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Suggested Title: Modified Traditional Plan - Traditional Plan Implementation Process

Discipline Paragraph or Resolution Number, if applicable: Discipline New ¶ 2801

General Church Budget Implications: Yes – for 2021-24 Budget

Global Implications: Yes

Add a new ¶ 2801

¶ 2801. Implementing Gracious Accountability

Because of the current deep conflict over The United Methodist Church's position on marriage and sexuality, a local church or annual conference may indicate its desire to form or join a self-governing church under this paragraph based upon its declaration that it is in irreconcilable conflict for reasons of conscience with the doctrine or moral teachings and requirements of *The Book of Discipline of The United Methodist Church* on the issues of human sexuality, or with the way such requirements are being enforced, or with the resolution of those matters adopted by the 2019 General Conference.

1. Before March 31, 2020, each **annual conference** shall vote by secret ballot or electronic means (with the vote totals to be released publicly at the time of the vote) to approve one of the following two statements:

a. "The _____ Annual Conference and its subsidiary units will support, uphold, and maintain accountability to the United Methodist standards found in ¶ 304.3 'Qualifications for Ordination,' ¶ 341.6 'Unauthorized Conduct,' ¶ 613.19 'Responsibilities of the Council on Finance and Administration,' and ¶ 2702.1a-b 'Chargeable Offenses' of *The Book of Discipline of the United Methodist Church (2016)* in their entirety."

b. "The _____ Annual Conference and its subsidiary units will not support, uphold, and maintain accountability to the standards of The United Methodist Church found in ¶ 304.3 'Qualifications for Ordination,' ¶ 341.6 'Unauthorized Conduct,' ¶ 613.19 'Responsibilities of the Council

on Finance and Administration,' and ¶ 2702.1a-b 'Chargeable Offenses' of *The Book of Discipline of the United Methodist Church (2016)* in their entirety."

2. In extreme cases in which an annual conference outside of the United States is unable, due to extraordinary circumstances, to take a vote by this deadline, its resident bishop may request a one-time, one-year extension of this deadline, which would also be a one-year extension of the deadlines in ¶2801.3-4 below, to be granted by the General Council on Finance and Administration. Such requests for extensions must be submitted by April 1, 2020.

3. The General Council on Finance and Administration shall canvass the votes of each annual conference and report the vote totals publicly. Those returning a majority vote for the second option, failing to respond, unclear in their response, or qualifying their commitment to the first option in any way shall be placed on a list of conferences ideally suited for the self-governing status. This list shall be made available to the Council of Bishops and released to the public no later than May 1, 2020.

4. Beginning January 1, 2021, the General Council on Finance and Administration shall neither receive funds from nor send funds to the annual conferences listed under ¶ 2801.3 except as a self-governing Methodist church formed under this paragraph. The General Council on Finance and Administration shall also prohibit the use of the United Methodist name and insignia by these annual conferences except under the terms of a concordat agreement.

Allegations that an annual conference has not fulfilled its commitment under ¶ 2801.1a shall be addressed to the Council of Bishops Council Relations Committee as evidence of possible misconduct by the Conference's residential bishop. Such allegations shall also be addressed to the Global Episcopacy Committee for investigation and action (¶ 512).

5. Annual conferences who are not placed on the list in ¶ 2801.3 may nonetheless vote to enter the self-governing status.

6. The General Council on Finance and Administration shall offer and facilitate a timeline allowing annual conferences moving into the self-governing status to continue uninterrupted financial participation in the connectional ministries of The United Methodist Church under the terms of this paragraph and may grant a one-time delay to the restrictions in ¶ 2801.4 of up to twelve months upon request by an annual conference that has voted to enter the self-governing status to allow for the transition.

7. By March 31, 2020, each **bishop** of The United Methodist Church shall return one of the following two statements to the President of the Council of Bishops and the General Council on Finance and Administration:

a. I, (Name), certify that I will uphold United Methodist standards on marriage and sexuality in their entirety (¶ 414.5). I will enforce the requirements of the *Book of Discipline* forbidding same-sex weddings and the ordination of self-avowed practicing homosexuals (¶¶ 304.3, 341.6, 2702.1a-b, 414.9). I will further hold all those under my supervision accountable to those standards (¶ 415.2, 613.19).

b. I, (Name), certify that for reasons of conscience, I cannot uphold United Methodist standards on marriage and sexuality in their entirety (¶ 414.5). I am unwilling or unable to enforce the requirements of the *Book of Discipline* forbidding same-sex weddings and the ordination of self-avowed practicing homosexuals (¶¶ 304.3, 341.6, 2702.1a-b, 414.9), or to hold all those under my supervision accountable to those standards (¶ 415.2, 613.19).

