



**Illinois Area Office of The United Methodist Church
Illinois Great Rivers Conference**

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**NORTH CENTRAL JURISDICTION OF THE
UNITED METHODIST CHURCH**

DECISION OF LAW OF - BISHOP FRANK J. BEARD

The Resolution In Question

On November 4, 2022, the following resolution was pending before the North Central Jurisdiction of the United Methodist Church:

**QUEER DELEGATES' CALL TO CENTER JUSTICE AND EMPOWERMENT
FOR LGBTQIA+ PEOPLE IN THE UMC**

Resolution to the 2022 North Central Jurisdictional Conference

Whereas, in a groundswell response to the passage of harmful legislation at the 2019 Special Session of General Conference, Annual Conferences elected queer clergy and lay persons to be General and Jurisdictional Delegates in record numbers, for the first-time empowering queer delegates to speak and act from our diverse experiences, and

Whereas, the 2019 Special Session of the United Methodist General Conference passed the Traditional Plan, which increased penalties for United Methodists clergy who are LGBTQIA+ and for clergy who support the LGBTQIA+ community through officiating their weddings, and

Whereas, in an attempt to address the divide within The United Methodist Church, an abeyance or moratorium was proposed to the General Conference, referenced below,² by the authors of the Protocol of Reconciliation and Grace through Separation, and

Whereas, we understand our call and responsibility as United Methodists to do good, do no harm, and stay in love with God, and

Whereas, we call straight and cisgender allies to do good by using their voice and vote to support, empower, and amplify the voices of the LGBTQIA+ community in The United Methodist Church,

Therefore be it resolved that the 2022 North Central Jurisdictional Conference of The United Methodist Church:

1. Supports and amplifies the queer delegates' call to justice and empowerment for the LGBTQIA+ community in our Jurisdiction, within and beyond our churches and agencies.
2. Affirms the spirit of the abeyance or moratorium as proposed to the General Conference, as referenced above, until changes can be made in The United Methodist Book of Discipline.
3. Implores our member Annual Conferences to either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution process any complaints against clergy regarding their sexual orientation or clergy who officiate weddings of LGBTQIA+ persons.
4. Urges that as a Jurisdiction we either not pursue or resolve in an appropriately timely fashion through a non-punitive, just resolution process any complaints against Bishops regarding their sexual orientation or those who officiate weddings of LGBTQIA+ persons.
5. Supports the election of episcopal leaders who commit to upholding this resolution and who will further justice for and empowerment of LGBTQIA+ people in the annual conferences where they serve; 6. Commits to a future of The United Methodist Church where LGBTQIA+ people will be protected, affirmed, and empowered in the life and ministry of the church in our Jurisdiction, including as laity, ordained clergy, in the episcopacy, and on boards and agencies.

The Question of Law

REQUEST FOR A DECISION OF LAW

Submitted by John Lomperis of the Indiana Conference

NCJ Request for Decision of Law

In accordance with Paragraphs 51 and 2609.6 of the United Methodist Book of Discipline and in light of Paragraphs 16, 27, 304, 341, 361, 362, 525, 635, 2701-2719, Judicial Council Decision #886, 1201, 1292, 1340, 1343, 1344, and 1403, and other relevant church law, I respectfully ask and request a decision on the following questions of law about the resolution recently adopted by the North Central Jurisdictional Conference on "Queer Delegates' Call to Center Justice and Empowerment for LGBTQIA People in the UMC":

-Do any of the numbered provisions at the end of the resolution impermissibly negate, ignore, violate, encourage actions that are contrary to, or discourage the enforcement of Discipline Paragraphs 304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2711, or other relevant church law? And if so, is such a provision null, void, and of no effect?

-Does the resolution's affirmation of "abeyance" (in what is printed as item #2) contradict the Book of Discipline's requirements for complaints held in abeyance as outlined in Paragraph 362.1.g? And if so, is this resolution or any section of it null, void, and of no effect?

