

# **California Episcopal bishops seek to stop diocese's moves: Fear actions "will create chaos for us for all time"**

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In a conflict that could have wide repercussions for the deeply divided Episcopal Church, four California bishops have accused a fellow prelate of planning to break away from the church and have asked a disciplinary panel to stop him.

By allowing critical changes to his diocese's bylaws, conservative bishop John-David Schofield of San Joaquin, California, is clearly preparing to abandon the 2.2-million-member Episcopal Church, the four bishops argue. Moreover, at a volatile moment when disputes over church leadership and property threaten to rip its 110 U.S. dioceses apart, the denomination could be thrown into legal disarray by San Joaquin's actions, according to church experts.

"You have taken legal action that destroys any chance that the rest of the Episcopal dioceses in California could ever argue that we are a hierarchical church," retired San Francisco bishop William Swing wrote in a June 22 letter to Schofield. "That will create chaos for us for all time."

The contents of the letter were leaked and posted on several Web sites. The San Joaquin Diocese confirmed the text.

Unhappy with the election of incoming presiding bishop Katharine Jefferts Schori and what they perceive to be the leftward drift of the church, San Joaquin is one of seven dioceses that have asked to be put under the guidance of a different primate. The diocese, based in Fresno, California, is also one of three U.S. dioceses that do not ordain women.

The diocese has taken more worrisome steps, according to the California bishops (Swing, Jon Bruno of Los Angeles, Jerry Lamb of Northern California and James Mathes of San Diego) who referred Schofield to the disciplinary panel, including:

- In October 2005, delegates to the diocesan convention approved an amendment stating that San Joaquin's constitution takes precedence over national church policies.
- Last March the diocese changed its bylaws so that the national church no longer has to approve San Joaquin's choice of bishop.

Swing's letter to Schofield asked him to reverse both those maneuvers.

Valerie Munson, a Philadelphia lawyer who specializes in church property suits, said urgency is warranted.

Local property such as church buildings are held in trust by dioceses for the larger denomination. Because of the Episcopal Church's hierarchical structure, secular courts have generally adopted a hands-off approach and let the national church keep the property when a parish breaks away. But if a diocese, such as San Joaquin, can make up its own rules, some of which contradict those of the Episcopal Church, the hierarchical argument could be disputed, according to Munson.

As dozens of conservative parishes seek to leave the Episcopal Church, court rulings in California could affect judgments elsewhere, Munson said. In recent years, California courts have been more sympathetic to breakaway parishes that want to keep their property.

"A court could say that, well, it's not hierarchical because that diocese has done something in contravention" to the national church, Munson said. "And maybe another judge in another state could take a look and say, well, it's spiritually hierarchical, but it's temporal when it comes to property."

The seven-member disciplinary panel will weigh the charges against Schofield and could issue the church equivalent of an indictment, which would turn the case over to church courts for trial.

Van McCalister, a priest-spokesperson for San Joaquin, said the diocese was originally a missionary diocese and was simply trying to update its constitution. Moreover, he said, diocesan delegates overwhelmingly approved the changes so it's not appropriate to hold Schofield wholly responsible.

The diocese has no immediate plans to leave the church, McCalister said. "This was not done looking ahead, as an avenue of separation," he said. "It was more of a

theological concern.”

Meanwhile, the Anglican Communion Network, a conservative splinter group of ten Episcopal dioceses, approved membership donation requirements to fund the network’s missions and headquarters. Under the agreement, each of the approximately 900 ACN-affiliated parishes is asked to give 5 percent of its operating budget to the network. Dioceses are asked to contribute 10 percent of their operating budget.

Daryl Fenton, ACN’s director of operations, said the voluntary policy had already been in place, but was “clarified” at the network’s annual meeting that ended in early August in Pittsburgh. The group claims a constituency of about 200,000 members.

The network was formed in January 2004 by conservative Episcopalians upset by the election of an openly gay man as bishop of New Hampshire and by what they perceive to be the denomination’s leftward trend.

Ultimately, the ACN hopes to break from the Episcopal Church and be named its own Anglican province—with its own seminaries, churches and hierarchy, according to church watchers. It would then seek to replace the Episcopal Church as the American branch of the global Anglican Communion.

The network has declined to disclose exact budget figures, but it has raised about \$4.5 million since 2004, according to a May news release. Approximately 50 percent of the ACN’s budget supports the network’s headquarters, including its nine-member staff. Most of the remaining money is directed toward foreign missions and starting new churches, according to Fenton. *-Daniel Burke, Religion News Service*