# **Exhibit C** – Traditional Plan Petitions

### Exhibit C – Traditional Plan Petitions

Petition 1 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Footnote 1 Qualifications for Ministry *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 304.3 General Church Budget Implications: No Global Implications: Yes

Amend by addition footnote 1 attached to ¶ 304.3:

"Self-avowed practicing homosexual" is understood to mean that a person openly acknowledges to a

bishop, district superintendent district committee of ordained ministry, Board of Ordained Ministry, or

clergy session that the person is a practicing homosexual; or is living in a same-sex marriage, domestic

partnership or civil union, or is a person who publically states she or he is a practicing homosexual. See

Judicial Council Decisions 702, 708, 722, 725, 764, 844, 984, 1020, 1341.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386 *Rationale:* The current wording has sometimes allowed practicing homosexuals to serve, even while being public about their practice, defeating the purpose of the requirement in ¶304.3. The added language identifies other means by which an individual openly acknowledges that they are engaged in the practice of homosexuality and can be determined by access to public records or declarations made in public forums. It incorporates Judicial Council Decision 1341 in the Discipline. Petition 2 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Episcopal Accountability *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 408.3.c General Church Budget Implications: No Global Implications: Yes

Amend by addition ¶ 408.3.c:

By a majority vote of those present and voting, the members of the Council of Bishops may place any bishop in the retired relation with or without their consent and irrespective of their age if such a relation is recommended by the council relations committee. The procedures for fair process in administrative hearings shall be followed in any involuntary retirement procedure (¶ 422.5). Written notice also should be given to the chairperson of the administrative review committee (¶ 422.6).

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale*: Additions to ¶¶408, 410, and 422 go together and create a process by which the Council of Bishops may hold one another accountable, based on the constitutional amendment to ¶50 that was ratified in 2017. This proposal includes assurances of Fair Process and enables greater consistency and uniformity of accountability across the church.

Petition 3 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Episcopal Accountability *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 410.5 General Church Budget Implications: No Global Implications: Yes

Amend by addition ¶ 410.5:

<u>¶ 410.5 Involuntary Leave of Absence—a) By a majority vote of those present and voting, the members</u>

of the Council of Bishops may place any bishop in an involuntary leave status if such a relation is

recommended by the council relations committee. The procedures for fair process in administrative

hearings shall be followed in any involuntary leave of absence procedure (¶ 422.5). Written notice also

should be given to the chairperson of the administrative review committee (¶ 422.6).

b) Involuntary leave of absence shall be approved annually by the Council of Bishops after review and

recommendation of the council relations committee.

c) During the period for which the leave is granted, the bishop shall be released from all episcopal

responsibilities, and another bishop chosen by the College of Bishops shall preside in the episcopal area.

Salary and other benefits may be continued through the Episcopal Fund for a maximum of six months.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Themas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386 *Rationale*: Additions to ¶¶408, 410, and 422 go together and create a process by which the Council of Bishops may hold one another accountable, based on the constitutional amendment to ¶50 that was ratified in 2017. This proposal includes assurances of Fair Process and enables greater consistency and uniformity of accountability across the church.

Petition 4 of 17

Total Number of Pages: 3 Suggested Title: Traditional Plan - Episcopal Accountability Discipline Paragraph or Resolution Number, if applicable: ¶ 422 General Church Budget Implications: No Global Implications: Yes

Amend by addition ¶ 422:

¶ 422.2. The Council of Bishops is thus the collegial and corporate expression of episcopal leadership in the Church and through the Church into the world. The Church expects the Council of Bishops to speak to the Church and from the Church to the world and to give leadership in the quest for Christian unity and interreligious relationships. The Council of Bishops is also a body in which its individual members are held accountable for their work, both as general superintendents and as presidents and residents in episcopal areas.

