



# Greg Dell Trial Updates: March 26

Compiled by CORNET

See also: [Thursday, March 25 Updates](#)

## Friday Evening, March 26

### From Broadway UMC

*3/26/1999 11:30 P.M.*

The trial court announced the penalty it had determined at 11:20 P.M. Rev. Dell will be suspended from pastoral duties beginning on July 5, 1999 and continuing until such time as he either signs a statement declaring his intention to abide by Paragraph 65c of the *Book of Discipline* prohibiting United Methodist clergy from performing ceremonies celebrating the union of same-sex couples or until such time as that provision of the *Discipline* is removed or modified but the United Methodist Church.

This decision greatly saddens us all. Reactions to follow.

---

### From UMNS

*11:15 p.m., Friday, March 26, 1999*

The trial court re-entered the courtroom after deliberating since 8:30 p.m.

Tuell read "while the trial court values and affirms the ministry of Greg Dell . . . the trial court has found that by his actions he is guilty of disobedience to the order and discipline of the United Methodist

Church." As a result, Dell will be suspended effective July 1 until he signs and submits to the bishop a document saying that he will abide by Paragraph 65c or until the paragraph is lifted or its binding nature is changed by General Conference or Judicial Council action. At the request of Pickens, Tuell put a stay on the penalty until July 5 to allow Dell to officiate at a wedding service set for July 3. However, Tuell denied Pickens' request to allow Dell to officiate at another wedding set for Oct. 23.

In closing comments, Tuell thanked members of the trial court, the audience, and the counsel for both sides. He also thanked Dell for "the way he has conducted himself, with great dignity throughout this trial." The evening ended at 11:30 with the singing of "Now Thank We All Our God," and a benediction by Tuell.

Dell supporters planned a worship service in the parking lot following adjournment.

*These updates have been provided by United Methodist News Service staff members Linda Bloom of New York and Tim Tanton of Nashville, Tenn. A wrap-up story on the trial will be posted Monday, March 29.*

---

## **From Broadway UMC**

*3/26/1999 8:30 P.M. CST*

The church trial court is now in recess while the jury deliberates on the patten of punishment for Rev. Dell. Greg again took the stand in his own defense. He made the following statement to the trial court:

Sisters and brothers you have decided that I was disobedient "to the Order and Discipline of the United Methodist Church." I know many of you struggled with that because I know you. Now you must impose a penalty which you believe is appropriate and responds to that verdict.

I want to suggest that you consider approaching your charge by asking what penalty will best serve, not me, but our church. I ask you in light of that question whether you and our church can live with the kind of disobedience of which you have determined I am guilty. Can live with it until the denomination meets in May of 2000, and consider what it has done not to a body of legislation, but to real people.

You see, it is true. I will not abandon the gay, lesbian, bisexual and transgendered persons in my pastoral care or in my community any more than I would abandon children, old folks, the mentally or physically disabled, people of color or any other group that our society decides to marginalized.

Out of fear or ignorance, as long as I am ordained I will extend the full ministry to which my ordination calls me: to all persons—not in spite of their differences—but in celebration of and joy over them. Words have been spoken here about harm and damage. There has been pain—a lot of it. I want you to remember that along with the pain you heard about here, there is incredible harm and damage that has been done and is being done to gay, lesbian, bisexual, transgendered lay or clergy persons who are in your midst. Persons whose pain is so often mysteriously unrecognized. Pain from a Church which says God loves you, but we're not quite sure how much we do ... at least how much we do beyond platitudes and confusing statements about affirming the worth of your identity fully as responsible disciples of Christ.

But denying your living that identity as full persons, I suggest we call a truce. Penalize me with a reprimand. Enter a letter of censure in my permanent record of ministerial service, but decide that our denomination can and even must live with such "disobedience" until May of 2000 when we meet in General Conference and see what we have wrought with those few minutes of voting in 1996.

Let me and the hundreds of other clergy, and the thousands of laity, many of whom are represented here, who support this kind of ministry—minority though we may be—stay in the family. I know if you do, that some others will choose to leave. They will find that tolerance intolerable. But if you don't ...if you don't, then you must start the cleansing of our denomination which that other group demands—now.

