

RESPONSE THE DECISION OF BISHOP GWINN AND REASONING
BEHIND THE DECISION

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Analysis of the Petition

The five questions of law presented to the bishop of the North Carolina Annual Conference in the 2012 session can be subsumed under two basic inquiries:

(1) Did the Bishop and the task Force appointed by him act in a legitimate and authorized manner in what they did following the 2011 Annual Conference, viz. closing all district offices, create "virtual offices", moving all administration of the previous twelve districts to the Conference Headquarters in Garner, terminating all district support personnel, directing district superintendents to sell all district parsonages and receiving all district assets (proceeds of sale of parsonages, other property, investments and accounts held by the districts) into the Conference treasury, redefining the role of district superintendents and creating a new position of assistant to the district superintendent.

(2) Are these actions in accordance with the 2008 Book of Discipline?

Description of the Situation

In the Conference year, 2011 - 2012, major structural changes were undertaken by the Bishop Alfred W. Gwinn and members of the Transition Team appointed by the Bishop which were never presented to the Conference, debated by the Conference nor voted on by the Conference. No one in the Conference was aware that this would be done until months after the close of the 2011 session. There is no disputing the fact that the report of the Task Force on District Superintendency was accepted by the Conference by vote (even though it does not appear in the Minutes or Conference Journal), but this report does not envision, detail, anticipate nor authorize the sweeping changes that were made in the interval between annual conferences.

Under Question One, the Bishop has correctly noted the four primary provisions of the report: (1) reduction of the number of districts from twelve to eight; (2) provision for each district to have a full-time administrative assistant to handle all non-appointive and non-judicial administrative matters; (3) relocation of district offices out of the district parsonages where this is still the practice; and, (4) the creation of a Transition Team appointed by the Bishop to accomplish these tasks.

The work of the Transition Team went far beyond these approved matters, abolishing all district offices, moving all administrative matters to the Conference office, providing that superintendents would now do their work primarily through "virtual offices" and instead of eight full-time administrative assistants, hiring eight "assistants to the district superintendents" to do many of the duties previously performed by district superintendents under ¶ 419, and moving all clerical work, to the Conference Headquarters in Garner in one singular office termed "District Office."

As will be stated later in this brief, in effect, the Bishop abolished districts as they were commonly known, replacing the offices with what the Task Force termed "virtual offices." Instead of eight districts, with eight district identities, with eight points of contact, there is one district office, one telephone number all located in Garner. Superintendents are not superintendents as defined by the *Discipline* but managers operating out of the Garner office now

"coaching, huddling and mentoring clergy and lay leadership in specific areas of the Conference. The identity of the individual district with office location, staff etc. is lost.

The Bishop states, "*The Report of the Transition Team was presented in detail to the Annual Conference on June 14, 2012 by the Chairperson, The Reverend Linda Taylor, and by The Reverend Harold Cleveland May III, a member of the Team.*"

What he does not say is that all of this reporting was after the fact. All district offices had been closed, all parsonages had been put on the market, some parsonages had already been sold, and all district employees had been terminated. The radical re-organization and all of the actions taken by the Task Force had never been before the Annual Conference. The report of the Transition Team was a report on what had already been done and was information for the Annual Conference.

The Bishop also states, "*The 2011 Annual Conference not only approved this reorganization of the districts as envisioned by the Task Force, but approved the creation of the new positions as full-time administrative assistants with an entirely new set of job descriptions.*" A simple reading of the report will reveal that this simply is not accurate. When one reads through what the Conference approved in the report submitted in 2011, there is nothing about closing district offices. The Annual Conference members understood that reducing the number of districts from twelve to eight would logically increase the work load of administrative assistants. Of the twelve administrative assistants in place, eleven were part-time, working typically from twenty to twenty-five hours per week. Anyone having served as a district superintendent knows that many duties are accomplished with the work and support of an administrative assistant in an office, but they are not done by "assistants to the district superintendents" moving through the individual districts at their own initiative apart from the superintendent and on their own.

When members of the North Carolina Annual Conference left their last session in June, 2011, they believed they had taken action to reduce the number of districts from twelve to eight. This was done to "save \$360,000 per year." They also acted to move the district offices out of the district parsonages. Six were already in other locations near the district parsonages, and six were still in offices created in the parsonages. This moving of the offices out of the parsonage had been discussed for years with some clergy and laity eagerly desirous of this action and others indifferent. It was never a point of great controversy.

Never was it revealed that all district offices would be closed. Changes in structure were held *sub secretum* and revealed piecemeal through the course of the conference year. Now if one wants to contact a district superintendent, one calls "District Office" in the Conference Headquarters, which represents all the districts. The receptionist decides if the call should be forwarded to a superintendent, an assistant to the superintendent or the bishop. District identity is essentially lost. This has immense implications for the Connection.

When Bishop Gwinn argues, "*Insofar as Rev. Simpson challenges the Transition Team's authority to take any of the above-named actions, the Conference's approval of the recommendations of the Task Force on District Superintendency and subsequently the Report of the Transition Team clearly rebuts any such argument...*" he is not accurate. There are two reports here, the first presented in 2011, the second in 2012. When the second report was presented, that of the Transition Team, the changes had already been made with no input or approval by the Annual Conference. Offices had been closed and parsonages sold. Former district employees had been terminated and new persons had been hired for the one "District Office" in Garner.

The Bishop states, "*The 2011 Annual Conference not only approved this reorganization of the districts as envisioned by the Task Force, but approved the creation of the new positions as full-time administrative assistants with an entirely new set of job descriptions...*" As we have already noted, this is simply not the case as noted in the above referenced comments of this brief regarding administrative assistants.

