

1021-20

Written Request for a Ruling of Law from a member of the North Carolina Annual Conference

I wish to request a bishop's ruling of law on the approval of the standing rules for this year's annual conference. My question is,

Can the annual conference approve standing rules prior to the annual conference actually being in session?

We were sent the standing rules by email and told we had to approve them with an up or down vote by May 14, 2021. The annual conference was not even in session then. The session of the 2021 annual conference did not begin until June 17.

Furthermore, the mechanism for approving the standing rules this year did not provide any opportunity to debate, amend, or discuss the standing rules. It is clear that the 2020 standing rules applied only to the 2020 annual conference. Therefore until the annual conference, while properly in session, approves new standing rules I believe the 2019 rules still apply and they do not give the ability to approve rules between sessions of annual conference.

I do not believe the standing rules have properly been presented to the annual conference and therefore have not been properly approved. I would like to request a bishop's ruling on that.



The United Methodist Church

North Carolina Conference - Raleigh Area

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Hope Morgan Ward

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July 19, 2021

The Judicial Council of The United Methodist Church

c/o Ms. LaNella Smith

1215 Shady Lane

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Dear Sisters and Brothers:

Greetings in the Name of Christ.

On June 17, 2021, at the opening of the 2021 Session of The NC Annual Conference, I was asked for a ruling of law by The Reverend Timothy Russell, elder in the NC Conference. The question was whether or not the annual conference can approve special rules for conducting its business before the Call to Order. Because of the need to meet virtually due to the COVID pandemic our conference leadership (DSs and the NC Conference Rules Committee) had approved a request of the Annual Conference Planning Committee, Conference Secretary and myself to ask the Annual Conference to modify our standing rules to allow the 2021 Session to be held in that mode. That request was submitted to electronic vote in May 2021 and the result was a 98% approval of the change in rules. (Appendix A) The attached brief stands in support of that action. I ruled that it was permissible by *The Discipline* and the NCC's Standing Rules of Order to take the electronic ballot in advance of the Session; in addition, as The NC Conference is incorporated under NC law and said law allows for electronic meeting/balloting of corporations, we also meet the state mandate for proper procedure.

I look forward to hearing from you. Please let me know if more information is needed.

Grace and peace,

Hope Morgan Ward

Appendices – Pertinent NCC AC 2021 Minutes, Special Conference Rules Voting Results, NCC Standing Rules, Brief to Support, Names/Addresses of Interested Persons

BRIEF TO SUPPORT THE PROCESS OF VOTING ON THE RULES PRIOR TO VIRTUAL ANNUAL CONFERENCES

Basic Ruling:

1. The annual conference can approve special rules before the Call to Order if the rules are needed to make the conference virtual.

Rationale:

1. According to paragraphs 603.3 of *The Book of Discipline, 2016*, the annual conference shall select the place for holding the conference, "but should it become necessary for any reason to change the place of meeting, a majority of the district superintendents, with the consent of the bishop in charge, may change the place." *Therefore, because of the coronavirus pandemic of 2020 and 2021, a majority of the district superintendents, with the consent of Bishop Hope Morgan Ward, set the place of the 2020 and 2021 annual conferences to be virtual/online.*
2. Paragraph 604.1 of *The Book of Discipline, 2016* invests the annual conference with the power and duty to "adopt rules and regulations not in conflict with the *Discipline* of The United Methodist Church...".
3. Certain "Special Standing Rules of Order for Annual Conference 2020," very different from the usual Standing Rules of Order, had to be written and approved by the 2020 annual conference members in order to hold the annual conference session in a virtual/online place of meeting and to conduct the "*Business of the Conference*" in accordance with paragraph 605 of *The Book of Discipline, 2016*.
4. These Special Standing Rules of Order gave members a safe way to cast their votes on essential annual conference business by electronic or paper ballot without jeopardizing their health or lives or the health or lives of others during a global pandemic.
5. The Special Standing Rules of Order for Annual Conference 2020 were approved by the members of the annual conference by a margin of 1191 FOR and 28 AGAINST. This ballot was certified and announced by the Conference Secretary (see Appendix A).

