

**IOWA ANNUAL CONFERENCE
OF THE UNITED METHODIST CHURCH**

**BISHOP’S RULING OF LAW ON QUESTION OF LAW No. 1
PRESENTED DURING THE 2019 SESSION OF THE ANNUAL CONFERENCE**

AMENDED AS OF JULY 3, 2019

STATEMENT OF THE QUESTION OF LAW AND DECISION

BACKGROUND AND PROCEDURE

During the morning Plenary Session of the 2019 Iowa Annual Conference (“**Conference**”) on June 11, 2019, Clergy Member Reverend John Gaulke, of the Altoona United Methodist Church, Altoona, Iowa, after being duly recognized, rose and verbally requested that I enter a ruling on a question of law which is substantially similar to that set forth below, and attached hereto. Rev. Gaulke initially made the request for a ruling on a question of law during the debate of 2019 Action Item 506, entitled a Resolution for the Disapproval of the Traditional Plan (“**Action Item 506**”). I reminded Rev. Gaulke that this request would not be in order until final action was taken on Action Item 506; Rev. Gaulke renewed his request Action Item 506, with as amended, was passed by the Conference. I granted leave for Rev. Gaulke to submit his question of law in writing after close of the Conference session, which I received timely in my offices one week later on June 18, 2019. The Conference session ended mid-day on Tuesday, June 11, 2019. This Ruling is attached to my Report for submission to the Judicial Council of The United Methodist Church. Also included with this Ruling and my Report are: Exhibit 1) Minutes, June 11 Plenary Session; Exhibit 2); Request for a Bishop’s Decision of Law (at times, “**Request**”); Exhibit 3) Names and Addresses of Interested Parties; and, Exhibit 4) Action Item 506.

REQUEST FOR DECISION OF LAW

Rev. Gaulke’s Request for a Bishop’s Decision of Law focuses on the second paragraph of the Action 506 which states:

FURTHER, BE IT RESOLVED, in light of our current IAC budget crisis, the IAC should prioritize the full funding of conference missions, new ministry starts, and clergy support before funds or monies shall be expended for background investigations, complaints, just resolutions, or clergy trials pertaining to LGBTQ+ ordination and marriage.

Action Item 506, Resolution ¶ 2(Ex. 4). “IAC” is an acronym for the Iowa Annual Conference. Rev. Gaulke states for his request:

There are two words that I believe cause this resolution to be out of order. They are: *should prioritize*. To say that the Iowa Annual Conference should prioritize the way that it spends its funds is to give direction in spending that may not allow the Iowa Annual Conference to fulfill its disciplinary obligations. The word, *should*, is to recommend, often with moral obligation, a particularly suitable direction. In my opinion the Iowa Annual Conference does not have the authority to recommend a spending plan that would violate its Disciplinary responsibilities.

Further, the prioritization of spending favors the LGBTQ+ cause. It would appear that the IAC would be free to pursue background investigations, complaints, just resolutions or clergy trials for anyone except those “pertaining to LGBTQ+ ordination and marriage.”

Although 613.19 is quoted, on lines 20 &21, to support the premise of the makers of Resolution #506 it is not quoted in context. 613.19 also says, "*no annual conference board, agency, committee, commission, or council shall give United Methodist funds to any gay caucus or group, or otherwise use such funds to promote the acceptance of homosexuality.*"

The spending prioritization of Resolution #506, in my opinion, promotes (favors) the acceptance of homosexuality since spending should not be used on investigations, complaints or trials *pertaining to LGBTQ+ ordination and marriage.*"

Thus, in my opinion, Resolution #506 is in conflict with the discipline. It attempts to prioritize how Conference monies are spent. The Discipline does not allow for prioritization which would limit or prohibit the use of funds required by the discipline.

Request (Ex. 2).

RULING, ANALYSIS AND RATIONALE

Pursuant to the requirements of The Discipline of the United Methodist Church 2016 (hereinafter, *The Discipline*), I am instructed to respond “with a ruling to all submitted questions of law.” See “Guidelines for Bishop’s Rulings on Questions of Law,” Rules of Practice and Procedure, The Judicial Council of the United Methodist Church, Appendix A (last revised on May 23, 2018).

As set forth above, I am asked whether the second “be it resolved” paragraph Action Item 506 violates sections of *The Discipline* due to mandating actions by the conference regarding trials and expenditure of funds. This paragraph suggests conference prioritization of fully funding conference missions, new ministry starts and clergy support before funds or monies are expended for background investigations, complaints, just resolutions, or clergy trials pertaining to LGBTQ+ ordination and marriage. *The Discipline* does not “authorize annual conferences to impose financial controls or eliminate funding for fair process proceedings based on the nature of the charge.” Dec. 1340 (*See also Dec. 1292*). Accordingly, Action Item 506 violates *The Discipline* as it directs the annual conference to prioritize funding in such a way that funding could be eliminated “altogether for fair process proceedings involving specific prohibited aspects of human sexuality.” Dec. 1340.

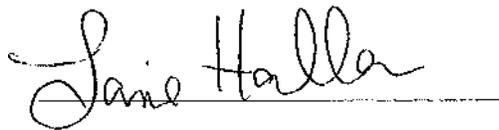
July 3, 2019 Amendment to Ruling: Since I am asked to decide whether just one paragraph of a two-part resolution is out of order, I must also decide whether the remaining paragraph of Action Item 506 (“**Paragraph One**”) is so inextricably intertwined that it cannot be severed and function independently from the second paragraph of Action Item 506 (“**Paragraph Two**”), which I found null and void, above. Paragraph One states:

THEREFORE, BE IT RESOLVED, we urge the Iowa Annual Conference (IAC) to express disapproval of the Traditional Plan and apologize for the harm inflicted on LGBTQ+ persons, their families, and the body of Christ. We urge the IAC to “affirm that all persons are individuals of sacred worth, created in the image of God,” (§161.G) and assert that no human being is incompatible with Christian teaching.

Exhibit 4.

I find that Paragraph One is aspirational, rather than prescriptive, in nature and, therefore, may be viewed and work independently from Paragraph Two of Action 506. See Dec. 1292 (severing annual conference resolutions); Dec. 1378 (applying severability factors). While Paragraphs One and Two were submitted together and address the same subject matter, Paragraph One does not “attempt to negate, ignore, or contradict *The Discipline*.” Dec. 1340. Nor does it otherwise call for or urge actions inconsistent with *The Discipline*. Paragraph One does not, like Paragraph Two, include any reference to how the Conference funds should be administered, nor is Paragraph One required to effectuate the actions contemplated in Paragraph Two. The first sentence of Paragraph One expresses the ideals and opinions of the Conference by disagreeing with the decisions of the most recent General Conference regarding human sexuality. The second sentence of Paragraph One is, on its face, consistent with the language of *The Discipline*.

For these reasons, it is my ruling of law that Paragraph Two of Action Item 506 adopted by the Conference on June 11, 2019, is out of order because it requests the Conference to impose financing conditions for fair process proceedings based on the nature of the charge and in so doing violates *The Discipline*. However, because Paragraph One of Action Item 506 does comply with Church law, the remainder of Action Item 506 may properly be included in the 2019 Conference Book of Resolutions.

A handwritten signature in cursive script that reads "Laurie Haller". The signature is written in black ink and is positioned above a horizontal line.

Bishop Laurie Haller