

NINETEENTH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

REV. DAVID R. MELVILLE, ET AL.,	:	Number: 729,777
Plaintiffs	:	
	:	
VERSUS	:	Section: 23
	:	
BOARD OF TRUSTEES OF THE	:	
LOUISIANA ANNUAL CONFERENCE	:	
OF THE UNITED METHODIST	:	Judge: KELLY BALFOUR
CHURCH, SOUTH CENTRAL	:	
JURISDICTION,	:	
Defendant		

PETITION OF FIRST UNITED METHODIST CHURCH OF SHREVEPORT, LOUISIANA AS INTERVENOR

Pursuant to the Louisiana Code of Civil Procedure, Intervenor First United Methodist Church of Shreveport, Louisiana (“FUMCS”) hereby submits this “Petition of First United Methodist Church of Shreveport, Louisiana as Intervenor.” FUMCS further specifically represents and alleges as follows:

Intervention

1.

Plaintiffs, Rev. Carl Rhoads, Rev. Fred Wideman, Rev. John Winn, Rev. Willis Dear, Rev. William D. Peeples, Rev. Patricia “Pat” Bates, Rev. David Melville, Rev. Ann Elizabeth Bingham Eaves, and Rev. M. Eugene Finnell (collectively “Plaintiffs”), have asserted various claims in this matter against Defendant, Board of Trustees of the Louisiana Annual Conference of the United Methodist Church, South Central Jurisdiction (“Louisiana Annual Conference”).

2.

FUMCS has an interest in defending and refuting the claims being asserted by the Plaintiffs. Pursuant to Louisiana Code of Civil Procedure article 1091, FUMCS accordingly appears as Intervenor and joins with the Louisiana Annual Conference in defending against Plaintiffs’ claims.

3.

FUMCS has an interest in the subject matter of this action and is situated such that the adjudication of the action in its absence will, as a practical matter, impair and impede FUMCS’s ability to protect that interest. Thus, pursuant to Louisiana Code of Civil Procedure article 641,

FUMCS is required to be joined as a party in this action. Indeed, FUMCS is an indispensable party to this action, and Plaintiffs have improperly failed to join FUMCS.

Factual Allegations

4.

Founded in 1845, FUMCS is a large Methodist church located in Shreveport, Louisiana. FUMCS is currently a member of the largest national Methodist denomination, the United Methodist Church (the “UMC”). FUMCS holds significant financial and immovable assets, including its large church campus in Shreveport.

5.

The UMC has long struggled over theological issues relating to human sexuality. These issues came to the forefront at a special session of the UMC General Conference held in 2019. At this session, the General Conference made changes to the United Methodist Book of Discipline regarding the position of the denomination on homosexuality and the ordination or marriage of “self-avowed practicing homosexuals”.¹

6.

At the 2019 special session, the General Conference also added Paragraph 2553 to the Book of Discipline to allow local churches to leave the denomination over theological issues pertaining to human sexuality. In particular, provided a local church goes through an approved “discernment period,” Paragraph 2553 allows a local church to disaffiliate from the UMC upon a two-thirds (2/3) vote of the professing members of the local church and ratification of the action at a meeting of the Annual Conference.²

7.

Prior to proceeding under Paragraph 2553 of the Book of Discipline, the Church Council of FUMCS voted to enter an informal discernment period on July 12, 2022, to gauge congregational sentiment and to allow the membership time to be educated on the UMC and on disaffiliation under Paragraph 2553. This informal discernment period commenced on September 7, 2022, and concluded forty days later on October 16, 2022.

¹ See, e.g., *United Methodist Book of Discipline (2016)*, Paras. 304.3, 341.6, and 2702.1.

² *United Methodist Book of Discipline (2016)*, Para. 2553.1.

8.

Paragraph 2553 requires that the decision to disaffiliate from the UMC must initially be approved by a two-thirds (2/3) majority vote of the professing members of a local church present at a “Church Conference” “called” by the Annual Conference.³ On November 2, 2022, the Church Council of FUMCS met and voted to explore disaffiliation with the UMC pursuant to Paragraph 2553, and to request that the Louisiana Annual Conference schedule the required Church Conference for the purpose of voting on disaffiliation.

9.

Under the Louisiana Annual Conference’s supervision, FUMCS thereafter completed its required discernment period. Moreover, the Louisiana Annual Conference has affirmed that FUMCS has completed all other requirements required in order to conduct the determinative Paragraph-2553 Church Conference.

10.

FUMCS is presently planning a Church Conference for the purpose of voting on whether to disaffiliate from the UMC under Paragraph 2553. In fact, the Louisiana Annual Conference has formally approved FUMCS’s meeting request and has scheduled the required Church Conference for April 16, 2023. Thousands of electronic and physical meeting notices have already been circulated to FUMCS’s membership.

11.

