



Committee sets Dell appeal for Aug. 9

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By United Methodist News Service

An Aug. 9 hearing has been set for the Rev. Greg Dell, a United Methodist pastor from Chicago who is appealing the decision of a trial court to suspend him from duty as of July 5.

The hearing, conducted by the committee on appeals of the United Methodist Church's North Central Jurisdiction, will take place at the Radisson Hotel near Chicago's O'Hare Airport. The Rev. Phylemon Titus Jr. of Detroit, committee chairman, said part of the proceedings would be open to the public.

Dell's suspension was imposed after he was found guilty of disobedience to the order and discipline of the denomination in a March church trial. The charge was filed because he performed a same-sex union ceremony last September. The suspension is to be indefinite unless Dell signs a pledge to never again conduct such a ceremony.

The jurisdictional committee on appeals has nine members and six reserve members, both clergy and lay. Besides Titus, other officers are Ethel Johnson of Columbus, Ohio, vice chairwoman, and the Rev. Joyce Alford of Madison, Wis., secretary.

Titus has served as chairman since 1996. The August date will be the second time the committee has met since then, he said, and the first time regarding the issue of homosexuality. The other hearing involved a sexual misconduct case.

Before 1996, the committee had rarely functioned, according to Titus. "When I was coming on board, they told me they hadn't had a case in 20 years," he noted.

In hearing the Dell appeal, the committee will follow Paragraph 2628g in the United Methodist *Book of Discipline*. That paragraph states: "The appellate body shall determine two questions only: (1) Does the weight of the evidence sustain the charge or charges? (2) Were there such errors of Church law as to vitiate the verdict and/or the penalty? These questions shall be determined by the records of the trial and the argument of counsel for the Church and for the respondent. The

committee on appeals shall in no case hear witnesses."

Titus said the committee on appeals would allow the presentation of amicus, or friend of the court, briefs. All written briefs will be limited in terms of number of pages, he added.

The Rev. Stephen Williams, who prosecuted the case for the conference, could not be reached for comment for this story by press time.

Dell's attorney, the Rev. Larry Pickens, will argue that the trial court "did not apply the evidentiary standard of clear and convincing evidence in relation to the verdict." He also will argue that the punishment itself is unconstitutional because it is "an indefinite penalty designed to extract a pledge based on future action."

According to the *Discipline*, the committee on appeals has the option of reversing part or all of the findings of the trial court; remanding the case for a new trial; modifying the penalty; or letting the original judgment stand.

Dell would like the committee to vacate, or annul, the verdict, allowing his suspension to end. "We're hoping that the committee on appeals, as they evaluate the verdict and penalty, will conclude it was not an appropriate finding by the trial court," he said.