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Court Dismisses Disaffiliation Lawsuit Against the Florida Conference

1 message

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The Florida Conference
OF THE UNITED METHODIST CHURCH

Court Dismisses Disaffiliation Lawsuit Against the Florida Conference

The Court today issued an [important ruling](#) that supports The Florida Conference of The United Methodist Church and that reaffirms the Constitutional principle that secular courts do not have a role in settling matters of church doctrine.

The Eighth Judicial Circuit Court in Starke granted the Conference's Motion to Dismiss a lawsuit that had been filed by over 60 United Methodist Churches that want to disaffiliate from the Conference. Some of the churches that wish to disaffiliate from the Conference are attempting to do it through processes other than the one that was established for this in *The Book of Discipline*, the United Methodist governing document. The churches seeking to depart oppose being more inclusive toward LGBTQ members. Greg Hearing, attorney for the Conference, argued that the First Amendment to the Constitution strictly prohibits secular courts from stepping into doctrinal issues that are within church governance.

Judge George Wright stated in the Court's ruling: "Under the mandatory deference approach in Florida, coupled with the local action rule, this Court does not have jurisdiction to adjudicate the claims raised in the Plaintiffs' Amended Complaint."

Bishop Tom Berlin responded to the news: “We applaud the court’s ruling today. This clarifies that if a church wants to leave the Conference, it must follow the rules established by the denomination. We have always supported a process that allows for a gracious exit, and which ensures the departing churches meet their financial, legal and moral obligations to not harm the Conference or the other member churches during their departure.”

This ruling follows a [similar ruling in North Carolina](#). In that case, a North Carolina Superior Court dismissed a complaint filed by 36 congregations after agreeing with a motion by the Western N.C. Conference of The United Methodist Church that the lawsuit violated the separation of church and state.

The disaffiliation process called for by the *Discipline* requires departing churches to make good on their obligations to the pension fund for clergy and to maintain certain types of liability insurance among other common financial commitments before being granted the church property held in trust by the Conference.

Last year the Judicial Council of The United Methodist Church – the denomination’s version of the U.S. Supreme Court – ruled that churches wishing to disaffiliate from the Conference must follow the rules outlined in Paragraph 2553 of *The Book of Discipline*. Today’s ruling from the Circuit Court reaffirms the Judicial Council’s primacy in deciding matters of church doctrine.

Bishop Berlin concluded: “Amid this fractious debate, we remain prayerful and respectful for the process and thankful for the legal team that so ably represents the Conference. While we are sorry to see any member church depart, we also note that more than 40 churches have withdrawn as plaintiffs from the litigation since it was originally filed. They have decided instead to pursue the more collaborative process under Paragraph 2553 of *The Book of Discipline*.”

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