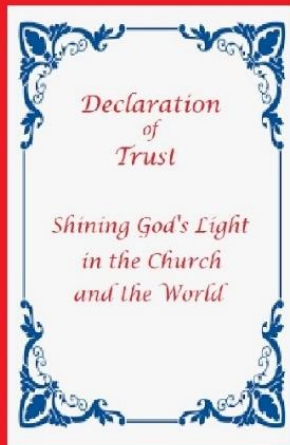


Churches Under Christ Newsletter

January 1, 2022

The Churches Under Christ Ministry helps churches who want to organize under Christ alone and is under the authority of Charity Baptist Tabernacle of Amarillo TX, Ben Hickham Pastor



Page 1: List of December 2021 ministry publications

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List of December 2021 Ministry publications

1. [December 11, 2021 Announcement Concerning Compromising the Position of a Church Who Has Established a Bible Trust Relationship with Property](#)
2. [Lesson 4: The wisdom of a written Declaration of Trust.](#)
3. [Lesson 5: Which term, "STEWARD" OR "TRUSTEE," is more appropriate in declaring a church bible trust relationship?](#)

Highlighted December 2021 Ministry Activities

Note. Only the most important ministry activities, and activities which deal with important matters concerning Bible trust operation, are included below. Some of the matters dealt with in this newsletter include church Internal Revenue Code § 508(c)(1)(A) tax exempt status (does it have the same effect as § 501(c)(3)? tax exempt status?), completing IRS form 1041 (not appropriate for the common law trust), applying for a trust EIN "for banking purposes only (fax form SS-4, do not apply online), taking online donations (need to have a note (sample given below) explaining the nature of the trust and that the trust is not a federal tax exempt organization), how to notify givers of the nature of the trust and that the trustee does not give IRS acknowledgements for gifts to missionaries (not a federal tax exempt organization), dealing with a bank which would only classify the trust account as a business account, making sure church documents, such as church covenants, articles of faith, etc. do not conflict with the trust documents, etc.

December 1 Published [December 1, 2021 Ministry Newsletter](#)

Dec 2-3 Scheduled phone call with a dear pastor I have been working with for some time. We have gone through the two Ministry Questionnaires. I sent him sample documents. The church is not yet ready to establish the trust, but I sent the documents so he can begin to study them and discuss them with church members. See [Ministry Procedures](#).

Dec 2 From another beloved trustee who established the trust:

Hello Brother Jerald,

[He asked how to I hope this email finds you well.

I have a question on how to handle future financial support [] as missionaries under []?

Per our last conversation, I'm currently writing a letter to send to those who supported us financially the past year through the Missionary organization. I explained the changes and why the changes were necessary. I wanted to communicate to them that they could continue to give but it would NOT be tax exempt.

My question is, as missionaries then through [], should I instruct them to send the money directly to us OR send it to [] Trust & designate it to missionaries, []?

I appreciate you and your time in helping me understand how to handle this matter..

In Christ,

Dec 2 My answer:

Dear Brother [],

I believe either way will be fine. Either way you choose, keep good records.

God bless,

Brother Jerald

Dec 3 From a beloved pastor and trustee concerning the December 1, 2022 Newsletter: Thank you Brother! A very thorough newsletter _____

Dec 4 Email from a dear brother who is who is helping the pastor with establishing the trust and organizing the church completely under Christ: Hello dear brother Jerald, I hope all is well. Could you give me a call at [] I have few questions to go over. Thank you very much, many blessings.

Sample trust documents had been sent in August. The church members come from former Soviet bloc nations.

Dec 6 We discussed bank account, more than one trustee, etc. We made changes in DOT, primarily about requiring the Trustee to consult with members before performing most of this trustee functions, discussed opening bank account, getting EIN "for banking purposes only," insurance on vehicle if held in name of trust etc. We talked a couple of hours or close to it. He said they will execute docs soon and send copy of executed docs and then get with me before applying for EIN and getting bank account.

Dec 20, he sent me copies of the documents which the church had executed that day.

Dec 22 Phone call. They are considering purchasing property for meetinghouse, but have not found property yet. Discussed what to do when they find property—to be purchased in name of trust, etc. Discussed being proactive in approaching property tax office and the fact that the property tax exemption does not compromise the church or the trust. Discussed EIN. Went over form SS-4 with him and sent him the EIN PowerPolint.

