

1023-4

IN RE: Review of a Bishop's Ruling in the Western Pennsylvania Annual Conference on Questions Seeking Procedural and Substantive Answers Concerning Matters Related to Judicial, Administrative, or Supervisory Processes.

The Written Questions:

There is a preamble to the questions which sets forth in substance and pertinent part:

The clergy session of the Western Pennsylvania Annual Conference met on June 3, 2023, to vote on all matters related to the character and conference relations of its clergy members in accordance with ¶ 33.

Therefore, the presiding Bishop is asked to rule on the following questions of law, in accordance with ¶ 51, as they pertain to the work and business of the clergy session held on June 3, 2023.

1. Did the Western Pennsylvania Annual Conference Clergy Session, in accordance with ¶605.7 make inquiry into the moral and official conduct of its ordained ministers and local pastors, including [a certain clergy member], as to whether all such persons are blameless in their life and official administration and are such questions related to matters of character in the business of the Clergy Session?
2. Did the Cabinet of the Western Pennsylvania Annual Conference dismiss a complaint against [a certain clergy member] under the provisions of ¶ 362.1.e.1 as having no basis in law and fact?
3. Did the Cabinet of the Western Pennsylvania Annual Conference, in dismissing the complaint against [said clergy member] under the provisions of ¶362.1.e.1 act as a member of the itinerant district superintendency in accordance with JCD 398?
4. Did the Cabinet of the Western Pennsylvania Annual Conference, in dismissing the complaint against [said clergy member] under 362.1.e.1 (which requires no consultation with the Clergy Session or the Board of Ordained Ministry which reports to the Clergy Session), unconstitutionally usurp the right of the annual conference to vote on all matters relating to the character and conference relations of its clergy members ¶33?

1023-4 Bishop's Ruling

Ruling: The “questions of law” are out of order. They include matters of information and an improper question.

Statement of Facts:

On June 3, 2023 at the Clergy Session of the Western Pennsylvania Annual Conference of The United Methodist Church, Rev. Sung Chung, dean of the Appointive Cabinet, reported on behalf of the cabinet that although it had been a difficult season, the majority of the clergy have been faithful. He stated, however, that there were four active complaints being processed.

Nathanael Fugate requested the following “questions of law”:

1. Did the Western Pennsylvania Annual Conference Clergy Session, in accordance with ¶605.7 make inquiry into the moral and official conduct of its ordained ministers and local pastors, including [a certain clergy member], as to whether all such persons are blameless in their life and official administration and are such questions related to matters of character in the business of the Clergy Session?
2. Did the Cabinet of the Western Pennsylvania Annual Conference dismiss a complaint against [a certain clergy member] under the provisions of ¶ 362.1.e.1 as having no basis in law and fact?
3. Did the Cabinet of the Western Pennsylvania Annual Conference, in dismissing the complaint against [said clergy member] under the provisions of ¶362.1.e.1 act as a member of the itinerant district superintendency in accordance with JCD 398?
4. Did the Cabinet of the Western Pennsylvania Annual Conference, in dismissing the complaint against [said clergy member] under 362.1.e.1 (which requires no consultation with the Clergy Session or the Board of Ordained Ministry which reports to the Clergy Session), unconstitutionally usurp the right of the annual conference to vote on all matters relating to the character and conference relations of its clergy members ¶33?

Bishop Cynthia Moore-Koikoi reported to the body that there is a difference between matters of information and questions of law, but that she would report back to the body in 30 days.

Bishop Cynthia Moore-Koikoi then reported to the body the names of the persons against whom there were four active complaints. She also reported that complaints had been dismissed against three pastors. She named those pastors which included [said clergy member].

Nathanael Fugate was present at the Clergy Session held on June 3, 2023 and heard the report of the Appointive Cabinet. Further, Nathanael Fugate served as the advocate for the person filing complaint against [said clergy member]. Therefore, Nathanael Fugate already had the information requested in questions 1-3.

Rationale:

The reference to JCD 398 in question 3 is unclear, however, questions 1-3 are matters of information, rather than questions of law.

Since question 4 asks whether or not an action of the General Conference, specifically ¶ 362.1.e.1, is constitutional; it is an improper question. The Judicial Council is the only body that has the authority to make such rulings. (See JCD 1454).

Western Pennsylvania Annual Conference

Interested Parties & Person Available for Courtesy Copy

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Courtesy Copy *May* Be Provided (but is not required) To The Following Person:

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