

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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**Jun 23 2025**

**S.C. SUPREME COURT**

IN THE ORIGINAL JURISDICTION  
OF THE SUPREME COURT

Appellate Case No. 2025-000712

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The Methodist Church of Simpsonville, Jackson Grove Methodist Church, Calhoun Falls Methodist Church, Good Shepherd Methodist Church, Trinity Methodist Church of Lancaster, Aldersgate Methodist Church, Boiling Springs Methodist Church, Fort Lawn Methodist Church, Panola Methodist Church, Dickson Methodist Church, Heidi Meek Medlin, and Michael Smith..... Petitioners,

v.

The South Carolina Conference of the United Methodist Church, Bishop Leonard E. Fairley, Rev. Cathy Mitchell, Rev. Fran Elrod, Rev. Steve Brown, Rev. Terry Fleming, Rev. Telley Gadson, Rev. Anthony Hodge, Rev. Chris Lollis, Rev. Ken Nelson, Rev. Steve Patterson, Jr., and Rev. Jeffrey Salley ..... Respondents.

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**REPLY IN SUPPORT OF THE  
PETITION FOR ORIGINAL JURISDICTION**

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## INTRODUCTION

Petitioners explained in their Petition for Original Jurisdiction the reasons why this Court should exercise its original jurisdiction to declare the law that will govern 19 pending lawsuits (with dozens more waiting in the wings). These lawsuits will affect scores of churches and related ministries, thousands of South Carolinians, and tens of millions of dollars of disputed property. Without this Court's early intervention to declare the law, these cases will, if history is any guide, proceed into a decade of protracted, contentious litigation that may involve multiple appeals and remands. Respondents (collectively, the "Conference") filed a Return opposing this Court's review. A few points in the Return warrant a rebuttal and are addressed in this Reply.

As an initial matter, however, the Return prompts an additional question, namely, why the Conference so ardently opposes this Court's early involvement to declare the law? The Conference goes to great lengths opposing the Petition, even asserting the surprising argument that there is no case or controversy in which this Court can rule. *See* Conference's Return at 13 (asserting this argument even though 19 disaffiliation lawsuits filed by the Conference are currently pending, and it was the Conference that first invoked this Court's jurisdiction via its request to assign all the cases to a single judge). Why does the Conference resist this Court's early involvement to declare the applicable law?

Is it because the Conference believes judicial involvement in any church-related disputes is improper (as it has argued in the past)? No, the Conference is *seeking* judicial involvement by filing these suits. Is it because the cases lack commonality of legal issues and questions? No, the Conference *concedes* that the cases present common questions of law. *See id.* at 18. Is it because the Conference has overlooked the benefit of logistical centralization at the outset of the cases? No, the Conference has *sought* the administrative ease of centralization before a single judge (a solution that, as Petitioners have explained elsewhere, is suboptimal).

Why, then, the Conference's opposition to this Court's early involvement? Two tactical considerations may explain that stance. *First*, despite its protests to the contrary, the Conference realizes that the declarations sought by Petitioners, if granted, would establish the law of these cases in a way that is not favorable to the Conference. A declaration of the law, rights, and responsibilities of the parties would, if granted, be the handwriting on the wall that would determine the eventual outcomes of these cases and would allow their more rapid resolution. *Second*, just weeks ago, at its annual meeting, the Conference reportedly voted to expand its litigation budget sixfold. With a war chest much deeper than any of the disaffiliating churches, the Conference is ready for—and may even perceive a tactical advantage to—a more protracted course of litigation.

This Court is best suited to resolve key legal issues in these cases at the outset, thereby promoting the efficient resolution of these lawsuits and, if history is any guide, avoiding years of recurring litigation, appeals, and remands. The exercise of this Court's original jurisdiction would promote efficiency, uniformity, and judicial economy and would serve the public interest. Petitioners respectfully request that the Court grant the Petition.

