

REVISED DOCKET FOR APRIL 2015

DOCKET 0415-1

IN RE: Review of a Bishop's Decision of Law in the New England Annual Conference Regarding Whether Its Resolution RS-204 Conforms to Article XXII of the Methodist Articles of Religion

RS – 204 – TO AFFIRM GOD'S CALL TO MINISTRY AND MARRIAGE

As those who oppose, seek to change, and intend to live in disobedience to the United Methodist Disciplinary language that "homosexuality is incompatible with Christian teaching" as a criteria for ordination and marriage and those policies that emanate from this language, we submit the following for adoption and implementation by the New England Annual Conference of the United Methodist Church, WHEREAS our Conference, just as the general church, is not of one mind, RESOLVED:

1. We prayerfully support those clergy who have been brought to trial for solemnizing marriage vows for all properly prepared couples.
2. We strongly urge our Board of Ordained Ministry, Appointment Cabinet, and Resident Bishop to do all within their power to make the New England Annual Conference a place of welcome and refuge to those convicted by Church trial courts for presiding over same gender Christian weddings or faithfully responding to the call to ordained ministry.
3. We strongly urge the next General Conference of the United Methodist Church to remove all language that prohibits the ordination and marriage of persons based upon gender orientation or to allow Annual Conferences a "local option" to discern their own criteria in these matters.

We strongly urge our New England Conference congregations and their clergy to open their "hearts, minds, and doors" to all couples regardless of gender seeking to sanctify their unions in holy matrimony.

BISHOP'S RULING OF LAW

Resolution 204 – by which the 2014 New England Annual Conference voted to: (1) prayerfully support clergy brought to trial for solemnizing same gender marriage vows; (2) strongly urge the Board of Ordained Ministry, the Cabinet and Bishop to do all within their power to make the Conference "a place of welcome and refuge for those convicted by church trial courts for presiding over same gender Christian weddings or faithfully responding to the call to ordained ministry"; (3) strongly urge that the next General Conference remove certain prohibitive language from the Book of Discipline or to allow Annual Conferences a "local option" to discern their own criteria in these matters; and (4) strongly urge the New England Annual Conference congregations and clergy to open their hearts, minds and doors to all couples regardless of gender seeking to sanctify their union in holy matrimony – is a resolution

that is thoroughly aspirational in nature. None of the actions being urged in any way break the mandates of the church rites and ceremonies noted in Article XXII. If the wording of Resolution 204 is read as I read it, nothing contained within the four corners of Resolution 204 would serve to mandate, negate, ignore, or violate The Book of Discipline, nor is any of it in any way unlawfully prescriptive in nature, and I rule that it is upheld as lawful in its entirety.

IV. REASONS SUPPORTING BISHOP DEVADHAR'S RULING OF LAW

Resolution 204 calls for four things. First, it calls for the New England Annual Conference to “prayerfully support those clergy who have been brought to trial for solemnizing marriage vows for all properly prepared couples.” Secondly, it “strongly urges” the Board of Ordained Ministry, the Cabinet, and the Bishop to do “all within their power to make New England Annual Conference a place of welcome and refuge” for those convicted by church trial courts for presiding over same gender weddings. Third, Resolution 204 “strongly urges” the next General Conference to remove certain language that prohibits the ordination and marriage and persons based on gender or to allow Annual Conference a “local option” to discern their own criteria in these matters. Finally, it “strongly urges” New England Annual Conference congregations and clergy to open their “hearts, minds and doors” to all couples regardless of gender orientation, seeking to sanctify their unions in holy matrimony. All four of those components of Resolution 204, as expressly and intentionally worded by its makers, are aspirational, without prescriptive force, and do not serve to negate, ignore or violate a provision of the Discipline, or an act of the General Conference. The aspirational nature of the chosen language can be seen by reference to governing Judicial Council Decisions, as noted below.

Words of aspiration, as identified by Judicial Council Decisions, are usually easy to identify. First, they are non-mandatory. Secondly, they are typically expressions of human hopes, dreams, goals or commitments, all directed towards affirming, supporting or seeking to change certain social policies, institutions or attitudes. For example, a resolution “affirming the sacred worth,” committing to continue to build inclusive communities, and inviting churches and individuals to adopt a statement, was upheld as aspirational. Calls to affirm, commit or invite are lawful according to the Judicial Council. Decision No. 1220 (2012). Similarly, a resolution “reaffirming a historic commitment,” declaring a passionate opposition to continued gender-oriented distinctions, acknowledging a grave pastoral crisis facing the church, stating that while Bishops, boards, agencies and clergy “are bound by the Book of Discipline”, they are also “bound to exercise their consciences and are bound by Jesus’ call to stand with the marginalized and the oppressed”, and finally urging the annual conference to recognize that the individuals conducting certain actions do so “contrary to the historic expression of the annual conference at the risk of causing great harm to LGBT persons” was also all upheld as aspirational. Language declaring a passionate opposition, stating a belief, and urging recognition, has no prescriptive force and is lawful. Decision 1218 (2012). Similarly, an annual conference resolution calling for a “commendation” for those who have provided nurture to same sex

couples, was upheld as “a historical recounting of actions by others, and is aspirational.” Decision 1255 (2013).

By contrast, annual conference resolutions that cross the boundary of lawfulness tend to be far more forceful, prescriptive and commanding. A resolution to “renounce” a legislative act of General Conference was not legal, as it was plainly and openly disobedient to the Discipline (“We renounce the statement that homosexuality is incompatible with Christian teaching...”) Decision 1220 (2012). A resolution informing annual conference of the names of clergy willing to perform same gender unions in violation of the Book of Discipline was also unlawful, again as attempting to negate, ignore, or violate the provisions of the Book of Discipline. Decision 1111 (2009). A resolution which proclaimed that its own stated principles were “a more authentic and truthful representation of the United Methodist Church” implied that it believed the present language of the Book of Discipline was less authentic, less truthful and presumably, therefore, less lawful than its own resolution; and that was considered by the Judicial Council to go beyond a permissible expression of a mere disagreement. Decision 1120 (2009). Another variety of an impermissible resolution is found in Decision 1250. In that Decision, the annual conference attempted to impose a suggested alternative penalty to a church trial court sanction in a manner that violated the trial court’s prerogatives under the Book of Discipline. Obviously, this resolution was by its nature a usurpation of powers not granted to annual conference, and therefore unlawful and unenforceable. Decision 1250 (2013).

Turning now to each item in Resolution 204:

Item #1 of Resolution 204 says that the Conference will keep clergy brought to trial in prayer. Absolutely nothing in Article XXII is violated by praying for someone. This is aspirational in nature. See, Decision 1255 (Commendation for those who have taken a stand for justice).

Item #2 of Resolution 204 calls for the New England Conference to be a welcoming conference and a refuge for those whom the church has convicted. Absolutely nothing in Article XXII is violated by a conference being a welcoming refuge – to ANYONE, and it should be to ALL. This, too, is aspirational in nature. See, Decision 1255.

Item #3 of Resolution 204 urges that actions be taken by General Conference 2016. This is totally appropriate and is part of the process by which General Conference discerns issues. It is anticipated that many petitions concerning this topic will be submitted. Absolutely nothing in Article XXII is violated by urging General Conference to adopt new laws. See, Decision 1255 (Commending) and 1218 (Reaffirming and Recognizing).

Item #4 of Resolution 204 – and probably the main item being asked for a ruling of law, although not specifically stated as such, urges local United Methodist Churches to open their “hearts, minds and doors”. To open one’s heart is to care for people; to open one’s mind is to

gather information, learn and discern; to open one's doors is to let someone in to worship. Not one of these acts, actually announced as United Methodist ways of behaving, is a violation of Article XXII. Additionally, Item # 4 does not prevent nor override the provisions of Par.340.2(3)a of the Book of Discipline of the United Methodist Church, 2012, which gives the pastor the authority to determine whether or not to perform a marriage ceremony after due counsel of the parties involved and in accordance with the laws of the state and the rules of the United Methodist Church. This applies to all couples seeking to be married in the church and/or by the pastor. Additionally, the encouragement to welcome all couples...is keeping with par.161F which affirms our commitment to be in ministry with and for all persons.

Finally, Item #4 does not urge the sanctification of same gender marriages that would negate, ignore or violate the Book of Discipline. See, Decision 1111 (Offering names of retired clergy who would perform same gender marriages did serve to negate, ignore, or violate Discipline). Rather, Item #4 as worded, merely urges clergy and congregations to open their hearts, minds, and doors to all couples "seeking to sanctify their unions in holy matrimony." This is aspirational, and does not have the effect of negating, ignoring or violating the Discipline.

However, the Judicial Council may view Item #4 of Resolution 204, like the person who requested the ruling of law, that the words really are urging local congregations to have same-gender marriages in United Methodist churches and that the services be conducted by United Methodist clergy. If this is the interpretation to be given, then Item #4 is a violation of the Discipline as discussed above and should therefore be removed from Resolution 204 as null and void.

V. CONCLUSION

Resolution 204 - by which the 2014 New England Annual Conference voted to: (1) prayerfully support clergy brought to trial for solemnizing same gender marriage vows; (2) strongly urge the Board of Ordained Ministry, the Cabinet and Bishop to do all within their power to make the Conference "a place of welcome and refuge for those convicted by the church trial courts for presiding over same gender weddings"; (3) strongly urge that the next General Conference remove certain prohibitive language from the Book of Discipline; and (4) strongly urge the New England Annual Conference congregations and clergy to open their hearts, minds and doors to all couples regardless of gender orientation - is a resolution that is thoroughly aspirational in nature. None of the actions being urged in any way break the mandates of the church rites and ceremonies noted in Article XXII. Nothing contained within the four corners of Resolution 204 mandates negating, ignoring or violating the Book of Discipline, nor is any of it in any way unlawfully prescriptive in nature. Resolution 204 of the 2014 New England Annual Conference is upheld as lawful in its entirety.

DOCKET 0415-2

IN RE: Review of a Bishop's Decision of Law in the Detroit Annual Conference Regarding Whether Resolution #14 Complies with ¶¶ 2702.1b, 2704.2a, and 324.13, as well as Judicial Council Decisions 1111, 1115, 1120, and 1218

Pursuant to 1151 and 1156.3 of the 2012 *Book of Discipline of The United Methodist Church ("Discipline")*, I hereby submit for Judicial Council review my Decision of Law on the written and signed request made for such a decision by a lay member on May 18, 2014 from the floor of the plenary session of the Detroit Annual Conference of The United Methodist Church ("DACUMC") as to Resolution #14, adopted by the DACUMC on May 17, 2014.

Resolution #14, as adopted, states:

Therefore be it resolved the Detroit Annual Conference of The United Methodist Church in response to our common belief that God's grace and love is available to all persons and in keeping with the United Methodist tradition of diversity that each member, pastor, deacon, congregation, bishop, and committee be strongly encouraged to:

1. Support lesbian, gay, bisexual, and transgender lay members who marry and to refrain from filing complaints against pastors and deacons who perform marriages between gender and sexual minorities (also referred to as "same-sex marriages"); and
2. Refrain from using its resources to investigate or enforce a ban on marriages between lesbian, gay, bisexual, and transgender people, or for church trials, or for otherwise disciplining clergy that offer the ministry of marriage to all persons in their congregation or community; and
3. Refrain from using its resources to investigate the gender or sexual orientation of a minister or candidate for ministry, and not to use its resources to enforce a ban on the certification of a lesbian, gay bisexual, or transgender candidate for ministry, or the ban on ordination of a lesbian, gay, bisexual, or transgender minister.

The request for a Decision of Law as presented states:

I hereby request that Bishop Deborah L. Kiesey determine the following as to Resolution

#14 adopted by the 2014 session of the Detroit Annual Conference on May 17, 2014.

1. Is section 1 of the resolution in compliance with 2702.1(b) of the 2012 *Book of Discipline of The United Methodist Church* and Judicial Council Decisions 1111, 1115, 1120, and 1218?
2. Is section 2 of the resolution in compliance with 2704.2(a) of the 2012 *Book of Discipline of The United Methodist Church* and Judicial Council Decisions 1111, 1115, 1120, and 1218?
3. Is section 3 of the resolution in compliance with 324.13 of the 2012 *Book of Discipline of The United Methodist Church* and Judicial Council Decisions 1111, 1115, 1120, and 1218?

Although the request for a Decision of Law on Resolution #14 references only specific provisions of the *Discipline* and certain Judicial Council Decisions, my analysis and ruling of necessity have considered any relevant provisions and Decisions.

