

AWFUMC Procedures and Processes for Local Churches Seeking to Disaffiliate under ¶2553 of the Book of Discipline

Effective June 5, 2023

This document outlines the procedures, processes, terms, and conditions by which a local church in the Alabama-West Florida Conference (AWFC) can exercise the limited right to disaffiliate from the United Methodist Church under ¶2553 of The Book of Discipline of the United Methodist Church.

1. Process

The decision to disaffiliate from the denomination is solemn and consequential; as such, the process to be followed shall be careful, thoughtful, respectful, and prayerful. The importance of clear, accurate, respectful, and transparent communication and information dissemination, broad involvement, and diligent and proper execution is paramount.

2. Eligibility for Exercising the ¶2553 Limited Right of Disaffiliation

A local church is allowed to exercise the limited right established in ¶2553 of the Book of Discipline to disaffiliate from The United Methodist Church only for reasons of conscience under the conditions stated in ¶2553.1 which reads: *"Basis – Because of the current deep conflict within the United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination 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 which follow."*

The following changes in the requirements and provisions of the Book of Discipline relating to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals were resolved and adopted by the 2019 General Conference:

(1) Amendment to ¶304.3: In particular, footnote 1 of ¶304.3 was amended to broaden the scope of relationships or activities that were encompassed in the

definition of “self-avowed practicing homosexuals” who, under ¶304.3, are “not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church.”

(2) Amendment to ¶304.5: Prohibitions have been added against approvals and recommendations by the district committee on ordained ministry and the Board of Ordained Ministry of persons who did not meet the qualifications in ¶304, including ¶304.3 (see above), and specified added instructions for the clergy session presiding bishops to rule that the unqualified candidate to be out of order and ineligible for the appointment.

(3) Amendment to ¶415.6: Amended to prohibit bishops from consecrating bishops, from commissioning persons on the deacon or elders track, and from ordaining deacons or elders if any of them are self-avowed practicing homosexuals.

(4) Amendment to ¶2702.1(b): Amendment to footnote 1 of ¶304.3 (see above) affects the usage of the term “self-avowed practicing homosexual” in the list of chargeable offenses related to clergy (viz., “being a self-avowed practicing homosexual; or conducting ceremonies which celebrate homosexual unions; or performing same-sex wedding ceremonies”)

Paragraph 2553 requires that at least two-thirds (2/3) of the professing members present at a church conference, properly held under the Discipline, have actual “reasons of conscience” regarding either: (1) one or more of the above-listed changes in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed homosexuals or (2) the subsequent actions or inactions by the Alabama-West Florida Conference related to issues of human sexuality.

The foregoing provisions of this Article 2 shall be included verbatim in the District Superintendent’s call for a church conference pursuant to Section (c) of Article 6 below.

The Church Conference of the local church that seeks to disaffiliate must adopt a statement of eligibility that demonstrates the current and specific disagreement(s) that the local church has with the changes to the Book of Discipline made in 2019. This statement must specifically say what “change in the requirements and provisions of the 2019 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”, delineated above, and/or their “reasons of conscience” related to the “actions or inactions” of the AWF Annual Conference related to the ordination or marriage of self-avowed practicing homosexuals. Eligibility cannot be based on other reasons not specified in ¶2553. If such provisions are included in the call for a church conference, and if the resolutions and motions for disaffiliation required pursuant to Section (c) of Article 6 below are duly adopted by at least two-thirds (2/3) of the professing members present at a church conference, held fairly and in conformance with the Book of Discipline, then the local church shall be deemed eligible after cabinet and conference trustees approve.

AWF Trustees will not be required to inquire into reasons of conscience, and will generally not do so except in circumstances where information is presented raising serious concerns about the eligibility of a church to disaffiliate pursuant to ¶2553.

3. Procedures:

(1) Local Church May Enter Disaffiliation Process after a Majority of Church Council Votes to Proceed under ¶2553

The Church Council must adopt an eligibility statement. This statement must specifically say what “change in the requirements and provisions of the 2019 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”, delineated above, and/or their “reasons of conscience” related to the “actions or inactions” of the AWF Annual Conference with which they disagree.

