



# Proposed Legislation

## Disciplinary Changes for Achieving Amicable Unity in The United Methodist Church by Means of The Jurisdictional Solution

Updated November 18, 2014

### **New in this update:**

1. Article V, ¶27.5 is amended to extend the same constitutional liberties currently granted central conferences to the jurisdictions. Language from ¶31 (“Central Conference Powers and Duties”) is directly borrowed.
2. Implementation measures are moved from the Constitution to ¶538 as enabling legislation.
3. The new jurisdictions are provisionally named “Progressive Jurisdiction” and “Traditional Jurisdiction” for the sake of clarity. Each jurisdictional conference may choose its own name once it convenes. (See Amendment #3 below.)
4. The descriptions of the two new jurisdictions are further defined in ¶37.
5. Upon passage of the Jurisdictional Solution legislation, General Conference 2016 will elect two seven-person teams to develop vision and mission documents for each of the new jurisdictions. These will aid bishops, annual conferences, clergy, congregations, and church institutions in deciding which jurisdiction with which to affiliate.
6. The implementation timelines throughout the proposal are somewhat condensed.
7. Details are added as to how church-related institutions could change their affiliation as the Jurisdictional Solution is implemented.
8. A process of binding arbitration is included to preclude any possibility of property matters ending up in the civil courts.





1 Discipline as the jurisdiction chooses, subject to such powers that have been or shall be  
 2 vested in the General Conference.

3 6. To appoint a judicial court to determine legal questions arising on the rules,  
 4 regulations, and such revised, adapted, or new sections of the jurisdictional conference  
 5 Discipline enacted by the jurisdictional conference.

6 76. To appoint a committee on appeals ...

7 **Rationale:** Language identical to that in ¶31 (central conference powers and  
 8 duties) is inserted which grants the jurisdictions the same power to adapt the  
 9 Book of Discipline as is currently granted to the central conferences outside the  
 10 U.S. The limits of these adaptations are made explicit in ¶101. (See non-  
 11 constitutional change #1 below.)

### 12 **Amendment #3: Redefine Our System of Jurisdictions.**

#### 13 **Division Two, Section VII, Article 1 (¶137)**

14 "The United Methodist Church shall have two primary jurisdictional conferences made  
 15 up as follows:

16 ~~Northeastern—Connecticut, Delaware, District of Columbia, Maine, Maryland,~~  
 17 ~~Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont,~~  
 18 ~~the Virgin Islands, West Virginia.~~

19 ~~Southeastern—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South~~  
 20 ~~Carolina, Tennessee, Virginia.~~

21 ~~North Central—Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, South~~  
 22 ~~Dakota, Wisconsin.~~

23 ~~South Central—Arkansas, Kansas, Louisiana, Missouri, Nebraska, New Mexico,~~  
 24 ~~Oklahoma, Texas.~~

25 ~~Western—Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada,~~  
 26 ~~Oregon, Utah, Washington, and Wyoming and the territory of the United States in the Pacific~~  
 27 ~~region.~~

28 that each cover the entire area of The United States of America and its territories. Given  
 29 divergent convictions among United Methodists in the United States of America, the two  
 30 jurisdictions shall be formed based on two broad approaches to the application of scripture to  
 31 ministry.  
 32  
 33



1           1. The Progressive Jurisdiction shall be formed for those annual conferences whose  
2 majority supports a flexible interpretation of the doctrinal standards and a progressive  
3 understanding of marriage and human sexuality.

4           2. The Traditional Jurisdiction shall be formed for those annual conferences whose  
5 majority supports a relatively strict interpretation of the doctrinal standards and a traditional  
6 understanding of marriage and human sexuality.

7           3. Each jurisdiction is hereby empowered to select a new name (if desired) at its first  
8 conference, which shall automatically replace the names used in this paragraph. Enabling  
9 legislation passed by General Conference to implement this amendment shall become effective  
10 and begin to be implemented when the Council of Bishops shall certify the amendment's  
11 ratification.

12           4. The jurisdictional realignments needed to implement this paragraph shall not be  
13 subject to the consent of the annual conferences required in the provisions of ¶¶16.12 and 39.  
14 Notwithstanding other constitutional provisions, each jurisdiction shall be responsible for  
15 funding its own programs and episcopal expenses.

16           5. Other historically Methodist denominations in the United States may join The United  
17 Methodist Church as an additional jurisdiction upon majority vote of the General Conference of  
18 The United Methodist Church.

