

Lawsuit filed to defend more than \$500 million in property from ‘blatant land grab’ as TEC seeks control of Diocesan holdings and parishes.

"Like our colonial forefathers, we are pursuing the freedom to practice our faith as we see fit, not as it is dictated to us by a self-proclaimed religious authority who threatens to take our property unless we relinquish our beliefs," Bishop Mark Lawrence.

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St. George, SC, January 4, 2013 –The Diocese of South Carolina, the Trustees of the Diocese and congregations representing the vast majority of its baptized members today filed suit in South Carolina Circuit Court against The Episcopal Church to protect the Diocese’s real and personal property and that of its parishes.

The suit also asks the court to prevent The Episcopal Church from infringing on the protected marks of the Diocese, including its seal and its historical names, and to prevent the church from assuming the Diocese’s identity, which was established long before The Episcopal Church’s creation.

"We seek to protect more than \$500 million in real property, including churches, rectories and other buildings that South Carolinians built, paid for, maintained and expanded – and in some cases died to protect – without any support from The Episcopal Church," said the Rev. Jim Lewis, Canon to the Ordinary.

"Many of our parishes are among the oldest operating churches in the nation. They and this Diocese predate the establishment of The Episcopal Church. We want to protect these properties from a blatant land grab."

The Diocese of South Carolina was established in 1785 as an independent, voluntary association that grew from the missionary work of the Church of England. It was one of nine

dioceses that voluntarily joined together to form The Episcopal Church in October 1789, which eventually became an American province in the worldwide Anglican Communion, also a voluntary association.

“When the Diocese disassociated from The Episcopal Church we didn’t become a new entity,” Canon Lewis explained. “We have existed as an association since 1785. We incorporated in 1973; adopted our current legal name, ‘The Protestant Episcopal Church in the Diocese of South Carolina,’ in 1987; and we disassociated from the Episcopal Church in October of 2012. The Episcopal Church has every right to have a presence in the area served by our Diocese – but it does not have a right to use our identity. The Episcopal Church must create a new entity.”

The Diocese of South Carolina is made up of 71 parishes with approximately 30,000 members. Of those, 22,244 members have decided to remain with the Diocese and 1900 are undecided. Fifty Three Hundred say they want to be with The Episcopal Church with nearly half of those from one church in Charleston. While the Diocese has disassociated from The Episcopal Church, it remains a part of the Anglican Communion.

Though theologically more conservative than the leadership of the national Episcopal Church, Bishop Lawrence has for five years struggled to keep the Diocese intact and in The Episcopal Church, even as some 200 parishes and four other dioceses nationwide disassociated. The parishes and dioceses have disagreed with The Episcopal Church’s recent interpretation of scripture, which is widely considered to be unorthodox by most of the world’s 80 million Anglicans.

When Bishop Lawrence and the Diocese challenged The Episcopal Church’s direction, the group’s disciplinary board attempted to remove him. In response, the Diocese disassociated from The Episcopal Church.

“We believe The Episcopal Church’s decision to embrace an unorthodox theology separated it from the doctrine our Diocese has followed for centuries, the same doctrine that nearly 80 million Anglicans around the world continue to follow today,” said Bishop Lawrence. *“This is an issue of religious freedom. Like our colonial forefathers, we are pursuing the freedom to practice our faith as we see fit, not as it is dictated to us by a self-proclaimed religious authority who threatens to take our property unless we relinquish our beliefs. The actions taken by TEC make it clear that such freedom of worship is intolerable to them.”*

Since the mid-1960s, membership in The Episcopal Church has declined by more than 37 percent – to about 1,923,046 members. During the same period, the number of members in the Diocese of South Carolina has increased by [48 percent](#) , to 29,531.

Dioceses in four other states have disassociated over theological differences with The Episcopal Church in recent years resulting in its spending an estimated [\\$22+ million](#) in lawsuits to seize the property of local parishes. To date, [the church has initiated 75 such lawsuits](#) across the country. Today's lawsuit is only the second pre-emptively filed by a diocese to protect diocesan and parish property in the wake of disassociation. The first was by the Diocese of Quincy filed in March 2009.

South Carolina state law tends to support the property rights of churches. A recent state [Supreme Court decision](#) found that All Saints Church of Pawley's Island was the true owner of its property and that The Episcopal Church held no interest.

The Episcopal Church has already begun an effort to hijack the Diocese of South Carolina's identity by calling for a convention to identify new leadership for the diocese and creating a website and other material using the Diocesan seal.

"The Diocese has established its registered trademarks, seals, buildings and other property through over 200 years of ministry in South Carolina – beginning before The Episcopal Church even existed," said the Rev. Canon Lewis. *"Many of our parishes even pre-date the United States. We take this legal action to protect the legacies of generations of faithful members who embraced the theology and practices that underpin Anglican belief around the world – but now must do so outside The Episcopal Church."*

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