A copy of the official minutes from the church council meeting during which the vote was taken to enter the disaffiliation process shall be shared with the District Superintendent and AWF Trustees. The minutes shall include the total number of possible church council votes, how many were present, and how many voted for and against the actions. The church shall also provide all other actions, motions, minutes, and petitions presented to the church council.

If a church council considers a motion to enter the disaffiliation/discernment process and the motion fails to receive a majority vote, that local church is prohibited from taking another vote to enter the disaffiliation/discernment process for twelve months.

(2) Discernment and Assessment Period

a. Local Church Discernment Period

The local church shall undertake a discernment period between the time the District Superintendent responds, and the church conference to vote on disaffiliation is

held. This discernment period shall be at least 75 days. The window of discernment begins when the District Superintendent responds to the local church's request to begin the process. This discernment period will include at a minimum:

1. One town hall meeting called and led by the District Superintendent so there can be openness and transparency in sharing facts around disaffiliation. The date and time of the town hall must be advertised a minimum of ten days before the meeting (including two Sundays). During this period, the DS and the pastor are to make clear the eligibility requirements to the church council in writing, and the expectations of an open and fair process. The town hall meeting(s) will be open to the full professing membership of the local church and anyone else who is interested in attending. During these sessions, the District Superintendent will share accurate and up-to-date information about disaffiliation from the United Methodist Church. The input of these attending constituents shall be solicited and recorded in writing by a recording secretary. The local church's request for seeking disaffiliation under ¶2553 will be presented during the town hall meeting. The town hall(s) shall be convened and presided over/led by the District Superintendent (or his/her designee). The town hall must include a spokesperson from the United Methodist Church that is not the District Superintendent chairing the Church Conference. This spokesperson shall be selected by the DS from a select team of people trained by the AWF Trustees for this task. The town hall(s) shall not be led or facilitated by the pastors, the hired or appointed staff and employees, or any member or constituent of the local church, its ministries or missions, or anyone else not designated by the District Superintendent.
2. A minimum period of 40 days of congregation-wide prayer and fasting shall be conducted within the membership of the local church to seek the guidance of the Holy Spirit in these weighty matters.
3. The local church shall provide a complete list with full names, email addresses, and mailing addresses of all full professing members of the local church, preferably electronically and in Excel format.
4. The distribution of information in writing via email and/or USPS to all members about disaffiliation prepared by the AWF Conference and provided by the District Superintendent.

The discernment and official proceedings and discussions should not include the following:

1. Information that does not apply to the church's eligibility statement shared by church leaders at any official church meeting to consider disaffiliation or through official church communications.
2. References to seeking disaffiliation because it is a financial opportunity to "own" your building and get out of the historic trust clause. Only the specific limited rights contained in ¶2553 may be used as the reason to disaffiliate.
3. Presentations by any groups or individuals discussing or sharing information regarding alternatives to remaining a United Methodist Church. The decision to disaffiliate is not a choice between alternatives but a limited right.

Pastors and staff of a church in the process of disaffiliation should use their best efforts to maintain the integrity of the disaffiliation process as outlined in 2553.

b. District Superintendent Assessment Period

During this period, the District Superintendent initiates assessments of the impact of a ¶2553 disaffiliation upon the local church, its members, the community, the district, and the annual conference. These assessments will come from at least the district Board of Church Location and Building, the District Superintendent, Cabinet, Treasurer, and Benefits Officer. This assessment shall include the process described in ¶213, and is not limited to the assessment of the strategic missional, economic, and ministries impact of the local church and effects of its potential ¶2553 disaffiliation.

The assessment process shall include an assessment of whether actions and communications evidence a fair process with accurate information that reflects a good faith effort to satisfy this procedures and process document as opposed to false, misleading statements and/or coordinated efforts likely to harm or disrupt the ministry of the church.

