

SUBJECT TO FINAL EDITING

## JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

### DECISION NO. 1333

IN RE: Review of a Bishop's Decision of Law in the West Ohio Annual Conference concerning whether the decision of the Conference Board of Ordained Ministry to not verify an appointment to extension ministry violates any or all of the following provisions of *The 2012 Book of Discipline*: ¶¶ 344, 344.1d), 428.9, 2701.

#### DIGEST

The bishop's Decision of Law is affirmed. The decision of the Conference Board of Ordained Ministry not to verify an appointment to extension ministry does not violate any or all of the following provisions of *The Book of Discipline 2012*: ¶¶ 344, 344.1d), 428.9, 2701.

#### STATEMENT OF FACTS

On June 6, 2016, a clergy member made the following request for a decision of law during the clergy session of the West Ohio Conference:

Does the decision of the Board of Ministry to not verify Rev. Laura Young's appointment to extension ministry violate any or all of the following segments of *The Book of Discipline*? ¶ 344, ¶ 344.d, [In the bishop's ruling he interprets the citation to ¶ 344.d of the Discipline as in fact intended to refer to ¶ 344.1d.] ¶ 428.9 which set forth aspects of the process of determining an Extension Ministry appointment and the required consultation. As well as violating the clear intention of protecting Fair Process for Rev. Laura Young as set forth in Paragraph 2701 and following.

Bishop Gregory Vaughn Palmer ruled as follows:

1. A decision by the Board of Ordained Ministry that an appointment to an extension ministry no longer serves the missional needs of the Church does not have to follow the process in Paragraph 428 of *The Book of Discipline*, in view of the process set forth in Paragraph 344.2 of the *Discipline*
2. Once a decision that an appointment to an extension ministry no longer serves the missional needs of the Church, a process of consultation similar to the process outlined in Paragraph 428 of *The Book of Discipline* should be followed as soon as practicable in determining a clergy person's subsequent appointment.
3. A decision by the Board of Ordained Ministry that an appointment to an extension ministry no longer serves the missional needs of the Church, standing alone, is not subject to the investigation, trial and appeal procedures set forth in Paragraph 2701 of *The Book of Discipline*, et. seq.

## JURISDICTION

The Judicial Council has jurisdiction under ¶¶ 51 and 56 of the Constitution and ¶ 2609.6 of the *The Book of Discipline 2012* [hereinafter *The Discipline*] as modified by Judicial Council Decision [hereinafter JCD]1244.

## ANALYSIS AND RATIONALE

The request for a ruling of law encompasses two general procedural inquiries. First, must a decision by the Board of Ordained Ministry that an appointment to an extension ministry no longer serves the missional needs of the Church follow the consultative process set forth in ¶ 428 of *The Discipline*?

It does not. Paragraph 344.2a) of *The Discipline* provides a specific process for gathering and exchanging information concerning the missional value of an extension ministry. The paragraph's required annual report and the opportunity to meet provide a clergy person with an extension appointment the opportunity to be heard in connection decisions regarding the missional value of an extension appointment. Ultimately, ¶ 344.1d) of *The Discipline* vests the decision as to whether an extension ministry serves the missional needs of the Church with the relevant Board of Ministry and bishop. Therefore, due to the express communicative process set forth in ¶ 344.2a) of *The Discipline* and in view of language of ¶ 428.9, we conclude that the Board of Ordained Ministry's decision concerning missional need does not violate any of the cited disciplinary paragraphs.

However, once such a decision is made, we conclude that a consultative process not inconsistent with ¶ 428.9 of *The Discipline* should be followed as soon as practicable under the circumstances in connection with the affected clergy person's subsequent appointment. The question of whether a decision by the Board of Ordained Ministry that an appointment to an extension ministry no longer serves the missional needs of the Church is subject to ¶ 270I of *The Discipline* and related sections.

*The Discipline* gives no textual basis for concluding that the Board of Ministry's decision, standing alone, is subject to the investigation, trial and appeal procedures set forth ¶ 270I of *The Discipline*. This is particularly so in light of ¶ 344.1d), which locates the decision as to whether an extension ministry serves the missional needs of the Church with the relevant Board of Ministry and bishop.

## DECISION

The bishop's decision of law is affirmed. The decision of the Conference Board of Ordained Ministry not to verify an appointment to extension ministry does not violate any or all of the following provisions of *The Discipline*: ¶¶ 344, 344.1d), 428.9, 270I.

Kabamba Kiboko recused herself.

First clergy alternate Tim Bruster participated in this decision.