#### **BACKGROUND**

The relevant background facts and procedural history are already articulated in the Petition, and Petitioners will not repeat them here. A handful of assertions in the Conference's Return, however, warrant correction.

In the Return, the Conference describes two denominational processes in the UMC *Book of Discipline* by which local churches could, at one time, disaffiliate. *See* Return at 7. The Return first describes ¶ 2553, which was passed by the UMC General Conference in 2019 as an alternative to a formal denominational split. *Id.* Notably, the Return implies that South Carolina churches could have used ¶ 2553 to disaffiliate. *Id.* The second paragraph of that page of the Return describes the

other route, ¶ 2549, which the Return describes as “substantially similar” to the ¶ 2553 process that “sunset on December 31, 2023.” *Id.* According to the Return, “[d]ozens of churches within the Conference entered into those processes [plural] and disaffiliated from the United Methodist Church and the Conference.” *Id.* (emphasis added). The Return further states that the “Conference did not contest those disaffiliations – and indeed fully participated in them – because they were conducted consistently with the Book of Discipline.” *Id.*

Respondents’ description of these facts misapprehends the factual record and could lead to a similar misapprehension by the Court. Respondents’ description is inaccurate in two ways. First is the number of disaffiliations. The number of South Carolina churches using the ¶ 2549 process was just over 110 in 2023 and a similar number in 2024, for a total in excess of 220 (not just “dozens”). Second is the assertion that churches could and did disaffiliate under the ¶ 2553 process. Not so. At all times, the Conference denied the use of ¶ 2553 to South Carolina local churches. In fact, from the enactment of ¶ 2553 in 2019 until December 19, 2022, when the Conference was facing imminent litigation from large South Carolina churches, the Conference denied any and all efforts by South Carolina churches to disaffiliate under ¶ 2553 or otherwise.

A final assertion in the Return that warrants clarification is the Conference’s statement that the purported property trust found in the *Book of Discipline* is “irrevocable.” *See* Return at 5. That assertion errs in two ways. First, it fails to note that the cited section of the *Book of Discipline* was a new addition in 2016. The purported “irrevocability” clause was not present in prior editions of that document at the time these local churches’ property transactions occurred. *See, e.g.*, UMC Book of Discipline (2000) at ¶ 2501, available at <https://archives.gcah.org/bitstreams/ed2423e0-16b2-4d38-a03c-a54c30540d11/download>. Second, even if the purported irrevocability clause in the Book of Discipline had existed at the relevant times or is given retroactive effect, it expressly yields to South Carolina law saying that unless the trust document itself (the document signed by

the grantor with the present intent to create a trust) contains language of irrevocability, a trust is deemed *revocable*. See S.C. Code Ann. § 62-7-402 and -602; see also UMC Book of Discipline (2016) at ¶ 2506 (“All provisions of the Discipline relating to property . . . are conditioned upon their being in conformity with the local laws, *and in the event of conflict therewith the local laws shall prevail.*”) (emphasis added). Under South Carolina law and the denomination’s own rules, the supposed property trusts at issue in Petitioners’ cases (assuming the purported trusts exist at all, which is disputed) are revocable.

## ARGUMENT

### **I. This Petition presents issues warranting the Court’s original jurisdiction.**

South Carolina Appellate Court Rule 245(a) empowers this Court to assume original jurisdiction where “the public interest is involved” or “other good reasons exist.” This case presents precisely the widespread public interest that Rule 245 was designed to address.

First, the sheer volume of litigation—more than 40 active or imminent cases across multiple circuits and likely appeals in each—will almost certainly produce a patchwork of conflicting rulings. This will not only increase the burden on litigants and the judiciary but also undermine public confidence in the courts’ ability to resolve important matters consistently and impartially.

Second, these disputes involve millions of dollars in real estate, buildings, and ministry assets—property that was acquired, maintained, and improved through decades of sacrificial giving by local congregants and that is currently used for worship, charitable work, and education. The ownership and control of these resources directly affect the public functions that those properties serve.

