

## FAQs regarding Trustees 2549 Process from the conference website

### **1. I thought the church council had to select either option A, B, or C before the district superintendent would set the church conference date?**

No, the church conference will be set for scheduling purposes. In a certain number of days as specified by the district superintendent, the local church administrative council chair must inform the district superintendent in writing which option (A, B or C) the called church conference will consider.

### **2. If Option C is selected after 2024 General Conference and before 2024 annual conference session, what are the deadlines to be met to complete the closure process with an effective closing date of June 30, 2024?**

If a local church selected to enter the 2549 trustees process under option C, after the 2024 General Conference ends on May 5 the church's administrative board chair must submit their decision in writing of whether to remain a part of The United Methodist Church or to leave to their district superintendent. Upon receiving that written notice, the district superintendent will call a church conference. This should be done as quickly as possible after May 5, 2024. This must be done no later than May 26, 2024, which allows time to call the local church conference. The district superintendent will be responsible for setting the date of the church conference.

### **3. What are the deadlines for completing all paperwork to be sent to the annual conference and what is the latest a church conference can be called to complete the process for 2024?**

- i. January 31, 2024-**The administrative council chair is to notify the district superintendent of the local church's desire to enter the 2549 trustees process.
- ii. March 15, 2024-**The local church must take the closure vote before March 15, 2024 which allows adequate time for calling the session according to the *2016 Book of Discipline*. The District Superintendent will set this date and preside or have their designee to preside at the church conference.
- iii. March 31, 2024-**The completed quitclaim deed to the real property of the local church must be delivered to the district superintendent by or before March 31, 2024.
- iv. May 26, 2024-** The administrative council chair will notify the district superintendent of the church's decision to remain United Methodist or complete closure. The call for the local church conference must be issued by the district superintendent to take the vote in either case.

v. The district superintendent will notify the conference treasurer by **June 14, 2024**, of the decision of the local church for action at the 2024 annual conference session.

vi. June 30, 2024-the paperwork for closure will be completed.

**vi. Please note**, all churches who select option C will use the above-mentioned deadlines in items i through iii. For those churches who select option C to enter the 2549 trustee process and choose to leave before the end of the 2025 annual conference session, the deadline for item iv will be shared at a later date.

***4. Is the local church responsible for creating the quitclaim deeds for the conference to be provided by March 31, 2024 or does the annual conference provide us with the quitclaim deed?***

The local church is responsible for having the deed prepared and paying the legal fees. The conference will pay for the recording of the deed.

***5. Regarding changing the insured on the insurance policies related to the church real property, is it permissible to have the policies reflect the conference and the local church as joint insured parties under the policies or are we required to show only the annual conference as the insured party?***

The Mississippi Annual Conference must be the insured party on the church real property.

***6. Is the local church responsible for preparing the closure resolution or does the conference prepare the document?***

The conference trustees in cooperation with the district superintendent will provide the closure resolution for the local church to complete. That will be provided when the administrative council chair advises the district superintendent in writing that the church is entering the process.

***7. Who prepares the paper ballot that will be used for voting at the church conference?***

The ballot will be provided by the Mississippi Annual Conference. It will be brought to the church conference by the district superintendent.

***8. Upon a vote to leave, does the contract require that the local deed all property (real, personal, tangible and intangible) to the conference or only the real property of the local church?***

Only the real property of the local church will be deeded to the Mississippi Conference Trustees.

**9. Will the template closure resolution language change between now and the church conference?**

No, the closure resolution provided by the district superintendent upon entering the process is the same resolution that will be voted on at the church conference.

**10. Section 4, sub-paragraph 6 of the agreement states any unpaid loans or other obligations to other United Methodist entities must be repaid. If the church has an outstanding loan that is unsecured and therefore, does not encumber any of the property of the church, does it have to be repaid per the agreement or is this only if the loan is secured by any of the church property?**

All loans currently under the name of your local United Methodist church must be paid in full or transferred to your church's new legal name.

**11. When would we receive a final accounting of the covenant payment required per the agreement? The information provided this far is an estimate of the required payment.**

As soon as the January 1, 2024, covenant amount is provided to the conference from Wespeth, the final amount of the pension covenant payment will be provided to the local church. This will be done no later than January 31, 2024. The local church treasurer or representative will work with the conference treasurer's office to be sure all mission shares for 2024 are properly credited.

**12. Who performs the review of the local church's endowments, bequests and donations referenced in section 4, sub-paragraph h of the agreement? When does this have to be completed?**

The conference legal counsel in cooperation with the local church legal council will perform the review. It must be done before the June 30, 2024, official church closure date. In the event the closure is June 30, 2025, the review will be done by June 30, 2025.