In place of distinct district identity, all administration and contact is through the Conference office. The "District Office" (singular) address as given on the website as,

District Office
NC Conference
of The United Methodist Church
700 Waterfield Ridge Place
Garner, NC 27529

It gives the phone numbers for all the districts as,

Contact Information
Phone: 919.661.9967
Toll-free: 888.661.4941
Fax: 919.882.8460

All district telephone numbers are the Conference office, and the direction of inquiries for the district superintendent goes through the Conference office.¹

In the *Book of Discipline*, ¶ 401 we find this statement:

The task of superintending in The United Methodist Church resides in the office of bishop and extends to the district superintendent, with each possessing distinct and collegial responsibilities.

This relationship is further defined in ¶ 403

The offices of bishop and district superintendent exist in The United Methodist Church as particular ministries. Bishops are elected and district superintendents are appointed from the group of elders who are ordained to be ministers of Service, Word, Sacrament, and Order and thereby participate in the ministry of Christ, in sharing a royal priesthood that has apostolic roots (1 Peter 2:9; John 21:15-17; Acts 20:28; 1 Peter 5:2-3; 1 Timothy 3:1-7).

It may not be so stated but it is clear that the author(s) seemed to have in mind a relationship defined by mutual sharing in supervisory and administrative functions. Even as they are shared, however, each of the district offices has distinct loci. The bishop had certain responsibilities apart from those of the superintendent. Yet, as elders, working collegially, they would fulfill the ministry of supervision.

Under the plan initiated in the North Carolina Conference, the "*distinct and collegial*" nature has been reduced to the point of being lost. District superintendents are no longer district superintendents as defined by the Discipline. They are now district managers whose office is *de facto* the Methodist Building in Garner. The statement in ¶¶ 419 - 426 on the relationship between bishops and district superintendents which says, "*...both the office of bishop and that of district superintendent are embedded in their own contexts...*" hardly pertains. There is now one district office, one receptionist and one set of secretaries or administrative assistants to do the work, all under the supervision of the bishop. Is this what the Book of Discipline in ¶¶ 401-404 and 419 - 426 envisions?

Bishop Gwinn, in his response notes that "*The Report of the Transition Team was presented in detail to the Annual Conference on June 14, 2012 by the Chairperson, The Reverend Linda Taylor, and by The Reverend Harold Cleveland May III, a member of the Team. After extensive questions and discussion, the report was accepted and approved as submitted.*" It is accurate that the report was accepted in 2012, but the details of the changes, viz., the sale

of parsonages, closing of district offices, and termination of district employees was a *fait accompli*. The report did not seek approval but only reported on what had been done.

The Bishop had instructed superintendents to proceed with the sale of parsonages and arrange for all records to be sent to Garner in the early spring of 2012. In a letter to him, dated March 8, 2012, I pointed out that ¶ 2517 states, "*Except as the laws of the state, territory, or country prescribe otherwise, district property held in trust by a district board of trustees may be mortgaged or sold and conveyed by them only by authority of the district conference or annual conference.*" My concern was that trustees would be granting general warranty deeds without proper approval. As we are aware, "*The general warranty deed is distinguished from the special warranty deed in that it contains a guaranty from the grantor that title to the real property is superior to any person who makes a claim whether such person claims through the grantor or otherwise.*" [Webster's Real Estate Law in North Carolina ¶¶ 10-3] Without approval by either a district conference or an annual conference the North Carolina Conference could be liable in the future from anyone making a challenge on the right to convey a property.

I wrote the Bishop on March 8, 2012 expressing my concerns. Four days later, he instructed the Cabinet to prepare for district conferences. The chair of the property section of the Transition Team called me to say that three of the parsonages were already under contract. I explained that my only purpose was to try to prevent the annual conference from conveying these properties in a manner that would create a liability in the future. District conferences were called, most within three weeks, and motions were passed to assure that the legal provisions were met. The action to invest the proceeds of the sale of these houses, previously held in trust by district trustees, and to pay housing allowances to the superintendents out of these funds has never been placed before the Annual Conference for action. It has simply been announced and explained.

Bishop Gwinn argues that, "*Insofar as Rev. Simpson challenges the Transition Team's authority to take any of the above-named actions, the Conference's approval of the recommendations of the Task Force on District Superintendency and subsequently the Report of the Transition Team clearly rebuts any such argument.*" I do not question that the Task Force on Superintendency Report was approved in 2011, but as lay persons and clergy persons alike have stated, "This is not what we voted on."

Bishop Gwinn states, "*Rev. Simpson specifically cites Judicial Decisions 1147 and 1204 to support his claims.*" Yes, I have cited those Judicial Council decisions as examples of where the action of an Annual Conference in adopting a new structure that violates the *Book of Discipline* can be ruled invalid. The Bishop's comments about 1147 and 1204 misses the point that these were referenced only to indicate that the Judicial Council had decided on matters of conference structure when changes were initiated and it was determined that they were not in conformity with the *Book of Discipline*. The North Carolina Annual Conference case is quite different from the specifics of those other cases, but the Judicial Council has ruled on other cases where the structural changes of an annual conference were challenged.

Bishop Gwinn cites ¶ 614.1 and notes, "*The Book of Discipline 2008 does not mandate any certain method of organizing district offices or the hiring of certain district staff. Instead, the Discipline gives the Conference Council on Finance and Administration ("CF&A") the duty to estimate the amount of financial support required for the district superintendents, their compensation, travel, staff, office and housing and to make recommendations to the Annual Conference for action.*" According to what CF&A members have reported when questioned, they had no idea that this budget was to do what was accomplished by the Transition Team. It is not accurate to say that in 2011, that CF&A knew or approved of any such reorganization. The minutes of CF&A will support the fact there was no such discussion. It is true that the Council on Finance & Administration is supposed to estimate the cost of financial support for the

district superintendents, their compensation, travel, office and housing and make recommendations to the Annual Conference for action. They did this in the 2011 Annual Conference but with no knowledge that the district offices would be closed. Again, it was neither known nor reported by the Council to the Annual Conference, and for good reason: they were not aware this was envisioned.

