

1024-7 Request from the Northeastern Jurisdiction Conference Related to the authority of the Interjurisdictional Committee on Episcopacy

**NORTHEASTERN JURISDICTIONAL SESSION
JULY 7 – 12, 2024**

Petition for Declaratory Decision #1

Wednesday, July 10, 2024

PLENARY 1:

Bishop LaTrelle Easterling presiding, Bishop Sandra Steiner Ball, assisting along with Bishop Peter Weaver.

Under the Committee on Episcopacy Report Bob Zilhaver, on behalf of the Committee on Episcopacy, moved the Question of Law and Declaratory Decision. Final vote was on Friday.

Request for a Declaratory Decision by the Northeastern Jurisdictional Conference

WHEREAS the Interjurisdictional Committee on the Episcopacy approved the following:

“Recognizing that we are in a time of significant time of transition in the United Methodist Church and that our current scenario has never existed previously, the ICOE has done their best work to follow the mandate of the General Conference regarding distribution of bishops in the United States, and also, to abide by ¶49 and ¶512.2 of The 2016 Book of Discipline: “No bishop shall be transferred unless that bishop shall have specifically consented.”

This report and recommendation addresses the needs of the annual conferences, episcopal leaders, and the mission of the United Methodist Church. The highest priority has been to offer a plan of supervision for 32 bishops with all conferences having episcopal coverage. This recommendation is for the next four years, recognizing the work required as 2028 will bring further reductions.

The ICOE executive team has met 5 times since General Conference with each meeting lasting 90-120 minutes. They have spent a significant amount of time in prayerful discernment. Each jurisdictional team had at least one individual consultation with each non-retiring, active bishop as directed in ¶512.

The chairpersons of the jurisdictional COEs have further consulted with their COE members, the colleges, and had more conversations with individual bishops. There has been unprecedented collaboration across jurisdictions. No bishop is willing to transfer jurisdictions. While the recommendation at General Conference indicated there would be no elections, circumstances have changed since then resulting in two vacancies. One bishop is retiring and one bishop is going on long-term disability leave. There is one bishop willing to serve across jurisdiction lines and be appointed in two jurisdictions for this season, clearly keeping with the spirit of the distribution and the budget approved by General Conference.

The ICOE executive team continues to consider the good of the whole United Methodist Church in the United States now and into the future. Each jurisdiction is giving to the whole in specific and sacrificial ways. There are fewer bishops than annual conferences in each jurisdiction. Each jurisdiction will have bishops who will serve one annual conference and bishops who will serve multiple annual conferences.

The following recommendation indicates the distribution of bishops to each jurisdiction and gives the context of each jurisdiction. The ICOE executive team strongly recommends agreement to this plan.

1. South Central Jurisdiction

- a. The SCJ will have 2 non-mandatory retirements this summer which will leave 6 active bishops serving 10 annual conferences.*
- b. The reduction of bishops will require the SCJ to significantly adjust their episcopal areas.*
- c. The SCJ supports the good of the whole, giving more than they receive to the Episcopal Fund. Apportionments are based on current and previous membership numbers which continue to decline in all conferences, significantly in some.*

2. Southeastern Jurisdiction

- a. The SEJ will have one retirement this summer, requiring further adjustments of episcopal areas.*
- b. Bishop Wallace-Padgett has agreed to serve an annual conference in the SEJ and the NEJ. These conferences will include West Virginia in the NEJ and Holston in the SEJ. This will leave 10 bishops serving 14 annual conferences. In conversation with the Holston Conference, the SEJ COE will request funding from the SEJ to pay for the office and housing expense for Holston as needed. The Episcopal Fund allotment for office and housing will go to the West Virginia Conference. Bishop Wallace-Padgett will be a member of both colleges and fully participate in their meetings and evaluation process. Matters related to retirement, status changes, or complaint processing, will be retained in her home jurisdiction, the SEJ.*
- c. The SEJ supports the good of the whole, giving more than they receive to the Episcopal Fund. Apportionments are based on current and previous membership numbers which continue to decline in all conferences, significantly in some.*

3. Northeastern Jurisdiction

- a. The NEJ will have 1 bishop retiring and 1 bishop concluding serving in retirement this year, leaving 5 active bishops.*
- b. With Bishop Wallace-Padgett serving West Virginia in the NEJ (see SEJ 2b above)., that will provide the NEJ 6 bishops to serve 10 annual conferences.*

The NEJ is embracing the good of the whole through this distribution. The NEJ supports our connectional commitments, giving more than they receive to the Episcopal Fund. Apportionments are based on current and previous membership numbers which continue to decline across the Jurisdiction.