My Decision of Law is:

1. Although the three numbered sections of the Resolution are preceded by the phrase "resolved...that each member, pastor, deacon, congregation, bishop, and committee be strongly encouraged to" take or to refrain from taking specified actions, with no penalty for a failure to comply, which could arguably make the entire Resolution aspirational and non-binding in nature, and hence, valid and not in violation of the *Discipline*, prior decisions by the Judicial Council suggest that the full context of the Resolution and its debate, the substance of each numbered section, and their impact must be separately considered in determining whether the Resolution would negate, ignore or violate provisions of the *Discipline*.
2. In section #1, with regard to the phrase "support lesbian, gay, bisexual, and transgender lay members who marry", the Resolution is valid as an aspirational hope, and to the extent "support" is limited to actions that are not in violation of the *Discipline* (e.g. offering emotional support for lay people that have a same-sex marriage), consistent with Decision 1262 of the Judicial Council and the distinctions offered therein.
3. In section #1, with regard to the phrase "and to refrain from filing complaints against pastors and deacons who perform marriages between gender and sexual

minorities (also referred to as "same-sex" marriages"), the Resolution is null and void as an intention, encouragement, or summons either to ignore or to violate Church Law,

or to expressly discourage the enforcement of Church Law, since conducting same-sex marriages by pastors is within the scope of the phrase "performing same-sex wedding ceremonies", a chargeable offense in the *Discipline*. See e.g. *Discipline* ¶¶ 2702; 2704.

- 4 In section #2, with regard to the phrase "Refrain from using its resources to investigate or enforce a ban on marriages between lesbian, gay, bisexual, and transgender people, or for church trials, or for otherwise disciplining clergy that offer the ministry of marriage to all persons in their congregation or community", the Resolution is null and void as a summons to violate the provisions of the *Discipline* which require a Bishop and others in positions of supervision to use their time and other Church resources to investigate complaints alleging that chargeable offences have been committed, to participate in related trials, and to otherwise participate in the supervisory process and to provide due process when allegations of violations of the *Discipline* have occurred.

See e.g. *Discipline* ¶¶ 2702, 2704

- 5 In section #3, with regard to the phrase: "Refrain from using **its** resources to investigate the gender or sexual orientation of a minister or candidate for ministry, and not to use its resources to enforce a ban on the certification of a lesbian, gay, bisexual, or transgender candidate for ministry, or the ban on ordination of a lesbian, gay, bisexual, or transgender minister", the Resolution is null and void (a) as a summons to violate the provisions of the *Discipline* that require the Board of Ordained Ministry and others within the Church to use their time and other resources to determine whether a clergy person is in violation of the provision of the *Discipline* or whether a candidate for ministry would be in violation of the provisions of the *Discipline* immediately upon becoming a clergy person, and (b) as a summons not to use resources to enforce any related Disciplinary ban on ordination which currently applies. See e.g. *Discipline* 1111

324.12; 324.13; 2702; 2704

DOCKET 0415-3

IN RE: Review of a Bishop's Decision of Law in the Arkansas Conference Regarding Limitation of Years of Service of Cabinet Members Who Are Not District Superintendents in Light of ¶ 418

During the June 21, 2014, session of the Arkansas Annual Conference, Rev. David Orr made the following request:

I request a ruling of church law on the matter of limitations on years of service for those serving on the Appointive Cabinet. Specifically, does Par 418 of the 2012 Book of Discipline apply to non-district superintendents serving on the Appointive Cabinet?

It might be appropriate to declare this request for a ruling of law as inappropriately moot and hypothetical because it relates to a term, “the Appointive Cabinet,” that does not exist in, and is not defined by, The Book of Discipline. Further, since the request relates to “non-district superintendents” and ¶418 applies only to district superintendents, it appears that the question does not concern an issue of law under The Book of Discipline and is therefore improper for that reason also. Finally, it might be inappropriate because it was not an item related to any business undertaken during the 2014 annual conference, but legislation addressed in a previous annual conference session. See Judicial Council decisions 1214, 1086, 799 and 33.

Nevertheless, I will address the request in a substantive manner.

¶418 limits the tenure of a district superintendent and, therefore, limits his or her membership in the cabinet as a district superintendent. Neither this, nor any other paragraph in The Book of Discipline, states that those who serve in the cabinet and are not district superintendents are bound by ¶418.

Therefore, I rule that ¶418 is not binding on non-district superintendents who serve in a consultative fashion in cabinet meetings that address the making of appointments.

DOCKET 0415-4

IN RE: A Request from the North Georgia Annual Conference for a Declaratory Decision on the Constitutionality of the Deletion of ¶ 2703.2 of the 2008 *Book of Discipline*

The Committee on Nominations hereby moves that the Annual Conference, as empowered by ¶2610.2.(j) of the 2012 *Book of Discipline*, request of the Judicial Council a declaratory decision on the constitutionality of the deletion of ¶2703.2 of the 2008 *Book of Discipline*, the text of which defining the annual conference Committee on Investigation does not appear in the 2012 *Book of Discipline*. Similarly, ¶2704.2 of the 2012 *Book of Discipline* does not contain the references to the Committee on Investigation that were in the same paragraph in the 2008 *Book of Discipline*, and that paragraph describes the process by which the annual conference conducts the investigation of charges brought against clergy members of the conference. Moreover, ¶2706, which describes the procedure of the Committee on Investigation, has all reference to clergy

members of the annual conference that were in the 2008 *Book of Discipline* deleted there from, despite the fact that ¶2706.2 continues to describe the parties as "the respondent and the Church" without qualifying "respondent" not to include clergy members of the annual conference. This all must be interpreted in the light of ¶33 of the United Methodist Constitution which specifies that the lay and clergy members of the Committee on Investigation are empowered with vote on matters related to ordination, character, and conference relations of clergy, strongly and necessarily implying that those lay members, as well as clergy members of the annual conference, through their service on the Committee on Investigation, have a role in the investigation of charges against those clergy members.

RATIONALE

After many attempts over the years 2008 General Conference, subject to approval of a constitutional amendment in accordance with Judicial Council Decision Number 993, with the support of two-thirds vote of the membership of all annual conferences, changed the Constitution (¶33) to provide laity voting members in the clergy committee on investigation. The 2008 *Book of Discipline* ¶¶602.6 and 2703.2 were also appropriately changed by the 2008 General Conference to specify full laity and clergy involvement in the clergy committee on investigation and clergy were instituted as voting members of any laity committee on investigation. Prior to this time laity were excluded from full participation in clergy investigations. The changes in ¶¶33, 602.6 and 2703.2 were all proposed in one petition and enacted by General Conference 2008 as an integrated package, despite the fact that since ¶33 is part of the Constitution it had to be treated in a different manner. ¶¶602.6 and 2703.2 were amended as a manner of implementing the change effected by changing ¶33. The Council of Bishops certified passage of the Constitutional amendment and the 2008 *Book of Discipline* was changed by addendum.

In an attempt to streamline the fair process of determining if a clergy person will be brought to trial after charges have been filed, the 2012 General Conference completely eliminated the clergy committee on investigation and gave that responsibility to one clergy person appointed by the bishop to decide whether a clergy is brought to trial. This means the important decision on bringing a clergy to trial is no longer made by a body of persons elected by the annual conference but is made by one person appointed by the bishop with no accountability whatsoever to peers or to the laity of the Church. However, the controlling constitutional paragraph 33 was not changed.

The long standing similarity to secular accountability of a district attorney reporting findings to citizen peers, with that Grand Jury deciding whether to indict, has now been lost in our Church and a process is now in place with no independent review before a clergy person is placed on trial. This is not the case for laity or bishops or diaconal ministers because those committees on investigation have been left in place.

The Constitution of The United Methodist Church (§33) still provides that a clergy committee on investigation made up of peer clergy and laity is to be part of the fair process when charges are brought against a clergy member of the annual conference. That is to say the Constitution was NOT amended even though the clergy committee on investigation was eliminated by legislation.

The motion before the Annual Conference is needed to request that the Judicial Council review the elimination of the clergy committee on investigation as to its constitutionality to determine whether the disciplinary paragraphs that support the constitutional requirements for the clergy investigative function should be retained and reinstated.

DOCKET 0415-5

IN RE: Review of a Bishop's Decision of Law in the Arkansas Conference Regarding Non-appointive Members of the Cabinet Participating in Appointment-making in Light of §§ 403.2, 419.2, 424,428, and 608.6

During the June 21, 2014, session of the Arkansas Annual Conference, Rev. David Orr made the following request:

I request a ruling of church law regarding the Arkansas Conference practice of non-district superintendents participating in the making of appointments.

Specifically, does the Structure of the Arkansas Conference as found in the 2013 Conference Journal defining the Appointive Cabinet (page 445, "PURPOSE: Working with the Bishop, the appointive cabinet facilitates and administers the appointive process. STRUCTURE: The membership of the Appointive Cabinet shall be determined by the presiding Bishop to address the missional needs of the Annual Conference"); and, the Arkansas Conference's current practice of non-district superintendents participating in the making of clergy appointments comply with The 2012 Book of Discipline paragraphs 403.2, 424, 428, 419.2, and 608.6?

It might be appropriate to declare this request for a ruling of law as inappropriately moot and hypothetical because it was not an item related to any business undertaken during the 2014 annual conference, but legislation addressed in a previous annual conference session. See Judicial Council decisions 1214, 1086, 799 and 33. Further, it might be inappropriate because it asks for a ruling of law about an entity, "the appointive cabinet," that does not exist in, and is not defined by, *The Book of Discipline*.

Nevertheless, I will address the request in a substantive manner.

The Book of Discipline always takes precedence over annual conference standing rules. If there is a discrepancy between the two, annual conference standing rules must be changed. The bishop's authority to compose the cabinet resides in *The Book of Discipline* and not the Arkansas Conference Standing Rules. In this instance the Arkansas Conference Standing Rules concerning the composition of the "appointive cabinet" is consistent with the cited paragraphs in the request for the ruling of law. However, since *The Discipline* addresses this matter, this particular standing rule is redundant and unnecessary.

The question of whether the Arkansas Conference "current practice" of including persons who are not district superintendents in providing consultation to the bishop in the making of appointments is not a conference practice. It is an act undertaken by the bishop based on the responsibilities given him by *The Book of Discipline*.

¶154 *Article X* makes it clear that district superintendents serve in a consultative role to the bishop, "The bishops shall appoint, after consultation with the district superintendents, ministers to the charges...." ¶419 states that the district superintendent is "an extension of the office of bishop." See also ¶ 403.2. ¶425.1 states that it is the bishop who makes appointments: "Clergy shall be appointed by the bishop, who is empowered to make and fix all appointments in the episcopal area of which the annual conference is a part."

In sum, district superintendents do not make appointments but serve a consultative function to the bishop. As such, any actions they take concerning appointments while meeting as part of the cabinet are merely advisory in nature.

¶424 clearly indicates that all district superintendents are members of "the cabinet." ¶428 prescribes the role of the "cabinet as a whole" in considering all appointments, but it does not preclude the bishop from considering information obtained from other persons, including those with whom the bishop consults in determining the ministry settings that are most appropriate for particular clergy as a part of the bishop's exercise of his or her appointment authority. Likewise, while ¶419.2 provides that the district superintendent "...shall work with the bishop and cabinet in the process of appointment and assignment for ordained and licensed clergy," it does not preclude the bishop from consulting with others, including members of the extended cabinet.

¶619.2 mandates that the director of administrative services "...shall be present when the cabinet considers matters relating to conference administration related to the conference

treasurer's or conference treasurer/director of administrative service's responsibilities, or other matters as the cabinet and director may determine."

¶608b states that the director of connectional ministries (or designated person) "...shall serve as an officer of the conference and shall sit with the cabinet when the cabinet considers matters relating to coordination, implementation or administration of the conference program, and other matters as the cabinet and director may determine."

¶607.6 states, "The conference lay leader shall meet with the cabinet when matters relating to the coordination, implementation, or administration of the conference program, or other matters as the cabinet may determine are on the agenda."

¶619.2 explicitly states that the director of administrative services shall not meet with the cabinet when it is considering appointments. However, ¶607.6 and ¶608b do not have such a restriction.

While ¶424 is the section of *The Discipline* that addresses the role and function of the cabinet, it never defines its membership to exclude persons who are not district superintendents, particularly since the work of the cabinet is not limited to appointments. Further, the commonly used phrase "appointive cabinet" never appears in *The Book of Discipline*, and only ¶609b mentions the "extended cabinet" at all.

While the district superintendents are always part of the cabinet - and while it is mandated that certain persons be present at particular times - *The Book of Discipline*, with one limited exception involving the director of administrative services, never states that bishops may not invite others to participate in the cabinet either during the making of appointments or any of its other work.