You must remove me from your midst. You or others like you will have to remove others. A terrible choice: allow some to leave because your tolerance is too great or remove some because our practice of ministry is so reprehensible. I wish you didn't have to do this.

I've celebrated 32 services of Holy Unions for same-gendered couples in the last 18 years. Those services like the weddings I've celebrated brought people a sense of blessing, support, accountability and hope.

Then the church changed. I didn't. The church did. And service #33 became disobedience. Don't start the dynamic of denominational cleansing tonight sisters and brothers. It isn't, in my mind, worthy of you or our covenant. You found me guilty because you believe my violation of paragraph 65C met the definition of disobedience. So be it.

See if it is in your heart to let us live with disobedience for 14 months. Let the punishment fit the crime. Decide how we can do—if not "no harm"—at least less harm. Bear each others' burdens, hold one another in this time of pain and serve the Christ who is with us even in our woundedness. If you grant this extension of ministry, you have my word that I will conduct no liturgical act—services of Holy Union, weddings, baptisms or others—as an act designed for public political witness.

I did not do so with Karl and Keith's service. I won't do it with any other. I can and do support people who do such. But under my penalty I will not. My pledge is not to become less politically active in or out of the church. It is only to assure you that liturgical acts that I do won't be designed or supported to that end.

I know that throughout this trial, your prayers have been with me. Now, mine are with you.

---

*3/26/1999 7:25 P.M.*

Bishop Tuell has indicated that the trial will complete tonight, regardless of the hour. Following the announcement of the punishment, Rev. Dell and Broadway United Methodist Church invite all participants and supporters to worship together in a candlelight service outside First United Methodist Church of Downers Grove.

## **Friday Afternoon, March 26**

### **From UMNS**

*4:05 P.M. Friday, March 26, 1999*

By a vote of **10 to 3**, the trial court found the Rev. Greg Dell guilty of disobedience to the order and discipline of The United Methodist Church.

By a vote of **13 to 0** the court found him guilty of conducting the service between Keith Eccarius and Karl Reinhardt on Sept. 19, 1998.

The trial court – 13 members and two alternates – re-entered the courtroom at 4:02 after being charged by Tuell at 11:30. The chairperson of the trial court handed the decision to the bailiff who handed it to the secretary.

Before Tuell read it, he spoke to the courtroom. "I do not know what this verdict is. . . whatever it is, however, I know this verdict for some will be a source of great joy while for others it will be as source of anguish."

Tuell then asked the spectators to continue refraining from expressions of assent or disagreement when the verdict is read.

There are those who say there will be a split in the denomination over this issue, Tuell said. "I do not believe this, but our conduct today can be a powerful symbol that the body of Christ will not be rent. Will you help me in this?" The spectators indicated they would abide by the bishop's request. When the verdict was read there was no audible response from the spectators.

Following the guilty verdict, the penalty phase of the trial began immediately. Both sides have the option of calling witnesses for this phase.

## **From Broadway UMC**

*From Broadway UMC WEB: 3/26/1999 4:05 P.M.:*

By a vote of 10 to 3, the trial court announced that it has found Rev. Dell guilty of disobedience of the Order and Discipline of The United Methodist Church. The court will now hear arguments to determine the penalty, which could range from reprimand to loss of ordination as a United Methodist minister.

*3/26/1999 1:00 P.M. CST*

The jury has been deliberating since 11:30. The court will reconvene in a few minutes and there could potentially be a verdict. Before the court adorned for lunch break and deliberations, the Rev. Dr. Larry Pickens, chief counsel for the defense, made the following closing argument:

This has been along trial. My closing remarks will be brief.

Church Counsel, in opening remarks, jokingly referred to the issue in this case as, "what the meaning of 'is' is." How prophetic he was!

The Church's whole case rests on its interpretation of Judicial Council Opinion #833 which states as "violation of 65c is disobedience to the Order and Discipline of The United Methodist Church."

But that is not what 833 says. The Judicial Council stated that the issue was whether violation of 65c constituted disobedience to the Order and Discipline, but the answer it gave was that violation of 65c rendered a pastor liable to a charge of disobedience.

