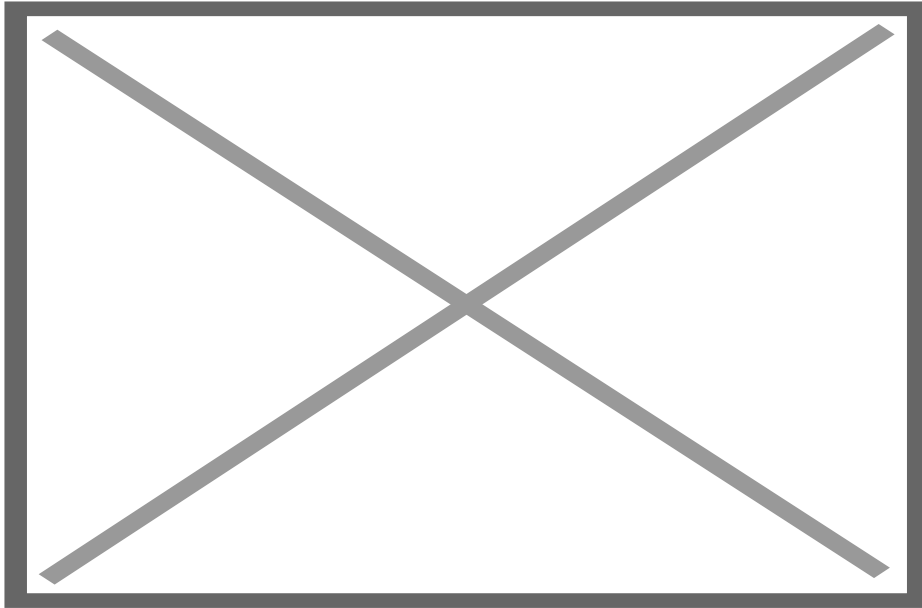


Civil court cases test United Methodist governance

by [Heather Hahn](#)

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Bishop Rubén Saenz, Jr., who leads the Horizon Texas Conference, presides during the 2024 UMC general conference on May 1 in Charlotte, North Carolina. (File photo by Larry McCormack, UM News)

As a matter of church law, the season of disaffiliation in the United Methodist Church is over. However, legal disputes related to church property and other aspects of the UMC's governance persist in civil courts across the US.

The most recent development is [Baltimore-Washington Conference's September 20 announcement](#) that it has filed a federal lawsuit against a church that removed its United Methodist identity. The conference says its goal is to uphold the centuries-old trust clause, [established by Methodism founder John Wesley](#), that says church property is held in trust for the benefit of the denomination.

Meanwhile, Highland Park United Methodist Church in Dallas [has filed its answer](#) to the Horizon Texas Conference's lawsuit in county court, seeking the case's dismissal. [Horizon Texas's suit](#) challenges changes to that church's legal documents that, among other things, shorten its name from United Methodist to Methodist.

"This is a severe test of the ability of the United Methodist connection to remain connected, and I don't think there's any doubt about that," said William B. Lawrence, professor emeritus of US church history and former dean at Southern Methodist University's Perkins School of Theology. Lawrence is also a former president of the Judicial Council, the UMC's top court.

What happens when a church dispute reaches a civil court can be unpredictable, especially with judges unfamiliar with the denomination's connectional church governance. Lawrence said he is particularly concerned that the case involving Highland Park United Methodist, the Dallas megachurch, could have far-reaching consequences.

The most recent litigation comes after the UMC saw [more than 7,600 US churches withdraw](#) under a temporary denominational policy that allowed churches to leave with property—for “reasons of conscience” related to homosexuality—if they met certain procedural and financial conditions.

That [limited release from the trust clause](#), enacted in 2019 amid intensifying denominational debate around LGBTQ inclusion, expired December 31, 2023. In 2024, the United Methodist Judicial Council [subsequently declared the trust clause to be back in full force](#).

That same year, the general conference [also ended denomination-wide bans on same-sex marriage and gay clergy](#).

Calvary UMC in Martinsburg, West Virginia, is part of [a group of churches](#) that sued the Baltimore-Washington Conference in 2023, seeking to leave with church property while bypassing the requirements of the temporary disaffiliation policy. The churches argue that they should be entitled to retain property free of the denomination’s trust clause.

The Anne Arundel County Circuit Court dismissed the lawsuit. But 37 of the churches—including Calvary—have since appealed to the Appellate Court of Maryland, where the case is still pending.

In the meantime, the Calvary congregation in March filed documents in West Virginia to incorporate as Calvary Methodist Church, Inc. Congregants also filed a “quitclaim deed” that purported to transfer Calvary United Methodist property to the new corporation.

On March 30, the law firm representing Calvary in the Maryland suit sent a letter to the Baltimore-Washington Conference chancellor saying that the church has separated from the conference and denomination. The law firm’s letter, according to the conference, further said that any “attempt by the Conference to access Church property will result in a request for immediate departure, followed by removal by law enforcement for trespassing if necessary.”

Bishop LaTrelle Miller Easterling, who leads both the Baltimore-Washington and Peninsula-Delaware conferences, announced “with regret” that the conference has found it necessary to file its federal lawsuit to preserve the trust clause.

