
X. MISCELLANEOUS

1. CONFERENCE RULES

A. CONFERENCE OFFICERS

1. **President** – The presiding bishop shall be the legal chairperson of the annual conference.
2. **Duties** – The president shall decide all points of order raised by the members, as s/he deems necessary to conform to the Rules of Order, subject, in both cases, to an appeal to the conference by any member without debate; except that the chair and the appellant, in the order named, shall each have three minutes for a statement in support of their respective positions. A tie vote in the case of an appeal shall sustain the chair.
3. **Conference Secretary** – A secretary shall be elected at the first session of each quadrennium following General Conference. S/he shall be nominated by the Conference Cabinet. If the position is vacated during the term of office, the bishop, in consultation with the Cabinet, shall appoint an interim secretary until the next conference session (*BD 2012 ¶603.7*).
4. **Duties** – The secretary shall name his/her assistants at the opening of the conference as part of the Organizational Resolutions. S/he shall verify the record of the daily proceedings of the conference created by the assistant secretaries, which shall be approved by the Committee on Examination of the Conference Journal. When so approved and signed by the president and the secretary, this record shall become the official minutes of the conference, and shall be included in the official Journal. The secretary shall edit material to be included in the Journal as may be necessary to meet specifications for publication with special concern for brevity but without substantive change. The district superintendents shall have responsibility with the secretary of the conference whenever this editorial license is exercised.
5. **Conference Treasurer / Director of Administrative Services** – Upon nomination of the Council on Finance and Administration, a conference treasurer/director of administrative services shall be elected at the first session after General Conference. (*BD 2012 ¶619*). S/he shall serve as business administrator of the conference for the quadrennium or until his/her successor shall be elected. If a vacancy should occur during the quadrennium, the council shall fill the vacancy until the next session of the annual conference. An assistant treasurer may be elected with the power to serve in the event of the incapacity or inability of the treasurer to fulfill his/her duties.
6. **Duties** – The conference treasurer shall be the business administrator of the conference and the treasurer of the Council on Finance and Administration and have other duties as specified in the *Book of Discipline* or assigned by the council (*BD 2012 ¶619.3*). As an employee of the conference s/he shall not be a member of the

- council, but may sit with the council and its executive committee at all sessions and have the privilege of the floor but without vote.
7. **Conference Statistician** – Upon nomination by the conference Cabinet, a statistician shall be elected at the first session of each quadrennium following General Conference to serve for the succeeding quadrennium (*BD 2012 ¶603.7*). The conference treasurer may be named to fill the role of conference statistician, but shall be elected for that position separately by the conference.
 8. **Duties** – The conference statistician shall keep an accurate record of the statistics of the conference as required by the General Council on Finance and Administration (*BD 2012 ¶606.8*). S/he shall report annually to the conference by means of the Conference Journal. S/he shall name her/ his assistants at the time of making her/ his annual report.
 9. **Conference Chancellor** – Upon nomination of the bishop, the conference chancellor shall be elected by the Conference at the first session of each quadrennium following General Conference. The chancellor must be a member in good standing of a local church in the New York Conference and be licensed to practice law in the conference area. (*BD 2012 ¶603.8*).
 10. **Duties** – The chancellor shall serve as legal adviser to the bishop and the conference.
 11. **Conference Lay Leader** – The conference lay leader shall be elected by the lay and clergy members of the conference. S/he shall be a professing member of a local church in the annual conference. (*BD 2012 ¶603.9*).
 12. **Duties** – The conference lay leader shall participate in annual conference sessions as a partner in ministry with the bishop.

B. ORGANIZATION OF THE CONFERENCE

13. Following the opening of the conference by the bishop, the conference secretary shall present the Organizational Resolutions for adoption by the conference. These resolutions shall include the sections where members shall be seated for participation in the business of the Conference, designated the “Bar of the Conference,” and the names of those persons who shall act as assistant secretaries during conference sessions.
14. Only those persons who are members of the conference and who are seated within the bar of the conference, except as otherwise provided, may vote, be recognized by the president of the conference and participate in the conference proceedings. Others may be invited by the conference to have the privilege of the floor without vote.
15. There shall be a roll call of lay and clergy members at the opening of the conference session. The method of calling the roll shall be determined by the president and shall be the responsibility of the conference secretary. Other roll calls of members may be taken by having each member record attendance as prescribed by the conference secretary.