<u>¶ 422.5. The Council of Bishops shall establish from its membership a Council Relations Committee of at</u> <u>least three persons to hear requests for involuntary leave of absence, involuntary retirement, as may be</u> <u>referred to it by the Council of Bishops or any seven active bishops</u>.

a) When there is a recommendation for an involuntary status change to be referred to the Council Relations Committee, the Council Relations Committee shall conduct an administrative hearing following the provisions of fair process. The Council of Bishops shall designate the person to present the recommendation to the committee. The respondent shall be given an opportunity to address the recommendation in person, in writing, and with the assistance of a clergyperson in full connection, who shall have voice. Once the committee has heard the person designated to represent the recommendation, the respondent, and others as determined by the chairperson of the committee, it shall report its decision to the Council of Bishops. The Council of Bishops may affirm or reverse the decision of the committee. The Council of Bishops shall refer to the Council Relations Committee any bishop who is unwilling to certify that he or she is willing to uphold, enforce and maintain *The Book of*  Discipline relative to self-avowed practicing homosexuals. When the Council Relations Committee reaches a positive finding of fact that the bishop has not so certified, the Council Relations Committee shall recommend either involuntary leave or involuntary retirement to the Council of Bishops after conducting a Fair Process Hearing.

b) Fair Process Hearings--As a part of the holy covenant that exists within the membership and organization of The United Methodist Church, the following procedures are presented for the protection of the rights of individuals and for the protection of the Church in administrative headings. The process set forth in this paragraph shall be followed whenever the Council Relations Committee meets to process an administrative request by the Council of Bishops.

1) In any administrative proceeding the representative of the Council of Bishops and the respondent (the person against whom involuntary action is directed) shall have a right to be heard before any final action is taken.

2) Notice of any hearing shall advise the respondent of the reason for the proposed procedures with sufficient detail to allow the respondent to prepare a response. Notice shall be given not less than twenty days prior to the hearing.

3) The respondent shall have a right to be accompanied to any hearing by a clergyperson in full connection, in accordance with the appropriate disciplinary provisions. The clergyperson accompanying the respondent shall have the right to voice.

4) In any administrative hearing, under no circumstances shall one party, in the absence of the other party, discuss substantive issues with members of the pending hearing body. Questions of procedure may be raised with the presiding officer of the hearing body.

5) The respondent shall have access, at least seven days prior to the hearing, to all records relied upon in the determination of the outcome of the administrative process.

6) In the event that a respondent fails to appear for supervisory interviews, refuses mail, refuses to communicate personally with the bishop, or otherwise fails to respond to supervisory requests or requests from official administrative committees, such actions or inactions shall not be used as an excuse to avoid or delay any Church processes, and such processes may continue without the participation of such individual.

¶ 422.6 The Council of Bishops shall establish from its membership an Administrative Review Committee of at least three persons who are not members of the executive committee or the council relations committee. Its only purpose shall be to ensure that the disciplinary procedures for any involuntary action recommended by the council relations committee are properly followed. The entire administrative process leading to the action for change of status of the bishop shall be reviewed by the administrative review committee, and it shall report its findings to the Council of Bishops prior to any action by the Council of Bishops. The administrative review committee shall notify the parties of the review process. The administrative fair process hearing procedures (¶ 422.5) should be followed by the administrative review committee. Prior to its report, if the committee determines that any error has occurred, it may recommend to the appropriate person or body that action be taken promptly to remedy the error, decide the error is harmless, or take other action.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Themas a. Lambertit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386 *Rationale*: Additions to ¶¶408, 410, and 422 go together and create a process by which the Council of Bishops may hold one another accountable, based on the constitutional amendment to ¶50 that was ratified in 2017. This proposal includes assurances of Fair Process and enables greater consistency and uniformity of accountability across the church.

Petition 5 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Episcopal Responsibilities *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 415.6 General Church Budget Implications: No Global Implications: Yes

Amend by addition ¶ 415.6:

To consecrate bishops; to ordain elders and deacons; to commission deaconesses, home missioners, and missionaries; and to see that the names of the persons commissioned and consecrated are entered on the journals of the conference and that proper credentials are furnished to these persons. <u>Bishops are prohibited from consecrating bishops who are self-avowed homosexuals, even if they have been duly elected by the Jurisdictional or Central Conference. Bishops are prohibited from commissioning those on the deacon or elder track if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the Board of Ministry has determined deacons or elders if the Board of Ordained Ministry and approved by the Clergy Session of the Annual Conference. Bishops are prohibited from ordaining deacons or elders if the Board of Ministry has determined the individual has been recommended by the Board of Ordained homosexual or has failed to certify it carried out the disciplinarily mandated examined the individual is a self-avowed homosexual or has failed to certify it carried of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried of Ordained Ministry and approved by the Board of Ordained homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the Clergy Session of the Annual Conference.</u>