The budget presented by CF&A covered the cost of superintendents' salaries and compensation. The cost of administration of the districts, however, has never been a part of the Annual Conference budget. This has always been done by district boards of trustees and paid for through the collection of district work funds. The district trustees have set the amount (usually a percentage of salary and other compensations paid to the pastors in the charges) and have been responsible for the budgets of the individual districts. These have been paid by district treasurers. Thus the citation of Bishop Gwinn regarding the Council on Finance and Administration does not apply, except to the cost of superintendent's salaries, health insurance, pensions and travel. The cost of housing, utilities in each district parsonage, repairs and the like, as well as the cost of the office have had no relation to the annual conference except through reporting the amount spent by the district board of trustees and treasurers and supplying an audit of district funds.

Considering the difficult housing market, the somewhat rushed sale of the twelve houses, and the disposition of the furniture in the twelve houses, the sale or other disposition of office equipment and furniture, the canceling of office leases in several districts and purchase of new equipment for the virtual offices, the expense to the Annual Conference could be extensive. It would have been good if somehow the members of the Conference could have known what was happening and had the opportunity to raise questions and pass enabling legislation if this was the direction that the Conference wished to move.

The development of district offices and the structure of which they were a part has evolved over the years. The *Book of Discipline* does give to the bishop under ¶ 415.4, the authority, "*To form the districts after consultation with the district superintendents and after the number of the same has been determined by vote of the annual conference.*" This has been affirmed by Judicial Council Decision 422 in 1977.

The 2011 Annual Conference did determine the number of districts to be eight, if one interprets that to accept the report of the Task Force constitutes such action. But does the *Book of Discipline* give the right to the bishop to abolish the district offices and establish "virtual offices?" To this point, we have known by consensus what a district was, what were the features of districts, what the structure of a district was and how they operated. With *virtual offices* one can only imagine what this experiment means. In effect, the Bishop has created not eight offices but one (located in Garner).

In Question 3, I raise the issue of creating a new position as assistant to the district superintendent and assigning duties specifically charged to a district superintendent. The new position, open to either clergy or lay persons, is not a clerical position but an administrative/supervisory position. Under the previous plan, the clerical work was done by administrative assistants usually known as district secretaries. All but one of these were part-time, typically 25-30 hours per week. Depending on the direction of the superintendent, they could schedule charge conferences, arrange appointments with committees, take dictation and do financial accounting as well as other clerical duties.

All administrative assistants in the twelve districts were terminated. They were told they could apply for new positions. Of the eight persons selected to fill the new position, one was a retired elder, two were part-time local pastors, and the five others were lay persons, the majority of whom had had no experience in district administration.

A real issue is whether or not it is appropriate or in accord with the *Book of Discipline* for administrative assistants to the superintendents to have this new role. The Report of the Task Force on Superintendency in the 2011 Conference specified that each district was *to have a full-*

time administrative assistant to handle all non-appointive and non-judicial administrative matters. In contradistinction to this understanding the job description for the new position, the assistant to the district superintendent now has responsibilities normally reserved for the District Superintendent, ostensibly under supervision of the District Superintendent even though there is no district office except in the conference headquarters.

No one at the 2011 Annual Conference was told nor was it anticipated that there would be a newly created position of assistants to the district superintendents hired to undertake many of the duties charged to the superintendents under ¶¶ 419 - 426 of the Book of Discipline. It was understood that when Task Force Report in 2011 was adopted and when it stated, "*That each district have a full-time administrative assistant to handle all non-appointive and nonjudicial administrative matters related to the work of the district, thus freeing the superintendent for more time in the charges and with the pastors...*" that this was necessary to handle the administration. The members of the North Carolina Annual Conference understood that this was simply increasing the hours of administrative assistants. They understood that the role of a secretary or administrative assistant was the one which conforms to the U. S. Department of Labor definition of administrative assistant:

Secretaries and administrative assistants perform a variety of clerical and organizational tasks that are necessary to run an organization efficiently. They use computer software to create spreadsheets, compose messages, manage databases, and produce presentations, reports, and documents. They also may negotiate with vendors, buy supplies, manage stockrooms or corporate libraries, and get data from various sources. Specific job duties vary by experience, job title, and specialty. [U.S. Department of Labor, *Occupational Handbook*, "Secretaries and Administrative Assistants."]

If the Transition Team wanted to pursue the additional changes which would radically alter the definition of a district, there should have been consultation, listening sessions, opportunities for dialogue and a plan presented to the upcoming session of the Annual Conference in 2012. The report that was presented was *fait accompli*. The 2012 Conference was told that the districts were closed and replaced by "virtual offices."

The Transition Team explains that the administrative assistant under the new plan is, "*to keep and maintain supervisory records on all ministerial personnel appointed or related to the charges within the district, ...to cooperate with the district board of church location and building and local church boards of trustees or building committees in arranging acquisitions, sales, transfers, and mortgages of property; and to ensure that all charters, deeds, and other legal documents conform to the Discipline and to the laws, usages, and forms of the county, state, territory, or country within which such property is situated and to keep copies thereof...* , *...to receive plans for the cultivation of giving from each congregation that includes for current and deferred financial support in local churches for district, conference, and denominational causes, ... to serve within the district as acting administrator of any pastoral charge in which a pastoral vacancy may develop or where no pastor has been appointed,*" and *...to see that the provisions of the Discipline are observed and to interpret and decide all questions of Church law and discipline raised by the churches in the district...* ." The full list of these responsibilities may be seen in the job description attached to this brief.