Dec 29 He sent me a copy of the completed SS-4 for my review. I replied that it was filled out correctly. He will send the form via fax. As I learned with another trustee on **Dec 31** (see below), the online application is flawed for purposes of the common law trust “banking purposes only” EIN. Here’s a filled out SS-4 if you could look it over and let me know if we filled it out correctly. Thank you very much again for everything you do! If we don’t get a chance to talk, you have yourself a happy new year. You can get the EIN immediately by applying online, but it technically compromises the position of the trust as a non-legal entity. Application by fax takes a few days, but when the SS-4 is correctly completed, it does not compromise the status of the trust as a non-legal entity.

Dec 4 Email from a beloved trustee. He signed up for online giving to the trust. He put a note for me to review. He stated, “I would like you to review it for any possible problems or even if I should post it at all.”

When you give, you are giving to the [] Trust. The *trust is owned by the Lord Jesus Christ and He is the beneficiary of that trust. The trust is managed by a trustee that uses the funds for the purpose of the gospel ministry of the [] Baptist Church. Our church is not a 501(c)3 or a 508(c)(1)(a) organization. We do not report your giving to the IRS or any other government entity. We do NOT claim to be a tax-deductible organization. If you believe your giving should belong to the Lord and not to a corporation then freely give to this ministry.

Dec 6 My reply: Very good note. I believe it necessary to include it on the webpage. I would suggest that it be modified as follows:

When you give, you are giving to the [] Baptist Church Trust. The property (which includes money) held in the [] Baptist Church Trust Estate is owned by the Lord Jesus Christ; He is the owner of all property held in the [] Baptist Church Trust Estate. The trust is managed by a trustee who holds and manages all property in the Trust Estate solely for the benefit of the owner of the property, the Lord Jesus Christ, according to His Will as expressed in the Holy King James Bible. Neither [] Baptist Church nor the [] Baptist Church Trust are legal organizations such as non-profit corporations or Internal Revenue Code Section 501(c)3 or Section 508(c)(1)(A) tax exempt organizations. [] Baptist Church is under the sole authority of the Lord Jesus Christ. [] Baptist Church Trust is not an organization, but a relationship with property whereby the property in the trust estate is held and managed by the trustee for the benefit of the owner of the property, the Lord Jesus Christ. The trust does not give IRS acknowledgements for contributions. If you believe your giving should belong to the Lord and not to a corporation or a federal tax exempt organization subject to many man made rules and regulations, then freely give to this ministry.

Dec 6 Email received: We are forming a ministry and I was hoping you might be able to help with selecting the proper tax status. The entity will be a _____ ministry for children (with a private school, eventually). I have concerns about government influence in education and potential adoption down the road and don't want to take a dime of government funding. This being said, I am not sure if taxation on donations is appropriate or affordable either. Your knowledge and wisdom in this area would be greatly appreciated. In Christ, _____

Dec 6 I replied: Dear Ms./Mrs. _____, This ministry helps churches who wish to organize according to New Testament Church doctrine. It does not help stand alone "ministries." Bible doctrines come into play for those who wish to do

things God's way in all that they do, including the work you are proposing; but wisdom concerning those doctrines require a lot of time and study. God bless, Jerald Finney

Dec 6 Drafted letter to IRS on behalf of _____, Trustee. ([Baptist Church Trust established in 2021) concerning Form 1041 Mailed letter CMRRR on **Dec 7**. Every trustee who applies for an EIN "for banking purposes only" now receives a letter from the IRS granting the EIN and also informing them that the trustee needs to submit form 1041 each year. I draft a letter for those trustees which explains to the IRS that the trust is not a legal entity, has no employees or income, etc. and that therefore, Form 1041 is not required or appropriate. That has always taken care of the matter. **Remember, it is very important that the Form SS-4 be filled out correctly.**

Dec 6 Email from the beloved trustee about some papers the bank wants the trustee to sign. He wants me to look at them first. The bank told him that they would have to classify the account as a business account, that the bank "has no other place to put the account but business. **Dec 7** He sent me a copy of the paperwork they want him to sign for the account. **Dec 9** Call with _____ about the bank account, not opened yet. The lady at the bank also want to see the identification of the men who signed the trust documents.

