants are holding hunger protests; and
4. Legislation for Comprehensive Immigration Reform, that reflects the principles and priorities noted above, be passed as soon as possible.

**Petitioner:** Arizona Justice For Our Neighbors

*2016 Book of Discipline ¶ 511.4.c*

**General Church Budget Implications: Yes**

**Global Implications: None**

Amend ¶ 511.4.c as follows:

c) The commission, in cooperation with the United Methodist Publishing House, shall make all necessary arrangements for the publication of the Advance Edition of the Daily Christian Advocate and quadrennial reports of the Connectional Table and the general agencies of the church in English, French, Portuguese, Spanish, and Kiswahili (standard), and for all delegates to have timely (90-day period) and convenient access to the most linguistically appropriate translation of these documents.

**Petitioners:** Mr. Paul Gómez, Pastor Daniel Gómez, Mrs. Jessica Brown, Rev. Paul Hyung Cho, Rev. Anthony Tang

## A Declaratory Decision from Judicial Council

**Whereas** the *Book of Discipline (2016)* ¶¶ 2610.1 and 2610.2.j authorize the annual conference to petition the Judicial Council for declaratory decisions as to the constitutionality, meaning, application, or effect of the *Discipline* on matters relating to the work of the annual conference;

**Whereas** The United Methodist Church maintains a separation of powers to divide government responsibilities into distinct branches (e.g., executive, legislative, and judicial) to limit any one branch from exercising the core functions of another, to prevent the concentration of power, and to provide for checks and balances<sup>1</sup>;

**Whereas** bishops are given residential and presidential supervision responsibilities<sup>2</sup> as well as leadership responsibilities to “oversee the spiritual and temporal affairs of The United Methodist Church”<sup>3</sup> thereby representing the executive branch of this denomination;

**Whereas** bishops are given legal authority to “decide all questions of law coming before the bishop *in the regular business of a session*” (emphasis added), which is a limited power given that all such decisions “shall not be authoritative... until it shall have been passed upon by the Judicial Council”;<sup>4</sup>

**Whereas** bishops have historically exercised their residential supervision and spiritual responsibilities and powers by discerning when a complaint should be dismissed for executive and pastoral reasons;<sup>5</sup>

**Whereas** the legislative branch (i.e., the February 2019 Special Session General Conference) just amended the *Book of Discipline (2016)* ¶¶ 362.1.e.1 and 413.3.d.i to remove executive and pastoral reasons for dismissing complaints and to limit complaint dismissals to only those “as having no basis *in law* or fact,” (emphasis added) thereby requiring bishops to act as quasi-magistrates and thereby legislating that the executive branch have judicial responsibilities;<sup>6</sup>

**Whereas** supervision of the complaint process generally occurs between sessions of the Annual Conference, and the Judicial Council does not have the constitutional or Disciplinary authority to review legal assessments made by bishops in the dismissal of complaints;<sup>7</sup> now, therefore, be it

**Resolved**, that the Desert Southwest Annual Conference and Rev. Anthony Tang petition for a Declaratory Decision from the Judicial Council on the Constitutionality of the *Book of Discipline (2016)* ¶¶ 362.1.e.1 and 413.3.d.i in light of their breaches of separation of powers, violation of ¶ 49 by arbitrarily restricting the residential and presidential supervision responsibilities of bishops in the performance of their duties, and violation of ¶ 51 by giving bishops legal authority between sessions of Annual Conferences without judicial oversight. Furthermore, if indeed not constitutional, that the words, “as having no basis in law or fact” be stricken from ¶¶ 362.1.e.1 and 413.3.d.i.

**Petitioners:** Rev. Anthony Tang, Rev. Amy Barron-Gafford, Mr. Paul Gomez, Rev. Dan Hurlbert, Rev. Beth Rambikur, Rev. Rob Rynders, and Rev. Katherine Tang

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<sup>1</sup> See Judicial Council Decision no. 689 for reinforcement of “separation of powers.”

<sup>2</sup> See *Book of Discipline (2016)* ¶¶ 49, 415, and 416.

<sup>3</sup> See *Book of Discipline (2016)* ¶ 414.

<sup>4</sup> See *Book of Discipline (2016)* ¶ 51.

<sup>5</sup> See *Book of Discipline (2016)* ¶ 362.1.e.1 (with the consent of the cabinet) and ¶ 413.3.d.i (with the consent of the College of Bishops and the committee on episcopacy).

<sup>6</sup> See Petition 90044 (Traditional Plan #13).

<sup>7</sup> See *Book of Discipline (2016)* ¶¶ 2609 and 2610.

## **Western Jurisdiction College of Bishops to Convene Special Western Jurisdictional Conference**

**Whereas** the Western Jurisdiction College of Bishops has declared in its response to Judicial Council Decision 1378 in a document dated April 26, 2019, entitled “A Home For All God's People” that

*...the intent of the Western Jurisdiction remains the same as was stated on the floor of General Conference 2019: to live in the spirit of “One Church.” ... In the wake of the Judicial Council decisions, we continue our commitment to live into Beloved Community as one church in each of the conferences of the Western Jurisdiction....*

*we, your bishops, are prayerfully in conversation in many places, with many individuals and groups about your hopes and your vision for being Church in this challenging time. We remain committed to ministry as one church for all and we ask for your prayers for the church and for the future of the love and grace as we travel this road together, not knowing where it will lead us, yet, but confident in God’s presence with us.,” and*

**Whereas** ¶521.2 of the *Book of Discipline (2016)* gives the College of Bishops the authority by two-thirds vote “to call a special session of the Jurisdictional Conference when necessary;” now, therefore, be it

**Resolved**, that the Desert Southwest Annual Conference petitions the Western Jurisdiction College of Bishops to call a special session of the Western Jurisdictional Conference, as needed, for the following purposes:

1. to consider and develop a process should separation from The United Methodist Church become inevitable;
2. to prayerfully consider how we can most faithfully continue to be a home for all God’s people, gathered around a table of reconciliation and transformation; and
3. to recognize while there are many groups being formed within the Western Jurisdiction, there is a need for open communication and collaboration. In our desire for transparency and clarity we bring this resolution forward; be it further

**Resolved**, that we urge the Western Jurisdiction College of Bishops to appoint a special planning team that will:

1. consider creative ways of minimizing the cost of a specially called session; and
2. find creative sources for funding a specially called session.

We urge immediate action so that the beginnings of a Jurisdictional plan can be in place prior to the 2020 General Conference; and be it further

**Resolved**, that we will send key leaders (with voice, not vote) and our 2020 Jurisdictional Delegation as they were elected in 2018 for the purpose of doing that connectional work.

**Petitioners:** Rev. Kimberly Scott, Rev. Stephen Govett, Rev. Mary Klaehn, Rev. Dottie Escobedo-Frank, Rev. Jeff Procter-Murphy, Rev. Joel Bullock, Rev. Amy Barron-Gafford, Rev. Jim Wiltbank, Rev. Janessa Chastain, Rev. Khalif Smith, Rev. Mary Lou Adame, Rev. Jody Topping, Pastor Robert Klein, Pastor Diamond Pate, Rev. David Devereaux, Rev. Tim Hunsinger, Rev. Javier Olivares, Rev. Michael Patzloff, Rev. Jerellen Page, Rev. Kristen Hansen, Kathy Morrow Way, Bryan Morrow Way, Nicholle Hansen, Billie Fidlin, David Topping, Brady Mayo, Glenda Hill, Wendy Kreider, Rae Lathrop, Kayla Flannery, Tim Wanemacher, Clayton Bowman, Twylla Ehlers, Sue Gemoets

## RECOMMENDATIONS APPROVED

### Equitable Compensation

What is the 2020 schedule of Equitable Compensation required by ¶342.1, .2 and ¶625.2, .3 of the *Book of Discipline (2016)*?

#### I. Base Cash Compensation and Housing - 2020

(Please note: The following schedule is the minimum allowable cash compensation for all pastors and both the minimum and maximum schedules of the cash compensation for churches receiving an equitable compensation subsidy from the Conference.)

Full Service Years	Elder in Full Connection	Provisional or Associate Member	Full-Time Local Pastor
0	\$39,505	\$37,532	\$35,556
1	\$40,163	\$38,158	\$36,149
2	\$40,823	\$38,782	\$36,741
3	\$41,481	\$39,407	\$37,333
4	\$42,139	\$40,033	\$37,926
5	\$42,799	\$40,659	\$38,519
6	\$43,457	\$41,284	\$39,111
7	\$44,115	\$41,910	\$39,705
8	\$44,775	\$42,535	\$40,296
9	\$45,432	\$43,161	\$40,888
10	\$46,090	\$43,786	\$41,481
11	\$46,749	\$44,411	\$42,073
12	\$47,407	\$45,036	\$42,666
13	\$48,066	\$45,662	\$43,258
14	\$48,725	\$46,288	\$43,852
15	\$49,382	\$46,914	\$44,444
16	\$50,040	\$47,539	\$45,036
17	\$50,699	\$48,164	\$45,631
18	\$51,357	\$48,789	\$46,222
19	\$52,014	\$49,416	\$46,816
20	\$52,675	\$50,040	\$47,407

21	\$53,202	\$50,540	\$47,881
22	\$53,734	\$51,045	\$48,360
23	\$54,271	\$51,555	\$48,844
24	\$54,814	\$52,071	\$49,332
25	\$55,362	\$52,592	\$49,825
26	\$55,777	\$52,986	\$50,199
27	\$56,195	\$53,383	\$50,575
28	\$56,616	\$53,783	\$50,954
29	\$57,041	\$54,186	\$51,336
30	\$57,469	\$54,592	\$51,721
31	\$57,756	\$54,865	\$51,980
32	\$58,045	\$55,139	\$52,240
33	\$58,335	\$55,415	\$52,501
34	\$58,627	\$55,692	\$52,764
35	\$58,920	\$55,970	\$53,028
36	\$59,215	\$56,250	\$53,293
37	\$59,511	\$56,531	\$53,559
38	\$59,809	\$56,814	\$53,827
39	\$60,108	\$57,098	\$54,096
40 or more	\$60,409	\$57,383	\$54,366

The above schedule reflects a 2.3% increase from the 2019 schedule for 0-20 years of service. This recommended percentage increase was based on consideration of various data including inflation rates, changes in denominational and clergy compensation, changes in conference employee compensation, and available funds in the conference budget. The schedule also includes recommendations for 21-40 years of service, which were not reflected in the 2019 schedule.

In addition to the cash compensation per the above schedule, the local church will provide housing comparable to the housing standards of the local church community, by means of a parsonage or a housing allowance. If a housing allowance is provided, the amount shall be determined by the local church in consultation with the District Superintendent. If a parsonage is provided, it must meet the standards described in the Conference Policy “Clergy Housing Policies and Standards.” In addition to the housing allowance or parsonage, the congregation shall provide full payment of gas, water, electricity, sewer, trash collection, telephone and other utilities for the residence.

## II. Professional Expenses

Business and Transportation: The local church will provide an accountable reimbursement plan for business and transportation expenses incurred by the pastor in the work of the parish in an amount no less than \$2,000 for the year (\$4,000 per year for pastors appointed to multi-point charges). Reimbursement for auto transportation will be at the IRS allowable standard mileage rate. For all churches receiving equitable compensation subsidies, the accountable reimbursement plan for business and transportation cannot exceed \$4,000 for the year.

Continuing Education The local church will provide an accountable reimbursement plan for continuing education expenses incurred by the pastor in the work of the parish in an amount no less than \$500 for the year. For churches receiving equitable compensation subsidies, the accountable reimbursement plan for continuing education cannot exceed \$1,000 for the year.

### III. Benefits

\*Health/Dental Insurance: The local church will provide payment of the church portion of premiums for the Annual Conference sponsored health/dental insurance program for the clergy member where required.

\*Pension: Payment of the local church's contribution to the Clergy Retirement Security Program (CRSP) will be provided by the local church.

\* Note: Conference Rule IV.F.3.f states: "Payment of monthly subsidies will be made by the Conference Treasurer, first to cover health insurance premiums, second to cover pension payments, and third any subsidy balance to the local church."

