



**Sharma D. Lewis**  
RESIDENT BISHOP

## THE UNITED METHODIST CHURCH

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**December 7, 2020**

### **Boy Scouts of America and Charter Issues**

Dear Virginia Annual Conference:

This letter is to clarify the respective roles of local churches and the Virginia Annual Conference with the Boy Scouts of America (BSA).

On October 26 and 28, 2020, the Conference provided [extensive guidance](#) to member churches related to the BSA bankruptcy process, including a Proof of Claim form to help protect churches. The Conference also paid for the cost for filing the Proof of Claim if any local church followed the process identified by the Conference. This is an example of how the resources and expertise of the Conference benefit local churches, saving local churches time and money.

How and whether churches engage with the BSA through charter agreements, though, is to be determined by the local church leadership and not the Conference. The clergy and laity leaders of the local church should assess the risks and decide about the scope and particulars of its contractual relationship with the BSA, and if there is to be any contractual relationship. This has been the longstanding practice within the Virginia Conference. While I will monitor developments involving the BSA and the local churches in the Conference closely, I intend to continue the practice of leaving the legal issues between the local church and the BSA with the local church.

If the local church believes it is necessary, it should engage legal counsel and obtain advice for a specific local church charter(s) with the BSA. It may also be important to seek guidance from the local church's insurance carriers as it relates to the legal relationship between the local church and the BSA.

Like many issues, the local church is charged with vetting all third parties that use church property. Local churches should evaluate if and how third parties may use church property and whether there are legal, insurance, or other issues involved in having third parties on the property for various ministries and other uses. With rare exception, the Conference does not approve or manage which third-party organizations use church property. However, as you have noticed during the pandemic, the Conference may be involved in various gatherings that involve keeping everyone safe and healthy.

On December 6, 2020, a widely disseminated e-mail with the Subject Line, "URGENT MESSAGE FOR BSA CHARTERS" mischaracterized the legal advice by Virginia Conference Chancellor Steve Brown. The legal advice was reserved for a specific District Superintendent and the intent was that it would remain private and limited to this specific church. There were statements in the legal advice that alerted the District Superintendent to a policy issue that may be considered by the Conference or not. The legal advice was intended to be shared with a very limited audience, including other District Superintendents as part of their deliberative process. This legal advice should not have been shared with other clergy and it was not meant to be an opinion of Conference policy.

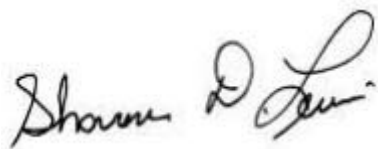
Omitted from the December 6 e-mail were two critical sentences from Chancellor Brown in his original legal advice. The sentences were: "These are local issues unless the Conference wants to get involved going forward. I

do not know where the Bishop stands on this issue with the Boy Scouts.” To reiterate from above, it is local churches that should determine if and how they should enter charters with the BSA. Chancellor Brown’s statement about whether the Conference wants to be involved and where the Bishop stands should make clear that the Conference has not formed an opinion on whether and how local churches enter into charters with the BSA. It was not an opinion that Bishop Lewis or the Conference do anything from a policy standpoint on the local churches and the BSA.

I thank Chancellor Brown for his wise legal counsel on a number of issues for the Conference. It is rare that anyone will see a privileged communication from the Chancellor unless it is released by me or the Chancellor. It is imperative that the Conference be able to discuss legal issues with the Chancellor without those discussions being made public without specific approval. It is easy to see how such privileged discussions can be confusing when the reader does not have the entire story. Please know that steps have been taken to prevent such confusing communications from reoccurring.

Thank you for your attention to these matters.

Peace and Blessings,

A handwritten signature in black ink that reads "Sharma D. Lewis". The signature is written in a cursive style with a large, stylized initial 'S'.

Bishop Sharma D. Lewis