

In November of 2008, at the annual convention of the Episcopal Diocese of Fort Worth, then-Bishop Iker brought to a conclusion and to a vote his desire to withdraw from The Episcopal Church. His plan had been developed over the preceding years and included changing certain parts of the bylaws of the Diocese without the required consent of the national Episcopal Church.

The movement to separate from The Episcopal Church found its genesis in large part in the objections of then-Bishop Iker to The Episcopal Church's decision to ordain women as priests.

That basic issue led to the schism because the departing faction had concluded that they could not live with ordaining women.

As the departing faction left The Episcopal Church, they claimed the right to take with them all of the property owned within the Diocese and, indeed, claimed the right to be the Diocese. As good and faithful trustees, The Episcopal Church, our diocese, and our parishes (including All Saints') filed suit against the departing factions and persons and those entities filed their countersuit, all to determine the ownership of property.

The Fort Worth trial Judge John Chupp ruled that we were correct; however, the dissidents filed a direct appeal to the Texas Supreme Court. The central issue was whether Texas still followed ecclesiastical principles (the "deference" theory) in the event of a church property dispute or whether "neutral principles" of state property law should govern. The Texas Supreme Court ruled in favor of the latter, reversed Judge Chupp's decision and sent it back to the trial court.

Judge Chupp then granted summary judgment, based on neutral principles, and ruled in favor of the departing faction. The Episcopal Church and we appealed that decision to the Fort Worth Court of Appeals which ruled in our favor and, indeed, reversed as to all of the parties on our side of the litigation and even rendered judgment in favor of All Saints' (meaning that we had won).

Then, the departing faction appealed to the Texas Supreme Court, which ultimately ruled in favor of the dissidents.

Thereafter, the national church and the diocese, on the one hand, and All Saints' Parish on the other hand, filed applications with the United States Supreme Court, requesting that the Court hear the disputes. Unfortunately, on the 22nd day of February, the United States Supreme Court declined to hear the case, thus bringing an end to the dispute over the ownership of the real estate.

Our departure from our beloved church building and our decision to build a new church is the result of that final decision.

We will have more to say on all of this later.