

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM NO. 1471

[Docket No. 1022-24]

IN RE: Request for a Declaratory Decision, and Other Relief, Submitted by a Clergy Member of the North Katanga Annual Conference.

Since April, 2020 to current, numerous clergy and lay members of the Congo Central Conference have submitted complaints to the Judicial Council of the United Methodist Church on the issue of Annual Conference violations of Fair Process procedures in the Congo Central Conferences. They state: “In the lack of a Court of Appeal, the Judicial Court or an Episcopal Committee in our Central Conference, ... we were thus obliged to refer you to our concern...” Also on October 1st, 2020, Congo Central Bishops mailed (via DHL) “the new edition of the 2020 Congo Central Conference Book of Discipline” to the Judicial Council.

DIGEST

The Judicial Council lacks jurisdiction.

March 20, 2023

Concurring Opinion

Pursuant to ¶543.12 of the *2016 Book of Discipline*:

A central conference shall have authority to adopt rules of procedure governing the investigation and trial of its clergy, including bishops, and lay members of the Church and to provide the necessary means and methods of implementing the said rules; provided, however, that the ordained ministers shall not be deprived of the right of trial by a clergy committee and lay members of the Church of the right of trial by a duly constituted committee of lay members; and provided also, that the rights of appeal shall be adequately safeguarded.

[Emphasis added]

Paragraph 547.3 reads as follows:

A central conference that adapts and edits the *Discipline* as provided ¶ 543.16 shall establish a judicial court, which in addition to other duties that the central conference may assign to it shall hear and determine the legality of any action of

the central conference taken under the adapted portions of the *Discipline* or of a decision of law by the presiding bishop of the central conference pertaining to the adapted portions of the *Discipline*, upon appeal by the presiding bishop or by one-fifth of the members of the central conference. Further, the judicial court shall hear and determine the legality of any action of an annual conference taken under the adapted portions of the *Discipline* or of a decision of law by the presiding bishop of the annual conference pertaining to the adapted portion of the *Discipline*, upon appeal of the presiding bishop or of such percentage of the members of the annual conference as may be determined by the central conference concerned.

[Emphasis added]

The Congo Central Conference needs to establish policies and procedures as put forth in the *Book of Discipline*—the Committee on Episcopacy, the Committee on Investigation, and Judicial Court.

The purported 2020 Book of Discipline of the Congo Central Conference:

We became aware of claims concerning a purported *2020 Book of Discipline of the Congo Central Conference* in or about 2018. We note that adaptations are made of actual existing Disciplines. Our current *Book of Discipline* is 2016. A **2020 Book of Discipline does not exist.**

Kabamba Kiboko
Oswald Tweh
Dennis Blackwell
Lidia Gulele
Beth Capen

March 20, 2023