

Answering Your Questions About the Challenge to Bishop Oliveto's Election

1. **What is the Judicial Council?** The Judicial Council is the highest judicial body or court of The United Methodist Church. Its nine members are elected by the General Conference. They are from the U.S. Europe, Africa, and the Philippines. They follow rules of procedure, in some ways reflecting U.S. judicial processes, that are set out in the Book of Discipline. They act on appeals, questions of law, requests for declaratory decisions, and whether acts by official bodies of the church conform with the Book of Discipline. The Judicial Council meets twice annually.
2. **What is the case involving Bishop Oliveto?** Just after she was elected by the Western Jurisdictional Conference, and as they were preparing to adjourn after their own election of bishops, delegates in the South Central Jurisdictional Conference, meeting in Wichita, Kansas, voted to ask the Judicial Council “is the nomination, election, consecration, and/or assignment as a bishop of The United Methodist Church of a person who claims to be a "self-avowed practicing homosexual" or is a spouse in a same-sex marriage lawful under The Book of Discipline of the United Methodist Church.”

It is important to understand the questions of law raised to the Judicial Council aren't complaints against Bishop Oliveto as an individual. They were directed to the Western Jurisdiction and its process to elect a bishop in July 2016. Bishop Oliveto was an elder in good standing as a candidate for the episcopacy, and was eligible for election. Her status as an open, married lesbian was known at the time. She was elected by an 88-0-12 vote on the 17th ballot and consecrated by the full College of Bishops.

3. **What is the status of the case?** Representatives of the South Central Jurisdiction and the Western Jurisdiction College of Bishops, and a number of other interested parties, have filed briefs in the matter. The Judicial Council will hear two hours of oral arguments on Tuesday, April 25 in Newark, N.J. at the beginning of its Spring 2017 meeting. It is expected to issue a decision in the matter at the end of its meeting in April 28 or shortly afterwards.
4. **What are the potential outcomes?** It's difficult to predict exactly what the Judicial Council will do, but there is a range of possible scenarios for its decision. The Judicial Council could:
 - Accept the argument of the Western Jurisdiction that it has no jurisdiction in this case because church law gives authority to determine the credentials and qualifications of pastors and bishops solely to annual (regional) conferences and jurisdictions.
 - Determine that the questions of law posed by the South Central Jurisdictional Conference questioning the legality of Bishop Oliveto's election are moot and hypothetical. The South Central Jurisdiction covers eight states, Arkansas, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, and Texas.

- Decide in favor of the South Central Jurisdiction’s petition and nullify Bishop Oliveto’s election and her assignment as the bishop to the Mountain Sky Episcopal Area.
 - While not nullifying the election it instead requires the Western Jurisdiction to conduct some sort of review. That could include requiring the Western Jurisdiction to examine Bishop Oliveto’s ministerial credentials, to decide if she is eligible for election. It may or may not retain jurisdiction to oversee this process.
 - Decide to do nothing, and defer action until the completion of the Way Forward process being undertaken by the Council of Bishops.
5. **What is the Way Forward process?** The 32-member Commission on a Way Forward emerged from the impasse over The United Methodist Church’s positions of human sexuality that dominated much of the 2016 United Methodist General Conference in Portland Ore. Proposed by the Council of Bishops, the commission is examining every paragraph in the Book of Discipline related to human sexuality. It is working to develop options for moving the church forward in ways that balance cultural contexts and theological understandings while retaining its unity as a denomination. Its results are expected to be presented to a specially called session of the General Conference in 2019.
 6. **What happens if Bishop Oliveto’s election is nullified? Does that mean she will no longer be the bishop of the Mountain Sky Area and the Rocky Mountain and Yellowstone Conferences?** It is premature to speculate what could happen. There are many options that could come out of the Judicial Council’s decision. The Western Jurisdiction has offered a strong case to support Bishop Oliveto’s election and her service as the bishop of the Mountain Sky Area.
 7. **How will churches in the Mountain Sky Area learn of the outcome of the Judicial Council’s deliberations?** First, the Cabinet will report to the people of the Mountain Sky Area following the April 25 Judicial Council hearing. Several members are expected to attend the meeting with Bishop Oliveto. They will provide updates through Facebook, Twitter, and the Rocky Mountain and Yellowstone conferences web site after the session concludes. Secondly, there are plans to notify pastors, lay leaders and other congregational leaders as soon as the Judicial Council releases its decision, and to also provide follow up information to the congregations of the Mountain Sky Area.

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