

**Arkansas Annual Conference
Request for Ruling of Law
Paragraph 507
June 30, 2021**

Bishop Gary E. Mueller

Statement of Facts

The Arkansas Annual Conference, meeting in regular session June 2-4, 2021, considered whether to submit a petition entitled, "Petition to Clarify Deadlines in Paragraph 507,"¹ to the postponed 2020 General Conference rescheduled for August 29 - September 6, 2022. Since the petition was submitted in accordance with the Arkansas Conference Standing Rules², it was properly before the Annual Conference for action.

Petition to Clarify Deadlines in Paragraph 507

We move that the Arkansas Annual Conference affirm the following petition and submit it for consideration by the postponed 2020 General Conference being held in 2022.

Total Number of Pages: 1

Suggested Title: Petitions to General Conference Deadline Clarification

Discipline Paragraph or Resolution Number, if applicable: ¶507

General Church Budget Implications: No

Global Implications: Yes

Amend ¶507 as follows:

¶ 507. Petitions to General Conference—

5. Petitions must be postmarked by a national postal service no later than 230 days prior to the opening session of the General Conference. In the event the regular session of the General Conference is postponed or cannot be held as scheduled, the 230 day deadline shall be applied to the newly scheduled opening session of the General Conference.

6. If petitions are transmitted by a means other than a national postal service, they must be in the hands of the petitions secretary no later than 230 days prior to the opening session of the General Conference. Exceptions to the time limitations shall be granted for petitions originating from an annual conference session held between 230 and 45 days prior to the opening session of the General Conference,

¹ P. 64, *Pre-Conference Journal of The Arkansas Conference of The United Methodist Church*

² Standing Rules, ¶213.1, P. 90, *The Journal of the 18th Session of the Arkansas Annual Conference of The United Methodist Church*

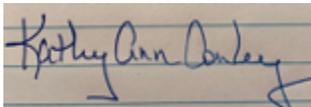
and for other petitions at the discretion of the Committee on Reference. In the event the regular session of the General Conference is postponed or cannot be held as scheduled, the deadlines in this paragraph shall be applied to the newly scheduled opening session of the General Conference.

7. Petitions adopted and properly submitted by annual conferences, jurisdictional and central conferences, the Division on Ministries With Young People, or general agencies or councils of the Church, and petitions properly submitted by individual members (either clergy or lay) of The United Methodist Church and local church groups, provided that they have been received by the petitions secretary or secretary of the General Conference no later than 230 days before the opening of General Conference, shall be printed in the Advance Edition of the Daily Christian Advocate. In the event the regular session of the General Conference is postponed or cannot be held as scheduled, the 230 day deadline shall be applied to the newly scheduled opening session of the General Conference. Petitions received within the new deadline shall also be printed in the Advance Edition of the Daily Christian Advocate.

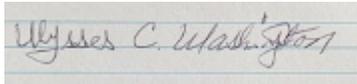
Respectively submitted,



Jim Polk, Clergy Member, Arkansas Conference



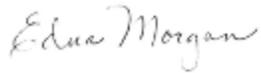
Kathy Conley, Lay Member, Conference Lay Leader



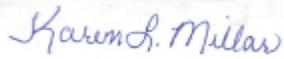
Ulysses Washington, Clergy Member, Arkansas Conference



Jeff Jackson, Clergy Member, Searcy FUMC



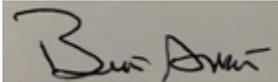
Edna Morgan, Clergy Member, Arkansas Conference



Karen Millar, Lay Member, Searcy FUMC



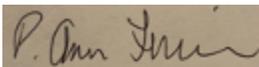
Todd Burris, Lay Member, Conway FUMC



Brian Swain, Lay Member, Central-Fayetteville UMC



Glenn Wortham, Lay Member, Village UMC



Ann Ferris, Clergy Member, Arkansas Conference

The petition was adopted by those participating in person and virtually by a vote of 465-46.³

