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CAUSE NO. DC-26-14816

HORIZON TEXAS ANNUAL CONFERENCE OF THE UNITED METHODIST CHURCH	§	**IN THE DISTRICT COURT**
Plaintiff,	§	193rd
	§	_____ **JUDICIAL DISTRICT**
v.	§	
	§	
HIGHLAND PARK METHODIST CHURCH, INC. D/B/A HIGHLAND PARK UNITED METHODIST CHURCH	§	
Defendant.	§	**DALLAS COUNTY, TEXAS**

PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT

Plaintiff Horizon Texas Annual Conference of The United Methodist Church (the "Conference" or "Plaintiff") files this Original Petition for Declaratory Judgment against Highland Park Methodist Church, Inc. d/b/a Highland Park United Methodist Church ("HP Corporation" or "Defendant") and respectfully shows as follows:

I.
INTRODUCTION

1. This lawsuit is not one the Conference brings lightly. The United Methodist Church is connectional, and the bonds between a local church and the denomination are not merely historical or symbolic. They are integral to the governance, ministry, and mission of The United Methodist Church. But where a nonprofit corporation, formed for the benefit of the Conference, the denomination, and Highland Park United Methodist Church—which pre-dated the corporation by

over 80 years—appears to be attempting to unilaterally sever that connection in disregard of its governing documents and its obligations as a United Methodist entity, the Conference is compelled to act.

2. Therefore, this suit is brought not out of hostility, but out of necessity—to preserve the ability of congregants to continue worshipping within the framework they have embraced for over a century, to honor the intentions and commitments of all parties involved, and to ensure that the shared life and mission of The United Methodist Church can continue in an orderly and faithful manner.

II.
DISCOVERY LEVEL

3. Discovery in this case is intended to be conducted under Level 3 of Rule 190.4 of the Texas Rules of Civil Procedure. Plaintiff seeks non-monetary relief.

III.
PARTIES

4. Plaintiff Horizon Texas Annual Conference of the United Methodist Church (the "Conference") is a Texas nonprofit corporation with a principal office located at 399 W. Campbell Road, Richardson, Texas 75080.

5. Defendant Highland Park Methodist Church, Inc. d/b/a Highland Park United Methodist Church ("HP Corporation") is a Texas nonprofit corporation that may be served through its registered agent, Paul Rasmussen, at 3300 Mockingbird Lane, Dallas, Texas 75205 or wherever he may be found.

IV.
JURISDICTION AND VENUE

6. This Court has personal jurisdiction over the parties because they are Texas entities operating within the State of Texas.

7. Venue is proper in Dallas County, Texas pursuant to Section 15.002 of the Texas Civil Practice & Remedies Code because it is the county in which all or a substantial part of the events or omissions giving rise to the claims occurred.

V.
FACTS

The United Methodist Church

8. The United Methodist Church is a Wesleyan denomination resulting from a series of mergers of regional Methodist organizations between 1939 and 1968, including the Evangelical United Brotherhood Church, The Methodist Church, and The Methodist Episcopal Church South. The United Methodist Church is recognized legally as the successor to The Methodist Episcopal Church South. Today, it is one of the largest Christian denominations in the United States.

9. The *Book of Discipline of The United Methodist Church, 2020 and 2024 Edition, and as may be amended* (the *"Discipline*") sets forth the laws and procedures by which United Methodist members and organizations, including local churches, are governed. The *Discipline* is "a Book of Law governing every aspect of the life and work of the [United Methodist] Church, including regulations relating to its temporal

economy and to the ownership, use and disposition of church property. It is the only official and authoritative law book of [The United Methodist] Church."[1]

