



JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH
CONSEIL JUDICIAIRE DE L'EGLISE METHODISTE UNIE
RECHTSHOF DER EVANGELISCH-METHODISTISCHEN KIRCHE
CONSELHO JUDICIAL DA IGREJA METODISTA UNIDA
CONSEJO DE LA JUDICATURA DE LA IGLESIA METODISTA UNIDA



Petition for Declaratory Decision

This form is to be used by the Secretary of the body authorized to petition the Judicial Council for a ruling in the nature of a declaratory decision as to the constitutionality, meaning, application, or effect of (please check one):

- ☒ *The Book of Discipline 2016* or any portion thereof (§ 2610.1)
☐ any act or legislation of a General Conference (§ 2610.1)
☐ any proposed legislation (§ 2609.2)

Name of body authorized to make a Petition (§ 2610.2): SEJ College of Bishops
Date of session: January 20, 2025 (month/day/year) Location: Virtual Meeting
Name of Secretary: Bishop Connie Shelton
Address: 700 Waterfield Ridge Place City: Garner
State/Province: NC ZIP/Postal Code: 27529 Country: USA
Phone: 919.779.6115 Fax: n/a E-mail: bishop@nccumc.org

To be reviewed (indicate paragraph number, title of legislation and/or act where applicable):

Book of Discipline: Paragraph 2549

Legislation: _____

Act of General Conference: _____

Signature: Connie Mitchell Shelton Date: 01/21/2025
Secretary of the Conference/Body (month/day/year)

The following must be attached:

- Text of the written Petition for Declaratory Decision as originally presented
 - Minutes of proceedings
 - List of names and addresses of interested parties, including eu mail
 - Other relevant materials (e.g. conference rules, resolutions, policies, reports)
- Send electronic copy of this form and all materials in PDF and Microsoft Word format to: **secretary@umcjudicialcouncil.org**
- Mail thirteen (13) sets of hard copies to:
**UMC Judicial Council, c/o LaNella Smith, Assistant to the J.C. Secretary,
1215 Shady Lane, Durham, NC 27712**

Southeastern Jurisdiction College of Bishops Request for Declaratory Decision

Pursuant to Paragraph 2610.1 of *The Book of Discipline of The United Methodist Church* (2020/2024), the College of Bishops of the Southeastern Jurisdiction of The United Methodist Church requests that the Judicial Council make a ruling in the nature of a declaratory decision as to the “meaning, application, or effect of the *Discipline*” in paragraph 2549 as interpreted by Judicial Council Decision 1512. At issue are actions taken by the Mississippi Annual Conference’s Board of Trustees to execute and carry out agreements with local churches in Mississippi to depart from the denomination under paragraph 2549 of the *Discipline*.

While this request is being submitted after the December 31, 2024 deadline, we ask that it be included in the spring docket. This matter was not brought to the attention of the College of Bishops until we met in January, and we acted as quickly as possible to get this request submitted as soon as we could. Thank you for your consideration.

A majority of the members of the SEJ College of Bishops authorized this request at its called meeting on January 20, 2025. We request this declaratory decision and submit the following questions regarding the Mississippi agreements:

1. Does a board of trustees of an annual conference have authority to enter into an agreement with a local church that binds an annual conference to some action which violates legislation in *The Book of Discipline* or rulings by the Judicial Council?
2. Do these agreements violate the Judicial Council’s ruling in Decision 1512 that “paragraph 2549 does not give an annual conference disciplinary authority to close a local church and then provide all the assets to the exiting congregants?”
3. Are the steps laid out in the Mississippi Annual Conference “2549 Process and Agreement” an example of “legislation, policies, guidelines, rules, or regulations authorizing the departure of local churches” that “intrudes upon

the exclusive prerogative of the General Conference and is unconstitutional, null, and void?"

