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A Response to “An Open Letter to Delegates to the 2016 General Conference of The United Methodist Church concerning Rule 44 in the Plan of Organization and Rules of Order for the 2016 General Conference:”

Rev. Keith Boyette is a respected member of the clergy of The United Methodist Church and is certainly entitled to his opinion regarding the proposed Rule 44 which he has shared with General Conference delegates in a letter dated March 17, 2016. We feel a need to respond to correct factual errors and misinterpretations in his letter. The Commission on the General Conference was aware of the relevant Judicial Council Decisions (<http://www.umc.org/decisions/41265> and <http://www.umc.org/decisions/41768>) when the rule was developed and modified the process used by the Uniting Church in Australia to comply with these decisions. While the use of the rule might be referred to the Judicial Council, we respectfully disagree with Rev. Boyette that the Judicial Council will find that legislation adopted using the process of Rule 44 will be null and void. Although he has been a member of the Judicial Council in the past, Rev. Boyette does not speak for the Judicial Council.

Rule 44 is quite unlike, except for the name, the Group Discernment Process dealt with in Decision 876 and fully complies with Decision 367, “The action of the North Georgia Annual Conference in adding a standing rule providing for legislative committees composed of Annual Conference members to receive, discuss, alter, change and refine reports and proposals from boards, agencies, commissions, committees and institutions before they come to the floor of the Annual Conference is not in conflict with the provisions of the Discipline.”

Rule 44 protects “the rights of individual members of the conference to be informed on and to participate fully in all legislative decisions.” In fact, it extends that right to participate in discussion to all delegates to the General Conference and not just to those who are in the legislative committee considering the petitions. If the Facilitation Group brings proposed legislation to the floor of the General Conference, that legislation is handled according to the Plan of Organization and Rules of Order of the General Conference. The delegates will have opportunity to ask questions, offer amendments, and vote any legislation up or down. Rule 44 conforms to Decision 876.

There is no lack of transparency in Rule 44. All participants in the small groups get to see the report from their small group and sign off on it. The reports can indicate the level of conflict or consensus within the small group and is specifically designed to record the diversity of opinions offered. The work of the Facilitation Group is determined by the reports from the small groups and contrary to Rev. Boyette's assertions, the Facilitation Group will need to justify its decisions to the entire General Conference.

Regarding the representativeness of the Facilitation Group, they are elected by the General Conference. Unlike the legislative committee model with which Rev. Boyette is most comfortable, they are not gathered from delegates based upon their similar opinions, but from a diverse body of individuals who have agreed not to be legislative committee officers and are thus less likely to be pursuing an agenda.

Rule 44 safeguards the role of the minority by giving every delegate a voice and recording that voice in the small group reports. This does not restrict participation to the well-known voices who will rise and be recognized multiple times, a process with which every delegate and observer of past General Conferences is familiar.

Proposed Rule 44 is a bit cumbersome. On that point we can agree with Rev. Boyette. However, there is no way to move to consensus, a movement which was directed by the General Conference of 2012, without trying something different. We have experienced cumbersome parliamentary maneuvers with legislation in the past when the legislation has not gone through legislative committee – most recently “Plan UMC” in 2012.

The Commission on the General Conference is working with staff of Global Ministries to provide sufficient interpretation services. Serious questions will always remain about whether each delegate was enabled to be heard, but all delegates will more likely be heard in this process than in the current process. The small group reports will be maintained and sent to the archives of The United Methodist Church. The meetings of the General Conference are open meetings. Issues of trust are constantly raised, but at least in this process there is documentation for each step. We are not assuming that the small groups are representative of the entirety of delegates to the General Conference, they are the entirety of delegates to the General Conference.

Our failure to develop something approaching consensus has required the General Conference to spend much valuable time on debates which yield winners and

losers during each quadrennial conflict over how we deal with persons with different sexual orientations. If there is a possibility that a change in process might bring us closer to consensus and that the delegates have greater ownership of the legislation (both of which have been found in conferences that use a similar process to Rule 44) then it is a possibility that should be chosen.

Rev. Boyette asserts that decisions were in the past made by leadership to alter the agenda to preclude considering petitions which were ready to be considered and heard but he does not specify who those leaders were and what petitions they were. It is thus impossible to respond to a vague and unsubstantiated charge. To the contrary, the duly elected Commission on the General Conference is seeking to give every delegate a voice as well as a vote in what is undoubtedly one of the most contentious issues to come before the 2016 General Conference.

The best argument to be made against Rule 44 is that we've never done it that way before. We have not in this century, or the last, sought to have every voice as well as every vote heard on an issue as divisive as this one. Remember that this is a two-step process. Before Rule 44 can be used for anything, it has to be adopted. If it is adopted, then the process is available for future legislation should the General Conference choose to use the process. After Rule 44 is adopted, the delegates would then choose whether or not to apply it to the recommended petitions at this General Conference. We urge delegates to the 2016 General Conference to adopt Rule 44 so that it is available for use. Then we urge each delegate to vote her or his conscience in whether or not to apply it to the petitions recommended for consideration with Rule 44.

Sincerely yours,

Judi Kenaston, Chair
Commission on
the General Conference

L. Fitzgerald Reist, II
Secretary of
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