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Themas a. Landrentit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale:* Clarifies that bishops are not allowed to consecrate, ordain, or commission persons who are not qualified under ¶304.3, even if they are elected or approved by the relevant jurisdictional conference or clergy session. This enhances the bishop's role in upholding the Discipline and makes him/her individually responsible to do so. Resolves a tension identified by Judicial Council Decision 1341 holding such acts illegal. Petition 6 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Composition of Board of Ordained Ministry *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 635.1.a General Church Budget Implications: No Global Implications: Yes

Amend by addition ¶ 635.1.a:

Members shall be nominated by the presiding bishop after consultation with the chairperson of the board, the executive committee, or a committee elected by the board of the previous quadrennium, and with the cabinet. Prior to being nominated for membership on The Board of Ministry by the bishop, any individual must certify that he or she will uphold, enforce and maintain *The Book of Discipline* related to commissioning, ordination and marriage of self-avowed practicing homosexuals. Additionally, the bishop must certify that he or she only has nominated individuals who will uphold, enforce and maintain *The Book of Discipline* related to ordination and marriage of self-avowed practicing homosexuals. Additionally, the bishop must certify that he or she only has nominated individuals who will uphold, enforce and maintain *The Book of Discipline* related to ordination and marriage of self-avowed practicing homosexuals. To ensure adequate board membership ...

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386 *Rationale:* Guarding against non-conforming boards of ordained ministry, this provision ensures that members of the board commit to upholding the requirements of the Discipline and makes the bishop responsible for nominating only such persons. Permitting boards to not conform to the Discipline tears the unity of the church.

Petition 7 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Full Examination *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 635.2.h General Church Budget Implications: No Global Implications: Yes

Amend by addition ¶635.2.h:

To examine all applicants as to their fitness for the ordained ministry and make full inquiry as to the

fitness of the candidate for: (1) annual election as local pastor; (2) election to associate membership; 93)

election to provisional membership; and (40 election to full conference membership. The Board of

Ministry shall conduct an examination to ascertain whether an individual is a practicing homosexual,

including information on social media, as defined by The Book of Discipline. The board shall certify that

such an examination has occurred and its results. If it is determined as a matter of fact that an individual

is a practicing homosexual, the board shall not recommend the individual to the Clergy Session of the

Annual Conference for commissioning or ordination.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386 *Rationale*: Incorporates Judicial Council Decisions 1343, 1344, and 1352 in the Discipline, requiring boards of ordained ministry to fully examine candidates' qualifications under ¶304.3. Guarding against non-conforming boards of ordained ministry, this forbids boards from recommending persons found to be unqualified under that paragraph to the clergy session.

Petition 8 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Composition of Board of Ordained Ministry *Discipline* Paragraph or *Resolution* Number, if applicable: ¶806.9 General Church Budget Implications: No Global Implications: Yes

Amend ¶806.9 at its conclusion to state:

<u>"Every Annual Conference shall certify that the bishop has nominated only members of the Board of</u> <u>Ministry who will uphold, enforce and maintain *The Book of Discipline* related to ordination and <u>marriage of practicing homosexuals. Failure to do so shall result in The General Council on Finance and</u> <u>Administration withholding all funds from the United Methodist Church and withdrawing the annual</u> <u>conference's ability to use the denominational cross and flame logo.</u>"</u>

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale:* Guarding against non-conforming boards of ordained ministry, this provides that the annual conference ensures that the bishop has complied with the requirement to nominate only persons who are committed to upholding the Discipline to the board of ordained ministry, adding accountability for the annual conference as well.