4. North Central Jurisdiction

- a. The NCJ will have 2 bishops retire this summer. Bishop Beard will go on long-term disability August 1. This will leave 6 bishops to serve 10 annual conferences.*
- b. The NCJ COE, following ¶524d has “determine(d) the number of effective (meaning available for service) bishops eligible for assignment.” According to ¶818.11, Bishop Beard would not be counted in the 32 active bishops to be assigned. “Should any effective bishop in the interim of the quadrennial sessions of the jurisdictional conference be relieved by the College of Bishops of the jurisdiction from the performance of regular episcopal duties on account of ill health or for any other reason... (after 60 days which Bishop Beard has already served) ...shall be interpreted as a release of the said bishop from the performance of regular episcopal duties.*
- c. Bishop Beard has served admirably and with his health concerns, has no intent to return to active service. The ICOE believes that if some circumstance would require Bishop Beard to return to active service, the Council of Bishops could locate an opportunity for service. This would fulfill the employment law mandate that someone has a job waiting for them upon return from long-term disability, if needed.*

5. Western Jurisdiction

- a. The WJ will have 2 bishops retire this year, leaving 3 active bishops. The WJ has 7 annual conferences encompassing a geographic span from Canada to Mexico.*
- b. The WJ will hold two elections in July so that they have the minimum number of 5 bishops.*

Summary

- General Conference agreed to the assignment of 32 bishops. This aligns with the budget.*
- The Western Jurisdiction will elect 2 bishops, thus meeting the minimum number of 5, approved at General Conference.*
- One bishop will serve in the SEJ and the NEJ.*

The ICOE appreciates the significant work of the Executive Team, the support of the officers of the Council of the Bishops, and helpful conversations with each of the colleges. We offer this report and recommendation for the ICOE’s consideration. Following approval by the ICOE,

each jurisdiction COE will take subsequent steps as outlined and present final assignment recommendations to the jurisdiction for approval.”

Therefore Be It Resolved, that the Northeastern Jurisdictional Conference request a ruling in the nature of a declaratory decision under the provisions of ¶2610.

1. Does the Interjurisdictional Committee on Episcopacy and/or a Jurisdictional Conference have the authority under the provisions of ¶¶27.2, 27.5 and 525, to alter the number of eligible bishops in a jurisdiction to a number greater than adopted by action of the General Conference?
2. May or under what circumstances may the Interjurisdictional Committee on Episcopacy recommend and/or a Jurisdictional Conference announce a number of effective bishops eligible for assignment greater than the number authorized by the General Conference under the provisions of ¶524.3(d)?
3. May or under what circumstances may, the Interjurisdictional Committee on Episcopacy recommend and/or a Jurisdictional Committee on Episcopacy recommend to their Jurisdictional Conference an assignment of a bishop who has been elected by different jurisdiction to one of their episcopal areas in accordance with ¶406?
4. May or under what circumstances may, the Interjurisdictional Committee on Episcopacy recommend and/or a Jurisdictional Committee on episcopacy recommend to their jurisdictional conference an assignment of a bishop who has been elected in their jurisdiction to an episcopal area in another jurisdiction in accordance with ¶406?
5. May or under what circumstances may, the Interjurisdictional Committee on the Episcopacy and the actions of a Jurisdictional Conference provide a bishop residential and presidential supervision in a jurisdiction in which they have neither been elected nor to which they have transferred in accordance with the provisions of ¶49?
6. If a Jurisdictional Conference decision for the naming and assignment of effective bishops in its college not carry out such plans for their support in accordance with ¶¶27.2, 27.5 as may be determined by the General Conference, is that Jurisdictional Conference responsible for any unfunded liabilities generated by such decisions?
7. Does this financial responsibility for unfunded liabilities also extend to another jurisdiction to which funds have been committed by the recommendation of the Interjurisdictional Committee on Episcopacy Plan and action by a Jurisdictional Conference should such an action violate ¶¶27.2, 27.5?
8. Does the action of a General Conference under the provision of ¶16.10 mean that a jurisdictional conference must have elected or transferred the exact number passed by the General Conference under ¶49 and assigned them to areas of their conference at the conclusion of their regular meeting?
9. Does the action of a General Conference under the provision of ¶16.10 mean that the jurisdictional conference only entitled to the bishops that it has elected or transferred to be assigned residential and presidential supervision in its jurisdictional area or may that plan of support be altered by the Interjurisdictional Committee on Episcopacy?