3. By entering into these agreements, did the Mississippi Annual Conference attempt to reinstate or replicate paragraph 2553 or adopt legislation, policies, guidelines, rules, or regulations authorizing the departure of local churches? If so, did such action, plan, or attempt to do so intrude upon the exclusive prerogative of the General Conference so that it is unconstitutional, null, and void?
4. Has the Board of Trustees, by entering into these agreements with churches that wish to leave the denomination, construed or used paragraph 2549 as legislation permitting the gracious exit of local churches because 2549 applies to church closure and the sale of property, not disaffiliation? As such, is this application of paragraph 2549 a misapplication of Church law?
5. Do the Trustees of an Annual Conference have the authority to carry out or perform the steps described in these previously entered into agreements which further violates legislation in *The Book of Discipline* or rulings by the Judicial Council?
6. Does the entering into these agreements and/or further performance of the agreements under Paragraph 2549 violate the principles of connectionalism?
7. Would these church closures be properly before the Annual Conference Session 2025 in light of JCD 1512?
8. Does the use of MSAC Standing Rule 22, which gives the Bishop and Extended Cabinet "authority to act on behalf of the Annual Conference in all matters that require attention *ad interim* in between the annual sessions" allow the Bishop and Cabinet (Superintendency) the ability to ratify the AC Agreements *in lieu* of the Annual Conference as required by MS Policy and by ¶¶ 2529.1b(3) and 2549.2b and JCD 1379 and 1421, now that JCD 1512 has ruled that this kind of ratification is beyond the powers of the Annual Conference?

SEJ College of Bishops, Minutes of Called Zoom Meeting, 1/20/2025

Active Bishops present (voice and vote): Tom Berlin, President; Connie Mitchell Shelton, Secretary; Sue Hauptert Johnson; Robin Dease; Jonathan Holston; Sharma Lewis; Debbie Wallace-Padgett; David Graves; Leonard Fairley; Ken Carter

Retired Bishops present (voice): Bill McAlilly; James Swanson; Hope Morgan Ward; Paul Leeland; Mike Watson; Joe Pennel; Charlene Kammerer; Al Gwinn

SEJ College of Bishops President, Tom Berlin, called the meeting to order, stated the purpose of the meeting as presented in the previously emailed documents, and offered a prayer.

Bishop Sue Hauptert Johnson made the following motion:

"Pursuant to Paragraph 2610.1 of The Book of Discipline of The United Methodist Church (2020/2024), the College of Bishops of the Southeastern Jurisdiction of The United Methodist Church requests that the Judicial Council make a ruling in the nature of a declaratory decision as to the "meaning, application, or effect of the Discipline" in paragraph 2549 as interpreted by Judicial Council Decision 1512. At issue are actions taken by the Mississippi Annual Conference's Board of Trustees to execute and carry out agreements with local churches in Mississippi to depart from the denomination under paragraph 2549 of the Discipline. A majority of the members of the SEJ College of Bishops authorized this request at its called meeting on January 20, 2025. We request this declaratory decision and submit the following questions regarding the Mississippi agreements":

Bishop Debbie Wallace Padgett asked about removing the language of the trust clause. Bishop Sue Hauptert Johnson moved to remove the language from number 6 "and undermine the Trust Clause as its foundational element." Bishop David Graves seconded it. The motion for the amendment carried.

The amended motion was brought before the SEJ College.

The amended motion carried with eight votes in favor and two against (see attached amended motion).

Bishop Sue Hauptert Johnson moved that we submit an additional brief for the other pending case before the Judicial Council. Bishop Jonathan Holston seconded the motion. The motion carried.

The meeting was adjourned by Bishop Tom Berlin.

Submitted by Bishop Connie Mitchell Shelton, SEJ College of Bishops, Secretary
January 20, 2025

Interested Parties: SEJ College of Bishops

Bishop Tom Berlin, bishopberlin@flumc.org

Bishop Ken Carter, bishop@wnccumc.org

Bishop Robin Dease, bishopdease@ngumc.org

Bishop Leonard Fairley, bishop@umcsc.org

Bishop David Graves, bishop@twkumc.org

Bishop Sue Hauptert-Johnson, bishopsue@vaumc.org

Bishop Jonathan Holston, bishop@umcna.org

Bishop Sharma Lewis Logan, bishop@mississippi-umc.org

Bishop Connie Mitchell Shelton, bishop@nccumc.org

Bishop Debbie Wallace-Padgett, dwp@holston.org