## **Council on Finance & Administration**

### **Recommendation 1 – 2020 Apportioned Conference Budget**

That the total Apportioned Conference Budget for 2020 be \$5,780,820 as follows:

- A World Service and Conference Benevolences budget of \$2,006,972 (including \$539,603 for the World Service Fund)
- A Support Ministry Team budget of \$2,040,127
- A Leadership Team budget of \$1,409,499
- A budget for Other Conference Benevolences of \$324,222

### **Recommendation 2 – Special Days and Causes**

That the Special Days and Causes goals be \$210,000 for 2020 as follows:

#### Day/Cause and Month

Human Relations Day (January) .....	\$10,000
Campus Ministries (February) .....	\$18,500
UMCOR Sunday (OGHS) (March) .....	\$50,000
Native American Awareness (2 <sup>nd</sup> Sunday after Easter) .....	\$12,000
Peace with Justice (May) .....	\$15,000
Youth Service Fund (June) .....	\$20,000
Golden Cross (July) .....	\$12,000
Conference Hunger Needs (August) .....	\$25,000
Young Adults (1 <sup>st</sup> Sunday in September).....	\$5,000
Christian Education (September) .....	\$7,500
World Communion (October).....	\$18,000
Disability Awareness (3rd Sunday in October) .....	\$5,000
Rural Life Sunday (November).....	\$6,000
United Methodist Student Day (December).....	\$6,000

### **Recommendation 3 – Conference Advance and Benevolence Specials**

That the following Conference Advance and Benevolence Specials be approved for 2020:

Arizona Faith Network  
Asylum Aid Phoenix  
Church to Church Pastor Support  
Conference Missionary (Surafel Gebretsadik)  
Cook Native American Ministries  
El Mesias Iglesia Metodista - Nogales  
Fort Yuma Indian Mission  
General Board of Global Ministries Advance specials  
Hope for the Hopeless Ethiopian Orphanage  
Inn Project  
Justa Center  
Justice for our Neighbors  
Methodist Border Mission Network  
Mexico Methodist Ministries  
Mingus Mountain Camp  
Nevadans for the Common Good  
Northern Arizona Native American Ministries  
Phoenix Native American Fellowship  
Potosi Pines Camp

School of Theology at Claremont  
Sidewalk Sunday School  
Sierra Service Project  
Strength for the Journey  
TMM Family Services – Tucson  
Trinity Opportunity Alliance  
UMM Saws Project  
UMOM New Day Centers – Phoenix  
United Methodist Social Ministries (UMSM) – Las Vegas  
United Methodist Volunteers in Mission (UMVIM)  
United Christian Ministry, Northern Arizona University  
Wesley Foundation, University of Arizona  
Wesley Community Center - Phoenix  
Wesley Foundation, Arizona State University

**Recommendation 4 – Other Recommendations**

That the 2019 annual conference offerings be designated as follows:

- Thursday Morning Opening Service – College Student Hunger/Homelessness
- Thursday Evening Memorial Service – Conference ERT/UMCOR USA Disaster Relief
- Saturday Evening Ordination Service – Huachuca UMC fire recovery
- Sunday Morning Closing Service – Asylum Aid Phoenix

That the Level I Exempt Compensation figure be set at \$100,754 for 2020, which reflects a 2.3% cost-of-living increase from 2019 (after a 6.0% decrease from 2018 to 2019).

That the following be adopted regarding employee expenses:

- A. That the employee reimbursement mileage rate for 2020 shall be at the allowable rate of the Internal Revenue Code.
- B. That the maximum daily meal allowance for 2020 shall be \$40.00 per person.

That Annual Conference members of the 2020 Annual Conference Session be reimbursed for travel to and from the Session in excess of 50 miles one way (100 miles both ways) at 22 cents per mile, with an additional 4 cents per mile if one or more additional members travel in the same vehicle. Alternatively, reimbursement shall be made for airfare at the lowest coach air fare available for a 21-day advance purchase. The reimbursement is for miles traveled within the geographical bounds of the Desert Southwest Annual Conference. Airfare will be reimbursed on a pro rata basis for miles flown over the geographical bounds of the Annual Conference.

That members of Conference Boards and Committees be reimbursed for official travel at the rate of 22 cents per mile, with an additional 4 cents per mile if one or more additional members travel in the same vehicle. Alternatively, reimbursement shall be made for airfare at the lowest coach air fare available for a 21-day advance purchase.

That spending is to be only within budgeted or designated funds. Any exceptions must be presented to the Council on Finance and Administration for consideration.

## **Pension and Health Benefits**

### **Recommendation 1 – Annuity Rate and Past Service Obligation**

That the pension rate for pre-1982 past service for the calendar year 2020 be set at \$702. This represents a 2.0% increase from the 2019 rate and keeps the rate set at 1.00% of the Conference Average Compensation. Wespeth Benefits and Investments (Wespeth) is authorized and instructed to distribute this amount to the claimants in accordance with the rules and regulations of the Ministerial Pension Plan and the Comprehensive Protection Plan.

### **Recommendation 2 – Resolution Relating to Rental/Housing Allowance for Retired or Disabled Clergypersons of the Desert Southwest Conference**

**Whereas** the religious denomination known as The United Methodist Church (Church), of which this Conference is a part, has in the past functioned and continues to function through ministers of the gospel (within the meaning of Internal Revenue Code section 107) who were or are duly ordained, commissioned, or licensed ministers of the Church (Clergypersons);

**Whereas** the practice of the Church and of this Conference was and is to provide active Clergypersons with a parsonage or a rental/housing allowance as part of their gross compensation;

**Whereas** pensions or other amounts paid to active, retired and disabled Clergypersons are considered to be deferred compensation and are paid to active, retired, and disabled Clergypersons in consideration of previous active service; and

**Whereas** the Internal Revenue Service has recognized that the Conference (or its predecessors) as the appropriate organization to designate a rental/housing allowance for Clergypersons who are or were members of this Conference and are eligible to receive such deferred compensation; now, therefore, be it

**Resolved**, that an amount equal to 100% of the pension or disability payments received from plans authorized under *The Book of Discipline (2016) of The United Methodist Church (Discipline)*, which includes all such payments from Wespeth Benefits and Investments (Wespeth) during the years 2019 and 2020 by each active, retired or disabled Clergyperson who is or was a member of the Conference, or its predecessors, be and hereby is designated as a rental/housing allowance for each such Clergyperson; and be it further

**Resolved**, that the pension or disability payments to which this rental/housing allowance applies will be any pension or disability payments from plans, annuities, or funds authorized under the *Discipline*, including such payments from Wespeth and from a commercial annuity company that provides an annuity arising from benefits accrued under a Wespeth plan, annuity, or fund authorized under the *Discipline*, that result from any service a Clergyperson rendered to this Conference or that an active, retired or disabled Clergyperson of this Conference rendered to any local church, annual conference of the Church, general agency of the Church, other institution of the Church, former denomination that is now a part of the Church, or any other employer that employed the Clergyperson to perform services related to the ministry of the Church, or its predecessors, and that elected to make contributions to, or accrue a benefit under, such a plan, annuity, or fund for such active, retired or disabled Clergyperson's pension or disability as part of his or her gross compensation.

NOTE: The rental/housing allowance that may be excluded from a Clergyperson's gross income in any year for federal income tax purposes is limited under Internal Revenue Code section 107(2) and regulations thereunder to the least of: (1) the amount of the rental/housing allowance designated by the Clergyperson's employer or other appropriate body of the Church (such as this Conference in the foregoing resolutions) for such year; (2) the amount actually expended by the Clergyperson to rent or

provide a home in such year; or (3) the fair rental value of the home, including furnishings and appurtenances (such as a garage), plus the cost of utilities in such year.

**Recommendation 3** – Resolution Relating to Local Church Funding for the Clergy Retirement Security Program in 2020

**Whereas** the Clergy Retirement Security Program (CRSP) will continue as the denominational pension plan of The United Methodist Church in 2020;

**Whereas** the funding of CRSP in 2020 and each subsequent year by the Desert Southwest Conference (Conference) will be based mainly on an actuarial determination from the General Board of Pension & Health Benefits and partially on matched participant contributions to the United Methodist Personal Investment Plan;

**Whereas** the Conference desires to keep the local churches' funding of clergy pensions as close as possible to the 2019 CRSP funding methodology;

**Whereas** pension amounts will not be equal for all clergy under CRSP (with elements of both a defined benefit plan and a defined contribution plan); and

**Whereas** it is reasonable that local churches with the ability to pay their clergy above the denominational average compensation (DAC) have the ability to pay a larger pension amount for the clergy; now, therefore, be it

**Resolved**, that for 2020, CRSP continue to be funded by the local churches to the Conference at the annual rate of 13% of actual plan compensation (cash salary plus housing allowance or imputed parsonage value) with no maximum limit based on DAC.

**Recommendation 4** – Resolution Relating to HealthFlex Exchange Participant Contribution Levels and Church Payment Rate

**Whereas** in 2016 through 2019, the Conference provided health insurance coverage for active participants through the denomination's HealthFlex Exchange;

**Whereas** feedback obtained across the Conference has indicated satisfaction with the HealthFlex Exchange program;

**Whereas** the Conference desires to keep the details of the 2020 HealthFlex Exchange program as close as possible to those of the 2019 program;

**Whereas** good claims experience in 2018 for many of the HealthFlex Exchange plans has resulted in an approximate 4.5% increase in the costs to be paid by the Conference for all HealthFlex Exchange plans for 2020; and

**Whereas** budget considerations dictate that this 4.5% cost increase be shared proportionately by the Conference, churches, and participants; now, therefore, be it

**Resolved**, that for 2020, churches pay the blended rate of \$15,576 per participant for their share of health insurance premiums (regardless of whether the participant selects single, couple, or family coverage), in order to provide HealthFlex Exchange contribution levels of \$11,124 for single coverage, \$18,540 for couple coverage, and \$22,236 for family coverage.

## Personnel Committee

### Recommendation 1 – Changes to Exempt Salary Levels:

<u>Exempt Salary Level</u>	<u>2019 Salary Ranges</u>	<u>2020 Recommended Salary Ranges</u>
I	*	*
II	\$68,501 to \$86,691	\$70,077 to \$88,685
III	\$51,582 to \$71,850	\$52,768 to \$73,503
IV	\$30,987 to \$51,010	\$31,700 to \$52,183

### Recommendation 2 – Changes to Non-Exempt Wage Levels:

<u>Non-Exempt Wage Level</u>	<u>2019 Wage Ranges</u>	<u>2020 Recommended Wage Ranges</u>
I	\$17.78 to \$26.29	\$18.19 to \$26.89
II	\$16.66 to \$22.35	\$17.04 to \$22.86
III	\$15.05 to \$20.86	\$15.40 to \$21.34
IV	\$13.41 to \$17.70	\$13.72 to \$18.11
V	\$12.07 to \$15.91	\$12.35 to \$16.28

Informational notes for recommendations No. 1 and No. 2:

\*Each year the Committee reviews ranges of compensation of both exempt and non-exempt staff of the Annual Conference with the exception of Level I positions which are governed by other recommendations. See Conference Rules “Compensation and Expense Policies for District Superintendents and other Level I Exempt Personnel (as defined in the Conference Personnel Policies)” in the 2018 Conference Journal.

The Fair Labor Standards Act provides that all employees who work more than 40 hours in a workweek must be paid at a rate of one and one-half (1½) times their regular rate of pay. Certain employees are EXEMPT from these overtime requirements. The major general exemptions to the overtime requirements include individuals who are covered under what are known as the “white collar” exemptions. The white-collar exemptions include executive, administrative and professional employees. These exemptions are based on the employee’s actual work activities, not on the employer’s characterization of those activities. All employees within the Desert Southwest Annual Conference of the United Methodist Church must be placed either within the EXEMPT or NON-EXEMPT categories.

At the present time EXEMPT STAFF are as follows:

- I. District Superintendents, Director of Connectional Ministries, Director of Administrative Services/Treasurer, Director of New Faith/Vital Faith Communities
- II. Director of Outreach Ministries, Director of Communications, Assistant Treasurer/Comptroller, Director of Camp & Retreat Ministries
- III. Camp Site Directors
- IV. None

NON-EXEMPT STAFF – Usually support staff of which the following are examples: administrative assistants, temporary or seasonal workers. Their compensation level is determined by their responsibilities and duties as outlined in their job descriptions.