**13. Is our understanding correct that the agreement will be signed sometime after the church conference but no later than March 31, 2024, per the agreement?**

Yes, when the deed is delivered to the district superintendent, the agreement will be signed.

**14. When the conference deeds the real property back to the new church, who is responsible for preparing the deed and will the new local church have the ability to have our legal counsel review the document prior to the deed being signed by the conference?**

The conference trustees will have the deed prepared and will pay the cost. The conference attorney will work with a local church attorney to review the deed before completing the transaction.

**15. Will the conference record the new deed in the Jackson County Land records or is the local church going to be provided with the original signed and notarized deed for recording?**

The local church will file the deed in the county where the local church property is located. The local church will be responsible for the cost of filing the new deed.

**16. Paragraph 10 states if any part of the agreement is unenforceable by law, the entire agreement is null and void. This leads to a couple of questions:**

a. What does the word "law" mean here? Mississippi State Law, the 2016 Book of Discipline as adjudicated through the Judicial Council or both?

- Yes, "law" applies to both.

b. If the word law means the Book of Discipline, can the Judicial Council after-the-fact, determine that this agreement is not binding and therefore, null and void?

- The conference trustees have taken all known reasonable steps to see that the agreement is in full compliance with the 2016 Book of Discipline.

c. Has the Mississippi Annual Conference Trustees received a legal opinion as to whether the trustee plan dated October 2022 driving this process is a legal process under the 2016 Book of Discipline?

- The conference trustees have worked with the conference chancellor to see that we are in full compliance with the 2016 Book of Discipline.

**17. Is the new disaffiliation process finalized at this time? Meaning are options A-D and the dates unchanged since the YouTube video was created?**

The process known as 'disaffiliation' sunsets December 31, 2023. The 2549 trustees process for closure is finalized at this time.

**18. What percentage of votes is required by a church to request closure by the January 31, 2024, deadline?**

All official church conference votes at a called session wanting to close the church/leave the denomination must reach a threshold of 66 and two thirds percent or two thirds percent of the full members present and voting. The January 31, 2024, deadline is the administrative council chair's date to request the closure agreement and estimated covenant payments.

**19. I'd like a clear and better explanation/definition of what "Inclusive Language" means.**

The 2016 *Book of Discipline* currently states "The practice of homosexuality is incompatible with Christian teaching. Therefore, self-avowed practicing homosexuals<sup>1</sup> are not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church.<sup>2</sup> "Self-avowed practicing homosexual" is understood to mean that a person openly acknowledges to a bishop, district superintendent, district committee of ordained ministry, board of ordained ministry, or clergy session that the person is a practicing homosexual." Often times when people refer to 'inclusive language' in regards to human sexuality in the *Book of Discipline*, they are referring to removing the above-mentioned text.

**20. Our church wants out no matter what happens at General Conference. Is the correct option B?**

Leaving with church property without a rationale related to the denomination's stance on human sexuality is not an option provided by the trustees 2549 process. A church can leave only because of the actions of the 2024 General Conference pertaining to human sexuality and your church's theological stance on that subject.

**21. If our church closes who will be responsible for issuing a W-2 for the first six months of 2024?**

As in any salary paying entity that closes, the final payroll reports and 1099s as well as issuing the W-2s are the responsibility of the salary-paying entity, which in this case is the local church.

**22. Options A and B as written in the January 2 email are very confusing. I'd like some clarity on both Options A and B as they are written.**

Option A is for a church that is traditional in its beliefs on human sexuality and is committed to leaving the denomination if the language related to human sexuality, marriage and/or ordination is changed in any way in the 2024 *Book of Discipline*. This is a final decision, and no additional church conference will have to be called and no additional vote will be taken after the 2024 General Conference.

Option B is for a church that is progressive in its beliefs on human sexuality and is committed to leaving the denomination if the language related to human sexuality, marriage and/or ordination does not become more inclusive in the 2024 *Book of Discipline*. This is a final decision, and no additional church conference will have to be called and no additional vote will be taken after the 2024 General Conference.

**23. Do we agree that according to Paragraph 244.3 of the 2016 Book of Discipline, “The Pastor shall be administrative officer and, as such, shall be an ex officio member of all conferences, boards, councils, committees, and task forces unless otherwise restricted by the 2016 Book of Discipline?”**

Yes, that is a portion of paragraph 244. See full reference here on from pages 172 and 173 in the *2016 Book of Discipline*.

