DECISION NO. 1513

IN RE: Request from the Northeastern Jurisdictional Conference related to the authority of the Interjurisdictional Committee on Episcopacy.

IN RE: Petition from the Northeastern Jurisdiction Conference on meaning, application, or effect of ¶48 of *The Book of Discipline, 2016,* related to the assignment of a bishop to annual conferences across two jurisdictions.

IN RE: Request for decision of law presented by the Northeastern Jurisdictional Committee on episcopacy during the 2024 session of the Northeastern Jurisdictional Conference.

DIGEST

The action of the Interjurisdictional Committee on Episcopacy in recommending the assignment of a bishop to the West Virginia Episcopal Area in the Northeastern Jurisdiction and the Holston Episcopal Area in the Southeastern Jurisdiction, is not consistent with the allocations approved by the postponed 2020 General Conference.

STATEMENT OF FACTS

The postponed 2020 General Conference decided, on May 3, 2024, to adopt the recommendation of the Interjurisdictional Committee on Episcopacy [hereinafter IJCOE] that the number of bishops assigned to annual conferences in the United States be reduced from 39 to 32, mandating that the 32 effective and available bishops be allocated across the jurisdictions as follows: Southeastern Jurisdiction 9; Northeastern Jurisdiction 6; North Central Jurisdiction 6; South Central Jurisdiction 6; Western Jurisdiction 5; Total: 32.

Due to unexpected vacancies in the NCJ and SCJ, the IJCOE presented, on July 3, 2024, a recommendation that can be summarized as follows:

(1) Electing two new bishops in the WJ, filling vacancies left by the mandatory retirements of two bishops.

(2) Assigning a bishop of the SEJ to serve as bishop of both the SEJ's Holston Conference and the NEJ's West Virginia Conference.

During the session of the NEJ, on July 10, 2024, two requests for declaratory decision (Docket Nos. 1024-07 and 1024-08) and one for decision of law (Docket No. 1024-11) were made. Since the multiple questions posed overlap, the three cases are combined in this opinion.

JURISDICTION

The Judicial Council has jurisdiction pursuant to ¶¶2609.6 and 2610 of *The Book of Discipline, 2016,* only with respect to the question of the IJCOE's authority to make recommendations to the jurisdictional Committees on Episcopacy [hereinafter COE] and jurisdictions.

ANALYSIS AND RATIONALE

The only legal issue properly before the Judicial Council is: Did the IJCOE act within its disciplinary authority in recommending to the jurisdictional conferences for their consideration and action the assignment of a bishop to the West Virginia Episcopal Area in the NEJ and the Holston Episcopal Area in the SEJ?

The governance structure of The United Methodist Church is based on a complex system of interlocking and balancing decision-making processes that are implemented by different authorities acting independently but connectionally within the limits set by the Constitution. "Paragraph 16 of the Constitution authorizes the General Conference to establish both a uniform method for electing bishops in jurisdictions and a connectional method for funding the episcopacy, thereby giving the General Conference authority for setting the number of bishops in each jurisdiction." *See* JCD 1312. The postponed 2020 General Conference did so by approving IJCOE's recommendation for the total number and allocation of bishops in each jurisdiction. The recommended plan effectively results in 10 bishops being assigned to the SEJ, in excess of the 9 approved, and, therefore, improperly modifies the directives of the General Conference. Consequently, the action of the IJCOE in recommending the assignment of a bishop to West Virginia Episcopal Area in the NEJ and the Holston Episcopal Area in the SEJ does not comport with the mandate of the General Conference.

DECISION

The action of the Interjurisdictional Committee on Episcopacy in recommending the assignment of a bishop to the West Virginia Episcopal Area in the Northeastern Jurisdiction and the Holston Episcopal Area in the Southeastern Jurisdiction, is not consistent with the allocations approved by the postponed 2020 General Conference.

Molly Hlekani Mwayera was absent. Erin Hawkins, first lay alternate, participated in this decision.

Øyvind Helliesen was absent.