These are tasks specific to the office of the district superintendent according to the *Book of Discipline* ¶ 426. Is it appropriate for these assistants to be given these responsibilities to act autonomously when the Discipline is clear in charging the district superintendents with these tasks under ¶ 426? Is it appropriate, for example, for lay persons to maintain the supervisory personnel records of pastors? Are they the ones (as the report says) who will meet with churches to assist them in defining their mission? Does the administrative assistant to the district superintendent assume responsibility for a church when a vacancy occurs, as the job description

states? And does the administrative assistant "decide on all questions of Church law and discipline raised by the churches in the district?" It hardly seems appropriate that this would be done by anyone other than the district superintendent, and if challenged, referred to the bishop..

In Question 4, I raise the issue of what are the limits of the power of the annual conference. In ¶16 of the *Book of Discipline* the annual conferences are assured that they can "utilize structures unique to their mission," but in this case the North Carolina the Conference did not undertake these structural changes (only the Bishop and Task Force) and the changes went far beyond what the *Book of Discipline* envisions. For the reasons referenced above, in particular consideration of the sections of the *Discipline* from ¶¶ 401-426, a new and radical understanding of what constitutes a district has been implemented. We have in essence lost our districts in the North Carolina Annual Conference and have had them replaced with "virtual offices" and a structure that looks like nothing anyone ever expected.

The response of the Bishop to Question 5 is to say that it is moot and hypothetical. Typically a moot case or a moot point is one not subject to a judicial determination because it involves an abstract question or a pretended controversy that has not yet actually arisen or has already passed. Mootness usually refers to a court's refusal to consider a case because the issue involved has been resolved prior to the court's decision, leaving nothing that would be affected by the court's decision.

For churches--and especially the church of small membership--located at some distance from Garner, the issue is not moot. Suddenly they are faced with the reality that there is no district office where they can find their district superintendent. They are already having to adjust to the fact that their superintendent has a much increased work load due to the reduction in the number of districts and that they may be asked to bring their concerns to an assistant whose job is still being defined. For many issues the assistant may not have the authority to make a difference or resolve it. Churches in the Raleigh area may be aware of how to make the necessary contact. The district office is accessible. If the church happens to be on Ocracoke Island, on the Outer Banks, the district office is now two hundred and seventy miles away, including one ferry ride across Hatteras Inlet and seven hours by automobile. A shorter drive mileage-wise (two hundred miles) would involve a different ferry ride of two hour and forty-five minutes.

Under the new plan a district superintendent may choose to live anywhere, even in the opposite side of the conference. There is no office that is accessible except what is termed a "virtual office."

The basis of ministry is still personal. Technology comes in a variety of new forms, literally on a daily basis, and is a great gift to support and improve our ministry. It is not a substitute for good ministry. We remember Justice Potter Stewart's famous statement in the 1964 decision in *Jacobellis vs. Ohio*. In writing a concurring opinion on the obscenity case, he stated that obscenity is difficult to define, but "I know it when I see it." That is true for many parts of life where our subjective judgment of an important reality defies easy expression or language. And good ministry often falls into that category. We know it when we see it.

The ministry of supervision in the United Methodist Church is defined in large measure in the *Book of Discipline*. One may call the work of supervising ministry "coaching, huddling, mentoring, and vision-casting," but changing the language does not alter what good ministry is and what good supervision is. Every district superintendent worth his or her salt has done precisely what is embodied in these current terms. It remains something of value even when our language is different. Good ministry may defy precise definition, but we "know it when we see it," to borrow Justice Stewart's phrase.

The framers of the *Discipline* through the years have made a purposeful attempt to define the kind of supervision that serves the Connection through the successive General Conferences. How we see superintending will be changed, shaped and formed by the demands of the age in which we live, but it should not be determined by one or even a handful of persons without the input and consensus of the larger church through holy conferencing.

From the *Discipline* of 1792, when the term "presiding elder" first appeared in print, and going forward, it has been clear that those in this role of superintending were to be episcopal lieutenants, but the role and how it is expressed has become further refined and shaped through the years. The General Conference in its wisdom has given great specificity to the role and how it finds its place in the Connection. If there are radical changes to be made in the role of the district superintendent, and if the duties are to be divided among other offices or assistants, the General Conference should speak on the subject and it should become part of the *Book of Discipline*.

We in North Carolina have a high regard for the Office of Bishop (James O'Kelly (William Glendenning, William Whitaker and the leaders of the Methodist Protestant Revolt notwithstanding). Our understanding is well expressed in a quote from Bishop John Nuelson's writing on the subject of Methodist episcopal leadership where he quotes Asbury's analysis that our bishops are not like those of other branches of Christendom. Asbury in comparing us to Anglicans, Greeks and Lutheran, said, of Methodist bishops, "we are so different that we are not even third cousins." Nuelson writes, "The office of bishop in the Methodist Church is an administrative office of the church, an office of leadership with definite duties and rights; it does not belong to the essence of the church." [Nuelson papers, pp.124-125, in the *Biblioteca Methodistica*, Zurich, Switzerland] Nuelson's point is that Methodist bishops do not speak *ex cathedra* but in their administration are amenable to conferences, both general and annual.

We fully respect the authority of the bishop and seek to follow his or her lead, but we believe it is an office where there are clear limits to the power of the episcopacy. Unilateral changes made in the essential structure of our connection without proper debate, discussion, deliberation as well as necessary legislation can be costly.

