

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH**MEMORANDUM 1249**

In RE: Review of a Bishop's Decision of Law in the Philippines Central Conference Regarding the Legality of Proposed Rules for the Election of Bishops

STATEMENT OF FACTS

On December 12, 2012, in the course of the Twentieth Regular Session of the Philippines Central Conference, two members made two separate requests for decisions of law by the presiding bishop, Bishop Warner Brown. The requests were as follows:

1. I move that the presiding bishop make a ruling on Page 9, Line 229 the whole section on Committee on Elections.
2. I move to request the Chair to rule on whether the CPORO proposal, particularly = ART. 2, Part E: Committee on Elections, Sections 18-20 and ART. 5, Part A: General Guidelines, Sections 1-9, as printed in the legislative agenda kit of the 20th Regular Session of the Philippines Central Conference, currently convened here in Bayombong, N.V, Philippines (Dec 11-16, 2012) are in conflict with Par. 405 of the *2008 Book of Discipline* of the United Methodist Church and with Sec. III, Part A.3 of the Philippines Central Conference Plan Organization and Rules of Order as printed in the 2012 Handbook for Delegates, page 85.

The presiding bishop made a decision of law in which he found some of the provisions of the Committee on Plan of Organization and Rules of Order Proposal as being in violation of the *2008 Discipline*.

The records submitted to the Judicial Council contained only the two requests for decisions of law and the presiding bishop's decision of law. Absent from the records were the minutes of the December 12, 2012, session at which the requests were made and copies of the

Committee on Plan of Organization and Rules of Order Proposal and the Philippines Central Conference Plan of Organization and Rules of Order. Efforts were made by the Judicial Council to obtain the minutes of the December 12, 2012, session with no success.

JURISDICTION

The Judicial Council has jurisdiction under ¶ 2609 of the *2008 Discipline*.

DIGEST

Without the minutes of the December 12, 2012, session, the Judicial Council cannot make a determination of whether the requests for a decision of law were received during the regular business of a session. The longstanding jurisprudence of the Judicial Council has been that requests for decisions of law shall be germane to the regular business, consideration, or discussions of the Annual Conference and shall state the connection to the specific action taken, or the questions must be raised during the deliberation on a specific issue of a matter upon which the conference takes action. Also, without the Committee on Plan of Organization and Rules of Order Proposal and the Philippines Central Conference Plan of Organization and Rules of Order the Judicial Council is unable to review the Bishop's decision of law.

Consequently, the matter is remanded to the Philippines Central Conference, and it is instructed to forward to the Secretary of the Judicial Council the minutes of the December 12, 2012, session of the Twentieth Regular session of the Philippines Central Conference and copies of the Committee on Plan of Organization and Rules of Order Proposal and the Philippines Central Conference Plan of Organization and Rules of Order within sixty days as of this decision. The Judicial Council retains jurisdiction.

Dennis Blackwell was absent.

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

October 26, 2013