Bishops who submit the second option (in whole or in part), fail to respond, are unclear in their response, or qualify their commitment to the first option in any way shall be subject to review by the Council of Bishops' Council Relations Committee for possible action. Effective September 1, 2020, such bishops shall no longer receive funding for expenses (housing, office, travel) from the General Council on Finance and Administration. Bishops who indicate to the Council President and to GCFA their intention to join a self-governing Methodist church formed under this paragraph shall be eligible to continue

receiving expenses during a transition period until such transfer is complete, or until December 31, 2021, whichever is earlier.

Complaints against bishops who are alleged to have not fulfilled their commitment under ¶ 2801.7a above, or who are alleged to have committed one of the chargeable offenses under ¶ 2702.1a-b, shall be automatically and immediately forwarded to the Global Episcopacy Committee (¶ 512), which shall administer the complaint under the provisions of ¶ 413. By a two-thirds majority vote, the Council of Bishops may assume responsibility for administering such a complaint and taking action under ¶ 422.5 at any point until the complaint is referred to a counsel for the church (¶ 413.3d, 2704.1).

8. **Clergy** who find themselves for reasons of conscience unable to live within the boundaries of ¶¶ 304.3, 341.6, 613.19, and 2702.1a-b are encouraged to transfer to a self-governing church formed under this paragraph. Clergy who remain United Methodist but do not maintain their conduct within the boundaries established by *The Book of Discipline* shall be subject to chargeable offenses.

9. Annual conferences becoming self-governing Methodist churches.

a. Any annual conference may become a self-governing church or join an existing one when that annual conference votes by simple majority to seek this status under the terms of this paragraph. The annual conference shall notify the president of its college of bishops of its decision at least 30 days before a regular or specially called session of its jurisdictional or central conference. The jurisdictional or central conference shall reallocate the territory of the former annual conference among the remaining annual conferences or create a new annual conference. It shall be the new self-governing church's own responsibility to develop its Book of Discipline and establish itself as a legal entity. The existence of the self-governing church shall be effective upon the adjournment of the jurisdictional or central conference or upon the effective date established by the annual conference in its request, whichever is later. All property, assets, and liabilities except for those related to pensions (see sub-paragraph b below) shall

continue to belong to, and be the responsibility of, the departing annual conference. An annual conference shall not consider a switch in its affiliation within less than four years from a previous annual conference vote on the question.

b. If a U.S. annual conference ceases to be a part of The United Methodist Church through becoming a self-governing Methodist church, or otherwise, it shall contribute to the General Board of Pension and Health Benefits any amount necessary to fully fund its obligations under the Clergy Retirement Security Program. The former annual conference's sponsorship of and legal responsibilities under the Clergy Retirement Security Program will continue as a self-governing Methodist church. However, accruals and benefit improvements under the Clergy Retirement Security Program shall cease. The sponsorship and administration of the Clergy Retirement Security Program for the self-governing Methodist church will be sequestered and treated separately from all other annual conferences that remain part of The United Methodist Church. For purposes of administering the Clergy Retirement Security Program in this manner, the General Board of Pension and Health Benefits is authorized and empowered to:

(1) Identify which of the self-governing Methodist church's (former annual conference's) plan participants have chosen to remain with The United Methodist Church, and those who are members of the former annual conference (whether the former annual conference becomes a self-governing Methodist church or otherwise disaffiliates) based on records of service and membership of the annual conferences; non-clergy participants, e.g., surviving spouses, contingent annuitants, and alternate payees, will be deemed to remain associated with The United Methodist Church;

(2) Calculate and sequester the former annual conference's share of defined benefit plan assets and liabilities for all participants of the former annual conference using factors corresponding to those used when determining annual conference plan sponsor contributions to the Clergy Retirement Security

