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For Immediate Release

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Statement Regarding March 24 El Paso County District Court Ruling

The Bishop and Diocese of Colorado, and the more than 500 members of Grace and St. Stephen's Episcopal Church rejoice today that the members of the Episcopal parish will be returning to their church home as a result of a decision issued by District Court Judge Larry Schwartz. In that ruling, Judge Schwartz found that the historic property is held in trust for the mission and ministry of the Episcopal Church and ordered the breakaway congregation that wrongfully took possession of the property two years ago to leave. Judge Schwartz' opinion states:

“I find and conclude that, like [Bishop and Diocese of Colo. v. Mote, 716 P.2d 85 (Colo. 1986)], the founding documents, various bylaws, relevant canons of the general church and consistent parish loyalty to the diocese over most of its 135 year existence demonstrate a unity of purpose on the part of the parish and of the general church that reflects the intent that all property held by the parish would be dedicated to and utilized for the advancement of the work of [the Episcopal Church of the United States of America]. While freedom of religion recognizes the right of any faction within a church to leave that church whenever they choose, the trust that has been created through past generations of members of Grace Church and St. Stephen's prohibits the departing parish members from taking the property with them.”

The Bishop of Colorado, the Rt. Rev. Robert J. O'Neill expressed satisfaction with the court's decision, saying, “This outcome honors the history of Grace and St.

Stephen's as an Episcopal parish, and of the Episcopal Church in Colorado Springs. We are extremely pleased that present and future generations of Episcopalians in the Colorado Springs community will continue to worship on Tejon Street."

"We're coming home!" said Lynn L. Olney, senior warden of Grace and St. Stephen's Episcopal Church, "and we invite all our friends to come home with us. During the past two years of exile, our parish congregation has shown the meaning of a faith community. Now, we're coming home!"

"We are very pleased that the judge was persuaded by the significant legal precedent that, while individual members and even clergy may leave a church, they may not take church property with them," said Larry Hitt, chancellor of the Episcopal Diocese. "Today's ruling is consistent with the outcome of similar cases throughout the country, almost all of which have held that breakaway groups do not have the right to take away church property," Hitt added.

Martin Nussbaum, lead attorney for the Episcopal Diocese and Parish said, "We are very pleased. The District Court's decision affirms the First Amendment freedom of churches to define their own governance and property relationships. It is difficult to imagine a much more important constitutional freedom for people of faith in this country."

The Rev. Martin Pearsall, priest in residence at Grace and St. Stephen's Episcopal Church remarked that "These past two years have been a time of challenge for the people of Grace Episcopal, and we have grown in faith, in love and in service to the community. We are thankful that the court has returned our property to us, and we are eager to resume our worship and ministry at our historic facility." He went on to say, "There are no winners here, just lots of wounded faithful people. It will be our task and responsibility in the months ahead to strive for healing and to reach out into the community."

The 500 members of the Episcopal congregation have been worshipping at nearby First Christian Church for nearly two years, while the case has worked its way through the court. "We cannot express enough gratitude to our brothers and sisters at First Christian for their continued hospitality and genuine fellowship," Olney said.

The Episcopal Diocese of Colorado comprises 115 congregations and diocesan institutions all over the state, and is part of The Episcopal Church and the worldwide Anglican Communion. Grace and St. Stephen's Episcopal Church continues to be one of the largest congregations in the diocese.

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