Third, these churches offer essential services to their communities, including preschools, food ministries, counseling centers, and more. Litigation has already disrupted these ministries, and prolonged uncertainty will only further harm the citizens who rely on them.

There are also threshold legal and constitutional questions that will reverberate far beyond the parties involved here, such as the right of religious entities to govern themselves in accordance with their beliefs, the scope of civil court jurisdiction over ecclesiastical matters, the proper application of South Carolina nonprofit law, and whether one of the nation’s largest Protestant denominations may legally take diametrically opposed positions in litigation depending on whether it is a plaintiff or defendant.

The Conference’s arguments to the contrary are unavailing. For example, the Return repeatedly characterizes this Court as merely an “appellate” Court that should concern itself only with appeals from the lower courts. *See, e.g.*, Return at 9, 13–16. That argument overlooks another critical role and description this Court has often used of itself—that of a law-giving, law-declaring Court. *See, e.g., Planned Parenthood S. Atlantic v. State*, 438 S.C. 188, 213, 882 S.E.2d 770, 784 (2023) (describing the “judicial duty of declaring what the law is”); *see also* Toal, Vafai & Muckenfuss, *Appellate Practice in South Carolina*, at 12 (2d ed. 2002) (noting that “the Supreme Court is a law-giving court”).

Next, the Conference argues that much of this Court’s original docket involves public officials, public monies, and the unauthorized practice of law, implying that *only* those types of cases warrant this Court’s attention in the first instance. *See* Return at 10–11. But that’s not true. This Court has, in other instances, exercised its original jurisdiction over civil cases between private parties, not just cases involving public funds, public entities and officials, or UPL. *See, e.g., Lafitte v. Bridgestone Corp.*, 381 S.C. 460, 674 S.E.2d 154 (2009) (exercising original jurisdiction via an interlocutory writ of certiorari to address a discovery ruling in a case between private parties);<sup>1</sup> *Powell v. Gary*, 200 S.C. 154, 20 S.E.2d 391 (1942) (exercising original

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<sup>1</sup> In another instance of similar vintage, the Court likewise granted an interlocutory writ of certiorari—a decision the Court analyzed and described as an exercise of its original jurisdiction—

jurisdiction over a “class suit” by policyholders against an insurer); *Montgomery Crawford, Inc. v. Arcadia Mills*, 174 S.C. 252, 177 S.E. 151 (1934) (exercising original jurisdiction in an action brought by all the unsecured creditors against an insolvent corporation and its receivers).<sup>2</sup>

The question isn’t whether these examples of private-party original jurisdiction cases are the “norm.” Original jurisdiction cases are, by definition, not garden-variety litigation. Instead, the question is whether the facts and legal questions presented in the Petition involve exceptional circumstances and whether this Court’s original jurisdiction is warranted. They do, and it is.

In individual litigation, trial courts may be equipped to address the questions presented here subject to at least one appeal, and possibly more. *E.g.*, Return at 14–17. But these are not routine or isolated disputes. They are part of a sweeping and unprecedented wave of litigation. With dozens of churches already named in lawsuits and more expected, these unique questions will be decided by numerous circuit courts and appellate panels, which are likely to render inconsistent decisions, thereby creating confusion on these important issues. Given the scale of the litigation, complexity of the issues, and real-world impact across the state, the public interest strongly favors this Court’s immediate intervention.

## **II. Respondents misapprehend the scope and significance of the Petition.**

The Conference’s assertion that Petitioners seek to avoid adjudication in the circuit courts misunderstands both the purpose and posture of this proceeding. Petitioners do not seek to

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to address a discovery ruling in a case between private parties that would have allowed plaintiffs to contact non-party patients of the defendant eye-care providers. Petitioners mention this unpublished ruling without citing it (*see* Rule 268(d)(2), SCACR) to illustrate further the vitality of the principle noted above.