Proceedings
of the Nineteenth Session of the Arkansas Conference
Wednesday, June 2, 2021
Bishop Gary E. Mueller, Presiding
Reverend Clark Atkins, Secretary

³ Minutes of the 2021 Arkansas Annual Conference

†††

THURSDAY AFTERNOON

Petition: *To Clarify Deadlines in Paragraph 507 as seen on Page 64 in the Pre-Conference Journal. Rev. Jim Polk, Assistant to the Bishop and Director of Connectional Ministry. There were no speeches in favor or against the petition. The petition was **ADOPTED** by a vote of 465-46. The petition will now be submitted to the General Conference for consideration at the postponed 2020 General Conference currently scheduled for August 29-September 6, 2022.*

Prior to the final adjournment of the Annual Conference, the Conference Secretary, the Reverend Clark Atkins, submitted the petition to the Petitions Secretary electronically and via United States Postal Service, and received an auto-reply email response from the Petitions Secretary of the General Conference indicating it had been received.⁴

On Thursday, June 3, the Reverend Keith Dodson asked for a ruling of law involving the ‘Petition to Clarify Deadlines in Paragraph 507’,

Request for a Decision of Law Concerning the Petition to Clarify Deadlines in Par. 507

From Rev. Keith Dodson

Bishop Mueller, I respectfully request a decision of law on the “Petition to Clarify Deadlines in Paragraph 507” recently adopted by the Arkansas Annual Conference, namely:

Is the petition, “Petition to Clarify Deadlines in ¶507,” adopted by the Arkansas Annual Conference on June 3, 2021, and submitted by the Conference Secretary on behalf of the Annual Conference as prescribed by ¶507.5 and ¶507.6, properly before the postponed 2020 General Conference Session and subject to the provisions of ¶507.8 and ¶507.9?

This request was documented in the daily proceedings:⁵

⁴ **From:** Petition Secretary <petitionsecretary@umcgc.org>
Subject: Automatic reply: Atkins - BOD Par.507 Petition from the Arkansas Conference to Clarify Deadlines
Date: June 3, 2021 at 9:59:59 PM CDT
To: Clark Atkins <clark.atkins@arumc.org>

Thank you for submitting a petition to the 2020 General Conference of the United Methodist Church. Your petition has been received and will be processed according to the format requirements of the Instructions, The Book of Discipline 2016, and the Plan of Organization and Rules of Order. Petitions meeting all requirements will be considered valid and published in the Daily Christian Advocate. This is an automated reply. Please direct any questions or correspondence about the petition process to aherrera@umcgc.org.

⁵ Minutes of the 2021 Arkansas Annual Conference

FRIDAY MORNING

Question of Law -- Presented by Rev. Keith Dodson, Senior Pastor of Mountain Home FUMC. Rev. Dodson requested a decision of law on the "Petition to Clarify Deadlines in Paragraph 507," recently adopted by the Arkansas Annual Conference, namely, is the petition, "Petition to Clarify Deadlines in 507," adopted by the Arkansas Annual Conference on June 3, 2021, and submitted by the Conference Secretary on behalf of the Annual Conference as prescribed by 507.5 and 507.6, properly before the postponed 2020 General Conference Session and subject to the provisions of 507.8 and 507.9? Bishop Mueller then shared he would release a decision of law within the next (30) thirty days.

Analysis, Rationale and Ruling

The request for a ruling on this question of law is proper since it was presented in writing, addressed business undertaken during the Annual Conference Session and was submitted prior to the adjournment of the Conference.⁶

It is important to note that this question of law is being raised because of a situation not foreseen by *The Book of Discipline*. The unprecedented COVID-19 pandemic not only has caused tremendous suffering globally, it has raised a number of significant questions concerning how the United Methodist Church conducts its connectional life when General Conference cannot meet and make decisions about matters that are time sensitive. Several notable examples include the election of Bishops to General Agencies when General Conference cannot meet to elect them, the mandatory retirement of Bishops when Jurisdictional Conferences cannot meet to vote them into a retired relationship and the denomination's proposed quadrennial budget that General Conference cannot adopt because it cannot meet.

