

TOTAL NUMBER OF PAGES: 11
SUGGESTED TITLE: Plan of Dissolution as Way Forward
DISCIPLINE PARAGRAPH: Non-Disciplinary
GENERAL CHURCH BUDGET IMPLICATIONS: Yes
GLOBAL IMPLICATIONS: Yes

Whereas, The United Methodist Church is embroiled in an irresolvable conflict over issues of theology and moral teaching, and

Whereas, this conflict is causing harm to individuals and groups within the church, in contravention of our General Rule to “do no harm,” and

Whereas, it would be better for the cause of Christ and the mission and health of the church if this conflict were resolved, allowing attention and resources currently employed in the conflict to be redirected to the church’s mission, and

Whereas, we believe the only lasting way forward to resolve this conflict is through an amicable dissolution of the church into two or more different entities,

Therefore, be it resolved, that the 2019 special session of the General Conference enacts the following plan of dissolution, pleading for all members to conduct themselves with the utmost of Christ-like grace, charity, and generosity toward one another.

CONSTITUTIONAL AMENDMENTS (requires 2/3 vote)

1. Add New ¶62, entitled “Plan of Dissolution” as follows:

¶ 62. Plan of Dissolution -- All conflicting provisions of the Constitution and *Book of Discipline* are hereby suspended for the purpose of implementing a plan of dissolution. The dissolution shall make available at least two new entities, one providing full inclusion for LGBTQI+ persons in marriage and ordination, and another maintaining the church’s current teaching and provisions regarding marriage and ordination for LGBTQI+ persons. Additional

entities may be proposed by groups during the initial implementation. Provisions that do not conflict with implementation of the plan shall continue in force until the termination of The United Methodist Church is declared. At the conclusion of the implementation process, all assets and liabilities of The United Methodist Church shall have been equitably divided among the two or more entities which shall become the successor denominations, and The United Methodist Church shall cease to exist.

2. Amend ¶14 as follows:

¶ 14. Article II.—The General Conference shall meet once in four years at such time and in such place as shall be determined by the General Conference or by its duly authorized committees. The change in the preceding sentence shall become effective at the close of General Conference in 2016. The 2020 General Conference shall meet solely for the purpose of implementing the plan of dissolution.

IMPLEMENTING LEGISLATION (requires majority vote)

The following process is enacted to implement the constitutional amendment permitting a plan of dissolution. The secretary of the General Conference shall work with the bishops to ensure that voting on the ratification of this constitutional amendment begins with the regularly scheduled annual conference sessions after April 1, 2019, and is completed by March 31, 2020. The Council of Bishops shall certify whether or not this amendment has been adopted as soon as practicable after April 1, 2020 and not later than April 30, 2020.

1. The Council of Bishops shall oversee the implementation of the plan and serve as a clearing house of information for clergy and congregations desiring to affiliate with an entity different from the one chosen by their annual conference.

2. Founding Teams—In anticipation of the approval of the constitutional amendment, the 2019 special session of General Conference shall (subsequent to its approving the foregoing constitutional amendment by the required two-thirds vote) elect a ten-person team for each new entity that desires to form, consisting of four laypersons, four clergypersons, and two bishops. Nominations shall be taken in writing to the General Conference secretary as a slate of ten for each entity, beginning after the adoption of the amendment and concluding in time for the slates to be published at least 24 hours prior to the election being held. Accompanying each slate shall be a brief statement of the distinctive formative principles of the entity proposed to be formed by that slate. Each new entity group is responsible to ensure that its slate consists of persons who agree to the formative principles of that proposed entity. The plenary session of 2019 special General Conference shall determine by majority vote whether or not to certify each slate and proposed entity as put forward without change.

3. Descriptive Documents—In the 14 months following the adjournment of the 2019 special session of General Conference, each team shall write and approve a vision and mission description for its particular entity, including a one-page summary. These documents shall be the initial guide for decision-making by bishops, annual conferences, clergy, congregations, and church institutions about the entity with which they will affiliate. The descriptive documents shall be publicly released at the time when the Council of Bishops certifies that the constitutional amendment has been ratified.