<sup>2</sup> In addition to the examples listed above, the Court periodically accepts certified questions from the federal district court—a function the Court rightly describes as an exercise of its original jurisdiction—to declare South Carolina law in civil suits between private parties. *See, e.g.*, *S.C. Pipeline Corp. v. Lone Star Steel Co.*, 546 S.E.2d 654, 345 S.C. 151 (2001); *Reynolds v. Ryland Group, Inc.*, 340 S.C. 331, 531 S.E.2d 917 (2000).

circumvent the factfinding functions of South Carolina's trial courts. Rather, Petitioners seek this Court's guidance on foundational legal questions, such as the jurisdiction of the courts, the legal standing of the parties, the corporate status of the churches under South Carolina law, and the constitutional protections afforded to religious associations. These threshold issues are not only central to all forty-plus pending and anticipated lawsuits statewide, they also raise matters of first impression and statewide importance that are uniquely suited for this Court's original jurisdiction.

This Court's exercise of original jurisdiction in no way displaces or diminishes the role of South Carolina's circuit courts. To the contrary, a declaratory ruling from this Court would preserve the appropriate division of judicial labor by resolving only those purely legal and constitutional issues that are suitable for high court review. The trial courts would then be well-equipped to apply this Court's rulings to the particularized facts of each case.

Far from delaying or evading judicial resolution, Petitioners' goal is to streamline and clarify the applicable legal framework so the trial courts can proceed more efficiently and with greater uniformity. Perhaps the better question here is, why would Respondents object to this? It is both prudent and consistent with the goals of judicial economy and fairness for this Court to resolve the controlling questions at the outset.

### **III. Respondents do not accurately describe the nature and framework of the United Methodist Church.**

In an effort to invoke an outdated jurisprudential rule deferring to hierarchical denominations,<sup>3</sup> Respondents repeatedly mischaracterize the United Methodist Church (UMC) as hierarchical. That characterization is factually inaccurate, legally unfounded, and contradicted by

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<sup>3</sup> As noted in the Petition, this Court's more recent disaffiliation precedent rightly eschewed this older deferential approach because it results in problematic establishment and entanglement concerns. *See All Saints Parish*, 385 S.C. at 444, 685 S.E.2d at 172.

the UMC's own *Book of Discipline*, which describes the denomination as connectional more than 200 times but never uses the word hierarchical.

The UMC is, in fact, “connectional” because it is structured as a voluntary association of local churches and conferences that share certain spiritual commitments and administrative coordination. Responsibility for local church affairs, however—including property, pastoral assignments, and corporate identity—rests primarily with the local church bodies. Petitioners are independent South Carolina nonprofit corporations governed by their own boards of directors and subject to South Carolina’s Nonprofit Corporation Act. Their decisions to amend their corporate documents, disaffiliate from the denomination, and revoke purported trust encumbrances were lawful and entirely outside the scope of any ecclesiastical hierarchy because no such hierarchy exists. Respondents’ effort to impose a top-down governance framework onto what is functionally and structurally a decentralized denomination should be rejected.

#### **IV. Respondents fail meaningfully to address the doctrines of ecclesiastical abstention and judicial estoppel.**

The Conference argues that the Petition puts the merits cart before the jurisdictional horse by explaining the significance and nature of the merits of the legal issues and arguments this matter presents. *See* Return at 9. But the Court can hardly be expected accurately to consider the Petition without understanding the import of the questions it presents and the effect of the declaratory relief sought by Petitioners. Two examples are the doctrines of ecclesiastical abstention and judicial estoppel.

The First Amendment and Article I, Section 2 of the South Carolina Constitution both prohibit civil courts from entangling themselves in internal religious affairs. Nonetheless, Respondents invite this Court to adjudicate inherently ecclesiastical questions. They seek judicial enforcement of denominational discipline and internal governance procedures, including

evaluation of whether certain congregations complied with Paragraphs 2553 or 2549 of the Book of Discipline, whether pastors were properly assigned or removed, and whether local corporate actions violated ecclesial rules. Review of such issues is constitutionally impermissible. As the United States Supreme Court held in *Serbian Eastern Orthodox Diocese v. Milivojevich*, 426 U.S. 696 (1976), civil courts may not resolve disputes that turn on questions of “theological controversy, church discipline, ecclesiastical government, or the conformity of the members of a church to the standard of morals required of them.” *See also All Saints Parish, Waccamaw v. Protestant Episcopal Church*, 385 S.C. 428 (2009) (reaffirming that secular courts lack jurisdiction to interpret or enforce matters of religious law, doctrine, or polity).

