

*Paul Stallsworth, a clergy member of The NC Conference, made the following request for a decision of law at the 2023 Annual Conference.*

I request that you make a decision of law by responding to the following five questions of law on the March 26, 2023 closure of Fifth Avenue United Methodist Church in Wilmington.

1. Does the initiation of the disaffiliation process by a local church under Par. 2553 prevent the bishop, district superintendents, and district board of church location and building from declaring exigent circumstances for that church under Par. 2549.3.b? That is, which takes precedence — the local church's limited right to disaffiliate under Par. 2553 or the ability to declare exigent circumstances and seize church property under Par. 2549.3.b?
2. Can the local church's intent to initiate, or initiation of, the process of disaffiliation under Par. 2553 be considered an exigent circumstance under Par. 2549.3.b?
3. Where title to local church property vests in the conference board of trustees under Par. 2549.3.b, because of a declaration of exigent circumstances, does due process require that the local church be given the opportunity to challenge the declaration of exigent circumstances in an appropriate forum?
4. Did the bishop violate Par. 414.2, and the district superintendent violate Par. 419.4, by the way they announced exigent circumstances at, and seized the property of, Fifth Avenue United Methodist Church under Par. 2549.3.b? If so, does such violation render the declaration of exigent circumstances null and void?
5. Does the seizure of Fifth Avenue United Methodist Church's property under Par. 2549.3.b and that congregation's closure violate the plain reading of Pars. 414.2, 419.4, 2549.3.b, and 2553 of The Book of Discipline?

"I respectfully request this decision of law because the bishop, district superintendents, and district board of church location and building appear to have misinterpreted Par. 2549.3.b and created for themselves an unlimited authority. Using phrases from that

paragraph — such as “exigent circumstances” and “in their sole discretion” — they justified the assertion of their own desire and will.

Acknowledge that Fifth Avenue United Methodist Church, in real-estate terms, is worth over two millions dollars. That is not mentioned by the conference.

During this divisive time, conference officials can become defensive — especially since more than one-third of the churches in our conference have disaffiliated. Officials can react to more disaffiliations by following the dictates of institutionalism: they can try to hold onto as many of the conference’s assets as possible — in this case, by halting a local church’s disaffiliation work, by taking over its property, and by closing it, all under a disciplinary paragraph.

This request for a decision of law is an attempt to check and balance the misinterpretation and misuse of Par. 2549.3.b in The Book of Discipline.

Thank you, Bishop Shelton, for hearing this request and for responding in a timely fashion.

Christ rules the Church!”