

## 2019 General Conference Legislation - Judicial Council Decisions

The Judicial Council, at its April 2019 meeting, [ruled on actions](#) taken by the special General Conference.

[Chart with complete text of each petition.](#)

### CONSTITUTIONAL PER [DECISION 1378](#)

**Effective Jan. 1, 2020 (U.S.) / May 2021 (Africa, Europe and the Philippines)**

**Petition 90032 - Footnote 1 Qualifications for Ministry - ¶ 304.3**

Expands the definition of "self-avowed practicing homosexual" to include those "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."

**Petition 90036 - Episcopal Responsibilities - ¶ 415.6**

Prohibits bishops from consecrating, commissioning or ordaining self-avowed homosexuals. (The text does not include the word "practicing.")

**Petition 90042 - Minimum Penalty - ¶ 2711.3**

Mandates penalties for clergy convicted of performing same-sex wedding ceremonies. Those penalties are a one-year suspension without pay for the first offense and termination of conference membership and church credentials for a second offense.

**Petition 90043 - Qualifications for Ministry - ¶ 304.5**

Prohibits conference boards of ordained ministry from approving candidates not meeting ordination standards regarding sexuality.

**Petition 90044 – Complaint Process - ¶¶ 362.1 e) and 413.3 d)**

Allows complaint dismissal only if it has no basis in law or fact and mandates information shared with the complainant during the complaint process.

**Petition 90045 (excluding the second sentence) - Just Resolution –¶¶ 362.1, 413.3(c), 2701.5, 2706.5(c)3**

Expands just resolution requirements to include a statement of harms involved and how the resolution addresses them. [Note: A sentence mandating that each just resolution include a commitment by the respondent not to repeat the violation was ruled unconstitutional and is therefore null and void.]

**Petition 90046 - Just Resolution - ¶¶ 362.1(c), 413.3(c), 2701.5, and 2706.5(c)3**

Requires the complainant to be a party in the just resolution process.

**Petition 90047 - Church Appeal - ¶ 2715.10**

Allows the church to appeal errors of law from trial court findings to the Judicial Council.

### CONSTITUTIONAL PER [DECISION 1379](#)

**Effective immediately (U.S.) / Jan. 1, 2021 (Africa, Europe and the Philippines)**

**Petition 90066 - Disaffiliation - NEW ¶ 2553**

Establishes "limited rights" and requirements for churches to disaffiliate for reasons related to church law on homosexuality and retain local church property.

## UNCONSTITUTIONAL PER [DECISIONS 1378](#), [1377](#), [1366](#)

### Null and void

**Petition 90033 - Episcopal Accountability - ¶ 408.3**

To change the process for involuntary retirement of bishops - Violates the constitutional guarantee of the right to appeal.

**Petition 90034 - Episcopal Accountability - ¶ 410.5**

To create new category of involuntary leave for bishops - Violates the constitutional guarantee of the right to appeal.

**Petition 90035 - Episcopal Accountability - ¶ 422**

To create new committees to recommend involuntary status changes for bishops - Violates the constitutional guarantee of the right to appeal.

**Petition 90037 - Composition of Board of Ordained Ministry - ¶. 635.1a**

To require board of ordained ministry members to certify adherence to the Discipline in its entirety - "Open-ended and unconstitutionally vague certification requirement" violates the principle of legality.

**Petition 90038 - Full Examination - ¶ 635.2h**

To require boards of ordained ministry to examine and decline candidates not meeting standards regarding sexuality - Violates the principle of legality.

**Petition 90039 - Composition of Board of Ordained Ministry - ¶ 806.9**

To require annual conference certification of nominees or face financial penalties - Violates the principle of legality.

**Petition 90040 - Composition of Board of Ordained Ministry - ¶ 613.19**

To require annual conference certification of nominees or face financial penalties - Violates the principle of legality.

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