Respectfully submitted,

Taylor Mills

SPECIAL STANDING RULES OF ORDER FOR ANNUAL CONFERENCE 2021

I. Rules of Order and Procedure

A. Applicability of these Conference Rules

1. These special standing rules for the North Carolina Annual Conference of The United Methodist Church shall apply to the 2021 annual conference events as scheduled by the bishop.
2. The terms “North Carolina Annual Conference,” “Annual Conference,” or “Conference” [note the capital letters] refer to The North Carolina Annual Conference of The United Methodist Church. These terms refer to an organization. The term “annual conference” [in lower-case letters] refers to the yearly assembly, usually occupying several days in June, at which the North Carolina Annual Conference gathers to worship God and conduct business. The term *session* refers to one assembly of the North Carolina Annual Conference occurring on any part of one of those days or for a special or called session.
3. These special standing rules shall become effective immediately upon majority approval by the annual conference members by a manner determined by the conference secretary.
4. The Agenda of the Annual Conference shall be one that is published in the Conference Workbook, and which will be online at the annual conference website, and that may be changed from time to time, as needed by the presiding officer.
5. The bar of annual conference shall be those members of the annual conference (as defined by the *Book of Discipline*) who are present and voting by electronic means.
6. The Official Record of the Attendees of the Annual Conference shall be the Registrations recorded by the Conference Registrar via the online meeting platform.
7. The annual conference session may begin with a worship service before the Call to Order.
8. The current edition of *Robert’s Rules of Order, Newly Revised* shall apply to any situation not covered by these rules.

B. Internet Meeting

1. The business of the Annual Conference shall be conducted through use of an Internet meeting service designated by the Conference Secretary.
2. The Conference Secretary shall send by e-mail to every member of the annual conference the dates and times of the meeting and the URL and codes necessary to connect to the designated Internet meeting service.
3. The Internet meeting service shall:

- a) support electronic voting by those members eligible to vote on the question before the body,
 - b) support visible displays identifying the chair and the speaker,
 - c) provide for all members to be able to hear a person who has the floor,
 - d) provide a method for the member to seek recognition by the chair,
 - e) provide a method for the member to submit motions in writing,
 - f) show or permit the retrieval of the text of reports, and pending motions, and pending resolutions,
 - g) show the results of votes.
4. When attending the annual conference session, members shall:
 - a) maintain Internet access throughout the meeting whenever present, but shall sign out upon any departure before adjournment,
 - b) be responsible for his or her Internet connection, speakers, and microphone (no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection or computer hardware or software prevented participation in the meeting),
 - c) use a desktop or laptop computer for the 2021 annual conference (tablets, phones, and call-in by telephone are not supported).
 5. Lay members who must be absent shall inform their pastor who must then inform the Conference Secretary no later than June 1, 2021.
 6. The chair may direct the muting of a member's connection if it is causing undue interference with the meeting. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.
 7. Members shall request the floor by typing their reason for rising for recognition into the designated text box in the Internet meeting platform and clicking the submit button.
 8. Upon recognition by the chair, the member shall clearly speak his/her name, clergy/laity, church/charge, and district before proceeding with debate or other speech.
 9. A call for the previous question must be stated in the form of a motion and follow the procedure outlined above.
 10. The conference secretary shall make available a conference workbook on the Internet.

C. Speeches and Reports

1. Speeches from the floor shall be limited to three (3) minutes.
2. A member may speak only once on any motion until all who desire to speak have done so, and then he/she may speak only one additional time.

3. The chairperson of an agency, or someone designated by him/her, shall be allowed to speak last on his/her report even though the previous questions have been ordered.
4. Presentations and reports shall be limited to ten (10) minutes. This rule does not apply to sermons, orders of the day, or standing committee reports as listed in the Agenda.
5. Required reports requested by the conference secretary coming from boards, agencies and committees shall be sent to the conference secretary, in a format acceptable to the conference secretary, on or before the deadline set by the secretary.
6. Early in each annual conference, the Council on Finance and Administration shall present a proposed budget for consideration and debate, but not action. After consideration and debate, the proposed budget will lie on the table until the final report of the Council on Finance and Administration. Any motion to change the proposed budget may be considered, debated, and voted on, and if affirmed, will be referred to the Council on Finance and Administration. In its final report the Council on Finance and Administration will indicate their concurrence or nonconcurrence with any such motion before final passage of the budget.

D. Voting

1. A vote conducted through the designated Internet meeting service shall be deemed a valid vote.
2. There shall be no absentee voting, proxy voting, or voting by mail.

II. Districts

- A. Number of Districts—the number of districts shall be eight (8). A motion to change the number of districts must be presented in writing, and must be considered no sooner than the day following its introduction. Any change in the number of districts shall be approved at one annual conference, and will not take effect for at least one year.
- B. The Annual Conference shall elect the District Lay Leaders for a four-year term at the first annual conference after the General Conference of The United Methodist Church upon nomination by each District Superintendent and the Annual Conference Lay Leader. After election, if a District Lay Leader position becomes vacant, it shall be filled by the same procedure, with the nominee serving as District Lay Leader until a District Lay Leader is elected at the next annual conference to complete the four-year term.

III. Conference Structure

- A. The membership of the Annual Conference is to be as outlined in the complete Lay/Clergy Equalization Plan presented for adoption at the 2012 Annual Conference. A complete report is in the 2012 Journal. The Conference Rules

Committee will submit a Lay Equalization Plan for consideration at the 2021 annual conference and, if adopted, to be adopted ahead of the 2022 annual conference.