10. Under the provision of ¶16.10 can the action of a General Conference that set a number of bishops in each jurisdiction be altered by the Interjurisdictional Committee on the Episcopacy under the provisions of Judicial Council Decision 1445, “The formula and the number of bishops for each jurisdiction recommended by the Committee and approved by the 2016 General Conference remain legally binding and effective until replaced by a new formula.”?
11. What roles, responsibilities and powers has the General Conference given the Interjurisdictional Committee on Episcopacy in ¶512? Do those powers include offering shared models that prohibit jurisdictional conferences from making a motion to approve elections for vacant areas recommended by the jurisdictional conference committee on episcopacy and approved by the general conference (¶524.3(b) by counting bishops as eligible that have neither been elected by a jurisdiction or transferred into a jurisdiction (¶49)?
12. Do those powers of the Interjurisdictional Committee on the Episcopacy (¶512) include the power to offer for approval of assignment by a jurisdictional committee on episcopacy a bishop in another jurisdiction's residential and presidential authority? Does such an approval if allowed require approval of the jurisdictional conference under the provisions of (¶49)?
13. Does ¶49 only provide authority to the Council of Bishops to make cross-jurisdictional assignments in temporary or emergency situations? Did the Interjurisdictional Committee on Episcopacy usurp the powers of the Council of Bishops and exceed its authority in recommending and jurisdictional conferences adopting assignments across jurisdictional lines?

Judi M. Keanston, Chair

Rev. Robert F. Zilhaver, Secretary

Bethany Amey, Fred Brewington, Noel Chin, Drew Dyson, Judy Ehninger, Vicki Gordy-Stith, Bonnie Marden, Christina McDermott, Ianther Mills, Colleen Moskov, William Mudge, Tom Salsgiver, Amy Shanholtzer, Vicki Stahlman, Cynthia Taylor, Dawn Taylor-Storm, Carmen Vianese, Jay Williams, Members

Northeastern Jurisdictional Committee on Episcopacy



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 Jurisdictional Conference

Date of session: 07/10/2024 (month/day/year) Location: Pittsburgh, PA

Name of Secretary: Rev. Dr. Thomas L. Salsgiver

Address: 303 Mulberry Drive City: Mechanicsburg

State/Province: PA ZIP/Postal Code 17050 Country: USA

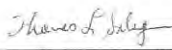
Phone: 717/766-7871 Fax: _____ E-mail: tsalsgiver@susumc.org

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

Book of Discipline: 16.10, 27.2, 27.5, 49, 406, 512, 524, 525 JCD#1445

Legislation: Decision of the Interjurisdictional Committee on the Episcopacy

Act of General Conference: _____

Signature:  Digitally signed by Thomas L. Salsgiver
 Date: 2024.07.17 11:58:13 -04'00'

Secretary of the Conference/Body

Date: 07/17/2024

(month/day/year)

The following must be attached:

- o Text of the written Petition for Declaratory Decision as originally presented
- o Minutes of proceedings
- o List of names and addresses of interested parties, including eu mail
- o 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**

MINUTES
JURISDICTIONAL CONFERENCE
PLENARY 1
JULY 10, 2024

Call to Order

Bishop LaTrelle M. Easterling called the 22nd Session of the Jurisdictional Conference to order by welcoming delegates, reserves, and guests. Bishop Easterling, NEJ College President, acknowledged bishops who will assist her: Bishop Sandra Steiner Ball, WV and Bishop Peter Weaver, retired. She thanked Tom Salsgiver, NEJ Secretary and Darlynn McCrae, NEJ Assistant Secretary.