Dec 10 Called the lady at the bank. I explained that a personal account would be more appropriate and why. Explained that the trust in no way can be classified as a business, that it is a relationship with property only, no employees or salaries—even the trustee receives nothing for serving as trustee—the elements of the trust, that it is not a product of man's law, is private, nothing filed with the state, etc. I pointed out that this is all in the documents establishing the trust which they were given a copy of. She said that they only have personal or business accounts and that according to their policies this has to be put under the umbrella of business account, but that in no way affects the nature of the trust or makes it a business. I asked for this in writing, but she said the bank has nothing in writing to explain this, but that this is their policy. They had told the trustee the same thing.

Dec 10 Called [the trustee]. We discussed the bank situation. I suggested that if they need to get an account now, go ahead and sign the agreement, but look for another bank. I told him that he can take the church members who signed the docs to the bank to provide identification and agree that they approve the opening of the bank account.

We also discussed the transfer of real property from his name to the trust and getting the property tax exemption. We have already gone over all that, even looking at the property tax exemption and application.

He will send me a copy of the deed for review before it is signed. He has a lawyer he trusts to do the deed.

Dec 11 Published **December 11, 2021 Announcement Concerning Compromising the Position of a Church Who Has Established a Bible Trust Relationship with Property** and sent to email lists. Also, amended and supplemented **Lesson 1: The basics of the Bible Trust and how a Church which has established a Bible trust can become a legal entity thereby nullifying status of the church as a spiritual body under Christ and Christ alone**

Dec 12

Received an email from a woman pastor. She stated that they "recently set up a 508 church but was struggling over taxes and setting up a bank account. I'm my search I ran into your site.

"I'd like to set up time to discuss what we might do to change structures as we are just starting out with no property or assets of any kind. The purpose of establishing this "church" is to teach people to walk in their purpose in every sphere of society. I am not a legal person, but I know I was not to establish a 501c3. I was led to believe 508

was to enable us to exercise our 1st Amendment rights, but after reading several articles, I'm questioning the decision to file with the state of Washington as a 508 entity.

"If we can discuss how this can be unraveled and move into the trustee and trust, I'd greatly appreciate it.

"I don't know if you walk with churches with a female pastor, but many in the body of Christ has rejected my ministry due to gender. I read Ephesians 4 definition of men as humanity and the last I checked, I was human.

"I look forward to hearing from you, but completely understand if I don't.

"Thank you in advance for your time.

Dr. _____

Dec 13

I replied: Dear Dr. _____,

As to 508(c)(1)(A) status, I recommend that you read the following essay: [Church Internal Revenue Code § 508\(c\)\(1\)\(A\) Tax Exempt Status](#)

All this ministry does is founded on principles in God's Word; Bible doctrine concerning, for example:

- The definition of church
- Builder of the institution of the church
- Builder of local churches
- Headship of a church
- God-given goal of the believer
- God-given goal of a church
- Nature of a church
- Requirements for elders, pastors, and deacons
- Relationship of church and state
- Etc.

The Bible answer to the question concerning women pastors is not as simple as your analysis. A complete Bible study of the issue makes this clear. If I had things my way, I would approve of women pastors. However, I prefer to glorify God by honoring women and refusing to attempt to remove them from the exalted role God has given them.

Also, the purpose of God's churches, according to His Word, is not "to teach people to walk in their purpose in every sphere of society."

Amos 3:3 : "Can two walk together, except they be agreed?"

For His Glory,

Jerald Finney

Dec 14 Published [Lesson 4: The wisdom of a written Declaration of Trust.](#)

Dec 15 Published [Lesson 5: Which term, "STEWARD" OR "TRUSTEE," is more appropriate in declaring a church bible trust relationship?](#)

Dec 20 Beloved pastor sent me a copy of proposed church articles of faith He stated, "I highlighted areas of change or questioning words I used. Please Look over." He wants to make sure there are no conflicts with the trust docs.

Dec 24 I replied to him via email and pointed out some of the matters in the articles of faith that we needed to discuss and some recommendations for modification and elimination.

Dec 29 Spent 4 hrs 45 minutes going over the Articles to make sure everything in it was consistent with church doctrine and principles relied upon in establishing the common law or Bible trust. We did not finish, but came close. Will finish soon.

Dec 23 Email from a beloved trustee concerning getting an EIN “for banking purposes only” for trust bank account. We tried to open a trust bank account and he said we need an EIN number. **Dec 24** Sent him an email asking him to give me a call.

Dec 28 Sent him the EIN PowerPoint and went over the form as he looked at the EIN PowerPoint. He filled it out online and is going to submit it online.