The questions raised by the Conference’s lawsuits—namely, whether disaffiliating churches adhered to the denomination’s procedures, whether ministers were validly released, or whether church property remains subject to denominational oversight—are not just incidental to religious governance, they are *the very substance* of ecclesiastical governance. To answer them would require this Court to impermissibly entangle itself in the interpretation of religious texts, denominational rulebooks, and internal communications. Courts cannot act as overseers of ecclesiastical processes or arbitrate whether a local church has acted “faithfully” or “correctly” within its denominational structure.

What makes Respondents’ position especially untenable is their 180-degree shift depending on their party designation. When sued in other cases in South Carolina, the Conference has consistently, and at times successfully, raised the ecclesiastical abstention doctrine as a bar to jurisdiction. *See generally* Petition at 21–23 and its Exhibit C at 10–13. For example, in *Stillwell v. SC Conf. of the United Meth. Church*—litigation involving Lebanon Methodist Church—the Conference argued that courts were barred from adjudicating property disputes because they arose from ecclesiastical issues governed by the Book of Discipline. But now that it is strategically

advantageous for them, Respondents ask this Court to tromp into the very same religious thicket they previously declared off-limits. This inconsistent litigation posture is barred by the doctrine of judicial estoppel.

Judicial estoppel precludes a party from adopting a position in litigation that contradicts one it previously asserted and prevailed upon in related proceedings. *Quinn v. Sharon Corp.*, 343 S.C. 411, 414, 540 S.E.2d 474, 475 (Ct. App. 2000). The doctrine exists to protect the integrity of the judicial system and to prevent parties from manipulating courts through opportunistic legal reversals. The Conference's prior assertion that courts lack jurisdiction to evaluate ecclesiastical disputes is incompatible with its current position in every case it has filed and intends to file. This gamesmanship is exactly what judicial estoppel is intended to prevent. A ruling from this Court on this issue at the outset will settle the matter for all 40 pending and anticipated litigations, saving substantial time and judicial and party resources and preventing inconsistent rulings across the state.

**V. Respondents ignore the fact that the UMC Book of Discipline expressly yields to South Carolina statutory law.**

Petitioners are each incorporated as nonprofit religious entities under the laws of South Carolina. As such, their rights and responsibilities are governed by the South Carolina Nonprofit Corporation Act. Under that Act, a nonprofit corporation is managed by a board of directors that holds the exclusive authority to oversee and direct the corporation's affairs, including decisions related to governance, operations, and affiliations. *See* S.C. Code Ann. § 33-31-801. Additionally, section 33-31-302 empowers the corporation to adopt, amend, or repeal bylaws and articles of incorporation, acquire or dispose of property, and determine the terms of association with other entities. These statutory powers were lawfully and properly exercised by Petitioners' duly elected

boards of directors when they amended their corporate documents, changed their names, revoked any purported trust encumbrances, and disaffiliated from the UMC.

Critically, Respondents lack standing to challenge those internal acts of corporate governance. Section 33-31-304 is clear and unambiguous: no party other than a member, director, the corporation itself, or the Attorney General has legal standing to challenge the validity of a nonprofit's corporate actions. Because Respondents are none of these, they cannot bring suit to invalidate or unwind lawful corporate decisions. Permitting such an overreach would not only contravene the express terms of the Nonprofit Corporation Act but would also upend longstanding principles of nonprofit autonomy and corporate self-governance.