-Does the passage of this resolution overrule, limit, or restrict the rights or obligations of bishops, district superintendents, counsels for the church, committees on investigation, trial courts, boards of ordained ministry, or district committees on ministry to fully comply with and uphold Paragraphs 304.1-3, 341.6, 361, 362, 635, 2701, 2702, 2704, 2706, and 2711 of the Book of Discipline? And if so, is this resolution null, void, and of no effect?

Submitted by John Lomperis of the Indiana Conference

Decision of Law

Authority & Jurisdiction

I am issuing this decision of law pursuant to the authority given to me as a presiding officer in ¶51 of the 2016 Book of Discipline. The decision is made within the time prescribed by ¶2609.6 of the Discipline.

Ruling

In Decision 886, the Judicial Council stated as follows:

The Discipline is the law of the Church which regulates every phase of the life and work of the Church. As such, annual conferences may not legally negate, ignore, or violate provisions of the Discipline with which they disagree, even when the disagreements are based upon conscientious objections to those provisions.

The foregoing standard has also been applied to resolutions passed by jurisdictional conferences. *See, e.g.*, Decision 1340. In Decision 1398, the Judicial Council characterized this standard as follows based on Decision 96: "All actions of a jurisdictional or annual conference must be faithful to and consistent with *The Discipline*."

QUESTION ONE:

Do any of the numbered provisions at the end of the resolution impermissibly negate, ignore, violate, encourage actions that are contrary to, or discourage the enforcement of Discipline Paragraphs 304.1-3, 341.6, 362, 635, 2701, 2702, 2704, 2711, or other relevant church law? And if so, is such a provision null, void, and of no effect?

The numbered provisions of the resolutions presented to and adopted by the NCJ jurisdictional conference entitled, "Queer delegates call to center justice and empowerment for lgbtqia+ people in the UMC", while presented to the conference delegates as "aspirational," do impermissibly negate, ignore, violate, encourage actions that are contrary to, or discourage the enforcement of the Book of Discipline and therefore are null, void, and of no effect.

QUESTION TWO:

Does the resolution's affirmation of "abeyance" (in what is printed as item #2) contradict the Book of Discipline's requirements for complaints held in abeyance as outlined in Paragraph 362.1.g? And if so, is this resolution or any section of it null, void, and of no effect?

The resolution's call for "abeyance" does contradict the Book of Discipline's requirement for complaints held in abeyance as outlined in paragraph 362.1g and therefore is null, void, and of no effect.

QUESTION THREE:

Does the passage of this resolution overrule, limit, or restrict the rights or obligations of bishops, district superintendents, counsels for the church, committees on investigation, trial courts, boards of ordained ministry, or district committees on ministry to fully comply with and uphold Paragraphs 304.1-3, 341.6, 361, 362, 635, 2701, 2702, 2704, 2706, and 2711 of the Book of Discipline? And if so, is this resolution null, void, and of no effect?

The passage of this resolution does overrule, limit, or restrict the rights or obligations of bishops, district superintendents, counsels for the church, committees on investigation, trial courts, boards of ordained ministry, or district committees on ministry to fully comply with and uphold the Book of Discipline, and therefore passage of this resolution is null, void, and of no effect?

An abeyance or moratorium was proposed to the General Conference, but the General Conference Session was not held, and delegates were not able to adopt or reject the proposal by the authors of the Protocol of Reconciliation and Grace through Separation, the only provision for abeyance or moratorium are those outlined in our current 2016 Book of Discipline. Imploring such persons to “not pursue” complaints is improper and violates the Discipline and decisions of the Judicial Council, including Decisions 1399 and 1435. Therefore, that part of paragraph 3 of the resolution that implores annual conferences not to pursue complaints against clergy regarding their sexual orientation or clergy who officiate weddings of LGBTQIA+ persons is null, void and of no effect.

The part of paragraph 4 that urges a jurisdiction not to pursue complaints against bishops regarding their sexual orientation or those who officiate weddings of LGBTQIA+ persons is improper, null, void and of no effect.

Respectfully Submitted, Bishop Frank J. Beard