

# **SUBJECT TO FINAL EDITING**

## **JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH**

### **MEMORANDUM 1317**

**IN RE: Inquiry from the Committee on Correlation and Editorial Review  
Regarding Petition 60274, Calendar Item 5, Approved by the 2016 General  
Conference**

#### **STATEMENT OF FACTS**

On May 16, 2016, the General Conference voted to adopt Calendar Item 5, which brought Petition 60274 from the Standing Committee on Central Conference Matters to the plenary. Calendar Item 5 contained the original Petition as submitted. By a vote of 678-128, the General Conference approved the Calendar Item.

Petition 60274 included the provision that "...the number of episcopal areas in Africa shall increase from 13 to 18 after the 2020 General Conference." The Petition added that this "...increase shall be included in the Episcopal Fund for the quadrennium of 2021-2024."

On May 17, 2016, the Committee on Correlation and Editorial Revision of the General Conference asked the Judicial Council to review its draft report to the General Conference. The draft report asks the General Conference to clarify its intent in adopting the Calendar Item 5. Noting Decision 1312, in which the Judicial Council ruled that only the General Conference has authority under the Constitution to determine funding for a specific number of bishops (§ 16) and only the Jurisdictional or Central Conference has authority under the Constitution to determine the number of episcopal areas (§ 40), the Committee on Correlation and Editorial Revision poses a question in its draft report to the General Conference: "Was the intent of the General Conference to authorize funding for five more bishops in Africa or to create episcopal areas?"

#### **JURISDICTION**

The Judicial Council does not have jurisdiction.

## DIGEST

According to the 2012 *Book of Discipline* the General Conference (§ 2610.2[a]) or a body created or authorized by the General Conference (§ 2610.2[c]) may petition the Judicial Council for a declaratory decision. See Judicial Council Decisions 884, 885, 887. However, the Judicial Council does not have jurisdiction over internal communications between the General Conference and a body created by the General Conference.

The draft report from the Committee on Correlation and Editorial Revision is such an internal communication.

Having adopted Calendar Item 5, the General Conference is responsible for the content of what it has approved. Under § 2609, an appeal from a majority of the members of the Council of Bishops or an appeal by one-fifth of the General Conference delegates could be used to bring a request to the Judicial Council regarding the constitutionality of a General Conference action. But a draft report to the General Conference from one of its committees is not an appropriate mechanism for doing so.