



## Q & A about the Judicial Council

---

Many in the church are anticipating the upcoming Judicial Council ruling on the Western Jurisdiction's recent election of a married lesbian bishop, Bishop Karen Oliveto. Some are hopeful that the Judicial Council will rule the election unconstitutional because of the United Methodist Church's clergy standards. Others expect that the election will be upheld as valid since the nominee was in good standing in her Annual Conference at the time of the election. Though opinions are being offered from a variety of sources, no one will know with certainty the outcome until after the Judicial Council meets and rules on April 25-28, 2017. This Q and A is designed to give background that will help interpret the meaning of the Judicial Council decision once it is made.

### **Who Is The Judicial Council?**

The Judicial Council is comprised of nine members elected by the General Conference. Their role is to ascertain the constitutionality and legality of acts or proposed acts of the General, Jurisdictional, Central, and Annual Conferences in light of the most current *United Methodist Book of Discipline* and previous rulings of the Judicial Council. The Judicial Council rules upon requests for declaratory decisions and appeals of lower court rulings in the United Methodist Church. The 2016-2020 Judicial Council includes a balance of lay and clergy members from all over the world.

### **How Will The Judicial Council's Decision Affect The Current Positions Of *The United Methodist Book Of Discipline* That Do Not Allow The Ordination Of Self-Avowed Practicing Homosexuals?**

The Judicial Council's role is to interpret the constitutionality and legality of specific actions in particular circumstances as requested. It does not have the function or authority to change *The United Methodist Book of Discipline*.

### **How Will The Judicial Council's Decision Affect The Way The Board Of Ordained Ministry, Cabinet And Bishops Oversee The Candidacy Process, Ordination And Appointment Of Clergy Here In Southeastern Jurisdiction Annual Conferences?**

The Judicial Council's decision is about a specific case that involves the election of Bishop Karen Oliveto in the Western Jurisdiction. It will not directly impact decisions about candidacy, ordination and appointments of clergy in Southeastern Jurisdictional Annual Conferences.

### **How Will The Judicial Council's Decision Affect The Work Of The Commission On A Way Forward?**

The Judicial Council's decision will not change the mission, vision or scope of the work of the Commission on a Way Forward. <http://www.umc.org/who-we-are/commission-on-a-way-forward-about-us>

## **Where Are The Overarching Standards For Clergypersons Defined?**

*The United Methodist Book of Discipline* is the result of the discernment of the General Conference, the legislative body of the United Methodist Church which meets every 4 years. The General Conference consists of between 600-1000 delegates from every geographic region of the church. The General Conference determines rules, regulations, positions on social issues, standards for clergy and much more. Every clergy takes vows at ordination to accept and uphold the United Methodist Church's order, liturgy, doctrine and discipline. ( [https://gbod-assets.s3.amazonaws.com/legacy/kintera-files/worship/2017-2020\\_Ordinal-FINAL.pdf](https://gbod-assets.s3.amazonaws.com/legacy/kintera-files/worship/2017-2020_Ordinal-FINAL.pdf)).

## **What Does It Mean For An Annual Conference To Approve An "Act Of Nonconformity" With *The United Methodist Book Of Discipline*?**

Since the conclusion of the 2016 General Conference several Annual Conferences have declared that they will not comply or conform with *The United Methodist Book of Discipline* restrictions on same-gender weddings or "self-avowed practicing homosexual" clergy.

## **Why Don't The Council Of Bishops, General Conference Or Other Church Leaders Take Action Against "Nonconformist" Annual Conferences?**

The Council of Bishops and other church leaders have not been given the authority by the General Conference to hold Annual Conferences accountable for "nonconformist" actions. The General Conference has not met since the acts of noncompliance have been declared.

## **Do Any Of My Church's Apportionments Go To Fund The Salary Of Bishops In The Western Jurisdiction?**

A portion of all local church funds received by your Annual Conference for Ministerial Support are allocated to the General Church Episcopal Fund and forwarded directly to the General Council on Finance and Administration where they are credited to the Episcopal Fund. The Episcopal Fund provides for the salary and expenses of active bishops, and the support of retired bishops and surviving spouses and minor children of deceased bishops.

## **Will The Decision Of The Judicial Council Have Any Direct Impact On The Processing Of Complaints Against Other LGBTQ Clergy Facing Charges In The United Methodist Church? (LGBTQ Is An Acronym For Persons Who Identify As Lesbian, Gay, Bisexual, Transgender And Queer. Q Sometimes Refers To Questioning).**

A decision by the Judicial Council to uphold or rule invalid the election of one bishop would not change our current procedure for processing charges faced by clergy in the United Methodist Church.

## **If The Judicial Council Overturns The "Nomination, Election, Consecration, And/Or Assignment" Of Bishop Karen Oliveto – What Would Be The Next Steps?**

The position would be vacated and the Western Jurisdiction would determine how to fill the vacancy.

### **How Are Positions On Social Issues Determined In The United Methodist Church?**

Any individual, church or agency can bring to the General Conference new legislation or proposed changes to *The United Methodist Book of Discipline*. Legislation is reviewed by delegates within committees during the first week of General Conference. These committees recommend concurrence or non-concurrence which is either accepted or rejected during plenary sessions of the General Conference.

### **The United Methodist Church Is Divided In Many Ways, Especially In Our Beliefs And Understandings Related To Human Sexuality. Is It Possible For Us To Faithfully Live As One United Denomination? If So, What Does That Look Like? If Not, What Does It Look Like?**

The work of the Commission on a Way Forward will be helpful to the church in answering this question. The Commission has met twice now and will continue to do so for 2-3 days approximately every 6 weeks between now and early 2018. The Southeastern Jurisdictional College of Bishops urges the people in the United Methodist Church to respond to the Judicial Council's decision (whatever it may be) by: 1) continuing to focus on our mission of making disciples of Jesus Christ for the transformation of the world and 2) giving time for the Commission to do its work of bringing recommendations to the proposed 2019 General Conference.

Thank you for reading this Q & A. We hope that it has answered some of your questions. We encourage you to discuss other questions, concerns or ideas that you have with your resident bishop.

It is an honor to serve as a member of the Southeastern Jurisdictional College of Bishops. Our prayer is that you and your church will continue to fulfill the mission of making disciples of Jesus Christ for the transformation of the world.

In Christ,

The Southeastern Jurisdictional College of Bishops