



JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH
 CONSEIL JUDICIAIRE DE L'EGLISE METHODISTE UNIE
 RECHTSHOF DER EVANGELISCH-METHODISTISCHEN KIRCHE
 CONSELHO JUDICIAL DA IGREJA METODISTA UNIDA
 CONSEJO DE LA JUDICATURA DE LA IGLESIA METODISTA UNIDA



Petition for Declaratory Decision

This form is to be used by the Secretary of the body authorized to petition the Judicial Council for a ruling in the nature of a declaratory decision as to the constitutionality, meaning, application, or effect of (please check one):

- The Book of Discipline 2016* or any portion thereof (§ 2610.1)
- any act or legislation of a General Conference (§ 2610.1)
- any proposed legislation (§ 2609.2)

Name of body authorized to make a Petition (§ 2610.2): Northeastern Jurisdiction
 Date of session: 10/15/2022 (month/day/year) Location: New Jersey
 Name of Secretary: Rev. Dr. Thomas L. Salsgiver
 Address: 303 Mulberry Dr City: Mechanicsburg,
 State/Province: PA ZIP/Postal Code 17050 Country: USA
 Phone: 717/766-7871 Fax: _____ E-mail: tsalsgiver@susumc.org

To be reviewed (indicate paragraph number, title of legislation and/or act where applicable):

Book of Discipline: ¶ 2610.2(f), ¶49 Article V, ¶415.1 and/or ¶522
 Legislation: _____
 Act of General Conference: _____

Signature: Rev. Dr. Thomas L. Salsgiver Date: 10/19/2022
 Secretary of the Conference/Body (month/day/year)

The following must be attached:

- Text of the written Petition for Declaratory Decision as originally presented
 - Minutes of proceedings
 - List of names and addresses of interested parties, including eu mail
 - Other relevant materials (e.g. conference rules, resolutions, policies, reports)
- Send electronic copy of this form and all materials in PDF and Microsoft Word format to: **secretary@umcjudicialcouncil.org**
- Mail thirteen (13) sets of hard copies to:
**UMC Judicial Council, c/o LaNella Smith, Assistant to the J.C. Secretary,
 1215 Shady Lane, Durham, NC 27712**

NEJ Special Session October 15, 2022

Jay Williams New England

Declaratory Decision

I move that the Jurisdictional Conference request a Declaratory Decision from the Judicial Council, according to ¶ 2610.2(f), as to whether the zero election recommendation of the NEJ College of Bishops is legislative in nature and in violation of ¶49 Article V of the Constitution, and/or ¶415.1 and/or ¶522, and the constitutional separation of powers.

NEJ UMC - Virtual Special Called Session
Saturday, October 15, 2022
9:00 a.m. – 1:30 p.m.
Hosted by the New Jersey Annual Conference
Bishop John Schol Presiding

The Special Called Session of the Northeastern Jurisdictional Conference began a welcome by Bishop Thomas Bickerton and worship. Bishop Cynthia Moore Koikoi gave the message.

Bishop Sudarshana Devadhar called the meeting to order.

NEJ Secretary Tom Salsgiver (SUS) explained the voting procedures as well as participating in the parliamentary process.

NEJ Secretary, Tom Salsgiver (SUS) expressed thanks to the delegates, youth representatives, bishops, episcopacy committee, and Zoom guests. He acknowledged the Greater New Jersey staff, DCM, IT Team, Monitors from two General Agencies, NEJ Officers, and other identified people present who knew that only delegates may vote. He also stated that youth representatives have voice and may be recognized to speak about a matter before the conference, but do not have vote.

ORGANIZING MOTION

Secretary Salsgiver moved that the bar of the conference be all of the delegates on this Zoom webinar. They will have voice and vote. Additionally, on site at the Greater New Jersey Mission and Resource Center are delegates of the Jurisdictional Conference who also are part of the bar of the conference.

In addition, as part of the motion. He reported that there is a quorum to proceed with the special called session.

- Delegates Voting: 146
- In Favor: 129
- Against: 17
- Results: The motion passed.

POINT OF ORDER

Drew Dyson (GNJ) sought clarification in terms of paragraph 522 of The 2016 Book of Discipline, which outlines the role of the College of Bishops and Jurisdictional Conference presiding officers. He wanted clarity on whether it is appropriate for Bishops to present a report to the Body that contains a clear and specific recommendation on the number of Bishops to be elected. It could be viewed as a violation of paragraph 522 of the Book of Discipline and could be argued that it violates the constitutional principal separation of power as well.

Bishop LaTrelle Easterling responded that the Northeastern Jurisdiction College of Bishops simply purposed to offer information as a gift, as an offering to the delegation for their discernment and their prayerful consideration as they do their work. This was expressly stated in the report that the College offered. The College does not believe that it crosses a line, nor is in violation of the Book of Discipline. The delegates were simply asked to receive it, consider it, and then do what they will with it as they do their elected work.