4. Episcopal Affiliation—*a)* Provided that the constitutional amendment enabling the plan to go forward is certified as having been adopted, not later than June 30, 2020 each active and retired United Methodist bishop shall elect to relate to one of the entities described in the descriptive documents (Part 3). These selections shall be compiled by the Council of Bishops

and made public by June 30, 2020. Bishops shall relate to both the new entity and their former geographical jurisdiction until the transition is completed.

b) Following June 30, 2020, the College of Bishops for each new entity may convene and begin working with the corresponding Founding Team to plan for the new entity.

5. Annual Conference Affiliation—a) By June 30, 2021, votes shall be held by secret ballot in each annual conference as to which new entity that annual conference will hereafter belong. A simple majority vote shall suffice. The vote of each annual conference shall be confirmed by the Council of Bishops and be final. If the annual conference does not cast a majority vote for joining any of the new entities, the annual conference shall affiliate with the entity that receives the plurality of votes, and the assets and liabilities of the conference shall be divided among the relevant entities under Part 11.

b) Each annual conference shall also elect a delegation to the organizing conference of their selected entity, consisting of the same number of delegates who were elected to the previous General Conference. If clergy are elected who later indicate their desire to affiliate with another entity, these clergy become ineligible to serve. Lay members elected become ineligible to serve if the local church to which they belong votes to affiliate with another entity. Annual conferences shall elect sufficient numbers of reserve delegates to ensure a full delegation. Legislation may be proposed by each annual conference for the organizational conference of their new entity.

6. Congregational Affiliation—a) Congregations will automatically continue to belong to the annual conference to which they previously belonged unless the congregation takes action to change affiliation. Congregations who dissent from the affiliation of their annual conference will have until February 28, 2022 to indicate, by majority secret ballot vote of a duly called church

conference (§ 248), their decision to be placed in an annual conference of another entity. If the congregation does not cast a majority vote for joining any of the new entities, the congregation shall affiliate with the entity that receives the plurality of votes. Any minority group within a congregation may organize a new congregation affiliating with a different entity. All dissenting congregations shall remain part of their former annual conference until the conclusion of the organizing conference of the new entity.

b) Churches wishing to change affiliation to another entity after February 28, 2022, may do so only under the provisions of the entity to which they belong at the time and the entity with which they desire to affiliate.

c) The dissenting churches in each annual conference shall convene a conference for their entity, consisting of the lay members of the original annual conference from those congregations or their elected substitutes, along with those clergy who have indicated their desire to affiliate with that entity. This special conference shall take place between April 1 and June 30, 2022. This special conference shall elect one clergy and one lay delegate and alternates to serve at the entity's organizing conference.

7. Clergy Affiliation— a) Clergy shall have until March 31, 2022 to notify their bishop of their desire to serve in another entity. Their bishop shall forward the names of these clergy to the College of Bishops of the receiving entity. Conference membership will continue in the former conference until a transfer to another annual conference is complete.

b) Subsequent to their original affiliation, but at least 30 days prior to the organizing conference of the new entity, clergy may elect to switch affiliation, but it shall require the approval of a majority of the Founding Team and college of bishops of the new entity (voting as one body). After that 30 day deadline or after the new entity has formed, clergy may elect to

withdraw from their original entity to unite with another one under the provisions of their original entity and conditioned upon the provisions of the new entity they wish to join.

c) All pension benefits earned by clergy persons in The United Methodist Church shall remain intact in whatever successor entity they affiliate with, backed by the assets of the General Board of Pensions and Health Benefits or its successor organization(s) and the successor(s) of the clergy person's former annual conference.