19  
20           ***Rationale:*** *This amendment creates two non-geographic U. S. jurisdictions to replace*  
21 *the current system of five jurisdictions based on geography. Language is added that*  
22 *creates the possibility of other historically Methodist denominations joining The United*  
23 *Methodist Church as their own jurisdiction. While this feature is not essential to*  
24 *enacting the jurisdictional solution, including it here highlights that re-envisioning our*  
25 *jurisdictional system may open doors to greater unity within the larger Methodist family*  
26 *of denominations. Care would need to be exercised so that the addition of the*  
27 *historically black AME, AMEZ, or CME denominations does not result in a situation*  
28 *similar to the racially segregated Central Jurisdiction that existed from 1939-1968.*

29  
30           *Former versions of this legislation named the two new jurisdictions "American" and*  
31 *"National", following the pattern of the two leagues of major league baseball.*  
32 *"Progressive" and "Traditional" are substituted for the sake of clarity. Each jurisdictional*  
33 *conference may choose its own name once it convenes. The authors of this plan*  
34 *acknowledge the limitations of all labels and beg the indulgence of United Methodists in*  
35 *this matter.*  
36



1           *The claim will undoubtedly be made that we need a third, “Centrist Jurisdiction” for*  
2           *those conferences who are undecided or wish a more nuanced approach. The authors of*  
3           *this legislation strongly feel, however, that this third jurisdiction would be doomed to the*  
4           *same paralysis currently experienced by our denomination. Centrists are empowered by*  
5           *the legislation as printed because both the Progressive and Traditional Jurisdictions will*  
6           *need to vie for their approval. In the final analysis, we are either going to allow same-*  
7           *sex weddings in our churches and the ordination of practicing homosexuals or not. It*  
8           *seems to the authors that it is time to decide.*

9  
10           *Each jurisdiction is required to meet its own episcopal expenses. While this*  
11           *constitutional change will affect other Disciplinary provisions for the funding of bishops,*  
12           *it is included to avoid future conflicts over a jurisdiction paying the salary of a bishop*  
13           *whose position or lifestyle they might find objectionable. This provision does not*  
14           *preclude the salaries of central conference bishops being subsidized by the general*  
15           *church. This is a measure to help ensure the harmonious relationship of the two*  
16           *jurisdictions.*

17  
18           *Language is included that exempts this specific jurisdictional realignment from other*  
19           *constitutional provisions requiring the vote of any annual conference when the*  
20           *boundaries of the jurisdiction to which they are affiliated are changed by action of*  
21           *General Conference.*

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23



# NON-CONSTITUTIONAL CHANGES

## Change #1: Give Jurisdictions the Same Flexibility as Central Conferences and Extend this Flexibility to include the Body of the Social Principles.

### Part II, GLOBAL BOOK OF DISCIPLINE

¶101 *The Book of Discipline* reflects our Wesleyan way of serving Christ through doctrine and disciplined Christian life. We are a worldwide denomination united by doctrine, discipline and mission through our connectional covenant. The *Book of Discipline* expresses that unity. Each central conference and jurisdictional conference may make changes and adaptations to the *Book of Discipline* to more fruitfully accomplish our mission in various contexts. However, some portions of the *Book of Discipline* are not subject to adaptation. The following parts and paragraphs are not subject to change or adaptation except by action of the General Conference. The Standing Committee on Central Conference Matters has primary responsibility for proposing to General Conference revisions to this paragraph.

Parts I, III-V

- 1. Constitution ¶¶ 1-61
- 2. Doctrinal Standards and Our Theological Task ¶¶ 101-104
- 3. The Ministry of All Christians ¶¶ 120 – 142
- 4. Social Principles Preface, and Preamble and ¶¶160 – 166

**Rationale:** *These changes give the same freedom to adapt some parts of the Book of Discipline to their ministry context as is made available to the central conferences. Eliminating the restriction placed upon adapting the main body Social Principles allows each jurisdiction to adjust them according to their context. The Preface and Preamble to the Social Principles, being very general in nature, are not to be subject to adaptation. The Discipline remains the normative standard for United Methodism that can be amended only at General Conference, which remains the sole voice of the general church even though*



1                                    *jurisdictions and central conferences may adapt much of it to their missional*  
 2                                    *circumstances.*

3  
 4    **Change #2: Import Language into Guidelines for Jurisdictions as**  
 5    **Found Elsewhere for Central Conferences.**

6  
 7                                    **Additions to Chapter Four: The Conferences, Section III, ¶1525**

8  
 9                                    *Powers and Duties of Jurisdictional Conference* – The jurisdictional conference  
 10                                    shall have powers and duties as described in the Constitution. It shall  
 11                                    have such other powers and duties as may be conferred by the General  
 12                                    Conference. It shall act in all respects in harmony with the policy of The  
 13                                    United Methodist Church with respect to elimination of discrimination  
 14                                    based on race. A jurisdictional conference shall have the power to make  
 15                                    such changes and adaptations to the *Book of Discipline* as the special  
 16                                    conditions and the mission of the church in that jurisdiction require,  
 17                                    especially concerning the organization and administration of the work  
 18                                    on local church, district, annual conference, and jurisdictional levels,  
 19                                    provided that no action shall be taken that is contrary to the  
 20                                    Constitution and the General Rules of The United Methodist Church,  
 21                                    and provided that the spirit of connectional relationship is kept with the  
 22                                    general church. Subject to this restriction, a jurisdictional conference  
 23                                    may delegate to a constituent annual conference the power to make  
 24                                    one or other of the changes and adaptations referred to in this  
 25                                    paragraph, upon the request of such annual conference.

