

Tenn. Supreme Court seeks clarity about church autonomy

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KNOXVILLE (BP)—Tennessee Supreme Court justices sought clarity regarding the church autonomy doctrine Thursday, Jan. 8, in a case focused on the Southern Baptist Convention's protocols to address claims of sexual abuse.

Attorneys for Preston Garner, who has brought a defamation lawsuit against the SBC and others, asserted a letter sent in the early days of 2023 stemming from a report to the SBC abuse hotline led to Garner's dismissal at a Christian school and the simultaneous withdrawal of a job offer at a church.

Representation for the defendants said the matter was an example of "internal governance."

"Religious bodies have religious ways of approaching [these matters]," said Becket attorney Daniel Blomberg, representing the SBC et. al. "That's obviously the case here, where religious polity really plays a significant role in how the convention itself can interact with its member churches."

Becket, [according to its website](#), "is a non-profit, public-interest legal and educational institute with a mission to protect the free expression of all faiths."

Matt Rice, solicitor general for the State of Tennessee, spoke on the matter of church autonomy.

"The very process of requiring religious institutions to engage in litigation over matters of their faith doctrine and internal governance, itself, causes a

constitutional harm under the religion clauses,” he said. “We think this court should recognize as much.”

In comments to Baptist Press, Blomberg noted the court sees the importance of this case.

“They had excellent questions and were taking this really seriously, which is a very good sign,” he said of the five-judge panel. “This is a very important issue. Judge [Sarah K.] Campbell mentioned other faith groups as well [that would be impacted].”

Sexual abuse claim made against Garner

In 2022, a report came through the SBC’s abuse hotline, which at the time was maintained by Guidepost Solutions, of a claim of sexual abuse 12 years earlier. The claimant, a woman whose identity has not been revealed, accused Garner, a longtime worship pastor and school music teacher, of abuse while he was on staff at a church.

A representative of the SBC Credentials Committee sent a letter Jan. 7, 2023, on behalf of the Credentials Committee to Everett Hills Baptist Church in Maryville, Tenn., where Garner had recently resigned as worship pastor.

That letter informed the church of the report and that there was “a concern” over Everett Hills’ relationship with the SBC. It further asked for a response from the church within 30 days. The Credentials Committee representative is also named in the suit.

Garner was employed by The King’s Academy, a Christian school, and in the process of taking a position with First Baptist Church in Concord, Tenn. He maintains the letter led to his losing his job at The King’s Academy and

to First Baptist Concord's withdrawing its offer of employment.

According to Annual Church Profile reports, Garner has served as worship/music minister at Black Oak Heights Baptist Church in Knoxville, Tenn., since September 2024.

Attorney Bryan McKenzie, representing Garner, said his client had "no claim" with The King's Academy or Everett Hills Baptist Church, and so the case did not concern "internal religious affairs within those organizations."

Questions over liability of the SBC

Campbell didn't see how they also wouldn't include the SBC.

"You're asking us to discriminate based on a certain denomination's decision about how to structure itself and how to structure its governance, and we can't do that under U.S. Supreme Court precedent regarding the establishment clause."

Baptist Press reached out to Garner's attorneys for comment, receiving none.

Arguments for dismissal have centered on two points: (1) the church autonomy doctrine, which gives churches the right to make certain decisions free from government interference, and (2) protections through the Tennessee Public Participation Act, which provides protection against legal action "based on, relates to, or is in response to that party's exercise of the right to free speech, right to petition, or right of association."

The former speaks to the SBC's religious nature. The latter addresses the Credentials Committee's responsibility to establish contact with Everett Hills. Four amicus briefs, [available at Becket](#), have been filed in support of the SBC's position.

Supreme Court accepts SBC's appeal

The Supreme Court [accepted the SBC's appeal](#) to review the case last summer. In January 2024, a circuit court judge rejected both the SBC's arguments for dismissal. One year ago today, an appeals court affirmed the circuit court's decision regarding the autonomy doctrine but reversed the decision regarding the Tennessee Public Participation Act.

The Credentials Committee was repurposed in 2019 to consider questions regarding whether a church is deemed to be in "friendly cooperation" with the SBC. One of those criteria, as outlined in the SBC Constitution, is a church's alignment with the convention's beliefs regarding sexual abuse.

"The process did what it was supposed to do," said Blomberg in the hearing. "Everett Hills did not have a policy in place to ensure that their ministers were complying with the religious beliefs of the Southern Baptist Convention, and now they do."

A ruling from the Tennessee Supreme Court is expected in the next few months.

With additional reporting by Baptist Standard.