In sum, the relevant sections of *The Book of Discipline* include the district superintendents as members of the cabinet and also describe the cabinet as a fluid entity purposely designed by *The Discipline* with maximum flexibility to help the bishop carry out her or his leadership duties in the annual conference, including appointments.

Therefore, I rule that, within the limitations explicitly outlined by *The Book of Discipline*, including the tenure of district superintendents, ¶¶403.2, 424, 428, 419.2, and 608.6 give the bishop the right to include those who are not superintendents in a consultative fashion in cabinet meetings that address the making of appointments. The standing rule addressing the composition of the "appointive cabinet", while substantively in compliance with *The Book of Discipline*, is not binding on the bishop and is unnecessary since it is addressed by *The Book of Discipline*.

DOCKET 0415-6

**IN RE: A Request for a Declaratory Decision Regarding Alleged Violations, Errors, Omissions,
and Actions during the East Ohio Annual Conference Clergy Session**

THE JUDICIAL COUNCIL
OF THE
UNITED METHODIST CHURCH

IN RE:

A. WENDELL WHEADON, Retired Elder in Full Connection
East Ohio Conference
P.O. Box 20701
Cleveland, OH 44120

AND

PATRICE ROCHELLE BREWER, Discontinued Provisional Elder
East Ohio Conference
19661 Fairmount Blvd.
Shaker Heights, OH 44118

PETITIONERS.

PETITION FOR DECLARATORY DECISION

NOW COME A. Wendell Wheadon, Retired Elder in Full Connection of the East Ohio Conference and Patrice Rochelle Brewer, Discontinued Provisional Elder of the East Ohio Conference and aver to the Judicial Council that:

Conditions of the Petition

- (1) The contents of this petition identify, set forth and/or allege violations, errors, omissions and actions of the East Ohio Annual Conference which are matters that affect the Petitioners and
- (2) This petition involves the constitutionality, meaning, application, or effect of some portions of *The Discipline of the United Methodist Church, 2012*.

Complaint

NOW ALSO COME A. Wendell Wheadon, Retired Elder in Full Connection of the East Ohio Conference and Patrice Rochelle Brewer, Discontinued Provisional Elder of the East Ohio Conference, Petitioners and aver to the Judicial Council that:

(1) Monday Morning, June 16, 2014, during the Clergy Executive Session of the East Ohio Annual Conference the motion of A. Wendell Wheadon, retired elder in full connection, made while this matter was pending before the Clergy Session, was ruled out of order in error.

(2) From June 19, 2012 through June 16, 2014, Patrice Brewer:

(a) was not afforded the process of consultation;¹

(b) was not afforded the opportunity to confer with her district superintendent about the specific possible appointment and its congruence with gifts, evidence of God's grace, professional experience and expectations, and the family needs of the pastor;²

(c) was not provided preparations or specific training for a cross-cultural appointment;³

(d) was made subject to provisions outside the *Book of Discipline* in the performance of her duties;⁴ was not assigned an elder as mentor,⁵ but did recommend, Mrs. Kim Shockley, a Colorado pastor's wife as a coach; was not supervised by her district superintendent under whom she was appointed;⁶

(e) did not have the Church of the Redeemer's profile shared with her;⁷

¹ ¶426.1

² ¶428.5 a)

³ ¶425.4

⁴ ¶327.4

⁵ ¶¶327.4, 349.1 b), 349.2, 349.4

⁶ ¶327.4,

⁷ ¶427

(f) was not notified that the Board of Ordained Ministry had instituted a *de facto* mentoring and supervision scheme of Patrice Brewer through its Clergy Review Team,⁸ that was “assigned ...to continue the *mentoring* and *evaluation* process;”⁹

(g) was not informed of the basis of the change in appointment and the process used in making the new appointment;¹⁰

(h) was not informed that a complaint had been received by the bishop, or that the bishop or district superintendent had initiated a complaint;¹¹

(i) was not afforded the process of a supervisory response;¹²

(j) was not fully relieved of pastoral responsibility for Church of the Redeemer during her maternity leave;¹³

(k) was not advised of the reason for the proposed procedures with sufficient detail to allow Patrice Brewer to prepare a response;¹⁴

(l) was not advised of her right to a fair profess hearing before an impartial¹⁵ committee on conference relations, prior to any final recommendation to discontinue¹⁶ her relationship;

(m) was not afforded fairness at the purported “fair process hearing;”¹⁷

(n) was not provided a copy of the report of the review of the process by the Administrative Review Committee that included a finding that the process utilized by the Board of Ordained Ministries’ Clergy Review Team performed its primary purpose, of attempting to obtain a just resolution of any violations of

⁸ ¶635.2 See Petitioners’ Exhibit Nos. 54 and 66

⁹ ¶¶349.2,, 350, 350.1, 419.6-9, 11. See Petitioners’ Exhibit No. 44

¹⁰ ¶428.3

¹¹ ¶¶363.1, and 2702

¹² ¶363.1 *b*)

¹³ ¶356.5

¹⁴ ¶362.2 *b*)

¹⁵ The Chairperson of the committee on Conference Relations, Jean Forbes was the same Jean Forbes who moved for the inclusion of the requirement that Patrice Brewer agree to, pay for, and under undergo psychological treatments and surrender periodic reports of all treatments to the Board of Ordained Ministry. Petitioners’ Exhibits No. 67, 91 and 95.

¹⁶ Recommendation to *discontinue provisional membership* is judicial, and therefore subject to an objective vote, requiring the recording of the circumstances relating to the discontinuance as a provisional member ¶327.6, whereas the recommendations *not to renew* ¶635.2.(v) (4) or *not to proceed toward ordination* ¶325 are administrative and subject to a subjective vote. The distinction being that a judicial process begins when a written and signed complaint is received by the bishop. ¶363, the administrative process has no such requirement.

¹⁷ ¶362 and See footnote 15

the sacred trust that exist in the ordination and membership in the East Ohio Annual Conference;¹⁸

(o) the Board of Ordained Ministry did not review and evaluate, but instead investigated, deceived, planned and implemented a vindictive and undermining environment and process to defeat the purposes of the *Book of Discipline* not to do away with the privileges of clergy of the right to trial by committee and to an appeal, and the right to trial before the church, or by a committee, and of an appeal.¹⁹

Specifications

(1) During the clergy executive session on Monday, June 16, 2014 of the East Ohio Annual Conference, concerning consideration of Disciplinary Question 42c, On motion of Nancy Hull [Chair, Board of Ordained Ministry, that], those persons listed were involuntarily discontinued (¶327.6). (Exhibit A)²⁰ Nancy [Hull] explained the process through which a [this] pastor is [was] involuntarily discontinued.

Motion by Wendell Wheadon, retired elder in full connection to recommit that portion of the Motion to Adopt the recommendation of the Board of Ordained Ministry to “discontinue” the provisional membership of Patrice Brewer;

1. To a committee of five, consisting of the following
 - a. Dan Bryant, District Superintendent, as chairperson
 - b. Robert Tolbert, retired and former District Superintendent
 - c. Warren Freed, Jr., former District Superintendent
 - d. Roger J. Skelley-Watts, pastor and former District Associate
 - e. Rosa B. Clements-Milliner, retired member in full connection

¹⁸ ¶¶363, 363.1 b)

¹⁹ See Petitioners’ Exhibit No. 67 administrative and subject to an subjective vote. The distinction being that a judicial process begins when a written and signed complaint is received by the bishop. ¶363, the administrative process has no such process, but ends .

¹⁹ ¶362 and See footnote 15

²⁰ Daily Proceedings, Clergy Executive Session, Monday Morning, June 16, 2014, pp 3-2and 3-3,

and as alternates

Orlando Chaffee, former District Superintendent

Charles D. Yoost, former District Superintendent

2. That said committee be recommended to the 2014 East Ohio Annual Conference.
 - a. To be constituted, commissioned, charged, enabled, directed to consider informally, and investigate by reviewing all written documents of record, utilized or not, relied upon or not, reviewing the contemporaneous notes of all verbal communications, and reach a determination that any and all such evidence was made known to the Respondent; and interview in person or by telephone at least three lay-members of Oberlin-Rust UMC, Church of the Redeemer UMC and St. Paul UMC, and all persons whose verbal statements were cited by members of the Board of Ordained Ministry. To determine [the basis of the decision to discontinue, specifically including the]²¹ “permanent record of the circumstances relating to this discontinuance’ and determine if the “fair procedural process provisions,” were followed in full compliance with the applicable provisions, requirements and limitations of Paragraphs 327.6, 362.2e, 636, 2701 (*Preamble and Purpose*) and 2701.6 of the 2012 *Discipline of The United Methodist Church, as well as, Judicial Council Decisions No. 691 (Decision 4) and No. 974.*
 - b. To submit a preliminary written report of its processes, proceedings, findings and recommendations to the East Ohio Conference Board of Ordained Ministry for its review, consideration, response and/or action, by January 31, 2015.

²¹ These words of the original motion were omitted from the official minutes of the East Ohio Annual Conference - 2014, page 3-3, line 16.

- c. To submit a final written report to the Clerk of the 2015 Annual Conference by April 1, 2015 for review, consideration and action during the Clergy Session.
- d. To surrender its commission and charge to the 2015 Annual Conference.

Motion seconded by Rev. Dr. Robert Tolbert, retired elder in full connection.

Bishop Hopkins ruled the motion out of order.²²

This ruling was in error, in that:

- (a) the motion was germane to Discipline Question 42c, a matter relating to the work of the East Ohio Conference (§ 2610.2(j)), and;
- (b) the subsidiary motion, to recommit was permitted by the *Rules of the East Ohio Annual Conference* ¶ 1.G.5; and
- (c) the motion was in conformity with and permitted pursuant to *Rules of the East Ohio Annual Conference* ¶ 2.K., that provides, in part, “All requests and/or motions which would expand the conference structure by establishing a new program or committee within the annual conference will be referred to the Conference Council on Ministries. . . . Any new committee proposed or established must include an estimation of how long the committee is to exist. It must also name the existing annual conference body to which it would be accountable;” and
- (d) the motion that sought continued review, with the “primary purpose” of reaching “a just resolution of any violation of” the “sacred trust” required for “ordination and membership in the annual conference of the East Ohio Conference of The United Methodist Church,” until the June 2015 East Ohio Annual Conference,²³ was within the intent and meaning of

²² The East Ohio Conference minutes also omitted that the motion was in writing in the format specified and permitted by East Ohio Rules permission to attach a type copy and Bishop Hopkins’ verbal statement of the basis of his ruling which was interpreted by the Petitioners as being a question of law (in that the made a verbal reference as to what the *Discipline* did not allow) and not a question of parliamentary procedure.

²³ At the September 17, 2013 Board of Ordained Ministry meeting, after receipt of the BOM’s Clergy Task Force report concerning Patrice Brewer, where each member recommended that her provisional membership be continued, with varying conditions, “testing the will of the BOM, Nancy asked for a motion to discontinue Patrice as a provisional member. . . . The motion failed unanimously with no one from the BOM in support of this option.” . . . Motion made to continue Patrice Brewer as a provisional member with requirements to be named by the BOM. Second. Motion was made to table “until we establish the requirements.” Approved. Motion was made “that Patrice must not apply for ordination until October 1, 2015.” Approved. Motion was made “that Patrice undergo a comprehensive psychological evaluation to address past issues and her current mental and emotional

¶360.1 which provides: “When an associate or full member clergy person’s effectiveness is in question, the bishop shall complete the following procedure:

- 1) Identify the concerns . . .
- 2) Hold supervisory conversations with the associate . . .
- 3) Upon evaluation, determine that the plan of action has not been carried out or produced fruit that gives a realistic expectation of future effectiveness;” and

¶363 which provides, in part, “Whenever a person in any of the above categories, including those on leave of all types, honorable or administrative location, or retirement, is accused of violating this trust, the membership of his or her ministerial office shall be subject to review.

This review shall have as its primary purpose a just resolution of any violation of this sacred trust, in the hope that God’s work of justice, reconciliation and healing may be realized in the body of Christ.

A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all the parties. In appropriate situations, processes seeking a just resolution as defined in ¶ 363.1 c) may be pursued.