The Conference Personnel Policies are printed in the 2018 Conference Journal. One of the responsibilities of the Conference Personnel Committee is to recommend increases in Wage or Salary Ranges for the different assigned levels for employment. These are not to be understood as automatic individual pay raises. However, after an annual performance review, an employee is eligible for a salary or wage

increase depending upon the performance review, the consumer price index which measures inflation, and other factors. The recommendation for 2019 was a 2.3% cost of living increase.

## RESOLUTIONS APPROVED

### Affirm Our Covenant

*Submitted by Rev. George Cushman, Billie Fidlin, Rev. Stephen Govett, Rev. Tom Jelinek, Kent Olson, Rev. Michael Patzloff, Rev. Beth Rambikur*

**Whereas** the First Letter of John states: “Beloved let us love one another, because love is from God, everyone who loves is born of God and knows God. Whoever does not love does not know God, for God is love.” (I John 4:7-8);

**Whereas** the word translated as “love” in these verses is the Greek word agape, which means to show honor and respect thus bestowing dignity;

**Whereas** First Corinthians states: “Love is patient; love is kind; love is not envious or boastful or arrogant or rude. Love does not insist on its own way ... love bears all things, believes all things hopes all things, endures all things. Love never ends.” (I Corinthians 13:4-5a, 7-8);” and

**Whereas** in the Gospel of John, Jesus said: “I give you a new commandment, that you love one another. Just as I have loved you, you should also love one another. By this everyone will know that you are my disciples, if you have love for one another.” (John 13:34-35); now, therefore, be it

**Resolved**, that the United Methodist People and United Methodist Churches of the Desert Southwest Conference:

1. aspire to practice love by respecting and honoring each other in all our dialogue and discussions;
2. aspire to express our deepest beliefs, concerns and hopes with each other; and
3. aspire to listen to understand and embrace all expressions from each other’s hearts without judgment, as we can embrace our faith without demeaning another’s faith.

## **Disavowal of the Traditional Plan**

*Submitted by Rev. George Cushman, Billie Fidlin, Rev. Stephen Govett, Rev. Tom Jelinek, Kent Olson, Rev. Michael Patzloff, Rev. Beth Rambikur*

*Financial Implications: No*

**Whereas** using contextual biblical scholarship, there is no biblical mandate to discriminate against LGBTQ+ persons and relationships;

**Whereas** The United Methodist Church is capable of great nuance in the matter of biblical interpretation as displayed in its treatment of issues such as divorce and the ordination of women, but reverts to simplistic literalism when it comes to the full inclusion of LGBTQ+ persons in its life and ministry;

**Whereas** The United Methodist Church has singled out LGBTQ+ persons and their supporters for special punitive action while ignoring the “clear biblical teaching” on other matters such as pensions (Matthew 6:19-20);

**Whereas** in our Wesleyan tradition the first general rule that John Wesley gave the people called Methodists concerns “doing no harm.”

**Whereas** United Methodists promise “to resist evil, injustice, and oppression in whatever forms they present themselves;”

**Whereas** by passing the Traditional Plan, the denomination has done great, and perhaps irreparable harm to our LGBTQ+ siblings and The United Methodist Church as a whole; and

**Whereas** for the past 10 years, the Desert Southwest Conference has declared itself to be a Reconciling Conference; now, therefore, be it

**Resolved**, that the Desert Southwest Conference:

1. condemns the decision of the 2019 General Conference to pass the Traditional Plan and apologizes for the harm that it has caused LGBTQ+ persons, their families, friends, and the body of Christ;
2. affirms that all persons are individuals of sacred worth, created in the image of God; and
3. asserts and affirms that no human being is incompatible with Christian teaching.

## Source of Complaints

*Submitted by Revs. Anthony Tang, Dan Hurlbert, DeeDee Azhikakath Lombardi, Mary Klaehn, Beth Rambikur*

**Whereas** Jesus gives a method for complaint that involves face to face interaction and membership in the same small intimate body (Matthew 18:15);

**Whereas** “the annual conference is the basic body in the Church and as such shall have reserved to it the right to vote on ... all matters relating to the character and conference relations of clergy members” (2016 Book of Discipline ¶33);

**Whereas** John and Charles Wesley gathered the people called Methodists into small, regional groups for the purpose of growing together in faith and love of the Lord;

**Whereas** clergy members of the annual conference are called apart to a covenant of mutual accountability in love;

**Whereas** part of keeping this covenant may involve the administration of complaints against a sibling elder, deacon, associate member, provisional member, licensed local pastor, or certified lay minister;

**Whereas** all complaint processes regarding annual conference members take place within the membership of the annual conference because, within our covenant community, we know each other better than do others who are members of the larger, connectional church who live far away; and

**Whereas** in our world of wireless digital communication it is possible for frivolous religious complaints to come from persons unknown to our “basic body in the Church;” now, therefore, be it

**Resolved**, that the Desert Southwest Conference bishop and cabinet process noncriminal/religious complaints against members serving in our annual conference only when said complaint has proceeded from clergy or lay members of the Desert Southwest Conference. This resolution shall have no bearing on criminal complaints (including, but not limited to crimes, sexual abuse, and fiscal malfeasance) which may originate from any location.

## RULE CHANGES APPROVED

### Health Insurance for Part-Time Lay Employees

*Submitted by the Desert Southwest Conference Board of Pension and Health Benefits (CBOPHB)*

Rule change to correct health insurance participation eligibility for part-time conference lay employees.

**Whereas** clergy in the Desert Southwest Conference (DSC) are eligible to participate in the conference health insurance plan only if they are appointed  $\frac{3}{4}$ -time or full-time; and,

**Whereas** the DSC health insurance adoption agreement with Wespath Benefits and Investments (Wespath) specifies that participants are only eligible to be covered if they work  $\frac{3}{4}$ -time or full-time; and,

**Whereas** conference lay employees are eligible to participate in the conference-sponsored pension plan if they work a minimum of 30 hours per week;

**Whereas** the CBOPHB feels that the health insurance participation eligibility for part-time conference lay employees should be consistent with clergy, adoption agreement, and pension eligibilities; therefore be it

**Resolved**, that DSC correct rule B.II.F.7 of the Conference Personnel Policies as follows:

#### B. CONFERENCE PERSONNEL POLICIES

#### II. EMPLOYMENT POLICIES

#### F. Employment status categories:

7. Each employee working a minimum of ~~20~~ 30 hours per week is eligible to participate in the ~~Group~~ conference-sponsored Health Insurance Plan. Each employee working a minimum of 30 hours per week is also eligible to participate in the ~~Employee's~~ conference-sponsored Pension Plan.

## **Change Health Insurance for Clergy on Disability Leave**

*Submitted by the Desert Southwest Conference Board of Pension and Health Benefits (CBOPHB)*

Rule change to clarify health insurance premium coverage for clergy members on approved disability leave.

**Whereas** all clergy and other participants in the health insurance plan sponsored by the Desert Southwest Conference (DSC) are responsible for a portion of their health insurance premiums while their church pays the large majority of the premiums; and,

**Whereas** clergy members on approved disability leave have for several years been paying the participant portion of health insurance premiums while DSC has been paying the church portion of premiums; therefore be it

**Resolved**, that the DSC clarify rule A.IV.J.6.b.3 as follows:

A. CONFERENCE RULES

IV. CONFERENCE BOARDS, COMMITTEES, AND AGENCIES

J. PENSION AND HEALTH BENEFITS, Board of

6. Health Insurance Plan: Eligibility and Participation

b. ACTIVE CLERGY MEMBER PARTICIPATION

- 3) The Conference will pay for the church portion of all Conference HIP premiums for any clergy member who is on approved disability leave as defined by Wespah. Said premium coverage will also include the clergy member's spouse and dependents as ~~well~~ applicable.

## Change Moving Expense Policy

*Submitted by the Desert Southwest Conference Council on Finance and Administration*

Rule Change to address reimbursement of a pro-rated portion of the moving costs paid for/to a clergy person coming to an appointment in the Desert Southwest Conference from outside its bounds if the clergy person leaves the Conference within the first three years of their appointment in the Conference.

**Whereas** the Desert Southwest Conference (DSC) continually receives requests from clergy outside DSC to be appointed in DSC; and,

**Whereas** it sometimes becomes necessary to appoint such clergy in DSC; and,

**Whereas** the cost of moving clergy from outside DSC to an appointment in DSC is significant to both DSC and the receiving church; and

**Whereas** such clergy occasionally leave their appointment in DSC within a short period of time, creating additional moving costs to DSC and the church for another new appointment; therefore be it

**Resolved**, that DSC update the Moving Expense Plan in rule A.II.I by adding item 13 below and adjusting the subsequential numbering:

A. CONFERENCE RULES

II. Conference Procedures

I. Moving Expense Plan

13. Any clergy coming to an appointment in the Desert Southwest Conference from outside its bounds must reimburse the Conference and the receiving Church a pro-rated portion of the moving costs paid for/to the clergy person if they leave the Conference appointment within the first 3 years of their appointment in the Conference. The pro-rated reimbursement amount shall be as follows:

- 100% if they leave the Conference within the first year of their Conference appointment.
- 67% if they leave the Conference within the second year of their Conference appointment.
- 33% if they leave the Conference within the third year of their Conference appointment.

~~13~~14. Exceptions to the provisions of these rules shall be subject to the final approval of the Appointive Cabinet with such approval being ratified by the Moving Expense Committee Chairperson and/or the Conference Treasurer.

## **Addendum to *The Book of Discipline of The United Methodist Church, 2016***

The action of the 2019 General Conference affected the following portions of the *Book of Discipline*. The new text of each paragraph or subparagraph is printed below. These will replace the corresponding portions printed in the 2016 *Book of Discipline*, and should be used when preparing petitions to the 2020 General Conference. The majority of these changes will become effective on January 1, 2020 for annual conferences in the United States of America, and will become effective twelve months after the close of the 2020 General Conference for those in central conferences. The new subparagraph 1504.23, new paragraph 2553, and the amended Clergy Retirement Security Program (CRSP) became effective at the close of the 2019 General Conference.

### **¶ 304.3, page 226, footnote 1.**

1. “*Self-avowed practicing homosexual*” is understood to mean that a person openly acknowledges to a bishop, district superintendent, district committee of ordained ministry, Board of Ordained Ministry, or clergy session that the person is a practicing homosexual; or is living in a same-sex marriage, domestic partnership or civil union, or is a person who publicly states she or he is a practicing homosexual. See Judicial Council Decisions 702, 708, 722, 725, 764, 844, 984, 1020, 1341.

### **¶ 304.5, page 226.**

5. In all votes regarding license, ordination, or conference membership, the requirements set forth herein are minimum requirements. Each person voting is expected to vote prayerfully based on personal judgment of the applicant’s gifts, evidence of God’s grace, and promise of future usefulness for the mission of the Church. The district committee on ordained ministry and the Board of Ordained Ministry shall not approve or recommend any person for candidacy, licensing, commissioning, or ordination who does not meet the qualifications of ¶ 304.1-3, based on the full examination and thorough inquiry into the person’s fitness by the committee and board (see Judicial Council Decisions 1343 and 1344). The bishop presiding in the clergy session shall rule any such unqualified candidate out of order and not eligible to be acted upon.

### **¶ 362, pages 314-317.**

¶ 362. *Complaint Procedures*—1. Ordination and membership in an annual conference in The United Methodist Church is a sacred trust. The qualifications and duties of local pastors, associate members, provisional members, and full members are set forth in *The Book of Discipline of The United Methodist Church*, and we believe they flow from the gospel as taught by Jesus the Christ and proclaimed by his apostles. Whenever a person in any of the above categories, including those on leaves of all types, honorable or administrative location, or retirement, is accused of violating this trust, the membership of his or her ministerial office shall be subject to review.

This review shall have as its primary purpose a just resolution of any violations of this sacred trust, in the hope that God’s work of justice, reconciliation and healing may be realized in the body of Christ.

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. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In appropriate situations, processes seeking a just resolution as defined in ¶ 362.1c may be pursued. Special attention should be given to ensuring that cultural, racial, ethnic and gender contexts are valued throughout the process in terms of their understandings of fairness, justice, and restoration.

