

DECISION NO. 1510

IN RE: General Conference petition for a declaratory decision as to meaning, application, and effect of ¶32, Article 1 of the Constitution, and ¶602.4 and ¶602.6 of *The Book of Discipline, 2016*, regarding the rights of deaconesses to membership, participation, and vote in the Annual Conference

DIGEST

Paragraph 32 of the Constitution gives active deaconesses lay membership with voice and vote in an annual conference. Paragraph 602.4 does not modify the requirement that such lay membership is provided to *active* deaconesses, because it must be read in conjunction with ¶32. Finally, because ¶602.6 must also be read in light of the foregoing to give participatory and voting rights only to active deaconesses, only active deaconesses may participate and vote in sessions of the conference.

STATEMENT OF FACTS

On May 3, 2024, the General Conference requested the following declaratory decision from the Judicial Council:

For a declaratory decision on the meaning, application, effect of Paragraph 32, Article 1 of the Constitution, Paragraph 602.4 and Paragraph 602.6 of the Book of Discipline 2016 about the right of deaconesses to membership, participation, and vote in the annual conference, a matter of utmost & urgency.

The movant gave the following rationale for the request:

The constitution of The United Methodist Church, in particular paragraph 32, Article 1 says that “active deaconesses” are lay members of the annual conference. Moving farther into the Conferences section of our Book of Discipline, paragraph 602.4 says that the lay membership of the annual conference includes the “deaconesses” this time omitting the word active in the phrase active deaconesses found in paragraph 32, Article 1. This declaratory decision must clarify and reconcile the membership and rights of active and retired deaconesses in the annual conference, which is also contemplated in paragraph 602.4.

In [Memorandum 1504](#), the Judicial Council deferred the request to its fall 2024 Docket.

The request for declaratory decision was made during the consideration of Petition 20990 (Advanced Daily Christian Advocate, p. 1289). The petition sought to amend ¶32 as follows:

¶32 Article I. The annual conference shall be composed of clergy and lay members. The clergy membership shall consist of deacons and elders in full connection, provisional members, associate members, and local pastors under appointment. The lay membership shall consist of professing lay membership elected by each charge, diaconal ministers, and deaconesses, and home missionaries under episcopal appointment within the bounds of the annual conference, the conference president of United Methodist Women ...

Petition 20990 was not adopted by the General Conference, leaving ¶32 unchanged.

JURISDICTION

The Judicial Council has jurisdiction pursuant to ¶2610 of *The Book of Discipline, 2016* [hereinafter *Discipline*].

ANALYSIS & RATIONALE

Paragraph 1913 of the *Discipline* provides for the “Office of Deaconess and Home Missioner.” The current request for declaratory decision relates on its face only to deaconesses. However, for context, the Judicial Council notes that while ¶32 refers to lay membership of “active deaconesses,” home missionaries are included within ¶32’s listing of lay membership in the annual conference when they are “under episcopal appointment within the bounds of the annual conference.” Appointments for both deaconesses and home missionaries are recommended in consultation with the bishop of the area, in accordance with the policies and procedures of United Methodist Women. Paragraph 1913.6 provides that deaconesses and home missionaries are “[i]n matters of assignment ... subject to the authority of United Methodist Women and may not contract for service that would nullify this authority.” Thus, while the term “active” that qualifies which deaconesses are lay members of the annual conference with voice and vote is not defined in ¶32, the classification of whether a deaconess is “active” may depend both upon ¶1913.3a’s appointment process “in accordance with the policies and procedures of United Methodist Women” and the authority of UMW. However, these determinations are beyond the scope of this decision and are noted for context.

Paragraph 1913.5 provides that “Deaconesses and home missionaries shall be seated at the sessions of the annual conference with voice and vote as lay members of the annual conference in accordance with ¶¶32 and 602.4.” Paragraph 32’s reference to “active” is not repeated in ¶602.4’s listing of lay members of the annual conference, referring only to “deaconesses.” Paragraph 602.6 does not refer to lay members of the annual conference by classification, and simply provides that “[t]he lay members of the annual

conference shall participate in all deliberations and vote upon all measures except” matters reserved to the clergy session.

Inasmuch as Petition 20990 was not adopted by the General Conference, the rights of deaconesses to membership, participation and vote in the annual conference have not changed and are limited by ¶32 to active deaconesses. While ¶602.4 does not include the qualifier “active” before deaconesses in describing the lay membership of the annual conference, that qualification cannot be ignored in construing ¶¶32 and 602.4:

It is a well-settled rule of legal construction that, in seeking to reconcile conflicting provisions in a legislative enactment, the entire legislation on the subject, or the entire act, must be considered, and that the legislative intent is to be drawn from the act as a whole and not merely from an isolated paragraph that may be in conflict with the underlying purpose and intent of the act. *See* [JCD 13](#).

Thus, ¶602.4 must be read to apply only to active deaconesses.

Further, although the General Conference has authority pursuant to ¶16.2 to define the powers and duties of deaconesses and has done so in ¶1913, its authority must be exercised within the bounds of the Constitution, which is the supreme law of the Church.

Finally, because both ¶602.6 and ¶1913.5 must be read in light of the foregoing to give participatory and voting rights only to active deaconesses, only active deaconesses may participate and vote in sessions of the conference.

DECISION

Paragraph 32 of the Constitution gives active deaconesses lay membership with voice and vote in an annual conference. Paragraph 602.4 does not modify the requirement that such lay membership is provided to *active* deaconesses, because it must be read in conjunction with ¶32. Finally, because ¶602.6 must also be read in light of the foregoing to give participatory and voting rights only to active deaconesses, only active deaconesses may participate and vote in sessions of the conference.

Molly Hlekani Mwayera was absent. Erin Hawkins, first lay alternate, participated in this decision. Øyvind Helliesen was absent.