16. The members of the conference may be divided into groups called “legislative sections,” with such membership, powers and responsibilities as the conference shall determine, for the purpose of dealing with the business of the conference. The parliamentary procedures of such groups shall be guided by the Conference Rules of Order and the Rules for Legislative Sections.
17. The Commission on Conference Sessions shall consist of at least twenty members, including the director of connectional ministries, the conference lay leader, the conference secretary, the conference coordinator of legislative sections, the host pastor and a member of the Cabinet. The commission shall be responsible for the organization and schedule of activities of the conference sessions. The members of the commission shall be elected by the conference upon presentation by the Conference Committee on Nominations after an opportunity has been given to nominate members from the floor. The commission shall elect a chairperson for the coming year at its first meeting following the annual conference. The chair shall be allowed to serve in that position for up to four years, but shall be elected annually. The commission’s responsibility shall include program, administration, fellowship and publicity. If necessary, ad interim additions to the committee shall be made by the Committee on Nominations in consultation with the dean of the Cabinet, the conference director of Connectional Ministries, and the conference lay leader.

C. RULES OF ORDER

18. The rules of order shall be those elected by the conference at its opening session and shall be those of the General Conference of The United Methodist Church as far as they may be applicable. Robert’s Rules of Order shall govern the conduct of business in all cases where these rules or those of the General Conference do not apply.
19. There shall be a Committee on Rules consisting of eight members, four of whom are to be clergy members and four lay members of the conference. The following shall be ex-officio members: The conference secretary, a Cabinet representative, and any present or former members of the Judicial Council who are members of or who reside within the bounds of the conference. To this committee shall be referred all proposed changes or additions to the rules of order. Such proposed changes or additions to the Rules of Order shall be presented to the committee, through its chairperson, by either electronic means or regular mail, no later than February 1 of each year. The committee shall report its recommendations upon all proposed changes to the conference for decision.
20. The Committee shall restudy periodically the Conference Rules of Order in light of changing General Conference and annual conference actions and procedures and shall recommend to the annual conference for its consideration and action such changes and adaptations as in its judgment are necessary.

D. RULES OF ORDER FOR LEGISLATIVE SECTIONS

21. Parliamentary procedures in the section shall be guided by the Conference Rules of Order (see Rule #18). The leaders of the section will evaluate and prioritize the items before the section and present an agenda to be adopted by the seated members of the section. Top priority items will be those with budget implications and those which appear to be most controversial.
22. The section may vote to amend reports which are before it. Amendments shall be written out and submitted to the chair. The section may also vote to refer the matter to some particular person or group for further consideration, rather than recommending that the conference itself take action. Amendments shall pass with a simple majority vote. Amendments are not placed on the Consent Calendar for consideration separately from the motions they perfect. Votes on referrals shall be counted and if such a vote achieves concurrence of 90% or higher, the referral shall be placed on the Consent Calendar for adoption by the conference.
23. When items have been fully read, discussed, and prepared for action by the conference, the chair shall call for the final vote. This vote must be counted. Section members may vote concurrence (if they agree) or non-concurrence (if they disagree). If a member votes neither way, they will be counted and reported as having abstained.
24. Except for the conference budget, if the final vote on any item in the section is 90% or better for or against concurrence, then that report will not be presented to the conference plenary session for debate. Abstentions are not counted in determining the percentage of concurrence or non-concurrence. Reports that achieve 90% or better for or against concurrence shall be listed on the Consent Calendar, and presented to the conference for adoption as a group. Before the vote on the Consent Calendar is taken, the bishop shall entertain motions to remove items for debate or amendment. Any member making such a motion, after a second, will be given two minutes to present the rationale for removing the item. The chairperson or representative of the Legislative Section will then be given two minutes to explain the action of the section, after which the vote to remove the item will be taken. A simple majority vote of the conference is needed for removal and presentation to the body for debate and action at the end of the agenda for section reports.
25. Members of the section may prepare a minority report that must be signed by fifteen (15) members of the section. Minority reports must not be simply the reverse of the majority report, but must offer a substantial revision of the majority report. A minority report which simply wishes to defeat the original report may express itself in plenary debate, and vote "NO" on the report. The person organizing a minority report must inform the Legislative Section Leaders by the end of the Section meeting. A minority report shall be submitted in writing to the Section Leadership and will be printed in the Legislative Section report pages for action by the conference.

26. Only those members assigned to the section may speak or vote in the section. By common consent or by vote, the section may grant the courtesy of the floor to an unassigned member or other person, for the purpose of bringing additional information or expertise to the attention of the section. Section assignments will not be changed in order to permit persons to vote in more than one section. Visitors shall be seated in sections after and separate from voting members as space allows. Visitors shall not interfere with the work of the section.