A complaint is a written and signed statement claiming misconduct as defined in ¶ 2702.1. When a complaint is received by the bishop, both the person making the complaint and the person against whom the complaint is made will be informed in writing of the process to be followed at that stage. When and if the stage changes, those persons will continue to be informed in writing of the new process in a timely fashion. All original time limitations may be extended for one 30-day period upon the consent of the complainant and the respondent.

a) *Supervision*—In the course of the ordinary fulfillment of the superintending role, the bishop or district superintendent may receive or initiate complaints about the performance or character of a clergyperson. A complaint is a written and signed statement claiming misconduct or unsatisfactory performance of ministerial duties.<sup>78</sup> The person filing the complaint and the clergyperson shall be informed by the district superintendent or bishop of the process for filing the complaint and its purpose.

*b) Supervisory Response*—The supervisory response of the bishop shall begin upon receipt of a formal complaint. The response is pastoral and administrative and shall be directed toward a just resolution among all parties. It is not part of any judicial process. The complaint shall be treated as an allegation or allegations during the supervisory process. At all supervisory meetings no verbatim record shall be made and no legal counsel shall be present. The person against whom the complaint was made may choose another person to accompany him or her with the right to voice; the person making the complaint shall have the right to choose a person to accompany him or her with the right to voice.

The supervisory response shall be carried out by the bishop or the bishop's designee in a timely manner, with attention to communication to all parties regarding the complaint and the process. At the determination of the bishop, persons with qualifications and experience in assessment, intervention, or healing may be selected to assist in the supervisory response. The bishop also may consult with the committee on pastor-parish relations for pastors, the district committee on superintendency for the district superintendents, appropriate personnel committee, or other persons who may be helpful.

When the supervisory response is initiated, the bishop shall notify the chairperson of the Board of Ordained Ministry that a complaint has been filed, of the clergyperson named, of the general nature of the complaint, and, when concluded, of the disposition of the complaint.

*c) Just Resolution*—The supervisory response may include a process that seeks a just resolution in which the parties are assisted by a trained, impartial third party facilitator(s) or mediator(s), in reaching an agreement satisfactory to all parties.<sup>7</sup> If the bishop chooses to initiate a mediated attempt to produce a just resolution, then the bishop, the person filing the complaint, the respondent, and other appropriate persons shall enter into a written agreement outlining the process, including any agreements on confidentiality. A process seeking a just resolution may begin at any time in the supervisory, complaint, or trial process. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including any terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. A just resolution agreed to by all parties shall be a final disposition of the related complaint.

A process seeking a just resolution may begin at any time in the supervisory or complaint process. This is a not an administrative or judicial proceeding.

*d) Suspension*—When deemed appropriate, to protect the well-being of the person making the complaint, the congregation, annual conference, other context for ministry, and /or clergy, the bishop, with the recommendation of the executive committee of the Board of Ordained Ministry, may suspend the person from all clergy responsibilities, but not from an appointment, for a period not to exceed ninety days. With the agreement of the executive committee of the Board of Ordained Ministry, the bishop may extend the suspension for only one additional period not to exceed thirty days. During the suspension, salary, housing, and benefits provided by a pastoral charge will continue at a level no less than on the date of suspension.<sup>8</sup> The person so suspended shall retain all rights and privileges as stated in ¶ 334. The cost of supply of a pastor during the suspension will be borne by the annual conference.<sup>9</sup>

*e) Referral or Dismissal of a Complaint*—Upon receiving a written and signed complaint, the Bishop shall, within 90 days, carry out the supervisory response process outlined above. If within 90 days after the receipt of the complaint resolution is not achieved, the bishop shall either:

(1) Dismiss the complaint as having no basis in law or fact, with the consent of the cabinet, giving the reasons therefore in writing, copies of which shall be placed in the clergyperson's file and shared with the complainant; or

(2) Refer the matter to the counsel for the Church as a complaint.

*f) Supervisory Follow-up and Healing*—The bishop and cabinet shall provide a process for healing within the congregation, annual conference, or other context of ministry if there has been significant disruption by the complaint. This process may include sharing of information by the bishop or the bishop's designee about the nature of the complaint without disclosing alleged facts, which may compromise any possible forthcoming administrative or judicial process. When facts are disclosed, due regard should be given to the interests and needs of all concerned, including the respondent and complainant who may be involved in an administrative or judicial process. This process for healing may include a process of a just resolution, which addresses unresolved conflicts, support for victims, and reconciliation for parties involved.<sup>10</sup> This can take place at any time during the supervisory, complaint, or trial process.

*g)* A complaint may be held in abeyance with the approval of the Board of Ordained Ministry if civil authorities are involved or their involvement is imminent on matters covered by the complaint. The

status of complaints held in abeyance shall be reviewed at a minimum of every 90 days by the bishop and the executive committee of the Board of Ordained Ministry to ensure that the involvement of civil authorities is still a valid impediment for proceeding with the resolution of a complaint. Abeyance of a complaint may be terminated by either the bishop or the Board of Ordained Ministry. The time in which a complaint is held in abeyance shall not count toward the statute of limitations. A clergy person shall continue to hold his or her current status while a complaint is held in abeyance.

78. See Judicial Council Decisions 763, 777.

79. See Judicial Council Decisions 691, 700, 751, 763, 768.

80. See Judicial Council Decision 776.

81. See Judicial Council Decisions 534, 836.

82. See Judicial Council Decision 763.

**¶ 413.3.c, page 337.**

c) The supervisory response may include a process seeking a just resolution in which the parties are assisted by a trained, impartial third party facilitator(s) or mediator(s) in reaching an agreement satisfactory to all parties. (See ¶ 362.1b, c.) The appropriate persons, including the president of the College of Bishops, or the secretary if the complaint concerns the president, should enter into a written agreement outlining such process, including an agreement as to confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. Such written statement of resolution shall be given to the person in charge of that stage of the process for further action consistent with the agreement. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint.

**¶ 413.3.d.i, page 337.**

d) (i) If the supervisory response results in the resolution of the matter, the bishop in charge of the supervisory response and the two episcopacy committee members appointed to the supervisory process (¶ 413.3) shall monitor the fulfillment of the terms of the resolution. If the supervisory response does not result in resolution of the matter, the president or secretary of the College of Bishops may either dismiss the complaint as having no basis in law or fact, with the consent of the College of Bishops and the committee on episcopacy, giving the reasons therefore in writing, copies of which shall be placed in the bishop's file and shared with the complainant, refer the matter to the committee on episcopacy as an administrative complaint pursuant to ¶ 413.3e, or refer the matter to counsel for the Church pursuant to ¶ 2704.1 to prepare a complaint to forward to the committee on investigation.

**¶ 415.6, page 341.**

6. To consecrate bishops; to ordain elders and deacons; to commission deaconesses, home missionaries, and missionaries; and to see that the names of the persons commissioned and consecrated are entered on the journals of the conference and that proper credentials are furnished to these persons. Bishops are prohibited from consecrating bishops who are self-avowed practicing homosexuals, even if they have been duly elected by the jurisdictional or central conference. Bishops are prohibited from commissioning those on the deacon or elder track if the Board of Ordained Ministry has determined the individual is a self-avowed practicing homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference. Bishops are prohibited from ordaining deacons or elders if the Board of Ordained Ministry has determined the individual is a self-avowed practicing homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference.

As these services are acts of the whole Church, text and rubrics shall be used in the form approved by the General Conference.

**¶ 543.17, page 388.**

17. In a central conference or provisional central conference using a language other than English, legislation passed by a General Conference shall not take effect until 18 months after the close of that General Conference in order to afford the necessary time to make adaptations and to publish a translation

of the legislation that has been enacted, the translation to be approved by the resident bishop or bishops of the central conference. This provision, however, shall not exclude the election of delegates to the General Conference by annual conferences within the territory of central conferences or provisional central conferences. Legislation passed at the 2019 called session of General Conference shall not take effect in central conferences until twelve months after the close of the 2020 General Conference in order to afford the necessary time to organize a central conference and “to make such rules and regulations for the administration of the work within their boundaries including such changes and adaptations of the General *Discipline* as the conditions in the respective areas may require, subject to the powers that have been or shall be vested in the General Conference” (§ 31.5 of the Constitution), without regard to the language used in a central conference.

**NEW § 1504.23, page 676.**

**[This new subparagraph became effective at the close of the 2019 General Conference.]**

23. If a local church or charge in the United States changes its relationship to The United Methodist Church through closure, abandonment, or release from the trust clause pursuant to § 2548, § 2549, or otherwise, notwithstanding whether property with title held by the local church is subject to the trust (under the terms of § 2501), the local church shall contribute a withdrawal liability in an amount equal to its pro rata share of any aggregate unfunded pension obligations to the annual conference. The General Board of Pension and Health Benefits shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church’s share. Nothing in the foregoing prevents an annual conference from collecting other obligations from a church or charge.

**NEW § 2553, page 776.**

**[This new paragraph became effective at the close of the 2019 General Conference.]**

Section VIII. Disaffiliation of Local Churches Over Issues Related to Human Sexuality

§ 2553. *Disaffiliation of a Local Church Over Issues Related to Human Sexuality*—1. Basis—Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the *Book of Discipline* related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow.

2. *Time Limits*—The choice by a local church to disaffiliate with The United Methodist Church under this paragraph shall be made in sufficient time for the process for exiting the denomination to be complete prior to December 31, 2023. The provisions of § 2553 expire on December 31, 2023 and shall not be used after that date.

3. *Decision Making Process*—The church conference shall be conducted in accordance with § 248 and shall be held within one hundred twenty (120) days after the district superintendent calls for the church conference. In addition to the provisions of § 246.8, special attention shall be made to give broad notice to the full professing membership of the local church regarding the time and place of a church conference called for this purpose and to use all means necessary, including electronic communication where possible, to communicate. The decision to disaffiliate from The United Methodist Church must be approved by a two-thirds (2/3) majority vote of the professing members of the local church present at the church conference.

4. *Process Following Decision to Disaffiliate from The United Methodist Church*—If the church conference votes to disaffiliate from The United Methodist Church, the terms and conditions for that disaffiliation shall be established by the board of trustees of the applicable annual conference, with the advice of the cabinet, the annual conference treasurer, the annual conference benefits officer, the director of connectional ministries, and the annual conference chancellor. The terms and conditions, including the effective date of disaffiliation, shall be memorialized in a binding Disaffiliation Agreement between the annual conference and the trustees of the local church, acting on behalf of the members. That agreement must be consistent with the following provisions:

a) Standard Terms of the Disaffiliation Agreement. The General Council on Finance and Administration shall develop a standard form for Disaffiliation Agreements under this paragraph to protect The United Methodist Church as set forth in § 807.9. The agreement shall include a recognition of the validity and applicability of § 2501, notwithstanding the release of property therefrom. Annual conferences may develop additional standard terms that are not inconsistent with the standard form of this paragraph.

b) Apportionments. The local church shall pay any unpaid apportionments for the 12 months prior to disaffiliation, as well as an additional 12 months of apportionments.

c) Property. A disaffiliating local church shall have the right to retain its real and personal, tangible and intangible property. All transfers of property shall be made prior to disaffiliation. All costs for transfer of title or other legal work shall be borne by the disaffiliating local church.

d) Pension Liabilities. The local church shall contribute withdrawal liability in an amount equal to its pro rata share of any aggregate unfunded pension obligations to the annual conference. The General Board of Pension and Health Benefits shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church's share.

e) Other Liabilities. The local church shall satisfy all other debts, loans, and liabilities, or assign and transfer them to its new entity, prior to disaffiliation.

f) Payment Terms. Payment shall occur prior to the effective date of departure.

g) Disaffiliating Churches Continuing as Plan Sponsors of the General Board of Pension and Health Benefits Plans. The United Methodist Church believes that a local church disaffiliating under ¶ 2553 shall continue to share common religious bonds and convictions with The United Methodist Church based on shared Wesleyan theology and tradition and Methodist roots, unless the local church expressly resolves to the contrary. As such, a local church disaffiliating under ¶ 2553 shall continue to be eligible to sponsor voluntary employee benefit plans through the General Board of Pension and Health Benefits under ¶ 1504.2, subject to the applicable terms and conditions of the plans.

h) Once the disaffiliating local church has reimbursed the applicable annual conference for all funds due under the agreement, and provided that there are no other outstanding liabilities or claims against The United Methodist Church as a result of the disaffiliation, in consideration of the provisions of this paragraph, the applicable annual conference shall release any claims that it may have under ¶ 2501 and other paragraphs of *The Book of Discipline of The United Methodist Church* commonly referred to as the trust clause, or under the agreement.