The Connectional Structure

10. The United Methodist Church has a connectional structure, meaning that professing members are all "Methodists," and local churches are distinct entities but not independent operations. The connectional system is a distinctive attribute of Methodism that is built on the Methodist mission and instructions to the connection system of "conferences" to minister, lead, nurture, and care for the world as a whole and for the members of the denomination.[2] The United Methodist doctrine creates a structure that is the opposite of congregationalism, where each local church structures and governs itself, but instead is a part of an interdependent web of churches, universities, nonprofit organizations, agencies, boards, and ministries across the world.[3] Each individual baptized or professing as a member of a local congregation is also a member of the worldwide United Methodist Church within this connectional structure.[4] A professing member publicly confirms vows that include loyalty to The United Methodist Church and a covenant to "do all in their power to strengthen its ministries."[5] Under the *Discipline*, local churches are affiliated with and subject to the authority of annual conferences, jurisdictional or central

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[1] United Methodist Church Judicial Council Decision 96 (1953), *available at* https://www.resourceumc.org/en/churchwide/judicial-council/judicial-council-decision-home/judicial-decisions/is-the-discipline-of-the-methodist-church-a-book-of-law.

[2] *The Book of Discipline of the United Methodist Church 2020/2024* ¶ 122 et seq. (United Methodist Publ'g House 2024).

[3] *Discipline* ¶¶ 201-204.

[4] *Discipline* ¶ 215.4.

[5] *Discipline* ¶ 217.5.

conferences, and ultimately the General Conference. The *Discipline* defines the responsibilities of each level of the connectional structure.

11. The General Conference is The United Methodist Church's principal governing body, and it is made up of clergy, lay delegates from local churches, and regional bodies. The General Conference enacts and periodically amends the *Discipline.*

12. Local churches are grouped into districts, each of which is supervised by a district superintendent who serves as a representative of the bishop and helps oversee clergy and local churches. Each district is part of an annual conference.

13. The Horizon Texas Annual Conference of The United Methodist Church is the annual conference governing Highland Park United Methodist Church.[6] The Conference ordains clergy, makes clergy appointments, approves budgets, oversees ministries, provides administrative services to local churches, and generally represents The United Methodist Church on a regional level.

The Local Church

14. A local church within the United Methodist denomination is "a connectional society of persons who have been baptized, have professed their faith in Christ, and have assumed the vows of membership in The United Methodist Church."[7] All members of a local United Methodist church are "members of the worldwide United Methodist connection and members of the church universal."[8]

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[6] The conference previously known as the North Texas Conference of The United Methodist Church merged with two other conferences to form The Horizon Texas Annual Conference.
[7] *Discipline* ¶ 203.
[8] *Discipline* ¶ 215.4

15. The *Discipline* requires each local church to have a church council as well as several committees, including one the *Discipline* names as "trustees," whose task is oversee local church property management and compliance with the requirements of the *Discipline*.[9] The *Discipline* also requires that the local church be part of a charge conference, the membership of which includes the church councils of the local churches within the "charge," certain members of the local churches, and the district superintendent of the district where the local churches are located.[10] The *Discipline* provides that the charge conference serves as the "connecting link" between the local church and The United Methodist Church, oversees annual appointment of the local church council, has "general oversight of the church council[ ]", and is the legislative body that leads local churches throughout the United Methodist connection.[11] Many charge conferences consist of a single church.

16. As a practical matter, the "church council and all other administrative and programmatic structures of the local church shall be amenable to the charge conference" and, while the church council "shall function as the executive agency of the charge conference," the charge conference is to have "general oversight of the church council."[12] The *Discipline* mandates that the "church council shall be

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[9] *Discipline* ¶¶ 244, 2525 *et seq*. Generally, the "board of trustees" as described by the *Discipline*, is a subset of the church council that deals solely with the property of the local UMC church in order to allow the local UMC church to buy, lease, manage, or encumber property. Many local churches, as was the case with HP Church, may call their church council the "board of directors" or "board of trustees" to comply with secular governance requirements, and at HP Church, a property committee of the church council acts in regards to the properties of HP Church, assuming the duties of the "trustees" as set forth in the *Discipline*. The *Discipline* allows for changes to organizational requirements *if approved by the charge conference*. See *Discipline* ¶ 247.2

[10] *Discipline* ¶ 246.

[11] *Discipline* ¶ 247.1.