Special attention should be given to ensuring that cultural, racial, ethnic and gender contexts are valued throughout the process in terms of their understandings of fairness, justice and restoration.”

when the intent and meaning of these paragraphs are applied to the motion to recommit that portion of the Motion to Adopt the

status. This evaluation is to be completed through the Office of Pastoral Care or by a professional recommended by the Office of Pastoral Care. The BOM must receive ongoing progress reports from the evaluator, the first to be submitted by February 14, 2014. The progress reports will outline the evaluator’s recommendations and his or her assessment of Patrice’s progress. Patrice must sign a release of information form so that the evaluator may communicate with the BOM, and Patrice must follow whatever recommendations are made in that report. . . . Motions was approved with two abstentions.”

recommendation of the Board of Ordained Ministry to ‘discontinue’ the probationary membership of Patrice Brewer, was a denial of allowing the clergy session the opportunity to adopt or reject the option contained in the motion and had the effect of ruling that it was out of order to attempt a “process seeking a just resolution that may have begun at any time in the supervisory, complaint, or trial process.” ¶ 363.1 c).

Further, it denied the clergy session and the Annual Conference of the confidence that its vote was based on all the “fair procedural process provisions,” and were followed in full compliance with the applicable provisions, requirements and limitations of ¶¶ 327.6, 362.2e, 636, 2701 (*Preamble and Purpose*) and 2701.6 of the 2012 *Discipline of The United Methodist Church, as well as, Judicial Council Decisions No. 691 (Decision 4) and No. 974.*

Following discussion Bishop called for a paper ballot.²⁴ There is a simple majority required to approve Disciplinary Question 42c. Cindy Patterson [Conference Secretary] explained the process to vote, and reaffirmed the voting eligibility.

Bishop Hopkins led the members in prayer. Nancy Hull requested that we support that Motion of the Board of Ordained Ministry.²⁵ A paper ballot was taken.

Bishop Hopkins reported the results of voting – 75% voted in favor of the motion (308 for, 104 against, 4 abstentions). Motion carried.”

2. That during her 10-15 minute “explanation,” Nancy [Hull] did not disclose to the clergy session,²⁶ that Patrice Brewer:
 - a) was not afforded the process of consultation;²⁷ In that Patrice Brewer had not been afforded the process of consultation prior to her appointment at Church of the Redeemer United Methodist Church, Cleveland Heights, Ohio, a *self*

²⁴ In response to a question concerning the quantity of votes required for passage. Bishop Hopkins directed his administrative assistant, Rev. Dr. Gary George to search the *Discipline* for an answer. After a search, Rev. Dr. George reported the absence of a specific requirement, but reasoned that other involuntary changes in status require a two-thirds vote, i.e. ¶355.3. Lay member Jean Forbes, interjected that only a simple majority was required. Bishop Hopkins ruled that a simple majority would be the requirement to approve Disciplinary Question 42c.

²⁵ Nancy Hull’s, (Chair of the Board of Ordained Ministry) full statement of request for support of the motion, after discussion, call for the ballot and prayer, was omitted from the minutes.

²⁶ *Ibid.*

²⁷ ¶426.1

designated reconciling congregation; **in that** she was not presented the opportunities to engage in “the exchange of ideas between her District Superintendent and herself²⁸ and to seek an exchange of opinions or discuss with her District Superintendent “the proposed Appointment and discuss any reasons why such Appointment should not be made.”²⁹

- b) was not afforded the opportunity to confer with her district superintendent about the specific possible appointment and its congruence with gifts, evidence of God’s grace, professional experience and expectations, and the family needs of the pastor;³⁰ **in that**, Rev. Dan Bryant, District Superintendent, Mahoning Valley District reflected, in part, during his interview with the Clergy Review Team that the “Pre-take-in interview for Patrice at Redeemer took place on April 2, 2012. Judy and Dan had breakfast with Patrice. Prior to this meeting Judy and Dan had met and Judy had identified some issues she saw in Patrice while serving as her DS on the Firelands District [Patrice Brewer was still a student at Ashland Seminary]. The issues that Judy identified were issues around control and rigidity, and so Dan worked to address these issues during their breakfast meeting. At this time Patrice did not know what church she was being considered for, and so it was time for Dan and Judy to assess as to whether or not Patrice would be a good ‘fit’ for this church.”³¹ ... They believed Patrice was a good preacher who had demonstrated an ability to [connect with] children and youth. They shared with her that pastoral care was critical to this church, and the church would need to know that they could depend on her to be there when there was a need. They encouraged her to continue growing in spiritual maturity, to claim her spiritual authority, but not to overuse it as it would be extremely critical to work with the church. Dan had no [sense] that Patrice was in any way conservative about GLBTQ issues. ...”³² the July 1, 2012, (one month after M.Div. graduation and two weeks after commissioning as a provisional elder) joint appointment letter from Rev. John L. Hopkins, Bishop, The East Ohio Conference and Rev. Peggy Streiff, Superintendent, North Coast District, contained eleven “areas of challenge and opportunity that must be given your special attention,”³³ no consultation sessions, no appointment of a mentor, no cross-cultural training or mentoring sessions, no review of church profile, no sharing of existing community demographic studies, no sharing of the identity of

²⁸ Judicial Council Decision No. 501

²⁹ Judicial Council Decision No. 1174 and 101

³⁰ ¶428.5 a)

³¹ See Petitioners; Exhibit No.61

³² *Ibid.*

³³ See Petitioners’ Exhibit Nos. 9, 4, 5, 6, 8

the “consultant” or the consultant’s previous work product, and most importantly, no sharing of the meaning, status, polity, and acceptance of Church of the Redeemer’s self designation as a reconciling church with the East Ohio Conference and the *Discipline* of The United Methodist Church.

- c) was not provided preparations or specific training for a cross-cultural appointment;³⁴ **in that**, no explanation was offered, as to the relationship of the statement, “Redeemer historically has a wonderful record of connectional support in regard to mission outreach and stewardship to the East Ohio Annual conference and general church”³⁵ as to its praxis, and no resources were either offered, provided or referenced to assist in relating to “the theological, racial, sexual and economic diversity that brings varying perspectives that require a pastoral leader to exercise spiritual maturity”³⁶ and to be ready to be “called upon to be a spokesperson for the church and their multi-layered diversity.”³⁷
- d) was made subject to provisions outside the *Book of Discipline* in the performance of her duties;³⁸ was not assigned an elder as mentor,³⁹ but did recommend, Mrs. Kim Shockley, a Colorado pastor’s wife as a coach; was not supervised by her district superintendent under whom she was appointed;⁴⁰ **in that**, although Patrice Brewer acknowledges that frequency of SPRC-Pastor meetings are not specified in the *Discipline*, the frequency of “monthly”⁴¹ was encouraged by Dan Bryant, Mahoning Valley District Superintendent (on behalf of Rev. Orlando Chaffee, North Coast District Superintendent), but was scheduled and attended by Patrice Brewer for 8/14/12 & 8/22/12, during her maturity leave and 11/3/12 & 11/6/12, after her maturity leave was over, which she also attended.⁴² A meeting for 11/26/12, the beginning of Advent Season, was cancelled by Rev. Brewer, stating that. “SPRC is to be on a ‘prayerful hiatus until 2013.” The meeting of 11/6/2012, as described by Carolyn P. Cacho Bowman, Chair, Staff Parish Relations Committee and Douglas S. Kerr, Vice Chair, Staff Parish Relations Committee in a letter to Rev. Dr. Margaret N. Streiff, East Ohio Conference Superintendent, assigned to the North Coast District,⁴³ provided “an update on the [unidentified] situation at Church of the Redeemer.

³⁴ ¶425.4, See Petitioners’ Exhibit Nos. 10, 11, 12, 14, 21, 37, 38

³⁵ See Petitioners’ Exhibit No. 9

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ ¶327.4, Petitioners’ Exhibit Nos. 45, 54, 68, 69,

³⁹ ¶¶327.4, 349.1 b), 349.2, 349.4, Petitioners’ Exhibit 70, 78, 84,

⁴⁰ ¶327.4, See Petitioners’ Exhibit No.15, 40, 56, 77

⁴¹ See Petitioners’ Exhibit No. 61

⁴² See Petitioners’ Exhibit No. 13

⁴³ See Petitioners’ Exhibit No. 14

The writers reminded the district superintendent of her presence at the 11/6/12 meeting when, “a number of [still unidentified] concerns were raised and it was evident that there are tensions between the lay leadership and Rev. Brewer.”⁴⁴ The letter concluded, “we do not think this can be resolved by the SPRC and Rev. Brewer alone, and we are requesting that you intervene as soon as possible.”⁴⁵ Rev. Brewer did in fact meet with the SPRC on 12/19/12 & 1/29/13, however, the next record of contact by Rev. Dr. Streiff, North Coast Superintendent was a email message dated Mon, Feb 4, 2013 at 3:16 PM, after the celebration of Reconciling Sunday, January 27, 2013 and the “Statement of Forgiveness to the Congregation of Sunday, February 3, 2013 and the related newspaper stories, wherein she wrote, “I have been in conversation with the Bishop who asked me to set up a PPR meeting this week. ... Both Dan and Benita and I will be there to listen and try to help you to maintain a relationship with the PPR. The [still unidentified] issues you are dealing with rightly belong at the table with the PPR.”⁴⁶ Prior to January 27, 2013, neither Bishop Hopkins, her District Superintendent Streiff (who is charged with the responsibility of supervision), District Superintendent Bryant (a former eight (8) year pastor at Church of the Redeemer), District Superintendent Rollins, or any other cabinet member, the Board of Ordained Ministry,⁴⁷ Colorado pastor’s wife/coach, the Church of the Redeemer lay leadership, the *Discipline of The United Methodist Church*, elders-in-full connection, with knowledge and experience, of the “concerns,” “issues,” and “challenges” of providing pastoral leadership to Church of the Redeemer, Cleveland Heights, Ohio, both within and currently outside East Ohio had made any effort, to train, inform, advise, warn, or otherwise prepare Patrice Brewer for what takes place at Church of the Redeemer on Reconciling Sunday.

- e) did not have the Church of the Redeemer’s profile shared with her;⁴⁸ **in that** the Church of the Redeemer’s profile, including among other items, would have contained its mission statement and the evidence of its status as a reconciling church of the East Ohio Conference of the United Methodist Church and a detailed statement distinguishing the practice of homosexuality among the laity with Christian teaching.⁴⁹
- f) was not advised on April 9, 2012, during her take-in interview, of the unique challenges of providing pastoral leadership to a congregation that its

⁴⁴ See petitioners’ Exhibit Nos. 14,36, 37, 55,

⁴⁵ *Ibid.*

⁴⁶ See Petitioners’ Exhibit No.30

⁴⁷ ¶425.4

⁴⁸ ¶427

⁴⁹ ¶304.3

Chairperson of the Staff-Parish Relations Committee, would later describe in a letter to Peggy Streiff, North Coast District Superintendent, as “We are gay, we are straight, Black and White, financially advantaged and financially disadvantaged. We are physically and mentally gifted and physically or mentally challenged,” notwithstanding Dan Bryant, Mahoning Valley District Superintendent and recent eight (8) year pastor of Church of the Redeemer was Patrice Brewer’s take-in guide. Other letters⁵⁰ (email and regular) and actions of support were also communicated to the North Coast District Superintendent, Rev. Dr. Margaret Streiff and others, but not acknowledged as received by the Board of Ordained Ministry to be included in the record.

