

SUPREME COURT OF OKLAHOMA

John Doe v. The First Presbyterian Church U.S.A. of Tulsa,
Oklahoma and James D. Miller

2017 OK 106 (Okla. 2017) · No. 115182 · Decided December 19, 2017

SUMMARY

The Oklahoma Supreme Court held that the church autonomy doctrine did not deprive the district court of subject matter jurisdiction over John Doe's tort and contract claims arising from publication of his baptism on the internet. Because the district court relied on disputed facts central to the claims, its jurisdictional dismissal should have been treated as a motion for summary judgment, and summary adjudication was premature. The court reversed and remanded, emphasizing that the church autonomy doctrine operates as an affirmative defense and that Doe was not alleged to have become a church member.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Watt, J.; Gurich, V.C.J.; Kauger, J.; Edmondson, J.; Colbert, J.; Combs, C.J.; Winchester, J.; Reif, J.; Wyrick, J.
JURISDICTION	Oklahoma
DECIDED	December 19, 2017
DOCKET	115182
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from an order of the Tulsa County District Court granting defendants' second motion to dismiss for lack of subject matter jurisdiction. The Oklahoma Supreme Court retained the appeal, granted rehearing, withdrew its February 22, 2017 opinion, and substituted this opinion.
STANDARD OF REVIEW	Not expressly stated; the Supreme Court reviewed the district court's dismissal and its treatment of disputed factual matters concerning subject matter jurisdiction.
PRECEDENTIAL VALUE	published Oklahoma Supreme Court opinion; majority opinion binding within the court's jurisdiction

PARTIES

John Doe v. The First Presbyterian Church U.S.A. of Tulsa,
Oklahoma, James D. Miller

TOPICS

subject matter jurisdiction

motions to dismiss

summary judgment

first amendment

appellate procedure

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether a motion to dismiss for lack of subject matter jurisdiction must be treated as a motion for summary judgment when the court considers disputed evidence relating to facts central to the plaintiff's claims.
2. Whether the church autonomy doctrine deprived the Oklahoma district court of subject matter jurisdiction over Doe's tort and breach-of-contract claims.
3. Whether the church autonomy doctrine applied where Doe received baptism but undisputedly did not become a member of the church or consent to its broader ecclesiastical governance.

HOLDINGS

1. When evidence outside the pleadings submitted on a subject-matter-jurisdiction motion concerns disputed facts that are also elements of the plaintiff's claims, the motion must be treated as a motion for summary judgment. Because the district court resolved disputed factual issues central to Doe's claims, dismissal for lack of subject matter jurisdiction was erroneous.
2. The church autonomy doctrine did not deprive the Oklahoma district court of subject matter jurisdiction over Doe's claims. The doctrine, as applied under the majority's analysis, operates as an affirmative defense rather than a jurisdictional bar.
3. Because Doe undisputedly did not become a church member and the record contained no evidence that he consented to the church's broader ecclesiastical jurisdiction, the church could not rely on ecclesiastical jurisdiction to eliminate the court's authority to hear his claims.

KEY QUOTATIONS

“But, when this additional disputed evidence relates to an element of the cause of action pled by a party, the motion to dismiss for lack of subject matter jurisdiction is converted to one for summary judgment.” (§ 14)

“operates as an affirmative defense to an otherwise cognizable claim, not a jurisdictional bar.” (§ 24)

“It was error for the district court to conclude that it had no subject matter jurisdiction to hear Doe's claims on the basis of ecclesiastical jurisdiction.” (§ 26)

FACTUAL BACKGROUND

John Doe, a Syrian-born Muslim convert to Christianity, sought baptism from the First Presbyterian Church of Tulsa but alleged that he did not agree to church membership and would consent to baptism only if it remained private. A church member represented that the baptism would be kept private, but the church and its minister published notice of the baptism on the internet the next day. Doe alleged that extremists learned of his conversion from the internet, kidnapped and threatened to kill him while he was traveling in Syria, and caused him physical and emotional harm.

PROCEDURAL HISTORY

Doe sued the church and its minister for tort and breach-of-contract claims arising from publication of notice of his baptism on the internet. The district court denied defendants' first motion to dismiss for failure to state a claim but granted their second motion to dismiss for lack of subject matter jurisdiction after considering evidence concerning church doctrine, baptism, confidentiality, and consent. The Supreme Court reversed and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings consistent with the opinion, including resolution of disputed factual issues through an adversarial proceeding rather than dismissal for lack of subject matter jurisdiction.

CASES CITED

- Rogers v. Quiktrip Corp., 2010 OK 3, 230 P.3d 855
- Osage Nation v. Board of Commissioners of Osage County, 2017 OK 34, 394 P.3d 1224
- Reeds v. Walker, 2006 OK 43, 157 P.3d 100
- Watson v. Jones, 80 U.S. 679 (1871)
- Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church in North America, 344 U.S. 94 (1952)
- Guinn v. Church of Christ of Collinsville, 1989 OK 8, 775 P.2d 768
- Hadnot v. Shaw, 1992 OK 21, 826 P.2d 978
- Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC, 565 U.S. 171 (2012)
- Pringle v. United States, 208 F.3d 1220 (10th Cir. 2000)
- Malson v. Palmer Broadcasting, 1997 OK 42, 936 P.2d 940
- Bryce v. Episcopal Church in the Diocese of Colorado, 289 F.3d 648 (10th Cir. 2002)
- Skrzypczak v. Roman Catholic Diocese of Tulsa, 611 F.3d 1238 (10th Cir. 2010)
- Bladen v. First Presbyterian Church of Sallisaw, 1993 OK 105, 857 P.2d 789
- Fowler v. Bailey, 1992 OK 160, 844 P.2d 141
- Jones v. Wolf, 443 U.S. 595 (1979)
- Bell v. Presbyterian Church (U.S.A.), 126 F.3d 328 (4th Cir. 1997)

- Puri v. Khalsa, 844 F.3d 1152 (9th Cir. 2017)
- Bollard v. California Province of the Society of Jesus, 196 F.3d 940 (9th Cir. 1999)

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