“It grieves my heart that we have arrived at a place where the Conference has no viable alternative but to pursue relief in our civil courts,” she [wrote in the announcement](#). “It is always my preference to work collaboratively with congregations in a spirit of prayer, mutual respect and holy conferencing to discern a faithful and viable path forward.”

She said the regret is especially profound given the church’s nearly 250-year history in Methodism. The church has roots in a Methodist circuit established in 1778, the first such circuit west of the Blue Ridge Mountains. Today, the church [has more than 200 members](#), according to data submitted to the denomination.

Nevertheless, Easterling said she and conference leaders also need to take steps to protect the UMC’s interests. That includes defending the denomination’s trust provision. She described the policy as rooted in principles established by John Wesley and “vital to ensuring that property entrusted to the Church remains dedicated to its shared mission and ministry.”

The Calvary congregation did not respond to request for comment, citing the ongoing litigation.

This is at least the second time in the past month a dispute over the denomination's trust clause has landed in a US federal court. In August, the 25-member Queen Memorial Church in Kimmel Township, Pennsylvania, sued the Susquehanna Conference in Western Pennsylvania's US District Court, [urging the federal court to overturn the trust clause altogether](#).

On September 2, Judge Stephanie Haines [directed the church and conference](#) to confer with each other in "good faith" before either side files a motion to dismiss the case.

The Susquehanna Conference said in a statement that it is "committed to following both the Book of Discipline, which establishes the governing framework of The United Methodist Church, and the United States Constitution, which establishes the governing framework of our country."

Horizon Texas Conference's lawsuit against Highland Park United Methodist Church does not directly involve the trust clause.

In [its first court response to the suit](#), filed September 21, the Dallas church's leadership rebuked the conference's claims that it was trying to quietly sever its denominational ties and asked for the suit's dismissal.

"This case is about corporate governance," the court response said. "The Conference's Petition dresses up a dispute over a nonprofit's articles of incorporation and bylaws in ecclesiastical garb, but the actual issues it raises are entirely secular and fully resolvable under neutral principles of Texas law."

Nevertheless, the case has the potential to influence litigation involving church exits and other church-governance issues for years to come.

William Lawrence, who attended Highland Park United Methodist while serving as Perkins School of Theology dean, finds fault with both conference and church leadership in their handling of the situation.

However, he also sees "the makings of a catastrophe" if Highland Park's arguments prevail.

"If Highland Park achieves what it claims it has the legal right to achieve," he said, "any United Methodist congregation could simply secede from the denomination, by signing a document that says we have transferred all governing authority to our church council."

At issue are changes Highland Park's church council made in 2022 to the congregation's bylaws and corporate documents filed with the Texas Secretary of State.

The [revised bylaws strip away earlier references](#) to the denomination's Book of Discipline, and the legal documents now list the church's official name as "Highland Park Methodist Church." The congregation's business name remains "Highland Park United Methodist Church."

The Horizon Texas Conference also says the changes empower Highland Park's church council at the expense of denominational and congregational oversight in violation of the denomination's Book of Discipline.

The church's court response details that the church council made the changes because it was trying to shield the megachurch and its ministries from the turmoil facing the denomination during a time of increasing disaffiliations and doubts about the denomination's future.

"The Church Council knew, as good stewards of a historic congregation, that it needed to ensure that if the Church maintained its ecclesiastical connection with the UMC, it was legally insulated from the ecclesiastical and doctrinal strife within UMC," the court filing said.

The court filing also notes that the resolution to change the documents came amid litigation between its neighbor Southern Methodist University and the UMC's South Central Jurisdictional Conference.

At the time, SMU was trying to sever ties with the UMC, citing the university's desire to continue welcoming LGBTQ students and faculty despite the denomination's bans at the time. That lawsuit [was resolved earlier this year with SMU reasserting its United Methodist ties.](#)

Citing emails, the court filing also insists that conference leaders knew in 2023 of the changes the church council was making to the corporate documents, and any intimations otherwise "are false."

At the time, what was then the North Texas Conference was under the leadership of a different bishop.

For its part, the conference said in a statement that when and how it became aware of the changes "does not determine whether those changes comply with United Methodist governance requirements and the Book of Discipline."

For now, the Horizon Texas Conference said in a statement that leaders are reviewing Highland Park's court filing.

"Our underlying concern remains the same: restoring Highland Park UMC's governance to United Methodist order, protecting the voice and safeguards of the congregation and continuing to seek a faithful path toward resolution," the conference said.

Ahead of the September 21 court filing, Horizon Texas Conference's current Bishop Rubén Saenz Jr, sent a letter to Highland Park congregants intended to make clear the conference's objections are to the corporate changes not to them or their ministry.

He added that he sees room within United Methodist governance to accommodate a church of the size and complexity of Highland Park, which has more than 15,000 members.

"I understand that certain events of the past led many to question the future of The United Methodist Church," Saenz [wrote](#). "However, the Conference and Highland Park United Methodist Church have the opportunity to show, publicly, that as Methodists, we can envision a way out of dissension or disagreement and move forward in harmony by returning to the covenants that we hold in common as United Methodists." —UM News