[12] *Discipline* ¶¶ 245.1; 247.1.

amenable to and function as the administrative agency of the charge conference," and the size, makeup, ministry, and leadership of the church council is determined by the charge conference.[13] While the members of the church council, once chosen, may become a part of the charge conference, the church council is controlled by the charge conference.[14]

17. Under the *Discipline*, the charge conference has the option—but not the obligation—to direct an incorporation of the trustees dealing with the local church property in order to protect the members of the church from liability.[15] Some churches—both in The United Methodist Church and in other denominations—do not incorporate. The *Discipline* sets forth the bases for such an incorporation, the process for incorporation, and the requirements for a corporation's organizing documents. The *Discipline* states:

> ¶ 2529 *Charge Conference Authority*
>
> …The charge conference may:
>
> 1. *a)* If it so elects, **direct the board of trustees to incorporate the local church, expressly subject, however, to the *Discipline* of The United Methodist Church** (see ¶ 2506) and in accordance with the pertinent local laws and in such a manner *as will fully protect and exempt from any and all legal liability the individual officers and members*, jointly and severally, of the local church and the charge, annual, jurisdictional, and general conferences of The United Methodist Church, and each of them, for and on account of the debts and other obligations of every kind and description of the local church.
>
> *b)* Regardless of whether the charge conference elects to incorporate the local church, the local church:

[13] *Discipline* ¶¶ 252.1.
[14] *Discipline* ¶¶ 246-249.
[15] *Discipline* ¶ 2529.1*a*.

(1) must be organized and operated in compliance with the *Discipline*;

(2) cannot act in a manner contrary to the purpose of The United Methodist Church, the annual conference, or the *Discipline*; and

(3) cannot sever its connectional relationship to The United Methodist Church without the consent of the annual conference.

(c) The organizing documents (articles of incorporation, charter, bylaws, or equivalents) of a local church shall reflect its connectional relationship to The United Methodist Church**. The adoption or modification of a local church's organizing documents must be approved, in writing, by its pastor and district superintendent.** Specifically, local church organizing documents shall, at a minimum:

(1) require the local church to be organized and operated in compliance with the *Discipline*;

(2) prohibit the local church from acting in a manner contrary to the purpose of The United Methodist Church, the annual conference, or the *Discipline*;

(3) prohibit the local church from severing its connectional relationship with The United Methodist Church without the annual conference's consent;

(4) require the pastor and the district superintendent to approve, in writing, the adoption of, and changes to, the local church's organizing documents; and

(5) include language consistent with the Internal Revenue Code to protect the local church's tax-exempt status.

(d) The failure of a local church's organizing documents to meet the requirements of ¶ 2529.1*c*(1)-(4) does not relieve the local church of its connectional responsibilities to The United Methodist Church, nor does it absolve its pastor and membership of the responsibility to operate the local church as a United

> Methodist church, in accordance with the *Discipline*. The organizing documents are deemed modified to the extent necessary to comply with ¶ 2529.1*c*(1)-(4) if any of the circumstances described in ¶ 2503.6*a-c* apply.[16]

HP Church

18. Highland Park United Methodist Church ("HP Church") was founded in 1916 on the campus of Southern Methodist University and chartered as a United Methodist[17] congregation. For over a century, HP Church has operated as a local church within The United Methodist Church pursuant to the *Discipline*.

19. HP Corporation is a Texas nonprofit corporation formed on December 7, 1998, when it filed its Articles of Incorporation (the "1998 Articles"). In keeping with the *Discipline*, the 1998 Articles describe the purposes of HP Corporation:

> **ARTICLE IV**
>
> The Corporation is organized exclusively for religious, charitable, and benevolent purposes, including (without limitation) the following:
> …
>
> 2. To exist and operate as a local church **of the North Texas Conference of The United Methodist Church**;
>
> …
>
> 4. To succeed to all properties (real and personal, tangible and intangible), rights, privileges, powers, immunities, and operations of, to assume all debts and obligations of, and **to** maintain and carry on the operations, ministries, and missions of Highland Park United Methodist Church, a local church of the North Texas Conference of The United Methodist Church heretofore existing and operating as a non-profit unincorporated religious association…[18]

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[16] *Discipline* ¶ 2529.1*a-d* (emphasis supplied).
[17] At the time HP Church was formed, The United Methodist Church in Texas was called The Methodist Episcopal Church, South.
[18] *1998 Articles* at pp. 1-2, art. IV (emphasis supplied).