The UMC's own governing documents concede this point. Paragraph 2506 of the Book of Discipline states:

All provisions of the Discipline relating to property, both real and personal, and relating to the formation and operation of any corporation . . . are conditioned upon their being in conformity with the local laws, *and in the event of conflict therewith the local laws shall prevail.*

(Emphasis added.) This is an express concession that when (as here) there is a conflict between denominational rules and state law, state law controls. Accordingly, even if the Book of Discipline could be construed to limit disaffiliation or restrict corporate reorganization (which it does not do in a legally binding manner), those restrictions would yield to the authority of the South Carolina Nonprofit Corporation Act and other state statutes and law.

Petitioners are not rogue actors, but South Carolina nonprofit religious corporations that followed the law in charting their course. Their boards of directors, elected by their congregations, exercised powers granted by statute and affirmed even within denominational materials. Respondents' attempt to undo these internal corporate decisions—without standing and contrary

to both state law and its own governing documents—underscores the need for this Court’s clarification and enforcement of the legal boundaries at stake.

**VI. Respondents cannot enforce a trust they do not beneficially own.**

Even if the Trust Clause contained in the Book of Discipline were legally enforceable—which it is not—Respondents are not the proper parties to enforce it. It is hornbook law that plaintiffs must establish an injury-in-fact to have standing. *See, e.g., Opternative, Inc. v. SC Bd. of Med. Examiners*, 433 S.C. 405, 859 S.E.2d 263 (Ct. App. 2021) (plaintiff must show actual or threatened injury to legally protected interest that is not speculative or derivative). Respondents have suffered no injury.

Paragraph 2501 of the Book of Discipline states that church property is to be held “in trust for the benefit of the United Methodist Church.” But “the United Methodist Church” is an unincorporated association with no centralized legal personality, no ability to hold property, and no capacity to sue or be sued. This distinction is not merely technical; it has profound implications for standing.

Under S.C. Code Ann. § 62-7-1001 and general trust principles, enforcement rights typically belong to beneficiaries or trustees with a demonstrable legal stake. Respondents are neither. They merely seek to enforce an ecclesiastical principle for the benefit of an amorphous and unincorporated denominational entity. At best, they serve as administrative subunits within the denomination’s ecclesial structure; and that ecclesial function falls far short of the constitutional and prudential requirements for standing.

Allowing such enforcement would set a dangerous precedent, effectively permitting any administrative arm of an unincorporated religious body to unilaterally assert trust rights over local property, regardless of whether it has a direct legal interest or suffers actual harm. This would invite confusion, entangle civil courts in ecclesiastical supervision, and contradict both the

structure of the law of trusts and the constitutional boundaries of judicial power. For these reasons, it is important for this Court to set the boundaries now. Determining at the outset if Respondents are proper parties with standing will significantly streamline 40 or more cases, avoiding likely appeals and inconsistent rulings.

**VII. Respondents do not address the constitutional issues of free exercise and free association.**

In its Return, the Conference invokes the doctrine of constitutional avoidance as if it were a basis to deny the Petition, *see* Return at 12, ignoring the fact that the lawsuits the Conference has filed *necessarily* implicate and abridge the local churches' Free Exercise and associational rights and *necessarily* would entangle the courts in religious disputes. The way for the courts to avoid the constitutional issues here is not to deny the Petition. It's to declare the applicability of the ecclesiastical abstention doctrine (and thus abstain from judicial involvement in the suits entirely) or for this Court to issue the declarations sought by Petitioners regarding the secular corporate rights and authorities of the churches and their directors. The Conference wants to have its cake (judicial involvement) and eat it too (avoid this Court's early declaration of the law).