Petition 9 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan – Composition of Board of Ordained Ministry *Discipline* Paragraph or *Resolution* Number, if applicable: ¶613.19 General Church Budget Implications: No Global Implications: Yes

Amend ¶613.19 at its conclusion to state:

<u>"Every Annual Conference shall certify that the bishop has nominated only members of the Board of</u> <u>Ministry who will uphold, enforce and maintain *The Book of Discipline* related to ordination and <u>marriage of practicing homosexuals. Failure to do so shall result in The General Council on Finance and</u> <u>Administration withholding all funds from the United Methodist Church and withdrawing the annual</u> <u>conference's ability to use the denominational cross and flame logo.</u>"</u>

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale:* Guarding against non-conforming boards of ordained ministry, this provides that the annual conference ensures that the bishop has complied with the requirement to nominate only persons who are committed to upholding the Discipline to the board of ordained ministry, adding accountability for the annual conference as well.

Petition 10 of 17

Total Number of Pages: 13 Suggested Title: Traditional Plan - Traditional Plan Implementation Process *Discipline* Paragraph or *Resolution* Number, if applicable: New ¶ 2801 General Church Budget Implications: No Global Implications: Yes

Add a new ¶ 2801

#### <u>¶ 2801. Implementing Gracious Accountability</u>

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.

<u>1. Before March 31, 2020, each *annual conference* shall vote to approve one of the following two statements:</u>

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* <u>Methodist Church (2016) in their entirety."</u>

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. 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.

<u>4. Beginning January 1, 2021, the General Council on Finance and Administration shall neither</u> receive funds from nor send funds to the annual conferences listed under ¶ 2801.3 except as a selfgoverning 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.

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

<u>6. The General Council on Finance and Administration shall offer and facilitate a timeline</u> 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 June 30, 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<u>, (Name)</u>, 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. <u>I, (Name), certify that for reasons of conscience, I cannot uphold United Methodist standards</u> 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).

<u>Bishops who submit the second option (in whole or in part), fail to respond, are unclear in their</u> <u>response, or qualify their commitment to the first option in any way shall be subject to review by the</u> <u>Council of Bishops' Council Relations Committee for possible action.</u>

<u>Complaints against bishops who are alleged to have not fulfilled their commitment under ¶</u> <u>2801.7a above, or who are alleged to have committed one of the chargeable offenses under ¶ 2702.1a-</u> <u>b, shall be automatically and immediately forwarded to the Council of Bishops Council Relations</u> <u>Committee, which shall administer the complaint.</u> 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. 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 should 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

Exhibit C – pg. 21

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

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

e. <u>Any local church or charge of the annual conference becoming or joining a self-governing</u> <u>church shall have the right to remain in the existing jurisdiction of The United Methodist Church by a</u> <u>simple majority vote of a church conference before or during the first two years of the self-governing</u> 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 selfgoverning 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.

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

## <u>10.</u> <u>Groups of local churches forming new self-governing Methodist churches in the United</u> <u>States.</u> Any fifty or more United Methodist local churches may form a self-governing Methodist church 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 selfgoverning 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

Exhibit C – pg. 25

<u>leadership for the newly organized church shall be approved. It shall be the new church's own</u> <u>responsibility to develop its *Book of Discipline* and establish itself as a legal entity. Existence of an selfgoverning church shall become effective at the adjournment of the organizing conference or upon an <u>effective date established by that conference, provided that all the provisions for exit under this</u> <u>paragraph are satisfied.</u></u>

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.

<u>Transfer of the affiliation of a local church under ¶ 2801.11 shall be effective upon written</u> <u>acknowledgement to the cabinet of the annual conference from the supervisory leadership of the</u> <u>receiving church that the transfer to them is accepted. On the effective date of the congregation's</u> <u>joining an self-governing church, the provisions of the Trust Clause (¶ 2501) shall be released to the self-</u> <u>governing church, and its provisions administered according to the governing documents of the new</u> 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.

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

<u>c. Upon receipt of any payment required and fulfillment of all other provisions of this paragraph, the</u> <u>district superintendent shall deliver a signed letter waiving all rights the conference trustees or annual</u> 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 Interjurisdictional Committee on Episcopacy (¶ 512) shall monitor the changing landscape of United States annual conferences and bring recommendation to General Conference related to reorganization of the jurisdictional 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.

<u>16. Other disciplinary provisions notwithstanding, a clergy member (active or retired) may</u> 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.

<u>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.</u>

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 an 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 feebased 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. 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 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.

