

**PENINSULA-DELAWARE ANNUAL CONFERENCE  
LOCAL CHURCH DISAFFILIATION REQUIREMENTS  
PURSUANT TO SECTION 2553 OF THE UNITED  
METHODIST CHURCH *BOOK OF DISCIPLINE***

The Board of Trustees of the Peninsula-Delaware Annual Conference of the United Methodist Church in recognition of the enactment of Section 2553 of the *Book of Discipline* of the United Methodist Church herein set forth the guidelines for the disaffiliation of a Local Church from the Annual Conference and the United Methodist Church, The Board of Trustees (“Trustees”) as the fiduciaries of the property of the Peninsula-Delaware Annual Conference (“Annual Conference”) are obligated to assure that the transfers, assignment and conveyance of real and personal property subject to the Trust Clause set forth in Section 2501 of the *Book of Discipline* is in accordance with the directives of Section 2553 of the *Book of Discipline*.

Section 2553 states the criteria a Local Church must meet before a Disaffiliation Agreement can be entered into. These are:

2553.1: [A] Local Church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the *Book of Discipline* related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow.”

2553.2: The process must be completed by December 31, 2023.

2553.3: The Church Conference must be held within 120 days of when the District Superintendent calls for the Church Conference. The Local Church must give broad notice to all professing members of the Local Church of the Church Conference. And, the disaffiliation must be approved by a two-third (2/3) majority of the professing members attending the Church Conference.

Failure to comply with any of the criteria will result in a failure to disaffiliate and the local church shall remain a member of the Annual Conference.

## A. OBLIGATIONS OF THE LOCAL CHURCH.

To assure compliance with Section 2553, the Trustees shall require, as a minimum, the following be submitted to the Trustees by the Local Church:

1. A statement from the Church Council of the Local Church of the basis for the requested disaffiliation in accordance with Section 2553.1. This must be submitted at least twenty (20) days before a Church Conference will be held.

2. A current roster of all professing members of the local church with the last known address, telephone number and email address if known. This must be submitted at least twenty (20) days before a Church Conference will be held.

3. The nature and timing of the notice given to professing members of all Church Conferences or meetings related to disaffiliation held prior to submission of the statement required under Section A.1. This is to be provided to the District Superintendent prior to or at the time of the Church Conference.

4. Copies of all deeds or other sources of title to real property. These shall be provided to the Annual Conference or the Conference Trustees before a Disaffiliation Agreement between the parties will be executed.

5. The disclosure of any mortgages, judgments, liens or other encumbrances on the real and personal property of the Local Church. These shall be provided to the Annual Conference or the Conference Trustees before a Disaffiliation Agreement between the parties will be executed.

6. If any mortgages, judgments, liens or encumbrances exist, a letter from the creditor agreeing to the transfer or conveyance of the property solely to the Local Church and that the Annual Conference shall be indemnified and released from any liability for the indebtedness, or if the creditor will not assign the encumbrance or release the Annual Conference the terms by which the encumbrance will be satisfied or released. These shall be provided to the Annual Conference or the Conference Trustees before a Disaffiliation Agreement between the parties will be executed.

7. A list of any gifts or endowments to the Local Church from estates, gift letters or otherwise with underlying documentation to assure the intent of the donor as to the ultimate beneficiary. These shall be provided to the Annual Conference or the Conference Trustees before a Disaffiliation Agreement between the parties will be executed.

8. Prior to a Disaffiliation Agreement being finalized, the Local Church shall form a new entity (corporation, limited liability company, other) and obtain an employer identification number (EIN) from the Internal Revenue Service.

## B. OBLIGATIONS OF THE ANNUAL CONFERENCE

1. The District Superintendent shall schedule a Church Conference for the purpose of informing the professing members that a request has been made to disaffiliate from The United Methodist Church. A representative from the Conference will be present to convey accurate information regarding the contrasting interpretations on the issue of human sexuality, the current state of the Book of Discipline and the requirements of disaffiliation should the church ultimately vote to officially disaffiliate prior to the current disaffiliation expiration date of 12/31/2023.

2. The Annual Conference shall give notice to all professing members on the current roster of the Local Church of the Church Conference(s) and any other meetings to be scheduled as part of the disaffiliation process.

3. The District Superintendent shall provide to professing members a list of congregations likely to remain within the UMC where members who want to remain members of the UMC could transfer their membership.

## C. REQUIREMENTS PRIOR TO A CHURCH CONFERENCE VOTE TO DISSAFILLIATE

1. A discernment process of at least two month to include at a minimum: a viewing of Stay or Go: Real Talk for United Methodists Exploring Their Future (webinar), study of *Living Faithfully: Human Sexuality and The United Methodist Church*, (Abingdon Press, 2017), and an open forum (including the DS) where safe space is created for questions and answers after

the study. No vote to disaffiliate may take place prior to the conclusion of the discernment process. After the discernment process is completed, a Local Church may request that a Church Conference be schedule by the District Superintendent for the purpose of voting to disaffiliate.

2. The Local Church shall submit an appraised value of all real estate owned by the church. Should the Local Church and the Annual Conference be unable to agree as to the value of the property, both shall appraise the real property of the Local Church and the appraisals shall be added together and the sum shall then be divided by 2 unless the appraisals vary over 7.5% from one another. In that event, both parties shall select a third appraiser, each party to pay one-half of that appraiser's fee. If the parties are unable to agree on a third appraiser, the third appraiser shall be selected by a mediator. The appraisal that varies in the greatest degree from the two remaining appraisals shall be disregarded and the two remaining appraisals shall then be added together and divided by two. The amount reached shall be considered, for the purpose of this Agreement, to be the value of the Local Church real estate property. Each party shall be responsible for the charges incurred for their appraisal submitted.

3. The Disaffiliation Agreement including all financial obligations of the Local Church in the form adopted by the Annual Conference Trustees shall be prepared by the District Superintendent to be reviewed and presented to the professing members attending the Church Conference prior to a vote to officially disaffiliate is taken.

Attached is the form Disaffiliation Agreement adopted by the Conference Trustees to be used for the disaffiliation process. If there are any questions regarding what is required, they should be directed to William Westbrook ([wwestbrook@pen-del.org](mailto:wwestbrook@pen-del.org); (302) 674-2626 ext. 211).