

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM 1491

IN RE: Review of a Bishop’s Ruling in the Western Pennsylvania Annual Conference on Questions Seeking Information, Procedural Answers, and Substantive Answers Concerning Matters Related to Changes in a Colleague’s Conference Relationship and Clergy Status.

During the 2023 regular session of the Western Pennsylvania Annual Conference, following the vote of the clergy session that affirmed the termination of conference membership of four persons, a clergy member requested that Bishop Cynthia Moore-Koikoi rule on “questions of law” related to one of those persons. The Conference Daily Proceedings [minutes] reflect that the clergy session affirmed that the person’s effective date of termination of conference membership was June 1, 2023. The presiding Bishop ruled the questions “out of order.” The clergy person did not make a motion to have the Bishop’s out-of-order ruling submitted to the annual conference body for a vote as to whether they supported the Bishop’s ruling or opposed the Bishop’s ruling that the “questions of law” were out of order [*i.e.*, appeal the ruling of the chair].

The presiding Bishop ruled the questions out of order because they did not constitute valid or proper questions of law. The Bishop determined that three of the questions sought information rather than application or analysis of the law, and the other three questions were improper questions to ask of a Bishop for a substantive ruling.

However, the Judicial Council does not reach the issue of the presiding Bishop’s judgment, analysis, or rationale, for ruling the questions out of order because ruling something out-of-order is a parliamentary ruling. Although the *Discipline* mandates the Judicial Council’s review of episcopal rulings, the Judicial Council’s jurisdiction is strictly limited to the rulings on questions concerning **matters of law**. The Judicial Council has no jurisdiction over parliamentary rulings pursuant to ¶2609.6 of the *2016 Book of Discipline*.

In Memorandum 898 the Judicial Council held:

The ruling of the presiding bishop was a parliamentary ruling rather than a decision of law. There is no disciplinary authority for the Judicial Council to assume jurisdiction to consider a parliamentary ruling by a presiding bishop. Accordingly, the Judicial Council declines to assume jurisdiction in this matter. (Caveat: The appropriate method to challenge a parliamentary ruling by a presiding bishop is to appeal from the decision of the chair to the legislative body in which the ruling has been made.)

In Memorandum 941, the Judicial Council held that “the *Discipline* does not vest the Judicial Council with authority to review parliamentary rulings.” In Decisions and Memorandums 484, 487, 532, 834, 864, 898, 901, 941, 943, 949, 979, 992, 999, 1117, 1130, 1131, 1163, 1176, 1187, 1205, 1252, 1295, and 1306 the Judicial Council has ruled that it had no authority to review a parliamentary ruling of a bishop. Therefore, the Judicial Council has no jurisdiction to review the Bishop’s ruling herein.

DIGEST

The ruling of Bishop Cynthia Moore-Koikoi was a parliamentary ruling rather than a decision of law. There is no disciplinary authority for the Judicial Council to assume jurisdiction to consider a parliamentary ruling by a presiding bishop. The Judicial Council has no jurisdiction to review this matter.

Deanell Tacha was absent. Kent Fulton, lay alternate, participated in this decision.
Luan-Vu Tran was absent. Timothy Bruster, clergy alternate, participated in this decision.

November 7, 2023