

JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH

MEMORANDUM 1316

**In Re: Request for a Declaratory Decision from the California – Pacific Annual Conference
Regarding the Constitutionality of ¶¶ 2702.1(a) and 2702.1(b) in Light of the Authority Given
the Annual Conference in ¶ 33.**

STATEMENT OF FACTS

During the regular business session of the 2015 California-Pacific Annual Conference a clergy member made the following request for a declaratory decision from the Judicial Council based upon Paragraph 2610.2(j) of the 2012 *Discipline* of The United Methodist Church.

The motion was as follows:

I move the Annual Conference request a Declaratory Decision from the Judicial Council: Under the provisions of para 2610.2(j) of the 2012 Book of Discipline, The California-Pacific Annual Conference of the United Methodist Church submits the following questions in request for a Declaratory Decision:
Does the inclusion of specification(s) “found in the phrases beginning with the words “including but not limited to...” at para2701(a) (*sic*) and para2701(b) (*sic*), have the effect of the General Conference unconstitutionally usurping the constitutional right of the ministerial members in full connection of an Annual Conference as represented by its Committee of Investigation and Trial Court, (respectively), to define and/or ratify the specific facts in each situation which might affect the character and/or conference relationship of one or more of its members (¶ 33)?

A clergy member requested permission to request an oral argument and to argue on its behalf.

The clergy member was authorized to present the case before the Judicial Council.

An Amicus Curiae brief was filed. An oral hearing was conducted on May 6, 2016, in Portland, Oregon. The Reverend Thomas Griffith represented the Annual Conference at the oral hearing.

JURISDICTION

The Judicial Council has jurisdiction under ¶ 2610 of the 2012 *Discipline*.

DIGEST

Pursuant to ¶ 2608.2 of the *Discipline*, the requisite number of votes needed for establishing unconstitutionality of paragraphs 2702.1(a) and 2702.1(b) was not obtained. Hence, the paragraphs in question remain constitutional.

F. Belton Joyner, Jr., Secretary

William B. Lawrence, President

May 9, 2016