

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM 1475

[Docket 0423-08]

IN RE: Review of a Bishop’s Ruling on a Question of Law on Whether Officials of the Alabama-West Florida Conference Negated, Ignored, or Violated ¶ 2553.1 of The *Book Of Discipline* by Presenting and Requesting a Vote on Disaffiliation of Churches that Have Failed to Establish Bona Fide ‘Reasons Of Conscience’ Regarding a Change in the Requirements and Provisions of The Book Of Discipline Related to the Practice of Homosexuality or the Ordination or Marriage of Self-Avowed and Practicing Homosexuals, as Resolved and Adopted by the 2019 General Conference, or the Actions or Inactions of the Annual Conference Related to Those Issues.

STATEMENT OF FACTS

On November 12, 2022, during the online special session of the Alabama-West Florida Annual Conference [hereinafter WFLAC], a clergy member submitted the following question of law:

I would request a bishop's decision of law as to whether the Alabama West [*sic.*] Florida Conference District Superintendents, Bishop, Board of Trustees, Chancellors, and other Alabama West [*sic.*] Florida Conference officials have negated, ignored, or violated the provisions of qualification for disaffiliation set forth in 2019 Book of Discipline ¶ 2553.1 by presenting churches for disaffiliation that have failed to establish bona fide “reasons of conscience” regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed and practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these Issues which follow, evidenced by the lack of information regarding “reasons of conscience” presented to this body in light of a request to vote on disaffiliation of these churches at this session of Annual Conference?

Immediately after the reading of the request, Bishop David W. Graves made the following ruling from the chair:

I rule this request out of order. I believe that this matter has already been decided by Judicial Council Ruling 1422. The Alabama-West Florida Annual Conference has also sent in two rules of law on this moot matter to Judicial Council for review. I do not see any reason to go through this again. I believe that these churches are qualified for disaffiliation as set forth by the provisions of 2553.1, especially in that any of these churches can point to actions or inactions of the annual conference around matters relating to the practice of homosexuality, ordination, and marriage.

In his written submission to the Judicial Council, on November 30, 2022, the Bishop added the following rationale for his ruling:

I ruled this request out of order because I believe no rule of law is required in this case. Our trustees have a policy not to look back for proof of these matters. Our superintendents ensure that the resolutions and ballots in each certified church conference vote includes [*sic.*] the language in 2563.1. To ask for anything else would be harmful to the conference and churches and is not regulated by 2553 of the Book of Discipline.

Digest

This matter arose out of the parliamentary ruling of the presiding bishop during the called session of annual conference. Bishop Graves's decision of law is essentially a ruling affirming his previous parliamentary ruling. Parliamentary matters pertain to the order, organization, agenda, and decision-making procedures of an annual or jurisdictional conference. *See* JCD 898, 941, 1117, 1131, 1252. It is the long-standing policy of the Judicial Council that it lacks the authority to review and rule on parliamentary matters. *See* JCD 1187, 1205, 1356, 1339, 1458, 1460, 1463, 1474.

Consequently, the Judicial Council lacks jurisdiction in this case.

April 25, 2023