



Disaffiliation Timeline Tasks and Notes

Q4 2022

- 1. Written Request:** Send letter from Church Council requesting information about disaffiliation and requesting a meeting with the bishop or her representative.
 - Send Copy of Email OR Letter to WCA Chapter at wpawca@gmail.com.
 - Complete the Disaffiliation Intake Form.** [Disaffiliation Intake](#)

- 2. Bishop Meeting:** Meet with the bishop to get information regarding Disaffiliation as well as preliminary costs calculated by the conference.
 - Upload Financial Meeting Forms that were received at the District Meeting with the Bishop. [Complete this form to upload documents.](#)

- 3. Vote to Request Church Conference:** Church Council votes (majority vote) to request a special Church Conference from the District Superintendent to take a vote on Disaffiliation.
 - Email WCA Chapter what date the Church Conference is Scheduled for at wpawca@gmail.com.
 - See [Helpful Tips for the First Charge Conference.](#)

- 4. Preparation for Church Conference:**
 - a. Notify the church of Church Conference at least 10 days prior by announcing twice from the pulpit and putting in the bulletin/weekly communication.
 - b. Fill out the [Resolution for Local Church Disaffiliation](#) with Correct church name and information.
 - c. Nominate 2-4 people to negotiate with the trustees on behalf of the local church (This is the local church Negotiation team).
 - d. Fill out the [Resolution for Nomination of Persons](#) with the correct nomination names and information.
 - e. Develop a short discernment timeline oral report and designate a person to present it at the church conference.

- *Request help or information from the WCA coach if needed to complete the above requirements.*
- *Both of the above resolutions should be completed and ready for submission to your District Superintendent at your Special Church Conference*

- 5. Vote for Disaffiliation:** A Special Church Conference is held and a $\frac{2}{3}$ majority vote is taken to disaffiliate from the UMC. Your church will also elect a special negotiations team to negotiate with the Conference Trustees the specifics of your church's Binding Disaffiliation Agreement.
 - Submit the minutes of the resolution and result of your vote for disaffiliation [here](#).

Post Church Conference Actions

- 6. If Disaffiliation Vote Passes**
 - A. **Property Document Inventory:** Prepare a detailed inventory of all church real estate holdings including copies of all property deeds, including "legal descriptions," of all owned real estate. Copies can be obtained from the local county conveyance records. *Ensure that you have a list of all property owned under the church's current name and all previous names utilized by the church as well.
 - Submit property deeds [here](#).
 - B. **Bequest Document Review:** Review any trusts, bequests, endowments, or restricted donations your church oversees. If assets or funds are restricted to be used for UMC purposes only, they may need to be conveyed as part of your disaffiliation agreement.
 - Submit Bequest Documents [here](#).
 - C. **Corporation Document Review:** Collect all your corporation documents to review and have on file.
 - Submit Corporation Documents [here](#).
 - D. **Year End Statistical Report Review:** Review your 2021 year end statistical report to ensure the numbers are accurate. In particular ensure lines 24, 52, 53 and 54 are all accurate.
 - Submit Year End Statistical Report [here](#).
 - E. **Evaluate Apportionment Appeal:** Appeal your apportionment value if corrections were made in your year end statistical report

(see previous step) using form provided in July to each individual church by the Annual Conference.

- F. **Appeal of Fair Market Value of Church Property:** If line 24 is not accurate, consider developing an appeal by using a commercial appraisal or speaking to a local realtor and receiving, in writing, a tax assessment multiplier for real estate value.
- G. **Awareness:** Stay up to date with any Annual Conference Trustees policy or Judicial Council Decisions.
 - *Request help or information from the WCA coach if needed to complete the above requirements.*

Post Church Conference Actions

7. If Disaffiliation Does not pass

- A. **Receive Healing Resources:** Contact Conference (1-800-886-3382) to receive healing resources.
- B. **WCA Discernment:** If your church is not already a member of the WCA, discern if your church wishes to become a WCA Church within the United Methodist Church. The WCA will continue in the Post-Separation United Methodist Church to promote and maintain traditional values within the Church and to partner with churches who desire the same.
- C. **Discernment of Professing and Clergy Members:** Churches should design a process of discernment to help members and clergy who do not wish to remain within the United Methodist Church to find a home in the Global Methodist Church.
- D. **Closure Discernment:** Discern if your church is sustainable and if it wishes to close. If your church wishes to close or has questions or concerns about sustainability, contact your district superintendent.
 - *Request help or information from the WCA coach if needed to complete the above requirements.*

2023 Actions

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- 8. **Negotiations:** The local church's negotiations team will negotiate the specifics of the Binding Disaffiliation Agreement for the local church. This agreement will include any requirements from the standard form created by

GCFA, any payments the local church will make to satisfy the monetary requirements for disaffiliation, a disaffiliation date, and an agreement that the local church will be released from the trust clause upon payment and transfer of property and assets.