(3) Church Council Votes to Request Church Conference

Upon completion of the discernment and assessment period and proceedings, if the local church council wishes to proceed toward disaffiliation, the next steps are as follows:

- a. The Church Council must attest to the previously adopted eligibility statement. This statement must specifically say what "change in the requirements and provisions of the 2019 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",

delineated above, and/or their “reasons of conscience” related to the “actions or inactions” of the AWF Annual Conference with which they disagree.

- b. Additionally, a completed and notarized good faith and fair process form must be received by the District Superintendent before a Church Conference may be called by a District Superintendent. The signatories on the form shall certify and agree that, to the best of their knowledge, the discernment process as outlined in this document has been followed fairly and in good faith. The discernment period has not included any of the following:
 - i. Information that does not apply to the church’s eligibility statement.
 - ii. References to seeking disaffiliation because it is a financial opportunity to “own” your building and get out of the historic trust clause.
 - iii. Presentations by any groups or individuals discussing or sharing information regarding alternatives to remaining a United Methodist Church
 - iv. The process shall include an assessment of whether actions and communications evidence a fair process with accurate information that reflects a good faith effort to satisfy this procedures and process document as opposed to false, misleading statements and/or coordinated efforts likely to harm or disrupt the ministry of the church.

The eligibility statement provided by the local church and the good faith form provided by the District Superintendent must be signed by all elders, deacons, or local pastors appointed to or serving the church seeking to disaffiliate, and the church’s Lay Leader, Church Council/Administrative Board Chair, Trustee Chair, SPRC Chair, and Finance Chair. If any of these persons cannot in good faith sign such a form, they must attach a signed statement explaining the reason(s). When the completed form is received by the DS with all other required signatures and/or statements, the DS will also sign the document or provide a signed statement.

- c. The Church Council may request its District Superintendent to call a church conference pursuant to ¶248 of the Book of Discipline to consider and vote on the request for ¶2553 disaffiliation. A copy of the official minutes from the church council meeting during which the vote was taken requesting the DS to call a church conference shall be shared with the DS and AWF Trustees. The minutes shall include the total number of possible church council votes, how many were present, and how many voted for and against the motion.
- d. If a church council considers a motion to request a church conference vote and the motion fails to receive a majority vote, that local church must wait twelve months to restart the discernment process if they wish to pursue disaffiliation in the future.

(4) Conference Trustees Preliminary Review

Prior to the DS calling a church conference and within 30 days of receiving the request from a local church and all the required documentation, assessments, and forms, the Trustees will review all the documentation, assessments and other provided information. Any known potential problem areas regarding disaffiliation will be provided to both the church and the District Superintendent at this time.

(5) District Superintendent Decision to Call Church Conference

After receiving notification from the Trustees and within 30 days from receiving the notification that a church's documents and request for a church conference has been reviewed by the Trustees the DS will determine whether a church should move forward to a Church Conference.

(6) Church Conference and Vote

Pursuant to ¶2553.3: "The church conference shall be conducted in accordance with ¶248 and shall be held within one hundred twenty (120) days after the District Superintendent calls for the church conference. In addition to the provisions of ¶246.8, special attention shall be made to give broad notice to the full professing membership of the local church regarding the time and place of a church conference called for this purpose and to use all means necessary, including electronic communication where possible, to communicate. The decision to disaffiliate from The United Methodist Church must be approved by a two-thirds (2/3) majority vote of the professing members of the local church present at the church conference." The notice of church conference be sent to all professing member households and must include the reason for the Church Conference, the specific eligibility statement adopted by the church council that will be voted on, and an explanation of the decision being made at the Church Conference, which will be provided by the District Superintendent.

The resolutions or motions for approval of the local church's ¶2553 disaffiliation presented at this church conference shall, at a minimum, include the following statements:

- a. The church conference of the local church hereby certifies to the Alabama-West Florida Conference the following: The local church is eligible for disaffiliation under the provisions of ¶2553.1, which reads: "Basis – Because of the current deep conflict within the United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this

paragraph, to disaffiliate from the denomination 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 which follow.”