20. Also pursuant to the *Discipline*, the 1998 Articles describe the following provisions "for regulation of the internal affairs of the Corporation":

> **ARTICLE VI**
>
> Pursuant to the Act and in furtherance of the Corporation's purposes specified herein, the following additional provisions hereby are adopted for regulation of the internal affairs of the Corporation:
>
> 1. The Corporation shall support the doctrine of The United Methodist Church, and all its property shall be subject to the laws, usages, and ministerial appointments of The United Methodist Church as may be established, made, and declared from time to time by its lawful authority as set forth in its Constitution and in *The Book of Discipline*, except to the extent the organizational power and plans set forth therein have been modified by these Articles and the Bylaws of the Corporation in accordance with ¶ 249.2 of *The Book of Discipline.*
>
> 2. The Corporation **is expressly subject to, and shall own its property and conduct its affairs in accordance with, the Constitution and *The Book of Discipline*,** except to the extend the organizational power and plans set forth therein have been modified by these Articles and the Bylaws of the Corporation in accordance with ¶ 249.2 of *The Book of Discipline.*
>
> 3. The Board of Directors of the Corporation shall be known as the "Church Council." **The members of the Church Council shall be members of the Charge Conference, in accordance with 248 and 249 of *The Book of Discipline*.** Members of the Church Council shall be nominated by the Committee on Nominations and Personnel (or otherwise as provided in the Bylaws) and elected by the Charge Conference, and shall serve, in accordance with the Bylaws of the Corporation.
>
> 4. Except to the extent modified by these Articles or by the Bylaws of the Corporation, **the powers and duties of the Church Council, any committees of the Church Council, any Administrative Committees formed in accordance with *The Book of Discipline*, and any Work Areas formed in accordance with *The Book of Discipline* shall be as enumerated and implied by the Constitution and *The Book of Discipline*...**[19]

[19] *1998 Articles* at pp. 2-3, art. VI (emphasis supplied).

21. The Articles also vest the Conference with rights:

ARTICLE XIV

> If for any reason the Corporation hereafter shall cease to exist as a legal entity or association (incorporated or otherwise) or if the local church comprised by the Corporation is discontinued, **then the title to all of the Corporation's property owned as of the time of such cessation or discontinuation shall be vested in the North Texas Conference of The United Methodist Church,** in its corporate capacity if at such time it is incorporated, or otherwise in the Board of Trustees thereof on its behalf, in the same manner as it holds title to any other such property; and in either event all such property shall be held in trust for the benefit of the local church formerly comprised by the Corporation, subject however, to such further disposition thereof as may be authorized and directed in accordance with *The Book of Discipline*.[20]

22. Effective January 1, 1999, HP Corporation adopted Bylaws of Highland Park United Methodist Church (the "1999 Bylaws"), with language consistent with that above, subjecting HP Corporation and HP Church to the authority of the *Discipline*, the Charge Conference, the District Superintendent, and the North Texas Annual Conference of the United Methodist Church, the Conference's predecessor.[21]

23. From 1998 to 2022, HP Corporation acted as HP Church's agent as contemplated by the *Discipline*, the 1998 Articles, and the 1999 Bylaws.

