

For More Information Contact:

David M. Cohn, The Cohn Law Firm: (225) 754-9868

Nine United Methodist Ministers File Suit in Baton Rouge Court Against Louisiana Annual Conference of the Church

Nine ministers of the United Methodist Church, all voting members of the Louisiana Annual Conference of the United Methodist Church, South Central Jurisdiction, filed suit on March 13 against the Conference in the 19th Judicial District Court, Parish of East Baton Rouge. A hearing is scheduled Thursday, March 23, to determine if the Court will order a preliminary injunction against the Louisiana Annual Conference from conducting church votes under the current process alleged by plaintiffs to be flawed.

The plaintiffs are concerned with the current discernment and disaffiliation movement within the church in which churches are given an option to vote to leave the denomination. They have expressed their belief that the process used by churches within the Conference is flawed and that the members of the Louisiana Conference governing body and administration have abdicated their duty to supervise these votes, provide clear information regarding the single reason allowed for disaffiliation, and protect the assets of the denomination for future generations.

The clergy group includes the Rev. Carl Rhoads, Rev. Willis Dear, Rev. William D. Peoples, and Rev. Betsy Eaves, all residents of Caddo Parish; Rev. Fred Wideman and Rev. Pat Bates, both residing in Claiborne Parish; Rev. John Winn, East Baton Rouge Parish; former Louisiana residents, Rev. David Melville, now retired in Texas, and Rev. Gene Finnell, now retired in Tennessee.

The process of discernment at the heart of the issue is a response to the 2019 General Conference (national) that attempted to resolve a conflict over the issue of human sexuality. The harsh stance taken by the national conference held that the practice of homosexuality was incompatible with Christian teaching and, therefore, the church opposed certification, ordination or appointment of self-avowed homosexuals to serve in the United Methodist Church. It also refused to allow marriage ceremonies of homosexual unions by clergy in United Methodist churches. However, other than the United Methodist Church's stance on prohibiting homosexuals to serve in its ministry or be married in a United Methodist Church, homosexuals regularly attend church as members of the church.

Following the 2019 General Conference, a limited disaffiliation rule was made for those who opposed the church's harsh standards to consider if they wished to continue their United Methodist affiliation. Churches that determined by vote that they wished to disaffiliate were given a limited right to do so for reasons of conscience related solely to the church's stance opposing "gay marriage" and appointment of practicing homosexuals to clergy positions. The plaintiffs assert that many of the disaffiliation votes do not meet the standard set by the General Conference.

Frank Bright, a member of First United Methodist Church Shreveport and an attorney, has seen the issue personally. Bright has served in numerous positions at that church and as has represented both the church and Louisiana Annual Conference in litigation. Bringing unique insight to the issues, he has attended meetings that were a prelude to the Church Council's request for a vote on disaffiliation.

“If FUMC-S (First Methodist Church Shreveport) had made the decision to secure a vote on whether to disaffiliate from the UMC for reasons of conscience regarding a change in the requirements and provision of the *Book of Discipline* related to the practice of homosexuality or ordination or marriage of self-avowed practicing homosexuals, I would know it from attending those meetings and reviewing the materials presented,” he said.

While rifts in denominations are not uncommon and generally are not matters for litigation, the question of how assets are handled is tied to property rights and laws of the states where the churches are located. Thus, Louisiana law is pertinent to the property issues related to disaffiliation. A nonprofit Louisiana corporation, like the Louisiana Annual Conference, cannot by the action or inaction of its corporate officials, directors or trustees allow corporate properties to be improperly divested.

As a rule, local United Methodist congregations have traditionally been prohibited from taking control and ownership of church property if a church wished to disaffiliate. This is related to the structure of the United Methodist Church’s Trust Clause Protections and to longstanding traditions within the connectional structure of the denomination. While local churches have control over their day-to-day activities and facilities, the Louisiana Annual Conference has a trust relationship and responsibility to protect these assets for the benefit of the entire United Methodist Church denomination.

In the case of First United Methodist Church in Shreveport, which has a disaffiliation vote scheduled in April, the value of church property exceeds \$50 million. However, under the proposal being considered by the Louisiana Conference, the Conference would receive only \$765,728.16 for its assets – a loss to the denomination of over \$49 million.

Compounded with the assets of other churches in Louisiana considering disaffiliation, this loss of property and assets has the potential to cause irreparable harm to the ministries of the Conference.

“This is a troubling issue for all United Methodists. Filing suit was a last option for my clients,” said David M. Cohn, the Baton Rouge attorney directing the litigation on behalf of the ministers. “Prior to initiating this lawsuit, the plaintiffs and others met numerous times with Louisiana Annual Conference officials in an effort to stem the emotional and financial rifts within the denomination. We are prepared to document the ongoing failures of Conference leadership and flawed processes with unchallenged misinformation that has been allowed to continue, demonstrating a lack of duty by leadership to the denomination and its members.”

This suit is not about theology but rather about responsibility, the fiduciary responsibility the leadership of the Conference has to all members of the United Methodist Church in Louisiana. No one has said a church cannot disaffiliate from the United Methodist Church family of churches. The plaintiffs’ position is that the limited disaffiliating rule cannot be used by Louisiana churches which agree with and approve of the current Methodist stance prohibiting the ordination or marriage of self-avowed practicing homosexuals.