

## DECISION NO. 986

### **IN RE: Request from the General Conference for a Declaratory Decision Concerning Pastoral Leadership in Paying Apportionments as a Chargeable Offense under ¶ 2702.**

#### DIGEST

Unwillingness by a pastor to lead a local church toward full payment of apportionments including proportionality in the Episcopal Fund (¶ 823) does not constitute a chargeable offense under ¶ 2702.

#### STATEMENT OF FACTS

On a motion from a delegate, the 2004 General Conference requested a declaratory decision of the Judicial Council as follows:

For clarity of understanding regarding our mutual responsibility, I move the General Conference ask the Judicial Council for a declaratory decision in answer to the following question: Does unwillingness by a pastor to lead a local church toward full payment of apportionments including proportionality ¶ 823 Episcopal Fund constitute a chargeable offense under ¶ 2702 (d) failure to perform the work of ministry and (e) disobedience to the order and discipline of the (sic) United Methodist Church?

#### **Jurisdiction**

The Judicial Council has jurisdiction under ¶ 2610 of the *2000 Discipline*.

#### **Analysis and Rationale**

A basic provision for leadership requires that for leaders to be held accountable they must have commensurate authority and responsibility. The duties of a pastor of a charge include administering the temporal affairs of the congregation, (¶ 331) leading the congregation in the fulfillment of its mission through full and faithful payment of all apportioned ministerial support, administrative, and benevolent funds, (¶ 331.2f) and being the administrative officer of the local church. (¶ 331.3a) In addition once the annual conference has determined the amount of apportioned funds to each charge, “it is the responsibility of the district superintendent, the pastor, and the lay member(s) of the annual conference and/or the church lay leader(s) to interpret to each charge conference the importance of ...apportioned funds.” (¶ 246.13) “The pastor shall be the administrative officer (of the charge conference), and as such shall be an ex officio member of all conferences, boards, councils, commissions, committees, and task forces,

unless restricted by the *Discipline*.” (THE CHARGE CONFERENCE at page 145, *2000 Discipline*) The church council has responsibility for “establishing the budget on recommendation of the committee on finance . . . .” (§ 251.4c) The pastor is only one of a number of individuals who hold membership on the church council. (§ 251.5k) The Episcopal Fund is apportioned proportionally within an annual conference to the salary paid to each local church pastor. (§ 823) Once the apportionments for bishops, district superintendents, conference claimants, and the Equitable Compensation Fund are determined by the annual conference, “payments made to the same in each pastoral charge shall be exactly proportional to the amount paid on the clergy base compensation. The treasurer or treasurers of each pastoral charge shall accordingly make proportional distribution of funds raised in that charge for the support of ordained ministry... .” (§ 620)

The pastor of a church has an important role in leading a local church to accomplish its plan for mission and ministry and to pay its apportionments in full, including the apportionment for the Episcopal Fund, but the pastor does not carry this responsibility alone. The pastor of a church is just one of many individuals, lay and clergy, who has responsibility for providing leadership to a local congregation and thereby leading a local church toward full payment of apportionments. To hold the pastor of a local church personally accountable for a chargeable offense when a church under his/her pastoral leadership does not pay its apportionments in full including the requirement for proportionality in the case of the Episcopal Fund is unjust.

The clear legislative intent of the list of chargeable offenses in § 2702 is to hold pastors accountable for their own personal actions, not the actions of other ordained or lay persons. Thus, the unwillingness of a pastor to lead a local church toward full payment of apportionments including § 823 is not a chargeable offense under the current provisions of § 2702.

If a pastor deliberately encourages a church not to pay its apportionments in full, when the church has the ability to do so, this action by the pastor may rise to the level of a chargeable offense under § 2702.

### **Decision**

Unwillingness by a pastor to lead a local church toward full payment of apportionments including proportionality in the Episcopal Fund (§ 823) does not constitute a chargeable offense under § 2702.

May 5, 2004

John G. Corry, President

Sally Curtis AsKew, Secretary