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.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Themas a. Lambertit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386 *Rationale*: The heart of the Traditional Plan, this paragraph provides a mechanism for ensuring that annual conferences and bishops will uphold the Discipline, while also providing for a gracious exit for those conscience-bound not to do so. Definitively resolving the impasse requires releasing from the church those unwilling to live by its requirements. Petition 11 of 17

Total Number of Pages: 2 Suggested Title: Traditional Plan - Minimum Penalty *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 2711.3 General Church Budget Implications: No Global Implications: Yes

Amend ¶ 2711.3, Penalties as follows.

¶ 2711. Power of the Trial Court

3. Penalties - If the Trial Results in Conviction. Further testimony may be heard and arguments by counsel presented regarding what the penalty should be. The trial court shall determine the penalty, which shall require a vote of at least seven members. The trial court shall have the power to remove the respondent from professing membership, terminate the conference membership and/or revoke the credentials of conference membership and/or ordination or consecration of the respondent, suspend the respondent from the exercise of the functions of office, or to fix a lesser penalty. Except, where the conviction is for conducting ceremonies which celebrate homosexual unions, or performing same-sex wedding ceremonies under ¶ 2702.1(b) or (d), the trial court does not have the power to and may not fix a penalty less than the following:

a) First (1st) offense – One (1) year's suspension without pay.

b) Second (2nd) offense - Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.

The penalty fixed by the trial court shall take effect immediately unless otherwise indicated by the trial court.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lawliet

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net Mailing Address:

1903 Whitelaw Dr. Spring, TX 77386

*Rationale:* Assigning a penalty of less than a suspension for a first offense or less than termination of conference membership and/or revocation of conference membership and ordination or consecration in such circumstances encourages open defiance of the order and discipline of The United Methodist Church.

Petition 12 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Qualifications for Ministry *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 304.5 General Church Budget Implications: No Global Implications: Yes

Amend ¶ 304.5 as follows:

5. In all votes regarding license, ordination, or conference membership, the requirements set forth

herein are minimum requirements. Each person voting is expected to vote prayerfully based on personal

judgment of the applicant's gifts, evidence of God's grace, and promise of future usefulness for the

mission of the Church. The District Committee on Ordained Ministry and the Board of Ordained Ministry

shall not approve or recommend any person for candidacy, licensing, commissioning, or ordination who

does not meet the qualifications of ¶ 304.1-3, based on the full examination and thorough inquiry into

the person's fitness by the committee and board.<sup>1</sup> The bishop presiding in the clergy session shall rule

any such unqualified candidate out of order and not eligible to be acted upon.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

<sup>&</sup>lt;sup>1</sup>See Judicial Council Decisions 1343 and 1344.

*Rationale:* Incorporates Judicial Council Decisions 1343, 1344, and 1352 in the Discipline, requiring district committees and boards of ordained ministry to fully examine candidates' qualifications under ¶304.3. Guarding against non-conforming committees and boards of ordained ministry, this forbids them from approving or recommending persons found to be unqualified under that paragraph.
Petition 13 of 17

Total Number of Pages: 2 Suggested Title: Traditional Plan – Complaint Process *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 362.1e, ¶413.3d General Church Budget Implications: No Global Implications: Yes

Amend the complaint process ¶ 362.1e and ¶413.3d as follows:

¶ 362.1 e) *Referral or Dismissal of a Complaint*—Upon receiving a written and signed complaint, the Bishop shall, within 90 days, carry out the supervisory response process outlined above. If within 90 days after the receipt of the complaint resolution is not achieved, the bishop shall either:

(1) Dismiss the complaint <u>as having no basis in law or fact</u>, with the consent of the cabinet giving the reasons therefore in writing, <u>copies</u> of which shall be placed in the clergyperson's file <u>and shared</u>

## with the complainant; or

(2) Refer the matter to the counsel for the church as a complaint.