Dec 28 He sent me copy of the EIN approval letter. He said that he could not send the Form SS-4 (which we filled out together earlier that day). He also said the EIN approval letter granted an EIN, and also stated that he needs to send in the yearly completed form 1041. I emailed him to send me a copy of the letter from the IRS

Dec 31 Called the trustee and we discussed the compromises of applying online as he did. He did not send form SS-4—no way to send it online. He applied online by going to https://irs-gov-ein-number.com/?gclid=EAIaIQobChMIzP6pn6qM9QIVMRXUAR3aIQFDEAAAYASAAEgIEcPD_BwE. There, he was directed to “SELECT YOUR TYPE OF ENTITY.” He chose “Trust,” and filled out the online application which was inappropriate for the common law trust. First, the cl trust is not an entity, etc. We discussed this, etc. I will do a letter for him on this basis. He did this after I had gone over the SS-4 with him and he filled it out online. Then we went to SS-4 instructions on line and went over the ways to apply: online or fax. After we filled out the form, I advised him that he could use the form to apply online, thinking that he would be able to send the form via email. When he could not do so, he submitted the online application without calling me until he did. I advised him that I will send the IRS a letter on his behalf, explaining the nature of the trust, that it is not a legal entity, that it has no employees, no salaries, no income, etc. and that the form 1041 does not apply to this type of trust (common law (non-statutory) trust which is a relationship with property only, not an organization or legal entity.

IMPORTANT LESSON FROM THIS: DO NOT APPLY FOR A COMMON LAW TRUST EIN ONLINE. APPLY VIA FAXING CORRECTLY COMPLETED FORM SS-4.

Dec 23 I received the following via email: “In learning from your ministry, we must remove our charity in Arizona from the 501c3 tax exempt. Attached is what they sent me when I requested information. Is this the correct form? I truly appreciate your help. Thank you. Blessings to you.

Dec 24 I replied by referring them to:

https://www.councilofnonprofits.org/tools-resources/dissolving-nonprofit-corporation?gclid=EAIaIQobChMI9evFi7H99AIVKhPUAR1ooQIGEAAYASAAEgKHmvD_BwE

Featured Essay:

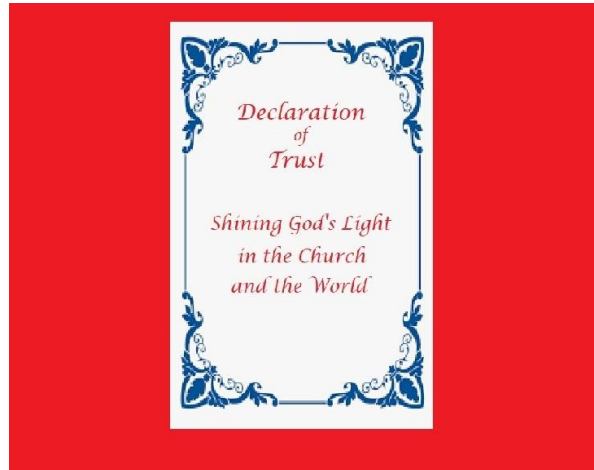
Lesson 4: The wisdom of a written Declaration of Trust

Jerald Finney
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December 14, 2021

Go to the following webpage for links to additional lessons:

[Lessons on the Bible \(Common Law\) Trust.](#)

Wisdom dictates that the best course of action for a church organized according to New Testament Church Doctrine is to properly write and execute a declaration, with supporting document(s), of the principles behind and terms of their Bible Trust agreement. One good name for this type of writing is “Declaration of Trust (‘DOT’).” A “declaration” is a publication or manifestation. Such a declaration will keep a church out of trouble as long as the terms of the trust are properly honored and maintained. An oral church Bible trust relationship with property will most likely, sooner or later, get a church into trouble. This lesson will cover the reasons why wisdom recommends the use of a written declaration and supporting documents.



Should a church repent of an unbiblical church organization—such as incorporation, unincorporated association, Internal Revenue Code § [501\(c\)\(3\)](#) or § [508\(c\)\(1\)\(a\)](#) status—biblically correct and comprehensive documents set the stage for implementation of the new, Christ-ordered direction and organization of the church. For churches already organized and operating according to New Testament Church Doctrine (for example, the church owns or leases no property whatsoever, holds no bank account or money, holds no insurance, etc.), written declaration agreed to by church members educates and eliminates ignorance concerning New Testament Church Doctrine. Proper documents perpetually benefit, educate, and set an example for present and future members of a church, other churches, the general public, and the world. Comprehensive and correct documents obey, glorify, and please God by, among other matters:

- Stating the New Testament doctrines and principles relied on for church organization under Christ and Him alone;
- Stating New Testament doctrine concerning church, state, and the God-ordained relationship between church and state;
- Stating the legal basis upon which a church relies for church organization under the authority of Christ and Him alone;
- Stating and define the elements of the irrevocable common law trust; and
- Defining the nature of the irrevocable common law trust, a relationship with property only, a non-legal entity.

