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Report by Bishop on Decision of Law

This form is to be used for (please check one):

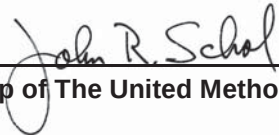
☒ Reporting of decisions of law made by bishops in response to questions of law submitted to them in writing during the regular business of a conference session (§ 56.3 Const. and § 2609.6 *The Book of Discipline* 2016).

☐ Reporting of episcopal decisions on questions of law when such decisions are appealed by one-fifth of the members of the conference (§ 56.2 Const. and § 2609.7 *The Book of Discipline* 2016).

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Annual Conference: Greater New Jersey Date of session: 5/21-23/2017 (month/day/year)
Question(s) of Law: "Does the cabinet's process for initiating part-time appointments abide by
the requirements of paragraph 338 of the Book of Discipline?"

Authorities Cited (indicate paragraph or decision number where applicable):

Constitution: _____ Book of Discipline: Par. 321, 327, 334, 338
Judicial Council Decision(s): 719, 1226

Signature: 
Bishop of The United Methodist Church

Date: 06/16/2017
(month/day/year)

The following must be attached:

- ☐ Decision of Law, including facts, rationale and ruling
- ☐ Text of the written request for decision
- ☐ Minutes of annual conference proceedings (relevant portions only)
- ☐ List of names and addresses of interested parties
- ☐ 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:
secretaryjudicialcouncil@gmail.com

Mail four (4) sets of hard copies to: Secretary of the Judicial Council, 5556 N Sheridan Road,
610; Chicago, IL 60640 USA

The United Methodist Church of Greater New Jersey
Decision of Law Requested May 20, 2017
Bishop Initiated Part-Time Appointments
John R. Schol, Bishop

DECISION

The process developed by the Greater New Jersey cabinet for initiating part-time appointments is in concert with paragraph 338 of the 2016 Book of Discipline.

JURISDICTION

The Judicial Council has jurisdiction pursuant to Par. 2609.6 of the 2016 Book of Discipline

STATEMENT OF FACTS

At the clergy session of the 2017 Greater New Jersey Annual Conference, of The United Methodist Church, the process for how bishop-initiated part-time appointments were going to be made was presented. After the process' presentation, the following request for a Ruling of Law was made by the Dean of the Cabinet on behalf of the cabinet. "Bishop Schol, I ask for a decision of law. Does the cabinet's process for initiating part-time appointments abide by the requirements of paragraph 338 of the Book of Discipline?"

The following document was emailed to the clergy prior to the clergy session and presented at the 2017 clergy session.

Less Than Full-Time Clergy Appointments (2016 Book of Discipline ¶ 338)

GNJ Mission

Recruit and develop transformational leaders to make disciples and grow vital congregations to transform the world.

GNJ Cabinet Commitment in Appointment Making

Maximize the making and engaging of disciples through effective transformational clergy leadership.

Challenges Impacting Missional Appointment-Making in GNJ

The GNJ cabinet is experiencing five significant challenges in missional appointment-making:

- 1) A decrease in full-time appointments from 382 in 2006 to 282 in 2016 – more than 25% reduction of full time appointments in the last 10 years.
- 2) A reduction of over \$1 million dollars in total clergy salaries since the year 2000 which takes into account clergy salary increases. This includes a reduction of \$600,000 in the last 5 years alone.
- 3) A growing number of congregations are significantly reducing clergy salaries when there is a change in appointment. In some cases, to an entry level amount which makes it very difficult to appoint experienced pastors. These reductions over the last five year represent more than \$1 million dollars.
- 4) There is fewer annual conference dollars available for clergy salaries.
- 5) The fast paced everchanging mission field requires new and different skills for effective and fruitful clergy leadership. Unfortunately, some clergy have had difficulty adapting to this shift, limiting their effectiveness to smaller congregations that hold traditional ministry values, strategies and budgets.

Expectations of Clergy

Pastoral leaders in GNJ are expected to lead by meeting five key expectations;

- 1) Leading a congregation to vitality
- 2) Developing and growing lay leadership
- 3) Building connections and relations well with the church leadership, members and community residents
- 4) Leading the congregation to deeper faith and service in the world, and
- 5) Raising sufficient funds for salary and benefits, shared ministries, ongoing congregational ministry and community and world mission.

Less than Fulltime Clergy Appointments

In response to the challenges mentioned above, the bishop in consultation with the cabinet will begin appointing elders, provisional members and associate members to part-time appointments for missional purposes, in accordance with Paragraph 338.2.a.3, of the 2016 Book of Discipline of The United Methodist Church.

