

C. EPISCOPAL RULINGS

I. Paragraph 723.1a of *The Book of Discipline* provides that the membership of the Board of Ordained Ministry must be nominated by the bishop after consultation with certain designated persons. There is no exception in *The Book of Discipline* to this process of many years standing.

In Paragraph 723.1, *The Book of Discipline* clearly provides for the election of members of the Board of Ordained Ministry by the Annual Conference. To add a representative of the General Board of Higher Education and Ministry would place on the Board of Ordained Ministry a member *not* elected by the Annual Conference but by the Jurisdictional Conference (Par. 805.2a).

Paragraph 810.5 which allows a voting member of a general agency to become a voting member of the corresponding agency of the Annual Conference makes an exception of the Board of Ordained Ministry. *Only* if a duly and *previously* elected member of the Board of Ordained Ministry under the provisions of Paragraph 723.1 would be elected by the Jurisdictional Conference to the General Board of Higher Education and Ministry would such corresponding membership be possible.

The proposal to add to the membership of the Annual Conference Board of Ordained Ministry the elected member of the General Board of Higher Education and ministry (if ordained) is not in order.

II. In the consideration of the report of the Structure Committee a question was raised concerning the proposed membership of the Conference Council on Ministries. The Committee had recommended that the United Methodist Women, the United Methodist Men and the United Methodist Youth each have one representative on the Conference Council. No provision was made for representatives of age level and family departments.

Paragraph 717.2 does prescribe the membership on the Conference Council. It provides for two representatives each from the United Methodist Women, the United Methodist Men, and the United Methodist Youth. This is a Disciplinary "shall" and therefore the report of the Structure Committee must be modified to comply with this Disciplinary provision. (Lines 42, 43 and 44 on Page 110 of the Workbook.)

The same paragraph with the same "shall" also speaks of "chairpersons of age-level and family departments." There is, however, no Disciplinary requirement that an Annual Conference Structure have such departments. Paragraph 706.1 reads "The Annual Conference shall structure itself for effective mission in any mode deemed appropriate." The Structure presented by the Committee has no such departments so there are no such chairpersons to be named. The report of the Committee is affirmed at this point.

III. The report of the Structure Committee was amended by a motion to the effect that District Superintendents were to be ineligible to serve as Chairpersons of Conference Boards and Agencies during their term of office.

The office of the District Superintendent is treated in *The Book of Discipline*, Chapter V, "*The Superintendency*." Paragraph 501 reads "The task of superintending in The United Methodist Church resides in the office of bishop and extends to the District Superintendent with each possessing distinct responsibilities.... The formal leadership in The United Methodist Church located in these superintending offices, is an integral part of the system of an itinerant ministry." Paragraph 504 reads "Bishops and Superintendents share in the full ministry as ordained elders." Paragraph 522.2 lists among the responsibilities of the District Superintendent "to serve as a member of the Annual Conference Council on Ministries and to work cooperatively with the conference council and its staff in all program concerns of the Church." Paragraph 423 defines the rights of the full members of the Annual Conference. It reads: "They shall be eligible to hold office in the Annual Conference...."

The Conference cannot limit the participation of the District Superintendents in the fullness of their ministry as ordained elders nor restrict their full participation in the program matters of the Annual Conference. I rule the motion to be contrary to the *Discipline* and a usurpation of the powers of the General Conference.

Bishop John B. Warman

"As an episcopal leader of the Church, I am not a review commission nor an investigatory committee. Therefore, I cannot rule at this session of the annual conference on action taken by the Board of Ordained Ministry. I do hereby certify that at the 1986 session of the Central Pennsylvania Conference, this conference did vote and approve the report of the Board of Ordained Ministry thereby affirming the action taken in reference to Douglas Essinger-Hileman under the provisions of Paragraph 454.1 of the 1984 *Book of Discipline*. That is my ruling."

Bishop Felton E. May

The ruling of Bishop May is affirmed.

October 28, 1988

The Judicial Council
Tom Matheny, President
Wayne Coffin, Secretary

BISHOP'S RULING ON CHALLENGE TO CENTRAL PENNSYLVANIA CONFERENCE ACTION

ISSUE: The Annual Conference defeated an amendment by the Rev. Mr. Bruce Fisher to move Budget Item E.9. in the Connectional Ministries Budget to become a new line item F in the Benevolence Budget. Rev. Fisher then requested a ruling on the legality of placing Connectional Ministries Budget E.9. in its current location, contending that this particular item belongs in the Benevolence Budget. The following is my ruling and rationale.

RULING: First of all, it is essential to know that the Central Pennsylvania Annual Conference presents its budget under three headings: Benevolence Budget, Connectional Ministries Budget, and Clergy Support Budget. The Benevolence Budget corresponds to the World Service and Conference Benevolences Budget (1996 *Discipline*, para. 611.3) and the Connectional Ministries Budget corresponds to the Administration Budget (1996 *Discipline*, para. 611.2). The Clergy Support Budget corresponds to the 1996 *Discipline* language, and does not come into play in this ruling.

The challenge to the action of the Central Pennsylvania Annual Conference in placing E.9. (1998 Budget) in the Connectional Ministries Budget is sustained. E.9., titled Conference Program, consists primarily of program funds to be used in fulfilling "conference benevolent and service causes" (para. 611.3.a). Para. 611.3.c) defines "conference benevolences" as those "conference allocations and expenditures directly associated with the program, mission, and benevolent causes of annual conference program agencies and institutions." That describes Item E.9., Connectional Ministries Budget.

Furthermore, the Budget of an annual conference must include in the portion of the budget titled "World Service and Conference Benevolences" both the World Service apportionment, without reduction, received from the General Council on Finance and Administration and the "approved conference benevolences budget," which is arrived at by consultation between the Conference Council on Finance and Administration and the Conference Council on Ministries. Item E.9. in the Connectional Ministries Section of the Central Pennsylvania Annual Conference Budget for 1998 is clearly misplaced according to the 1996 *Discipline*. Therefore, Item E.9. should be moved from the Connectional Ministries Budget to the Benevolence Budget.

However, there may be a portion of the item in question, i.e., E.9. in the Connectional Ministries Budget (Administration) which may have to be removed from E.9., if the Judicial Council agrees with the ruling. Line items E.9.b. Capital Funds for Camp Properties, and E.9.c. Wesley Foundation (this money is used only for Maintenance) clearly belong to the Connectional Ministries Budget and should not be moved to the Benevolence Budget. Only E.9.a. Program belongs in the Benevolence Budget. Therefore, if the Judicial Council affirms the ruling by the bishop, the bishop will direct the Council on Finance and Administration in consultation with the Council on Ministries to separate out from E.9. administration funds which belong in their current location rather than in the new location of E.9. in the Benevolent Budget.

SUMMARY: The challenge to the action of the annual conference in placing Item E.9. Conference Program in the Connectional Ministries Budget is upheld, with the exception that E.9.b. Capital Funds for Camp Properties, and E.9.c. Wesley Foundation should be retained in their present location in the Budget; which means that only E.9.a. Program would be placed in the Benevolence Budget.

EXPLANATION: The Central Pennsylvania Annual Conference is working with a new structure, hence the attempt to use budget labels that help to interpret the work of the church to the Annual Conference. Even though the headings are slightly different they do conform to the divisions of the budget as outlined in the 1996 *Discipline*, para. 611.

DECISION AFFIRMED BY JUDICIAL COUNCIL