

Resolution 3-2009 (Final form w/ amendments.)

TEC Litigation Expense Disclosure

Proposer: The Diocese of West Texas

Resolved, the House of _____ concurring, that the 76th General Convention of the Episcopal Church direct the office of the Presiding Bishop and the Executive Council to provide the following information to each Diocese of the Church:

- (a) The dollar amount spent by TEC on litigation against dioceses, parishes, groups of churches and individuals since General Convention, 2006;
- (b) A list of the church accounts and/or budget items from which these funds were taken;
- (c) An explanation of the line item described in the Domestic & Foreign Missionary Society Budgetary Summary as: Additional Draw from short-term reserve for legal support to dioceses exceeding budget for 2008-\$1,520,000.00;
- (d) The amount of money budgeted for litigation for the next Triennium;
- (e) An estimate of the amount of property value retained and expected to be retained by the Protestant Episcopal Church in the United States of America (PECUSA) because of pending and completed litigation as of General Convention 2009.

Explanation: TEC has engaged in litigation in numerous dioceses across the country in cases involving property disputes with local parishes which have elected to depart TEC. This litigation has been initiated by either the local diocese or the parish against the other party. TEC intervened as a party in interest aligned with the local diocese. Substantial legal fees and related expenses have been incurred on behalf of TEC. Beginning in 2007, requests have been made by various parties to the Executive Council which is responsible for the governance of TEC between General Conventions for financial disclosure of the source of funds and the amounts expended. However no response has been made to date.

RESOLUTION #4-2009 (Final form W/ Amendment)

TEC Litigation Forbearance Policy

Be it RESOLVED the Diocese of West Texas requests that The Episcopal Church and all Dioceses, parishes and bishops adopt a policy of negotiation and/or mediation with regard to disputes over property and do everything in their power to resolve such disputes prior to engaging in secular lawsuits with fellow Christians.

RESOLVED, that the Secretary of Council of the Diocese communicate this request to the office of the Presiding Bishop and Executive Council of The Episcopal Church.

RESOLVED, that the Secretary of the Diocese report the Presiding Bishop's and Executive Council's response be reported to the clergy and people of the Diocese prior to the commencement of General Convention 2009.