¶ 413.3 d) (i) If the supervisory response results in the resolution of the matter, the bishop in charge of the supervisory response and the two episcopacy committee members appointed to the supervisory process (¶ 413.3) shall monitor the fulfillment of the terms of the resolution. If the supervisory response does not result in resolution of the matter, the president or secretary of the College of Bishops may either dismiss the complaint <u>as having no basis in law or fact</u>, with the consent of the College of Bishops and the committee on episcopacy, giving the reasons therefore in writing, <u>copies</u> of which shall be placed in the bishop's file <u>and shared with the complainant</u>, refer the matter to the committee on episcopacy as an administrative complaint pursuant to ¶ 413.3e, or refer the matter to investigation.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Themas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale*: This petition restores language from 2008, guarding against the arbitrary dismissal of complaints. Prevents a bishop from deciding which parts of church law should be upheld in a given conference. Unreasonable dismissal can deprive the church and complainants of the ability to hold persons accountable and repair harm done to individuals and communities. Since a cabinet is an extension of the office and ministry of the bishop, it is often unable to be an independent check on the bishop's decision to dismiss a complaint. Complainants have sometimes not been informed of the rationale for a bishop's dismissal of a complaint.

Petition 14 of 17

Total Number of Pages: 3 Suggested Title: Traditional Plan – Just Resolution *Discipline* Paragraph or *Resolution* Number, if applicable: ¶¶ 362.1, 413.3c, 2701.5, 2706.5.c.3 General Church Budget Implications: No Global Implications: Yes

Amend Just Resolution in ¶¶ 362.1, 413.3c, 2701.5, 2706.5.c.3 as follows:

¶ 362. *Complaint Procedures*—1. Ordination and membership in an annual conference in The United Methodist Church is ...

This review shall have as its primary purpose a just resolution of any violations of this sacred trust, in the hope that God's work ...

A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all the parties. Just resolutions shall state all identified harms and how they shall be addressed by the church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the *Discipline*, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. In appropriate situations, processes seeking a just resolution as defined in ¶ 362.1c may be pursued. Special attention should be given to ensuring that cultural, racial, ethnic and gender contexts are valued throughout the process in terms of their understandings of fairness, justice, and restoration.

A complaint is a written and signed statement claiming misconduct as defined in ¶ 2702.1. When ...

## ¶ 413. Complaints Against Bishops—

3. c) The supervisory response may include a process seeking a just resolution in which the parties are assisted by a trained, impartial third party facilitator(s) or mediator(s) in reaching an

agreement satisfactory to all parties. (See ¶ 362.1b, c.) The appropriate persons, including the president of the College of Bishops, or the secretary if the complaint concerns the president, should enter into a written agreement outlining such process, including an agreement as to confidentiality. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. Such written statement of resolution shall be given to the person in charge of that stage of the process for further action consistent with the agreement. Just resolutions shall state all identified harms and how they shall be addressed by the church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the *Discipline*, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation.

¶ 2701. 5. *A Just Resolution in Judicial Proceedings*—A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all the parties. <u>Just resolutions shall state all identified harms and how</u> <u>they shall be addressed by the church and other parties to the complaint. In cases where the respondent</u> <u>acknowledges action(s) that are a clear violation of the provisions of the *Discipline*, a just resolution shall <u>include</u>, but not be limited to, a commitment not to repeat the action(s) that were a violation. Special attention should be given to ensuring that cultural, racial, ethnic, age, and gender contexts are valued throughout the process in terms of their understandings of fairness, justice, and restoration. During the just resolution process, the parties ...</u>

¶ 2706.5 c) Findings other than reasonable grounds by committee or other actions

(3) Upon recommendation of the counsel for the Church and the counsel for the respondent, the committee may refer the matter to the resident bishop as deemed appropriate for a process seeking

a just resolution. The bishop shall institute such a process and may use the assistance of a trained, impartial third party facilitator(s) or mediator(s). Such referral will not constitute a dismissal or double jeopardy under ¶ 2701.2d. The appropriate persons, including the counsel for the Church and counsel for the respondent, should enter into a written agreement outlining the process, including any agreements on confidentiality. If resolution is achieved, a written statement, affirming such resolution, including any terms and conditions, shall be signed by the same persons who signed the written agreement outlining the process, and they shall agree on any matters to be disclosed to third parties. Just resolutions shall state all identified harms and how they shall be addressed by the church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the *Discipline*, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures ...

