

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM NO. 1376

IN RE: Petition for Declaratory Decision from the General Conference concerning the constitutionality of ¶ 304.5 in light of ¶¶ 16 and 33 of *The Book of Discipline 2016*.

STATEMENT OF FACTS

During plenary session, on February 24, 2019, the General Conference passed a motion to request a Declaratory Decision from the Judicial Council concerning the constitutionality of ¶ 304.5 in light of ¶¶ 16 and 33 of *The Book of Discipline 2016* [hereinafter *The Discipline*] The motion reads in relevant part:

Does the General Conference have the authority to set minimum requirements in all votes regarding license, ordination, or conference membership in 304.5 *et al* in light of Paragraph 16.2 which grants the General Conference only the authority to “define and fix the powers and duties of elders, deacons, supply preachers, exhorters, deaconesses, and home missionaries” and Paragraph 33 which reserves to the annual conference “the right to vote on all matters relating to the character and conference relations of its clergy members and on the ordination of clergy and such other rights as have not be delegated to the General Conference under the Constitution...?”

JURISDICTION

The Judicial Council has jurisdiction pursuant to ¶ 2610.1 of *The Discipline*. The General Conference has standing to file this petition under ¶ 2610.2(a).

DIGEST OF CASE

The question raised in this matter was answered in Judicial Council Decision 1321 and the decisions cited therein.

February 24, 2019

Ruben Reyes was absent.

Warren Plowden, first lay alternate, participated in this decision.