#### ¶ 2701.5, pages 787-788.

5. *A Just Resolution in Judicial Proceedings*—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. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. Special attention should be given to ensuring that cultural, racial, ethnic, age, and gender contexts are valued throughout the process in terms of their understandings of fairness, justice, and restoration. During the just resolution process, the parties may be assisted by a trained, impartial third party facilitator(s) or mediator(s), in reaching an agreement satisfactory to all parties. Processes that seek a just resolution are encouraged at any time, including through the judicial proceedings. After the referral of a matter as a judicial complaint from counsel for the Church to the committee on investigation, if a process seeking a just resolution is used, the appropriate persons, including the counsel for the Church, the complainant(s), and the counsel for the respondent, should enter into a written agreement outlining such process, including any agreement on confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the same persons who signed the written agreement outlining the process, and they shall agree on any matters to be disclosed to third parties. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures required for possible readmission.

#### ¶ 2706.5.c.3, pages 799-800.

(3) Upon recommendation of the counsel for the Church and the counsel for the respondent, the committee may refer the matter to the resident bishop as deemed appropriate for a process seeking a just resolution. The bishop shall institute such a process and may use the assistance of a trained, impartial third party facilitator(s) or mediator(s). Such referral will not constitute a dismissal or double jeopardy under ¶ 2701.2d. The appropriate persons, including the counsel for the Church, the complainant, and counsel for the respondent, should enter into a written agreement outlining the process, including any agreements on confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a

written statement, affirming such resolution, including any terms and conditions, shall be signed by the same persons who signed the written agreement outlining the process, and they shall agree on any matters to be disclosed to third parties. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures required for readmission. The committee on investigation shall retain jurisdiction for the period of time stated for the implementation of the resolution agreement. The committee shall periodically monitor the progress of the completion of the terms and conditions of the resolution agreement, and shall certify when the terms and conditions of the agreement are completed. When the terms and conditions of the agreement are completed, the committee on investigation shall report its certification, and the status of the respondent as a result of completing the terms and conditions of the resolution agreement, to the resident bishop. If the process does not result in resolution, the matter shall be returned to the committee on investigation for further consideration. Also, decision(s) of a trial court that call for certification as to the completion of terms and conditions of the trial court's decision(s) after the end of a trial are to be assigned to the committee on investigation for monitoring and certification of completion of the decision. If the respondent fails to complete the terms and conditions of a trial court decision, the committee shall notify the presiding officer of the trial, who may reconvene the trial court for its further consideration.

**¶ 2711.3, page 809.**

*3. Penalties—If the Trial Results in Conviction.*—Further testimony may be heard and arguments by counsel presented regarding what the penalty should be. The trial court shall determine the penalty, which shall require a vote of at least seven members. The trial court shall have the power to remove the respondent from professing membership, terminate the conference membership, and revoke the credentials of conference membership and licensing, commissioning, ordination, or consecration of the respondent, suspend the respondent from the exercise of the functions of office, or to fix a lesser penalty. However, where the conviction is for conducting ceremonies that celebrate homosexual unions or performing same-sex wedding ceremonies under ¶ 2702.1(b) or (d), the trial court does not have the power to and may not fix a penalty less than the following:

- a) First (1st) offense – One (1) year's suspension without pay.
- b) Second (2nd) offense – Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.

The penalty fixed by the trial court shall take effect immediately unless otherwise indicated by the trial court. Should any penalty fixed by a trial court be altered or reduced as a result of the appellate process, the respondent shall be restored and/or compensated as appropriate, provided that in no instance and under no circumstances shall the respondent be entitled to receive an award of compensation for or reimbursement of any expenses or fees associated with the respondent's use of an attorney.<sup>23</sup>

23. See Judicial Council Decision 1201.

**¶ 2715.10, pages 813-814.**

10. The Church shall have no right of appeal from findings of fact of the trial court. The Church shall have a right of appeal to the committee on appeals and then to the Judicial Council from findings of the trial court based on egregious errors of Church law or administration that could reasonably have affected the findings of the trial court. When the committee on appeals or the Judicial Council shall find egregious errors of Church law or administration under this part, it may remand the case for a new trial, along with a statement of the grounds of its action. This is not to be double jeopardy. In regard to cases where there is an investigation under ¶ 2702, but no trial is held, egregious errors of Church law or administration may be appealed to the jurisdictional or central conference committee on appeals and then to the Judicial Council by counsel for the Church. The committee on investigation's decision not to certify a bill of charges does not alone constitute an egregious error of Church law or administration. When the committee on appeals or the Judicial Council shall find egregious errors of Church law or administration under this part, it may remand the case for a new hearing, in which event it shall return to the chair of the committee on investigation a statement of the grounds of its action. This is not to be double jeopardy.<sup>27</sup>

27. See Judicial Council Decision 985.

### **Clergy Retirement Security Program**

**[This action became effective at the close of the 2019 General Conference.]**

The 2019 General Conference adopted petition 90017, which stated:

The General Board of Pension and Health Benefits is directed by the General Conference to amend the Clergy Retirement Security Program such that active clergy participants who terminate their annual conference relationship under ¶ 360 of the *Book of Discipline* will be treated as terminated vested participants under the Clergy Retirement Security Program. The terminated vested participant's accrued pension benefits shall be secured and protected from future disruptions by converting such benefits to an actuarially equivalent account balance, using factors corresponding to those used when determining annual conference plan sponsor contributions to the Clergy Retirement Security Program. Such converted benefits, along with all other retirement account balances, shall be transferred to the United Methodist Personal Investment Plan, a voluntary defined contribution plan maintained by the General Board of Pension and Health Benefits under ¶ 1504.2. The General Board of Pension and Health Benefits is directed, authorized, and empowered to amend the Clergy Retirement Security Program, effective as of the close of the 2019 General Conference and in the manner described above.

The General Board of Pension and Health Benefits (Wespath) is amending the Clergy Retirement Security Program (CRSP) as directed, and the plan document amendment will be publicly available.

**The Book of Discipline of The United Methodist Church, 2016**  
**Errata (May 17, 2019)**  
**New additions appear in red.**

**¶ 34, page 36, line 17.** After the first sentence, add “Such elections shall include open nominations from the floor by the annual conference, and delegates shall be elected by a minimum of a simple majority of the ballots cast.”

The paragraph will now read:

The annual conference shall elect clergy and lay delegates to the General Conference and to its jurisdictional or central conference in the manner provided in this section, Articles IV and V. Such elections shall include open nominations from the floor by the annual conference, and delegates shall be elected by a minimum of a simple majority of the ballots cast. The persons first elected up to the number determined by the ratio for representation in the General Conference shall be representatives in that body. Additional delegates shall be elected to complete the number determined by the ratio for representation in the jurisdictional or central conference, who, together with those first elected as above, shall be delegates in the jurisdictional or central conference. The additional delegates to the jurisdictional or central conference shall in the order of their election be the reserve delegates to the General Conference. The annual conference shall also elect reserve clergy and lay delegates to the jurisdictional or central conference as it may deem desirable. These reserve clergy and lay delegates to the jurisdictional or central conferences may act as reserve delegates to the General Conference when it is evident that not enough reserve delegates are in attendance at the General Conference.

*This constitutional amendment was duly approved by the General Conference and the requisite two-thirds affirmative vote of the aggregate number of members of the several annual conferences present and voting, and those votes were canvassed by the Council of Bishops meeting in May 2018 and announced according to The Book of Discipline, ¶ 59.*

**¶ 46, page 39, bottom of page.** To the end of the paragraph, add “provided that episcopal elections in central conferences shall be held at a regular, not an extra, session of the central conference, except in the case where an unexpected vacancy must be filled.”

The paragraph will now read:

The bishops shall be elected by the respective jurisdictional and central conferences and consecrated in the historic manner at such time and place as may be fixed by the General Conference for those elected by the jurisdictions and by each central conference for those elected by such central conference, provided that episcopal elections in central conferences shall be held at a regular, not an extra, session of the central conference, except in the case where an unexpected vacancy must be filled.

*This constitutional amendment was duly approved by the General Conference and the requisite two-thirds affirmative vote of the aggregate number of members of the several annual conferences present and voting, and those votes were canvassed by the Council of Bishops meeting in May 2018 and announced according to The Book of Discipline, ¶ 59.*

**¶ 50, page 41, line 32.** After the last paragraph, add “These provisions shall not preclude the adoption by the General Conference of provisions for the Council of Bishops to hold its individual members accountable for their work, both as general superintendents and as presidents and residents in episcopal areas.”

The paragraph will now read:

The bishops, both active and retired, of The Evangelical United Brethren Church and of The Methodist Church at the time union is consummated shall be bishops of The United Methodist Church. The bishops of The Methodist Church elected by the jurisdictions, the active bishops of The Evangelical United Brethren Church at the time of union, and bishops elected by the jurisdictions of The United Methodist Church shall have life tenure. Each bishop elected by a central conference of The Methodist Church shall have such tenure as the central conference electing him shall have determined.\* The jurisdictional conference shall elect a standing committee on episcopacy to consist of one clergy and one lay delegate from each annual conference, on nomination of the annual conference delegation. The

committee shall review the work of the bishops, pass on their character and official administration, and report to the jurisdictional conference its findings for such action as the conference may deem appropriate within its constitutional warrant of power. The committee shall recommend the assignments of the bishops to their respective residences for final action by the jurisdictional conference.

These provisions shall not preclude the adoption by the General Conference of provisions for the Council of Bishops to hold its individual members accountable for their work, both as general superintendents and as presidents and residents in episcopal areas.

[Editor's note: In the first line of the addition, "that adoption" has been changed to "the adoption" as a grammatical correction.]

*This constitutional amendment was duly approved by the General Conference and the requisite two-thirds affirmative vote of the aggregate number of members of the several annual conferences present and voting, and those votes were canvassed by the Council of Bishops meeting in May 2018 and announced according to The Book of Discipline, ¶ 59.*

**¶ 162.A, page 120, third paragraph, line 7.** Delete the words "members of". The sentence will now read: "We further assert the right of historically underrepresented racial and ethnic persons to equal and equitable opportunities in employment and promotion..."

**¶ 256.3.c(1), page 189, second line from the bottom of the page.** Replace "council" with "leadership team". The sentence will now read: "The leadership team shall be composed of:"

**¶ 256.3.c(3), page 191, line 15.** In the subparagraph following subparagraph (n), replace the subparagraph designation (m) with (o). The subparagraph will now read: "(o) It is strongly recommended that the council develop a program budget for their ministry."

**¶ 258.2, page 196, line 34.** Add "or staff-parish relations" after "pastor-parish relations". The sentence should read: "There shall be elected annually by the charge conference in each local church a committee on pastor-parish relations or staff-parish relations who are professing members..."

**¶ 263.6.c, page 211, second line from the bottom.** Delete the second occurrence of ": 50 percent (General Board of Global Ministries)". The sentence will read: "(2) Strengthen, develop and equip Native American rural, urban, and reservation congregations, ministries, and communities: 50 percent (General Board of Global Ministries)."

**¶ 268.3, page 218, fifth line from the bottom.** Capitalize "Lay Servant Ministries".

**¶ 268.3.e, page 219, line 7.** Replace "(see ¶ 666.10)" with "(see ¶ 666.11)".

**¶ 268.4.e, page 220, line 6.** Replace "(see ¶ 666.10)" with "(see ¶ 666.11)".

**¶ 310.2.e, page 232, line 3.** Replace "(¶ 666.6)" with "(¶ 666.7)".

**¶ 320.5, page 242, line 5.** Replace "¶ 358.1, .2, .4" with "¶ 357.1, .2, .4".

**¶ 320.5, page 242, line 6.** Replace "¶ 1506.5a" with "applicable provisions of the Clergy Retirement Security Program." The sentence will now read: "Retirement provisions for local pastors shall be the same as those for clergy members in ¶ 357.1, .2, .4, with pensions payable in accordance with applicable provisions of the Clergy Retirement Security Program."

**¶ 331.10.b, page 263, line 13.** In the final sentence, replace "(see ¶ 331.6d)" with "(see ¶ 331.7)".

*Editor's Note: A previous edition of the Errata included changes to ¶¶ 408.3, 410, and 422 approved by the 2016 General Conference as enabling legislation, to take effect upon ratification of the amendment to ¶ 50 of the Constitution published above. These changes were also presented to the 2019 General Conference as part of the Traditional Plan. Although these changes were approved, the Judicial Council declared them unconstitutional in*

*Judicial Council Decisions 1366, 1377, and 1378. The changes to ¶¶ 408.3, 410, and 422 have been removed from the Errata pursuant to ¶2612.2 of the Book of Discipline.*

¶ 426, page 348, footnote number 17. Replace “492” with “101, 501”. The footnote should read: See Judicial Council Decisions 101, 501, 1174.