The presence of constitutional issues is not a basis to avoid an exercise of original jurisdiction. The constitutional questions are reasons to grant the Petition. The First Amendment's protections extend beyond mere belief. They prohibit the state from compelling conformity to religious norms as a precondition for legal recognition or property retention and prohibit civil courts from enforcing religious orthodoxy. They include the autonomy of religious groups to associate—or disassociate—with others according to conscience. *See Disabato v. South Carolina Association of School Administrators*, 404 S.C. 433, 746 S.E.2d 329 (2013) (affirming that freedom of association includes both the right to associate and the right *not* to associate). A congregation has the right to define its own theological boundaries and to separate from a

denomination when those boundaries are violated. Civil courts may not second-guess such decisions or enforce denominational conformity through coercive means such as property forfeiture. To do so would impermissibly burden religious exercise, infringe upon the freedom of association, and impermissibly favor one sect or theological faction over another.

Respondents' claims invert these protections. Respondents argue that churches which disaffiliate from the UMC—and do so because of sincere theological convictions—must surrender their names, their assets, and their property, solely because their disassociation did not conform to denominational rules. This is not a neutral application of trust or corporate law; it is a doctrinal penalty. It punishes religious separation by imposing secular liability, effectively conditioning property rights on theological adherence. Such a regime cannot withstand constitutional scrutiny.

Petitioners lawfully disaffiliated from a denomination that no longer aligns with their theology. Respondents' attempt to block their disaffiliation by confiscating property not only violates nonprofit corporate law, it strikes at the heart of First Amendment protections. Because this sacrosanct right is at issue in related litigations across this state, an early pronouncement from this Court as to what is or is not constitutionally permissible will provide clear direction in these unique circumstances and avoid inconsistent rulings and dozens of appeals

**VIII. This Court's early guidance will avoid a substantial burden on the judiciary and inconsistent, unequal treatment.**

Allowing each of the 40-plus pending or anticipated lawsuits against South Carolina Methodist churches to proceed independently in the circuit courts—without this Court's threshold guidance—will result in a fragmented and inefficient judicial process. The issues underlying these cases are neither factually nor legally isolated; they arise from a shared doctrinal and organizational rupture and concern overlapping constitutional, corporate, and ecclesiastical principles. Without a uniform framework, the trial courts are likely to reach inconsistent outcomes on core questions,

resulting in conflicting legal precedent and multiple rounds of duplicative briefing, motions, and hearings across judicial circuits.

South Carolina's own experience with prolonged church property litigation—particularly the Episcopal Church cases—offers a cautionary example. That litigation spanned over a decade and included multiple rulings from this Court, ultimately culminating in a decision that expressly stated it would not serve as precedent for future church property disputes. *Protestant Episcopal Church in Diocese of South Carolina v. Episcopal Church*, 439 S.C. 284, 318, 887 S.E.2d 508, 526 (2022). The result was years of costly litigation, uncertain guidance for similarly situated churches, and a failure to establish lasting legal clarity. To avoid repeating that outcome, this Court should now exercise original jurisdiction and provide authoritative answers on issues that affect not only the parties in these actions but also the rights of religious organizations and nonprofit corporations throughout the state. Early intervention will foster uniformity, prevent duplicative litigation, and safeguard the constitutional and legal principles implicated by these widespread disputes.

The issues raised in the current disputes—ranging from the constitutional limits of court involvement in religious affairs to the authority of nonprofit corporate boards to determine affiliation—are of statewide importance. Absent direction from this Court, those questions will spawn varying interpretations and applications which will undermine both judicial efficiency and public confidence in the legal system. To avoid this fragmented litigation landscape, this Court should exercise its original jurisdiction now to clarify the applicable legal standards and ensure that similarly situated parties are treated consistently under the law.

## CONCLUSION

This matter presents questions of extraordinary public, constitutional, and institutional importance. Petitioners respectfully ask this Court to exercise its original jurisdiction and issue declaratory guidance as to:

1. The applicability of ecclesiastical abstention;
2. The applicability of judicial estoppel;
3. Respondents' standing to enforce the purported trust;
4. Respondents' standing to challenge corporate actions;
5. The autonomy of nonprofit church corporations under state law; and
6. The constitutional rights of free exercise and association.

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Greenville, South Carolina