E. REPORTS, RESOLUTIONS, PETITIONS AND MOTIONS

27. All reports, resolutions and petitions to be considered by the annual conference shall be in the hands of the conference secretary six weeks before the beginning date of the annual conference in order to be included in the Conference Program Booklet. All items that miss the “six weeks prior” deadline shall be submitted to the conference secretary at least five business days before annual conference to be given an appropriate number and in a format that allows it to be made available to the conference membership on the conference web site. Sponsors of such documents shall make the number of copies specified by the conference secretary, and deliver them to the document table in the registration area prior to the opening of registration, so that they can be available to conference members before the opening of annual conference registration. Reports, resolutions and petitions failing to adhere to the five-day deadline shall not be considered by the annual conference.
28. All resolutions or petitions for conference consideration shall be signed by at least five members of the conference, with the exception of petitions from local churches, which shall have been adopted by majority vote of the respective church’s Church Council (or equivalent structure) or Charge Conference. Such petitions shall be submitted to the conference secretary six weeks before the beginning date of the annual conference in order to be included in the Program Booklet.
29. Petitions to the General Conference desiring approval from the annual conference shall be in the hands of the conference secretary at least eight weeks before the convening of the annual conference.
30. All materials other than conference documents must be pre-approved by the conference secretary and shall be displayed or distributed only in areas designated by the Commission on Conference Sessions. All material to be distributed shall identify the source from which it comes.
31. Reports and resolutions printed in advance and distributed to the members shall not be read in full to the conference. Reports, resolutions, and amendments if enacted are not to be considered fully approved until the member offering the same shall have furnished a written text of the item to the secretary. If acted upon unfavorably such actions shall not be printed in the Journal, but their substance shall be noted in the minutes.

32. Any approved petition which instructs the conference secretary and/ or any other agent of the conference, regarding its communication to outside agents, shall be accompanied by all information adequate and necessary to implement said instruction. This information must include appropriate title(s), name, address, with zip code or country code, email address as available and telephone number and persons to help mail copies to those designated by conference actions.
33. Any material for the Journal not in the hands of the conference secretary within ten days after the adjournment of the conference shall be held over for the Journal of the ensuing year at the discretion of the conference secretary.
34. A motion made and seconded, or a report or resolution duly offered and seconded, shall be deemed to be in the possession of the conference. Any motion, resolution or report may be withdrawn by the mover, with the consent of the conference, at any time before amendment or decision. As soon as a motion is accepted by the conference body, it must be written legibly and submitted to the conference secretary.
35. Persons representing other interests, not included as part of the regular conference program, or presented as a part of a regular report, shall be heard only upon recognition by the president of the conference and approval by majority consent of annual conference.
36. When a report, resolution or motion is presented to the conference, a motion to lay on the table shall not be in order until the member who presented it shall have had three minutes to explain the same.

F. THE CONFERENCE BUDGET

37. The proposed budget of the New York Annual Conference as prepared by the Conference Council on Finance and Administration shall be included in the pre-conference materials and posted on the conference web site.
38. The budget shall be presented to and reviewed with the entire conference in a plenary session prior to its discussion in legislative section.
39. Designated members of the Conference Council on Finance and Administration shall be present in the legislative section where the budget is discussed, to provide additional information as needed. These persons shall not take the place of the section leadership.
40. Any changes approved by the legislative section in which the budget is reviewed shall be included by the Conference Council on Finance and Administration in the final budget figures to be presented to the members of the annual conference.

G. MEMBERSHIP

41. All clergy, both active and retired, shall be members of the New York Conference. This includes elders and deacons in full connection, provisional, associate and affiliate members, and local pastors under full- or part-time appointment to a pastoral charge. (*BD 2012 ¶602*)

42. Active deaconesses, and active home missionaries under episcopal appointment within the bounds of the conference, and diaconal ministers, both active and retired, shall be lay members of the annual conference.
43. Lay members of the annual conference shall be elected at the Charge Conference annually. A lay member may be elected to succeed him/herself.
44. Lay members shall have been members of The United Methodist Church for the two years preceding their election and shall have been active in The United Methodist Church for at least four years prior to their election. (*BD 2012* ¶602.4). This rule may be waived for young persons under twenty-five (25) years of age, however such persons must be active members at the time of election.
45. A charge having less than 200 members shall elect one lay member of the annual conference. A charge having 200 to 599 members shall elect two lay members. A charge having 600 to 999 members shall elect three lay members and a charge having 1,000-1,399 members shall elect four lay members. An additional lay member shall be elected for each additional 400 members above 1,400. A church's entitlement shall be based upon the membership figure reported to the preceding session of the annual conference. Each charge served by more than one clergy member under appointment (including deacons in full connection for whom this is their primary appointment) shall be entitled to as many lay members as there are clergy members under appointment. (*BD 2012* ¶602.4).
46. In accordance with Paragraph 32 of the *2012 Book of Discipline*, the following persons shall be members of the conference: the conference president of United Methodist Women, the conference president of United Methodist Men, the conference lay leader, the conference director of Lay Servant Ministries, the conference secretary of Global Ministries (if lay), the president of the Conference Council on Youth Ministries, the president (or equivalent officer) of the conference young adult organization, and the chair of the conference college student organization, the district lay leaders, one young person between the ages of twelve (12) and eighteen (18), and one young person between eighteen (18) and thirty (30) years of age from each district.
47. By virtue of their positions within the New York Conference, the following persons, if lay and if they have not been elected by a local charge or district, shall be members of conference: the conference secretary, the director of connectional ministries, the conference treasurer /director of administrative services, and the leaders of the program and administrative subcommittees of the Commission on Conference Sessions.
48. To complete the number needed to equalize lay membership with clergy membership, each district conference shall elect members-at-large in equal numbers from their respective districts. The number each district may elect shall be determined by the conference secretary before September 1 of each year, based upon the statistics reported at the end of the previous reporting year. The conference

