

A Statement  
from  
The Rt Rev'd John W. Howe

Dear Brothers and Sisters,

There has been much discussion on this list (and elsewhere) over the past few days regarding a complaint leveled against seven bishops (myself included) who filed an Amicus Curiae ("Friend of the Court") Brief back in April in the Texas Supreme Court related to the dispute between Bishop Jack Iker, the departing "Diocese of Fort Worth," and The Episcopal Church.

(First, thanks to all who have expressed sympathy and concern both on the list and in posts to me personally. Please allow me to respond to everyone in these general remarks.)

The seven bishops (Benitez, Howe, Lambert, Love, MacPherson, Martins, and Stanton) signed onto a brief that was written by three theologians of the Anglican Communion Institute (Professors Ephraim Radner, Chris Seitz, and Philip Turner) that objected to, and attempted to correct, the way in which the court in Texas interpreted the structure of The Episcopal Church.

The question is: is The Episcopal Church "hierarchical" beyond the level of the diocese? Our brief largely followed the argument the Anglican Communion Institute spelled out in great detail back in 2009, which in turn stemmed from an understanding of the structure of the Anglican Communion expressed in a letter the Archbishop of Canterbury sent to me, personally; and the brief itself can be found on the ACI web site.

In our opening "Statement of Interest" we stipulated that: "All of these bishops and all of the officers and directors of ACI remain in The Episcopal Church, and have submitted this brief solely because they disagree with the characterization of the governance of The Episcopal Church as submitted in support of the motion for summary judgment that the trial court granted in this case."

We went on to say, "As is well known, these bishops and ACI oppose the decision by the Diocese of Fort Worth to leave The Episcopal Church. They have no intention of withdrawing from the Church, but it is precisely because they intend to remain *in* the Church that they are concerned that the trial court ruling has

misunderstood, and thereby damaged, the constitutional structure of The Episcopal Church."

I am at a complete loss to know how the filing of this brief could constitute an offense for which any of us could be charged!

At this point, formal "charges" have *not* been filed. A "complaint" has been submitted, but we have not been told who filed it.

My understanding is that Bishop Matthews (Director of the Office for Pastoral Development, and "Intake Officer" regarding this matter) could dismiss the complaint on his own reconnaissance - unless the Presiding Bishop were to direct otherwise. He has said that "in the next few weeks" he will "initiate a disciplinary process according to title IV Canon 6 Sec. 3 & 4 of the Constitution and Canons of The Episcopal Church."

I have just written him to express surprise that he foresees "'a disciplinary process' for the filing of an Amicus Curiae Brief...the purpose of which was simply to inform the court that (in our opinion) it misconstrued the structure of The Episcopal Church according to the Constitution and Canons."

I asked, "In what way can such a filing be considered an offense that warrants 'a disciplinary process'?"  
I concluded by saying, "I look forward to hearing more fully from you."

When I do I will keep all of you informed. You are free to further distribute this post if you do so in its entirety.

Warmest regards in our Lord,

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