Episcopacy Committee Report

Judi Kenaston explained the work of the NEJ Committee on Episcopacy and explained how they have worked and labored. The committee has been divided in some issues but remain united to listen to each other.

Judi also expressed thanks to the College of Bishops for their collaboration with the NEJ COE.

She continued to remind the delegates of the history regarding the General Conference budget allocated funding in the Episcopal Fund for 32 Bishops in the United States. The Interjurisdictional Committee on Episcopacy (IJCOE) recommended and was approved by the General Conference with a margin of over 90% that there would be six Bishops in the Northeastern Jurisdiction, the North Central Jurisdiction and the South Central Jurisdiction, while the Southeastern Jurisdiction would have nine Bishops and the Western Jurisdiction would have five. This meant that some jurisdictions would have more than were allotted, and some would have less.

The Northeastern Jurisdiction had less than the allotted six. The intention of the committee when we left General Conference would be that the difference would be made by transferring Bishops from those jurisdictions that had more to those who had less.

However, Judi explained that they were caught up in a constitutional issue because transfers require the approval of the Bishop as well as the approval from both Jurisdictions involved. During General Conference, the Judicial Council ruled that only Bishops elected prior 2022 could be considered for transfer.

The primary priority of the IJCOE was to do no harm in keeping with our General Rules. One suggested solution was that the Southeastern and Northeastern Jurisdictions would share a bishop.

The NEJ COE voted to support this recommendation of sharing a bishop. We look at this as assignment and not coverage which is something our committee has tried to avoid.

The recommendation that was agreed on was incorporated into the plan that was presented by the IJCOE. This plan was approved by the IJCOE by a vote of 91-11. Judi indicated that the committee is proceeding with their work with the assumption that the authority that was granted to the IJCOE includes the authority to institute this plan across the jurisdictions.

At the end of this report, Judi indicated that the NEJ COE will offer to the body a proposal for a request for a declaratory decision and a question of law so that this can be definitively decided by the Juridical Council.

Judi explained that the COE is also responsible to recommend Bishops for retirement. On behalf of the COE, she announced the mandatory retirement of Bishop John Schol. Therefore, on behalf of the COE, she moved the retirement of Bishop John Schol.

It was a unanimous vote for his retirement with gratitude for his service.

¶1524.3 d) requires that the COE determines the number of effective bishops eligible for assignment within the jurisdiction. The Episcopacy Committee has determined that there are six effective Bishops for assignment. They include Bishop Sandra Steiner Ball, Bishop Thomas Bickerton,

Bishop LaTrelle Easterling, Bishop Cynthia Moore-Koikoi, Bishop Hector Burgos Nunez, and Bishop Deborah Wallace-Padgett.

This provides the full number of Bishops allowed by the General Conference for the 2025-2028 quadrennium. Because we have the full number of Bishops the NEJ will not be electing any new Bishops at this Jurisdictional Conference.

Judi expressed gratitude for this committee, which has acted with passion and shared consideration for the good of the whole. She also thanked the body for the opportunity for our Holy Conferencing yesterday. It was helpful for the body to understand the complexity and the challenges that we experienced as we continued to do our work as we thought through assignments and areas for the next quadrennium.

Judi indicated that this is an ongoing project as we seek to make a jurisdiction that is flexible, creative and fruitful in our mission to make disciples of Jesus Christ for the transformation of the world.

Judi Kenaston invited Robert Zilhaver, secretary of the COE to speak. There are two actions to come before the body. One is a motion for a Question of Law. It comes from the COE to the Jurisdictional Conference. After distribution and printing, it will need to be acted on by the Jurisdictional Conference.