secretary shall report to the district superintendents the necessary number to be elected. If the number to be thus elected is not evenly divisible by 6, the next higher multiple of 6 shall be used. The number thus reported will be effective for the next elections. The at-large members shall be elected by the district conference, and they shall include any lay campus ministers and lay directors of Wesley foundations. If there are chaplains, campus ministers or directors of Wesley foundations who are clergy in any district, the district at-large members shall include balancing counterparts from either the campus ministry board of directors or a student from that ministry or foundation (*BD 2012 ¶602.1e*).

49. If not otherwise a voting member of the annual conference, the conference chancellor shall be seated in the annual conference and shall be given the privilege of the floor without vote.

H. DUTIES AND RIGHTS OF MEMBERS

50. No person may participate in conference proceedings, unless s/he is a member of the conference, except by majority consent of the members of annual conference.
51. Reserve lay members shall be given the privilege of the floor only if and when the reserve lay member has been duly seated as the official lay member for that session and the secretary has been notified of the fact and has given the proper certification.
52. All matters of ordination, character and conference relations of clergy shall be considered by the clergy members of the conference in full connection, and the elected lay members of the Board of Ordained Ministry.
53. Provisional clergy members and local pastors may not vote on constitutional amendments, matters of ordination, character, and conference relations of clergy. Associate and affiliate members may not vote on constitutional amendments. Clergy on honorable location and administrative location have no right to vote on any matters.
54. In debate, upon recognition by the presiding officer, each member shall identify him/herself to the conference by name and shall speak for no more than three minutes unless authorized by a majority vote of the conference. No member shall speak more than once until every member desiring to speak shall have spoken, and a member shall not speak more than twice on the same issue.
55. A committee making a report shall in all cases be entitled to three minutes to open the debate, to oppose a motion, to lay the report on the table and to close the debate on a motion to adopt.
56. When a motion is under consideration on the floor of the conference, it shall be the duty of the presiding officer to ascertain, when s/he recognizes a member of the conference, on which side the member proposes to speak. The presiding officer shall not assign the floor to any member proposing to speak on the same side of the pending question as the speaker immediately preceding, if any other member desires to speak on the other side. Each member shall speak

for no more than three (3) minutes unless authorized by vote of the conference. If sustained by a two-thirds vote, the conference may designate the number of persons that may speak on each side of each motion.

57. It shall be in order to “move the question” for any measure pending before the conference, except in cases where character or conference relations are involved. If sustained by a two-thirds vote, the question shall be moved. It shall be in order under this rule to move to recommit, to divide, or to lay on the table after the previous question has been ordered.

I. NOMINATION AND ELECTION TO CONFERENCE AGENCIES

58. The Conference Committee on Nominations shall consist of the Conference Secretary, the Director of Connectional Ministries, a member of the Cabinet; one youth and one young adult under the age of twenty-five (25) from each district, nominated by the District Superintendent in consultation with the district youth and young adult organizations, and twenty-four members elected for terms of four years in two equal classes. Each class shall be composed of one clergyperson and one layperson from each District, elected by each District Conference in even-numbered years. In addition, there shall be two clergy or lay persons representing minority groups as at-large members in each class, nominated by the Conference Committee on Nominations. In addition, there shall be one representative from each of the official caucuses i.e. Black Methodist for Church Renewal (BMCR), Methodists Associated to Represent Hispanic Americans (MARCHA), Native American International Caucus, National Federation of Asian American United Methodists and Pacific Islanders National Caucus United Methodist, and UMC general agencies that represent the cause of justice on behalf of minority groups, i.e. COSROW and GCORR. No elected member of the Nominating Committee shall be eligible to succeed him/herself. Districts are also urged to rotate their representatives in accordance with this rule regarding elected members of the committee. When a vacancy occurs on the Conference Committee on Nominations, the District Superintendent of the district in which the vacancy occurs shall fill the vacancy until the next regular election.
59. All institutions requiring election or confirmation of their trustees, directors, or other officers by the annual conference, must submit the names of such persons to the chairperson of the Conference Committee on Nominations in time for inclusion in its report. Such nominations shall be included in the pre-conference materials posted on the conference web site.
60. The Committee on Nominations shall present to the conference for election the names of members to serve on conference agencies, except if the *Discipline* provides otherwise. The term “conference agencies” refers to all boards, committees, commissions, councils or other bodies such as the Connectional Ministries Vision Table that carry out the work of the annual conference. The Conference Council on Finance and Administration and the Connectional

Ministries Vision Table shall carry the same status as a board.