And that is what happened.

And that is why you are here.

And that is what you -- and only you -- must decide.

And the only thing you must decide is whether Pastor Dell may continue his unique and incredibly effective ministry at Broadway or whether you buy into Church Council's spin on Opinion 833.

God be with you in your deliberations

## **Friday Morning, March 26**

### **From UMNS**

*11:35 A.M., Friday, March 26, 1999*

Eccarius took the stand following Reinhardt and spoke about the counseling they were required to have before the union ceremony was performed. "No couple could go through these series of sessions and not come out knowing what the commitment was," Eccarius said. Under cross examination by church counsel, Eccarius agreed that in his opinion

the union ceremony conveyed the blessings of God and the church.

A member of the trial court (jury) asked Eccarius what he would have done if Dell had told them he could not perform the ceremony because of the Judicial Council decision. He replied he would have respected Dell's decision "I would have to believe that whatever decision he made was in the best interest of us all," he replied.

A trial court member asked Eccarius whether Dell had revealed to them what was at stake for the pastor. "I don't think any of us knew at the time what the implications were," he said.

Eccarius, a member at Broadway for eight years, told the press during a brief recess that he was still proud to be a United Methodist. "Like any family, we have our good times and our bad times," he said.

Dell took the stand at 10:20 A.M., following the recess. He described his participation in past general conferences and his ministry within different congregations.

He spoke about his participation with those who opposed the placement of paragraph 65c in the Discipline and briefly mentioned the Creech trial, noting that Creech was a good friend. He said he did not think the Judicial Council would rule that Paragraph 65c was legally binding.

When he realized that pastors performing same-sex ceremonies would be liable on charges of disobedience, he spoke with Reinhardt and Eccarius and other Northern Illinois clergy about the issue.

Asked by Pickens why he decided to proceed, Dell said "I didn't feel I was being disobedient to the order and discipline of the United Methodist Church. On the contrary I thought I was being obedient."

Dell explained that he had been appointed to Broadway to serve the entire congregation of which 30 percent are gay and lesbian. He added that from the moment of taking his ordination vows to the appointment to Broadway he had always considered himself to be a pastor to everyone.

Dell said that when a couple in a relationship filled with love and commitment say they want to affirm that relationship as part of their ministry in the church "you do that as a privilege as a pastor."

Under cross examination, Dell agreed that he knows he is liable to the charges of disobedience but that he doesn't believe he is guilty. Williams continued to point out that violation of Paragraph 65c is "a disciplinary violation."

Williams asked Dell if it ever occurred to him that he could resign as pastor. Dell responded yes but acknowledged that he proceeded with the ceremony anyway.

When asked by Williams if he had ever considered leaving the denomination, Dell said, "This is my family. This is my church. I grew up in this church along with every person who holds the opposite viewpoint(on same-sex ceremonies). I don't leave my family because we're in disagreement."

The church counsel told the court it wanted to call as a rebuttal witness Leonard Slutz, a former Judicial Council member. Slutz was not on the premises. Tuell ruled that it was too late to bring in such a witness.

Closing statements began at 11:05 A.M.

In his brief closing, Pickens noted that "the church's whole case rests on the interpretation of Judicial Council Decision Number 833" but he argued that the real issue is whether one violation constitutes disobedience and that the Judicial Council decision only rendered a pastor liable to such a charge. "The only thing you must decide today is whether Rev. Greg Dell may continue his unique ministry," he told the trial court.

Williams declared that church counsel had proven its case. "Our case was not based on rhetorical flourishes but on the plain meaning of the Discipline" and on the rulings of the Judicial Council. He acknowledged the emotional impact of the trial. "All of our hearts are torn deeply at the nature of this task," he said. But he stressed that if the church cannot enforce its rules then general conference is stripped of its legislative power and authority and "eight and a half million United Methodists are stripped of the right through general conference to control what may or may not be done in the name of our church."

He stated that the church has "met its burden" to provide clear and convincing evidence of the charge of disobedience.



