

DECISION NO. 1509

IN RE: Request of United Methodist Women, d/b/a United Women in Faith (“UWFaith”) for Declaratory Decision Regarding the Meaning, Application, and Effect of ¶¶2512 and 2501 of *The Book of Discipline, 2016* of The United Methodist Church in Relation to a Claim of Property Ownership by the Liberia Annual Conference of The United Methodist Church

DIGEST

Because the authority of the Liberia Annual Conference of the United Methodist Church [hereinafter LACUMC] to take, develop, lease and otherwise use the Sinkor Property within the provisions of *The Book of Discipline, 2016* [hereinafter *Discipline*] is dependent, in part, on a determination of the ownership of the property by the civil court of Liberia, the questions presented concerning the development and use of the property are not ripe for decision. Because the development and use of the Sinkor Property is subject to the provisions of the *Discipline* regardless of which entity is determined to own the property, the parties are directed to maintain the status quo concerning the ownership, possession, development and use of the property pending the decision by the secular court and subsequent decisions by the Judicial Council. The parties are further directed to notify the Judicial Council within ten days of the decision by the civil court of Liberia. Therefore, the Judicial Council stays this action pending a decision by that court and retains jurisdiction to decide issues within the Judicial Council’s authority following that decision.

STATEMENT OF FACTS

On June 21, 2024, United Methodist Women, d/b/a United Women in Faith [hereinafter UWFaith] requested the Judicial Council to issue a declaratory decision on the following question:

Does the Liberia Annual Conference of The United Methodist Church have the authority to take, develop and lease property owned by UWFaith in Liberia for its own purposes, under ¶¶ 2512 and 2501 of *The Book of Discipline*?

The record presented to the Judicial Council demonstrates that the property in question is subject to competing claims of ownership by both UWFaith and LACUMC. UWFaith traces its title to a 1949 purchase of property located on 12th Street in Sinkor, Monrovia, Liberia (“the Sinkor Property”) by its predecessor in interest, the Women’s Division of Christian Service of the Board of Missions and Church Extension of the Methodist Church (“WDCS”). (*Request for Declaratory Decision* [hereinafter “*Request*”], Exhibit B) LACUMC acknowledges the deed to WDCS but emphasizes that the deed further states WDCS was “represented by Bishop Willis J. King and Reverend Frank Agelander, Treasurer.” *See Request*, Exhibit D. LACUMC further argues that the quoted language regarding Bishop King and Reverend Agelander, together with other Liberian law, means that LACUMC is the legal owner of the property.

Both UWFaith’s *Request* and the brief of LACUMC establish that on April 26, 2024, LACUMC filed a petition for declaratory judgment in the Sixth Judicial Circuit, Civil Law Court Montserrado County, Republic of Liberia. A copy of the petition was attached to UWFaith’s *Request* as Exhibit D. Although the allegations of the petition are disputed by UWFaith, they put the ownership of the Sinkor Property squarely in issue.

JURISDICTION

The Judicial Council has jurisdiction pursuant to ¶2610.1 of the *Discipline*. UWFaith is authorized to request this declaratory decision pursuant to ¶2610.2c of the *Discipline*.

ANALYSIS & RATIONALE

“The *Discipline* of the United Methodist Church is a book governing every aspect of the life and work of the Church, including regulations relating to temporal economy and to the ownership, use and disposition of church property.” *See* [JCD 458](#). “[A]ll entities of the Church are bound by the provisions of the Discipline, and ... no entity or individual member of the Church has the right to negate or ignore the Discipline.” *See* [JCD 980](#) (citing [JCD 886](#)). Thus, the parties in this matter are bound to comply with the provisions of the *Discipline*.

The Judicial Council has authority to determine factual matters which are essential to decide a legal question involved, *See* [JCD 595](#), but it is not a fact-finding body. *See* [JCD 820](#). Deciding fact

questions regarding the parties' dispute as to the ownership of the Sinkor Property is beyond the authority of the Judicial Council. Therefore, such title issues must be decided by a civil court of competent jurisdiction, and UWFaith appropriately takes that position in the *Request*.

Paragraph 2506 notes that real property provisions of the *Discipline* are subject to local laws in the event of a conflict, and LACUMC's brief is largely dedicated to a discussion of those local laws of Liberia. However, ¶2506 also contains limits about the deprivation of property without due process or violations of connectional structure. In making their arguments in the secular court and any decisions based on a decision of the civil court, the parties must adhere to and comply with provisions related to ¶2501's trust clause, the provisions of ¶2506, and, if title is found to be held by LACUMC, to the provisions of ¶2512 and any other applicable limitations in the *Discipline* regarding the use of property held by any United Methodist conference, agency or institution. Any such use is "*in trust*, for the benefit of the entire denomination" and is to "be used solely for purposes consonant with the mission of the entire denomination as set forth in the *Discipline*." (Emphasis in original) Failure to do so subjects a party to accountability within the structures of The United Methodist Church.

Thus, once the ownership of the Sinkor Property is determined by the civil court of Liberia, the Judicial Council can declare the meaning, application and effect of provisions of the *Discipline* regarding the development and use of property. See [JCD 458](#). Both parties appear to agree that the use of the Sinkor Property is subject to the trust clause of ¶2501, and LACUMC acknowledges that it bases its standing in the civil court of Liberia on ¶2512. Therefore, once ownership of the Sinkor Property is determined, its use and disposition must be determined by these and other applicable paragraphs of the *Discipline*.

DECISION

Because the authority of LACUMC to take, develop, lease and otherwise use the Sinkor Property within the provisions of the *Discipline* is dependent, in part, on a determination of the ownership of the property by the civil court of Liberia, the questions presented concerning the development and use of the property are not ripe for decision. Because the development and use of the Sinkor Property is subject to the provisions of the *Discipline* regardless of which entity is determined to

own the property, the parties are directed to maintain the status quo concerning the ownership, possession, development and use of the property pending the decision by the secular court and subsequent decisions by the Judicial Council. The parties are further directed to notify the Judicial Council within ten days of the decision by the civil court of Liberia. Therefore, the Judicial Council stays this action pending a decision by that court and retains jurisdiction to decide issues within the Judicial Council's authority following that decision.

Harriett Olson recused and did not participate in any of the proceedings related to this decision. Molly Hlekani Mwayera was absent. Erin Hawkins, first lay alternate, participated in this decision.

Øyvind Helliesen was absent.