- g) was made subject to the Board of Ordained Ministry instituted *de facto* mentoring and supervision of Patrice Brewer through its Clergy Review Team,⁵¹ that was appointed on April 25, 2013, as a result of David Baker, Chair Board of Ordained Ministries’ decision that there was need for a more formal and documented review of Pastor Brewer’s ministry”⁵² consultation with Bishop Hopkins that was “assigned ...to continue the *mentoring* and *evaluation* process;”⁵³ **in that** the Board of Ordained Ministry is vested with many responsibilities and duties⁵⁴ including “shall annually appoint and train a sufficient number of mentors in each district in consultation with the district superintendent,⁵⁵ however, no authority or duty to mentor; in an email Announcement to Church of the Redeemer, dated Wed. Feb 6, 2013 at 10:33 PM, District Superintendent Streiff, wrote in part, “The events of the past two Sundays have been unsettling for your congregation and Bishop Hopkins and I are aware of your pain and confusion. On Tuesday evening (Feb. 5, 2013), District Superintendents Benita Rollins, Dan Bryant and I met with your PPR Committee for a lengthy discussion. At the conclusion of the evening, I gave Pastor Patrice Brewer two weeks leave to help all of us diffuse and settle the [still unidentified or stated] concerns at hand.”⁵⁶ In the Board of Ordained Ministry’s meeting of February 26, 2013, the excerpted and redacted minutes reflect the following in regards to Patrice Brewer: “Gordon Meyers reported on the recent conflict in her congregation, though Patrice had been asked to come before the BOM prior to this most recent event. She has had difficulty in a

⁵⁰ See Petitioners’ Exhibit Nos. 34, 42, 46, 92, 100, 101, 103, 106

⁵¹ ¶635.2 See Petitioners’ Exhibit Nos. 48, 49,51

⁵² See Petitioners’ Exhibit No.66

⁵³ ¶¶349.2, 350, 350.1, 419.6-9, 11. See Petitioners’ Exhibit No.66

⁵⁴ ¶635

⁵⁵ ¶635.2. f)

⁵⁶ See Petitioners’ Exhibit No.30

previous appointment with relationship building and accountability. David Baker said that Patrice does not appear to be aware of her role in the conflict, or in the severity of the broken relationships. Supervisory meetings will continue with three D.S.'s and the Bishop."⁵⁷ In a letter dated, March 28, 2013, to Pastor Patrice Brewer from Rev. Dr. Margaret N.B. Streiff, containing a "writing to clarify expectations⁵⁸ around your change in responsibilities for the next three months. The Bishop and Cabinet have prayerfully and carefully discerned that it is in your best interest and in the best interest of the church, to relieve you of the ongoing pastoral responsibilities for Church of the Redeemer. You are still the pastor of record and hold the appointment to Church of the Redeemer until June 30, 2013. ..." ⁵⁹ In a letter dated, May 2, 2013, to Pastor Patrice Brewer from Rev. Dr. David A. Baker, Chairperson Board of Ordained Ministry stated in part, "The Board's conversation with you on February 26, 2013 was part of the mentoring and evaluation process. The Board of Ordained Ministry wants to continue those evaluative and mentoring conversations with you."⁶⁰ When she inquired in her letter to Rev. Lynda Masters, Chair of the BOM's Clergy Review Team, dated, May 10, 2013 Patrice Brewer wrote in part, "I find ambiguity in the exact purpose for the BOM team's desire to meet with me at this time."⁶¹ She also wrote, concerning her February 26, 2013 meeting with a BOM team, "Though the intent of that interview may have been to mentor and provide Christ-centered evaluation, my experience on that day was anything but. ... let be known that as a Provisional Member, I left the courtesy interview feeling completely unsupported by the BOM of the east Ohio Conference when the three members I met with stated that I am an 'incompetent' and 'in-effective' pastor who 'inflicts harm' on the people I lead. How such strong conclusions were drawn by individuals ... (whom have never visited either of the local churches I've been appointed to during my time of active of active pastoral service) is beyond my scope of compression and reason. In that same interview, I was not provided with any concrete evidence that could potentially breathe life into these incredibly accusatory claims."⁶² Next to her concluding paragraph, she wrote, "If there is a desire to meet for the sake of mentorship and evaluation, it is imperative and fair that I receive the full clarity of purpose and intent for

⁵⁷ See Petitioners' Exhibit No.44

⁵⁸ See Petitioners' Exhibit No.39

⁵⁹ *Ibid.*

⁶⁰ See Petitioners' Exhibit No. 44

⁶¹ See Petitioners' Exhibit No. 47

⁶² See Petitioners' Exhibit No. 47

meeting.”⁶³ In Rev. Dr. David A. Baker, Chair BOM’s May 15, 2013, letter to Pastor Patrice Brewer, he wrote, “The meeting scheduled for Thursday, May 23, 2013 is not optional. The Board of Ordained Ministry requires you to meet with Rev. Masters, Rev. Fashbaugh and Rev. McGhee.”⁶⁴ Further, on May 15, 2013, Rev. Dr. David A. Baker, Chair BOM knew that prior he had been in consultation with Bishop Hopkins and he had decided there was need for a more formal and documented review of Pastor Brewer’s ministry⁶⁵ and that on April 25, 2013 he appointed BOM members, Rev. Delaine McGhee, Rev. Ed Fashbaugh and Rev. Lynda Masters (Chp.) of the Clergy Review Team.⁶⁶ He further knew that on February 6, 2013, Patrice Brewer had been placed on involuntary two week leave⁶⁷ and on March 28, 2013, Patrice Brewer had her status changed from “pastor” to “pastor of record,” all without benefit of disciplinary rules of process.⁶⁸ Further, Rev. Dr. David A. Baker, Chair BOM, knew that there exists no meeting within the United Methodist Church where attendance is not optional; he also knew that the files of the BOM were void of substantial evidence to support the actions of February 6, 2013 and March 28, 2013 that affected the status of Patrice Brewer⁶⁹ and he knew that his letters to Patrice Brewer contained intentional deceptions and falsehoods of the highest order.⁷⁰

- h) was not informed of the basis of the change in appointment and the process used in making the new appointment;⁷¹ **in that** Patrice Brewer was sanctioned with an involuntary two week leave and a three month involuntary change in conference appointment in arrogant disregard to disciplinary process,⁷² no recorded recommendation of the executive committee of the Board of Ordained Ministry.
- i) was not informed that a complaint had been received by the bishop, or that the bishop or district superintendent had initiated a complaint;⁷³ **in that** the sanction of involuntary leave and involuntary change in conference appointment had

⁶³ See Petitioners’ Exhibit No. 47

⁶⁴ See Petitioners’ Exhibit No. 49

⁶⁵ See Petitioners’ Exhibit No. 49

⁶⁶ *Ibid.*

⁶⁷ See Petitioners’ Exhibit No. 40

⁶⁸ ¶¶ 362, 363

⁶⁹ ¶ 363

⁷⁰ See Petitioners’ Exhibit Nos. 49 and 52

⁷¹ ¶ 428.3

⁷² ¶ 363.1 d) See Petitioners’ Exhibit No 39, 88, 89, 90, 94, 95, 96, 97, 102, 104

⁷³ ¶ 363.1

been levied and enforced without fair process or judicial ruling,⁷⁴ or subsequent ratification by the clergy session.

- j) was not afforded the process of a supervisory response;⁷⁵ **in that** no written and signed statement claiming misconduct or unsatisfactory performance of ministerial duties had been received and neither the district superintendent or the bishop had initiated a complaint⁷⁶, and no pastoral and administrative response was directed toward a just resolution among the parties was begun.⁷⁷
- k) was not fully relieved of pastoral responsibility for Church of the Redeemer during her maternity leave;⁷⁸ **in that** Pastor-Parish Relations Committee meetings for 8/14/12 and 8/22/12 that required her presence.
- l) was not advised of the reason for the proposed procedures with sufficient detail to allow Patrice Brewer to prepare a response;⁷⁹ **in that** the Board of Ordained Ministry's Clergy Review Team under the intentionally deceptive purpose of mentoring and evaluation was knowingly tasked with the purpose of investigating and attempting to gather more formal and documented evidence to justify the past actions of her district superintendent and bishop thus supporting their premeditated action to discontinue the provisional membership of Patrice Brewer because she quoted a passage from ¶304.3 of *The Book of Discipline of the United Methodist Church*.⁸⁰
- m) was not advised of her right to a fair profess hearing before an impartial⁸¹ committee on conference relations, prior to any final recommendation to discontinue⁸² her relationship; **in that** in a June 30, 2013 joint letter, Bishop John L. Hopkins and Margaret N.B. "Peggy" Streiff, Superintendent, North Coast District, sent to Pastor Patrice Brewer, contained in its first paragraph, "You have been appointed as the pastor of the St. Paul United Methodist Church and are being sent to lead that congregation to carry out its purpose, mission, and ministry in the Kingdom of God. Peggy Streiff, North Coast District Superintendent, and I are aware

⁷⁴ See Petitioners' Exhibit No. 39

⁷⁵ ¶363.1 b), See Petitioners' Exhibit 82, 87, 93

⁷⁶ ¶363.1 a)

⁷⁷ ¶363.1 b)

⁷⁸ ¶356.5

⁷⁹ ¶362.2 b)

⁸⁰ See Petitioners' Exhibit No. 23

⁸¹ The Chairperson of the committee on Conference Relations, Jean Forbes was the same Jean Forbes who moved for the inclusion of the requirement that Patrice Brewer agree to, pay for, and under undergo psychological treatments and surrender periodic reports of all treatments to the Board of Ordained Ministry. Petitioners' Exhibits Nos. 71a , 71b, 91 and 95

⁸² Recommendation to *discontinue provisional membership* is judicial, whereas the recommendation *not to proceed toward ordination* is administrative. ¶325. The distinction being that a judicial process begins when a written and signed complaint is received by the bishop. ¶363.

of the ministry gifts that you have that will help St. Paul [’s sic] UMC reach its full kingdom potential;”⁸³

n) was not advised that the BOM Clergy Review Team continued its investigations, with a June 24, 2013 meeting with Rev. Judy Wismar-Claycomb, DS Firelands District,⁸⁴ a June 27, 2013 meeting with Rev. Benita Rollins, DS Tuscarawas District,⁸⁵ a July 2, 2013 meeting with Rev. Dan Bryant, DS Mahoning Valley District,⁸⁶ a July 9, 2013 meeting with Gordon Meyers, BOM Registrar,⁸⁷ a July 16, 2013 meeting with Bishop Hopkins,⁸⁸ a report dated, September 10, 2013 delivered to the Board of Ordained Ministry during its September 17, 2013, meeting. After the receipt of the comprehensive report of the task force,⁸⁹ “testing the will of the BOM, Nancy asked for a motion to discontinue Patrice as a provisional member and a final motion to discontinue Patrice [Brewer’s] provisional membership was made and seconded. [Motion 09-17-13-10]⁹⁰ The motion failed unanimously with no one from the BOM in support of this option. Subsequently, in the same meeting, the motion to continue Patrice Brewer as a provisional member with requirements to be named by the BOM was made and seconded. [Motion 09-17-13-11]⁹¹ That motion was tabled. [Motion 09-17-13-12]⁹² Motion by James Roberson, seconded by Larry Hukill that Patrice Brewer must not apply for ordination until October 1, 2015 passed. [Motion 09-17-13-13]⁹³ Jean Forbes [Chair of the Conference Relations Committee, a committee charged with hearing request for discontinuance of provisional members, involuntary leave of absence, administration location, involuntary retirement, or other such matters] moved that Patrice undergo a comprehensive psychological evaluation to address past issues and her current mental and emotional status. This evaluation is to be completed through the Office of Pastoral Care or by a professional recommended by the Office of Pastoral Care. The BOM must receive ongoing progress reports from the evaluator, the first to be submitted to the BOM by February 14, 2014. The progress reports will outline the evaluator’s recommendations and his or her assessment of Patrice’s progress. Patrice must sign a release of information form so that the evaluator may communicate with the

⁸³ See Petitioners’ Exhibit No.60

⁸⁴ See Petitioners’ Exhibit No. 58

⁸⁵ See Petitioners’ Exhibit No. 59

⁸⁶ See Petitioners’ Exhibit No. 61

⁸⁷ See Petitioners’ Exhibit No. 62

⁸⁸ See Petitioners’ Exhibit No. 63

⁸⁹ See Petitioners’ Exhibit No. 67

⁹⁰ See Petitioners’ Exhibit No. 67

⁹¹ See Petitioners’ Exhibit 67

⁹² *Ibid.*

⁹³ *Ibid.*

BOM, and Patrice must follow whatever recommendations are made in that report. Second by Irene Beville. Discussion ensued. Motion was approved with two abstentions. [Motion 09-17-13-14]⁹⁴ Lynda Masters moved that Patrice Brewer must demonstrate cooperation and compliance with the District Superintendents and BOM members who give her supervision. Second by Ed Fashbaugh. Motion approved. [Motion 09-17-15] Yvonne Conner moved that Patrice Brewer must meet with the BOM annually for encouragement and monitoring at a time and place to be determined by the BOM, until such time as she seeks to apply for ordination and full membership. Second by Howard Pippin. Approved with one opposed and three abstentions. [Motion 09-17-13-16] Darlene Robinson asked us to remember there are cultural differences in how people are perceived, especially in conflicted situations. With the requirements being established, the original motion was lifted from the table. Steve Sullivan moved that Patrice Brewer be continued as a provisional member with the following requirements:

1. Patrice must not apply for ordination until October 1, 2015.
2. Patrice must agree to undergo a comprehensive psychological evaluation to address past issues and her current mental and emotional status. This evaluation is to be completed through the Office of Pastoral Care or by a professional recommended by the Office of Pastoral Care. The BOM must receive ongoing progress reports from the evaluator, the first to be submitted by February 14, 2014. The progress reports will outline the evaluator's recommendations and his or her assessment of Patrice's progress. Patrice must sign a release of information form so that the evaluator may communicate with the BOM, and Patrice must follow whatever recommendations are made in that report.
3. Patrice Brewer must demonstrate cooperation and compliance with the District Superintendents and BOM members who give her supervision.
4. Patrice Brewer must meet with the BOM annually for encouragement and monitoring at a time and place to be determined by the BOM, until such time as she seeks to apply for ordination and full membership.

