



JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH
CONSEIL JUDICIAIRE DE L'EGLISE METHODISTE UNIE
RECHTSHOF DER EVANGELISCH-METHODISTISCHEN KIRCHE
CONSELHO JUDICIAL DA IGREJA METODISTA UNIDA
CONSEJO DE LA JUDICATURA DE LA IGLESIA METODISTA UNIDA



Report by Bishop on Decision of Law

This form is to be used for (please check one):

Reporting of decisions of law made by bishops in response to questions of law submitted to them in writing during the regular business of a conference session (§ 56.3 Const. and § 2609.6 *The Book of Discipline* 2016).

Reporting of episcopal decisions on questions of law when such decisions are appealed by one-fifth of the members of the conference (§ 56.2 Const. and § 2609.7 *The Book of Discipline* 2016).

Name of Bishop: David Alan Bard

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State/Province: MI ZIP/Postal Code 48906 Country: USA

Phone: 507-347-4003 Fax: _____ E-mail: bishop@michiganumc.org

Annual Conference: Michigan Date of session: 05/30/2019 (month/day/year)

Question(s) of Law: Is the resolution affirmed at our clergy session and
the Board of Ordained Ministry resolution upon which it is based a violation
of Judicial Council decisions, particularly 1344

Authorities Cited (indicate paragraph or decision number where applicable):

Constitution: _____ Book of Discipline: 403.1e; 403.1f

Judicial Council Decision(s): 1344

Signature: David A Bard
Bishop of The United Methodist Church

Date: 07/23/2019
(month/day/year)

The following must be attached:

- Decision of Law, including facts, rationale and ruling
 - Text of the written request for decision
 - Minutes of annual conference proceedings (relevant portions only)
 - List of names and addresses of interested parties
 - Other relevant materials (e.g. conference rules, resolutions, policies, reports)
- Eight (8) hard copies must be submitted via USPS or other delivery service to:
Clerk Price of the Judicial Council, 5556 N. Sheridan Road, #610, Chicago, IL 60640, USA
- Electronic copies in both Word and PDF (with security features disabled) must be submitted to: secretary@umcjudicialcouncil.org.

Bishop's Ruling of Law
Affirmation of the Board of Ordained Ministry Process
Bishop David Alan Bard, Michigan Area

From the Daily Proceedings, Thursday, May 30:

Ruling of Law Request: Following the adjournment of the clergy session, Peter Harris requested of Bishop David A. Bard a ruling of law on the motion made by Steve Charnley. This request is in accord with Paragraph 2609.6; Bishop Bard has thirty days in which to offer a ruling. All such rulings are referred to the Judicial Council for review (see note below).

Note: *Bishop Bard's ruling is located at the end of the Daily Proceedings section.*

Statement of Facts

On Thursday May 30, 2019 during the clergy session of the Michigan Annual Conference, a resolution was introduced by Rev. Steve Charnley, which in its amended form reads:

We, a majority of the voting members of the 2019 Clergy Session of the Michigan Conference of The United Methodist Church, stand in solidarity with our Board of Ordained Ministry in their lament regarding the decisions of the 2019 Special Session of General Conference. We affirm their intention to do their sacred work of examining and ultimately recommending candidates to commissioning and ordination who demonstrate gifts and graces for vital ministry, without regard to their sexual orientation or gender identity. With our Board, we affirm and honor that God call all to healthy human relationships and that these relationships are critical to effective ministry.

The motion carried by hand-written ballot: 298 "yes" and 125 "no."