61. No one, with the exception of those who are members of agencies by virtue of their office, shall be nominated for more than three committees or commissions, or to more than one board and two committees or commissions. Staff persons of the conference and district superintendents shall be assigned as members of agencies by their respective bodies.
62. The Committee on Nominations shall not nominate any person to serve more than two consecutive terms on any quadrennial or triennial conference agency; nor to serve more than six consecutive years on any agency elected biennially. After a lapse of one year a person shall again be eligible for re-nomination to the same agency. Any person serving fifty percent or more of a term shall be considered as having served a full term. Nothing in this rule shall be construed as precluding nominations from the floor.
63. The chair of each conference agency shall report annually to the chair of the Conference Committee on Nominations the names of those who have not attended meetings during the preceding year. Those who absent themselves from such meetings without valid reason will not be eligible for re-nomination, including nominations from the floor. In the case of quadrennial and triennial agencies, such absences may be considered to constitute vacancies to be filled by Disciplinary or conference procedures at the discretion of the agency involved and the Committee on Nominations.
64. All conference agencies shall elect their officers as part of their organizational process, at the first meeting of the body following the election of new members by the annual conference. This may be done at the site of annual conference, but shall be done within thirty days after the conclusion of annual conference.
65. At least one year of active membership on a conference agency shall be prerequisite for a member to be elected as chair of that agency. The terms of presidents or chairpersons of those agencies nominated by the Conference Committee on Nominations shall not be more than five consecutive years.
66. The conference may elect members-at-large to any agency up to 10% of the established membership thereof, upon request of the agency or recommendation of the Conference Committee on Nominations. District representatives disqualified by transfer from their district may be continued as at-large members until the end of their term.
67. The Committee on Nominations shall fill all vacancies in conference agencies under its responsibility, including those whose membership is elected for the quadrennium. Vacancies shall be deemed to exist when caused by death, removal from the conference or, in the case of district representatives, transfer from the district.
68. All nominations, unless otherwise provided by the *Discipline*, shall be made by the Committee on Nominations. In the case of corporate bodies, primary consideration shall be given to the recommendations of said bodies by the Committee on Nominations. Nothing herein shall be construed as precluding nominations from the floor.

69. The conference may create such special committees as desired but no special committee shall be appointed to do the work of an already existing conference agency.

J. NOMINATION AND ELECTION OF CONFERENCE LAY LEADER

70. Nominations for conference lay leader shall be made from the conference floor by any member of the annual conference. Only lay persons may be nominated.
71. All lay and clergy members shall be entitled to vote for the conference lay leader within the bar of the conference only.
72. A majority of the ballots cast (i.e. 50% + 1) shall be required to elect. A tie vote between the top two persons shall be disregarded and another ballot cast.
73. Balloting may be written or electronic as determined by the conference secretary.
74. The conference lay leader shall be elected by the Conference at the first session of each quadrennium following General Conference, and shall serve no more than two quadrennial terms.

K. ELECTIONS OF GENERAL AND JURISDICTIONAL CONFERENCE DELEGATES

75. Clergy and lay delegates to the General and Jurisdictional Conferences shall be elected at the session of the annual conference held two annual conference sessions before the calendar year preceding the session of the General Conference (*BD 2012* ¶¶ 34 & 502.3).
76. Clergy and lay delegates elected to the preceding General and Jurisdictional Conferences shall be the delegates to special sessions of the respective conferences.
77. The number of clergy and lay delegates from the New York Conference to the General Conference shall be determined by the provisions of *BD 2012* ¶502.2.
78. The number of clergy and lay delegates from the New York Conference to the Northeastern Jurisdictional Conference shall be determined by the provisions of *BD 2012* ¶514 provided that the duly elected clergy and lay delegates to General Conference shall be delegates to Jurisdictional Conference, and additional clergy and lay delegates shall be elected to complete the total number to which the New York Conference is entitled.
79. The additional Jurisdictional Conference delegates, in order of their election shall be reserve delegates to the General Conference.
80. The number of clergy and lay reserve delegates to be elected to the Jurisdictional Conference shall be determined by the Conference Secretary in consultation with the previous chair and vice chair of the General Conference delegation and recommended to the annual conference for their adoption. Once the number is determined, these reserve delegates shall be elected in accordance with the procedures specified in Section K of the Conference Rules and Rulings of Law.