By its own terms, Paragraph 2553 of the Book of Discipline expires on December 31, 2023, and cannot be utilized to leave the UMC after that date. Further, Paragraph 2553.2 clarifies that “[t]he choice by a local church to disaffiliate with The United Methodist Church under this paragraph shall be made in sufficient time for the process for exiting the denomination **to be complete** prior to December 31, 2023.”⁴

12.

Notably, FUMCS must hold its Church Conference immediately in order to be properly dismissed at the final Annual Conference meeting of the year, which is scheduled for June 13-16,

³ See *United Methodist Book of Discipline (2016)*, Para. 246.8 and 248 (explaining the procedural requirements of a Church Conference).

⁴ *United Methodist Book of Discipline (2016)*, Para. 2553.2 (*emphasis added*).

2023. If FUMCS does not hold a Church Conference immediately, and if that Church Conference action is not ratified by the Annual Conference in June, then FUMCS will not be able to leave the UMC denomination under the Paragraph 2553 process (and will not receive, as part of that process, a release of trust from the Annual Conference over FUMCS property).

13.

Because of the impending June 2023 ratification deadline, the ability of the Louisiana Annual Conference to reschedule the April 16, 2023, Church Conference is extremely limited, and this date is probably the last opportunity for FUMCS and the Annual Conference to hold a Church Conference to consider the church's disaffiliation.

14.

Plaintiffs filed this action to enjoin all Church Conferences while this lawsuit is pending, including but not limited to the upcoming April 16, 2023, Church Conference at FUMCS. Moreover, Plaintiffs petition makes FUMCS the exemplar case and makes numerous specific allegations about FUMCS's discernment and disaffiliation process. Indeed, the primary Plaintiffs and affiants are members and/or staff of FUMCS, including plaintiff Rev. Carl Rhodes and affiants Frank Bright and Nancy Smith Walker.

Interest in the Dispute

15.

Plaintiffs seek an injunction prohibiting any Church Conferences from taking place while this lawsuit is pending. Such an injunction would have the immediate and direct effect of delaying FUMCS's Church Conference and Paragraph 2553 disaffiliation, which would cause FUMCS's disaffiliation proceedings to be postponed beyond the expiration date of Paragraph 2553. The Plaintiffs' requested delay will thus permanently jeopardize FUMCS's ability to disaffiliate under Paragraph 2553, even if the Plaintiffs are ultimately unsuccessful on the merits of their case.

16.

FUMCS has an interest in this dispute because the outcome of this litigation will directly impact FUMCS's ability to proceed with denominational disaffiliation under Paragraph 2553. If not permitted to proceed with its Paragraph-2553 disaffiliation, FUMCS will also not be able to obtain a release of trust over its property holdings from the Louisiana Annual Conference. This dispute therefore has a direct financial impact on FUMCS.

17.

Further, FUMCS's ability to proceed with disaffiliation from the UMC under Paragraph 2553 has a direct impact on FUMCS's First Amendment rights as a religious group under the United States Constitution and the church's rights under Article I, Section 4 of the Louisiana Constitution. Adjudication of this action in FUMCS's absence will, as a practical matter, impair and impede the church's ability to protect these constitutional interests.

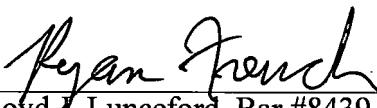
18.

Plaintiffs petition makes FUMCS the primary exemplar in Plaintiffs' case. Plaintiffs make several specific allegations and representations about FUMCS and its discernment and disaffiliation process, and, indeed, the primary Plaintiffs and affiants are members and/or staff of FUMCS. Any factual determinations by the court pertaining to FUMCS or its discernment and disaffiliation process have a direct impact on FUMCS, such that adjudication of this action in its absence will likely, as a practical matter, impair or impede FUMCS's ability to protect its interest. FUMCS thus hereby exercises its right to intervene in the above-captioned proceedings and challenge the claims asserted by Plaintiffs.

WHEREFORE, Intervenor First United Methodist Church of Shreveport, Louisiana hereby respectfully requests that this "Petition of First United Methodist Church of Shreveport as Intervenor" be accepted and FUMCS be joined in this action.

Respectfully submitted,

TAYLOR, PORTER, BROOKS & PHILLIPS LLP

By: 
Lloyd J. Lunceford, Bar #8439
lloyd.lunceford@taylorporter.com
Ryan K. French, Bar #34555
Ryan.french@taylorporter.com
Taylor Dunne, Bar #39166
Taylor.dunne@taylorporter.com
450 Laurel Street, 8th Floor (70801)
P. O. Box 2471
Baton Rouge, LA 70821-2471
Phone: (225) 387-3221
Fax: (225) 346-8049

***Attorneys for First United Methodist Church of
Shreveport, Louisiana***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing pleading has been sent to counsel of record by electronic delivery and/or U.S. Mail this 20th day of March, 2023.


Ryan K. French