

# Religiously affiliated organizations in Texas enjoy broad exemption from some lawsuits

The ecclesiastical abstention doctrine essentially says that government cannot interfere unduly with how a religious organization operates. It provides protection for seemingly ordinary employment decisions that religious organizations make.

**Recent case:** Evelyn worked for the St. Luke Community United Methodist Church. She had been as the director of operations for over a decade.

While she was on medical leave, the church held an emergency meeting to discuss her employment and possible termination. When she returned from leave, Evelyn was told she was being terminated. A police officer escorted her from the church premises.

The stated discharge reason was a reorganization of programing and a desire for staff to be more closely aligned with church doctrine.

Evelyn sued, alleging defamation, negligence, fraud and misrepresentation, as well as age and sex discrimination.

The church said, as a religious organization, it ought not be subject to judicial review. The trial court agreed and Evelyn appealed.

The appeals court said that the ecclesiastical abstention doctrine requires courts to abstain from reviewing decisions by religious institutions “pertaining to the internal governance of the church and involving only church leadership, members, and staff.”

The court concluded this meant the church was free to reorganize without interference in its internal affairs even if this meant an otherwise valid discrimination claim must be dismissed. (*Kelly v. St. Luke Community Methodist Church*, Texas Court of Appeals, 2018)