A DOT which declares a Bible Trust relationship totally conforms to Scriptural principles and guidelines. See **Lesson 3: [Trust is a Bible Concept](#)**. It, with supporting documents, makes clear to all that the church, as trustor or settlor, remains a spiritual entity and closes the door to all legitimate arguments that the church is a legal, as opposed to a spiritual, entity.

If the trust relationship is understood, honored, declared, and correctly applied and managed, a correct DOT and supporting documents settle arguments about the intent and terms of the trust, the principles and facts relied upon, and the intended ownership and management of the trust estate. No disgruntled church member can rewrite or control the terms of the trust agreement (without support of the other members). No such member can argue that any type of contract, charitable trust, or other legal arrangement was intended or implemented. Thus, should a misguided member attempt to sue the church, a designated church member, probably the pastor, should make a special appearance in court contesting jurisdiction. A court has no jurisdiction over a church which is not a legal

entity. See [Lesson 1: The basics of the Bible Trust and how a Church which has established a Bible trust can become a legal entity thereby nullifying status of the church as a spiritual body under Christ and Christ alone](#). The door is closed for such a member to control the church property (the Declaration makes clear that the trust property and monies belong to God, not to the church), and/or to control the spiritual direction of the church. Of course, Ephesians 4:1-16 explains the correct manner of dealing with differences **Endnote [i]**. No government agent or officer can argue the type of trust created or the intent of the creator(s) of the trust agreement. The written Declaration, if in conformity to Bible principles, serves as the light and authority as to intent and terms. Should anyone dispute the terms of the trust relationship, the Declaration serves as the standard.

The declaration and supporting documents make clear that all trust property belongs to the Lord Jesus Christ and is to be used solely for His benefit according to His will given in the Word of God. The DOT makes clear that the trustee may not utilize, sell, or encumber any trust property for his own benefit.

A properly worded, executed declaration and supporting document(s) are solid proof that neither the trust agreement thereby created and declared nor the trustor church are legal entities subject to the authority of man. The documents make clear that (1) the church is organized according to Bible doctrine, a spiritual entity under God alone, not a business or any kind of creature of the state—a business trust, charitable trust, non-profit corporation, unincorporated association, Internal Revenue Code [§ 501\(c\)\(3\)](#) or [§ 508\(c\)\(1\)\(A\)](#) tax exempt religious organization and that (2) the church is not a two-headed monster, at best partially under the state and partially under God, or partially or totally under the state.

In summary, God's light shines through and God is glorified by biblically correct documents which declare the Bible Trust relationship.

Endnote [i] Ephesians 4:1-16: "I therefore, the prisoner of the Lord, beseech you that ye walk worthy of the vocation wherewith ye are called, With all lowliness and meekness, with longsuffering, forbearing one another in love; Endeavouring to keep the unity of the Spirit in the bond of peace. There is one body, and one Spirit, even as ye are called in one hope of your calling; One Lord, one faith, one baptism, One God and Father of all, who is above all, and through all, and in you all. But unto every one of us is given grace according to the measure of the gift of Christ. Wherefore he saith, When he ascended up on high, he led captivity captive, and gave gifts unto men. (Now that he ascended, what is it but that he also descended first into the lower parts of the earth? He that descended is the same also that ascended up far above all heavens, that he might fill all things.) And he gave some, apostles; and some, prophets; and some, evangelists; and some, pastors and teachers; For the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ: Till we all come in the unity of the faith, and of the knowledge of the Son of God, unto a perfect man, unto the measure of the stature of the fulness of Christ: That we henceforth be no more children, tossed to and fro, and carried about with every wind of doctrine, by the sleight of men, and cunning craftiness, whereby they lie in wait to deceive; But speaking the truth in love, may grow up into him in all things, which is the head, even Christ: From whom the whole body fitly joined together and compacted by that which every joint supplieth, according to the effectual working in the measure of every part, maketh increase of the body unto the edifying of itself in love."