Drew Dyson followed that it was not the report itself that violates paragraph 522, it is the recommendation that delegates elect zero bishops. It crosses the line from the report to the recommendation to the Body. He requested a ruling from the chair. Bishop Schol, presiding bishop responded that paragraph 522 does not say anything preventing bishops from giving a report or making a recommendation. He indicated that bishops may present legislation to the General Conference, which is a form of a recommendation, and asked couldn't that be extended to the Jurisdictional Conference as well? After discussion, Bishop Schol ruled that the report as presented was in order.

APPEAL

Drew Dyson appealed the ruling of the Chair. After hearing each of their rationales, voting took place on the appeal of the chair's ruling.

- Delegates Voting: 148
- Yes – to sustain the chair's ruling: 75
- No – do not sustain the chair's ruling: 73
- Results: The Body sustained the Chair's ruling.

POINT OF ORDER

Rebecca Girrell (NE) questioned the adoption of Rules. She referenced NEJ Rule 50 on page 30 of the participant guide that states that the Body must adopt Rules to govern its meeting, which had not been done, which made the meeting out of order. Bishop Schol indicated Rebecca Girrell was correct and thanked Rebecca for bringing this to the attention of the Body.

MOTION

The NEJ Secretary Tom Salsgiver (SUS) moved that the Rules that were adopted in 2016 be used as the Rules for this Special Called Session of the Northeastern Jurisdictional Conference. There was a second.

Question from Rebecca Girrell (NE) sought clarity about meeting virtually and in person according to NEJ Rules and using Robert Rules were in accordance with Rules beginning on page 30. Bishop Schol shared that the NEJ Rules state that if it is not in the NEJ Rules, then Roberts Rules are used, which shows Rules for online meetings.

AMENDMENT

The motion was amended, which stated that basic information about page numbers and items of that nature will be responded to directly to the individual. But anything that pertained to the Body as a whole would need to come before the Body. It was seconded.

- Delegates voting: 138
- Yes – In favor: 126
- No – Against: 12
- Results: The amendment passed.

MOTION

To approve Rules that the Body will use including Roberts Rules of Order that will allow the Body to work virtually.

- Delegates voting: 139
- Yes – to adopt: 115
- No – to not adopt: 24
- Results: It passed

REPORTS

The Body heard conference reports that centered around collaborative work and affiliations within the Northeastern Jurisdiction in terms of sharing one or two Bishops.

- Report presented by Kathleen Kind (SUS). Bishop Sandra Steiner Ball, West Virginia Conference and Bishop Cynthia Moore-Koikoi, Western Pennsylvania Conference, together supervise Susquehanna Conference
- Report presented by Megan Shitama (PD). Bishop LaTrelle Easterling supervises the Baltimore-Washington Conference and Peninsula Delaware Conference.
- Report presented by Dawn Taylor-Storm (EPA). Bishop John Schol supervises the Greater New Jersey Conference and Eastern Pennsylvania Conference.

The report from the Northeastern Jurisdiction College of Bishops was presented by Bishop LaTrelle Easterling (BW). She referenced pages 18 and 25-28 of the booklet. The College of Bishops is recommending to elect bishops in 2024 and the College of Bishops provide coverage for open episcopal areas.

Bonnie Marden presented the report from the Committee on Episcopacy, page 18-24 and 29. After prayer and discernment, the recommendation is for one bishop to be elected.

There was a question about how many were participating in the virtual meeting. The chair responded that 161 delegates registered to be a part of the jurisdictional conference. And online, there were 159 voting delegates. 161 registered. There are some delegates that are not voting on certain votes.

RECESS

The Conference recessed for 10 minutes.

Following the recess, it was proposed that instead of breaking into small groups for conversations, delegates would have the opportunity to have questions answered / receive information for them to vote on the Episcopacy Committee recommendation. Delegates would use the Zoom Chat feature to post questions.

MOTION

NEJ Secretary Salsgiver (SUS) moved that the Body would not move to small groups, but rather move to voting once the Committee on Episcopacy made their motion regarding the election of one Bishop.

Bishop Schol clarified that the Body would eliminate the small group work and allow people to type in their questions. The motion was seconded. There were four speeches against the motion and no speech for the motion. There was a motion to call the question and a second.

The call for the question required a two-thirds vote.

- Delegates voting: 143
- Yes – call the question: 126
- No – continue discussion on the motion: 17
- Results: Needed 95 to pass. It passed.

MOTION

The conference voted on the motion to reorder the agenda.

- Delegates voting: 140
- Yes – In favor to reorder the agenda and not going into the small groups: 68
- No – If you do want to go into small groups: 72
- Results – The motion does not pass. The conference recessed to meet in small groups to identify questions and have conversation among the delegates.