**24. If I pay our covenants before June 30 and we decide to stay United Methodist, will we ever get our money back, or will the conference still hold our deeds and also keep our money?**

The deed must be transferred to the Mississippi Conference Trustees by March 31, 2024 if a church plans to close and utilize the trustees 2549 process based on the 2016 Book of Discipline. No payment is due from the church to the conference until after the 2024 or 2025 annual conference session acts on the closure of the church. So if the church decides to remain United Methodist, the church would not have made a payment and the conference wouldn't hold on to any money because no money had been paid. When the church follows through with the decision associated with either option A, B or C—whether to stay or to leave—the transfer of the property will coincide with that option no later than June 30, 2024 or June 30, 2025.

**25. If I understand the two webinars (from Jan 2 and Jan 7), all the anxiety around moving the dates up is based on what MIGHT happen at General Conference 2024. And the pressure to meet the new deadlines is based on “an abundance of caution?”**

With the uncertainty of what unknown variables could impact the *2024 Book of Discipline*, out of an abundance of caution, the conference trustees changed the dates and timelines of the process to best ensure that the conference could uphold the process of the agreements between the conference and the local churches. We didn't want to take even the smallest chance that something that happened during the 2024 General Conference would derail the plan that was put forth in good faith with our churches. So the deadlines were moved in an effort to preserve the integrity of the 2549 process.

**26. Is there any legislation pending that will change Paragraph 2549 Sect. 3a in the 2016 Book of Discipline in 2024?**

The complete listing of all 2024 General Conference proposed legislation will not be compiled until the end of January. When that information is finalized, we will make it available on the conference website at the Delegation Hub.

**27. If we vote in March to proceed with the closure process, are we going to be allowed to rescind that vote anytime before the 2024 annual conference? What about waiting until 2025? Is that still on the table?**

If you choose option A or B, the process will be complete. If you want the option to change your vote, then you should consider option C. If the vote is for option C, then the church is saying “we want to see exactly what happens and how it is interpreted.” Then the church votes on their next faithful step, whether to stay or go. A better-informed decision can be made when all the facts are known. This vote can be taken in 2024 or 2025. The required two thirds percent of full members in attendance and voting will guide this decision.

**28. What procedure for voting on options A, B,C, or D has been authorized by the conference?**

If the church does not desire to leave the denomination—option D—there is no procedural action necessary. If the church is considering leaving the denomination due to its beliefs related to human sexuality, marriage and ordination, then the church needs to decide if they want to enter the conference trustees 2549 process for church closure. The decision to enter this process should come from a church-wide discussion led by your board of trustees, your governance board and your pastor parish relations committee. After the church goes through a period of prayer and discernment and if after that period the church decides to enter the process, then the administrative council chair will notify the district superintendent in writing of their decision no later than January 31, 2024. Next, the district superintendent will provide them with the necessary packet to proceed in the process. Once a vote is held for options A or B, that decision is final, and the district superintendent will walk you through the next steps of transferring the church property over to the conference trustees until the closure is ratified at either the 2024 or 2025 annual conference session. If the church chooses option C, that congregation will wait to see the outcome of the 2024 General Conference and then hold another called church conference and hold a vote. **It is important to note,** whether a church chooses option A, B or C at the called church conferences, full members who are present and voting will use a secret ballot and the vote must reach 66 and two thirds percent of the voting body to leave the denomination through the conference trustees 2549 process.

**29. We plan to wait until after General Conference, but want to know how to proceed until then?**

There is nothing to be done unless you want to preserve your rights under the 2016 Book of Discipline which is the conference trustees process under 2549.3(3). If that is the case, you must enter the process and at the church conference vote to follow option C.

**30. Good morning, is there a resource I can access to guide our trustees on the legal work that needs to be done if the church votes to close?**

The only legal work that has to be done by the church is to have a quitclaim deed prepared if the church decides to follow plan A, B or C. That paperwork is due by March 31, 2024, to your district superintendent's office. Any attorney can do that for you. The deed will be made to the "Conference Trustees of the Mississippi Annual Conference of The United Methodist Church, Inc."

**31. If a church chooses to enter the process under option C, but fails in its vote to achieve a 66 and 2/3% of the vote to leave, will it have the opportunity to review its decision after the 2024 General Conference and vote again if the 2024 Book of Discipline is changed in a manner that the church does not agree with?**

Yes, but without the protection of the trustees 2549 process in the 2016 Book of Discipline. At the close of the 2024 General Conference a new Book of Discipline will be adopted.

**32. If everything must be in place before General Conference so that the annual conference can affirm closures at the 2024 annual conference session, what is the purposed or significance of the June 30, 2025 date?**

If a church chooses option C, then the closure date can be June 30, 2024, or June 30, 2025. To follow the process in 2025 with the 2016 Book of Discipline protections, all work must be finalized by March 15, 2024, with the deed from the church being delivered to the district superintendent by March 31, 2024.