8. Organizing Conferences—a) The colleges of bishops of the respective new entities shall call a special organizing conference for each of the new entities. The conferences shall take place during May 2023.

b) At the organizing conference for each entity, the constitution and bylaws of the entity shall be adopted. The entity shall determine whether to continue with bishops and annual conferences, and if so, how they shall be configured. Each entity shall provide for supervision, connection, and pastoral assignment over the area of countries in which the entity has congregations.

c) Each entity shall create a system for assisting clergy desiring to change affiliation in obtaining membership status in the new entity, in obtaining an appointment in the new entity, and/or in obtaining a transitional appointment. Clergy may continue to serve in an entity other than the new one with which they desire to affiliate until a suitable appointment is found in their new entity. During the time of this transitional appointment, they shall abide by the provisions of the entity in which they are appointed.

9. Institutional Affiliation—Any church-related institution that is affiliated with, but not owned by, an annual or jurisdictional conference must choose their affiliation and relationship to the church following the organizing of the new entities and the possible redrawing of annual

conference boundaries. The institution, by its own internal processes, may choose to continue affiliation with the successor annual, jurisdictional, or central conference with which it was previously affiliated, change its affiliation to a new entity, seek affiliation in multiple entities at the same time, or remove its church affiliation entirely. An institution's request to affiliate with a different entity or annual, jurisdictional, or central conference other than the successor to its original conference is contingent upon approval by that entity or conference.

10. *Congregational Property*—The trust clause of each local congregation's property shall be held and administered by the entity with which the local church chooses to affiliate (§2501, 2503). Any of the new entities may choose to modify or dispense with the trust clause entirely. All assets and liabilities previously incurred by a local congregation shall remain with that congregation in its new affiliation, based on the majority or plurality vote of the church conference. This provision shall not, however, preclude a voluntary negotiation dividing some or all of the congregation's assets and liabilities among separating portions of the congregation.

11. *Annual Conference Property -- Assets and liabilities held by an annual conference shall remain with that conference. Local churches and clergy withdrawing from an annual conference to join a new entity are relinquishing any individual share of the assets or liabilities of that conference, except for pension liabilities owed to clergy. Where the conference's affiliation vote under Part 5(a) is less than 75%, the conference's assets and liabilities shall be divided proportionally between the entities involved, based on the number of original professing members who are members of each new entity as of May 30, 2023. The assets so divided shall be no less than, and the liabilities so divided no greater than, the amounts on the books at the time the new entities are organized (May 30, 2023).*

12. Jurisdictional or Central Conference Property -- Assets and liabilities held by former jurisdictions and central conferences of The United Methodist Church shall be assumed by the entity chosen by plurality vote of the aggregate number of members in the several annual conferences of that former jurisdiction or central conference. Where the aggregate affiliation vote is less than 75%, the conference's assets and liabilities shall be divided proportionally between the entities involved, based on the number of original professing members who are members of each new entity as of May 30, 2023. The assets so divided shall be no less than, and the liabilities so divided no greater than, the amounts on the books at the time the new entities are organized (May 30, 2023).

13. General Church Property—a) Assets and liabilities held by boards and agencies of The United Methodist Church shall be recorded as of May 30, 2023. These assets and liabilities shall be divided among the various new entities based on the number of original professing members joining each new entity as of May 30, 2023.

b) The General Board of Pensions and Health Benefits, the United Methodist Publishing House, and/or United Methodist Committee on Relief may choose to become independent non-profit corporations that serve more than one of the new entities that are formed. Such a decision shall require a two-thirds (2/3) vote of its board of directors and a majority vote of the organizing conference of each new entity to be served. Assets and liabilities held by these agencies (serving at least two of the new entities) shall not be divided between the entities that are being served by them, but held by the agency in order to continue serving. If all the new entities are not being served by a given agency, its assets and liabilities shall be divided between the agency itself and the new entities it is not serving, based on the number of original professing members who are members of each new entity as of May 30, 2023.