- a. **Judicial Council:** The Judicial Council has not ruled on P73, therefore we recommend that churches not wait for this ruling to move forward.
 - b. **Pension Liability:** Request detailed information about the calculation for pension liabilities
 - c. **Effect Date of Disaffiliation: DECEMBER 30th, 2023.** This will allow time to complete the myriad of steps necessary after the Annual Conference vote in June of 2023 (see steps 13-21), and will allow easier transition into the Global Methodist Church Benefit Plan which is effective January 1, 2024.
 - d. **Upload** your Official Binding Disaffiliation agreement [here](#) so this can be reviewed before your next meeting.
- 9. Second Vote to Request Church Conference:** Church Council votes (majority vote) to request a special Church Conference from the District Superintendent to vote on Binding Disaffiliation Agreement.
- 10. Vote on Binding Disaffiliation Agreement:** Church Conference votes (Majority vote) on agreement of the Binding Disaffiliation Agreement proposal created by the Negotiations Team and the Conference Trustees. If passed, the local church trustees will sign on behalf of the church.
- Submit** results of minutes of 2nd vote and the voting results [here](#).
- 11. Affiliation Discernment:** Whereas a church can decide where or if it wants to affiliate with another church anytime after the vote for disaffiliation (step 5), it is recommended that the discernment process should be completed before the Annual Conference Vote. The WCA's recommendation is for local churches to join the Global Methodist Church. If joining the GMC is not the will of the local church, please reach out to the organization the church wishes to join for action steps to join that denomination. No matter where the local church wishes to affiliate, the WPA WCA chapter still desires to assist in the process and maintain connection after affiliation is completed.

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- 12. Creation of New Corporation:** Form a new non-profit corporation to serve as your church's legal entity moving forward. Creation of this new corporation

will require, among other actions, the designation of a registered agent, the selection of corporate officers and board of directors/trustees, the preparation of articles of incorporation, and the submission of an application with the Pennsylvania Department of State. Although attorney assistance may be helpful, it is not necessarily required to form a new corporation or prepare articles of incorporation. For those proceeding without an attorney, further details are set forth below:

- a. **Choose New Corporation Name:** One of the first things you need to do is select a new corporate name. Your new church entity may include the term “Methodist,” but may not include “United” in the new corporate name. Preferably, you will select a name that is unlikely to be commonly duplicated elsewhere. For instance, instead of “Life Community Church”, a better name would be “Life Community Church of Smithville, Pennsylvania”, which would avoid any trouble incorporating or registering with the IRS (both processes require a degree of name uniqueness). Then, if the church wants to, it can still brand itself or use the d/b/a “Life Community Church” on signage, website, etc.
- b. **Designation of Incorporator:** You will need to select a church representative or leader to serve as the official “incorporator” of the new church entity. For all intents and purposes, the incorporator’s only duty is to execute the new entity’s incorporation document.
- c. **Designation of Registered Agent:** Your new church entity will need to select a representative to serve as the entity’s formal “registered agent”—*i.e.*, the person chosen to receive official legal correspondence and documents for the entity. It is recommended that, if possible, you choose a full-time church employee or leader who is likely to hold their position for the long-term, rather than, for instance, a church council chairperson who will only hold his position for one year.
- d. **Designation of Corporate Directors/Trustees:** Under Pennsylvania law, non-profit corporations are generally managed and controlled by a “Board of Directors” (sometimes called a Board of Trustees). Your new church entity will thus need to select which leaders will serve as the entity’s initial official governing Board. Most commonly, a disaffiliating church’s existing Board of Trustees transitions to become the new entity’s governing Board of Directors/Trustees.
- e. **Draft Articles of Incorporation:** The document that primarily governs a corporation’s purposes, powers, management, and

membership is the entity's "Articles of Incorporation." To form a new church corporation in Pennsylvania, you must prepare Articles of Incorporation. To view a model set of Articles of Incorporation for disaffiliating UMC churches, click [here](#). (If your church adopts the hyperlinked model Articles of Incorporation, you will need to, where noted in red, add your church's name, county of domicile, address, registered agent, Incorporator, and Trustee information).

