

1021-11

Written request for a ruling of law from a member of the North Georgia Annual Conference

[A] ruling on whether an annual conference can amend the agreement about disaffiliation. Since the Annual Conference must approve the final act of disaffiliation, can the Annual Conference not therefore set some of the conditions in the agreement when they do not conflict with 2553?

Ruling

Paragraph 2553 of the BOD grants full authority to the Board of Trustees to establish the terms and conditions of the disaffiliation agreement: “the terms and conditions for that disaffiliation shall be established by the board of trustees of the applicable annual conference, with the advice of the cabinet, the annual conference treasurer, the annual conference benefits officer, the director of connectional ministries, and the annual conference chancellor. This paragraph places the terms of the agreement solely in the purview of the Board of Trustees. Such authority would include any modification of the agreement.

The role of the Annual Conference in disaffiliation is not mentioned in 2553. The Judicial Council in Decision 1379 added that role by reading paragraph 2553 in the context of other provisions of BOD. The Judicial Council held that “Absent specific language to the contrary, this provision can reasonably be construed as requiring ratification (*i.e.* consent after) by simple majority of the members of an annual conference.” I therefore find that ratification or consent by an Annual Conference implies that the Annual Conference’s authority is limited to a simple yes or no vote approving or disapproving the disaffiliation agreement between the church and the Board of Trustees.

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