



JUDICIAL COUNCIL OF THE UNITED METHODIST CHURCH
CONSEIL JUDICIAIRE DE L'EGLISE METHODISTE UNIE
RECHTSHOF DER EVANGELISCH-METHODISTISCHEN KIRCHE
CONSELHO JUDICIAL DA IGREJA METODISTA UNIDA
CONSEJO DE LA JUDICATURA DE LA IGLESIA METODISTA UNIDA



Report by Bishop on Decision of Law

This form is to be used for (please check one):

Reporting of decisions of law made by bishops in response to questions of law submitted to them in writing during the regular business of a conference session (§ 56.3 Const. and ¶ 2609.6 *The Book of Discipline 2016*).

Reporting of episcopal decisions on questions of law when such decisions are appealed by one-fifth of the members of the conference (§ 56.2 Const. and ¶ 2609.7 *The Book of Discipline 2016*).

Name of Bishop: David W. Graves
Address: 4719 Woodmere Blvd City: Montgomery
State/Province: AL ZIP/Postal Code: 36106 Country: USA
Phone: 334-356-8014 Fax: _____ E-mail: bishop@awfumc.org
Annual Conference: Alabama-West Florida Date of session: 11/12/2022 (month/day/year)
Question(s) of Law: Whether the Alabama-West Florida Conference negated, ignored or violated the provisions of qualification set forth in the 2019 BOD 2553.1 by presenting churches for disaffiliation that have failed to establish bona fide "reasons conscience" regarding change in BOD or action or inaction of the annual conference
Authorities Cited (indicate paragraph or decision number where applicable):
Constitution: _____ Book of Discipline: 2553.1
Judicial Council Decision(s): 1422
Signature: David W. Graves Date: 11/30/2022
Bishop of The United Methodist Church (month/day/year)

The following must be attached:

- o Decision of Law, including facts, rationale and ruling
- o Text of the written request for decision
- o Minutes of annual conference proceedings
- o List of names and addresses of interested parties
- o Other relevant materials (e.g. conference rules, resolutions, policies, reports)

➤ Thirteen (13) hard copies must be submitted via USPS or other delivery service to:
UMC Judicial Council, c/o LaNella Smith, Assistant to the J.C. Secretary,
1215 Shady Lane, Durham, NC 27712

➤ Electronic copies in both Word and PDF (with security features disabled) must be submitted to: secretary@umcjudicialcouncil.org.

The
Alabama-West Florida
 *Conference*
United Methodist Church

Exhibits

- I. **Facts, ruling, rationale by Bishop Graves**
- II. **Written request for a decision of law**
- III. **Minutes from the Nov. 12th Special Session**
- IV. **Interested Parties**

Facts

At 9:14 a.m. on November 12, 2022, I received a request for a ruling of law in writing from Rev. Dan Morris by email. I had the conference secretary respond to him by email letting him know to be ready to present his request when I called for questions following the resolution on local churches being presented for disaffiliation by our conference trustees and cabinet.

Our online special session of annual conference began at 10:00 a.m. I gave my devotion. We proceeded through a practice vote and cabinet resolution. I asked for questions. No questions were raised in the Q/A concerning the disaffiliations. I called upon Rev. Morris to speak to his request for a ruling of law. He did not come on camera, but shared his request verbally as found in Exhibit II. Immediately after his verbal reading of the request, I gave the following ruling and rationale. There were no additional comments or questions from others participating in the special session. There was no appeal of my decision.

Ruling and Rationale

"I rule this request out of order. I believe that this matter has already been decided by Judicial Council Ruling 1422. The Alabama-West Florida Annual Conference has also sent in two rules of law on this moot matter on to Judicial Council for review. I do not see any reason to go through this again. I believe that these churches are qualified for disaffiliation as set forth by the provisions of 2553.1, especially in that any of these churches can point to actions or inactions of the annual conference around matters relating to the practice of homosexuality, ordination, and marriage."

I ruled this request out of order because I believe no rule of law is required in this case. Our trustees have a policy not to look back for proof of these matters. Our superintendents ensure that the resolutions and ballots in each certified church conference vote includes the language in 2553.1. To ask for anything else would be harmful to the conference and churches and is not required by 2553 of the Book of Discipline.

Request for a Ruling of Law

Presenting Issue: The Alabama West Florida Conference Administration has interpreted ¶ 2553 in a manner that will cause irreparable harm if allowed to continue. There are no stated reasons of conscience in the published disaffiliation resolutions coming before this called session of Annual Conference that meet the qualifications of this limited church law.