f. **Execute and File Articles of Incorporation and Related**

Application: Once your church's leadership body or committee has completed and approved Articles of Incorporation for the new entity, the designated Incorporator needs to execute the document. Then:

- i. You need to complete the online corporate-formation application. To do this, go to <https://file.dos.pa.gov/>. Under the "Business Entity" heading, click "File a Business." When the linked webpage loads, under the "Corporation Initial Filings" heading, click "Articles of Incorporation – Nonprofit." You will then need to create an online "Keystone Login" account. Once you have done so and are logged in, from your account dashboard, select "Business Filing Services." At this point, you should be linked to an online form, which you must navigate and complete in order to create your new church entity.
 1. Make sure the information entered into the form is consistent with that stated in your Articles of Incorporation.
 2. When asked, you are creating a "domestic nonprofit corporation" and NOT a "cooperative." Nor are you an unincorporated association choosing to incorporate.
 3. When asked, your application's effective date is "when filed with the Department of State."
 4. When asked, your corporation's Nonprofit Purpose is "To maintain and operate a Christian Church and associated evangelical ministry – see attachment."
 5. When asked, your corporation "shall have members."
 6. When asked for a description of your corporation's business activity, write "Nonprofit - To maintain and operate a Christian Church and associated evangelical ministry – see attachment" (or something similar).

7. When asked for a Tax Responsible Party, provide the information for your church's treasurer or another competent church officer.
 8. When asked for an EIN/FEIN, you can leave the form blank.
 9. When asked for a tax year or fiscal year end, type "12" for month and "31" for day.
 10. When asked, your corporation is organized on a "nonstock basis."
 11. When given the opportunity to upload additional attachments or article provisions, make sure to upload a copy of the executed Articles of Incorporation as signed by your church's appointed Incorporator.
- ii. As an alternative to the online submission process, you can instead prepare and submit a mail-in application by doing the following:
1. Access and complete Pennsylvania Department of State Form DSCB: 15-5306 (Articles of Incorporation-Nonprofit) (available at https://www.dos.pa.gov/BusinessCharities/Business/RegistrationForms/Documents/RegForms/15-5306_7102%20Art%20of%20Inc-Dom%20Nonprofit.pdf). Upon clicking the above link, please follow the instructions attached to the form. Make sure the information entered into the form is consistent with that stated in your Articles of Incorporation. At the top of the form, check the box for "Domestic Nonprofit Corporation"; for item #3, type/write "To maintain and operate a Christian Church and associated evangelical ministry – see attachment"; for item #5, check the box for "nonstock basis"; skip item #6; for item #7, check the box for "shall have members"; and skip item #8.
 2. You also need to complete Pennsylvania Department of State Form DSCB: 15-134A (Docketing Statement – New Entity) (available at <https://www.dos.pa.gov/BusinessCharities/Business/RegistrationForms/Documents/RegForms/15-134A%20Docketing%20statement%20creation.pdf>). For item #2, designate an appropriate tax representative for your church; for item #3, type/write "Nonprofit - To

maintain and operate a Christian Church and associated evangelical ministry.”

3. Lastly, you need to print and sign Form 15-5306, and attach to it an executed copy of your Articles of Incorporation and Form 15-134A. Then, with a cover letter or note requesting that your non-profit corporation application be processed, send all of the assembled documents to the Bureau of Corporations and Charitable Organizations, P.O. Box 8722, Harrisburg, PA 17105-8722 (and remember to also send \$125 check).