¶ 426.1, page 348 footnote number 18. Replace “492” with “701.” The footnote should read: See Judicial Council Decision 701.

¶ 508, page 367, line 9. Replace “¶ 543.19” with “¶ 543.17”.

**Page 404, bottom of the page.** Replace the footnote number “25” with “28”. The footnote is correctly designated as note 28 in the text above.

¶ 602.1, page 408, lines 1-3. Add “(¶ 321)” after “associate members”. Replace “¶ 317” with “¶ 316”.

¶ 605.7, page 416, line 21. Replace “¶ 333” with “¶ 334.5”.

¶ 607.8, page 420, line 16. Replace “Lay Speaking Ministries” with “Lay Servant Ministries”.

¶ 619.1b), page 439, line 25. Replace “¶ 613.11” with “¶ 613.12”.

¶ 631.3, page 452, line 24. Replace “Lay Speaking Ministries” with “Lay Servant Ministries”.

¶ 631.6d), page 453, lines 18-19. Replace “Lay Speaking Ministries” with “Lay Servant Ministries”.

¶ 631.7d), page 454, line 2. Replace “¶ 669” with “¶ 668”.

¶ 2549.2.c, page 771, line 14. In the final sentence, replace “Commission on Pan-Methodist Cooperation and Union” with “Pan-Methodist Commission.” The sentence will now read: “If the annual conference board of trustees sells or leases the property, consideration should be given to selling or leasing the property to one of the other denominations represented in the Pan-Methodist Commission.”

¶ 2549.7, page 773, footnote 12. Replace “1202” with “1282”.

**Index, page 825, first column.** In the first entry for appointments, in annual conference, journal, replace “451.7” with “415.7”.

**Index page 828, right column, line 10.** Under the category of bishops / committee on episcopacy / conference committee, replace “¶ 4637” with “¶ 637”.

**Index, page 855, second column.** After the Index entry for Fellowship of Local Pastors, add the following new Index entry: “Fellowship of United Methodists in Music and Worship Arts, ¶¶ 630.4c, 1114.14”.

# Improper voting at GC2019 voids key vote

By Heather Hahn  
Aug. 10, 2019 | LEXINGTON, Ky. (UM News)

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Bishops Thomas J. Bickerton (center) and Gregory V. Palmer (right) confer with colleagues on legislative procedures during the 2019 United Methodist General Conference in St. Louis. Bickerton is the Council of Bishops representative on the Commission on General Conference. The Commission on General Conference — meeting behind closed doors — reviewed an investigation that found evidence of four ineligible people casting votes using the credentials of delegates who were not present. File photo by Mike DuBose, UM News.

General Conference organizers have determined enough improper voting likely took place at the 2019 special session to nullify a key vote on how congregations can leave The United Methodist Church.

The Commission on General Conference — meeting behind closed doors during its Aug. 7-9 meeting — reviewed an investigation that found “credible objective evidence” of four ineligible people casting votes using the credentials of delegates who were not present.

The commission did not speak in public about its investigation’s findings and did not provide the names of the accused ineligible voters or the conferences they represented.

“When you are dealing with allegations, they may or may not be factual in nature so you don’t want to do any defamation of anyone’s character by inappropriately saying certain things,” said Bishop Thomas J. Bickerton later told United Methodist News. He is the Council of Bishops representative on the commission and leads the New York Conference.

Ultimately, the commission wants the Judicial Council — the denomination’s top court — to weigh what the fraudulent voting means for the legality of the disaffiliation legislation.

The investigation findings come more than five months after a pivotal special General Conference, called by the Council of Bishops to try to resolve the longtime debate over the status of LGBTQ people. Since the Feb. 23-26 special session in St. Louis, [discussions of splitting the denomination](#) have only intensified and [giving to general church ministries has dropped](#).

The denomination’s top lawmaking body, by a vote of 438-384, [adopted the Traditional Plan](#) that adds enforcement measures to bans on same-sex weddings and “self-avowed practicing” gay clergy.

The number of ineligible voters was too slim to affect that outcome. However, the invalid vote count was enough to cast doubt on the disaffiliation legislation [that allows, with limitations, congregations to leave the denomination while keeping church property](#).

By a two-vote margin, 402-400, the body substituted a minority report for [Petition 90066](#), the originally submitted disaffiliation legislation.

Because voting at General Conference is supposed to be confidential, the investigation did not determine whether the ineligible voters favored the substitution or not. But under Robert’s Rules of Order — which General Conference uses — the possibility that invalid ballots might affect the result of a vote invalidates the entire ballot.

“Having found sufficient evidence that there were invalid votes that potentially affected the result of the vote, the Commission determined that the vote to substitute the minority report is void,” the commission leadership said [in a press release](#).



*Members of the United Methodist Commission on General Conference listen during a presentation at their meeting in Lexington, Ky. From left are: Bishop Thomas J. Bickerton, the Rev. Gary George and Kim Simpson. Bickerton is the Council of Bishops representative on the commission, George is secretary and Simpson is chair. Photo by Heather Hahn, UM News.*

The substitution eliminated the precondition that departing churches repay any grants from their annual conference. It also gave a conference's board of trustees, rather than the bishop, a role in setting the terms and conditions of church's departure.

The substitution required that departing churches make any payments under those terms and conditions prior to the effective date of departure. The original legislation allowed a term of payment up to 10 years.

With the substitution, the disaffiliation plan went on to pass by 420-390. It is now [listed as an addendum to the Book of Discipline](#), the denomination's policy book. [Seven congregations in Mississippi](#) already have used the legislation to exit the denomination.

The Rev. Beth Ann Cook, a 2019 General Conference delegate from the Indiana Conference, presented the minority report and serves on the General Conference commission.

"The Commission on GC acted with the highest integrity," she told United Methodist News. "I'm blessed to be associated with all of our members. I'm obviously disappointed that the substitute motion vote had to be voided. I will continue to pray and work for a gracious exit path. As I said at GC2019, I believe this is how we can best live out Christ's call to love one another deeply in the midst of disagreement."

The commission is asking the Council of Bishops to refer the matter to the Judicial Council. The church's top court has the authority to determine legality of General Conference actions, and the press release said the commission itself could not make the request to the top court but the bishops could. The Judicial Council [already has announced its docket](#) for its Oct. 29-Nov. 1 meeting in Evanston, Illinois.

The commission also plans to initiate conversations on membership statistics with the Council of Bishops and the General Council on Finance and Administration, the denomination's administrative agency. An annual conference's number of professing members helps determine its number of General Conference delegates, but [the membership data available can be out of date and unreliable](#).

The investigation also raised the possibility of irregularities in how delegates were selected and instructed to vote. The commission, behind closed doors, voted to refer these allegations to the Council of Bishops for further investigation.

Bishops preside over annual conference meetings where delegates are elected.

The sons of two different bishops, East Congo Area Bishop Gabriel Unda and South Congo Area Bishop Kasap Owan were named in [a New York Times article](#) as possible ineligible voters. However, Unda provided UM News [a document listing his son as a reserve](#) and [Kasap provided a conference journal](#) showing his son elected as seventh reserve.

Just before The New York Times story appeared March 14, the Rev. Gary Graves — secretary of the General Conference — [acknowledged problems with credentialing and voting](#). He announced that “a very limited number” of people initially denied credentials to vote had later obtained them. At the time, he declined to give a precise number.

On March 16, the General Conference commission named [12 of its members to serve on a task force to investigate improper voting](#). The commission also authorized staff members Graves and Sara Hotchkiss, business manager, to negotiate with auditing firms to help with the work.

The Council of Bishops' executive committee soon called for an independent probe, and the commission hired attorneys with the Nashville, Tennessee, law firm Bass, Berry & Sims to work with the auditing firm, LBMC, in the investigation.

The auditing firm looked at available documentation for every authorized delegate, including voting lists, attendance lists, travel reimbursement forms and visa information.

Delegates to the multinational General Conference are equally divided between lay and clergy. The 2019 General Conference was to have 864 delegates, but 31 were absent — primarily because they were unable to get visas.

Behind closed doors, the commission developed new registration and credentialing procedures to safeguard against unauthorized votes at future gatherings. The next General Conference will be May 5-15, 2020, in Minneapolis.

Altogether, the commission spent more than three hours of its Aug. 7-9 meeting at First United Methodist Church in Lexington, Kentucky, closed to outside observers. At the conclusion of the meeting, despite earlier promises to report out its work, the commission did not report any details of its decisions.

The group did not publicly say how it planned to fix the identified problems.

“The Commission on General Conference heard and acted on the task force’s recommendations,” said the Rev. Gary George, commission secretary and member of the East Ohio Conference. “Recommendations falling within the scope of the task force’s responsibilities are forthcoming.”

He added that recommendations “outside the scope of the Commission on General Conference are being referred to appropriate bodies for their consideration.”

Finally, he said, a press release would come out on Aug. 10, after commission members had begun their journeys homeward. He added that a full report on recommendations is expected early next week.

The press release said the commission has identified 19 changes to make the credentialing and voting process more secure, including issuing credentials that have photos.

The Book of Discipline urges open church meetings “in the spirit of openness and accountability” and “great restraint” in closing doors to the public.

[Paragraph 722](#) makes some exceptions, including for “communications with attorneys.” It was under this exception, the commission voted to go into closed session.

The paragraph also says: “A report on the results of a closed session shall be made immediately upon its conclusion or as soon thereafter as is practicable.”

Bickerton insisted there were good reasons for the commission’s reticence about its decisions. He said the commission is consulting with its attorneys in what it says in its recommendations.

“We have to maintain strict confidentiality or the integrity of those further investigations goes into jeopardy,” he said.

*Hahn is a multimedia news reporter for United Methodist News. Contact her at (615) 742-5470 or [newsdesk@umcom.org](mailto:newsdesk@umcom.org). To read more United Methodist news, [subscribe to the free Daily or Weekly Digests](#).*

# 2019 General Conference Legislation Under Review

These approved changes will be reviewed by the Judicial Council in April.

Notes on constitutionality are based on Judicial Council Decisions [1377](#) and [1366](#).

Compiled from information publicly available on the [legislative tracking](#) website. New wording is underlined.

Final official language will be available at a later time.

## Traditional Plan #1 - Footnote 1 Qualifications for Ministry - Par. 304.3 (Petition 90032)

**Summary: Expands the definition of “self-avowed practicing homosexual”**

**Constitutional**

**Submitted prior to General Conference:**

Amend by addition footnote 1 attached to ¶ 304.3:  
 “Self-avowed practicing homosexual” is understood to mean that a person openly acknowledges to a bishop, district superintendent, district committee of ordained ministry, Board of Ordained Ministry, or clergy session that the person is a practicing homosexual; or is living in a same-sex marriage, domestic partnership or civil union, or is a person who publicly states she or he is a practicing homosexual. See Judicial Council Decisions 702, 708, 722, 725, 764, 844, 984, 1020, 1341.

**Approved at General Conference:**

No amendment

## Traditional Plan #2 - Episcopal Accountability - Par. 408.3 (Petition 90033)

**Summary: Involuntary retirement of bishops - revises votes needed and specifies non-voting members**

**Unconstitutional - violates Constitution ¶¶ 20 and 58 regarding bishop’s right to fair and due process**

**Submitted prior to General Conference:**

Amend by addition ¶ 408.3.c:  
 By a majority vote of those present and voting, the members of the Council of Bishops may place any bishop in the retired relation with or without their consent and irrespective of their age if such a relation is recommended by the council relations committee. The procedures for fair process in administrative hearings shall be followed in any involuntary retirement procedure (¶ 422.5). Written notice also should be given to the chairperson of the administrative review committee (¶ 422.6).

**Approved at General Conference:**

The Petition is amended as follows:  
 ...recommended by the council relations committee. Members of the council relations committee and administrative review committee shall not vote on this matter. The procedures for fair process. . .

