

REPORT OF THE CONFERENCE CHANCELLOR

The Conference Chancellor is the legal advisor to the Resident Bishop and the South Carolina Conference and is also an officer of the Conference corporation. Pursuant to Rule 95, Standing Rules and Resolutions, South Carolina Conference of The United Methodist Church, requests for the services of the Chancellor are made through the Episcopal Office. Due to the interdependent link between the offices of Resident Bishop and the District Superintendents, the District Superintendents may request services directly from the Chancellor.

Consistent with my work for the South Carolina Conference (the "Conference") over the past several years, a large part of my time has been devoted to assisting the Conference Board of Trustees (the "Conference Board") and the District Superintendents with property issues. In 2004, the Resident Bishop appointed the Conference Chancellor and Conference Secretary as staff liaisons to the Conference Board. Previously, the Conference Board had no direct linkage to the Conference staff. The Conference Board is charged by the *Discipline* with the responsibility for receiving and holding in trust for the benefit of the Conference any and all donations, bequests, and devises and, when directed by the annual conference, for receiving and holding in trust properties previously acquired by the Conference (paragraph 2512.3, the *Discipline*). The efforts of the Conference Board have been primarily devoted to addressing the properties of discontinued and abandoned local churches. Attempting to determine the status of properties of churches closed years ago (sometimes literally decades) and then effecting the disposition of those properties, when needed, has been a time consuming but rewarding process.

I would like to thank R. Phillip Stone, Ph.D., Conference Archivist, for his assistance to the Board of Trustees and me. Dr. Stone's knowledge of the history of the Conference and his research skills have been invaluable in determining the history and status of various properties. As in the past, the District Superintendents have provided considerable assistance to the Conference Board. In particular, I would like to acknowledge the efforts of The Reverend Quay W. Adams, Marion District, and The Reverend Dennis R. Lee, Spartanburg District, for their help in various property matters over the past year.

With regard to local church properties, one of the recurring problems that I have noticed in my work is that some local churches have not taken steps to ensure that their properties are correctly titled in the proper names of their churches. This issue arises in several situations. When a church incorporates under state law, the property previously held by the unincorporated local church should be conveyed to the new corporate entity. Sometimes, a local church has assumed the responsibility for the care of property entrusted to it (usually by the Annual Conference), but no effort was made to convey the title to the property. In other instances, particularly in some older churches, the title to the property does not reflect the current name of the church. Occasionally, local churches occupy and use property that was never formally conveyed to them. Local churches are encouraged to check the titles to their properties (or properties believed to be their properties). As a reminder, all local church property, real or personal, is held in trust for our denomination. All deeds should contain the appropriate trust clause language from the *Discipline* (paragraph 2503, the *Discipline*).

During the past year, litigation or threatened litigation directly involving the Conference has been relatively light. The Staff-Parish Relations Committees of local churches are encouraged to review carefully the various provisions of the *Discipline* pertaining to their responsibilities. Adherence to the requirements for notice to pastors and staff under the *Discipline* should be carefully followed to avoid unnecessary controversy and potential labor/employment issues and other issues.

R. Jeffords Barham, Chancellor