24. On November 16, 2022, without seeking or obtaining consent from the District Superintendent as required by the *Discipline* or providing any notice to the Charge Conference or the Conference, HP Corporation filed its Restated Certificate of Formation (the "Restated Certificate"). In pertinent part, the Restated Certificate

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[20] *1998 Articles* at p. 6, art. XIV (emphasis supplied).
[21] *1999* Bylaws, at p. 2, art. 3.1; p. 5, arts. 3.12-3.13

changed the corporation's name to Highland Park Methodist Church and removed all references to The United Methodist Church, the Conference, and the *Discipline* from its governing documents. Upon information and belief, HP Corporation also adopted amended bylaws in November 2022 (the "Amended Bylaws") to, among other amendments, i) remove all references to The United Methodist Church, the Conference, and the *Discipline*; ii) remove the rights of HP Church members to participate in any matter "affecting or involving the Church"; and iii) remove the members' right to participate in determining the denomination of HP Church, including selection of the Church Council, which would be chosen only by itself and answerable only to itself.[22]

25. On December 5, 2022, HP Corporation filed an Assumed Name Certificate listing Highland Park United Methodist Church as its assumed name.[23]

26. Despite HP Corporation's filing of the Restated Certificate and adoption of the Amended Bylaws, HP Church still holds itself out as a United Methodist congregation, with signs that say "Highland Park United Methodist Church," and a website that calls the church a United Methodist Church. On its page describing "What We Believe," the website describes the *Discipline* as "our foundational statement of beliefs." Upon information and belief, no vote of the members of HP

[22] Amended Bylaws, at p.1, art. 1.3; p. 1-2, art. 2; p. 2, art. 4.1

[23] Between 2019 and 2023, the *Discipline* provided a limited right for local congregations to exit The United Methodist Church subject to certain conditions that were to be met, under the final authority of the annual conference, including a super-majority vote of the membership of the local church. That provision expired December 31, 2023. *See* United Methodist Church Judicial Council Decision 1512 (2024), *available at* https://www.resourceumc.org/en/churchwide/judicial-council/judicial-council-decision-home/judicial-decisions/decision-1512. HP Church did not disaffiliate from The United Methodist Church under this provision.

Church was taken authorizing the 2022 actions of HP Corporation. Nevertheless, the Restated Certificate and the Amended Bylaws represent an attempt to sever the connectional relationship between HP Corporation, HP Church, The United Methodist Church, and the Conference.

VI.
REQUEST FOR DECLARATORY JUDGMENT

27. The foregoing paragraphs are incorporated by reference.

28. The United Methodist Church expressly advocates "respect [of] persons of all religious faiths" and "defend[s] religious freedom for all persons."[24] The Conference further acknowledges individuals have the right to worship in the manner they choose and are free to withdraw from the United Methodist denomination.[25] This dispute is whether HP Corporation—an entity organized decades after HP Church was formed as a United Methodist Church—may, through its Church Council[26], sever the connectional relationship between HP Church, the Conference, and The United Methodist Church. The Conference maintains that a decision to withdraw from a religious faith or denomination is a personal one, guaranteed by both the United States Constitution, and—in Texas—by the Texas Constitution. However, the decision by the governing body of a church to determine the bounds of denominational religious faith or expression, or to in whole or in part sever the connectional relationship within a religious denomination is a matter of ecclesiastical law.

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[24] *Discipline* ¶ 121.
[25] *Discipline* ¶ 241.
[26] The 1998 Articles state the board of directors shall be referred to as the Church Council, so that language is used herein.

29. "The First Amendment of the United States Constitution "prohibit[s] civil courts from inquiring into matters concerning 'theological controversy, church discipline, ecclesiastical government, or the conformity of the members of a church to the standard of morals required of them.'"[27] Questions of an ecclesiastical or inherently religious nature are left to the appropriate ecclesiastical decision-makers.[28] Courts may not "impede the church's authority to manage its own affairs," such as "who ought to be members of the church."[29]

30. Under the neutral principles methodology, Texas courts decide non-ecclesiastical issues "based on the same neutral principles of law applicable to other entities…while deferring to religious entities' decisions on ecclesiastical and church polity questions."[30] Thus, "courts are to apply neutral principles of law to issues such as land titles, trusts, and corporate formation, governance, and dissolution, even when religious entities are involved."[31] When determining whether the ecclesiastical abstention doctrine applies, courts analyze whether a particular dispute is an ecclesiastical dispute or a civil-law controversy in which the church happens to be involved.[32]

