

*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.'"