



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): _____

Date of session: _____ (month/day/year) Location: _____

Name of Secretary: _____

Address: _____ City: _____

State/Province: _____ ZIP/Postal Code _____ Country: _____

Phone: _____ Fax: _____ E-mail: _____

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

Book of Discipline: _____

Legislation: _____

Act of General Conference: _____

Signature: _____

Secretary of the Conference/Body

Date: _____

(month/day/year)

The following must be attached:

- Text of the written Petition for Declaratory Decision as originally presented
 - Minutes of proceedings (relevant portions only)
 - List of names and addresses of interested parties, including e-mail
 - Other relevant materials (e.g. conference rules, resolutions, policies, reports)
- Eight (8) hard copies must be submitted via USPS or other delivery service to:
Secretary of the Judicial Council, 5556 N. Sheridan Road, #610, Chicago, IL 60640, USA
- Electronic copies in both Word and PDF (with security features disabled) must be submitted to:
secretaryjudicialcouncil@gmail.com

Request for Declaratory Decision on GC Registration Fees

On Thursday, we heard a report on the work of the Commission on a Way Forward and the work of the Council of Bishops in relation to the 2019 GC. I noted in our policies and procedures as reflected in the 2017 Journal Volume II, Appendix III, on page 167, that we budget for a certain number of alternate delegates to attend General Conference.

I am also aware that on May 16th, the Commission on General Conference announced that registration fees will be charged to visitors attending the 2019 special session of General Conference and that badges will be required in order to enter the plenary hall where GC will be taking place in St. Louis. Those fees would typically range from \$200-\$300.

Are any funds provided in the 2019 Upper NYAC budget that are designated for or can be used for alternate delegates or any conference staff, officials or other persons to attend the 2019 special session of General Conference?

[Response.]

I believe this will satisfy the requirement for standing to ask the following questions of the Judicial Council, pursuant to paragraph 2610.2j of the 2016 Book of Discipline.

The impact of such multi-hundred dollar registration fees, in combination with the mandatory payment of them in order to acquire a badge that would permit entry into the plenary hall, create a scenario where only economically affluent United Methodists would be able to observe in person and participate in the conversations that take place inside the plenary hall, while less affluent United Methodists would be restricted to staying outside the room and relegated to watching remotely via an online video feed. Such actions would create a highly consequential and morally repugnant economic barrier to the full participation of observers at General Conference.

Paragraph 164.B of the Social Principles, regarding Political Responsibility states, “The strength of a political system depends upon the full and willing participation of its citizens.” It seems that strength would also depend in part upon the ability of a political system’s members to be able to observe that political system in action, without hindrance or economic obstruction.

Paragraph 164.D of the Social Principles, regarding Freedom of Information, states, “Citizens of all countries should have access to all essential information regarding their government and its policies.” It seems this principle should also apply to members of The United Methodist Church in relation to our ecclesiastical governing bodies.

Indeed, Paragraph 163.L of the Social Principles, regarding Graft and Corruption, relates that, “Good, just political governance [is] characterized by transparency, accountability, and integrity...” Resolution 6129 from the Book of Resolutions characterizes “transparency and accountability” as “pillars of a democratic system.” And, paragraph 722 of the 2016 Book of Discipline states in part, “In the spirit of openness and accountability, all meetings of councils, boards, agencies, commissions, and committees of the Church at all levels of the church...shall be open.” And, “While it is expected that the General Conference, the Judicial Council, and the Council of Bishops will live by the spirit of this paragraph, each of these bodies is governed by its own rules of procedure.”

Finally, Division One, Article IV, on Inclusiveness, of the constitution of The United Methodist Church, states in part, "In The United Methodist Church no conference or other organizational unit of the Church shall be structured so as to exclude any member or any constituent body of the Church because of race, color, national origin, status or economic condition.