This resolution reflects a statement issued by the Board of Ordained Ministry on March 13, 2019, the text of which follows:

In honor of the ministry we share and in lament regarding the decisions of the 2019 Special Session of General Conference of The United Methodist Church, we, the Michigan Conference Board of Ordained Ministry, are compelled to reaffirm how we fulfill our discernment responsibilities since our inception as a Conference board. It is the central call of the Conference Board of Ordained Ministry to credential persons to licensed and ordained ministry within the denomination. As that gathered body within the Michigan Conference, we take seriously our call to listen for the movement of the Holy Spirit in calling and equipping people for ministry. We affirm that the Spirit moves in the lives of all people, calling some to professional ministry, including LGBTQIA+ individuals. As such, we reaffirm our Spirit-led intention to hear the call, readiness, and effectiveness of candidates for ministry without regard to sexual orientation or gender identity. We will continue to recommend candidates for commissioning and ordination who demonstrate gifts and graces for vital ministry, trusting that the clergy session will

recognize the integrity of the Board's work and approve them for ministry. Likewise, we affirm the Bishop's authority to consecrate, commission, and ordain all qualified candidates for ministry, celebrating with the Conference the gifts they bring and the ways in which God has called them to be in ministry with us.

We honor that God calls all to healthy human relationships. Such vital relationships are critical to effective ministry. It is the Board's work to assess the wholeness and holiness of those relationships. Because we are called to love God and each other fully, we will not engage in or tolerate the harassment of others by asking questions not directly related to the practice of effective ministry.

As the Michigan Conference Board of Ordained Ministry, our compass has been, and will continue to be, the indicators given by the Holy Spirit of authentic call, of evidenced readiness, and well-demonstrated effectiveness in the work of ministry. We offer this public statement in the certain hope that our siblings in professional ministry will celebrate with us the task we share.

As the clergy session was closing, the Rev. Peter Harris asked for a ruling of law, later submitted in writing: **Is the resolution affirmed at our clergy session and the Board of Ordained Ministry statement upon which it is based, in direct violation of Judicial Council rulings, particularly ruling 1344?**

Ruling by Bishop Bard

Judicial Council decision 1344 clearly states that "The Board of Ordained Ministry is mandated... to examine all applicants as to their fitness for the ordained ministry, and make full inquiry as to the fitness of the candidate.... The Board's examination must include all paragraphs relevant to the election of pastoral ministry, including those provisions set forth in paragraphs that deal with issues of race, gender, sexuality, integrity, indebtedness, etc."

The challenge in ruling on the statement approved at clergy session is to ascertain both its intent and its effect. This is made more difficult by the ambiguity in the language. When the resolution affirms examining and recommending candidates "without regard to their sexual orientation or gender identity" does it intend that issues of behavior and practice will not be addressed? This resolution could be read that way. Its intent, therefore, would be to circumvent the *Disciplinary* requirements and its effect would be to encourage an incomplete examination of candidates. On the other hand, the resolution begins with a lament. Its intent could be primarily an expression of disappointment and a resolution to treat persons fairly, particularly LGBTQ persons. In this case its precise effects cannot be determined hypothetically, but only in the subsequent actions of the Board over which the clergy session retains rights and obligations to inquire about the depth and breadth of the Board's examination.

A bishop is to "uphold the discipline and order of the Church," and simultaneously "be the shepherd of the whole flock" (§403.1e and f). Particularly in this time of heightened emotion, anxiety and tension within The United Methodist Church, there is something to be

said for leaning into the pastoral while upholding discipline and order, offering some space for expressiveness while being clear about the parameters imposed by The Book of Discipline.

Therefore, I rule that the resolution approved at the clergy session, based on the statement issued by the Board of Ordained Ministry, is not a direct violation of Judicial Council decisions. However, this in no way gives permission to the Board of Ordained Ministry to ignore its “duty to conduct a careful and thorough examination and investigation, not only in terms of depth but also of breadth of scope” (JCD 1344), nor absolves the clergy session of its right and obligation to inquire of the Board whether or not it has, in point of fact, engaged its work thoroughly. The bishop also must ascertain and discern whether or not persons recommended by the Board and approved by the clergy session are duly eligible for commissioning and ordination.

Docket 0420-01

Interested Parties & Persons To Whom Notice Shall Be Given

Rev. Peter Harris (requested Bishop's Ruling)
revpharris@aol.com

Rev. Steve Charnley (introduced the motion)
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Joy A. Barrett, Michigan Annual Conference Secretary
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Bishop David Alan Bard (Presiding Bishop)
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