The 2016 Book of Discipline, paragraph 338.2 states:

“On occasion, less than full-time service is requested by or required of an elder, provisional elder, or associate member. A clergy member may be appointed in one-quarter, one-half, or three-quarter time increments by the bishop to less than full-time service without loss of essential rights or membership in the annual conference. Division of Ordained Ministry-endorsed appointments beyond the local church may be for less than full-time service.

a) Appointment to less than full-time service is not a guarantee, but may be made by the bishop under the following circumstances:

(1) Limited Itineracy— Less than full-time service may be granted— but is not guaranteed— when the elder, provisional elder, or associate member has declared in writing that itineracy is limited due to temporary constraints. The clergy member shall present that written declaration to the bishop and the chairperson of the Board of Ordained Ministry prior to the annual conference session at which the appointment is made.

(2) Self-Initiated— The elder, provisional elder, or associate member seeking less than full-time service shall present a written request to the bishop and the chairperson of the Board of Ordained Ministry at least 90 days prior to the annual conference session at which the appointment is made. Exceptions to the 90-day deadline shall be approved by the cabinet and the executive committee of the Board of Ordained Ministry.

(3) Bishop-Initiated— For missional purposes, the bishop may appoint an elder, provisional elder, or an associate member to less than full-time service. The clergy person shall be notified at least 90 days prior to final termination of the current appointment. Special attention shall be given to ensure that the values of open itineracy are preserved.”

The process detailed above in par. 338 is differentiated from the process for evaluation of clergy for effectiveness as outlined in BOD par. 334 Elders, par. 327 Provisional Elders and par. 321 Associate Members. BOD par. 338 is intended to align clergy leadership with appointment deployment for the sake of the mission of the church.

What are the “missional” grounds upon which an elder, provisional elder or an associate member will be considered for a less than full-time appointment?

Missional grounds include clergy who meet the minimum standards for effectiveness and the disciplinary expectations for a role of a pastor (paragraph 340) but are unable to maintain the health and vitality of a congregation or lead so that the congregation is at least maintaining the ministry and not declining as to put the mission at risk and/or even going part time.

When pastors are unable to ensure a congregation maintains its fulltime status it not only hurts the mission of the congregation but the conference’s mission as well. In GNJ we find that while some pastors are not able to maintain a fulltime appointment they can serve well in a part time appointment where the congregation is smaller and there is less financial need. Additionally, from time to time there may not be enough fulltime appointments and we will be required to appoint clergy part time.

What process will be used to identify elders, provisional elders or associate members who will be considered for a less than full-time appointment?

- 1) All clergy will be invited annually to participate in the GNJ clergy leadership development initiative that equips clergy to be fruitful, transformational and apostolic in their ministry.
- 2) The bishop and cabinet will review all full-time clergy annually in preparation for appointment season based on how they are leading congregations to meet the expectations of full-time clergy as identified above.
- 3) The bishop and cabinet will identify clergy whose track record in previous appointments and/or their performance in the current appointment indicate an inability to meet those expectations.
- 4) Clergy who potentially may move from full-time to part-time will be notified by no later than July 1 of each year and recommended to participate in the leadership development initiative. It is expected that the clergy person will create a written Development Plan for their leadership in conversation with the Director of Leadership Development.
- 5) Any clergy person who is not making progress as determined by the cabinet will be considered for a part-time appointment and will be informed of their potential move to a part-time appointment at least 90 days prior to Annual Conference. Likewise, a clergy person will be informed if their current appointment is going part time at least 90 days prior to Annual Conference and the clergy person will remain full-time in that appointment until Annual Conference.
- 6) The cabinet will follow BOD paragraph 338 for processing the part-time appointment which includes a vote by the clergy executive session of Annual Conference.
- 7) Clergy will utilize GNJ Resources (Clergy Development Seminar, Coaching, PaCE) and work with the Director of Leadership Development who will support the clergy person in fulfilling their Development Plan.
- 8) Each clergy person who is potentially being appointed part-time is expected to schedule a one-on-one meeting with a GNJ benefits person to fully understand their options and the impact part-time will have on their health insurance and pension.

What recourse does a clergy person have?

A clergy person seeking to appeal the decision to appoint them to less than full-time may file an appeal with the dean of the cabinet (or a superintendent designated by the bishop in the event of a potential conflict) to determine whether the process as outlined in this document has been followed.

What benefits are available to clergy who are moving from full-time to part-time?

- Clergy person will be continued under the conference medical plan at the expense of the annual conference for up to 6 months as funding is available from the Board of Pensions. A clergy person may voluntarily continue in the conference medical plan for an additional 6 months at his/her own expense.
- Part-time clergy will be eligible to continue participating in pension programs consistent with the plan approved by the annual conference.

- Part-time clergy will be eligible to participate in GNJ leadership development resources (Clergy Development Seminar, PaCE, coaching, etc.) to continue their leadership development towards meeting the stated expectations.

