

Bishop, I move that as authorized in ¶2610.2.(f) of the United Methodist *Book of Discipline* of 2016, the Western Jurisdictional Conference ask the Judicial Council to provide a declaratory decision on the constitutionality of ¶404.2 as amended by General Conference 2020 delayed to 2024. The paragraph at issue was amended by Petition 20290 found on page 970 of the *Advance Edition of the Daily Christian Advocate* (ADCA), and it was processed by General Conference as Calendar Item 546, found on page 2236 of the *Daily Christian Advocate* (DCA), and again on page 2240 of the DCA.

As reported in the proceedings of the General Conference for the afternoon of April 30, 2024 at 5:50pm, Calendar Item 546 was amended by substitution and adopted by a vote of 545 to 170, where ¶404.2 was amended to read as follows:

¶ 404.2 In the jurisdictions, the number of bishops shall be determined on the basis of missional reasons, as approved by the General Conference on recommendation of the Interjurisdictional Committee on Episcopacy. Before recommending the number of episcopal areas, the Interjurisdictional Committee on Episcopacy shall: a) consider these criteria in the following order of priority: 1. the number of charge conferences and the number of active clergy in episcopal areas; 2. the geographic size of episcopal areas; 3. the overall church membership in the annual conferences in the episcopal areas. b) conduct an analysis of the context and missional potential of changes in episcopal areas. c) analyze the capacity of the episcopal fund to determine the number of bishops that can be funded. The following groups shall be consulted during this analysis of the episcopal fund: the executive committee of the Interjurisdictional Committee on Episcopacy, the officers of the Council of Bishops, and the officers of the General Council on Finance and Administration. This petition is effective immediately.

¶16.10 of the Constitution, unchanged by General Conference 2020, reads in relevant part as follows:

¶16.10. To fix a uniform basis upon which bishops shall be elected by the jurisdictional conferences and to determine the number of bishops that may be elected by central conferences.

The Judicial Council is asked to decide the following questions:

- 1) Is the opening statement of ¶404.2, “In the jurisdictions, the number of bishops shall be determined on the basis of missional reasons,” inherently unconstitutional as being in conflict with the requirement of ¶16.10 that the General Conference “fix a uniform basis upon which bishops shall be elected by the jurisdictional conferences?”
- 2) Regardless of the answer to question 1) above, given criteria “b) conduct an analysis of the context and missional potential of changes in episcopal areas” and “c) analyze the capacity of the episcopal fund to determine the number of bishops that can be funded” of ¶404.2, can either or both of these criteria be considered as part of “a uniform basis” within the clear

meaning of ¶16.10 as it applies to fixing the number of bishops to be elected by the jurisdictional conferences, thus rendering the entire paragraph unconstitutional?

Submitted by

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