- g. **Publication of Corporate Formation:** As soon as you have submitted or mailed your new-corporation application, you must publish notice of your intent to incorporate in two local newspapers of general publication. If any “legal publications” exist in your county, one of your two public notices should be placed in a legal publication. For a list of county legal publications, visit <https://www.dos.pa.gov/BusinessCharities/Business/Resources/Pages/Geographical-Listing-of-Legal-Publications.aspx>. Your public notice need only state: “Notice is hereby given that, pursuant to the Business Corporation Law of 1988, proposed Articles of Incorporation (Nonprofit) have been filed with the Department of State to incorporate [Name of New Entity], which is to be domiciled at [Registered Physical Address of New Entity].” Proofs of the two advertisements should be obtained and kept with your church’s official records/minutes.

13. **IRS Registration:** As soon as the local church forms a new corporation, it needs to register with the IRS to obtain an Employer ID number (EIN). This will be necessary to pay employees, open new bank accounts, etc.. **There is no need to separately apply for 501(c)(3) tax exempt status** since churches are automatically considered tax-exempt.

- a. An online EIN application is available at <https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>. Under the “Step 3” heading, simply click the blue box labeled “Apply Online Now.” When asked about “type of legal structure,” make sure to “View Additional Types” and then select “Church.” When asked why you are requesting an EIN, select “Started a new business.” Please make sure any other entered information is consistent with what is included in your Articles of Incorporation (if applicable).

- b. Alternatively, if you prefer to prepare a physical EIN application, the relevant form (Form SS-4) can be accessed at <https://www.irs.gov/pub/irs-pdf/fss4.pdf>. Instructions relating to the paper SS-4 Form are available at <https://www.irs.gov/pub/irs-pdf/iss4.pdf>.

- 14. Prepare Real Estate Legal Description Document:** If you have not done so already, you will need to prepare a document that contains an organized and complete listing of the “legal description” for each parcel of real estate that your church owns. A legal description is a formal method of describing the location of a parcel of real estate, and it is how real estate must be referenced in a property deed. You should accordingly be able to copy the relevant legal description for your property from the underlying property deed. When you copy the legal description, it is **very important** that you copy every word, number, and letter exactly as it is written. For an example of a real estate legal description inventory, please click [here](#). Note that this legal description listing will be attached to several documents that are discussed below (the corporate vote resolutions, the Act of Conveyance, the Asset-Liability Transfer Agreement, and the Quitclaim Deed).
- 15. Extinguish or Prepare to Transition Liabilities.** The local church will need to satisfy all liabilities and debts or transfer them to the new corporation. It is advised that churches pay off all debts as they are able before disaffiliation since transfer of debts can be quite onerous. Transfer of unpaid bank/lender debts will require bank approval and potentially a new underwriting or refinancing process. **It is important that you reach out to your lender promptly to get this process started as soon as possible.** If you have a bank loan or mortgage, you will likely need to involve an attorney to help navigate the corporate transition. If you have a bank loan or mortgage, do not complete the property transfers referenced below (see #17, #18, and #19) without your bank’s permission.
- 16. Annual Conference Vote (June 15-17, 2023):** Pursuant to Discipline ¶ 2553 (and Judicial Council Decision No. 1379), the Annual Conference must vote to ratify (approve) your church’s Disaffiliation Agreement. If the motion passes, the WPA Board of Trustees will countersign the Binding Disaffiliation Agreement which was already signed by your local Trustees (see #10)—make sure to obtain a signed copy of the Disaffiliation Agreement to maintain with your important church records. In that event, all remaining steps below (except #25) must be completed before the disaffiliation date noted in your Disaffiliation Agreement. If for any reason your disaffiliation agreement does not receive the required majority approval vote of the

Annual Conference representatives, your church cannot disaffiliate pursuant to ¶ 2553 and you need not complete the below steps.

- a. If the Annual Conference votes to approve your Disaffiliation Agreement, you must immediately pay the conference all required amounts, as listed in your Disaffiliation Agreement. Payment should be made in the form of a certified check, cashier's check, or official bank check.