14. Arbitration—a) At all levels (annual conference up through general church), division of assets and liabilities shall be accomplished through negotiation among the parties involved, taking care to honor the restrictions imposed upon designated funds and trusts. Accounting firms and/or mediators may be employed in this process, with the costs thereof shared by the entities involved at whatever level.

b) Disputes over the division of assets and liabilities shall be settled in binding arbitration by the Judicial Council. Each annual, jurisdictional, or central conference or new entity shall present its case in written form, and the Council shall make the final determination of an equitable division of assets and liabilities. The expenses of any special meetings or travel incurred by the Council for such purposes shall be borne by the conferences engaging in arbitration. The decision of the Council is final and shall not be appealed to the secular courts. The Judicial Council shall complete its arbitration decisions by December 31, 2025.

c) Disputes over proper implementation of this plan may be appealed to the Jurisdictional Committee on Appeals and then to the Judicial Council by the parties involved. Costs of such appeals are to be shared by the parties. The decision of the Judicial Council is final and shall not be appealed to the secular courts.

d) Distribution of assets and liabilities shall take place as soon as practicable, based upon the terms negotiated by the parties involved. Negotiated agreements shall be in place in all instances by December 31, 2024. If an agreement cannot be reached by December 31, 2024, it shall automatically enter the binding arbitration process with the Judicial Council. Parties may submit to binding arbitration before that date upon mutual consent.

e) The various corporations or property-holding organizations of The United Methodist Church shall dissolve their corporation or organization when all assets and liabilities have been

distributed to the new entities. The General Conference and all other unincorporated, non-property-holding organizations of The United Methodist Church shall cease as of May 30, 2023.

f) The Jurisdictional Committees on Appeals and the Judicial Council members and alternates in place as of December 31, 2022, shall continue to serve until December 31, 2025, regardless of which entity they affiliate with, for the purpose of hearing appeals and resolving property disputes relating to the implementation of this plan (Parts 14b-d).

15. Implementation Dates—The following deadlines shall be observed:

April 1, 2019 – Ratification votes begin in annual conferences

March 31, 2020 – Ratification votes in annual conferences are completed

April 30, 2020 – Deadline for Founding Teams to submit their descriptive documents to the Council of Bishops

April 30, 2020 – Deadline for Council of Bishops to certify the results of the ratification vote; public release of the descriptive documents for each entity

June 30, 2020 -- Bishops must indicate publicly which entity they will affiliate with; College of Bishops of each new entity begins working with corresponding Founding Team to plan for the new entity

June 30, 2021 – deadline for annual conferences to vote on which entity to affiliate with; election of delegates to organizing conferences

February 28, 2022 – deadline for local congregations to vote to join a different entity from the one approved by their annual conference

March 31, 2022 – deadline for clergy to indicate to their bishop which entity they wish to affiliate with

June 30, 2022 – deadline for dissenting congregations as an annual conference group to elect delegates to the entity with which they are affiliating

May 2023 – organizing conferences are held for the new entities

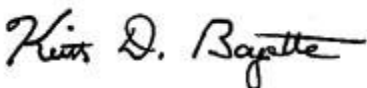
May 30, 2023 – recording of all assets and liabilities subject to division; General Conference and all other non-property-holding organizations of The United Methodist Church cease; number of professing members of The United Methodist Church who have joined each congregation in the new entity is to be reported to that entity's governing body; negotiations begin on dividing annual conference, jurisdictional, central conference, and general church assets and liabilities where needed

December 31, 2024 – deadline for negotiated agreements to be in place on division of assets and liabilities

December 31, 2025 – deadline for arbitration decisions to be completed by Judicial Council

Date: July 6, 2018

Signature of the Petitioner: Rev. Keith D. Boyette

A handwritten signature in cursive script that reads "Keith D. Boyette".

Identification of the Petitioner: Elder, Virginia Conference, The United Methodist Church,
8505 Cheetah Lane, Spotsylvania, Va. 22553

Phone: 540-538-3202

Fax Number: None

E-mail Address: kbminlaw@att.net