Second by Sue Chidly. Approved with two abstentions.⁹⁵ [Motion 09-17-13-11]

⁹⁴ See Petitioners' Exhibit No. 67

⁹⁵ See Petitioners' Exhibit No. 67

was not informed that Rev. Nancy S. Hull, Chairperson, Board of Ordained Ministry had consulted with Meg Lassiat of the General Board of Higher Education in Ministry and Mr. Rex Miller⁹⁶ prior to her Confidential Document dated October 29, 2013, about substantive matters (personal data and private information) concerning Patrice Brewer, outside her presence and wrote in that letter “that [she] could not make changes to the agreement requirements on behalf of the Board of Ordained Ministry in terms of whether they would be open to any changes in the requirements that have been set forth in order for Patrice Brewer to move forward in her seeking ordination and full membership.”

- o) was not afforded fairness at the purported “fair process hearing;”⁹⁷ **in that** in a letter dated October 8, 2013, entitled “Requirements of the Board of Ordained Ministry” that contained material misrepresentations from the action taken by the Board of Ordained Ministry in Motion 09-17-13-11, in the following particulars:
1. The BOM will expect to see changes in behaviors of Patrice Brewer in relation to parishioners, supervisors and other related parties as a result of treatment in determining whether or not Patrice may move forward in the ordination and full membership process.
 2. Payment for service provided by Dr. Sanders shall be solely the responsibility of Patrice Brewer. BOM will pay the cost of the psychological evaluation by Dr. Sanders only.
- The “Requirements of the Board of Ordained Ministry” also contained violations of ¶¶324.8, 324.12, **in that**, ¶324.8 requires “Each candidate shall present a satisfactory certificate of good health by a physician on the prescribed form;” and ¶324.12 requires, in part, “The candidate also shall release required psychological reports, criminal background, credit checks and reports of child abuse.”

- p) was not provided a copy of the report of the review of the process by the Administrative Review Committee that included a finding that the process utilized by the Board of Ordained Ministries’ Clergy Review Team performed its primary purpose, of attempting to obtain a just resolution of any violations of the sacred trust that exist in the ordination and membership in the East Ohio

⁹⁶ See Petitioners’ Exhibit No. 75

⁹⁷ The Chairperson of the committee on Conference Relations, Jean Forbes was the same Jean Forbes who moved for the inclusion of the requirement that Patrice Brewer agree to, pay for, and under undergo psychological treatments and surrender periodic reports of all treatments to the Board of Ordained Ministry. Petitioners’ Exhibits No. 67, 91 and 95.

Annual Conference;⁹⁸ Further, no provision in *The Discipline of the United Methodist Church* exists for the Board of Ordained Ministry to enter into any sort of written “Agreement” with a particular provisional candidate that will not be applicable to all candidates. The eligibility and rights of Provisional Membership are set forth in ¶327.

Whereas, neither the BOM representative nor the Bishop’s representative presented any new evidence at the “Fair Process Hearing,” but stated agreement with the contents of a Note Book prepared for the participants, Patrice Brewer did prepare and submit a typewritten seven (7) page written Response⁹⁹ and a five page written Presentation,¹⁰⁰ the contents of neither of which were presented to the BOM or the Clergy Session.

Further, Patrice Brewer had begun her pastoral leadership of St. Paul UMC and in her District Superintendent’s Recommendation signed 11/25/13, she wrote in part, “By all reports from the {St. Paul UMC} PPR Committee this fall, they have been very pleased with her ministry. She has brought in 5 new members to this small congregation. The committee reports that there is less bickering in the church and that Pastor Patrice has promoted unity.”¹⁰¹

In a letter dated, January 21, 2014, to Rev. Peggy Streiff, North Coast District Superintendent from Tina Johnson, Church Council Chairperson, St. Paul UMC, contained the following comparative statistics for the periods, January 2013-June 2013 and July 2013 –December 2013:

- a 4% increase in Tithes from \$22,470.40 to \$23,388.96
- a 37% increase in General Offerings from \$16,954.61 to \$27,069.10
- a 33% increase in Collection Plate Offerings from \$777.97 to \$1,185.29
- a 14% increase in Apportionment Giving \$2,427.00 to \$2,817.00

She continued, “Prior to Pastor Brewer, St. Paul was dying a slow death. There was very little hope of survival among the congregation. Our spirit was basically decimated. Now, we have an anointed compassionate pastor who has breathed new life into our church. She has revived our “dry bones,” Ezekiel 37. To snatch her from the clutches of our congregation will be harmful to the future of St. Paul. ... This is why we are so

⁹⁸ ¶¶363, 363.1 b)

⁹⁹ See Petitioners’ Exhibit No. 95

¹⁰⁰ See Petitioners’ Exhibit No. 95

¹⁰¹ See Petitioners’ Exhibit No. 81

perturbed that the Board of Ordained Ministry recommended that Rev. Brewer's status as a provisional elder be discontinued."¹⁰²

Although the above letter and report were in the possession of the District Superintendent and the Board of Ordained Ministry, and discussed in BOM meetings, the contents of these documents were not shared with the clergy session.

Notwithstanding, the existence of the finality of the action taken in the passage of Motion 09-17-13-11, during the December 3, 2013 meeting of the Board of Ordained Ministry¹⁰³, Nancy Hull, Chair asked Ed Fashbaugh to provide the task force report again, as well as, a report of negotiation meetings with Patrice Brewer, her attorneys, Rex Miller, Conference Solicitor, Ed Fashbaugh and Nancy Hull BOM Chair. During the discussions that followed, Ed Fashbaugh reported: "Her attorneys wanted to know why these issues weren't addresses previously. But they have been here ever since her provisional interview. A sticking point was her apostolic letter which she received from her district superintendent, Peggy Streiff, for her current appointment at St. Paul [sic]. It was glowing. Her attorneys thought that was inconsistent with our concerns. Nancy tried to explain that the apostolic letter is something that goes to all church pastors at the time of a move. ... Patrice says this all about a statement she made at Redeemer. Her attorneys are hooking onto this. She doesn't see this as part of a series of events. Nancy tried to explain that to her during the last meeting, to no avail." Peg Welch: "What about her performance at her current appointment? Nancy Hull: "I received a letter from a *church member* [in fact this letter was from Tina Johnson, Church Council Chairperson, St. Paul UMC, as a note, such persons from Church of the Redeemer UMC are referred to as *lay-leadership*, even if their letters are undated and unsigned] at St. Paul's regarding how wonderful Patrice is. She must have recruited *this person* to write to me because there would be no other reason to have the BOM Chair receive such a letter. Nancy also stated that she has only been at St. Paul [sic] a few months. Gordon has a copy of the most recent evaluation from Peggy Streiff."¹⁰⁴

Steve Sullivan moved that the BOM recommend to executive session of Annual Conference that Patrice Brewer be discontinued as a provisional elder according to ¶327.6 of the 2012 Book of Discipline effective June 30, 2013. Second by Lynda Masters. After many comments, the question was called and Motion 12-03-13-15 passed 32 for, 5 against, 5 abstentions.

As a matter of law, Motion 12-03-13-15 to discontinue was out of order, **in that**

¹⁰² See Petitioners' Exhibit No. 92

¹⁰³ See Petitioners' Exhibit No. 83

¹⁰⁴ See Petitioners' Exhibit No. 83

1. The actions of Motion 09-17-13-11 to continue the provisional membership of Patrice Brewer, with conditions were and are still in effect until rescinded, revoked, reconsidered, amended, revised, etc.
2. The motion to discontinue membership is a punitive sanction requiring proof of violation of some stated disciplinary requirement, by complaint, investigation, trial and a finding of guilt, whereas a motion not to allow the provisional member to proceed toward ordination is administrative.¹⁰⁵

Further, as a matter of law, Motion 12-03-13-15 to discontinue was out of order, **in that** the clergy session:

3. was not advised that the Board of Ordained Ministry did not review and evaluate, but investigated, deceived, planned and implemented a vindictive and undermining environment and process to defeat the purposes of the *Book of Discipline* not to do away with the privileges of clergy of the right to trial by committee and to an appeal, and the right to trial before the church, or by a committee, and of an appeal.¹⁰⁶ **In that** the Clergy Review Team did not “review” the current ministry of Patrice Brewer.
4. was not advised that the initiation of the Supervisory Process had occurred prior to David Baker’s April 25, 2013 appointment of a Clergy Review Team, consisting of Rev. Delaine McGhee, Rev. Ed Fashbaugh and Rev. Linda Masters (chp), **in that** the process began during David Baker’s consultation with Bishop Hopkins, where he “decided there was need for a more formal and documented review to Pastor Brewer’s ministry,”¹⁰⁷ **in that** she had not been notified of her designation as a provisional candidate experiencing difficulties in parish ministry and thereby made subject to, a previously unknown, Board of Ordained Ministries’ policy of conducting follow-up interviews¹⁰⁸ with those provisional candidates. **In that** disclosure of this fact would have assisted her in preparing for the interviews.
5. was not afforded the opportunity to examine or possess the written complaint and any supporting material supporting the designation.¹⁰⁹ **In that** disclosure of these materials would have assisted her in preparing appropriate responses.

¹⁰⁵ ¶1325.

¹⁰⁶ ¶120

¹⁰⁷ Minutes, Board of Ordained Ministry, September 17, 2013

¹⁰⁸ Clergy Review Team Report, September 10, 2013, line 14, cited ¶1327, 2012

Book of Discipline does not provide the authority for the follow-up policy. ¶1327, 2012 Book of Discipline has no language concerning follow-up interviews for provisional candidates experiencing difficulties in parish ministries.

¹⁰⁹ Judicial Council Decision No. 974

6. was not advised before April 25, 2013, that the meeting she had with BOM Chairperson Rev. David Baker, Rev Gordon Myers, Registrar, and Rev. James Roberson on February 26, 2013 for the purpose of continuing mentoring and evaluation, was, in fact, for the purpose of a follow-up interview “to obtain a more formal and documented review of Patrice Brewer’s ministry to support anticipated sanctions concerning difficulties in her parish ministry. **In that** disclosure of this fact would have assisted her in seeking just resolution of alleged difficulties.
7. was not advised before May 2, 2013, that “In consultation with Bishop Hopkins, Rev. Baker decided there was need for a more formal and documented review of Pastor Brewer’s ministry.” **In that** on April 25, 2013, he appointed BOM members, Rev. Delaine McGhee, Rev. Ed Fashbaugh and Rev. Lynda Masters (Chp.) of the Clergy Review Team.
8. was not advised on “May 2, 2013, that the letter from Rev. Baker to Patrice Brewer informing her that the BOM is charged to continually evaluate provisional members as to ‘character, servant leadership, and effectiveness in ministry’ (¶327, 2012 BOD)” and would arrange a meeting date with her was deceptive. **In that** it was not clear that the content of future meetings would be different from previous meetings that had in fact a different agenda.
9. was in doubt when she again responded with the request for “1) the full clarity of the purpose and intent for meeting in writing. 2) per Paragraph 327 of the 2012 BOD; the BOM evaluates provisional member annually. **In that** she had already met with the BOM once within the year.
10. was not advised of the determination of the outcome of the administrative process averred herein to be September 17, 2013, the day the Board of Ordained Ministry received the final report of the Clergy Review Team with the recommendation of each team member that Patrice Brewer’s provisional membership be continued, with individually crafted requirements. **In that** Motion 09-19-13-11, as amended passed that Patrice Brewer be continued as a provisional elder with requirements.

Mark Collier, Chair, Administrative Review Committee was called during the clergy session, by Bishop Hopkins to report on the findings of the Administrative Review Committee, in regards to Disciplinary Question 42c. Mark Collier stated the scope of the committee’s review and reported that the Administrative Review Committee found that all procedures were appropriately followed. However, Mark Collier did not advise the Clergy Session as to:

11. Whether or not, the Administrative Review Committee found or was able to determine if Bishop Hopkins or the North Coast District Superintendent, Rev. Dr. Margaret N.B. Streiff received an accusation that Patrice Brewer violated the sacred trust of ordination and membership in the East Ohio Conference.
12. Whether or not that the Administrative Review Committee found or was able to determine whether or not the Clergy Task Force, the Board of Ordained Ministry or anyone on their behalf, provided Patrice Brewer, provisional candidate for ordained ministry, a written statement on the disciplinary and annual conference requirements for membership, as required by ¶635.2.i).
13. Whether or not, the Administrative Review Committee found or was able to determine whether or not “the board of ordained ministry provided to the Administrative Review Committee a complete written record of ‘the entire administrative process leading to the action for change in conference relationship.’” Judicial Council Decision No. 921.
14. Whether or not the Administrative Review Committee found or was able to determine whether or not the action of the Board of Ordained Ministry approving Motion 09-17-13-11 that Patrice Brewer be continued as a provisional member with identified requirements (that was approved with two abstentions) remained in effect when Steve Sullivan moved and was seconded by Lynda Masters (Motion 12-03-13-15) “that the BOM recommend to executive session of Annual Conference that Patrice Brewer be discontinued as a provisional elder according to ¶1327.6 of the 2012 Book of Discipline effective June 30, 2013” and after debate was approved by a vote of 32 for, 5 against, 5 abstentions was in order as to process.
15. Whether or not the Administrative Review Committee found or was able to determine whether or not the administrative review of Patrice Brewer included notice to her of her alleged violations of the sacred trust and that the review of the Clergy Review Team had “as its primary purpose a just resolution,”¹¹⁰ “in the hope that God’s work of justice, reconciliation and healing may be realized in the body of Christ.”¹¹¹
16. Whether or not Patrice Brewer had been advised of the actual reason for the proposed procedures with sufficient detail so as to allow her to prepare a response, in compliance to Judicial Council Decision No. 691 (Item 4).

