

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM NO. 1493

[Docket No. 0424-3]

IN RE: Review of a Bishop's Ruling on a Question Raised During the North Georgia Annual Conference Regarding the Presiding Bishop's Parliamentary Ruling Concerning the Outcome of a Vote by the Annual Conference.

STATEMENT OF FACTS

The North Georgia Annual Conference of the United Methodist Church held a special session meeting on November 18, 2023 to render final decisions on 265 local church disaffiliation applications, one of which was submitted by Trinity Rome United Methodist Church. During North Georgia's deliberations of these applications, a lay member asked the following question and submitted it in writing:

Did the Annual Conference Chair err in ruling that a vote of 695 ayes to 694 nays failed to constitute the "simple majority" threshold required to ratify Trinity United Methodist Church – Rome's disaffiliation request?

In a subsequent letter, dated November 30, 2023, Bishop Robin Dease stated that neither the *Book of Discipline* nor the North Georgia Conference standing rules of procedure contained any provisions governing this Question, and that there were no Judicial Council rulings that addressed the stated issue. Given this lack of governing church law, the bishop based her decision solely on Robert's Rules of Order. However, the bishop submitted her letter to the Judicial Council for review, characterizing it as "Ruling of Law."

DIGEST

The Judicial Council lacks jurisdiction. Though submitted as a decision of law, the bishop's decision is essentially a parliamentary ruling. "Parliamentary matters pertain to the order, organization, agenda, and decision-making procedures of an annual or jurisdictional conference." Memorandum 1475, *citing* Memoranda 898, 941, 1117, 1131, 1252. In previous cases, the Judicial Council ruled that it "does not affirm or overturn parliamentary rulings of bishops. The Judicial Council has specifically held that it does not have jurisdiction over such matters." Memorandum 1474. *See also* Memoranda 898, 941, 1117, 1187, 1205, 1356.

April 22, 2024

CONCURRING OPINION

We concur with our colleagues that the Judicial Council lacks jurisdiction but also want to respectfully highlight the proper timing of a parliamentary ruling. Bishop Dease’s decision, though presented as a ruling of law, is in essence a parliamentary ruling that was made outside the business session — in fact, twelve days *after* adjournment of the annual conference. In similar cases, when a bishop made a parliamentary ruling outside of conference proceedings, the Judicial Council held that “the chair must rule on the request in the parliamentary session affording the opportunity for an appeal of the chair's ruling to the body,” Memorandum 1117, and that “the better way to make a record of a parliamentary decision would be to do so on the record and orally on the floor during a regular session of the Annual Conference.” Memorandum 1357. The underlying rationale is to give the members of an annual conference the opportunity to appeal the bishop’s parliamentary ruling. Although there are situations where an issue cannot be clearly identified as ‘parliamentary’ and ruled upon during the conference session, decisions of law should not be used to make parliamentary rulings **after the fact** so that annual conference members cannot exercise their right to appeal under the rules of parliamentary procedure.

April 22, 2024

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