This salient reality becomes particularly significant as bishops itinerate from conference to conference. There must be a standard for superintending at the district level that is not arbitrary nor ordered by episcopal decree. To accept otherwise in the connection means we will all suffer. General conferences have wrestled with this issue and have enacted legislation to deal with the demands of the church. The Discipline defines for us the role of the bishop and that of the district superintendent.

The North Carolina situation has implication throughout the whole of the United Methodist Church. There must be serious and prayerful consideration of what the appropriate role of a bishop should be. This goes way beyond one bishop and one conference. Hopefully, there will be serious and thoughtful discussion of how our future structure can take the best of the past and move forward into a matrix of ministry for our future. It is clear from the mood of the 2012 General Conference that there is a restlessness afoot. It finds expression in everything from how bishops are selected, to how long they serve and what power they carry. For this reason, the decisions made in the days and decades ahead will be crucial to the work of Christ for a new time. May God grant to our leaders inspiration and wisdom in the days ahead as he has in the days past.



Task Force on District Superintendency

In the State of the Church address to the 2009 Annual Conference, Bishop Gwinn announced the formation of a Task Force to Study the Superintendency in the North Carolina Annual Conference. The purpose of the task force was to consider more efficient and effective ways for District Superintendents to fulfill their ministries in the 21st century. Specific attention was to be devoted to enabling ministries of teaching, mentoring, coaching, vision-casting, and team building among the churches and pastors of the districts.

The task force was named in late summer of 2009 and began its work in the fall. Over the past eighteen months, the task force has met on numerous occasions. The process engaged by the task force included:

- Surveying the current Cabinet to determine what hinders or facilitates their work of coaching, mentoring, team-building, vision casting, and teaching
- Theological reflection on the nature of ministry in the Wesleyan tradition, particularly the ministry of
- superintendency, its evolution over the history of the denomination, and an emphasis on leadership of a movement rather than institutional management
- Conversation with other Annual Conferences who have recently redesigned their work of superintendency and an examination of the different “models” of superintendency currently being
- implemented across the connection
- Reading and discussing together a report to the Lilly Endowment on “The District Superintendency in
- The United Methodist Church” authored by Dr. William Lawrence, dean of Perkins School of Theology
- A review of the responsibilities of the district superintendent as outlined in The Book of Discipline, 2008 para. 420-424
- A comparative study of the composition of districts in the other annual conferences of the Southeastern Jurisdiction
- A review of the North Carolina Conference’s history of adding districts over the past forty five years

After a season of study and discussion, the task force agreed that the guiding principle of its recommendations would be the missional needs of the local churches of the Annual Conference and not financial implications. There will be cost savings to the Annual Conference of approximately \$380,000.00 annually in the recommendations; however the task force considers these to be a secondary, not a primary, benefit. The task force considered a number of proposals, ranging from slight and incremental change to a more radical and deep change. We acknowledge that there are significant details yet to be resolved should our recommendations be adopted. We believed our task to be the creation of a vision which others would implement.

The Task Force unanimously offers the following recommendations to the 2011 Annual Conference:

1. That the North Carolina Annual Conference affirms that the primary tasks of the district superintendents are coaching, mentoring, teaching, team-building, and vision casting and that the superintendents must be freed for relationship building among congregations and pastors for those tasks.
2. That the number of districts be reduced from twelve to eight (The Book of Discipline reserves to the Bishop, in consultation with the Cabinet, the setting of the district lines subsequent to the Annual Conference setting the number – see para. 415.4).
3. That each district have a full-time administrative assistant to handle all non-appointive and nonjudicial administrative matters related to the work of the district, thus freeing the superintendent for more time in the charges and with the pastors.

4. That the Bishop name a transition team to assist the various districts in matters of transfer of property and assets, and creating new district boards and agencies.
5. That it is the stated expectation of the conference that the district superintendent will be in each charge at least annually, but that it is no longer necessary for the superintendent personally to conduct each Charge Conference in the district.
6. That it is not the expectation of this Annual Conference that all superintendents must be present at all conference events and gatherings.
7. That each superintendent serve on no more than one conference board or agency and that no conference board or agency have more than one superintendent as a member.
8. That district offices be relocated out of the district parsonages where this is still the practice.

Respectfully submitted by the Bishop's Task Force on Superintendency: Carl Frazier, chair; Brenda Brown; Christine Dodson; Cashar Evans; Leonard Fairley; Ray Gooch; Randy Innes; Herbert Lowry; Linda Taylor

North Carolina Annual Conference District Transition Team Report

At the 2011 Annual Conference, the lay and clergy members made the decision to reduce the number of districts from twelve to eight, beginning in July 2012. This decision was the culmination of years of study, reflection, conversation, and prayer. Beginning with a Task Force to study the role of the District Superintendent, the Annual Conference determined that change, deep change, was needed. We believe that the Spirit of God has been leading us toward a convergence of many sources in order to catch a vision of a new, more vital church - a church that builds cultures of discipleship that grows discipleship in our leaders, who then lead others by example into discipleship.

The Council of Bishops has led us over the past quadrennium to a challenge for change in The United Methodist Church. The Council has issued a Call To Action that shared this broad vision with the denomination. This vision of the Council stated “for the sake of a new world, we see a new church - a church that is clear about its mission and confident about its future; a church that is always reaching out, inviting, alive, agile, and resilient. We see a church that is hope-filled, passionate, nimble, called by God, and courageous. It is a church that is passionately committed to the mission and vision of the Wesleyan movement. This church takes risks to serve the poor, reach new people, and search continuously for creative ways to help each person grow in grace, love and holiness.”