81. Electronic balloting will be used for the election of clergy and lay delegates to General and Jurisdictional Conference.
82. Clergy and lay delegates to the General Conference shall be elected first by separate ballot, to be followed, after all the delegates to the General Conference have been elected, by balloting for the delegates to Jurisdictional Conference.
83. After all Jurisdictional Conference delegates have been elected, an additional ballot shall be cast, and the clergy and lay persons receiving the highest number of votes shall be elected as the reserve delegates to the Jurisdictional Conference in accordance with the number provided by the conference secretary.
84. Clergy delegates to General and Jurisdictional Conferences shall be elected by the clergy members in full connection with the annual conference.
85. All clergy in full connection shall be eligible for election on any ballot.
86. The following voting process will be used for electing clergy delegates:
 - a) For electronic voting, a number will be assigned to each eligible clergy member of the New York Annual Conference who is a prospective delegate to General and Jurisdictional Conferences. A list of prospective delegates with their assigned number will be provided to all voting clergy members with the first ballot.
 - b) At the time of registration for annual conference, any eligible clergy members of the New York Annual Conference may withdraw their names from consideration as prospective delegates to General and Jurisdictional Conferences. This does not preclude them from then requesting reinstatement of their names at a later time.
 - c) The balloting process shall begin during the Executive Session (clergy session) using the previously assigned number.
 - d) After the first ballot, only members receiving five or more votes shall be listed on subsequent ballots.
 - e) Nothing herein shall preclude the right of clergy members to write in the names of eligible clergy members throughout the entire election process. If these members receive more than 5 votes, their names shall be added to subsequent ballots.
87. Lay delegates to General and Jurisdictional Conferences shall be elected by the lay members of annual conference without regard to age.
88. To be eligible for election, prospective delegates shall have been a member of The United Methodist Church for at least two years preceding their election, and shall have been active participants in The United Methodist Church for at least four years prior to their election. In addition, lay members must be members of a church within the annual conference electing them at the time that the General and Jurisdictional Conferences to which they have been elected delegate are held. (*BD 2012 ¶36 Article V*)

89. The following voting process will be used for electing lay delegates:
- a) An eligible lay person shall declare her/his candidacy to be a delegate by submitting a statement of intent that specifies the conference, whether General or Jurisdictional, of their candidacy and a brief biographical sketch upon which s/he has affixed her/his signature. The statement of intent is to be on one side of an 8 ½" x 11" sheet, and submitted to the conference secretary via email by April 1 of the year elections are to be held. Each statement of intent shall be accompanied by a biographical sketch not to exceed one side of an 8 ½" x 11" sheet of paper. A photograph may be included. In addition, each nomination of a person not a lay member of annual conference shall be accompanied by a certification from the nominee's administrative board chairperson or church council chairperson, verifying that the nominee meets the membership and activity requirements set out in Rule 87. The annual conference shall copy the biographical sketches and collate them into packets. The conference secretary shall ensure that there is a packet available at the laity session preceding the annual conference for each lay member of conference.
 - b) The names of the lay persons placed in nomination according to the above procedure shall be read aloud in the laity session. At the option of the nominee, s/he may take the stage as her/his name is read. When the nominations are read, the reading shall be limited to the name of the nominee and the name of the church and district from which the nominee comes. Additional nominations may be made from the floor of the laity session at annual conference. Those who are nominated may provide copies of their biographies.
90. For electronic voting, numbers will be assigned to all lay nominees. A list of all nominees and their assigned numbers will be provided to all lay members with the first ballot. Nothing herein shall preclude the right of lay members to write in the names of eligible lay members throughout the entire election process. If these members receive more than five votes, their names shall be added to subsequent ballots.
91. Lay members shall be entitled to vote for lay delegates to General and Jurisdictional Conference. If a lay member is absent, the properly seated alternate lay member shall be entitled to vote.
92. Clergy and lay members shall be entitled to vote ONLY within the bar of the conference.
93. A ballot shall be considered invalid if it contains more or less names than places to be filled on that ballot. To be considered valid, a ballot shall contain markings for only the number of delegates to be elected.
94. A majority of the valid ballots cast (i.e. 50% + 1) shall be required to elect. A tie vote between two persons when but one place remains to be filled shall be disregarded and another ballot cast.

95. If a ballot contains the number of a person already elected, that number shall be disregarded. Other valid numbers on the ballot will be accepted.
96. The conference secretary shall administer the election process and shall appoint such tellers as are deemed necessary to expedite the election procedure.
97. Before each ballot the president shall announce the number of candidates that the ballot may elect.
98. The report of the results of all ballots shall be made only to and announced by the president.