Q3 2023 (TO BE COMPLETED BEFORE AUGUST 16, 2023)

17. Announce Joint Corporate Meeting: If your church's Disaffiliation Agreement is ratified at Annual Conference 2023, your church should promptly announce a corporate meeting to be held on behalf of both the old and new corporate entities of the local church. In the 2-3 weeks preceding the vote, at least two pulpit announcements, as well as an accompanying bulletin announcement to church members, should precede the corporate meeting. Each announcement should **expressly indicate** that the church will be voting at a given date-and-time to:

- a. Execute a property deed transferring all real estate from the old church entity to the new church corporation;
- b. Execute an agreement transferring all assets and liabilities from the old church entity to the new church corporation;
- c. Authorize the old church entity's trustees/directors to establish and agree to the terms of the asset/liability transfer;
- d. Accept a quitclaim deed with respect to any property rights held by the UMC or Annual Conference;
- e. Ratify the Articles of Incorporation of the new church corporation (see #12(e)) (the congregation should also be explicitly told that a copy of the Articles of Incorporation is available on the church website and in the church office);
- f. Authorize and instruct the new church corporation's Board of Directors to prepare and adopt new corporate bylaws.

18. Hold Joint Corporate Meeting: Following the above announcement of a church membership meeting, your church will need to hold the scheduled meeting. Only official members of the church should be in attendance or vote upon the resolutions to be presented. If possible, all attending members should sign-in so that you will later be able to establish who was in attendance. Then:

- a. A resolution should be announced that authorizes the **old** church entity to (i) transfer all of its real estate to the new church corporation; and (ii)

transfer all other assets and liabilities to the new church corporation. For a proposed resolution to read, vote upon, and execute, click [here](#) (if your church adopts the hyperlinked resolution, you will need to, where noted in red, add the date, your church's name, your church's new entity name, the name of the person authorized to sign formal documents, and your church's property legal description inventory).

- b. A second resolution should be announced that authorizes the **new** church corporation to (i) acquire all of the real estate of the old church entity; (ii) assume all other assets and liabilities of the old church entity; and (iii) adopt appropriate bylaws to replace the Book of Discipline. For a proposed resolution to read, vote upon, and execute, click [here](#) (if your church adopts the hyperlinked resolution, you will need to, where noted in red, add the date, your new church's name, your church's old entity name, the name of the person authorized to sign formal documents, your church's property legal description inventory, and your new corporation's articles of incorporation).
- c. You will not be able to keep the original copies of your two corporate resolutions, but you should make sure a copy of each is kept with your important church records.

19. Execute and Record Act of Conveyance: Following the approval and execution of your two corporate resolutions (see #18 above), you need to execute and record an "Act of Conveyance." This document functions as the property deed that transfers your church's real estate from the old entity to the new corporation.

- a. This document should include an exact listing of any names under which your church ever acquired any of its real estate holdings (old churches often used different names over time). More importantly, this document must also include the complete listing of property "legal descriptions" that you previously prepared (see #14 above). For a model Act of Conveyance that you can use to transfer your church's real estate, click [here](#) (if your church uses the hyperlinked instrument, you will need to, where noted in red, add the date, your old entity's name (and formerly used names), your church's county of domicile, your church's address, the name of the individuals signing, and your church's property legal description inventory).
- b. To prove that your Act of Conveyance was properly authorized, you need to attach to it the two corporate resolutions that approved the instrument's execution (see #18 above). Accordingly, please assemble a "recording package" that includes (i) the signed Act of Conveyance, (ii) the old church resolution authorizing the Act, and (iii) the new church corporation

resolution authorizing the Act. These three documents together form your “Act of Conveyance Recording Package.”

- c. Take your Act of Conveyance Recording Package to the office of the “Recorder of Deeds” for your county (typically in the same building as your county courthouse). Once there, you need to “record” your Act of Conveyance Recording Package by filing it with the Recorder and paying the recording fee. It is advised that you obtain a certified copy of your Act of Conveyance Recording Package to keep with your important church records.
- d. If you have any difficulty with the preparation of your Act of Conveyance, it is recommended that you retain the assistance of a local notary or property attorney.

20. Execute Asset/Liability Transfer Agreement: By the local church’s Disaffiliation Date, it will need to prepare an Asset Transfer and Liability Assumption Agreement, which will be the formal document by which the new entity takes responsibility for the assets and liabilities of the old entity. The local church should provide a copy of this document to the DS ahead of time to confirm that the DS approves of its form and contents. For a model Asset Transfer and Liability Assumption Agreement that you can use or modify as needed, please click [here](#) (if your church uses the hyperlinked instrument, you will need to, where noted in red, add the date, your old entity’s name, and your new church corporation’s name). Once signed, your DS may request a copy; otherwise, the instrument should be kept with your church’s other important records.