¹¹⁰ ¶363.1

¹¹¹ ¶363.1

Futher, that on April 23, 2012, Dan Bryant, Superintendent of the Mahoning Valley District¹¹² accompanied Patrice Brewer to Church of the Redeemer, North Coast District for the take-in interview.

That on June 2, 2012, Patrice Brewer received her M.Div. from Ashland Theological Seminary, and in the June, 2012 East Ohio Annual Conference she was commissioned a Provisional Elder, and by Bishop Hopkins' letter dated July 1, 2012 she was appointed pastor of Church of the Redeemer UMC, Cleveland Heights, Ohio.

17. That the district superintendent did not confer with Patrice Brewer about the specific possible appointment to Church of the Redeemer UMC in Cleveland Heights, Ohio (a Reconciling Church) and its congruence with gifts, evidence of God's grace, professional experience and expectations, and the family needs of Patrice Brewer, identified in "consultation"¹¹³ with her, as required in ¶ 428 5. a) of the 2012 *The Book of Discipline of the United Methodist Church* and Judicial Decision No. 701.
18. That "the right of the executive session of the clergy members in full connection with the [East Ohio] Annual Conference to receive all pertinent information, confidential or otherwise, related to the qualifications and/or character of any candidate or clergy member of the conference" ¶ 635.1. m), was violated with the BOM motion to discontinue the provisional membership of Patrice Brewer did not include the positive attributes of her past pastorate at Rush UMC, Oberlin, Ohio and her current pastorate of the St. Paul United Methodist Church in Cleveland, Ohio.
19. That Bishop Hopkins' reported statements (recorded by Lynda Masters) to the Clergy Review Team, July 16, 2013, "Referencing Patrice's obesity and bi-polar condition, Bishop wondered, "Is she taking responsibility and seeking help for those issues?"¹¹⁴ Judicial Council Decision No. 917.
20. That the imperative demands to appear before selected members of the Board of Ordained Ministry for continuing "evaluative and mentoring conversations" from Rev. Dr. David Baker, Chairperson, Board of Ordained

¹¹² Judith W Claycomb, Cabinet Representative, during a pre-take-in meeting "identified some issues she saw in Patrice while serving as her DS on the Firelands District. The issues that Judy identified were issues around control and rigidness . . ." Patrice Brewer was not present during this identification of issues. Transcript for meeting with Rev. Dan Bryant, District Superintendent Mahoning Valley, 2 July 2013, lines 36-42.

¹¹³ "Consultation" in that [the] Decision was defined as the exchange of ideas between the District Superintendent and the Pastor, not necessarily agreement. The consultation process is to occur before the appointment decision is made and its length or brevity may be determined by different situations. Judicial Council Decision No. 701.

¹¹⁴ BOM Clergy Review Team meeting minutes: July 16, 2013 1 p.m. E.O. Conference Office

Ministry contained in his letters of May 2 and May 15, 2013 are not authorized by ¶1327, as alleged, nor ¶1362.2.f).

21. That the undated “consultation” of Rev. Baker, Chairperson, Board of Ordained Ministry and Bishop John L. Hopkins resulted in the April 25, 2013 appointment of three members of the Clergy Review Team to obtain “a more formal and documented review” of Pastor Brewer’s ministry, was investigatory and accusatory, requiring full disclosure notice to the accused for fair process to exist. Judicial Council Decision No. 101.
22. That neither the Board of Ordained Ministry, nor any of its members, can “mentor” or “supervise” provisional members. The annual conference, through the clergy session, has jurisdiction over provisional members; the Board of Ministry shall review and evaluate their relationship and make recommendation to the clergy members in full connection regarding their continuance; provisional members shall be amenable to the annual conference in the performance of their ministry and are subject to the provisions of the *Book of Discipline* in the performance of their duties, provisional members shall be supervised by the district superintendent under whom they are appointed; provisional elders are to be assigned an elder as mentor by the Board of Ordained Ministry. ¶¶1327, 327.4.

Brief in Support of Petition for Declaratory Decision

We (Patrice Brewer and A. Wendell Wheadon) believe the meaning of “Fair Process” and “Just Resolution” are such that, when applied to the process of discontinuance the membership of Patrice Brewer as provisional elder, have the effect of making the action of the East Ohio Annual Conference unconstitutional or illegal or in violation of the requirements of *The Book of Discipline of The United Methodist Church*, 2012 in that:

A. Basis for the Jurisdiction of the Judicial Council

The jurisdiction of the Judicial Council to consider this Petition for a Declaratory Decision is based on the action to discontinue the provisional membership of Patrice Brewer during the 2014 East Ohio Annual Conference and the ruling that the motion

of A. Wendell Wheadon, retired elder in full connection, made while this matter was pending before the Clergy Session, was out of order. Both the action of the Annual Conference and the ruling of Bishop John Hopkins, Resident Bishop, East Ohio Conference, United Methodist affect the Petitioners and involve the constitutionality, meaning, application, effect of the Discipline, or some portion thereof.

B. Relationship between this action, *The Book of Discipline*, and the Petitioners

This action of petitioning the Judicial Council for a Declaratory Decision concerning the ruling that the motion of A. Wendell Wheadon, concerning the motion to discontinue the provisional membership of Patrice Brewer, was out of order, is related to *The Book of Discipline*,

In that ¶ 51 provides that “A bishop presiding over an annual . . . conference shall decide all questions of law coming before the bishop in the regular business of a session.”

In that ¶ 33 states in part: “The annual conference is the basic body in the Church and as such shall have reserved to it the right to vote . . . on all matters relating to the character and conference relations of its clergy members, and on the ordination of clergy . . . The removal of a candidate’s name from the list of candidates proceeding forward in the ordination process is clearly a matter that falls within the purview of the business of the annual conference regarding the ordination of clergy.” Judicial Council Decision No. 1244.

In that ¶ 56.3 provides that the Judicial Council shall have authority to pass upon decisions of law made by bishops in annual conferences;” and that, the meaning of ¶363 is such that, when applied to the motion to discontinue the probationary membership of Patrice Brewer, has the effect of ruling that it was out of order for a motion to provide a “process seeking a just resolution that may begin at any time in the supervisory, complaint, or trial process.” ¶ 363.1(c)

In that:

- i. a motion germane to Discipline Question 42c, a matter relating to the work of the East Ohio Conference (¶ 2610.2(j)), was not out of order; and
- ii. the subsidiary motion, to recommit, permitted by the *Rules of the East Ohio Annual Conference* ¶ 1.G.5., was not out of order; and
- iii. a motion in conformity with and permitted pursuant to *Rules of the East Ohio Annual Conference* ¶2.K., that provides, in part, “All requests and/or motions which would expand the conference structure by establishing a

- new program or committee within the annual conference will be referred to the Conference Council on Ministries. . . . Any new committee proposed or established must include an estimation of how long the committee is to exist. It must also name the existing annual conference body to which it would be accountable,” was not out of order; and
- iv. a motion that seeks continued review, with the “primary purpose” of reaching “a just resolution of any violation of” the “sacred trust” required for “ordination and membership in an annual conference of The United Methodist Church,” until the June 2015 East Ohio Annual Conference,¹¹⁵ was not out of order.

In that ¶360.1 provides: “When an associate or full member clergy person’s effectiveness is in question, the bishop shall complete the following procedure:

- 1) Identify the concerns ...
- 2) Hold supervisory conversations with the associate . . .
- 3) Upon evaluation, determine that the plan of action has not been carried out or produced fruit that gives a realistic expectation of future effectiveness.”

C. The specific paragraphs of *The Book of Discipline* thought to have been violated

The following paragraphs of *The Book of Discipline* are thought to have been violated:

¶120, ¶133, ¶151, ¶156.3, ¶1304.3, ¶1324.8, ¶1324.12, ¶1325, ¶1327, ¶1327.4, ¶1327.6, ¶1349.1.b), ¶1349.2, ¶1349.4, ¶1350, ¶1350.1, ¶1356.5, ¶1359.5, ¶1360, ¶1360.1, ¶1362, ¶1362), ¶1362.2 e), ¶1363, ¶1363.1(a, b, c, d), ¶419.6-9,11, ¶635, ¶¶635.1.m), 635.2,

¹¹⁵ At the September 17, 2013 Board of Ordained Ministry meeting, after receipt of the BOM’s Clergy Task Force report concerning Patrice Brewer, where each member recommended that her provisional membership be continued, with varying conditions, “testing the will of the BOM, Nancy asked for a motion to discontinue Patrice as a provisional member. . . . The motion failed unanimously with no one from the BOM in support of this option.” . . . Motion made to continue Patrice Brewer as a provisional member with requirements to be named by the BOM. Second. Motion was made to table “until we establish the requirements.” Approved. Motion was made “that Patrice must not apply for ordination until October 1, 2015.” Approved. Motion was made “that Patrice undergo a comprehensive psychological evaluation to address past issues and her current mental and emotional status. This evaluation is to be completed through the Office of Pastoral Care or by a professional recommended by the Office of Pastoral Care. The BOM must receive ongoing progress reports from the evaluator, the first to be submitted by February 14, 2014. The progress reports will outline the evaluator’s recommendations and his or her assessment of Patrice’s progress. Patrice must sign a release of information form so that the evaluator may communicate with the BOM, and Patrice must follow whatever recommendations are made in that report. . . . Motions was approved with two abstentions.”

¶635.2 i), ¶425.4, ¶426, ¶426.1, ¶427, ¶428.3, ¶428.5 a), ¶636 ¶2610.2(j),
¶2701, ¶2701.6, ¶2702.

D. Identity and Discussion of previous decisions of the Judicial Council bearing on the issues

1. Patrice Brewer was not afforded the opportunity of consultation prior to her appointment to Church of the Redeemer United Methodist
Decision No. 101 - "It is therefore the Decision of the Judicial Council that while the final authority in appointing preachers to their charges rests upon the presiding Bishop, it does not relieve the District Superintendent of the responsibility of consulting with the preacher in order to ascertain whether there are any reasons why the appointment should not be made." (¶¶426., 426.1.)

Decision No. 501 – “. . . While the Pastor-Parish Relations Committee is advisory, consultation is mandated. (¶¶426, 426.1.)

Decision No. 1174 – “. . . when a change in appointment has been determined, the district superintendent should meet together or separately with the pastor and the committee on pastor-parish relations where the pastor is serving, for the purpose of sharing the basis for the change and the process used in making the new appointment. In the record provided there is disagreement as to whether the district superintendent consulted with the pastor and the Staff-Parish Relations Committee as outlined in the *Discipline* . . . The record is not clear as to whether the consultation process was followed in the manner specified in the Discipline. Notification of an appointment is not consultation.” (¶¶426, 426.1)

2. The Clergy Executive Session was not afforded the right to consider the record of Patrice Brewer’s very successful ministry (July 1, 2013 to June 16, 2014) at St. Paul United Methodist Church.¹¹⁶

3. The Clergy Executive Session was not afforded the right to consider the genesis of all of the “concerns” and “issues” that gave rise to the actions, reactions, opinions, meetings, letters, e-mails which followed one paragraph of Patrice Brewer’s “Statement of Forgiveness to the Congregation” given prior to her sermon on February 3, 2013, which contained, in part, “Yes, Redeemer is a Reconciling Church on paper. But, as a United Methodist Church, we, first and foremost, have the responsibility of strongly adhering to our biblically based doctrine which states: homosexual acts are ‘incompatible with Christian teaching.’” ¶304.3.