Part of the report of the Task Force on Superintendency at the 2011 Annual Conference was a request that the bishop name a task force to bring the district transition into being. Bishop Gwinn named this task force in July 2011 and it included the following members:

Lay Persons: Christine Dodson, Cashar Evans, Emily Innes, David Peele

Clergy: Bishop Gwinn, Leonard Fairley, Milton Gilbert, Cleve May, Linda Taylor

Ex-Officio Members: Tim Russell, Becky Biegger

The task force, referred to as the Transition Team, began its work in July 2011. The team reviewed the work of the previous task force and began to develop ideas for how to implement those recommendations from the annual conference. In order to facilitate the work, the Transition Team created subcommittees to pray, study, and recommend actions for the implementation of the transition. The teams were focused in four areas including Visioning, District Lines and Names, Property, and Leadership. Each subcommittee was augmented by persons outside the Transition Team for assistance. A brief summary of the work of each team follows.

VISIONING

The visioning subcommittee was tasked with the responsibility for redefining the role of the district superintendent as directed in the recommendations of the 2011 Task Force on Superintendency. The 2011 Task Force recommended a change in this position to focus on the roles of mentoring, coaching, vision-casting, teaching and team-building. The visioning team spent much time researching the history of the role and dreaming of how this new role could be fulfilled.

The visioning team worked to create a base understanding of the role of the superintendent. The district superintendent is appointed by the bishop to provide oversight to the churches and clergy of a specified geographic area. The district superintendent is to be the district mission strategist and storyteller. S/he leads clergy and local churches in becoming mission outposts fully engaged in making disciples for Jesus Christ for the transformation of the world. The district superintendent serves as “an extension of the general superintendency” (para. 417 of

The Book of Discipline, 2008) and is a representative of the bishop.

In the new role, the district superintendent must model leadership for all pastors; operate proactively rather than reactively; move from following old rules to finding new paths; move from focusing on regulation to focusing on purpose and identity; move from institutional focus to missional focus; must not just check up on pastors, but rather invest in and actively help to disciple pastors; move from being at a distance to encouraging alongside and inviting conversations; and move our congregations and leadership out of territory and turf protection (where it exists) and into teams.

The visioning team imagined what it will look like to have the district superintendent connecting personally with every pastor every week, investing in every pastor in a discipling relationship, being the example for every pastor on how to disciple others, and inviting every pastor to learn with and from each other in weekly discipleship huddles. The impact will be seen not only in the life of the district superintendent, but in pastors as they grow in their own discipleship, both increasing in boldness and empowerment, growing by knowing every pastor personally and substantively. Everything will change when all people become disciples in our communities and agents of transformation in our world.

District superintendents will move from being primarily supervisors and administrators to being coaches, mentors, teachers, team builders, and vision-casting agents. To assist in making this all become reality, district superintendents will serve on fewer conference committees and boards in order to have time, space, and energy for work within the district. The district superintendent will be more visible in communities. It is expected that four out of five days will be spent traveling around the district meeting with churches and pastors listening to their stories, their hopes, and their vision and assisting in strategic missional planning.

The district superintendent will make use of all the technology available by working from a “virtual” office. The support team to the superintendents will include:

- Assistant to the District Superintendent: Works under the direct supervision of the superintendent and will, among other things, oversee scheduling charge conferences and secure an elder to preside, answer disciplinary questions, conflict management, property issues including closed churches, and resource district committees. This person will work with the superintendent (on topics or specific persons) to arrange for group training or learning sessions.

- District Receptionist: Works under the direct day to day supervision of the Office of the Bishop. The primary role of the district receptionist is receiving phone calls and serving as the first contact for all eight districts. The receptionist will work as part of a centralized support team that will be housed in the United Methodist Building in Garner.

- District Administrative Coordinator: Works under the direct day to day supervision of the Office of the Bishop. The primary role of the administrative coordinator is to provide administrative support to the district as well as assisting the assistant to the district superintendents in district programming. Other duties will include opening and routing the mail, scheduling appointments for the district superintendent and assistant to the Page 3 – 2012 Transition Team Report to Annual Conference district superintendent, scheduling district-wide events and logistics for all eight districts, coordinating updates of the district calendars to keep events and ministry information current and accurate, sending newsletters and updating group email lists, back up district receptionist. The coordinator will work as part of a centralized support team that will be housed in the United Methodist Building in Garner.

- District Systems Administrator: Works under the direct supervision of Conference Director of Information Technology. The systems administrator will be responsible for the general maintenance of email and web services for districts, mobile computing support and end user desktop support. The systems administrator will work as part of a centralized support team that will be housed in the United Methodist Building in Garner.

DISTRICT LINES AND NAMES

The first of the transition team subcommittees worked diligently on the district boundaries and names of the eight new districts. Determination of where lines would be drawn was based on population and the potential for population growth in the next five years. The team attempted, as much as was possible, to equally balance the population in each district. Due to the large expanse of land mass in the northeast portion of the conference, the stated goal of population equalization in determining the boundary was not feasible. The subcommittee submitted recommendations for the district boundaries to the Cabinet for approval and affirmation. Through working with the cabinet, churches were named in each district. This information was shared with congregations on the Conference website and local congregations were given opportunity to request a change in their placement. Efforts were made to listen and respond to each request.

The names of the districts, with the exception of the “Corridor,” came from the on-line survey offered to the conference for input and sharing. The Transition Team worked to give attention to feedback offered from many sources. Revisions were made based on this feedback, all of which was most helpful and appreciated. The final version of the district lines, names and churches as approved by the Transition Team and Cabinet are listed on the conference website.