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas Q. Lawberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale:* The purpose of a Just Resolution is to repair harm and achieve accountability, both of which are enhanced by the respondent's willingness to change future behavior, as witnessed by a commitment not to repeat the offense. Refusal to make such a commitment increases the likelihood of future offenses and complaints. Petition 15 of 17

Total Number of Pages: 4 Suggested Title: Traditional Plan – Just Resolution - Complainant *Discipline* Paragraph or *Resolution* Number, if applicable: ¶¶ 362.1(c), 413.3(c), 2701.5, and 2706.5(c)3 General Church Budget Implications: No Global Implications: Yes

Amend ¶¶ 362.1(c), 413.3(c), 2701.5, and 2706.5(c)3 by adding the same sentence to all four as follows: <u>No matter where in the process a just resolution is achieved, the complainant(s) shall be a</u> party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. Also add <u>the complainant</u>, in ¶¶ 2701.5 and 2706.5(c)3.

¶ 362. Complaint Procedures—1. Ordination and membership in an annual conference in The United Methodist Church is a sacred trust. . .

. . .

<u>c)</u> Just Resolution—The supervisory response may include a process that seeks a just resolution in which the parties are assisted by a trained, impartial third party facilitator(s) or mediator(s), in reaching an agreement satisfactory to all parties.69 If the bishop chooses to initiate a mediated attempt to produce a just resolution, then the bishop, the person filing the complaint, the respondent, and other appropriate persons shall enter into a written agreement outlining the process, including any agreements on confidentiality. A process seeking a just resolution may begin at any time in the supervisory, complaint, or trial process. <u>No matter where in the process a just resolution is achieved, the</u> <u>complainant(s) shall be a party to the resolution process and every effort shall be made to have the</u> <u>complainant(s) agree to the resolution before it may take effect.</u> If resolution is achieved, a written statement of resolution, including any terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. A just resolution agreed to by all parties shall be a final disposition of the related complaint.

¶ 413. Complaints Against Bishops

. . .

3. After receiving a complaint as provided in ¶ 413.2, ...

• • •

c) The supervisory response may include a process seeking a just resolution in which the parties are assisted by a trained, impartial third party facilitator(s) or mediator(s) in reaching an agreement satisfactory to all parties. (See ¶ 363.1b, c.) The appropriate persons, including the president of the College of Bishops, or the secretary if the complaint concerns the president, should enter into a written agreement outlining such process, including an agreement as to confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. Such written statement of resolution shall be given to the person in charge of that stage of the process for further action consistent with the agreement.

¶ 2701.5. A Just Resolution in Judicial Proceedings—A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all the parties. Special attention should be given to ensuring that cultural, racial, ethnic, age and gender contexts are valued throughout the process in terms of their understandings of fairness, justice, and restoration. During the just resolution process, the parties may

be assisted by a trained, impartial third party facilitator(s) or mediator(s), in reaching an agreement satisfactory to all parties. Processes that seek a just resolution are encouraged at any time, including through the judicial proceedings. After the referral of a matter as a judicial complaint from counsel for the church to the committee on investigation, if a process seeking a just resolution is used, the appropriate persons, including the counsel for the Church, <u>the complainant</u>, and the counsel for the respondent, should enter into a written agreement outlining such process, including any agreement on confidentiality. <u>No matter where in the process a just resolution is achieved, the complainant(s) shall be</u> <u>a party to the resolution process and every effort shall be made to have the complainant(s) agree to the</u> <u>resolution before it may take effect.</u> If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the same persons who signed the written agreement outlining the process, and they shall agree on any matters to be disclosed to third parties. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures required for possible readmission.

¶ 2706.5. Bill of Charges and Specifications, Deliberations, Vote, and Referral

- c) Findings other than reasonable grounds by committee or other actions
- (1) If the committee on investigation determines ...
- (2) If the committee on investigation determines ...