¹¹⁶ Petitioners’ Exhibits Nos. 65, 79, 80, 86, 98, 99, 103, 106

Decision No 984 – “Paragraph 304.3 of the [2012] Discipline is a declaration of the General Conference of The United Methodist Church that “the practice of homosexuality is incompatible with Christian teaching.”

Decision No. 406 – “It is the right of the [Clergy] Executive Session of an Annual Conference to have full information presented to it pertinent to the qualifications of any candidate for the ministry. . . .”

Decision No. 690 – “The clergy session is not limited to those matters brought before it by the Board of Ordained Ministry. Clergy members in full connection may consider all clergy business matters, with or without Board of Ordained Ministry recommendation. . . .”

Decision No. 691 – “4. A Board of Ordained Ministry may not recommend involuntary termination based on any evidence not made known to the respondent.”

Decision No 917 – “Fair process clearly precludes the bishop from discussing substantive issues with members of the hearing body outside the presence of the responding clergyperson. ¶1362.2 d).¹¹⁷

Decision No 1244 – “on all matters relating to the character and conference relations of its clergy members, and on the ordination of clergy . . . it shall discharge such duties and exercise such powers as the General Conference under the Constitution may determine. The removal of a candidate’s name from the list of candidates proceeding forward in the ordination process is clearly a matter that falls within the purview of the business of the annual conference regarding the ordination of clergy.”

4. Mark Collier, Chair, Administrative Review Committee when called by Bishop Hopkins to report on the findings of the Administrative Review Committee, in regards to Disciplinary Question 42c, said that the review of the Administrative Review Committee consisted primarily of the interview of the three District Superintendents, the Administrative Assistant to the Bishop and the Bishop. These discussions were in violation to ¶1362.2. d), “under no circumstances shall one party, in the absence of the other party, discuss substantive issues with members of the pending hearing body.”

¹¹⁷ Petitioners’ Exhibit No. 63, 66

Decision No. 917 – “Fair process clearly precludes the bishop from discussing substantive issues with members of the hearing body outside the presence of the responding clergyperson . . . it is likewise inappropriate and a violation of the doctrine of separation of powers for the district superintendent named to the board of ordained ministry as a representative of the cabinet to participate in the deliberations of the board of ordained ministry, or its committees, leading to the recommendation which is conveyed to the clergy session of the annual conference . . . The bishop and the cabinet are involved in the process which leads to commencement of procedures for involuntary discontinuance of probationary membership . . . and initiation of an administrative complaint. In fact, they can properly be seen as the moving parties with respect to such actions.

5. On February 6, 2013, Rev. Dr. Margaret N.B. Streiff, North Coast District Superintendent, by copies of the same Gmail, entitled, “Announcement to Church of Redeemer,” notified, Patrice Brewer and Church of the Redeemer that she had issued the sanction of two weeks involuntary leave after her conversation with the PPR on February 5, 2013. No writing with specific reasons for the action, or the required request, was given to the clergy member, Patrice Brewer, in violation of ¶355.1.

On March 28, 2013, Rev. Dr. Margaret N.B. Streiff, North Coast District Superintendent, by letter addressed to Patrice Brewer, contained in part, “The Bishop and Cabinet have . . . discerned that it is in your best interest and in the interest of the church, to relieve you of the ongoing pastoral responsibilities for Church of the Redeemer.” Again, no writing with specific reasons for the action, or the required request, was given to the clergy member, Patrice Brewer, in violation of ¶355.1.

Decision No 974 – “A respondent cannot make an adequate response to a complaint without being privy to the complaint in its totality. Fairness alone dictates access to such written complaints and their supporting documents. Full disclosure of all information concerning a complaint must occur for the respondent to make an adequate response. . . . At the initiation of the supervisory process the respondent has a right not only to examine but to possess the written complaint and any supporting material accompanying it. . . . “

6. The Administrative Review Committee withheld the actions of February 6, 2013 and March 28, 2013, as well as, the actions of the Board of Ordained

Ministry of September 17, 2013 from its report to the Clergy Session prior to the vote to discontinue the provisional membership of Patrice Brewer and on the contrary reported that all required processes had been followed.

Decision No 921 – “Par . . . [636] does not require the administrative review committee to do anything more than review the record for any violations of fair process. The probationary member in question and a member of the executive committee of the board of ordained ministry are not required to be involved in this review process. However, the board of ordained ministry must provide to the administrative review committee a complete written record of the “the entire administrative process leading to the action for change in conference relationship.”

Decision No. 982 – A local pastor under appointment, who receives a notice in writing from his/her bishop or district superintendent informing him/her that she/he is being discontinued from that appointment and his/her license for pastoral ministry is being discontinued for the reason that said local pastor is accused of violating specifically one or more cited chargeable offenses ..., does not have a right to the supervisory response mandated in ... unless the notice clearly states that it is a written and signed complaint claiming misconduct or unsatisfactory performance of ministerial duties, in which case the notice must also inform the local pastor of the process for filing the complaint and its purpose.

Decision No 777 – “The decision of the bishop is reversed at some points and modified at others. The case on which it was based lacked a timely, signed grievance and a complaint specifying the chargeable offense in Disciplinary terms, both of which are indispensable requirements for any such matter referred to the Joint Review Committee for possible punitive action.”

7. That on December 3, 2013, it was error and a violation of process to consider a motion to discontinue when the action to continue, with requirements, was reported to “the full board for final action” passed September 17, 2013, was in force and all parties had undertaken conduct pursuant thereto. That the motion to involuntarily discontinue requires “some circumstances” that

rise to the level for this serious sanction and is silent of any further investigations, or circumstances occurred during the period September, 17 - December 3, 2013.

E. Supporting arguments and information

1. Whereas, the Board of Ordained Ministries' letter dated December 13, 2013, contained "issues" identified by 4 District Superintendents, Rev. Dr. Peggy Streiff, North Coast District, Rev. Bonita Rollins, Tuscarawas District, Rev. Judith Wismar-Claycomb, Firelands District and Rev. Dan Bryant, Mahoning Valley District, the Register Rev. Dr. Gordon Myers and Bishop John Hopkins obtained by ex parte interviews, by a Clergy Review Team outside the presence of Patrice Brewer, and primarily containing hearsay statements, unsupported opinions and bias allegations, in that, only one had ever prepared an evaluation, or directly observed her pastoral performance. Yet, they were able to express strong statements of her "incompetence" and conflicts with "lay leadership" of Church of the Redeemer (pastor for 9 months, less 2 months maturity leave) but ignore statements of praise and support from the never acknowledged or referred to, "lay leadership" of Rust UMC (student/local pastor for 12 months) and St. Paul UMC (pastor for 12 months). Why the "clergy and lay leadership" of the Board of Ordained Ministry did not accept the recommendations of their own Clergy Review Team and insisted on, one and only one, option, "discontinuance" and did not consider the positive reports from credible lay leadership at Rust and St. Paul, even to the point of the Chair of the Board of Ordained Ministry disrespecting the contents of the Chair of the St. Paul UMC letter, by Rev. Nancy Hull, Chair of the BOM stating, "I received a letter from a church member at St. Paul's [sic] regarding how wonderful Patrice is. She must have recruited this person to write to me because there would be no other reason to have the BOM Chair receive such a letter." Later in the same meeting, Rev. Nancy Hull, Chair clarified that the five new members [at St. Paul UMC] are persons who came with Patrice from Church of the Redeemer. Patrice continued to hold a Bible study at her home with certain Redeemer members even when told not to by her DS. This violated our policies regarding not being involved with the members of a congregation after a new appointment. Patrice has refused to listen to authority in numerous cases." Rev. Hull did not state the source of her information, in that it does not appear in any of the documents of record. The record does reflect a consistent absence of fair process and a determined and relentless drive to undermine the ministry of Patrice Brewer. But, through it all,

even against the advice of her private attorneys¹¹⁸, she was willing to sign the December 11, 2013 “Agreement” and continue to complete all of its requirements, as she had done in the past, as well as, provide other services and leadership throughout the district and conference.¹¹⁹ as stating one been a supervisor required treatments that address past unidentified and unfounded medical issues to be paid for by Patrice Brewer and treatment progress, with expected behavior changes, reported to the Chair of the Board of Ordained Ministry by a date certain and periodic quarterly dates. These obvious violations were inserted in knowingly and in bad faith in order to place Patrice Brewer in the position of not signing the “agreement” or signing and being a party to *Discipline* violations.

2. Patrice Brewer was made subject to the Board of Ordained Ministry’s failure to review and evaluate, but made subject to the Board of Ordained Ministry’s investigations, deceptive, planned and implemented vindictive and undermining environment and process to defeat the purposes of the *Book of Discipline* not to do away with the privileges of clergy of the right to trial by committee and to an appeal, and the right to trial before the church, or by a committee, and of an appeal.¹²⁰
3. That the requirement of Paragraph 327.6 of *The Book of Discipline of The United Methodist Church*, which requires: that discontinuance from provisional membership without consent, the provisions of fair process (par. 362.2), which includes in subparagraph *b*) Notice . . . shall advise the respondent of the reason for the proposed procedure with sufficient detail to allow the respondent to prepare a response, was not followed. In that, no notice with sufficient detail was provided Patrice Brewer, provisional elder that contained the reason for the Board of Ordained Ministry’s action to recommend her discontinuance was not provided twenty days prior to the hearing.
4. That the requirements of Paragraph 363 of *The Book of Discipline of The United Methodist Church*, which provides, in part, that: “Ordination and membership in an annual conference in The United Methodist Church is a sacred trust. The

¹¹⁸ See Petitioners Exhibit Nos. 72, 73

¹¹⁹ See Petitioners’ Exhibit Nos. 3, 17, 22, 28, 32, 43, 50, 53, 57, 64, 76

¹²⁰ See Petitioners’ Exhibit Nos.

qualifications and duties of . . . provisional members . . . are set forth . . .

Whenever a person . . . is accused of violating this trust, the membership of his or her ministerial office shall be subject to review.

This review shall have as its primary purpose a just resolution of any violation of this sacred trust, in the hope that God's work of justice, reconciliation and healing may be realized in the body of Christ.

A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right in so far as possible and bringing healing to all the parties. In appropriate situations, processes seeking a just resolution as defined in ¶ 363.1(c) may be pursued. Special attention should be given to ensuring that cultural, racial, ethnic and gender contexts are valued throughout the process in terms of their understandings of fairness, justice and restoration" were not followed. In that

(c) Just Resolution – The supervisory response may include a process that seeks a just resolution in which the parties are assisted by a trained, impartial third party facilitator(s) or mediator(s), in reaching an agreement satisfactory to all parties. If the bishop chooses to initiate a mediated attempt to produce a just resolution, then the bishop, the person filing the complaint, the respondent, and other appropriate persons shall enter into a written agreement outlining the process, including any agreements on confidentiality. A process seeking a just resolution may begin at anytime in the supervisory, complaint, or trial process. .

. .

F. Relief requested

To reverse the decision of the East Ohio Annual Conference to discontinue the provisional elder membership of Patrice Brewer.

To pay all remuneration and other benefits of that status prior to the 2014 Clergy Session retroactively.

Submitted by:

A. Wendell Wheadon, Elder in Full Connection

Patrice Brewer, Discontinued Provisional Elder

DOCKET 0415-7

IN RE: A Request from the Burundi and East Africa Annual Conferences Regarding the Decision and Action of the General Council on Finance and Administration in Reducing the Bishop's Salary

“The Resident Bishop Daniel Wandabula's salary and Episcopal support was drastically reduced by the GCFA from 100% to 10% and then to 0% since the \$4,288 which GCFA is going to give the Bishop in 2015 will be covering only his medical insurance and pension. The reduction was premised on the alleged audit faults; on which the GBGM/GCFA raised a complaint which we understand that this complaint is before the Africa Central Conference following the proper procedure as spelled out in the Book of Discipline of the United Methodist Church.

The East Africa and Burundi Committee on Episcopacy considers the GCFA's decision pre-mature, high handed, racist, discriminatory and unjustified. GCFA failed to observe the required procedure set forth by the Book of Discipline, 2012 there by denying the Bishop a fair hearing.

We the delegates HERE by Task the East Africa and Burundi Committee on Episcopacy to petition the Judicial Council of the United Methodist Church for a declaration on the inordinate decision and any subsequent related decisions of the GBGM/GCFA that affect our two Annual Conferences and Resident Bishop."

This docket has the actual requests for Judicial Council action received by the Judicial Council inserted. This is done to comply with the amendment of ¶2608.1 by the 2012 General Conference.

For further information contact F. Belton Joyner, Jr., 1821 Hillandale Road, Suite 1B, PMB 334, Durham, NC 27705 E-mail: judicialcouncil@umc.org