

THE NORTH CAROLINA ANNUAL CONFERENCE OF THE UNITED METHODIST CHURCH

DECISION OF LAW OF BISHOP LEONARD E. FAIRLEY

THE MATTER IN QUESTION

On June 16, 2022 at the Session of the NC Annual Conference, Bishop Fairley announced a called Special Session of The NC Annual Conference to be held on Saturday, November 19, 2022. The purpose of the Special Session was announced to be the question of whether or not the NC Conference would ratify the disaffiliation of those churches who had completed the process to disaffiliate as determined by The NCC Board of Trustees in conformity with *The Book of Discipline*, Paragraph 2553.

The Special Session was held at Methodist University on November 19, 2022 in conformity with Bishop Fairley's call. All those local churches who had previously complied with The NCC Board of Trustees procedure (complying with Paragraph 2553) were submitted for ratification.

The Question of Law

Charles Michael Smith, a clergy member of The NC Conference, made the following request for a decision of law at the start of the called session.

I write to submit a question in the form of a request for you to make a decision of law. I do so out of respect for, and in accordance with, the established Division Three, Article VII, of the Constitution of The United Methodist Church (published as paragraph 51 in the 2016 DISCIPLINE) and paragraph 2609.6 in our church law.

The request that I submit is for you to make a ruling of law concerning the following, which is a question with two parts:

1. First, is it lawful for an annual conference to approved a local church for disaffiliation under paragraph 2553 of The DISCIPLINE for any reasons other than the "reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues..."?

2. Second, does the annual conference, all lay and clergy members present and voting in this Special Session for this sole purpose, have the right to receive in writing all the available information on the reasons of conscience each church seeking to disaffiliate has given to the district superintendent conducting their Church Conference, as their reasons for doing this?

This two-part question of law arises in the context of procedures that have been used to implement paragraph 2553. In the North Carolina Annual Conference, we have only been given the name of the church and its district whereas our sister conferences adjoining us in Virginia and Western North Carolina have each been given voluminous information on each local church requesting disaffiliation. Given that the Annual Conference is the body that has final authority for making this decision as paragraphs 2529.1B(3) and 2553.4 make clear and as multiple Judicial Council decisions affirm (for example, 1371, 1379, 1421, 1424, 1425), it seems reasonable that those voting at the annual conference special session should have before them all pertinent information.

In the case of the North Carolina Annual Conference, that has not been provided.

Further, at least one church has proclaimed widely that its decision to disaffiliate is not for "reasons of conscience" pertaining to policies on homosexuality but other issues. Exactly two months ago in an interview published on the front page of a local newspaper, one of our pastors said of his church's vote to disaffiliate: "Trinity's vote was not about homosexuality; however, it was about maintaining a belief that the Bible should be read literally as the inerrant and infallible word of God." He further stated that "Methodists with similar views as him and his church have been 'accused of being anti-homosexual and that's the furthest thing from the truth.'"

Decision of Law

I am issuing this decision of law pursuant to the authority given to me as a presiding officer on Paragraph 51 of *The Book of Discipline 2016*. The decision is made within the time prescribed by Paragraph 2609.6 of *The Discipline*.

The question of law complies with the requirements of Decisions 799, 1103 and 1279. Therefore, it is properly before me and I have jurisdiction to issue a decision of law.

Ruling

In response to your first question, "is it lawful for an annual conference to approve a local church for disaffiliation under paragraph 2553 of *The Discipline* for any reason other than 'the reasons of conscience regarding a change in the requirements and provisions of *The Book of Discipline* related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or

inactions of its annual conference related to these issues” – No it would not be lawful for the NC Conference to act to ratify a local church’s disaffiliation for any reasons other than those specified in Paragraph 2553. All of the churches whose requests for disaffiliation were before the NCC Special Called Session had approved requests to disaffiliate for the very reasons stated in Paragraph 2553 in their various church conferences which were properly and fairly conducted so those actions were properly before us. Regardless of what other actions or statements members and/or clergy of those local churches may have made, the motion approved at their church conference was based on stating their reasons for requesting disaffiliation were the exact same requirements stipulated in Paragraph 2553. Reference Judicial Council Decision 1422.

Second: “does the annual conference, all lay and clergy members present and voting in this Special Session for this sole purpose, have the right to receive in writing all the available information on the reasons of conscience each church seeking to disaffiliate has given to the district superintendent conducting their Church Conference, as their reasons for doing this?” Paragraph 2553 of The Book of Discipline and Paragraph 2529.1(b) (3) do not state what, if any, information must be supplied to an annual conference considering the disaffiliation of a local church. The list of those churches requesting disaffiliation was made known well in advance of the meeting as was the statement that the churches whose requests for disaffiliation were to be submitted for ratification had all satisfied The NC Conference Board of Trustees’ requirements of churches seeking such action. Foundational to those requirements was that each local church seeking disaffiliation must approve a motion asking for disaffiliation by a two-thirds vote of those professing members present and voting that disaffiliation was sought on the grounds specified in Paragraph 2553, “reasons of conscience regarding a change in the requirements and provisions of The Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the action or inactions of its annual conference related to these matters.” Each local church seeking to disaffiliate from the NCC had satisfied that requirement. Other details about those churches seeking disaffiliation are available in the NC Journal and available to anyone seeking that data. Various annual conferences will present such information in different ways.

Therefore, in regards to both your questions:

It is lawful that the NC Annual Conference proceeded to consider whether or not to ratify the disaffiliation of each local church as it did in the Special Session on November 19, 2022.

Bishop Leonard E. Fairley

Presiding Bishop, The NC Annual Conference

Date: December 6, 2022