(3) Upon recommendation of the counsel for the Church and the counsel for the respondent, the committee may refer the matter to the resident bishop as deemed appropriate for a process seeking a just resolution. The bishop shall institute such a process and may use the assistance of a trained, impartial third party facilitator(s) or mediator(s). Such referral will not constitute a dismissal or double jeopardy under ¶ 2701.5. The appropriate persons, including the counsel for the Church, <u>the complainant</u>, and counsel for the respondent, should enter into a written agreement outlining the

process, including any agreements on confidentiality. <u>No matter where in the process a just resolution is</u> <u>achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to</u> <u>have the complainant(s) agree to the resolution before it may take effect.</u> If resolution is achieved, a written statement, affirming such resolution, including any terms and conditions, shall be signed by the same persons who signed the written agreement outlining the process, and they shall agree on any matters to be disclosed to third parties. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the Disciplinary disclosures required for readmission. The written statement affirming such resolution shall be given to the bishop for further action(s) to implement the agreement, if any. If the process does not result in resolution, the matter shall be returned to the committee.

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Themas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale:* The current practice of allowing the counsel for the church to enter into a just resolution without the participation or agreement of the complainant is unjust and circumvents the goal of restoration of relationship. In order for justice to be done and healing to take place, the complainants must be part of the process and, wherever possible, must agree to the just resolution.

Petition 16 of 17

Total Number of Pages: 2 Suggested Title: Traditional Plan – Church Appeal *Discipline* Paragraph or *Resolution* Number, if applicable: ¶ 2715.10 General Church Budget Implications: No Global Implications: Yes

Amend ¶ 2715.10 Appeal Procedures as follows:

¶ 2715. Appeal Procedures—General

. . .

10. The Church shall have no right of appeal from findings <u>of fact</u> of the trial court. <u>The Church</u> <u>shall have a right of appeal to the committee on appeals and then to the Judicial Council from findings of the trial court based on egregious errors of Church law or administration that could reasonably have affected the findings of the trial court. When the committee on appeals or the Judicial Council shall find egregious errors of Church law or administration under this part, it may remand the case for a new trial, along with a statement of the grounds of its action. This is not to be double jeopardy. In regard to cases where there is an investigation under **1** 2702, but no trial is held, egregious errors of Church law or administration and or central conference committee on appeals and then to the Judicial Council by counsel for the Church. The committee on investigation's decision not to certify a bill of charges does not alone constitute an egregious error of Church law or administration. When the committee on appeals <u>or the Judicial Council</u> shall find egregious errors of Church law or administration under this part, it may remand the case for a new hearing, in which event it shall return to the chair of the committee on investigation a statement of the grounds of its action. This is not to be double jeopardy.</u>

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Themas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386

*Rationale:* Enables the Church to correct errors in the trial process that prejudice the results of the trial. Disallowing appeals by the Church fails to protect the rights of the complainant and closes off one avenue to work for justice. Levels the playing field for the Church/complainant and the respondent with the same rights for each. The addition of "or central conference" clarifies that all appeals are available both in jurisdictions and in central conferences. The addition of "and/or the Judicial Council" clarifies that the church or respondent may appeal a ruling by the committee on appeals. Petition 17 of 17

Total Number of Pages: 1 Suggested Title: Traditional Plan - Concordat Churches *Discipline* Paragraph or *Resolution* Number, if applicable: ¶¶ 570 and 574.1 General Church Budget Implications: No Global Implications: Yes

Amend  $\P\P$  570 and 574.1 to create the option of concordat churches in the United States. The changes in

these paragraphs shall take effect immediately upon the adjournment of the 2019 General Conference.

¶ 570. Churches located outside the boundaries of the jurisdictional conferences and churches

formed through the provisions of ¶ 2801 and which have entered into relationship with or have

agreements with The United Methodist Church, including that of sending representatives to General

Conference of The United Methodist Church are described as follows:

¶ 574. Concordat Agreements-

1. With the exception of The Methodist Church of Great Britain and churches formed through

the provisions of ¶ 2801, such concordats may be established by the following procedure:

Date: 6/15/18 Signature of Petitioner: Thomas A. Lambrecht

Thomas a. Lamberlit

Identification of the Petitioner: Member, Commission on a Way Forward; Elder, Wisconsin Annual Conference Phone: 920-475-6000 Fax Number: N/A E-mail Address: revtom5@sbcglobal.net

Mailing Address: 1903 Whitelaw Dr. Spring, TX 77386 *Rationale:* This opens the possibility for concordat churches in the United States, allowing negotiated covenants and relationships between self-governing Methodist churches formed under ¶ 2801 and The United Methodist Church. This allows a continuing connection with those congregations departing from the denomination because of conscience.