

Eastern Pennsylvania Conference of the United Methodist Church

Annual Conference Session Thursday, May 18 – Saturday, May 20, 2023

TRANSCRIPT OF MOTION FORM - Friday May 19th 2023 . Approximately 4:15 p.m.

Maker of the motion: Timothy Fisher

Re: Eastern PA Annual Conference Resolution 2023-05

I appeal ruling of the Bishop when a motion to call the question was presented. He ruled it out of order because the resolution 2023-05 had not been presented. Nelson Alleman moved that the resolution be referred to a fall session, which the Bishop said was permitted, but not yet. The resolution was moved by Lenora Thompson. The call for the vote was then made to suspend the Rules of Order, adopted without discussion or speeches for or against the resolution. (Traditionally 3 for; 3 against must occur before question can be called.) Nelson Alleman's motion to refer was therefore denied.

This I respectfully appeal to the Judicial Council.

The United Methodist Church
Eastern Pennsylvania Conference
Decision of Law Request May 18, 2023
John R. Schol, Bishop

STATEMENT OF FACTS

During the May 18-20, 2023 Annual Conference Session of the Eastern Pennsylvania Annual Conference Session, a clergy member submitted an “appeal” to the Judicial Council concerning a request to postpone a vote on a resolution outlining the proposed strategic direction to a Fall session.

During a panel presentation and question and answer period about the strategic direction and before the resolution was moved for annual conference action – a lay member went to the microphone and called the question. The bishop informed the lay member that the request was not in order at that time because the legislation had not been formally moved for action. The bishop informed the lay person that once the legislation was properly before the body, the bishop would call on the lay person to present his motion.

Shortly thereafter, a clergy member went to the microphone and referred the matter to an adjourned session. The bishop also informed the member that the legislation had not been moved for action and was not properly before the body and that he would be the second person called upon once the legislation was properly before the body.

After the presentation and questions and answers, the connectional table chairperson moved the legislation. The bishop then recognized the lay person who wanted to call for the question. The bishop informed the lay member that to call the question, the lay member would need to move to suspend the rules because there had not been two speeches for and two speeches against the legislation as required by conference rules. The lay person moved to suspend the rules and call the question. The motion passed by more than the two-thirds majority needed to suspend the rules and call the question. The body then approved the resolution concerning the strategic direction.

A question was raised about referring the matter to a Fall session. The bishop informed the body that once the legislation was approved without referral, a referral was no longer in order by parliamentary procedures. The bishop's clarification of parliamentary procedure was not appealed by a member of the annual conference.

JURISDICTION

The Judicial Council has jurisdiction for the questions raised about The Book of Discipline under Par. 2609.6 of the 2016 Discipline as amended.

ANALYSIS AND RATIONALE

A clergy member of the Eastern Pennsylvania Conference submitted the following statement in writing during the regular business of the Conference.

I appeal ruling of the Bishop when a motion to call the question was presented. He ruled it out of order because the resolution 2023-05 had not been presented. Nelson Alleman moved that the resolution be referred to a fall session, which the Bishop said was permitted, but not yet. The resolution was moved by Lenora Thompson. The call for the vote was then made to suspend the Rules of Order, adopted without discussion or speeches for or against the resolution. (Traditionally 3 for; 3 against must occur before question can be called.) Nelson Alleman's motion to refer was therefore denied.

This I respectfully appeal to the Judicial Council.

The statement is null and void because it is a parliamentary matter, and because it is an appeal rather than a question of law or request for a declaratory decision. Based on Judicial Council Decisions 898, 1117 and 1131, and 1252, a parliamentary statement and appeal do not qualify as a question of church law within the meaning of Discipline ¶¶ 51 and 2609.6, and, as such, a bishop is to decline to make a ruling on such matters and make no further substantive commentary.

RULING

A bishop may only answer a question of law and no proper question of law was presented. Questions of a parliamentary nature and requests for an appeal do not qualify as a question of church law within the meaning of Discipline ¶¶ 51 and 2609.6.

Submitted by: John R. Schol, Bishop

June 1, 2023

1023-1 Eastern Pennsylvania Annual Conference

Interested Parties

Rev Jacqueline Hines-Tilford [Conf Secy E-PA] <conferencesecretary@epaumc.org>,
Rev Jacqueline Hines-Tilford [Conf Secy E-PA] <pastorjacquelineumc@gmail.com>,
Rev Timothy Fisher [Asked Q] <jtfisher@outlook.com>,
Bishop John Schol [Presiding Bishop, Interim] <bishopjohnschol@epaumc.church>,
Matthew Morley Esq [Chancellor] <morley@klmattorneys.com>,

Nicola Mulligan [Bishop's Assistant] <nmulligan@epaumc.church>,

Rev. Jacqueline Hines-Tilford
Conference Secretary
Eastern Pennsylvania Conference of The United Methodist Church
P.O. Box 820, Valley Forge, PA 19482-0820
pastorjacquelineumc@gmail.com

Rev. Timothy Fisher
122 E Plainfield Avenue, Pen Argyl, PA 18072-1117
jtfisher@outlook.com

Bishop John Schol
Eastern Pennsylvania Conference of The United Methodist Church
P.O. Box 820, Valley Forge, PA 19482-0820
bishopjohnschol@epaumc.church

Matthew Morley, Conference Chancellor
KLM Attorneys LLC
213-215 W. Miner Street, Second Floor
West Chester, PA 19382
morley@klmattorneys.com