

## Request for a Decision on a Question of Law

Under ¶ 2609.7, I submit the following question of law:

In light of the fact that Par. 16, Article IV of the Constitution of the 2012 *Book of Discipline* gives the General Conference “the full legislative power over all matters distinctively connectional,” and

In light of the fact that Par. 604.1 of the 2012 *Book of Discipline* stipulates that “The Annual Conference, for its own government may adopt rules and regulations *not in conflict* with the Book of Discipline of The United Methodist Church,” (see Judicial Council Decision 886 and others, including Decisions 7, 313, 318, 513, 536, 544, 823, and 1321) and

In light of the fact that Par. 304.3 of the 2012 *Book of Discipline* expressly stipulates that “self-avowed practicing homosexuals are not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church,” and

In light of the fact that Pars. 304.2, 310.2d, 322.1, 324.9o, 330.5(c)3, and 335c3 of the 2012 *Book of Discipline* stipulate that the requirements of candidacy and clergy membership include “fidelity in marriage and celibacy in singleness,” and

In light of the fact that Par. 161B of the 2012 *Book of Discipline* defines marriage as “the marriage covenant that is expressed in love, mutual support, personal commitment, and shared fidelity between a man and a woman,” (see Judicial Council Decision 1185), and

In light of the fact that the official website of the New York Conference has openly stated that the Board of Ordained Ministry’s policy will be, “*We publicly affirm that lesbian, gay, bi-sexual, transgender, questioning, intersexed, and straight candidates will be given equal consideration and protection in the candidacy process.*” This policy also states that “*These standards are based upon the disciplinary guidelines for the role of clergy (Book of Discipline ¶329, ¶340), but are also intentionally augmented through the discernment of the nuances and challenges of each annual conferences [sic] ministry setting(s).*” (see <http://www.nyac.com/newsdetail/new-york-conference-boom-formally-welcomes-lgbtqi-candidates-for-ministry-4032571>), and

In light of the fact that two candidates, one for provisional membership and one for full membership as an ordained elder, recommended by the board and approved by this clergy session have openly avowed their homosexuality,

A request for a ruling of law on the following questions is hereby made:

1. Is the Conference Board of Ordained Ministry required to ascertain whether a candidate meets the qualifications for candidacy and ordained ministry, including whether or not she or he is exhibiting “fidelity in marriage and celibacy in singleness” or is a self-avowed practicing homosexual?

2. Can the Conference Board of Ordained Ministry legally recommend to the clergy session a candidate whom they believe to be a self-avowed practicing homosexual or otherwise in violation of the fidelity and celibacy standard?
3. Are the candidates in question in fact eligible for candidacy, commissioning as a provisional member, ordination as a full elder, and appointment as a United Methodist clergy as defined by the *Book of Discipline*?
4. Is an act of commissioning and/or ordaining an ineligible candidate by a United Methodist Bishop a valid act of ministry according to the *Book of Discipline*, even if the candidate is approved by the clergy session?

Respectfully,  
Steven M. Knutsen

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