**33. If at the 2024 General Conference, nothing is done to alter Paragraph 2549 related to the closure of church property, might the Mississippi Conference be able to allow churches to leave using this paragraph under a new set of deadlines established after the 2024 General Conference ends?**

Yes, it might. However, the Mississippi Conference and the churches would have to adhere to whatever changes in legislation may become a part of the 2024 Book of Discipline.

**34. Why did the trustees provide a 2549.3 (a) process in October 2022?**

When the 2019 called General Conference adopted paragraph 2553 (Disaffiliation) there was to be 3-year discernment period. The GC was to complete its enactment in 2020. With COVID-19 causing the postponement, the conference trustees felt it only fair to allow a church adequate time to make a decision after the issue was decided.



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**36. What are the terms of the agreement?**

The church will be required to pay 2 full years of mission shares based on the current year apportioned amount and a pension covenant payment computed by Wespath and allocated based on the 2023 Mission Share index. Additionally, any unpaid fees must also be paid. Examples are UM PACT insurance premiums, Direct Invoice, unpaid loans and uncompleted grant funds.

**37. What is the timeline for the process?**

- By January 31, the admin council chair must contact their District Superintendent to advise them they wish to begin the process for either 6-30-24 or 2025.
- A vote must be taken to close (effective June 30, 2024/2025) on or before March 15, 2024 or 2025
- By March 31, 2024/2025 the church must have a deed to transfer the real property effective for that date.

**38. Why does a church have to make a decision before 3/25/24 if General Conference doesn't meet until April/May 2024?**

To be sure the 2016 Book of Discipline Paragraph 2549.3 (a) is in effect, the process must be completed before the 2024 General Conference. That way, the conference trustees can follow the 2016 Book of Discipline process. Remember that a provision in the Discipline can only be changed by the General Conference. If the General Conference decides to change this provision that the conference trustees are relying upon in the 2016 Book of Discipline, the trustees' contract may have to be modified.

**39. Does a church have to make a decision before 3/15/24 to leave in 2024 or 2025?**

That is correct. This is the only way we can assure that the process and contract is in effect.

**40. What are the terms of the certification?**

The only reason for a church to go through this process is for disagreement with the *2024 Book of Discipline* on the issue of human sexuality. The issue is two parts and is as follows:

- Ordination of self-avowed practicing homosexuals
- Marriage of same sex by our clergy whether in a UMC church or any other venue

**41. Are there any changes in the process as currently written that is now hanging online and was announced in October 2022?**

No, this is exactly the same. We have just fleshed out the steps, processes and reasons.

**42. Does this apply to 2024 and 2025 as previously announced?**

- That is correct and was the intention of the conference trustees in the meeting on October 20, 2022.
- To be certain the process is following the *2016 Book of Discipline* paragraph 2549.3(a), the contract must be entered into and completed.

**43. This is the first discussion of transferring the deed to conference trustees. Why did that happen?**

The Judicial Council explained that before the conference can sell the closed property in their sole possession, they must own it. The only way to be sure that the property can be sold is that the property must be deeded to the conference trustees. This must be done before the General Conference Convenes.

**44. Is there is a required church conference, what is the voting percentage required to enact the closure and could there be more than one church conference?**

- For a church to be closed, a church conference must be held.
- The conference trustees action required a 66 2/3% vote to be able to follow the trustees contract.
- The conference trustees will allow a church to change their mind if the *2024 Book of Discipline* actions are not clear cut. A church can give directions on disposal of the property in the certification, but it can also do that in a second church conference.

**45. Will there be actions required by annual conference action in 2024 or 2025?**

Yes, as in all cases of closure of local churches, the annual conference must affirm that all actions taken are in compliance.

**46. David stated the date of March 2024 to make the decision of closure, but this is before the General Conference of 2024. So does this same process continue through 2025 allowing churches to decide after General Conference?**

Yes, new deadlines for the process will be announced for congregations who decide to leave at the 2025 annual conference session.

**47. What are the differences in the current disaffiliation process and the new process through paragraph 2549?**

A: Basically, they are the same, but disaffiliation is a General Conference adopted paragraph (2553) that expires December 31, 2023, and it does not require a church to close. The Mississippi Conference Trustees will use paragraph 2549 to allow churches who are leaving over human sexuality to close so that the trustees can dispose of the property at their sole discretion and the local church gets their property back through meeting the covenants and other votes, etc. or remain in The United Methodist Church. If a congregation decides to remain United Methodist after General Conference in May 2024, they will not be required to pay the covenant payments to receive their property back. It is only the congregations that enter the paragraph 2549 process and decide to leave The United Methodist Church that will be required to pay the covenant payments for mission shares and pension liability.