

Legal Update - December 4, 2009

On Monday, November 30, the Trustees from St. John's, St. Matthew's, Good Shepherd and St. Matthias and St. Luke, met with their legal counsel to discuss the decision of Mr. Justice Kelleher in the matter involving the four parishes and the Diocese of New Westminster.

In the opinion of our legal counsel, there are errors in the judgment that are clear grounds for appeal of Mr. Justice Kelleher's decision. However, no decision was made at that time as to whether or not to file an appeal. There were views expressed on both sides of the equation and everyone agreed to pray about it and try to discern what God is calling us to do.

Unfortunately, this decision has come at the beginning of the busiest month in our church calendars, making it very difficult to properly consult with all the congregations on the long-term implications of such a major decision. The Trustees agreed to consult as widely as possible over the following 2 weeks and they will meet again on December 14 to discuss the matter further, and ideally, make some decision as to whether or not to file an appeal before the end of the expiry of the 30 day time limit.

The Trustees discussion pointed out that there are many factors we need to take into consideration as we make and pray about this decision. Here are some questions that were discussed and that we need to pray about:

1. What is going to be best for the gospel?
2. How can we best maintain the unity of the church?
3. Is the decision we make going to be for the sake of ourselves only, or for others who will also be impacted by the outcome of the court proceedings?
4. Is appealing or not appealing this decision going to impede or facilitate our ministries and the growth of the church?
5. How can we reflect proper stewardship of the resources that have been and continue to be given for God's work in our churches?
6. How do we best reflect the love of Christ in our decision-making and in our actions before the wider culture?

Throughout scripture, we are called to unity. For example, in Romans 15:

¹We who are strong ought to bear with the failings of the weak and not to please ourselves. ²Each of us should please his neighbor for his good, to build him up. ³For even Christ did not please himself but, as it is written: "The insults of those who insult you have fallen on me."^[a] ⁴For everything that was written in the past was written to teach us, so that through endurance and the encouragement of the Scriptures we might have hope. ⁵May the God who gives endurance and encouragement give you a spirit of unity among yourselves as you follow Christ Jesus, ⁶so that with one heart and mouth you may glorify the God and Father of our Lord Jesus Christ.

And Ephesians 4:

¹As a prisoner for the Lord, then, I urge you to live a life worthy of the calling you have received. ²Be completely humble and gentle; be patient, bearing with one another in love. ³Make every effort to keep the unity of the Spirit through the bond of peace.

It is important to remember that, should we choose to file an appeal, we can later discontinue that appeal, but if we do not file within the 30 day time limit, our decision will be final. As Chancellor of the Anglican Network in Canada, your diocese in the Anglican Church in North America, I am recommending that we file an appeal within the 30 day time period in order to protect our right to appeal and to give the congregations more time to discuss the above questions and seek a consensus so that we could act in unity and demonstrate the love of Christ for one another, for our church around the world as they watch what happens here, and to our surrounding culture.

Throughout December and January, I am available to meet with any congregation, house group or individuals who have questions or wish to discuss this further.

May we glorify God in all our words and actions as we discern His will. Let's pray that we will be filled with the Holy Spirit in all our deliberations and that we may "keep the unity of the Spirit in the bond of peace".

Yours in Christ,



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