**CLERGY DEVELOPMENT SEMINAR AND
ADDITIONAL RESOURCES TO EXCEL IN CONGREGATIONAL LEADERSHIP**

Activity	Focus	Strategy	Outcome
Development Seminar	Skill and performance enhancement	12-month seminar to improve leadership understanding, skill, and practice. The seminars will be reversed learning and participants will be teachers and create resources for developing leaders and congregations.	Pastors leadership will improve the quality and fruitfulness of a congregation's ministry
Management Intervention	Tactical focus and problem solving	6 month weekly 20-30-minute check in with the pastors on tactics and follow through	Successful implementation of a leadership development plan and congregational vitality plan
Coaching	Bring out the pastor's creativity, resourcefulness and wholeness	Assist the pastor with thinking through approach and engagement to leadership	Improved confidence, people engagement, goals setting, prioritization and communication
Quarterly Evaluation	Assess progress and identify areas for growth	Provide feedback and set benchmarks. Use quarterly guide with questions.	Pastor, SPRC, and Superintendent agreement on areas of strength and areas for improvement
Quarterly Church Council Conversation	Congregational goals and progress	Identify what is going well, what is not going as planned, changes needed	Progress toward stated goals and vitality growth
Team Vital	Congregational Vitality Plan	Work with the pastor and a team of eight laity to develop a plan and action steps for vitality	Congregation takes concrete steps to grow in worship, new disciples, small groups, mission and giving
PaCE	Peer group learning	Small group of clergy gather with a facilitator to learn about an aspect of ministry	Clergy grow with and support one another

All clergy who participate in CLDI will complete the DISC Leadership Survey and the Emotional Resilience Inventory

ANALYSIS AND DECISION

The 2012 Book of Discipline makes provision for less than full-time appointments. Par. 338.2 reads: “At the initiation of the Bishop and cabinet...an elder, provisional elder or associate member may receive less than full time appointment”. The paragraph refers to Judicial Council Decision 719, which is NOT directly on point, but the relevant language in that Decision is the statement that “the requirement of written guidelines seems to assure that all persons requesting that less than full-time service be equated to full-time service will be treated equally.”

The 2016 Book of Discipline in Par. 338.2 a) (3) states “*Bishop Initiated* - for missional purposes, the bishop may appoint an elder, provisional elder, or an associate member to less than full-time service. The clergyperson shall be notified at least 90 days prior to final termination of the current appointment. Special attention shall be given to ensure that the values of open itineracy are preserved.”

Additionally, it is important to note that Judicial Council Decision 1226, which is the decision which overturned the legislation from the 2012 General Conference that was called “doing away with guaranteed appointments,” made no reference to any illegality as to part-time appointments.

Because the 2016 Book of Discipline as well as past Disciplines have provided for part-time appointments, and Judicial Council Decision 719 notes the importance of guidelines when part-time appointments are going to occur, and the Cabinet has provided missional reasons for needing to have part-time appointments, and the cabinet has also developed an open and transparent process for making these part-time appointments, therefore

The process developed by the Greater New Jersey Conference cabinet for initiating part-time appointments is in concert with paragraph 338 of the 2016 Book of Discipline.

Submitted by : John R Schol, Bishop

Appendix One

Question of Law – submitted by Rev. Dr. Gina Hendrickson, Dean of Cabinet, The UMC of GNJ

May 21, 2017

At the Clergy Session of the GNJ Annual Conference, May 21, 2017 I put forth to Bishop John Schol a request:

“Bishop Schol, I ask for a decision of law. Does the cabinet’s process for initiating part-time appointments abide by the requirements of paragraph 338 of the Book of Discipline?”

Respectfully submitted by,

Rev. Dr. Gina Hendrickson

Dean of Cabinet for GNJAC

Appendix Two

Minutes from the Annual Conference

Daily Proceedings
Of the 18th Annual Conference Session of the
United Methodist Church of Greater New Jersey
Meeting at Wildwood, NJ

Sunday, May 21, 2017 – 4:00 p.m.

CLERGY SESSION

The Clergy Report in its entirety was presented for approval. The entire report was approved with the exception of question 50b, continuing Rev. Jisun Kwak on involuntary leave of absence.

Rev. Dr. Gina Hendrickson, Dean of Cabinet for GNJAC presented the proposed process for initiating part-time appointments and then made a request for a decision of law.

REQUEST FOR DECISION OF LAW

Rev. Dr. Gina Hendrickson, Dean of Cabinet for GNJAC, submitted the following request: “Bishop Schol, I ask for a decision of law. Does the cabinet’s process for initiating part-time appointments abide by the requirements of paragraph 338 of the Book of Discipline?”

This was received, and the session adjourned at 6:10 p.m.

List of Interested Parties in Docket No. 1017-3

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