As he gave the trial court members their instructions, Tuell explained that if the verdict is guilty the trial will resume immediately in a penalty phase. That phase provides an opportunity for witnesses and statements about the effects of the penalty. Then the trial court would retire to deliberate or determine a penalty. If the verdict is not guilty, the proceedings would end. Nine of the 13 must find him guilty. Less than nine votes would mean acquittal.

Trial court members left the sanctuary at 11:45 to begin their deliberations in closed session.

---

## **From Broadway UMC**

*3/26/1999 10:30 A.M.*

After another moving worship service at 8:00 A.M. in Fishel Park, the Trial Court reconvened. The defense continued its presentation. Rev. Greg Dell is currently testifying and is expected to be the final witness for the defense. It is likely that the case will go to jury as early as lunch break today, well ahead of what was expected.

We will post the verdict here as soon as it is announced.

A summary of the defense case will be posted later. For now, we just want to share [some of the images](#).

---

## **From UMNS**

*10 Fish el Friday, March 26, 1999*

Second day of the trial got underway as the defense resumed calling witnesses. The first person to take the stand was Jim Reed, a Chicago political consultant and an active member of Broadway United Methodist Church where Dell is pastor. He testified to the welcome atmosphere at the church. "Pastor Dell has really fostered an attitude of inclusiveness," he said. That attitude brings in an "extraordinary number of visitors," each week and many become members, he said.

Reed was followed by Terry VandenHoek, an emergency room physician at the University of Chicago and also a member of Broadway United

Methodist Church. VandenHoek described the "long and painful road" that he had gone down before joining Broadway United Methodist Church.

Raised in the Christian Reformed Church, he felt "that being gay was a terrible thing." God's word was saying to him that he needed to change, he said. "I prayed about it morning, noon and night. I cried about it." He dated women and almost married, he said. "But it was a lie and that is also wrong in the church."

He started reading and realized that other people were struggling with the same issue. "I don't think anybody realizes how lonely it is to grow up gay in the church," he said. "It is a very lonely experience."

VandenHoek testified that there was a point in his life when he tried to kill himself. When he first met Dell he said he was skeptical because he had found that a lot of preachers were "full of a lot of hot air." But he overcame his skepticism after getting to know Dell and finding out what kind of person he was.

When asked about the impact of last September's union ceremony on him and the Broadway congregation, VandenHoek replied, "I guess for the first time I felt like a full human being in the United Methodist Church."

Next on the stand for the defense was Karl Reinhardt, one of the two men joined in the holy union ceremony. He attends Broadway but is not a member.

Reinhardt said Eccarius introduced him to the church. What kept him going back was the relationship between Greg Dell and the congregation and his preaching style, he said.

Reinhardt, a high school teacher, is the son of a retired Lutheran pastor. He met Eccarius during Christmas 1996 and they dated for six months before becoming engaged. They approached Dell during summer of 1997 about performing a holy union service for them.

"Greg has been so important in Keith's life and Greg has become important in my life," said Reinhardt. "So there is nobody else that we would have do it."

Dell had Reinhardt and Eccarius go through the same pre-marital

counseling as other couples, Reinhardt said. Greg did make it clear that the ceremony was not to be called a marriage or wedding. "It was a holy union or covenant service," said Reinhardt.

Having the service was significant for the couple because it was another way for them to share their lives together and to make a witness about their relationship in an atmosphere that was important to them, Reinhardt said.

Reinhardt said he and Eccarius already had a committed, monogamous relationship before the ceremony. Holding the service in the church further legitimized it in the eyes of their friends and family, he said.

At the time he and Eccarius started planning the holy union, Reinhardt said it was his understanding that the prohibition in Paragraph 65c was advisory.

When the Judicial Council ruling was announced last August, "There was an initial tinge of reservation" about the ceremony, Reinhardt said. However, he and Eccarius talked to Dell and decided to go ahead with their plans to have the service in the church.

Names of the 13 members and two alternates on the trial court (jury) have not been given, but the group comprises nine white men, four white women, one black man and one black woman.

| [Top](#) | [Affirmation](#) | [CORNET](#) | [CORNET News](#) | [Greg Dell](#) |