This question of law focuses on whether the fact that a General Conference has been postponed because of unforeseen circumstances impacts the required deadlines for submission of proposed legislation to be considered by General Conference in light of the authority of General Conference as delineated in ¶16. Article IV⁷ to set deadlines and the means of dissemination of information concerning business properly before the conference.

The Judicial Council recently has provided helpful guidance concerning this question of law in two distinct ways. In the first instance, the Judicial Council in Decision 1409⁸ ruled that the authority given to the General Conference to enact legislation (in this particular case the process for adopting the denomination's quadrennial budget) must be adhered to even when unforeseen circumstances might suggest to some people that a 'common sense' solution outside the requirements of *The Book of Discipline* should be employed,

⁶ *The 2016 Book of Discipline*, ¶51, Article VII

⁷ *The Book of Discipline 2016*, ¶16, Article IV

⁸ Judicial Council decision 1409, *IN RE: Request from the General Council on Finance and Administration for a Declaratory Decision on The Meaning, Application or Effect of ¶806.1 of The 2016 Book of Discipline on 2021 General Church Apportionments, March 25, 2021*

Digest of Case

The General Conference has full legislative authority in matters of quadrennial budgets and apportionment formulas and acted accordingly in 2016 by adopting the 2017-2020 budget. All recommendations submitted by the General Council on Finance and Administration as part of the process set forth in ¶ 806 require approval of the General Conference. The proposed Base Percentage cannot be used for calculating 2021 apportionments without prior authorization.

Absent General Conference action, the 2017-2020 budget, including approved apportionment formulas, continues to be legally binding and operative until replaced by a new quadrennial budget.

In the second instance, the Judicial Council in Decision 1401⁹ declared that the Commission on the General Conference's ability to nullify a vote at the 2019 General Conference after the fact is limited by the authority given to the General Conference, even when an independent investigation determined that suspected voting irregularities may have affected the results of the vote,

Digest of Case

The Commission on the General Conference acted improperly by nullifying ¶ 2553 (Petition 90066 as amended) in between sessions of the General Conference. The action of the Commission is unconstitutional and, therefore, null and void. Our ruling in JCD 1385 on the validity and effective date of ¶ 2553 is affirmed.

Taken together, these two recent Judicial Council decisions make it clear that the legislative authority of General Conference must be adhered to even in unforeseen extraordinary circumstances. It is from this perspective that ¶¶507.5 and 507.6¹⁰ must be examined,

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6. If petitions are transmitted by a means other than a national postal service, they must be in the hands of the petitions secretary no later than 230 days prior to the opening session of the General Conference.

Exceptions to the time limitations shall be granted for petitions originating from an annual conference session held between 230 and 45 days prior to the opening session

⁹ Judicial Council Decision 1401 *IN RE: Request form the Council of Bishops for a Declaratory Decision on the Constitutionality, Meaning, Application or Effect of Paragraph 2553 (Petition 90066 As Amended)*

¹⁰ *The 2016 Book of Discipline, ¶¶507.5 and 507.6*

of the General Conference, and for other petitions at the discretion of the Committee on Reference.

These two paragraphs tie the deadlines for submitting petitions to be considered by General Conference to when General Conference actually convenes and not when it is scheduled to convene. The 'opening session' is an actual event. It can only occur when the Conference is called to order. It is not something that can be defined as an anticipated date that never actually occurred. *The Book of Discipline 2016* nowhere gives any group the authority to 'freeze' the deadline for the submission of petitions based on the originally scheduled opening session. It also does not authorize any entity to develop an alternate set of procedures for conducting General Conference if it is delayed or faces an unforeseen circumstance. The only entity that can change these requirements is General Conference.

I rule that the "Petition to Clarify Deadlines in ¶507" is properly before the postponed 2020 General Conference session when it convenes because it has met the requirements of that paragraph and, therefore, is subject to all provisions of ¶507, including ¶¶507.8 and 507.9.