As it stands today, the property resolutions before the called special session of the Annual Conference are in flagrant violation of the 2019 Book of Discipline ¶ 2553.1, intentionally ignoring the protections of the Trust Clause, and opening the Annual Conference to potential malfeasance through fraudulent transfers of property.

Rationale: The Judicial Council has stated as follows regarding the authority of the Discipline:

"The Discipline is the law of the church that regulates every phase of the life and work of the church. Decision 96 made clear the principle that the Discipline is the only authoritative book of law of the church. All entities of the church are bound by its provisions. All actions of an annual conference must be faithful to and consistent with the Discipline. An annual conference may express disagreement with other bodies of The United Methodist Church, but is still subject to the Constitution, the Discipline and the decisions of the Judicial Council. In Decision 886 the Judicial Council announced the principle that annual conferences may not legally negate, ignore or violate provisions of the Discipline with which they disagree, even when the disagreements are based on conscientious objections to those provisions."

Decision No. 1120 (2009).

I would request a bishop's decision of law as to whether the Alabama West Florida Conference District Superintendents, Bishop, Board of Trustees, Chancellors, and other Alabama West Florida Conference officials have negated, ignored, or violated the provisions of qualification for disaffiliation set forth in 2019 Book of Discipline ¶ 2553.1 by presenting churches for disaffiliation that have failed to establish bona fide "reasons of conscience" regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed and practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow, evidenced by the lack of information regarding "reasons of conscience" presented to this body in light of a request to vote on disaffiliation of these churches at this session of Annual Conference?

Called Annual Conference Session

Saturday, November 12, 2022

Via Zoom Webinar

Welcome and call to order of 194th session by Bishop David Graves. Purpose of this session is to finalize the process of local church disaffiliations. Bishop Graves gave thanks for his and Mrs. Graves reappointment to the Alabama-West Florida Conference. He then gave opening remarks and a devotion looking toward advent and what God is calling us toward and do and be. He reiterated that these matters are not a business decision- they are so much more than that. What is our mission and what is God calling us to do and be? Are we doing harm? Let's place ourselves in the field with the angels and say peace be with you. Bishop Graves then led the body in the Apostles Creed.

Moving into business session-

Bishop Graves gave thanks for being at Huntingdon College in Ligon Chapel for the session. He introduced some of those in leadership who were on the call and in the room- Conference lay leader, Gene Floor, joined online. Seated on the stage was Rev. Ashley Davis, Assistant to the Bishop and Conference Secretary. Mr. Bob Northcutt, conference chancellor, along with Dr. Jeff Wilson, Superintendent of the Montgomery-Opelika and Dothan Districts and Dean of the Cabinet, were also seated on stage. Also present on site were moderators, Deaconess Celeste Eubanks, Director of Connectional Ministries, Rev. Jenni Hendrix, Director of Ministerial Services, and Suzanne Jones, conference treasurer. Sarah McWilliams, journal editor, served as assistant secretary.

Rev. Ashley Davis then explained the voting process and lead the body in a practice ballot. After the practice voting concluded, organizing motions were put forth to the body by Rev. Ashley Davis:

Motion for the election of secretarial staff:

Bishop, I move that Sarah McWilliams be elected as the assistant secretary for the special called conference.

Motion for establishing the bar:

Bishop, I move that the bar of the conference be set to include all lay members and clergy members who were verified by conference staff and given a unique link to this session. Full, part-time, or retired local pastors who have completed course of study but are not appointed and affiliate members are present on this call but do not have voting privileges.

Motion for attendance:

Bishop, I move that our attendance be pulled from the zoom participation list and be made up of those individuals who have not only registered but are present today and vote on at least one ballot.

Motion for the adoption of the agenda:

Bishop, I move that our agenda simply be made up of the cabinet resolution for local church disaffiliations and the vote to ratify those disaffiliations by the conference. Information regarding each church that we will be voting on today has been available on the conference website for the last 2 weeks. You can access it here now.

Motion for rules of speeches:

As part of our organizing motions, regarding speeches, I move, Bishop, that we follow the rules of General Conference which limits speeches to three minutes each, with three speeches for and three speeches against, with the speeches for and against alternating. In order to give voice, participants with need to raise their virtual hand and a moderator will work with them to get them recognized.

All motions passed.

Ratification of Disaffiliations

Dr. Jeff Wilson presented the resolution on churches disaffiliating churches from the United Methodist Church following the process laid out in paragraph 2553 of the Book of Discipline and our conference policy. The resolution was made available on the conference website on October 28th. These churches have followed the process laid out in paragraph 2553 and by our conference trustees. They have all held a church conference with at least a 2/3 majority of those present voting to disaffiliate. Each of the churches has been organized by district for simplicity.

