**TRADITIONAL PLAN LEGISLATION – SUMMARY of JUDICIAL COUNCIL RULINGS**updated 4.26.19

**TRADITIONAL PLAN PETITIONS APPROVED & RULED CONSTITUTIONAL:**

1. **DEFINE SELF AVOWED PRACTICING HOMOSEXUAL** - Amended footnote to paragraph 304.3 on definition of “self-avowed practicing homosexual” to include anyone in a same-sex marriage or who publicly states that he or she is “a practicing homosexual.” – **AFFIRMED CONSTITUTIONAL**, petition [90032](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90032)
2. **EPISCOPAL RESPONSIBILITIES** - Prohibits bishops from consecrating new bishops who are “self-avowed homosexuals” (the word “practicing” is not included here) even if elected, and prohibits bishops from ordaining “self-avowed homosexuals” (again not “practicing”) or candidates for whom the Board of Ordained Ministry has “failed to certify” it carried out the “disciplinarily mandated examination” – even if approved by the Board of Ordained Ministry and clergy session of annual conference – **AFFIRMED CONSTITUTIONAL**, petition [90036](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90037).
3. **MINIMUM PENALTIES** – mandates mandatory one-year suspension for first offense celebrating a same-sex union; and a mandatory termination of conference membership/loss of orders for second offense – **AFFIRMED CONSTITUTIONAL**, petition [90042](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90042)
4. **AMEND COMPLAINT PROCESS** – requires explanation of any dismissal of complaint to be shared with the complainant – **AFFIRMED CONSTITUTIONAL**, petition [90044](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90044)
5. **REVISE JUST RESOLUTION PROCESS** – requires a statement of harms to be part of the just resolution of a complaint; requires commitment not to repeat the violation – **AFFIRMED CONSTITUTIONAL EXCEPT** the provision that requires commitments to not repeat the actions, petition [90045](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90045)
6. **MAKE COMPLAINANT A PARTY TO JUST RESOLUTION** – requires inclusion of complainant in the just resolution process; “every effort shall be made” to achieve the complainant’s agreement with the proposed resolution – **AFFIRMED CONSTITUTIONAL**, petition [90046](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=46)
7. **APPROVAL OF CANDIDATES** – no candidate may be approved for licensing, ordination or commissioning without first meeting all qualifications in Paragraph 304.1-3, based on “the full examination and thorough inquiry into the person’s fitness”; references Judicial Council Decisions [1343](http://www.umc.org/decisions/71962) & [1344](http://www.umc.org/decisions/71963); bishop given authority to rule “unqualified” candidates out of order – **AFFIRMED CONSTITUTIONAL**, petition [90043](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90043).
8. **GIVE CHURCH RIGHT TO APPEAL** – gives the church the ability to appeal verdict of a trial court to the committee on appeals and then the Judicial Council in cases of “egregious errors of Church law or administration” – **AFFIRMED CONSTITUTIONAL** petition [90047](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90047)
9. **DISAFFILIATION (TAYLOR) PETITION – AS AMENDED** – allows churches to disaffiliate from the UMC over issues of human sexuality; includes time limit of December 31, 2023; requires church conference vote with 2/3 majority; sets approvals required by the annual conference; sets standard terms of the disaffiliation agreement; limits apportionment payments to 24 months; allows church to keep property; requires pro rata payment of any unfunded pension liabilities; requires payment of other liabilities to annual conference; local churches disaffiliating may continue to sponsor employee benefit plans through GBOPHB if they choose; releases trust clause when process is completed **AFFIRMED CONSTITUTIONAL** petition [90066](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90066)

**TRADITIONAL PLAN PETITIONS APPROVED & RULED UNCONSTITUTIONAL:**

1. **INVOLUNTARY RETIREMENT FOR BISHOPS** - Would allow Council of Bishops to vote to involuntarily place a bishop in retired relationship based on recommendation of the “council relations committee” – **AFFIMED** **UNCONSTITUTIONAL**, petition [90033](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90033)
2. **INVOLUNTARY LEAVE FOR BISHOPS** - Would allow Council of Bishops to vote to place a bishop on involuntary leave based on recommendation of the “council relations committee” – **AFFIRMED UNCONSTITUTIONAL**, petition [90034](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90034)
3. **COUNCIL RELATIONS COMMITTEE** - Creates the “council relations committee” in the Council of Bishops to hear complaints against bishops unwilling to certify that they will “uphold, enforce, and maintain” the *Discipline* relative to “self-avowed practicing homosexuals” – **AFFIRMED UNCONSTITUTIONAL**, petition [90035](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90035)
4. **BOOM EXAMINATION OF CANDIDATES** - Describes the process for the Board of Ordained Ministry to inquire whether any candidate for local pastor, associate member, provisional member, or full member is a “practicing homosexual,” including by looking at social media; requires BOOM to certify the result – **AFFIRMED** **UNCONSTITUTIONAL**, petition [90038](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90038)
5. **BOOM ANNUAL CONFERENCE CERTIFICATION (PARAGRAPH 806.9)** - Requires annual conferences to certify that the bishop has only nominated members to BOOM who will “uphold, enforce, maintain” *Discipline* around marriage and ordination of practicing homosexuals; mandates that GCFA withholds funds & use of logo for those who do not – **AFFIRMED** **UNCONSTITUTIONAL**, petition [90039](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90039) (affects Paragraph 806.9, which is the language restricting *general church* funds from supporting “the acceptance of homosexuality”)
6. **BOOM ANNUAL CONFERENCE CERTIFICATION (PARAGRAPH 613.19)** - Requires annual conferences to certify that the bishop has only nominated members to BOOM who will “uphold, enforce, maintain” *Discipline* around marriage and ordination of practicing homosexuals; mandates that GCFA withholds funds & use of logo for those who do not – **AFFIRMED UNCONSTITUTIONAL**, petition [90040](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90040) (affects Paragraph 613.19, which is the language restricting *annual conference* funds from supporting “the acceptance of homosexuality”)
7. **BOOM CERTIFICATION** - Requires any clergyperson nominated for membership on the Board of Ordained Ministry to certify that they will “uphold, enforce, and maintain” the *Discipline* “in its entirety, including but not limited to all qualifications for ordination” likewise requires the bishop to certify that he/she has only nominated those who will “uphold, enforce, and maintain” the *Discipline.* **UNCONSTITUTIONAL**[90037](http://calms2019.umc.org/Menu.aspx?type=Petition&mode=Single&Number=90037)

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Updated 4.26.19 with rulings from Judicial Council Decisions 1378 and 1379