

DECISION 1281

IN RE: A Request from the Western Pennsylvania Annual Conference Regarding the Legality of Actions Taken in Regard to Judicial Decisions 1238 and Judicial Decision 1241

DIGEST

Three issues were raised by Western Pennsylvania Annual Conference and addressed in Decisions 1238 and 1241. All have now been resolved. Issue one regarding the arrangement between Western Pennsylvania Annual Conference and West Africa Annual Conference was dismissed as a partnership not under the jurisdiction of the Judicial Council. Issue two, the \$3,000 owed by West Africa Annual Conference to Western Pennsylvania Annual Conference, was resolved when the money was received by Western Pennsylvania Annual Conference from Bishop Daniel Wandabula. Issue three, a complaint against Bishop Daniel Wandabula, was resolved when the College of Bishops of the Africa Central Conference verified that the charges against Bishop Wandabula had been dismissed. These matters have been resolved, and the Judicial Council no longer has jurisdiction.

STATEMENT OF FACTS

During the regular business session of the 2014 Western Pennsylvania Annual Conference, a petition request to the Judicial Council was passed unanimously on the consent calendar. The petition was titled "Request by the Western Pennsylvania Annual Conference Regarding Legality of Actions Taken in Regard to Decision 1238 and Decision 1241" and traced the extensive history of the complaints brought by Nancy Denardo in July 2011 against Bishop Daniel Wandabula and Nancy Denardo with The Rev. John Kiviiri against Bishop Wandabula in December 2011. In Decision 1238 the Judicial Council ruled that the funds in the amount of \$3,000 intended for compensation to Isaac Sebit should be paid to him by the East Africa Annual Conference by January 1, 2014, or be returned to the Western Pennsylvania Annual Conference. The petition states that "After tireless efforts by the Western Pennsylvania Annual Conference the

\$3,000 was received on May 27, 2014,” thus resolving the second issue addressed in Decision 1238.

The third issue addressed in Decision 1238 concerns a complaint filed by Nancy Denardo against Bishop Daniel Wandabula. This was properly referred to the Africa Central Conference College of Bishops. During the Judicial Council Oral Hearing in October 2012 Bishop Wandabula stated that the complaint had been dismissed. The Judicial Council requested written confirmation from the Africa Central Conference College of Bishops. Such confirmation was received from the College of Bishops of the Africa Central Conference on October 20, 2014, in the form of minutes,, thus resolving the third issue over which the Judicial Council had retained jurisdiction.

The petition includes information concerning the “resolution of outstanding audit issues” with Bishop Wandabula, the Africa Central Conference and the General Council on Finance and Administration. These are not under the jurisdiction of the Judicial Council.

JURISDICTION

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

ANALYSIS AND RATIONALE

Issue one was ruled a personal partnership between the Western Pennsylvania Conference and the East Africa Conference and therefore not subject to Judicial Council intervention. Issue two addressed in Decisions 1238 and 1241 appears to have been resolved as ordered by the Judicial Council. The third issue deals with the complaint filed against Bishop Daniel Wandabula. The Judicial Council has received an official report from the Africa Central Conference College of Bishops that the complaint was dismissed. The petition from Western Pennsylvania Conference asks “to provide clarification as to which paragraph of the Discipline and which body of the church currently holds the jurisdiction over the complaint process that was understood as continuing under Decisions 1238 and 1241. And to further clarify what action or actions that body which has jurisdiction over the complaints is required to take by the Discipline.” Complaints against bishops are

addressed in ¶ 413 and further in ¶ 2704.1 of the *Discipline* indicating in detail the responsibilities of various parties. The Judicial Council retained jurisdiction because of its interest in the process. The case has been resolved, and the Judicial Council no longer has jurisdiction.

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J. Kabamba Kiboko was absent.

Timothy K. Bruster, first clergy alternate, took part in this decision.

William B. Lawrence, President

F. Belton Joyner, Jr., Secretary

October 25, 2014

CONCURRING OPINION

Our decision now should put a closure to the unfortunate controversies. A couple of legal lessons cannot be glossed over. First, a complaint against a bishop ought to be carefully reflected upon with circumspection and due respect for the office. Second, if it cannot be avoided, the proper procedure spelled out in the *Discipline* must be strictly followed. The Judicial Council is not the proper forum for such complaint. Well-known is the principle of separation of powers. We have the College of Bishops and the Council of Bishops. Given the growing number of legitimate issues laid at our door, the Judicial Council could be of greater service to the church if its time and energies would not be unduly misdirected.

Ruben T. Reyes

October 25, 2015