PROPERTY

The focus of the work of the property subcommittee was around all issues and concerns associated with district and conference property, legal, title, and other related matters. The property subcommittee worked with each of the current twelve districts concerning district parsonages and offices. Following much prayer, discussion and discernment, it was decided that all district parsonages and offices would be sold. The district superintendents worked with District Trustees to set-up district conferences to approve the sale of parsonages. All district parsonages and districts with offices have been placed on the market for sale. As of the date of this report, two parsonages and one office have been sold, two parsonages are under contract, offers have been received on two other parsonages and the others remain listed on the market for sale. The Transition Team recommends that the funds from the sale of the parsonages be placed in an account to be used for paying housing allowances for the eight district superintendents.

It was recommended and approved that all district superintendents would work from “virtual” offices and make use of currently available technology. This approach is intended to allow for more efficient and productive use of resources to help the superintendent be more present in churches instead of church leaders needing to come to an office to see the superintendent.

With the changes in the staffing and budget for the district operations, the allocation and receipt of funding for district operations will also change. In the past the districts have apportioned a District Work Fund amount to each church in the district separate from the conference budget.

Beginning in 2013, the funding for district operations will come from the conference budget in the Leadership Team section. This change will be explained in the presentation of the budget by the Council on Finance and Administration. There will be no separate District Work Fund apportionment in 2013. The funding that is received during 2012 for District Work Fund will be used for 2012 operations and to provide what funding is needed in 2013 in addition to what will be available in the conference budget.

LEADERSHIP

The leadership subcommittee worked with current district superintendents and district lay leadership in creating a pool of names to place into nomination, for election at Annual Conference, for various district committees. The team worked with district United Methodist Women, Men and Youth concerning district leadership. The leadership subcommittee worked intentionally to ensure that nominations for the new districts would be inclusive and that all former districts would be represented equally.

With the changes made to district property such that there will no longer be district parsonages and physical offices, the work of two of the district committees have been assigned to the same group of district leadership. There are different requirements for the District Board of Trustees and Committee on Superintendency in the Book of Discipline. These requirements were met by assigning the same persons to both committees with the addition of two other persons for the work of the Committee on Superintendency. The nominations for district committees will be made available at annual conference and on the NC Conference website.

In order to facilitate the changes in the structure for the district work, the leadership subcommittee created job descriptions for Assistant to District Superintendent, District Receptionist, District Administrative Coordinator, and District Systems Administrator positions. Job opportunities were listed on the Conference website and applications were received. Following interviews, recommendations were made for persons to fill each of these positions. Announcements on these positions are being made on the NC Conference website as decisions are made.

SUMMARY

The Transition Team will continue to work to help in the implementation of the changes described in this report. As changes are implemented and this vision of a new, more connected role of the district superintendent is put in place, the transition team asks for your partnership in prayer and encouragement for these leaders. All of these dreams can be realized with the true spirit of Christian community through earnest work to hear the guidance and prompting along this journey from our divine Leader. As we seek to follow the path that leads to transformation of the world, we are thankful to be on the path that finds us together in the North Carolina Conference. Please continue to pray for guidance for our district leaders and support them in this new phase of ministry together.

Respectfully submitted,
Rev. Linda Taylor,
Transition Team Chairperson

Appendix C - Job Description Given to Prospective Candidates

Assistant to the District Superintendent Job Responsibilities

The Assistant to the District Superintendent will work under the direct supervision of the DS and will oversee Charge Conferences, disciplinary questions, conflict management, property issues including closed churches, and would resource the District Committees. This person will work with the -DS (on topics or specific persons) to arrange for group training or learning sessions.

Superintendent Support

As outlined in the Book of Discipline, the ADS will have the responsibility for coordinating the following activities under the direct supervision of the DS:

- To administer the district office, including supervision of any other support staff.
- To assist in tracking and reporting compensation for all clergy, including provision for housing, utilities, travel, and continuing education
- To keep and maintain supervisory records on all ministerial personnel appointed or related to the charges within the district.
- To cooperate with the district board of church location and building and local church boards of trustees or building committees in arranging acquisitions, sales, transfers, and mortgages of property; and to ensure that all charters, deeds, and other legal documents conform to the Discipline and to the laws, usages, and forms of the county, state, territory, or country within which such property is situated and to keep copies thereof.
- Assist the DS in an investigation and plan of action for the future missional needs of The United Methodist Church or the community prior to consenting to the proposed action to sell or transfer any United Methodist local church property,,
 - To keep accurate and complete records for one's successor, including:
 - All abandoned church properties and cemeteries within the bounds of the district and to ensure that all records of such churches are placed with the Conference Commission on Archives and History;
 - All church properties being permissively used by other religious organizations, with the names of the local trustees thereof; All known endowments annuities, trust funds, investments, and unpaid legacies belonging to any pastoral charge or organization connected therewith in the district and an accounting of their management;
 - Membership of persons from churches that have been closed.
 - Receive plans for the cultivation of giving from each congregation that includes for current and deferred financial support in local churches for district, conference, and denominational causes.
 - To develop with appropriate district committees strategies that give careful attention to the needs of churches of small membership and to the formation of cooperative ministries.

- To transfer members of a discontinued church to another United Methodist church of their choice or to such other churches as members may elect and to insure that all records of such discontinued churches are placed with the Conference Commission on Archives and History. At the direction of the DS, prepare a report for recommendation to the bishop for approval, after consultation with the churches involved, any realignment of pastoral charge lines and report them to the annual conference.
- To serve within the district as acting administrator of any pastoral charge in which a pastoral vacancy may develop or where no pastor has been appointed.
- To see that the provisions of the Discipline are observed and to interpret and decide all questions of Church law and discipline raised by the churches in the district, subject to affirmation, modification, or reversal by the president of the annual conference.

