

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

DECISION NO. 1396

IN RE: Review of a Bishop's Ruling on a Question of Law in the Central Texas Annual Conference Regarding the Legality of the Adopted Resolution What's Next in the Central Texas Annual Conference 2019.

**DIGEST OF CASE**

The Judicial Council affirms the bishop's decision of law that the Resolution "What's Next in the Central Texas Annual Conference 2019", as amended and voted upon, was legally before the delegates of the Central Texas Annual Conference. As presented and amended, the Resolution is consistent and acceptable within the parameters of the Doctrine and Discipline of The United Methodist Church as stated in *The Book of Discipline of The United Methodist Church, 2016*.

**STATEMENT OF FACTS**

On June 12, 2019, The Central Texas Conference debated and subsequently voted on an amended version of a resolution entitled "What's Next in the Central Texas Annual Conference 2019." The text of the resolution reads:

**Whereas:** On May 20-22, 2019 a group of lay and clergy members of the Central Texas Conference participated in a meeting in Kansas City, KS at The United Methodist Church of the Resurrection called, UMC Next. We gathered with 600 centrist and progressive United Methodists to dialogue about how we might move forward following the passage of the Traditional Plan by the 2019 General Conference.

**And Whereas:** As a result of the group's work, a statement and four primary commitments were clearly and consensually agreed upon by the group:

"We believe these commitments are essential to a hope-filled future for the global Methodist movement as we make disciples of Jesus Christ for the transformation of the world:"

1. We long to be passionate followers of Jesus Christ, committed to a Wesleyan vision of Christianity, anchored in scripture and informed by tradition, experience, and reason as we live a life of personal piety and social holiness.
2. We commit to resist evil, injustice, and oppression in all forms and toward all people and build a church which affirms the full participation of all ages, nations, races, classes, cultures, gender identities, sexual orientations, and abilities.
3. We reject the Traditional Plan approved at General Conference 2019 as inconsistent with the gospel of Jesus Christ and will resist its implementation.
4. We will work to eliminate discriminatory language and the restrictions and penalties in the Discipline regarding LGBTQ persons. We affirm the sacred worth of LGBTQ persons, celebrate their gifts, and commit to being in

ministry together.

**And Whereas:** We believe that we must all continue to pray for the future of our denomination and the ongoing fruitfulness of every local congregation,

**Therefore, be it resolved:** That we as members of the Central Texas Annual Conference commit ourselves to continuing to listen to one another, to be in dialogue with one another, to pray for one another, and above all, to love one another as Christ loves each and all of us.

Before the voting, a lay person asked a point of clarification regarding what the body was voting on as it related to the four numbered points of the second "whereas" and/or the "resolved" portion. Bishop Lowry clarified that the "whereas" portion reflected the movement of the motion. He explained that the body was voting on the "therefore, be it resolved" action. Bishop Lowry added that the "whereas" portion was informational and would not bind the conference or conference officials. A clergy person called for a decision of law regarding the legality of the resolution. Bishop Lowry ruled that the resolution with the Alexander amendment was legal because it reflected the sentiment of the conference and would not bind the conference. He explained that the "whereas" portion is an aspirational standard. Actions adopted are in the "resolved" portion of the resolution.

Bishop Lowry called for a vote using written ballots. The vote was 426 in favor, 216 against, 2 abstain, 3 blank. The resolution "What's Next in the Central Texas Annual Conference" with the Alexander amendment passed.

### **JURISDICTION**

The Judicial Council has jurisdiction under ¶¶51, 56.3, and 2609.6 of *The Book of Discipline of The United Methodist Church, 2016* [hereinafter *The Discipline*].

### **ANALYSIS AND RATIONALE**

The "Whereas" portions of the Resolution "What's Next in the Central Texas Conference 2019" express the preference of the Conference. The second paragraph beginning with "And Whereas" reflects and restates four points adopted by a gathering of lay and clergy individuals at a meeting entitled "UMC Next" held at Church of the Resurrection in the spring of 2019 prior to the opening of the Central Texas Annual Conference. Their inclusion in the aforesaid resolution is a reporting on action taken by the "UMC Next" Conference and the endorsement of those recommended actions by the makers of the resolution. As such they constitute the opinion, desire and hope of the makers of the Resolution. The adoption of the aforesaid resolution with these four points included further states a desire and hope of a majority of the delegates of the Central Texas Conference. As such, they are aspirational in nature and not binding on delegates, churches or officials of the Central Texas Conference. Numerous Judicial Council rulings have held that a Conference may adopt aspirational resolutions as long as they do not call for action negating *The Discipline*. Those decisions include but are not limited to JCD 1044, 1283, 1340, and 1357.

The last paragraph of the Resolution "What's Next in the Central Texas Conference 2019" which begins with the phrase "Therefore, be it resolved" contains the applicable action elements of the resolution adopted by the Central Texas Conference. The "resolved portion" calls for 1) listening to one another, 2) praying for one another, and 3) loving one another "as Christ loves each and all of us." The "Resolved" portion of the Resolution does not call for the members of

the Central Texas Annual Conference, member churches or Conference staff to do anything contrary to *The Discipline*. The Resolution “What’s Next in the Central Texas Conference 2019” is legally before the delegates of the Central Texas Conference because the “Whereas” portion of the Resolution is aspirational in nature and the “Resolved” portion of the Resolution is legally appropriate for the reasons stated in the previous sentence.

#### RULING

The Judicial Council affirms the bishop’s decision of law that the Resolution “What’s Next in the Central Texas Annual Conference 2019” as amended and voted upon was legally before the delegates of the Central Texas Annual Conference. As presented and amended, the Resolution is consistent and acceptable within the parameters of the Doctrine and Discipline of United Methodist Church as stated in *The Book of Discipline of The United Methodist Church, 2016*.

Lidia Romao Gulele was absent.

Warren Plowden, first lay alternate, participated in this decision.

November 1, 2019