

SUBJECT TO FINAL EDITING

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM NO. 1367

IN RE: Appeal of the Counsel for the Church of the West Ohio Conference from the decision of the North Central Jurisdictional Committee on Appeals.

STATEMENT OF FACTS

Following a hearing on a Judicial Complaint charging Rev. David Wayne Meredith with several violations of church law, the Committee on Investigation of the West Ohio Conference (the "COI") dismissed Charges I and II and certified a Bill of Charges based in part on Charge III after eliminating Specification a.

Counsel for the Church appealed the action of the COI to the Committee on Appeals of the North Central Jurisdiction (the "Appeals Committee") which resulted in a finding by the Appeals Committee that there had been egregious errors of Church law or administration in that "[t]he conclusions reported by the West Ohio Committee on Investigation were done so without discernable rationale supported by church law as noted in *Discipline - 2012 & 2016* and Judicial Council Decisions." The Appeals Committee further found that the COI had "failed to provide evidence to demonstrate their position for refusal to refer charges and specifications 1 and 3.a."

The Appeals Committee remanded the case to the West Ohio COI with the requirement that it engage competent counsel "so that thorough and applicable work is concluded." The Appeals Committee also "ordered" a "pause" in the case until the conclusion of the special session of the General Conference to be held in St. Louis in 2019. The authority cited for its order was ¶ 2716.4 concerning travel and sustenance expenses for persons participating in committee proceedings and ¶ 2706.2.b which authorizes the COI to engage legal counsel for the sole purpose of providing advice to the committee.

The Counsel for the Church filed a Notice of Appeal to the Judicial Council to challenge the authority of the Appeals Committee to order the pause.

DECISION

This case is continued until the Judicial Council's February 2019 session to be held in St. Louis, Missouri. In the meantime, the Counsel for the Church is directed to file a brief within thirty (30) days from the date of this decision explaining how ¶¶ 2609.8, 2609.9, 2715 and 2716.1 authorize him to file an *interlocutory appeal* to the Judicial Council.

Ruben Reyes and Beth Capen were absent.

Warren Plowden, first lay alternate, and Kent Fulton, second lay alternate, participated in this decision.

Kabamba Kiboko recused herself and did not participate in any of the proceedings related to this decision.

Timothy Bruster, first clergy alternate, participated in this decision.