**Traditional Plan #3 - Episcopal Accountability - Par. 410 (Petition 90034)**

**Summary: Creates new category of involuntary leave for bishops**

**Unconstitutional - violates Constitution ¶¶ 20 and 58 regarding bishop's right to fair and due process**

**Submitted prior to General Conference:**

Amend by addition ¶ 410.5:

¶ 410.5 Involuntary Leave of Absence—a) By a majority vote of those present and voting, the members of the Council of Bishops may place any bishop in an involuntary leave status if such a relation is recommended by the council relations committee. The procedures for fair process in administrative hearings shall be followed in any involuntary leave of absence procedure (¶ 422.5). Written notice also should be given to the chairperson of the administrative review committee (¶ 422.6).

b) Involuntary leave of absence shall be approved annually by the Council of Bishops after review and recommendation of the council relations committee.

c) During the period for which the leave is granted, the bishop shall be released from all episcopal responsibilities, and another bishop chosen by the College of Bishops shall preside in the episcopal area. Salary and other benefits may be continued through the Episcopal Fund for a maximum of six months.

**Approved at General Conference:**

Amend by addition ¶ 410.5:

b) Involuntary leave of absence shall be approved annually by the Council of Bishops after review and recommendation of the council relations committee. Members of the council relations committee and administrative review committee shall not vote on this matter.

**Traditional Plan #4 - Episcopal Accountability - Par. 422 (Petition 90035)**

**Summary: Creates new committees to recommend involuntary status changes for bishops**

**Unconstitutional - violates Constitution ¶¶ 20 and 58 regarding bishop's right to fair and due process**

**Submitted prior to General Conference:**

Amend by addition ¶ 422:

¶ 422.2. The Council of Bishops is thus the collegial and corporate expression of episcopal leadership in the Church and through the Church into the world. The Church expects the Council of Bishops to speak to the Church and from the Church to the world and to give leadership in the quest for Christian unity and interreligious relationships. The Council of Bishops is also a body in which its individual members are held accountable for their work, both as general superintendents and as presidents and residents in episcopal areas.

¶ 422.5. The Council of Bishops shall establish from its membership a council relations committee of at least three persons to hear requests for involuntary leave of absence, involuntary retirement, as may be referred to it by the Council of Bishops or any seven active bishops.

a) When there is a recommendation for an involuntary status change to be referred to the council relations committee, the council relations committee shall conduct an administrative hearing following the provisions of fair process. The Council of Bishops shall designate the person to present the recommendation to the committee. The respondent shall be given an opportunity to address the recommendation in person, in writing, and with the assistance of a clergy person in full connection, who shall have voice. Once the committee has heard the person designated to represent the recommendation, the respondent, and others as determined by the chairperson of the committee, it shall report its decision to the Council of Bishops. The Council of Bishops may affirm or reverse the decision of the committee. The Council of Bishops shall refer to the council relations committee any bishop who is unwilling to certify that he or she is willing to uphold, enforce, and maintain The Book of Discipline relative to self-avowed practicing homosexuals. When the council relations committee reaches a positive finding of fact that the bishop has not so certified, the council relations committee shall recommend either involuntary leave or involuntary retirement to the Council of Bishops after conducting a Fair Process Hearing.

b) Fair Process Hearings--As a part of the holy covenant that exists within the membership and organization of The United Methodist Church, the following procedures are presented for the protection of the rights of individuals and for the protection of the Church in administrative hearings. The process set forth in this paragraph shall be followed whenever the council relations committee meets to process an administrative request by the Council of Bishops.

**Approved at General Conference:**

Amend by addition ¶ 422.5 after the following sentence:  
The Council of Bishops shall establish from its membership a council relations committee of at least three persons to hear requests for involuntary leave of absence, involuntary retirement, as may be referred to it by the Council of Bishops or any seven active bishops. Members of the council relations committee and administrative review committee shall not have voted on the referral of requests for involuntary leave of absence or involuntary retirement.

- 1) In any administrative proceeding the representative of the Council of Bishops and the respondent (the person against whom involuntary action is directed) shall have a right to be heard before any final action is taken.
- 2) Notice of any hearing shall advise the respondent of the reason for the proposed procedures with sufficient detail to allow the respondent to prepare a response. Notice shall be given not less than twenty days prior to the hearing.
- 3) The respondent shall have a right to be accompanied to any hearing by a clergyperson in full connection, in accordance with the appropriate disciplinary provisions. The clergyperson accompanying the respondent shall have the right to voice.
- 4) In any administrative hearing, under no circumstances shall one party, in the absence of the other party, discuss substantive issues with members of the pending hearing body. Questions of procedure may be raised with the presiding officer of the hearing body.
- 5) The respondent shall have access, at least seven days prior to the hearing, to all records relied upon in the determination of the outcome of the administrative process.
- 6) In the event that a respondent fails to appear for supervisory interviews, refuses mail, refuses to communicate personally with the bishop, or otherwise fails to respond to supervisory requests or requests from official administrative committees, such actions or inactions shall not be used as an excuse to avoid or delay any Church processes, and such processes may continue without the participation of such individual.

¶ 422.6 The Council of Bishops shall establish from its membership an administrative review committee of at least three persons who are not members of the executive committee or the council relations committee. Its only purpose shall be to ensure that the disciplinary procedures for any involuntary action recommended by the council relations committee are properly followed. The entire administrative process leading to the action for change of status of the bishop shall be reviewed by the administrative review committee, and it shall report its findings to the Council of Bishops prior to any action by the Council of Bishops. The administrative review committee shall notify the parties of the review process. The administrative fair process hearing procedures (¶ 422.5) should be followed by the administrative review committee. Prior to its report, if the committee determines that any error has occurred, it may recommend to the appropriate person or body that action be taken promptly to remedy the error, decide the error is harmless, or take other action.

**Traditional Plan #5 - Episcopal Responsibilities - Par. 415.6 (Petition 90036)**

**Summary: Prohibits bishops from commissioning or ordaining self-avowed homosexuals**

**Constitutional**

**Submitted prior to General Conference:**

Amend by addition ¶ 415.6:  
To consecrate bishops; to ordain elders and deacons; to commission deaconesses, home missionaries, and missionaries; and to see that the names of the persons commissioned and consecrated are entered on the journals of the conference and that proper credentials are furnished to these persons. Bishops are prohibited from consecrating bishops who are self-avowed homosexuals, even if they have been duly elected by the jurisdictional or central conference. Bishops are prohibited from commissioning those on the deacon or elder track if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference. Bishops are prohibited from ordaining deacons or elders if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference.

**Approved at General Conference:**

No amendment

**Traditional Plan #6 - Composition of Board of Ordained Ministry - Par. 635.1a (Petition 90037)**

**Summary: Requires Board of Ordained Ministry members to certify adherence to the Discipline**

**Unconstitutional - violates the principle of legality**

**Submitted prior to General Conference:**

Amend by addition ¶ 635.1.a:  
Members shall be nominated by the presiding bishop after consultation with the chairperson of the board, the executive committee, or a committee elected by the board of the previous quadrennium, and with the cabinet. Prior to being nominated for membership on the Board of Ministry by the bishop, any individual must certify that he or she will uphold, enforce, and maintain the Book of Discipline related to commissioning, ordination, and marriage of self-avowed practicing homosexuals. Additionally, the bishop must certify that he or she only has nominated individuals who will uphold, enforce, and maintain the Book of Discipline related to ordination and marriage of self-avowed practicing homosexuals. To ensure adequate board membership . . .

**Approved at General Conference:**

Amend by addition ¶ 635.1.a:  
Members shall be nominated by the presiding bishop after consultation with the chairperson of the board, the executive committee, or a committee elected by the board of the previous quadrennium, and with the cabinet. Prior to being nominated for membership on the Board of Ministry by the bishop, any individual must certify to the bishop that he or she will uphold, enforce, and maintain the Book of Discipline in its entirety, including but not limited to all qualifications for ordination (¶¶304, 330, 335, 336). Additionally, the bishop must certify to the annual conference secretary that he or she only has nominated individuals who will uphold, enforce, and maintain the Book of Discipline in its entirety, including but not limited to the qualifications for ordination (¶¶304, 330, 335, 336). To ensure adequate board membership . . .

**Traditional Plan #7 - Full Examination - Par. 635.2h (Petition 90038)**

**Summary: Requires Board of Ordained Ministry to examine and decline candidates not meeting standards regarding sexuality**

**Unconstitutional - violates the [principle of legality](#)**

**Submitted prior to General Conference:**

Amend by addition ¶635.2.h:  
To examine all applicants as to their fitness for the ordained ministry and make full inquiry as to the fitness of the candidate for: (1) annual election as local pastor; (2) election to associate membership; (3) election to provisional membership; and (4) election to full conference membership. The Board of Ministry shall conduct an examination to ascertain whether an individual is a practicing homosexual, including information on social media, as defined by the Book of Discipline. The board shall certify that such an examination has occurred and its results. If it is determined as a matter of fact that an individual is a practicing homosexual, the board shall not recommend the individual to the clergy session of the annual conference for commissioning or ordination.

**Approved at General Conference:**

No amendment

**Traditional Plan #8 - Composition of Board of Ordained Ministry - Par. 806.9 (Petition 90039)**

**Summary: Requires annual conference certification of nominees and consequences for failure to do so**

**Unconstitutional - violates the [principle of legality](#)**

**Submitted prior to General Conference:**

Amend ¶ 806.9 at its conclusion to state:  
Every annual conference shall certify that the bishop has nominated only members of the Board of Ministry who will uphold, enforce, and maintain the Book of Discipline related to ordination and marriage of practicing homosexuals. Failure to do so shall result in The General Council on Finance and Administration withholding all funds from The United Methodist Church and withdrawing the annual conference's ability to use the denominational cross and flame logo.

**Approved at General Conference:**

No amendment

**Traditional Plan #9- Composition of Board of Ordained Ministry - Par. 613.19 (Petition 90040)**

**Summary: Requires annual conference certification of nominees and consequences for failure to do so**

**Unconstitutional - violates the [principle of legality](#)**

**Submitted prior to General Conference:**

Amend ¶ 613.19 at its conclusion to state:  
Every annual conference shall certify that the bishop has nominated only members of the Board of Ministry who will uphold, enforce, and maintain the Book of Discipline related to ordination and marriage of practicing homosexuals. Failure to do so shall result in The General Council on Finance and Administration withholding all funds from The United Methodist Church and withdrawing the annual conference's ability to use the denominational cross and flame logo.

**Approved at General Conference:**

No amendment

**Traditional Plan #11 - Minimum Penalty - Par. 2711.3 (Petition 90042)**

**Summary: Mandates penalties for clergy convicted of performing same-sex ceremonies**

**Constitutional**

**Submitted prior to General Conference:**

Amend ¶¶ 2711.3, Penalties as follows.  
¶¶ 2711. Power of the Trial Court  
3. Penalties - If the Trial Results in Conviction. Further testimony may be heard and arguments by counsel presented regarding what the penalty should be. The trial court shall determine the penalty, which shall require a vote of at least seven members. The trial court shall have the power to remove the respondent from professing membership, terminate the conference membership and/or revoke the credentials of conference membership and/or ordination or consecration of the respondent, suspend the respondent from the exercise of the functions of office, or to fix a lesser penalty. Except, where the conviction is for conducting ceremonies which celebrate homosexual unions, or performing same-sex wedding ceremonies under ¶¶ 2702.1(b) or (d), the trial court does not have the power to and may not fix a penalty less than the following:  
  
a) First (1st) offense – One (1) year’s suspension without pay.  
b) Second (2nd) offense - Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.  
The penalty fixed by the trial court shall take effect immediately unless otherwise indicated by the trial court.

**Approved at General Conference:**

No amendment

**Traditional Plan #12 - Qualifications for Ministry - Par. 304.5 (Petition 90043)**

**Summary: Requires Board of Ordained Ministry to examine and not approve candidates not meeting standards regarding sexuality**

**Constitutional**

**Submitted prior to General Conference:**

Amend ¶¶ 304.5 as follows:  
5. In all votes regarding license, ordination, or conference membership, the requirements set forth herein are minimum requirements. Each person voting is expected to vote prayerfully based on personal judgment of the applicant’s gifts, evidence of God’s grace, and promise of future usefulness for the mission of the Church. The District Committee on Ordained Ministry and the Board of Ordained Ministry shall not approve or recommend any person for candidacy, licensing, commissioning, or ordination who does not meet the qualifications of ¶¶ 304.1-3, based on the full examination and thorough inquiry into the person’s fitness by the committee and board (see Judicial Council Decisions 1343 and 1344). The bishop presiding in the clergy session shall rule any such unqualified candidate out of order and not eligible to be acted upon.