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[27] *S. Methodist Univ. v. S. Cent. Jurisdictional Conf. of the United Methodist Church*, 716 S.W.3d 475, 482 (Tex. 2025) (quoting *Masterson v. Diocese of Nw. Tex*, 422 S.W.3d 594, 601 (Tex. 2013) (quoting *Serbian E. Orthodox Diocese v. Milivojevich*, 426 U.S. 696 (1976))).
[28] *Masterson*, 422 S.W.3d at 605-606.
[29] *In re Diocese of Lubbock*, 624 S.W.3d 506, 514 (Tex. 2021) (orig. proceeding); *Westbrook v. Penley*, 231 S.W.3d 389, 397-400 (Tex. 2007).
[30] *Masterson*, 422 S.W.3d at 596 (citing *Jones v. Wolf*, 443 U.S. 595, 603-604 (1979); *Milivojevich*, 426 U.S. at 708).
[31] *Masterson*, 422 S.W.3d at 606.
[32] *Diocese of Lubbock*, 624 S.W.3d 506 at 514.

31. Thus, pursuant to Chapter 37 of the Texas Civil Practice and Remedies Code (The Uniform Declaratory Judgments Act), Plaintiff seeks a declaratory judgment concerning the rights, status, and other legal relations between the Conference, HP Church, HP Corporation, and HP Corporation's Church Council. Specifically, Plaintiff seeks a declaratory judgment as follows:

a. That, pursuant to Section 22.207(a) of the Texas Business Organizations Code and the 1998 Articles, the governing body (Church Council) of HP Corporation is "affiliated with, elected, and controlled by" the Charge Conference of HP Church;

b. That the 1998 Articles and 1999 Bylaws subject HP Corporation and its Church Council to the *Discipline*;

c. That, pursuant to the 1998 Articles and 1999 Bylaws, each member of HP Corporation's Church Council must be a professing member of The United Methodist Church and the Charge Conference;

d. That, pursuant to the 1998 Articles and 1999 Bylaws, an individual who is not a member of the Charge Conference has no authority to act on behalf of HP Corporation;

e. That whether HP Corporation's Church Council were members of the Charge Conference when the Restated Articles were filed cannot be determined by applying neutral principles of law;

f. That whether HP Corporation's Church Council were members of the Charge Conference when the Amended Bylaws were approved or executed cannot be determined by neutral principles of law;

g. That whether HP Corporation's Church Council acted pursuant to the *Discipline* in filing the Restated Certificate cannot be determined by applying neutral principles of law; and

h. That whether HP Corporation's Church Council acted pursuant to the *Discipline* in approving or executing the Amended Bylaws cannot be determined by applying neutral principles of law.

32. The matters above involve initial determination of neutral questions of law regarding the rights and status of the entities involved. There is an actual, justiciable controversy between the parties with respect to the adjudication of the disputes referenced above that can be determined by this Court without delving into ecclesiastical matters. However, answers to certain of these questions implicate ecclesiastical matters: the internal affairs of The United Methodist Church and its local churches, the governance of The United Methodist Church and its local churches, and the administration of The United Methodist Church and its local churches.[33]

VII.
ATTORNEY'S FEES

33. Plaintiff seeks recovery of its reasonable and necessary attorney's fees against Defendant in accordance with Section 37.009 of the Texas Civil Practice and Remedies Code.

VIII.
PRAYER

Plaintiff Horizon Texas Annual Conference respectfully prays as follows:

a. That Defendant be cited to appear and answer;

b. The Court grant declaratory relief as requested herein;

c. That Plaintiff be awarded reasonable and necessary attorney's fees and expenses in accordance with Section 37.009 of the Texas Civil Practice and Remedies Code; and

d. That Plaintiff be granted all further relief to which it may be entitled in law or in equity.

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[33] *See Diocese of Lubbock*, 624 S.W.3d at 516.

Respectfully submitted,

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