L. ENDORSEMENT OF EPISCOPAL CANDIDATES

99. The annual conference may endorse one or more persons for Episcopal candidacy. Members may submit the names of persons to be considered using Conference Petition forms that shall be made available on the annual conference web site. Members are encouraged to submit their petitions prior to annual conference. Petition forms shall also be available in printed form from the conference secretary at the site of the annual conference. Each petition must be signed by ten (10) lay and ten (10) clergy members of the annual conference in order to be considered valid. Only elders in full connection are qualified to be elected to the episcopacy. Candidates do not have to be members of New York Annual Conference. **During the annual conference session, the conference secretary will announce to the annual conference the time by which all petitions must be turned in.**
100. At the beginning of the process, one of the annual conference members of the Northeastern Jurisdictional Committee on the Episcopacy shall present to the annual conference the number of episcopal vacancies to be filled by the Jurisdictional Conference. The decision to endorse candidates for the episcopacy must be ordered by a two-third vote of those members present and voting.
101. Once a decision is made to proceed with endorsement, the presiding officer shall open the floor for motions regarding the number of candidates that may be endorsed. The decision regarding the actual number that will be endorsed shall be made by vote of the conference and shall be ordered by a majority vote of those members present and voting (i.e. 50% + 1). The presiding officer shall specify the latest time by which petitions must be received by the conference secretary in order to be considered for endorsement by the annual conference and the time for completing the process for endorsement of candidates.
102. The conference secretary shall prepare a written ballot with the names of all candidates for whom valid petitions have been received. A ballot shall be considered invalid if it contains more names than places to be filled on that ballot. A majority of the valid ballots cast (i.e. 50% + 1) shall be required for endorsement. Only the names of persons who have been elected shall be removed from subsequent

ballots. The rules for the balloting process shall be in accordance with those followed for Election of General and Jurisdictional Delegates (Rules 91-97).

M. FINANCES

103. No officer, Board, Commission, Committee or Agency created by the conference shall involve itself or the conference in any debt or financial obligation, unless authorized to do so by the conference.
 104. All propositions before the conference involving budget appropriations shall be referred to the Council on Finance and Administration. Those that involve program considerations shall be referred to the Connectional Ministries Vision Table. It is not in order for a legislative section or the conference plenary to vote on such a proposition before hearing a response from the Council or the Table, respectively.
 105. The Council on Finance and Administration is authorized to defer action until the following year on those requests reaching the Council after its duly announced hearing date.
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N. STATISTICS

106. The conference year statistics shall be for the calendar year, January 1 to December 31.
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2. RULING OF LAW

The following is the request from Rev. Steven Knutsen at the Clergy Session on June 8, 2016 for a Decision of Law and the response from Bishop Jane Allen Middleton. The submitted Briefs and other data will be printed in the 2017 Journal.

REQUEST FOR A DECISION ON A QUESTION OF LAW

Under ¶ 2609.7, I submit the following question of law:

In light of the fact that Par. 16, Article IV of the Constitution of the 2012 *Book of Discipline* gives the General Conference “the full legislative power over all matters distinctively connectional,” and

In light of the fact that Par. 604.1 of the 2012 *Book of Discipline* stipulates that “The Annual Conference, for its own government may adopt rules and regulations **not in conflict** with the Book of Discipline of The United Methodist Church,” (see Judicial Council Decision 886 and others, including Decisions 7, 313, 318, 513, 536, 544, 823, and 1321) and

In light of the fact that Par. 304.3 of the 2012 *Book of Discipline* expressly stipulates that “self-avowed practicing homosexuals are not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church,” and

In light of the fact that Pars. 304.2, 310.2d, 322.1, 324.9o, 330.5(c)3, and 335c3 of the 2012 *Book of Discipline* stipulate that the requirements of candidacy and clergy membership include “fidelity in marriage and celibacy in singleness,” and

In light of the fact that Par. 161B of the 2012 *Book of Discipline* defines marriage as “the marriage covenant that is expressed in love, mutual support, personal commitment, and shared fidelity between a man and a woman,” (see Judicial Council Decision 1185), and

In light of the fact that the official website of the New York Conference has openly stated that the Board of Ordained Ministry’s policy will be, “*We publicly affirm that lesbian, gay, bi-sexual, transgender, questioning, intersexed, and straight candidates will be given equal consideration and protection in the candidacy process.*” This policy also states that “*These standards are based upon the disciplinary guidelines for the role of clergy (Book of Discipline ¶329, ¶340), but are also intentionally augmented through the discernment of the nuances and challenges of each annual conferences [sic] ministry setting(s).*” (see <http://www.nyac.com/newsdetailnew-york-conference-boom-formally-welcomes-lgbtqi-candidates-for-ministry-4032571>), and

In light of the fact that two candidates, one for provisional membership and one for full membership as an ordained elder, recommended by the board and approved by this clergy session have openly avowed their homosexuality,

A request for a ruling of law on the following questions is hereby made:

1. Is the Conference Board of Ordained Ministry required to ascertain whether a candidate meets the qualifications for candidacy and ordained ministry, including whether or not she or he is exhibiting “fidelity in marriage and celibacy in singleness” or is a self-avowed practicing homosexual?
2. Can the Conference Board of Ordained Ministry legally recommend to the clergy session a candidate whom they believe to be a self-avowed practicing homosexual or otherwise in violation of the fidelity and celibacy standard?
3. Are the candidates in question in fact eligible for candidacy, commissioning as a provisional member, ordination as a full elder, and appointment as a United Methodist clergy as defined by the *Book of Discipline*?
4. Is an act of commissioning and/or ordaining an ineligible candidate by a United Methodist Bishop a valid act of ministry according to the *Book of Discipline*, even if the candidate is approved by the clergy session?

