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Terms of a Just Resolution in the Matter of The Rev. Dr. Thomas W. Ogletree

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3/10/2014

Preface

The Rev. Dr. Thomas Warren Ogletree presided over the wedding of his son, Thomas Rimbey Ogletree, to Nicholas Haddad on Oct. 20, 2012. The service took place at the Yale Club in New York City. Subsequently, The Rev. Randall C. Paige, pastor of Christ Church in Port Jefferson Station, N.Y., and the Rev. Roy E. Jacobsen, a retired pastor in the New York Annual Conference, filed a complaint against Rev. Ogletree after his son's wedding announcement appeared on Oct. 21, 2012, in *The New York Times*. The complaint triggered a supervisory process conducted by Bishop Martin McLee of the New York Annual Conference and an attempt to find a just resolution among the parties. When this process failed to yield such a resolution in the time period specified by the *The Discipline of the United Methodist Church*, Bishop McLee announced that he would refer the matter to a Counsel for The Church for further investigation.

Bishop McLee appointed the Rev. Timothy J. Riss, pastor of The Poughkeepsie United Methodist Church and an elder in the New York Annual Conference, to represent the Church's interests in all further proceedings. Rev. Riss reviewed the facts in the case and eventually determined that there was sufficient evidence to warrant a charge being filed against Rev. Ogletree for violating ¶2702.1b of the *Discipline*, which prohibits United Methodist pastors from officiating at same gender marriage ceremonies. He drew up a bill of charges, consisting of a single charge that Rev. Ogletree had violated the provisions of ¶2702.1b and presented his findings to Bishop McLee. Bishop McLee accepted Rev. Riss's recommendation to proceed to a trial and then appointed retired United Methodist Bishop S. Clifton Ives to preside over the trial. He also scheduled the trial for March 10, 2014 at First United Methodist Church in Stamford, CT.

On January 29, 2014, at the first meeting among the counsels and Presiding Officer, Bishop Ives, in keeping with *Disciplinary* guidelines, made the decision to return the matter to Bishop McLee for a further attempt at just resolution. This was done with the concurrence of Rev. Riss and the Counsel for Rev. Ogletree, the Rev. Scott Campbell, pastor of Harvard-Epworth United Methodist Church in Cambridge, MA, and with the agreement of Bishop McLee. A meeting was fixed with Bishop McLee and the other parties for the morning of February 6. At that time a verbal agreement on the general terms of a just resolution was achieved. The details of the agreement were subsequently communicated, refined and agreed upon by the Church and the respondent via email and conference calls. The terms of this agreement follow.

Agreement for a Just Resolution

After a process of dialogue spanning nearly two months, the persons signing this document have entered into

a **Just Resolution Agreement** in the matter of the Rev. Dr. Thomas W. Ogletree and the New York Annual Conference. The comments of the Rev. Randall C. Paige and the Rev. Roy E. Jacobsen, the original complainants, were received and considered as part of the just resolution negotiations. They are entered as a part of the record of this process. The terms of the agreement are:

1. Dr. Ogletree agrees to forego his constitutionally guaranteed right to a trial by his peers.
2. Dr. Ogletree agrees to make himself available, health permitting, for at least one public forum to be convened by the office of Bishop Martin McLee to reflect theologically, spiritually and ecclesiastically on the nature of the covenant that binds us together in the United Methodist Church.
3. Bishop McLee calls for and commits to a cessation of church trials for conducting ceremonies which celebrate homosexual unions or performing same-sex wedding ceremonies and instead will offer a process of theological, spiritual and ecclesiastical conversation. His statement is attached to this document. [*below*]
4. Bishop McLee will convene within six months a public forum dealing with matters of human sexuality and the United Methodist Church.
 - a. The purpose of this forum will be to contribute to healing within the body and greater understanding among those who are affiliated with the New York Annual Conference. The Bishop intends that persons would listen deeply to one another in an atmosphere of Christian respect.
 - b. This forum shall reflect a variety of different opinions and understandings.
 - c. Dr. Ogletree, representatives from MIND (Methodists in New Directions), the Wesley Fellowship, and other such parties as the Bishop shall determine shall be invited to participate in this forum.
 - d. The Bishop shall report on his plans for this forum and the results of this forum to the Committee on the Episcopacy of the New York Annual Conference. This Committee shall have the authority to modify the timeline for this forum if necessary.
5. The Parties recognize that certain limited third parties involved in legal consultation may be privy to the circumstances and terms of the Just Resolution proceedings. Notwithstanding those limited disclosures, the Just Resolution negotiations themselves are to be considered confidential. It is understood that the parties with whom such limited disclosure is shared are bound by the same confidentiality as the signatories to this agreement.

AGREED AND RATIFIED March 10, 2014

For the Church:

Bishop Martin D. McLee
New York Annual Conference of The United Methodist Church
Rev. Robert Walker
Assistant to the Bishop
The New York Annual Conference of The United Methodist Church
Rev. Timothy J. Riss
Counsel for the Church
Rev. Lynda Bates-Steppe
Assistant Counsel for the Church

For the Respondent:

Rev. Dr. Thomas W. Ogletree
Rev. William Scott Campbell
Counsel for Respondent
Rev. Paul Fleck
Assistant Counsel for Respondent

Entered this tenth day of March, 2014

**Bishop S. Clifton Ives
Presiding Officer
Rev. Dr. William S. Shillady
Secretary of the Court**

Statement by Bishop Martin McLee of the New York Annual Conference

I am grateful to report that the matter concerning the Reverend Dr. Thomas W. Ogletree will not result in a church trial as a just resolution has been achieved. The just resolution provisions of the Book of Discipline are clear in voicing just resolution as the preferred response in Judicial Administration. Church trials produce no winners. While many insist on the trial procedure for many reasons, I offer that trials are not the way forward. Church trials disrupt annual conference life, they drain dedicated Episcopal and staff time. Church trials result in harmful polarization and continue the harm brought upon our gay and lesbian brothers and sisters. The burdensome cost of trials combine to negate any benefit in the ongoing debate on matters relating to human sexuality.

As the Bishop of the New York Annual Conference, in consideration of my responsibility to provide spiritual, pastoral and temporal oversight for those committed to my care, I call for and commit to a cessation of church trials for conducting ceremonies which celebrate homosexual unions or performing same-gender wedding ceremonies and instead offer a process of theological, spiritual and ecclesiastical conversation. I understand that nothing in this agreement deprives any clergyperson of his or her constitutionally guaranteed right to a trial.

In the next few months I will invite the Reverend Dr. Ogletree to join others from varying perspectives to a public forum on the true nature of the covenant that binds us together. Clearly there continues to be multiple perspectives on matters of human sexuality and the response of the church. While this forum may not resolve this ongoing challenge, it will provide an opportunity for healing and a chance for open and honest dialogue.

God bless us all as we seek to be light and life in a time of theological challenge.

**All my prayers,
Bishop Martin McLee**

Statement by the Rev. Dr. Thomas Ogletree

In recognition of Bishop Martin McLee's publicly stated intention to approach the matter of marriage equality in a non-judicial manner, but instead to offer a process of theological, spiritual and ecclesiastical reflection, I hereby relinquish my right to a trial on the charge that has been brought against me for officiating at a same gender wedding ceremony. I further agree to make myself available, health permitting, to participate in the above-mentioned Forum that Bishop McLee will convene.

Dr. Thomas W. Ogletree

End of Just Resolution Agreement