Baylines District

WHEREAS, Resurrection United Methodist Church located in Baldwin County in the Baypines District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

Demopolis District

WHEREAS, Bethlehem United Methodist Church located in Perry County in the Demopolis District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Brent United Methodist Church located in Bibb County in the Demopolis District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Heiberger United Methodist Church located in Perry County in the Demopolis District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Pondville United Methodist Church located in Blbb County in the Demopolis District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Zion United Methodist Church located in Perry County in the Demopolis District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

Dothan District

WHEREAS, Abbeville United Methodist Church located in Henry County in the Dothan District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Old Center United Methodist Church located in Henry County in the Dothan District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Liberty United Methodist Church located in Henry County in the Dothan District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Mt. Carmel United Methodist Church located in Dale County in the Dothan District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Pinckard United Methodist Church located in Henry County in the Dothan District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Samson United Methodist Church located in Geneva County in the Dothan District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

Marianna-Panama City District

WHEREAS, Compass Lake United Methodist Church located in Jackson County in the Marianna-Panama City District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Grace United Methodist Church located in Jackson County in the Marianna-Panama City District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Parker United Methodist Church located in Bay County in the Marianna-Panama City District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

Mobile

WHEREAS, Ebenezer United Methodist Church located in Washington County in the Mobile District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

Montgomery-Opelika District

WHEREAS, Hatchechubbee United Methodist Church located in Russell County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Liberty United Methodist Church located in Macon County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Notasulga United Methodist Church located in Macon County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Murphy's Chapel United Methodist Church located in Pike County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Petrey United Methodist Church located in Crenshaw County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Pine Level United Methodist Church located in Montgomery County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Sardis United Methodist Church located in Tallapoosa County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Troy First United Methodist Church located in Pike County in the Montgomery-Opelika District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

Montgomery-Prattville District

WHEREAS, Fairview United Methodist Church located in Montgomery County in the Montgomery-Prattville District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Mt. Nebo United Methodist Church located in Chilton County in the Montgomery-Prattville District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Pleasant Grove United Methodist Church located in Chilton County in the Montgomery-Prattville District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Thorsby United Methodist Church located in Chilton County in the Montgomery-Prattville District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Verbena United Methodist Church located in Chilton County in the Montgomery-Prattville District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Walnut Creek United Methodist Church located in Chilton County in the Montgomery-Prattville District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

Pensacola District

WHEREAS, Chumuckla United Methodist Church located in Santa Rosa County in the Pensacola District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Community Life United Methodist Church located in Santa Rosa County in the Pensacola District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Mae Edwards United Methodist Church located in Santa Rosa County in the Pensacola District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Pace United Methodist Church located in Santa Rosa County in the Pensacola District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, Pine Forest United Methodist Church located in Escambia County in the Pensacola District of the Alabama-West Florida Conference has had a long and proud history as a United Methodist Church; and

WHEREAS, each of these churches has held a church conference, in compliance with ¶¶ 246.8, 248, and 2553.2-3 of the *Book of Discipline*, at which at least two-thirds (2/3) of the professing members present at the church conference voted to disaffiliate from The United Methodist Church "for reasons of conscience regarding a change in the requirements and provisions of the *Book of Discipline* related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues"; and

WHEREAS, pursuant to ¶ 2501.1 of the *Book of Discipline*, each of these churches holds its real and personal, tangible and intangible property "in trust for The United Methodist Church and subject to the provisions of its Discipline"; and

WHEREAS, ¶ 2553 of the *Book of Discipline* provides a specific circumstance in which property subject to ¶ 2501.1 can be released from the trust imposed by that paragraph; and

WHEREAS, each of these churches has entered into a disaffiliation agreement with the Annual Conference agreeing to pay all sums and to take all actions required by ¶ 2553 of the *Book of Discipline* and the Disaffiliation Policy of the Alabama-West Florida Annual Conference adopted at its 2019 Annual Conference session; and

WHEREAS, these disaffiliation agreements must be ratified by the Annual Conference to be effective.

NOW, THEREFORE BE IT RESOLVED, that the Alabama-West Florida Annual Conference meeting virtually on November 12, 2022, does hereby celebrate the ministries of these congregations through the years by giving all glory to God,

BE IT FURTHER RESOLVED, that the members of the Alabama-West Florida Annual Conference concur with and ratify the decision of these churches to disaffiliate with an affirmative vote.