26  
 27                                    **Rationale:** *The intent of this addition is to extend the same liberties to the*  
 28                                    *jurisdictional conferences as those that have already been conferred to*  
 29                                    *the central conferences in ¶1543.7. The language is nearly identical.*  
 30

31    **Change #3: Provide Implementing Legislation for New Jurisdictions**

32                                    **¶1538. Forming the New Jurisdictions**  
 33



1 The following process is enacted to implement the constitutional amendments to ¶¶ 9,  
2 27, and 37 creating two new jurisdictions in the United States. The secretary of the  
3 General Conference shall work with the bishops to ensure that voting on the ratification  
4 of these constitutional amendments begins with the regularly scheduled annual  
5 conference sessions after September 1, 2016, and is completed by August 31, 2017.

6  
7 1. The two new jurisdictions shall replace the five former geographic  
8 jurisdictions. The Council of Bishops shall oversee the implementation of the new  
9 jurisdictions and serve as a clearing house of information for clergy and congregations  
10 desiring to affiliate with a jurisdiction different from the one chosen by their annual  
11 conference.

12  
13 2. In anticipation of the approval of the relevant constitutional amendments,  
14 the 2016 General Conference shall (subsequent to approving the amendments by the  
15 required two-thirds vote) elect a seven-person team for each of the new jurisdictions,  
16 consisting of three laypersons, three clergypersons, and one bishop. Nominations shall  
17 be taken from the floor of General Conference at least 24 hours prior to the election  
18 being held. Each nominee shall certify his/her commitment to the general principles  
19 contained in the description of each jurisdiction in amended ¶ 37 for the jurisdiction for  
20 which they are nominated.

21  
22 3. In the ten months following General Conference, each team shall write and  
23 approve a vision and mission description for its particular jurisdiction, including a one-  
24 page summary. These documents shall be the initial guide for decision-making by  
25 bishops, annual conferences, clergy, congregations, and church institutions about the  
26 jurisdiction with which they will affiliate. The descriptive documents shall be publicly  
27 released at the time when the Council of Bishops certifies that the relevant  
28 constitutional amendments have been ratified.

29  
30 4. *Episcopal Affiliation—*a) No more than 60 days following the certification of  
31 the constitutional amendments enabling two new U.S. jurisdictions, each active and  
32 retired United Methodist bishop serving The United States of America shall elect to  
33 relate to either the Progressive or Traditional Jurisdiction described in ¶ 37 and in the  
34 descriptive documents (¶ 538). These selections shall be canvassed by the Council of  
35 Bishops and made public at the conclusion of the 60 days. Bishops shall relate to both  
36 the new jurisdiction and their former geographical jurisdiction until the transition is  
37 completed.



1                    b) Following the 60 days, the College of Bishops for each jurisdiction may  
2 convene and begin ordering the work of their respective new jurisdictions.  
3

4                    5. Annual Conference Affiliation—*a)* Within eight months of the certification of  
5 constitutional amendments, votes shall be held by secret ballot in each annual  
6 conference in the U.S. as to which jurisdiction that annual conference will hereafter  
7 belong. A simple majority vote shall suffice. The vote of each annual conference shall be  
8 canvassed by the Council of Bishops and be final.

9                    b) Each annual conference shall also elect a jurisdictional delegation to the  
10 organizing conference of their selected jurisdiction, consisting of the same number of  
11 delegates who were elected to the previous jurisdictional conference. If clergy are  
12 elected who later indicate their desire to affiliate with the other jurisdiction, these  
13 clergy become ineligible to serve. Lay members elected become ineligible to serve if the  
14 local church to which they belong votes to affiliate with the other jurisdiction. Annual  
15 conferences shall elect sufficient numbers of reserve delegates to ensure a full  
16 delegation. Legislation may be proposed by each annual conference for the  
17 organizational conference of their new jurisdiction.

18                    6. Congregational Affiliation—*a)* Congregations will automatically continue to  
19 belong to the annual conference to which they previously belonged unless the  
20 congregation takes action to change affiliations. Congregations who dissent from the  
21 jurisdictional affiliation of their annual conference will have until December 31, 2018 to  
22 indicate, by majority secret ballot vote of a duly called special church conference, their  
23 decision to be placed in an annual conference of the other jurisdiction. These  
24 congregations shall remain part of their former annual conference until the conclusion  
25 of the organizing conference of the new jurisdiction.