- b. The specific local church statement of eligibility adopted by the church council at the beginning of the process shall be read aloud.
- c. The following changes in the requirements and provisions of the Book of Discipline relating to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals were resolved and adopted by the 2019 General Conference:

(1) Amendment to ¶304.3: In particular, footnote 1 of ¶304.3 was amended to broaden the scope of relationships or activities that were encompassed in the definition of “self-avowed practicing homosexuals” who, under ¶304.3, are “not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church.”

(2) Amendment to ¶304.5: Prohibitions have been added against approvals and recommendations by the district committee on ordained ministry and the Board of Ordained Ministry of persons who did not meet the qualifications in ¶ 304, including ¶304.3 (see above), and specified added instructions for the clergy session presiding bishops to rule that the unqualified candidate to be out of order and ineligible for the appointment.

(3) Amendment to ¶415.6: Amended to prohibit bishops from consecrating bishops, from commissioning persons on the deacon or elders track, and from ordaining deacons or elders if any of them are self-avowed practicing homosexuals.

(4) Amendment to ¶2702.1(b): Amendment to footnote 1 of ¶304.3 (see above) affects the usage of the term “self-avowed practicing homosexual” in the list of chargeable offenses related to clergy (viz., “being a self-avowed practicing homosexual; or conducting ceremonies which celebrate homosexual unions; or performing same-sex wedding ceremonies”) Paragraph 2553 requires that at least two-thirds (2/3) of the professing members present at a church conference, properly held under the Discipline, have actual “reasons of conscience” regarding either: (1) one or more of the above-listed changes in the requirements and provisions of the Book of

Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed homosexuals or (2) the subsequent actions or inactions by the Alabama-West Florida Conference related to issues of human sexuality.

The local church shall provide documentation to the District Superintendent that verifies the adoption of the required resolution by the church conference and the results of the ¶2553 disaffiliation vote taken at the church conference. Such documentation shall be in the form of a certificate of an authorized officer of the local church and shall be included as an exhibit to the agreement to disaffiliate between the local church and the annual conference (“Disaffiliation Agreement”) which shall be provided to the annual conference delegates before the annual conference vote on approval of the disaffiliation and the Disaffiliation Agreement.

(7) Cabinet Approves or Disapproves

Once the church conference vote has been taken and if at least $\frac{2}{3}$ of the voting members present for a duly announced and called Church Conference have voted to disaffiliate per ¶2553, then the Cabinet will review all required documentation and decide whether the church is properly before the Trustees for the next step of the process.

(8) Trustees Approve or Disapprove

Once all prior steps have been completed, AWF Trustees shall review the eligibility statement, DS assessment, notarized good faith form, and results of the church conference vote and any other documents and information the Trustees deem to be relevant to the review. AWF Trustees have final approval on whether a local church is properly before the Annual Conference for ratification of the local church disaffiliation.

A church will not be properly before the Annual Conference for disaffiliation unless the preceding steps have been followed.

(9) Disaffiliation Agreement

If the church conference of the local church has voted approval of a ¶2553 disaffiliation from The United Methodist Church, a Disaffiliation Agreement shall be formulated. The terms and conditions for the disaffiliation shall be established by the

AWFC Board of Trustees, with advice of the AWFC Cabinet, Treasurer, Benefits Officer, Director of Connectional Ministries, and Chancellor. It will be memorialized in a binding Disaffiliation Agreement between the AWFC annual conference and the trustees of the local church, on behalf of its members, in accordance with ¶2553.4 of the Book of Discipline.

The Disaffiliation Agreement shall include, but not be limited to, the terms and conditions of the Standard Form for Disaffiliation Agreements developed and promulgated by the General Council on Finance and Administration (GCFA) in accordance with ¶2553.4(a) and that was adopted in 2019 by the AWFC, as well as the additional standard terms developed and adopted by the annual conference in 2019 and as amended by the AWF Trustees that are not inconsistent with GCFA's Standard Form for Disaffiliation Agreements. Also included will be the disaffiliation resolution presented to the church conference and the results of the ¶2553 disaffiliation vote taken at the church conference, both of which have been authenticated and certified by an authorized officer of the local church.