Bishop Graves opened the floor for questions in the Q&A.

Rev. Dan Morris of Gulf Breeze UMC presented a Rule of Law:
Presenting Issue: The Alabama West Florida Conference Administration has interpreted ¶ 2553 in a manner that will cause irreparable harm if allowed to continue. There are no stated reasons of conscience in the published disaffiliation resolutions coming before this called session of Annual Conference that meet the qualifications of this limited church law.

As it stands today, the property resolutions before the called special session of the Annual Conference are in flagrant violation of the 2019 Book of Discipline ¶ 2553.1, intentionally ignoring the protections of the Trust Clause, and opening the Annual Conference to potential malfeasance through fraudulent transfers of property.

Rationale: The Judicial Council has stated as follows regarding the authority of the Discipline:

"The Discipline is the law of the church that regulates every phase of the life and work of the church. Decision 96 made clear the principle that the Discipline is the only authoritative book of law of the church. All entities of the church are bound by its provisions. All actions of an annual conference must be faithful to and consistent with the Discipline. An annual conference may express disagreement with other bodies of The United Methodist Church, but is still subject to the Constitution, the Discipline and the decisions of the Judicial Council. In Decision 886 the Judicial Council announced the principle that annual conferences may not legally negate, ignore or violate provisions of the Discipline with which they disagree, even when the disagreements are based on conscientious objections to those provisions."
Decision No. 1120 (2009).

I would request a bishop's decision of law as to whether the Alabama West Florida Conference District Superintendents, Bishop, Board of Trustees, Chancellors, and

other Alabama West Florida Conference officials have negated, ignored, or violated the provisions of qualification for disaffiliation set forth in 2019 Book of Discipline ¶ 2553.1 by presenting churches for disaffiliation that have failed to establish bona fide "reasons of conscience" regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed and practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow, evidenced by the lack of information regarding "reasons of conscience" presented to this body in light of a request to vote on disaffiliation of these churches at this session of Annual Conference?

Bishop Graves thanked Rev. Morris for submitting the rule of law this morning prior to the session. Bishop Graves then ruled the matter out of order due to this matter having already been decided upon in Judicial Council decision 1422. Two rules of law have already been sent to the Judicial Council on this moot matter and there is no reason to revisit the matter again today.

Bishop Graves continued on with business of ratification of the disaffiliation of the afore-listed churches organized by district.

Bayplines District:

Resurrection United Methodist Church (Daphne) 389/53

Demopolis District:

Bethlehem UMC 392/48
Brent UMC 390/50
Helberger UMC 392/48
Pondville UMC 394/46
Zion UMC 391/49

Dothan District:

Abbeville UMC 389/54
Old Center UMC 395/48
Liberty UMC 392/51
Mt. Carmel UMC 393/50
Pinckard UMC 392/51
Samson UMC 391/52

Marianna/Panama City District:

Compass Lake UMC 388/54
Grace UMC 388/54
Parker UMC 386/56

Mobile District:

Ebenezer UMC 394/49

Montgomery-Opelika District:

Hatchechubbee UMC 387/54
Liberty UMC 387/54
Murphy's Chapel UMC 389/52
Notasulga UMC 385/56
Petrey UMC 389/52
Pine Level UMC 387/55
Sardis UMC 390/54
Troy First UMC 379/62

Montgomery-Prattville District:

Fairview UMC 396/50
Mt Nebo UMC 396/50
Pleasant Grove UMC 396/50
Thorsby UMC 395/51
Verbena UMC 389/57
Walnut Creek UMC 393/53

Pensacola District:

Chumuckla UMC 395/54
Community Life UMC 389/60
Mae Edwards UMC 396/53
Pace UMC 381/68
Pine Forest UMC 394/55

Bishop offered a collective prayer for the disaffiliating churches and for the conference.

Bishop reminded those who wish to remain UMC but are currently members of disaffiliating churches, there is a general church roll that will allow you to remain UMC.

Bob Northcutt updated the body on the status of litigation on the churches that were closed at AC 2022 but did not follow 2553.

Bishop Graves: Friends, this is our work for today. I want to remind you that we are now going to pause through the end of this year to wait for the Christ child to come and celebrate the Incarnation. We will have ample time to take up disaffiliations again in the New Year. I don't want anyone to leave the AWFUMC.

GC announces the end of April 2024.

We have special sessions scheduled for May and November. There will be plenty of time to continue this work of discernment in the new year. Though I do hope and pray that you will all remain United Methodists and continue to make disciples of Jesus Christ for the transformation of the world.

Interested Parties

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