Professional Requirements

The ADS should have the following professional qualifications:

- Thorough knowledge of Microsoft Office products including Word, Excel, Powerpoint and Access.
- Proficient use of web-based programs to be used in Internet research or communications. These programs include online e-mail, calendar and document management via Google Apps as well as website updates via WordPress.
- Professional manner both written and verbal. Excellent communication skills.
- Initiative and problem-solving abilities.
- At least two years of experience in a professional environment.
- Knowledge of United Methodist polity is preferred.

Appendix D

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March 8, 2012

Bishop Alfred Wesley Gwinn
North Carolina Annual Conference
The United Methodist Church
700 Waterfield Ridge Place
Garner, North Carolina 27529

Dear Bishop Gwinn:

I have heard that trustees in the various districts of the Annual Conference are making plans to sell the current district parsonages. In fact, it is my understanding that one is either under contract or has already been sold.

The purpose of my writing is to raise the issue of whether these boards of trustees, either District or Conference, have the authority to sell property without authorization from a District Conference or the Annual Conference. I cite two references on this matter. ¶ 2517 of the *Book of Discipline* under the title "District Parsonages and Board of Trustees" states the following:

Except as the laws of the state, territory, or country prescribe otherwise, district property held in trust by a district board of trustees may be mortgaged or sold and conveyed by them only by authority of the district conference or annual conference, or if such property is held in trust by the trustees of the annual conference, it may be mortgaged or sold and conveyed by such trustees only by authority of the annual conference.

Furthermore, there is a Judicial Council declaratory decision related to this, In Judicial Council Decision 886 they quote an earlier ruling (96) which says,

The Discipline of The Methodist Church (United Methodist Church) is a Book of Law, and the only official and authoritative Book of Law of The Methodist Church (United Methodist Church)—"a body of laws pertaining to Church government," regulating every phase of the life and work of The Methodist Church (United Methodist Church), including regulations relating to its temporal economy and to the ownership, use and disposition of church property.

The decision in 886 continues,

This decision makes it clear that all entities of the Church are bound by the provisions of the Discipline, and that no entity or individual member of the Church has the right to negate or ignore the Discipline.

I have searched the minutes of 2011 session of the North Carolina Conference and find that there is no reference either generally or specifically regarding these properties. The closest thing I find is the report of the Task Force which does not appear in the *Journal* but was distributed by the *Advocate* and at Conference and states,

That the Bishop name a transition team to assist the various districts in matters of transfer of property and assets, and creating new district boards and agencies.

My question is this: do these trustees have authority to dispose of district property? It becomes an issue when they are required to give clear transfer of title and a Warranty Deed under the laws of the State of North Carolina. I raise this as a former president of the Conference Trustees and even more out of my love for this Conference and for the liability that may be incurred by any action.

Sincerely,

cc: Mr. Wilson Hayman
Mr. Ferrell Blount

William C. Simpson, Jr.

Appendix E - Report on the Website Prior to the 2012 Annual Conference

The Transition Team has faithfully been working to complete the task given by the 2011 Annual Conference to bring change to the structure and model for ministry. As a result of the efforts of the team and with consultation with the Cabinet, we are pleased to share that the following pieces of the transition plan are now in place:

- The role of the district superintendent will change to one of coaching, mentoring, teaching, team-building, and vision-casting. In each district there will be one district superintendent and one Assistant to the Superintendent, whose primary role will be to handle, under the direction of the superintendent, all administrative, disciplinary functions of the superintendent. A job description for the Assistant to the DS will be posted in mid-March listing these duties with more specificity.
- The administrative work of the district will be centralized and supported through a district administration support team that will be housed in the United Methodist Building in Garner. This team will consist of a receptionist, an administrative coordinator and a district systems administrator. All accounting functions of the districts will be performed by the current Treasurer's Office staff, as is currently done for two districts. Job descriptions for the district support team will be posted in mid-March to begin receiving resumes.
- With the centralization of district administration, district physical offices will be closed. The goal is for district superintendents to be more in and with churches rather than in an office communicating to churches. Superintendents will work remotely through technology already available such as internet conference and video calling. An internet-based phone system will be used to allow for seamless interface between a centralized receptionist and all district personnel.
- Housing will be provided to district superintendents in the form of a housing allowance instead of through a district parsonage. Current district parsonages will be sold and sale proceeds will be invested. Earnings from the proceeds of those sales will be used to fund the housing allowances as much as possible to reduce the amount of funding apportioned through district administration for the housing costs.
- Funding for the work of the district offices will be provided through the conference budget that will be proposed to annual conference each year. All district offices will receive equal funding for programming in the district. Funding will be apportioned based on the same formula currently used for conference apportionments. There will no longer be a separate district work fund from the district office after 2012. Any savings from this approach will be reflected in the combined totals from the district work fund and lines already in the conference budget for district items such as salary/benefits and travel.
- With the reduction in work load for the District Board of Trustees due to reduced property matters, the work of the District Board of Trustees and the Committee on Superintendency will be assigned to the same persons. This means that the same people will serve as Trustees as well as the Committee on Superintendency (with the addition of two at-large persons on the Committee on Superintendency as required by the Book of Discipline). In the nominations process for these committees, all disciplinary requirements will be followed as the nominations are made for these board and committee rolls.

The Transition Team has a timeline for the completion of the work and will use this timeline as a guide to complete the remaining work by the 2012 Annual Conference. We are looking forward to sharing the final plans and celebrating a new and exciting way to live into our mission as the Church of Jesus Christ... "to make disciples of Jesus Christ for the Transformation of the World."