26                    b) Churches wishing to change jurisdictional affiliation after the process  
27 described may do so under the provisions of ¶ 41 of the Constitution.  
28

29                    7. Clergy Affiliation— *a)* Clergy shall have until December 31, 2018 to notify  
30 their bishop of their desire to serve in the other jurisdiction. Their bishop shall forward  
31 the names of these clergy to the college of bishops of the receiving jurisdiction.  
32 Conference membership will continue in the former conference until a transfer to  
33 another annual conference is complete.  
34

35                    b) Subsequent to their original affiliation, clergy may elect to transfer from an  
36 annual conference in one jurisdiction to an annual conference in another jurisdiction  
37 under the provisions of ¶347.1. However, such transfer shall require the additional



1 approval of the Board of Ordained Ministry and the clergy session of the receiving  
2 annual conference.

3  
4 8. Organizing Jurisdictional Conferences—a) The colleges of bishops of the  
5 respective jurisdictions shall call a special organizing jurisdictional conference for each  
6 of the new jurisdictions. The conferences shall take place during February 2019.

7 b) At the organizing conference for each jurisdiction, the annual conference  
8 maps of each jurisdiction shall be redrawn so as to provide coverage for the entire  
9 United States of America. Where possible, coverage shall be attained by widening the  
10 boundaries of existing conferences. Provisional annual conferences and missionary  
11 conferences may be formed as needed. Bishops shall be assigned to their respective  
12 episcopal areas as elsewhere set forth. New bishops shall be elected as needed under  
13 the provisions of ¶ 404. For the purposes of this transition, bishops shall begin their  
14 new residential assignment on April 1, 2019.

15 c) Each jurisdictional conference shall create a system for assisting clergy  
16 desiring to change annual conference affiliation in obtaining membership status in a  
17 new annual conference, in obtaining an appointment in the new annual conference,  
18 and/or in obtaining a transitional appointment. Clergy may continue to serve in a  
19 conference other than the one where their membership is held until a suitable  
20 appointment is found in their new annual conference.

21 d) Following the remapping of annual conferences in each jurisdiction, each  
22 annual conference shall draw or adjust its districts to serve all the territory within its  
23 boundaries.

24  
25 9. Institutional Affiliation—Any church-related institution that is affiliated with,  
26 but not owned by, an annual or jurisdictional conference may choose to change their  
27 affiliation and relationship to the church following the organizing of the new  
28 jurisdictions and the redrawing of annual conference boundaries. The institution, by its  
29 own internal processes, may choose to continue affiliation with the successor annual or  
30 jurisdictional conference with which it was previously affiliated, change its affiliation to  
31 the annual or jurisdictional conference representing the other jurisdiction from the one  
32 in which it was previously affiliated, seek affiliation in both jurisdictions at the same  
33 time, or remove its church affiliation entirely. An institution's request to affiliate with a  
34 different annual or jurisdictional conference is contingent upon approval by that  
35 conference.

36  
37 10. Congregational Property—The trust clause of each local congregation's  
38 property shall be held and administered by the annual conference with which the local



1 church chooses to affiliate (§2501, 2503). All assets and liabilities previously incurred by  
2 a local congregation shall remain with that congregation, regardless of affiliation.

3  
4 11. Annual Conference Property -- Assets and liabilities held by an annual  
5 conferences shall remain with that conference. Local churches and clergy transferring  
6 from an annual conference under the provisions of §538 are relinquished of any share  
7 of the assets or liabilities of that conference.

8  
9 12. Jurisdictional Property -- Assets and liabilities held by former jurisdictions of  
10 The United Methodist Church shall be assumed by the jurisdiction chosen by majority  
11 vote of the aggregate number of members in the several annual conferences of that  
12 former jurisdiction.

13  
14 13. Arbitration -- Disputes over the division of assets and liabilities shall be  
15 settled in binding arbitration by the Judicial Council. Each annual or jurisdictional  
16 conference shall present its case in written and oral form, and the Council shall make  
17 the final determination of an equitable division of assets and liabilities. The expenses of  
18 any special meetings or travel incurred by the Council for such purposes shall be borne  
19 by the conferences engaging in arbitration.

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22  
23 ***Rationale:** These changes represent the process by which the Jurisdictional*  
24 *Solution would be implemented. Full implementation of this legislation would*  
25 *take approximately three years from its adoption at General Conference.*

26  
27 *A process of binding arbitration is included to preclude any possibility of*  
28 *property matters ending up in the civil courts.*  
29

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