Program; and to the extent and at any time that certain participants, whether active or inactive, become the responsibility of The United Methodist Church, retain for The United Methodist Church from such calculated share an amount necessary to fully fund the liabilities of such participants using factors similar to a commercial annuity provider;

(3) Calculate the amount of any plan contributions required to be made by the former annual conference in the future, as part of the self-governing Methodist church's ongoing sponsorship of its separate frozen part of the Clergy Retirement Security Program;

(4) Collaborate with the self-governing Methodist church (former annual conference) to determine how plan design changes may be requested by the self-governing Methodist church, and the scope and administrative reasonableness of amendments that may be made to the separate frozen part of the Clergy Retirement Security Program; and

(5) Amend the Clergy Retirement Security Program effective as of the close of the 2019 General Conference to conform with this paragraph of *The Book of Discipline*.

If the self-governing Methodist church (former annual conference) does not satisfy any required ongoing contributions within a reasonable time under this paragraph or the terms of the Clergy Retirement Security Program, as determined by the General Board of Pension and Health Benefits, or the self-governing Methodist church elects not to, refuses to, or fails to satisfy its legal sponsorship of the Clergy Retirement Security Program, the General Board of Pension and Health Benefits shall convert all accrued pension benefits of the self-governing Methodist church's (former annual conferences) assigned participants to an actuarially equivalent account balance, adjusted, as necessary, to take into account the former annual conference's funding level of the Clergy Retirement Security Program. Such account balances, and all other retirement account balances, will be transferred to the United Methodist Personal Investment Plan. The General Board of Pension and Health Benefits may also take

such actions if the Clergy Retirement Security Program is amended to require an account balance conversion for similar classes of participants, or if continuing administration for the self-governing Methodist church is no longer administratively reasonable.

c. Institutions owned by or affiliated with the annual conference shall continue that relationship unless, under their own bylaws and in conjunction with the annual conference, they establish a change of affiliation.

d. The newly created body shall continue under the supervision of the college of bishops of the jurisdiction until supervisory leadership is in place under its constitution.

e. Any annual conference withdrawing to form a self-governing Methodist church under this paragraph shall receive from general church funds a one-time grant of \$200,000 on or after January 1, 2021, to assist with transitional expenses. The General Council on Finance and Administration shall include an allocation for such funding in the 2021-2024 quadrennial budget. At its discretion, GCFA may advance such funding to the relevant annual conferences out of unrestricted reserve funds held by one or more of the general boards and agencies, to be replenished over the quadrennium by apportionments.

f. Any local church or charge of the annual conference becoming or joining a self-governing church shall have the right to remain in the existing jurisdiction of The United Methodist Church by a simple majority vote of a church conference before or during the first two years of the self-governing church's existence, and shall have the right to hold a church conference to vote on this matter within no more than 120 days of notifying the relevant leadership of the annual conference or of the self-governing church. After the first two years, release of a congregation from a self-governing church shall be according to that church's governing documents. Supervision of the congregation shall transfer to the

cabinet of the annual conference assigned to cover their location by the jurisdictional or central conference upon written acknowledgement to the self-governing body by the receiving cabinet.

Local churches electing to remain United Methodist by exiting an annual conference that is forming or joining a self-governing Methodist church shall not owe any payment to the annual conference they are departing, except for the local church's proportional share of the annual conference's aggregate unfunded pension liability, as determined by the General Board of Pension and Health Benefits. The General Board of Pension and Health Benefits shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church's share. The local church payment of pension liabilities shall be made prior to the effective date of exit.

g. Clergy members of the departing annual conference shall by default remain members of that annual conference unless they request to remain in The United Methodist Church. They shall communicate such a request before or within 90 days after the annual conference exit effective date to the bishop of the departing annual conference and to the jurisdictional or central college of bishops, but may, at the discretion of the bishop of the departing annual conference, continue serving the current appointment for up to one year from the date of such request until a suitable appointment is found in The United Methodist Church. The United Methodist jurisdictional or central college of bishops shall work together to provide an appointment for any clergy member subject to security of appointment (and may do so for clergy members not subject to security of appointment) in the area of his/her former annual conference or in another annual conference in the jurisdiction, unless the clergy member agrees to transfer to an annual conference out of the jurisdiction.