- B. Tenure for membership for all persons on boards, agencies, commissions, committees, and ministry groups shall be four years with possibility of reelection for a second four-year term, except for the Board of Ordained Ministry on which (in accordance with the Book of Discipline) members can serve for three consecutive four-year terms.
- C. Committees and Boards
 - 1. The Annual Conference Board of Trustees shall meet at least twice a year at times and places designated by the board. The annual meeting shall be held either at the annual conference or within thirty (30) days prior thereto.
 - 2. There shall be a Program and Planning Committee for the annual conference consisting of the Bishop; Assistant to the Bishop; the Conference Secretary; Conference Treasurer; the host District Superintendent; the Annual Conference Lay Leader; the Annual Conference Presidents of The United Methodist Men, United Methodist Women, the United Methodist Youth Fellowship; the Executive Director of Connectional Ministries, and other persons selected by the Bishop. The committee shall determine the compensation and expense for invited speakers, who shall be paid from the annual conference expense fund. The committee will receive invitations and may also make recommendations for the site of the annual conference.
 - 3. On a rotating basis the Cabinet will designate a district each year as the host district for the annual conference. The host district will be responsible for ushers, flowers, and other similar items of hospitality related to the annual conference.
 - 4. There shall be a Committee on Appeals appointed quadrennially by the Bishop, composed of five members, whose duties shall be to hear appeals from the decisions of the several District Boards of Church Location and Building, or any other questions that may properly come before it.
 - 5. There shall be a Committee on Annual Conference Rules, which shall provide to the Annual Conference a document of standing rules and structure that the Annual Conference from time to time may adopt. This document shall be presented at the opening of the first session of each annual conference.
 - 6. There shall be a Committee on Resolutions and Reference, which shall perform the duties assigned to it.

7. There shall be a North Carolina Annual Conference Board of Institutions, Inc. which shall have the responsibility, upon consultation with Methodist Home for Children, Inc.; United Methodist Retirement Homes, Inc., Cypress Glen Retirement Community, North Carolina United Methodist Camp and Retreat Ministries, Inc.; Louisburg College, Inc.; Methodist University, Inc.; North Carolina Wesleyan College, Inc.; United Methodist Foundation, Inc., and any other related corporations which may be formed in the future, as appropriate, for nominating and electing forty (40) percent of all voting members of each of the boards of trustees of the affiliated institutions with the exception of the Methodist Retirement Homes, Inc. The North Carolina Annual Conference shall elect the trustees of the North Carolina Annual Conference Board of Institutions, Inc. in staggered four-year terms. (See 1992 Journal, page 320). No person may serve on more than one board of trustees of the institutions for which the Annual Conference elects trustees.
8. There shall be a Structure Review Team which will annually evaluate the conference structure for effectiveness and faithfulness to the vision and mission of the Annual Conference, working in concert with the Connectional Table to propose changes in structure as needed. Ten persons, one from each Team of Ministry plus the Bishop, Executive Director of Conference Connectional Ministries, the Conference Treasurer, and the Conference Lay Leader, plus two at-large members, will be elected by the conference.
9. North Carolina Annual Conference Connectional Table
 - a) Responsibilities of The Conference Connectional Table:
 - (1) to provide a forum for the understanding, casting forth, and implementing of the vision of the conference;
 - (2) to coordinate the mission, ministries, and resources of the Annual Conference;
 - (3) to link the Teams of Ministry (Leadership Development, Racial Equity & Justice Ministries Team, Christian Formation Team, Outreach Ministry Team, and Operations & Administrative Resources Team) and the agency to which they report;
 - (4) to provide for joint planning and the setting of priorities;
 - (5) to report to, and be amenable to the Annual Conference;
 - (6) to discern and articulate the vision of the conference;
 - (7) to provide stewardship of the mission, ministry, and resources of the conference and provide fiscal

responsibility and establish policies and procedures to carry out the mission;

(8) to collaborate with the Council on Finance and Administration by:

- (a) communicating the vision and priorities of the conference in preparation of budgets for apportioned funds that come before the Annual Conference Session;
- (b) setting allocations of budget requests within totals as recommended by the Council on Finance and Administration to the Annual Conference Session;
- (c) working with the Council on Finance and Administration to achieve consensus concerning total funds allocated to program agencies;
- (d) enabling the flow of communication among the boards and agencies, districts and local churches through the Teams of Ministry. To help with the flow of communication one member of the Communications Committee will be assigned to each of the Teams of Ministry.

b) Membership of the Conference Connectional Table shall consist of twelve (12) at-large voting members, in equal distribution of male and female, no fewer than twenty-five percent of whom (25%) shall be from racial/ethnic minorities, with at least one youth. Voting members are the twelve at-large members and Conference Lay Leader. Other members with voice but no vote are:

