

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

DECISION NO. 1456

[Docket No. 1022-23]

IN RE: Review of a Bishop's Report of Questions Submitted During the Indiana Annual Conference Concerning Unadopted Legislation that was Ruled Out of Order and in Violation of the Discipline.

DIGEST

The decision of Bishop Julius C. Trimble is affirmed for the reasons set forth therein.

STATEMENT OF FACTS

On June 9, 2022, during the business session of the Indiana Annual Conference Annual Conference, a clergy member submitted the following Question of Law:

Did Bishop Trimble infringe on the authority of the Indiana AC to designate who constitutes "another evangelical denomination" per para. 2548.2 in ruling out of order Resolution R-3 lines 35-34?

On July 11, 2022, Bishop Trimble issued the following Decision of Law:

Resolution [R-3] seeks to give authority to Annual Conference to supersede action already taken at General Conference that made disaffiliation permissible under paragraph 2553 - "disaffiliation of Churches over issues related to human sexuality."

As per 2553 Disaffiliation votes require 2/3 of professing members of local church at a church conference. Annual Conference cannot adopt a rule that is in conflict with the Discipline or ignores authority inherent in the office of the Bishop and Cabinet. Judicial Council ruled in decision 1144, "disaffiliation is a connectional matter, only General Conference can set terms for a disaffiliation.

General Conference has authorized 2553 as the process for disaffiliation from the United Methodist Church. The Council of Bishops has requested the Judicial Council to rule on the relevance of paragraph 2548.2 in the disaffiliation of churches since the General Conference has already provided a pathway through 2553. Without further clarity on the use of paragraph 2548.2, this resolution is out of order.

Embedded in the resolution is the recognition of the Global Methodist Church as another evangelical church. No formal action has been taken by General Conference or authority been given to the Annual Conference to recognize new denominations.

The last “Be it Resolved” sentence in the resolution speaks of the approval of the resolution. Policies and principles contained in the resolution indicates approval of the resolution, serves as approval for disaffiliation of churches and no further approval of the Indiana Annual Conference shall be required. The resolution is out of order because it seeks to strip authority of an Annual Conference and require action of an Annual Conference that has already been directed by a General Conference.

While it is unclear whether an Annual Conference can designate a new church, i.e. Global Methodist, “another evangelical Denomination” per paragraph 2548.2, Resolution #3 “Providing Clarity for Disaffiliating Churches” was ruled out of order for its attempt to preclude provisions in place and in practice authorized by General Conference and Book of Discipline Paragraph 2553.

Jurisdiction

The Judicial Council has jurisdiction under ¶ 2609.6 of *The Discipline*.

Analysis and Rationale

Judicial Council Decision 1449 was issued after Bishop Trimble’s ruling. The bishop’s holding is consistent with that decision. *See* JCD 1455.

Decision

The decision of Bishop Julius C. Trimble is affirmed for the reasons set forth therein.

February 28, 2023

Separate Opinion

We concur with our colleagues regarding some aspects of the Bishop’s ruling, but we note that the Digest needs to indicate the major issues that were ruled upon by the Bishop and further indicate those aspects upon which the Judicial Council specifically agrees and affirms as a matter of church law.

The specific issues that the Judicial Council is affirming in its review of a Bishop's ruling on a question of law ought to be set forth in the Digest so that those institutions and publications [especially hardcopy print publications], which quote and rely exclusively upon the Digest to provide a concise statement of the issues decided by the Judicial Council in each Decision or Memorandum, are able to continue to alert their respective readers or members of potential changes in the interpretation or application of church law. If a Digest states only that the Judicial Council affirms the ruling of the Bishop “for the reason set forth therein” then those institutions and publications which have heretofore relied upon our Digest, will no longer be in a position to immediately provide a meaningful alert to their respective readers or members concerning such decisions or memorandums that have just been released by the Judicial Council.

Beth Capen
Kabamba Kiboko
February 28, 2023

Separate Opinion

In addition to the above concern is that episcopal rulings contain many nuanced statements that can be interpreted in a variety of ways and thereby risk resulting in polity which could be misapplied by others. General Conference has tasked the Judicial Council, exclusively, with the responsibility of articulating those major aspects of each episcopal ruling and relating each aspect to the Disciplinary principles, polity, and former Decisions which provide the predicate for determining that the Bishop is correct or incorrect concerning that aspect of his or her ruling. The denomination is relying upon the Judicial Council to identify the key points in an episcopal ruling, and affirm, modify or reverse those key points, in whole or in part, and thereby reconcile the multiple rulings that are issued each year and ensure that our church law is not subject to more than one interpretation.

Beth Capen
February 28, 2023