After small groups met, Bishop Easterling (BW) and Bonnie Marden (NE) answered questions raised by the delegates.

MOTION

On behalf of the Northeastern Jurisdictional Committee on Episcopacy, Tom Lank (GNJ) moved that the 2022 Northeastern Jurisdictional Conference hold an election for one Bishop. Because it came from committee, a second was not needed. There was a speech against the motion.

AMENDMENT

Fred Brewington (NY) presented an amendment to the motion, for electing two bishops instead of one. There was a second. He provided rationale followed by speeches for and against.

CALL THE QUESTION

Kathleen Kind (SUS) called for the question on the amendment to elect two bishops. It was seconded.

- Delegates voting: 147
- Yes – in favor of calling the question on the amendment: 124
- No – those who wanted to continue conversation on the amendment: 23
- Results: Required votes was 98. It passed.

AMENDMENT

To amend the number of bishops to be elected for the Northeastern Jurisdiction from one to two.

- Delegates voting: 147
- Yes – to amend the motion for electing two bishops: 81
- No – to not amend the motion for electing two bishops: 66
- Results: The amendment passed.

The motion is now for the election of two bishops.

MOTION TO POSTPONE

Harriet Olson (GNJ) made a motion to postpone conversations or refer the final number of bishops to be elected to the next session of the Northeastern Jurisdictional Conference. It was seconded. There were three speeches for and two speeches against the motion.

CALL THE QUESTION

The question to refer to the November Northeastern Jurisdiction Conference for the final number to be determined. There was second.

- Delegates voting: 146
- Yes - to refer vote on the question: 128
- No - to continue conversation: 18
- Results: Two-thirds required which would be 97. There was a call for the question.

VOTING

Harriet Olson (NE) motion to refer the question to the Northeastern Jurisdictional Conference

- Delegates voting: 145
- Yes - to refer: 62
- No - to refer: 83
- Results: It did not pass.

CALL THE QUESTION

The amended main motion to elect two Bishops was called by Randall Bain (WPA). There was a second.

- Delegates voting: 147
- Yes – to call the question for electing two bishops: 111
- No – to not call the question for electing two bishops: 36
- Results: Needed 98 votes for two-thirds. It passed.

POINT OF ORDER

Rebecca Girrell (NE) raised a Point of Order about speeches. Her question was about following rules regarding three speeches for and three speeches against when voting. Bishop Schol explained that he researched the matter and there was not a Rule that said how many speeches were needed before someone could call the question. He also indicated that he did not find any such rule in Roberts Rules of Order. The call for a question was in order.

VOTING: EPISCOPACY COMMITTEE MOTION

The Body moved to vote on the Episcopacy Committee motion, by Fred Brewington (NY) to elect two bishops instead of one bishop.

- Delegates voting: 150
- Yes – elect two bishops: 81
- No – do not elect two bishops: 69
- Results: The motion passed to elect two bishops at the November session of the Northeastern Jurisdictional Conference.

DECLARATORY DECISION

Jay Williams (NE): “I move that the jurisdictional conference request a declaratory decision from the judicial council according to paragraph 2610.2F as to whether the zero-election recommendation by the NEJ College of Bishops is legislative in nature and in violation of paragraph 49. Article V of the constitution and/or paragraph 415.1 and/or paragraph 522 regarding the constitutional separation of powers”. It was seconded. Bishop Schol reminded the body that this motion required a 20% vote to forward the question to the Judicial Council.

- Delegates voting: 136
- Yes: Forward to the Judicial Council: 81
- No: Do not forward to the Judicial Council: 55
- Results: It passed. The request for a declaratory decision will be sent to the Judicial Council

QUESTION OF LAW

Jay Williams (NE) submitted a question of law: ““Is the special 10/15 session – held virtually using Zoom webinar with chat function regularly disabled and without the capacity to see and

speak to one another and confer – a legitimate jurisdictional conference that is in order and keeping with the mandate to holy conference, according to paragraphs 27, 518, 521 and in accordance with the mandate for open meetings prescribed by par 722? And is the special session also in violation of the NEJ Rules, given that the body did not adopt a format to govern electronic meetings, as required by Roberts Rules of Order?”

That question will be answered and sent to the Judicial Council within 30 days.

CLOSING AND ADJOURNMENT

Bishop Devadhar closed the special call session with prayer followed by the adjournment from Bishop Schol at 1:29 p.m.

0423-03 Interested Parties

Northeast Jurisdictional Conference October 2022 Special Session Petition for Declaratory Decision

Rev. Dr. Thomas L. Salsgiver [NEJ Conf Secretary] <tsalsgiver@susumc.org>

Rev Dr Jay Williams [Moved RDD] <revjay@unionboston.org>,

Bishop John Schol [presiding Bishop] <bishopjohnschol@gnjumc.org>,