Respectfully,
Steven M. Knetsen

BISHOP JANE ALLEN MIDDLETON, PRESIDING
NEW YORK ANNUAL CONFERENCE
BISHOP'S DECISION OF LAW

(A decision of law made by a bishop in response to a written question during the annual conference session)

The request for a decision of law regarding certain proceedings and procedures of the Board of Ordained Ministry is denied inasmuch as such proceedings and procedures of an independent Conference board is not a subject upon which a decision of law can be made, and also in part because certain questions are hypothetical and out of order.

CONFERENCE RULES

At the Clergy Session of the 2016 Annual Conference, the session had voted in a single vote by a vote of more than two-thirds of those present and voting to approve the 13 candidates for provisional membership and voted in a single vote by a vote of more than two-thirds of those present and voting to approve the 14 candidates for full membership as an ordained elder, same being all the candidates put forth by the Board of Ordained Ministry. After the voting, Rev. Steven M. Knutsen, an associate member without vote, requested a Decision of Law on whether certain proceedings and procedures of the Board of Ordained Ministry were in accordance with the Book of Discipline's stipulations.

The request asserts two of the candidates "have openly avowed their homosexuality," but the names of those referred to are nowhere indicated in the request, nor is any evidence provided upon which the assertion can be evaluated. Thus, the effect of the request is to solely question the internal substantive proceedings of the Board of Ordained Ministry.

Four questions are presented:

"1. Is the Conference Board of Ordained Ministry required to ascertain whether a candidate meets the qualifications for candidacy and ordained ministry, including whether or not she or he is exhibiting 'fidelity in marriage and celibacy in singleness' or is a self-avowed practicing homosexual?"

Clergy members in full connection "have sole responsibility for all matters of ordination, character, and conference relations of clergy." *Book of Discipline* ¶ 602.1(a). The question presented concerns the internal activities of the Board of Ordained Ministry. It is improper for the Bishop to issue a substantive opinion pursuant to the leading Judicial Council Decision 872 and its many progeny. *See also Decision 799.*

Further, the word "ascertain" questions whether some form of investigation is required to be conducted by the board in its process for evaluating candidates. This question is improper for a Bishop's response. As the Judicial Council ruled in Decision 872, the Constitution does not grant to Bishops "powers and authorities which are reserved to other organizational bodies and divisions in the Constitution."

"2. Can the Conference Board of Ordained Ministry legally recommend to the clergy session a candidate whom they believe to be a self-avowed practicing homosexual or otherwise in violation of the fidelity and celibacy standard?"

This question seeks an improper decision from the Bishop about the internal workings of the ordination process regarding the processes and procedures utilized by the

Board of Ordained Ministry. *See the leading Judicial Council Decision 872. See also Decision 1166.*

“3. Are the candidates in question in fact eligible for candidacy, commissioning as a provisional member, ordination as a full elder, and appointment as a United Methodist clergy as defined by the *Book of Discipline*?”

Since the “candidates in question” are not identified and there is no information as to a specific person, this question is hypothetical and is ruled out of order.

Furthermore and/or in the alternative, this question addresses a candidate’s eligibility which is an internal, substantive determination of the Board and is improper for a Bishop’s response.

“4. Is an act of commissioning and/or ordaining an ineligible candidate by a United Methodist Bishop a valid act of ministry according to the *Book of Discipline*, even if the candidate is approved by the clergy session?”

Like Question 3, this question is hypothetical and can only be answered in the context of specific facts regarding the ineligibility of the candidate as it relates to a specific “act of ministry” identified in a particular paragraph in the *Book of Discipline*. *See Judicial Council Memorandum 1118.* Therefore, this question is ruled out of order.

Furthermore and/or in the alternative, to the extent that this question implies that the responsibility of the Bishop includes conducting an independent investigation of clergy candidates approved by vote of the clergy session, the Bishop has no such role. *See Decision 872.* The responsibility of the Bishop is ceremonial only (subject to the general questions asked as part of the ordination service). BOD ¶ 415.6. The Chairperson of the Board of Ordained Ministry introduced the candidates by indicating that all candidates had been interviewed and all Disciplinary requirements were followed. Investigations of elders by Bishops occur only in the context of specific complaints against clergy. BOD ¶ 2701ff. Thus, once again this question is improper for a Bishop’s response.

In conclusion, it is improper for the Bishop to issue a substantive decision on the questions presented, and, as to Questions 3 & 4, they are hypothetical and are ruled out of order.