10. Groups of local churches forming new self-governing Methodist churches in the United States.

Any fifty or more United Methodist local churches may form a self-governing Methodist church under this paragraph by the following procedure:

a. Those organizing the self-governing church shall develop a vision and mission statement describing the nature and work of the body.

b. Local churches seeking to form the self-governing church shall vote to do so by a 55 percent majority vote of a church conference. Such vote shall indicate the desire of the congregation to join the forming group, but the congregation remains part of The United Methodist Church until the self-governing church becomes established and the other provisions for exit under this paragraph are satisfied. The bishop and district superintendent shall facilitate the change of affiliation and shall preside over a church conference within 120 days when requested by the local church's pastor or church council (¶¶ 246, 248). A local church shall not consider a switch in its affiliation within less than four years from a previous church conference vote on the question.

c. The organizers shall select a United Methodist college of bishops to supervise the church until such time as supervisory leadership is in place under its own constitution. If no selection is made, the college of bishops supervising the territory where most of the local churches are located shall provide supervision. Notice shall be given to the president of the college of bishops and the college shall include the church in its plan of oversight. The bishop placed in charge of the group of congregations shall have the right to assemble a transitional cabinet should the bishop deem that necessary.

d. Once a group of fifty or more congregations has been formed under ¶ 2801.10b, an organizing conference shall be held, at which time the constitution, *Book of Discipline*, and provisional leadership for the newly organized church shall be approved. It shall be the new church's own responsibility to develop its *Book of Discipline* and establish itself as a legal entity. Existence of a self-

governing church shall become effective at the adjournment of the organizing conference or upon an effective date established by that conference, provided that all the provisions for exit under this paragraph are satisfied.

e. The local church shall retain all property, assets, and liabilities, except as provided under ¶ 2801.12. On the effective date the provisions of the Trust Clause (¶ 2501) shall be released to the new church, and its provisions administered according to the governing documents of the new church. Congregations leaving United Methodist annual conferences shall not have claim or be entitled to a share of the assets or non-pension liabilities of the annual conference they are exiting.

11. Local churches seeking to join any existing self-governing church formed under this paragraph shall be granted a change of affiliation upon a 55 percent majority vote of a church conference. The bishop and district superintendent shall facilitate the change of affiliation and shall preside over a church conference within 120 days when requested by the congregation's pastor or church council (¶¶ 246, 248). Such a request to join an existing self-governing church shall also require the approval of the receiving self-governing church by whatever means are provided in its governing documents. A local church shall not consider a switch in its affiliation within less than four years from a previous church conference vote on the question.

Transfer of the affiliation of a local church under ¶ 2801.11 shall be effective upon written acknowledgement to the cabinet of the annual conference from the supervisory leadership of the receiving church that the transfer to them is accepted. On the effective date of the congregation's joining a self-governing church, the provisions of the Trust Clause (¶ 2501) shall be released to the self-governing church, and its provisions administered according to the governing documents of the new church. The local church shall retain all property, assets, and liabilities, except as provided under ¶

2801.12. Congregations leaving United Methodist annual conferences shall not have claim or be entitled to a share of the assets or non-pension liabilities of the annual conference they are exiting.

12. Conditions. A local church electing to join a new or existing self-governing church through the provision of ¶ 2801.10-11 shall enter into a written agreement with the bishop setting an effective date and resolving any financial obligations to The United Methodist Church.

a. On the effective date, the local church shall assume all liabilities, and the local church (and any of its affiliates) shall cease participation in and cease to be eligible to participate in all programs and operations of The United Methodist Church, except as provided in ¶ 2801.19. The local church shall immediately remove all references to the words “United Methodist” as well as all United Methodist symbols and insignia, except as provided in ¶ 2801.15, although it may continue to use the word “Methodist.” The local church shall retain all its property, assets, and liabilities not specifically accounted for in the agreement. Such agreement shall be in writing and signed and approved by the duly qualified and authorized representatives of the annual conference and the local church.

b. Local churches electing to join a new or existing self-governing Methodist church through the provisions of ¶ 2801.10-11 shall not owe any payment to the annual conference they are departing, except for the local church’s proportional share of the annual conference’s aggregate unfunded pension liability, as determined by the General Board of Pension and Health Benefits. The Board shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church’s share. The local church payment of pension liabilities shall be made prior to the effective date of exit.

c. Upon receipt of any payment required and fulfillment of all other provisions of this paragraph, the district superintendent shall deliver a signed letter waiving all rights the conference trustees or

annual conference may have in the local church's real estate or other property and assets, as of the exit effective date.