- (1) The Bishop;
- (2) The conference leaders: Executive Director of Conference Connectional Ministries, Assistant to the Bishop, Executive Director of New Faith Communities, Conference Treasurer;
- (3) Conference Team Directors,
- (4) Chairperson of the Board of Higher Education and Campus Ministries.

c) Teams of Ministry-The agencies, boards and commissions defined by the current edition of the Book of Discipline will organize themselves according to the requirements outlined therein and will connect through the Teams of Ministry. The Teams of Ministry, using task forces or standing groups to plan and implement ministry and mission, will organize any ministry areas not prescribed by the Book of Discipline. Teams of Ministry are

accountable to the Connectional Table for holding up and living out the vision affirmed by the Annual Conference, and for faithfully presenting ministry needs to the Connectional Table. The four programming teams of Leadership Development, Racial Equity & Justice Ministries, Christian Formation, and Outreach Ministry are represented on the Connectional Table by three (3) at-large members with a chairperson and two rotating members. Rotating members are set in different classes and rotate on a two-year basis from Team to Team. At the end of each quadrennium, the chairpersons will rotate. The Operations and Administrative Resources Team, as a non-programmatic team, will be represented by the Conference Lay Leader and staff representation of the Conference Treasurer. The Teams are as follows:

- (1) Leadership Development Team: Serves to equip leaders who implement the vision.
- (2) Racial Equity & Justice Ministries Team: Serves to direct and vision the work of diversity, equity, and inclusion.
- (3) Christian Formation Team: Serves to form and nurture disciples of Jesus Christ.
- (4) Outreach Ministry Team: Serves to carry forth the ministry that transforms the world.
- (5) Operations and Administrative Team: Serves to empower, resource, and provide administrative oversight for ministry.

d) Conference Connectional Table Meeting Schedule—The Conference Connectional Table shall meet at least quarterly.

10. There shall be other boards and committees as required by the Book of Discipline including, but not limited to, the Conference Board of Ordained Ministry, the Conference Board of Laity, the Conference Committee on Episcopacy, the Conference Board of Pension, the United Methodist Women, United Methodist Men, conference council on youth ministry, and others.

D. Annual Conference Officers

1. The Annual Conference Lay Leader shall be elected quadrennially. This nomination will be made in joint session of the Board of Laity and Cabinet. The nomination is to be made no later than October of the year prior to General Conference. Should a vacancy occur at any other time, it shall be filled by the same procedure, with the nominee serving as Lay Leader until a Conference Lay Leader is elected at the next annual conference. The Annual Conference Lay Leader shall serve as the chairperson of the Board of Laity.

2. There shall be a Director of Ministerial Relations and/or Assistant to the Bishop with such duties and responsibilities as determined by the Annual Conference or assigned by the presiding Bishop. These positions can be separate or combined at the discretion of the Bishop and the Committee on Episcopacy.
3. There shall be an Executive Director of Conference Connectional Ministries.
4. There shall be a Conference Treasurer/Business Manager.
5. There shall be an Annual Conference Secretary. The Conference Secretary shall be elected at the beginning of each quadrennium or at the last session preceding the General Conference. The responsibilities of the Conference Secretary shall be determined by the *Book of Discipline*, the annual conference, and the bishop.
6. The Annual Conference Statistician
 - a) The position of Annual Conference Statistician shall be continued on a part-time basis with those duties stipulated by the current edition of the *Book of Discipline* of The United Methodist Church, with adequate funding provided.
 - b) The Conference Statistician shall be elected at the beginning of each quadrennium or at the last session preceding the General Conference.

IV. Financial Administration

- A. The Conference Treasurer and all others receiving and disbursing funds from the Annual Conference shall be required to make audited statements annually, which the Conference Secretary will make available.
- B. The Council on Finance and Administration shall present the budget for adoption at the annual conference.
- C. Tables I, II, and III shall be available in the Annual Conference Journal with individual church reports and charge totals as compiled by the Conference Statistician from each pastor's reports.

V. Annual Conference Journal

- A. The Annual Conference shall publish a Journal of The North Carolina Annual Conference each year.
- B. The Conference Secretary shall be charged with the responsibility of editing and making contracts for the publication of the Annual Conference Journal, in keeping with regulations of the General Conference and of the Southeastern Jurisdictional Conference. The editor shall have full authority to condense reports, memoirs, and other papers when necessary.
- C. The Annual Conference Journal will be posted online, at The North Carolina Annual Conference website, making it accessible to everyone.

1021-20

North Carolina Annual Conference
INTERESTED PARTIES/PERSONS
Entitled To Notice
To Whom Copies Should Be Provided

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