- a. If you have any vehicles or heavy equipment registered in the name of your old church entity, you will need to take steps to have the vehicle retitled in the name of your new church corporation.

21. Quitclaim/Release of Trust: In addition to the Conference Board of Trustees’ signature on the Binding Disaffiliation Agreement, a local church will also need to obtain a signed “Quitclaim Deed” or “Release of Trust” instrument from the conference (which the conference should provide, **together with** a conference resolution authorizing the execution of the document). This document will, for real estate purposes, make clear that the WPA Annual Conference has returned any trust interest in local church property back to the new church corporation. This document will need to include the exact legal description of all real estate owned by the old church entity under any name (see #14). If you have any difficulty with the completion or recordation of your Quitclaim Deed, it is recommended that you retain the assistance of a local notary or property attorney.

- 22. Transfer of Bank Accounts:** Use your new EIN to open new bank accounts to be used by the new church entity, and transfer all funds/investments/etc. to the new accounts. *Any automatic payments or other affected processes will need to be updated.* Of course, you should also close the bank accounts that are held in the name of your old church entity. If you have any funds administered or held by the Methodist Foundation, it is advised that you move those funds to a new account or custodian.
- 23. Human Resource, Tax, and Management Actions:** If your church has any employees, you will need to ensure that on your Disaffiliation Date, all insurance providers (property/health/unemployment/etc.), payroll providers, contractual partners, and other vendors are aware that your operations are continuing through a different corporation and using a different EIN. All important contracts should be amended or revised to reflect the name of your new church corporation.
- a. Until you modify your policy, your new church corporation will not be insured under your existing property, workers' comp, auto, and liability insurance policies. It is very important that you modify your policy accordingly or obtain a new policy.
 - b. If you have any employees, you may need to request or obtain a Pennsylvania Tax ID number, open an employee tax account, and/or register with the Pennsylvania Department of Revenue. Please consult with a local accountant to determine what taxation or registration requirements may be applicable to your entity (see also <https://mypath.pa.gov/#2>).
 - c. If your church files a state or federal tax return, it will be necessary for your church to file an appropriate return under the Old EIN for the beginning portion of 2023 and one for the New EIN through the close of 2023.
 - d. To the extent that your employees, clergy, and/or staff lose continuing retirement benefits or contributions as a result of disaffiliation, you will probably want to ensure that an alternative plan is adopted.
- 24. Other Required Steps:** In accordance with your Disaffiliation Agreement, remember to:
- a. As a general rule, cease all use of your old church entity's name.
 - b. Remove all church signage and materials that bear the "United Methodist" name or the "Cross and Flame" emblem.
 - c. Ensure that your church website is updated and that all "United Methodist" or "UMC" references are removed. If your church's website and/or e-mail domain name includes any "umc" reference, you will need to move your website and e-mail service to a new domain name.

- d. After making applicable copies, turnover all official church records, through August 16, 2023, to the Conference Secretary.
- e. Turnover to the Conference Secretary all remaining Bibles and Hymnals that bear the “United Methodist” name or the “Cross and Flame” emblem. However, the Conference has indicated that it is permissible for individual church members to retain “In Memory” or dedicated Bibles and Hymnals that are personal to them.

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25. Adoption of Bylaws: Corporate entities generally have two governing documents: (1) articles of incorporation and (2) bylaws. While Articles of Incorporation contain certain important rules and describe the general structure of a corporation, bylaws “fill in the gaps” and set forth the specific rules relating to the conduct of corporate meetings, meeting notice rules, member voting requirements, the election/terms/removal of corporate officers and directors (trustees), etc. UMC churches generally do not need their own corporate bylaws, as the relevant rules are set forth in the UMC Book of Discipline. Once your church is no longer in the UMC, however, the Book of Discipline becomes inapplicable. It is accordingly recommended that your church adopt some form of written bylaws to govern how your new church corporation will be operated. For a set of model Bylaws that you can use or modify as needed, please click [here](#) (if your church uses the hyperlinked document, you will need to carefully review the document and customize it as needed to suit your organization’s needs).

- a. Different denominations may have specific requirements or other governing structures. Be sure to reach out to the denomination your church is affiliating with for those specific structure requirements.

Helpful Links for the Future

- [Process for Congregations to Join the Global Methodist Church](#)
- [How Clergy Align with the Global Methodist Church](#)