13. Annual conferences or local churches outside the United States may join a self-governing Methodist church formed under this paragraph under the same terms as are spelled out in this paragraph. In such case, the self-governing church becomes a global body.

14. When one or more annual conferences vote to become a self-governing body after the adjournment of the jurisdictional or central conference, the jurisdictional or central college of bishops shall call a special jurisdictional or central conference within 180 days of being notified of the annual conference's action. The jurisdictional or central conference shall adjust its annual conference boundaries at the special conference as necessary to provide coverage for the geographic territory of the withdrawing annual conference(s). The Global Episcopacy Committee (¶ 512) shall monitor the changing landscape of annual conferences and bring recommendation to General Conference related to reorganization of the jurisdictional or central conferences that may be warranted based on the effects of this paragraph.

15. Self-governing Methodist churches formed under this paragraph may use an **insignia or logo** that utilizes a form of the United Methodist cross and flame, so long as such logo is noticeably distinguishable from the United Methodist cross and flame. Any self-governing church logo that utilizes the cross and flame shall be subject to the approval of the General Council on Finance and Administration, which shall make its decision in such a way as to protect the United Methodist brand while acknowledging the historical connection of the self-governing church with United Methodism.

16. Other disciplinary provisions notwithstanding, a **clergy member** (active or retired) may transfer to any self-governing Methodist church formed under this paragraph upon the clergy member's

request and upon acceptance by the self-governing church. Release by the United Methodist bishop shall not be required for these transfers.

17. Other disciplinary provisions notwithstanding, a United Methodist **bishop** (active or retired) may transfer to a self-governing Methodist church formed under this paragraph upon request by the bishop and approval by the receiving church.

18. Institutions related to The United Methodist Church may choose to develop missional ties with self-governing churches, so long as governing control remains vested with The United Methodist Church. If such an institution vests its governing control with a self-governing church or churches, the relationship with The United Methodist Church shall be renegotiated in a spirit of common mission and shared religious bonds and convictions. Such institutions may also request to change their affiliation to a self-governing Methodist church under the provisions of their own bylaws. Institutions related to an annual conference that forms or joins a self-governing Methodist church may likewise develop missional ties with The United Methodist Church and may petition the United Methodist jurisdiction or successor annual conference to remain in The United Methodist Church through processes established in their bylaws.

19. No self-governing church is required to participate in any programs or services of The United Methodist Church, nor is such official participation permitted without the agreement of the sponsoring United Methodist agency. Each self-governing church may negotiate participation in and receipt of fee-based services from any United Methodist general board or agency, including sponsorship and participation in health, welfare or retirement plans with the General Board of Pensions and Health Benefits through written agreements. The self-governing church, its annual conferences and/or local congregations are permitted to engage in or continue partnerships in mission, including financial support, with United Methodist annual conferences, institutions, or local congregations, with the

written agreement of the United Methodist entity involved and may channel such support and partnership through United Methodist general agencies, such as the General Council on Finance and Administration or General Board of Global Ministries. Other aspects of any continuing relationship between the self-governing Methodist church and The United Methodist Church may be established and implemented through a concordat agreement (¶ 574).

20. The self-governing church shall set its own geographic borders, which may overlap those of United Methodist annual conferences and other self-governing churches organized under this paragraph of *The Book of Discipline* of The United Methodist Church and may include territory outside the United States.

21. Self-governing churches may organize themselves together with other self-governing churches under a common *Discipline* or unite to form one self-governing church.

22. The self-governing church shall be fully financially self-supporting, including funding its own bishop(s).

23. The provisions of this paragraph shall take effect immediately upon the adjournment of the 2019 General Conference and shall take precedence over any conflicting provisions in the Discipline that are not in the Constitution.

Date: 7/5/18

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