The Disaffiliation Agreement shall specify (1) that the effective date for the ¶2553 disaffiliation ("Disaffiliation Date") shall be the date that the Disaffiliation Agreement is ratified and approved by the AWFC, (2) that the delegation of the local church shall not be entitled to vote upon any matters coming before the AWFC after such ratification and approval, and (3) that the closing date for consummation of the transactions contemplated by the Disaffiliation Agreement shall be a date that is subsequent to, and no more than, 60 days after the date that the Disaffiliation Agreement is ratified and approved by the AWFC.

(10) Annual Conference Vote

The Disaffiliation Agreement shall include a provision stating that the parties' respective rights and obligations under the Disaffiliation Agreement are subject to and conditioned upon the approval and ratification of the ¶2553 disaffiliation and the Disaffiliation Agreement by the AWFC. Therefore, before any ¶2553 disaffiliation and any terms, conditions, or obligations under that Disaffiliation Agreement applicable to the AWFC are effective and authorized to be undertaken by the AWFC or any AWFC leader, official, entity, or agency, "the disaffiliation agreement [shall] be ratified by a simple majority of the members of the annual conference" at a duly called session of the annual conference. This means that the sale and conveyance of any church or

annual conference property, the annual conference's waiver of the Trust Clause, and any other acts or duties required to be accomplished by the annual conference under the Disaffiliation Agreement cannot be undertaken and completed until after the vote of the annual conference approving and ratifying the ¶2553 disaffiliation and the Disaffiliation Agreement.

When the resolution for approval of the Disaffiliation Agreement and the local church's ¶2553 disaffiliation is provided and presented to the annual conference delegates, the resolution shall be accompanied by the complete and accurate copy of the Disaffiliation Agreement and the exhibits and schedules. The assessments and recommendations from the AWFC entities and agencies that were developed and presented during the discernment and assessment period are available. Also included are the disaffiliation resolution presented to the church conference and the results of the ¶2553 disaffiliation vote taken at the church conference, both of which have been certified by an authorized officer of the local church.

No later than fifteen (15) days before the commencement of the annual conference sessions of the Alabama-West Florida Conference the annual conference shall be provided and given access by the AWFC Secretary to the Church Conference Resolution, Disaffiliation Agreement, and information described in the previous paragraph.

While the United Methodist Church's polity values a spirit of openness and accountability, in those rare instances where circumstances require that some aspect of an action, issue, or matter presented to the annual conference and its delegates be confidential, then the required remedy is for the annual conference and the Bishop to be timely informed of the confidential matters or issues and their convening an executive session of the annual conference (laity and clergy) to discuss that limited confidential portion. This executive session remedy is to be used to ensure that the annual conference and its delegates do not lack the ability to make a well informed and reasoned decision without impeding the safeguarding role of the annual conference and its delegates within the United Methodist Church's system of checks and balances.

The annual conference's approval and ratification of a disaffiliation agreement is completed by a vote up or down by the members of an annual conference but does not include the right to amend.

The following required payments must be paid within 60 days of the Annual Conference vote, or the deed will not be transferred to the disaffiliated local church.

1. Unfunded pension liability and post-retirement medical liability as determined by GCFA/AWF formula
2. All apportionments since January 1, 2019 plus an additional 12 months of apportionments
3. All clergy compensation, housing benefits, and other benefits through the current appointment year (for any appointed clergy who is/are remaining with the AWFUMC)
4. Any grants, loans, or gifts from the conference or district received in the last five years

Attachments:

Appendix A: *Good Faith and Fair Process Form*

Appendix C: *Checklist of Requirements*

Appendix D: *Form for Paragraph 213 Assessment*