

# **UMC court ruling upholds restrictions on LGBTQ clergy and couples**

**In a separate ruling, the Judicial Council upheld an exit plan that allows churches to leave the denomination with their property.**

by [Emily McFarlan Miller](#) and [Yonat Shimron](#)

This article appears in the [May 22, 2019](#) issue.

The United Methodist Church's top court upheld much of the Traditional Plan approved earlier this year, continuing the global denomination's ban on the ordination and marriage of its LGBTQ members.

Approved by delegates to a special session of the United Methodist Church's top legislative body in February, the Traditional Plan, as upheld by a Judicial Council decision on April 26, strengthens language in the denomination's Book of Discipline that bars LGBTQ clergy and forbids same-sex marriage.

The rule book currently states that "the practice of homosexuality is incompatible with Christian teaching" and that "self-avowed practicing homosexuals" cannot be ordained as ministers, appointed to serve, or be married in the church.

The Traditional Plan defines a "self-avowed practicing homosexual" as a person who is "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." The plan also bars bishops from consecrating, ordaining, or commissioning LGBTQ clergy even if they have been elected or approved by the appropriate church bodies. It prohibits those church bodies from approving or recommending them as candidates, as well.

The plan also strengthens current complaint procedures and penalties in the Book of Discipline. A clergy member who performs a same-sex wedding will face a minimum

one-year suspension without pay for the first offense and a loss of credentials for the second.

The new rules will take effect in January 2020.

The Judicial Council, which has nine members representing both clergy and laypeople, ruled seven of the 17 petitions that made up the Traditional Plan unconstitutional, and these will not be added with the others to the Book of Discipline. For example, a petition that would have allowed the denomination's Board of Ministry to investigate the sexuality of a candidate for ordination, including a review of a candidate's social media posts, was ruled unconstitutional. So was a petition that would have required candidates to certify to a bishop their willingness to comply with the Book of Discipline in its entirety, "including but not limited to" all ordination requirements. The court ruled that such an "open-ended and unconstitutionally vague certification requirement" violated the principle of legality, which ensures "all individuals and entities are equally bound by church law."

In a separate ruling April 26, the Judicial Council upheld an exit plan that allows churches to leave the denomination with their property.

Supporters of the Traditional Plan were pleased. Mark Tooley, president of the Institute on Religion and Democracy, wrote in an email that the ruling "confirms that United Methodism will continue to globalize and move in a more traditionalist and orthodox direction."

"This ruling should also alert adamant dissenters that the church's teaching on marriage will not change and that the time has come for creating new more liberal denominations that will accommodate their views," he wrote. "Traditionalists are willing to assist in this process on generous terms."

Several dozen clergy, bishops, and activists who oppose the Traditional Plan met March 27 in Dallas and April 4 in Atlanta to strategize about their future in Methodism, United Methodist News Service reported. The 22,000-member Church of the Resurrection in Leawood, Kansas—the largest congregation in the UMC—planned to host hundreds more at a meeting May 20–22.

In the meantime, LGBTQ students at seminaries affiliated with the UMC continue to face uncertainty about seeking ordination and employment. The seminaries, which all have ecumenical student bodies, each receive modest but declining financial

support from the denomination—on average about 10 percent of their budgets. None of the 13 schools excludes students on the basis of sexual orientation.

Some schools have taken steps to assist LGBTQ students. For the past decade, Candler School of Theology has run a placement service to help LGBTQ students find a geographic region where United Methodist Church boards will ordain them.

“I want to maintain good relationships with conservatives,” said Jan Love, dean of Candler and the immediate past president of the Association of United Methodist Theological Schools. “But we’re going to help our students do what our students feel is God’s call on their life.”

The UMC’s top legislative body meets again next year in Minneapolis.

In her concurrence to the April 26 ruling, Judicial Council member Beth Capen noted, “Presumably these matters will end up before the council again in one form or another.” —Religion News Service; added information

*A version of this article appears in the print edition under the title “UMC court ruling upholds restrictions on LGBTQ clergy and couples.”*