Therefore, I request a declaratory decision regarding the following five questions:

- 1. Does any part of paragraph 722 and/or any part of the General Conference Rules of Order permit the requirement of mandatory registration fees for all non-delegates attending and observing the 2019 special session of General Conference?**
- 2. Do mandatory registration fees for visitors/observers function as an unlawful economic obstruction to the openness and accountability function of being physically present to observe a General Conference and participate in the democratic processes of such a conference through the conversations that take place within the plenary hall, including those outside of the bar and/or outside of convened sessions?**
- 3. Do mandatory registrations fees for attendees of a General Conference constitute an unconstitutional violation of Division One, Article IV, paragraph 4, of the Constitution of The United Methodist Church, by establishing a de facto barrier to full inclusion based on economic condition?**
- 4. Pursuant to paragraph 722, is the Commission on General Conference authorized to adopt a policy that would have the impact of infringing upon and substantially curtailing the spirit of paragraph 722, absent a process to amend the General Conference Rules of Order?**
- 5. Absent any explicit authority in either the Discipline or the policies and procedures of General Conference, is the Commission on General Conference empowered to make a decision to establish registration fees for attendance at General Conference which would have the effect of curtailing the observation and participation of visitors or other attendees?**

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UNY local church membership: First UMC, Schenectady

Request for a Declaratory Decision by Upper NY Annual Conference

Interested Parties

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NINTH SESSION
OF THE
UPPER NEW YORK ANNUAL CONFERENCE

Saturday, June 3, 2018

Request for Declaratory Decision

Kevin Nelson, laity, Home Missioner, moved to request a declaratory decision by the Judicial Council on the decision by General Conference to require visitors to pay registration fees and acquire badges to gain entry to the plenary hall for the 2019 Special Session of General Conference to be held February 23-26, 2019 in St. Louis, MO. It received a second.

Rebekah Sweet, clergy, speaking to the motion, on behalf of Kevin Nelson, whose voice was weakened by illness, provided the following rationale:

“The impact of such multi hundred-dollar registration fees, in combination with the mandatory payment of them in order to acquire a badge that would permit entry into the plenary hall, create a scenario where only economically affluent United Methodists would be able to observe in person and participate in the conversations that take place inside the plenary hall, while less affluent United Methodists would be restricted to staying outside the room and relegated to watching remotely via an online video feed. Such actions would create a highly consequential and morally repugnant economic barrier to the full participation of observers at General Conference”.

Sweet cited Paragraphs 164 b regarding Political responsibility and 164 d regarding Freedom of Information. Sweet, reading on behalf of Nelson, noted that Paragraph 6129 of the Book of Resolutions characterizes “transparency and accountability” as pillars of a democratic system; and that Paragraph 722 of the 2016 Book of Discipline states, in part “in the spirit of openness and accountability, all meetings of the councils, boards, agencies, commissions and committees of the Church at all levels of the church...shall be open.” And, “while it is expected that the General Conference, the Judicial Council, and the Council of Bishops will live by the spirit of this paragraph, each of these bodies is governed by its own rules and procedure.”

Nelson, through Sweet, requested a declaratory decision regarding the following questions:

- 1.) Does any part of Paragraph 722 and/or any part of the general Conference Rules of Order permit the requirement of mandatory registration fees for all non-delegates attending and observing the 2019 special session of General Conference?
- 2.) Do mandatory registration fees for visitors/observers function as unlawful economic obstruction to the openness and accountability function of being physically present to observe a General Conference and participate in the democratic processes of such a conference through the conversations that take place within the plenary hall, including those outside of the bar and/or outside of convened sessions?

- 3.) Do mandatory registration fees for attendees of a General Conference constitute an unconstitutional violation of Division One, Article IV, paragraph 4 of the Constitution of The United Methodist Church, by establishing a de facto barrier to full inclusion based on economic condition?
- 4.) Pursuant to paragraph 722, is the Commission on General Conference authorized to adopt a policy that would have the impact of infringing upon and substantially curtailing the spirit of paragraph 722, absent a process to amend the General Conference Rules of Order?
- 5.) Absent any explicit authority in either the Discipline or the policies and procedures of General Conference, is the Commission on General Conference empowered to make a decision to establish registration fees for attendance of General Conference which would have the effect of curtailing the observation and participation of visitors or other attendees?

Bishop Webb noted that a one-fifth vote of the body is required to request a declaratory decision.

Carolyn Stowe, clergy and Mary Roble, clergy, asked questions of clarification. Stephen Deckard, clergy, and Marti Swords-Horrell, clergy, spoke in favor of the motion. Daniel Martin, clergy, asked for clarification.

The request for a declaratory decision was supported. The Conference Secretary will forward the request and supporting documentation to the Judicial Council.