The second is a Declaratory Decision brought by the individual members of the NEJ Committee on Episcopacy. The question of law is printed in the DCA. This is not voted on by the Jurisdictional Conference, but the Bishop will have 30 days to answer.

**MINUTES
JURISDICTIONAL CONFERENCE
PLENARY 9
JULY 12, 2024**

Call to order

Bishop John Schol called the session to order. Bishop Schol was assisted by Bishop Hector Burgos-Nunez and Bishop Jane Middleton, retired.

You will find the Question of Law on page 22 of Volume 22 of the DCA. This will be forwarded to the Judicial Council. It does not require a vote. It is there for your information.

Declaratory Decision by Rev. Robert Zilhaver. It is found on page 17 of Volume 22 of the DCA. On behalf of the Committee on Episcopacy and as secretary, I submit this motion for a Declaratory Decision. Bishop indicated that this is non-debatable.

Vote: YES – 127; No – 19. It passes.

2024 NEJ Petition for Declaratory Decision #1

Interested Parties

Bishop Sandra Steiner Ball
PO Box 2313
Charleston, WV 25328
bishopssball@gmail.com

Bishop Thomas J. Bickerton
20 Soundview Avenue
White Plains, NY 10606
bishop@nyac.com

Bishop Héctor Burgos Núñez
7481 Henry Clay Boulevard
Liverpool, NY 13088
BishopBurgos@unyumc.org

Bishop LaTrelle Easterling
11711 East Market Place
Fulton, MD 20759
bishopeasterlingoffice@bwcumc.org

Bishop Cynthia Moore-Koikoi
1204 Freedom Road - PO Box 5002
Cranberry Township, PA 16066
Bishop@wpaumc.org

Bishop John Schol
205 Jumping Brook Road
Neptune, NJ 07753
Bishopjohnschol@gnjumc.org

Thomas L. Salsgiver
303 Mulberry Drive
Mechanicsburg, PA 17050
tsalsgiver@susumc.org

Bethany Amey
205 Jumping Brook Road
Neptune, NJ 07753
bethany.amey@gmail.com

Fred Brewington
20 Soundview Avenue
White Plains, NY 10606
fred@brewingtonlaw.com

Noel Chin
20 Soundview Avenue
White Plains, NY 10606
noel.chin@nyac-umc.com

Drew Dyson
205 Jumping Brook Road
Neptune, NJ 07753
drewadyson@me.com

Judy Ehninger
980 Madison Avenue
Norristown, PA 19403
judy.ehninger@gmail.com

Vicki Gordy-Stith
139 N. State Street
Dover, Delaware, 19901
vgordy-stith@epworth.faith

Judi M. Keanston,
PO Box 2313
Charleston, WV 25328
jkenaston@wvumc.org

Bonnie Marden
411 Merrimack Street
Methuen, MA 01844
Bon.Marden@gmail.com

Christina McDermott
303 Mulberry Drive
Mechanicsburg, PA 17050
cmcdermott718@gmail.com

Ianther Mills
11711 East Market Place
Fulton, MD 20759
imills@asburyumcdc.org

Colleen Moskov
139 N. State Street
Dover, Delaware, 19901
colleenmoskov@gmail.com

William Mudge
7481 Henry Clay Boulevard
Liverpool, NY 13088
pastorbillmudge@gmail.com

Amy Shanholtzer
PO Box 2313
Charleston, WV 25328
ashanholtzer@wvumc.org

Vicki Stahlman
1204 Freedom Road - PO Box 5002
Cranberry Township, PA 16066
vjstahlman@yahoo.com

Cynthia Taylor
11711 East Market Place
Fulton, MD 20759
cynthiaataylor1@verizon.net

Dawn Taylor-Storm
980 Madison Avenue
Norristown, PA 19403
dtaylorstorm@epaumc.church

Carmen Vianese
7481 Henry Clay Boulevard
Liverpool, NY 13088
Cfsv.umc@gmail.com

Jay Williams
411 Merrimack Street
Methuen, MA 01844
revjay@unionboston.org

Rev. Robert F. Zilhaver
1204 Freedom Road - PO Box 5002
Cranberry Township, PA 16066
rzilhaver99@gmail.com