**Approved at General Conference:**

No amendment

**Traditional Plan #13 - Complaint Process - Par. 362.1e (Petition 90044)**

**Summary: Mandates information shared with the complainant**

**Constitutional**

**Submitted prior to General Conference:**

Amend the complaint process ¶ 362.1e and ¶ 413.3d as follows:

¶ 362.1 e) Referral or Dismissal of a Complaint—Upon receiving a written and signed complaint, the bishop shall, within 90 days, carry out the supervisory response process outlined above. If within 90 days after the receipt of the complaint resolution is not achieved, the bishop shall either:

- (1) Dismiss the complaint as having no basis in law or fact, with the consent of the cabinet giving the reasons therefore in writing, copies of which shall be placed in the clergy person’s file and shared with the complainant; or
- (2) Refer the matter to the counsel for the church as a complaint.

¶ 413.3 d) (i) If the supervisory response results in the resolution of the matter, the bishop in charge of the supervisory response and the two episcopacy committee members appointed to the supervisory process (¶ 413.3) shall monitor the fulfillment of the terms of the resolution. If the supervisory response does not result in resolution of the matter, the president or secretary of the College of Bishops may either dismiss the complaint as having no basis in law or fact, with the consent of the College of Bishops and the committee on episcopacy, giving the reasons therefore in writing, copies of which shall be placed in the bishop’s file and shared with the complainant, refer the matter to the committee on episcopacy as an administrative complaint pursuant to ¶ 413.3e, or refer the matter to counsel for the Church pursuant to ¶ 2704.1 to prepare a complaint to forward to the committee on investigation.

**Approved at General Conference:**

No amendment

**Traditional Plan #14 - Just Resolution - Par. 2701.5 (Petition 90045)**

**Summary: Expands just resolution requirements to include statements of harm and commitment not to repeat violations**

**2nd new sentence unconstitutional - violates Constitution ¶¶ 20 and 58**

**Submitted prior to General Conference:**

Amend Just Resolution in ¶¶ 362.1, 413.3c, 2701.5, 2706.5.c.3 as follows:

**¶ 362. Complaint Procedures—**

. . . A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right insofar as possible and bringing healing to all the parties. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. . .

**¶ 413. Complaints Against Bishops—**

3. c) The supervisory response may include a process seeking a just resolution . . . Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation.

**¶ 2701. 5. A Just Resolution in Judicial Proceedings—**A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right insofar as possible and bringing healing to all the parties. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. . . .

**¶ 2706.5 c) Findings other than reasonable grounds by committee or other actions**

(3) Upon recommendation of the counsel for the Church and the counsel for the respondent, the committee may refer the matter to the resident bishop as deemed appropriate for a process seeking a just resolution. . . . Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures . . .

**Approved at General Conference:**

No amendment

**Traditional Plan #15 - Just Resolution - Par. 2701.5 (Petition 90046)**

**Summary: Requires complainant to be party in the just resolution process**

**Constitutional**

**Submitted prior to General Conference:**

Amend ¶¶ 362.1(c), 413.3(c), 2701.5, and 2706.5(c)3 by adding the same sentence to all four as follows: No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. Also add, the complainant, in ¶¶ 2701.5 and 2706.5(c)3.

¶ 362. Complaint Procedures—1. Ordination and membership in an annual conference in The United Methodist Church is a sacred trust. . .  
c) Just Resolution—The supervisory response may include a process that seeks a just resolution . . . A process seeking a just resolution may begin at any time in the supervisory, complaint, or trial process. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including any terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. A just resolution agreed to by all parties shall be a final disposition of the related complaint.

¶ 413. Complaints Against Bishops  
3. After receiving a complaint as provided in ¶ 413.2, .  
c) The supervisory response may include a process seeking a just resolution . . . No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. Such written statement of resolution shall be given to the person in charge of that stage of the process for further action consistent with the agreement.

¶ 2701.5. A Just Resolution in Judicial Proceedings—A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right insofar as possible and bringing healing to all the parties. . . . After the referral of a matter as a judicial complaint from counsel for the Church to the committee on investigation, if a process seeking a just resolution is used, the appropriate persons, including the

**Approved at General Conference:**

No amendment

counsel for the Church, the complainant, and the counsel for the respondent, should enter into a written agreement outlining such process, including any agreement on confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the same persons who signed the written agreement outlining the process, and they shall agree on any matters to be disclosed to third parties. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures required for possible readmission.

¶ 2706.5. Bill of Charges and Specifications, Deliberations, Vote, and Referral

c) Findings other than reasonable grounds by committee or other actions

(3) Upon recommendation of the counsel for the Church and the counsel for the respondent, the committee may refer the matter to the resident bishop as deemed appropriate for a process seeking a just resolution. The bishop shall institute such a process and may use the assistance of a trained, impartial third party facilitator(s) or mediator(s). Such referral will not constitute a dismissal or double jeopardy under ¶ 2701.5. The appropriate persons, including the counsel for the Church, the complainant, and counsel for the respondent, should enter into a written agreement outlining the process, including any agreements on confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement, affirming such resolution . . . .

**Traditional Plan #16 - Church Appeal - Par. 2715.10 (Petition 90047)**

**Summary: Allows the Church to appeal errors of law to the Judicial Council**

**Constitutional**

**Submitted prior to General Conference:**

Amend ¶ 2715.10 Appeal Procedures as follows:  
¶ 2715. Appeal Procedures—General  
10. The Church shall have no right of appeal from findings of fact of the trial court. The Church shall have a right of appeal to the committee on appeals and then to the Judicial Council from findings of the trial court based on egregious errors of Church law or administration that could reasonably have affected the findings of the trial court. When the committee on appeals or the Judicial Council shall find egregious errors of Church law or administration under this part, it may remand the case for a new trial, along with a statement of the grounds of its action. This is not to be double jeopardy. In regard to cases where there is an investigation under ¶ 2702, but no trial is held, egregious errors of Church law or administration may be appealed to the jurisdictional or central conference committee on appeals and then to the Judicial Council by counsel for the Church. The committee on investigation's decision not to certify a bill of charges does not alone constitute an egregious error of Church law or administration. When the committee on appeals or the Judicial Council shall find egregious errors of Church law or administration under this part, it may remand the case for a new hearing, in which event it shall return to the chair of the committee on investigation a statement of the grounds of its action. This is not to be double jeopardy.

**Approved at General Conference:**

No amendment

**Disaffiliation - NEW Par. 2553 (Petition 90066)**

**Summary: Establishes requirements for churches for leaving the denomination**

**Unconstitutional - violates ¶ 33**

**Submitted prior to General Conference:**

Amend, effective as of the close of the 2019 General Conference, Chapter Six, Church Property, by adding a new Section VIII. Disaffiliation of Local Churches Over Issues Related to Human Sexuality, then by adding a new ¶ 2553 as follows:

¶ 2553. Disaffiliation of a Local Church over Issues Related to Human Sexuality.

1. Basis - Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow.

2. Time Limits - The choice by a local church to disaffiliate with The United Methodist Church under this paragraph shall be made in sufficient time for the process for exiting the denomination to be complete prior to December 31, 2023. The provisions of ¶ 2553 expire on December 31, 2023 and shall not be used after that date.

3. Initial Inquiry to disaffiliate from The United Methodist Church - If the church council of a local church determines that the church wishes to consider disaffiliation from The United Methodist Church under this paragraph, that church council shall submit a request to the district superintendent to begin this process. The district superintendent shall appoint a task force under ¶ 213 for the purpose of making findings and a recommendation to the district superintendent on whether the church will have a viable future within or outside The United Methodist Church. The provisions of ¶ 213.2 and ¶ 213.3 shall not apply. If the local church, as it exists at the time of the assessment, is found to have a viable future, the district superintendent shall call a church conference under ¶ 248 for the sole purpose of deciding whether to disaffiliate from The United Methodist Church under this paragraph, based upon the reasons in ¶ 2553.1. If the local church is found to not have a viable future, the district superintendent shall recommend closure under ¶ 2549, or take other appropriate action, and all property of the local church shall remain with The United Methodist Church according to the provisions of ¶ 2549.

**Approved at General Conference:**

Amend the main motion by substitution of the minority report as follows:  
Adopt Petition #90066 (ADCA, p. 205) with the following changes:  
1. Delete what is printed as section 2553.3 in its entirety.  
2. In the section listed as section 2553.5, first sentence, replace “the resident bishop” with “the board of trustees.”  
3. Delete the first sentence section 2553.5g.  
4. Change the final sentence section 2553.5g, by replacing it with the following: “Payment shall occur prior to the effective date of departure.”  
5. Delete the entirety of what is printed as sub-section 2553.5c, and re-number the rest accordingly.

Cont.

4. Decision Making Process - The church conference shall be conducted in accordance with ¶ 248 and shall be held within one hundred twenty (120) days after the district superintendent calls for the church conference. In addition to the provisions of ¶ 246.8, special attention shall be made to give broad notice to the full professing membership of the local church regarding the time and place of a church conference called for this purpose and to use all means necessary, including electronic communication where possible, to communicate. The decision to disaffiliate from The United Methodist Church must be approved by a two-thirds (2/3) majority vote of the professing members of the local church present at the church conference.

5. Process following decision to disaffiliate from The United Methodist Church - If the church conference votes to disaffiliate from The United Methodist Church, the terms and conditions for that disaffiliation shall be established by the resident bishop of the applicable annual conference, with the advice of the cabinet, the annual conference treasurer, the annual conference benefits officer, the director of connectional ministries, and the annual conference chancellor. The terms and conditions, including the effective date of disaffiliation, shall be memorialized in a binding Disaffiliation Agreement between the annual conference and the trustees of the local church, acting on behalf of the members. That agreement must be consistent with the following provisions:

a) Standard Terms of the Disaffiliation Agreement. The General Council on Finance and Administration shall develop a standard form for Disaffiliation Agreements under this paragraph to protect The United Methodist Church as set forth in ¶ 807.9. The agreement shall include a recognition of the validity and applicability of ¶ 2501, notwithstanding the release of property therefrom. Annual conferences may develop additional standard terms that are not inconsistent with the standard form of this paragraph.

b) Apportionments. The local church shall pay any unpaid apportionments for the 12 months prior to disaffiliation, as well as an additional 12 months of apportionments.

c) Grants. All grants received by the local church from the annual conference or its ancillary organizations within five (5) years from the date of disaffiliation shall be repaid.

d) Property. A disaffiliating local church shall have the right to retain its real and personal, tangible and intangible property. All transfers of property shall be made prior to disaffiliation. All costs for transfer of title or other legal work shall be borne by the disaffiliating local church.

Cont.

e) Pension Liabilities. The local church shall contribute withdrawal liability in an amount equal to its pro rata share of any aggregate unfunded pension obligations to the annual conference. The General Board of Pension and Health Benefits shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church's share.

f) Other Liabilities. The local church shall satisfy all other debts, loans, and liabilities, or assign and transfer them to its new entity, prior to disaffiliation.

g) Payment Terms. The agreement shall specify the terms and conditions of the payment to the annual conference for any sums related to ¶ 2553.5. b, c, and e. The term of payment shall not exceed ten (10) years.

h) Disaffiliating Churches Continuing as Plan Sponsors of the General Board of Pension and Health Benefits Plans. The United Methodist Church believes that a local church disaffiliating under ¶ 2553 shall continue to share common religious bonds and convictions with The United Methodist Church based on shared Wesleyan theology and tradition and Methodist roots, unless the local church expressly resolves to the contrary. As such, a local church disaffiliating under ¶ 2553 shall continue to be eligible to sponsor voluntary employee benefit plans through the General Board of Pension and Health Benefits under ¶ 1504.2, subject to the applicable terms and conditions of the plans.

i) Once the disaffiliating local church has reimbursed the applicable annual conference for all funds due under the agreement, and provided that there are no other outstanding liabilities or claims against The United Methodist Church as a result of the disaffiliation, in consideration of the provisions of this paragraph, the applicable annual conference shall release any claims that it may have under ¶ 2501 and other paragraphs of The Book of Discipline of The United Methodist Church commonly referred to as the trust clause, or under the agreement.

-END-

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