Q. Why did we decide to end the litigation now?

A. The Vestry came to the conclusion that under the circumstances, ending the litigation on favorable terms was better for Truro than continuing the litigation. There were a number of factors that it considered:

1. Two significant court losses. The first was the decision by the Virginia Supreme Court on June 10, 2010 to overturn our victory in the first trial. The second was the judgment delivered by the Fairfax County court on January 10, 2012 which was a complete defeat. The order that concluded the trial awarded all the real and personal property Truro owned as of Jan 31, 2007 (including the name Truro Episcopal Church) to the EDV. (See #4 and Q.A.3 below for details of the resolution on the issue of the parish’s name.)

2. The chances of success with further litigation. Our next step would have been to appeal to the Virginia Supreme Court to overturn the results of the second trial. We consulted closely with our attorneys and concluded that the likelihood of regaining our buildings on appeal was low. In weighing the relative risks of appealing versus settling, it was clear to the Vestry that this was the most advantageous moment to settle the case. Further appeal would have risked a precipitous and disruptive loss of the buildings as well as additional attorney fees and a less favorable financial settlement.

3. The hope of negotiating a favorable settlement. In early April, the Episcopal Diocese agreed to allow us to remain for a time in these buildings. Thus, we could protect our ministries (e.g. Truro Pre-School and Kindergarten and Love the World Fellowship) against an abrupt and disruptive move. This delayed departure will allow us a fixed date by which we can build out and move into suitable interim office and worship space and allow all our ministries time to implement thoughtful transition plans.

4. No compromise on our principles or our identity. We were not required to sever ties with other Anglican bodies (e.g. DOMA and ACNA) as has happened in the past when Anglican congregations remained in Episcopalian buildings. Under the trial court’s order, we were allowed to continue using the name Truro, provided we adopted the full name Truro Anglican Church.

5. After prayer and discernment, we concluded that our use of these buildings has come to an end. When we voted to leave the Episcopal Church (TEC) and EDV we knew that this might come at the cost of our buildings. It turns out that this is indeed the price we will pay.
Q. What are the terms of the settlement?

A. The settlement covers three categories of property: 1) real property, 2) personal property and 3) our identity.

1. Real Property. The trial judge ruled that all real property must be turned over to the EDV as of April 30, 2012.
   a. The settlement provides for a 14-month, rent-free lease of the property beginning May 1 and ending June 30, 2013. We will continue to pay our own operating expenses.
   b. This means that Truro Pre-School and Kindergarten will be able to operate through the entire 2012-13 academic year.
   c. The lease also includes the Van Dyke and Curran houses, permitting Truro clergy and their families to stay where they are through next June.
   d. The lease does not include either the ICM Building or the undeveloped property on Rt 28.
   e. The settlement gives the EDV the option to use the Chapel for a service on Sunday mornings as well as the use of two offices nearby. If the EDV exercises its option, the terms will be worked out by mutual agreement between Tory and Bishop Johnston. The Truro Anglican services that currently meet in the Chapel on Sunday mornings will continue to do so.1
   f. EDV agreed to allow Truro members to use the Truro campus for weddings and funerals, subject to reasonable conditions, until we have a new church building. Access to the memorial garden, as well as future use of the memorial garden for burial of ashes, will be allowed to the extent possible.

2. Personal Property. The trial judge ruled that all personal property (including cash) that we held on January 31, 2007 must be turned over to the EDV.
   a. The settlement allows us to continue to use all personal property located on the main campus, the Van Dyke house and the Curran house through June 30, 2013.

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1 In 2006, the Truro Vestry was prepared to offer the Chapel for Episcopal services for any parishioners who wanted access to that ministry. This offer was informally extended to the Chairs of the Episcopal Diocese of Virginia Standing Committee and the Executive Committee when they visited Truro prior to our vote in December 2006. However, it turned out that exercising this option was never necessary.
b. Some current members of our congregation have unique connections with personal property which Truro acquired before 2007. The EDV has agreed that such property should remain with us and the settlement provides that we will settle these matters together.

c. After a full and rigorous accounting, we agreed to settle the EDV claims on our cash assets for $50,000. Over $28,000 of the $50,000 consists of a restricted fund which, under its terms, can be used only for the buildings. The EDV had initially sought $80,000.

d. Personal property acquired after January 31, 2007 remains with us. This includes the organ console purchased two years ago.

3. Identity. The trial judge ruled that while the name Truro Episcopal Church belongs to the EDV, we are not required to give up the name Truro Church. However, for clarity, we have changed our legal name to Truro Anglican Church.

a. The settlement allows us to retain our right to our logo (the white “t” in a blue shield).

b. It allows us to retain full control over both the Truro Preschool and the Lamb Center boards.

c. It does not require us to disaffiliate from Anglican bodies. However, because we belong to two different ecclesiastical bodies, we have agreed to accept certain protocols while we are on the property:

   i. We won’t hold public denominational meetings of ACNA, CANA or DOMA. We may still hold small, closed meetings of those groups, however.

   ii. When a bishop visits the property, we have agreed to notify Bp Johnston that we extended the invitation and he has agreed not to unreasonably withhold permission or condition the visit. This does not apply to visits to the congregation when we are not on the leased property (such as at our Parish Retreat). It also does not give Bp Johnston any ecclesiastical authority over Truro or the bishops who visit us.

   iii. We discussed this provision with Bishop Guernsey before we agreed to it and he in turn discussed it with Archbishop Robert Duncan. Both assented to this condition.

d. Finally, the settlement acknowledges that while serious differences have led to our separating from TEC and EDV, both sides wish to relate to each other in a less hostile manner. We will enter into a covenant that we will treat each other with Christian kindness and respect and we will not, in stating our disagreements, attack one another personally. This covenant is not yet written.
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Q. Why did Truro leave the Episcopal Church?

A. The Truro Vestry laid out its reasons for leaving the EDV and TEC in a document issued in November 2006 entitled "The Sources of Division." The Vestry said:

'It is our hope and intention to bring clarity and transparency as to how we have come to the reluctant but ultimately firm conclusion that we should recommend separation from The Episcopal Church.'

The Vestry goes on to refer to a document it had issued in May 2005 called "A Clear Choice", which explains the necessity of such a choice following the decision of TEC in 2003 to ordain a practicing homosexual man as a bishop of the church and the decision of the Diocese of New Westminster in Canada to develop rites for the blessing of same-sex unions. The Primates or Archbishops of the various Anglican Provinces around the world had warned in October 2003 that going ahead with the consecration of such a bishop would "tear the fabric of the Communion at its deepest level." The Primates established a special commission, which issued a report in October 2004 (the Windsor Report) concerning how the Episcopal Church and Diocese of New Westminster should respond. The failure of TEC to make an adequate response framed the choice before the Truro Vestry about whether Truro could remain in TEC. The 2005 Vestry statement explained that the choice had been presented "not because sexuality is central to Christianity, but because the presenting issues of sexual ethics are symptomatic of much deeper differences over the authority of Holy Scripture, the content of the gospel message, and the meaning of Christian mission."

The Vestry was very clear in the path it would follow:

'We write now, with heavy hearts, to explain our unanimous conclusion that The Episcopal Church has determined to walk apart and divide itself from the rest of the Communion. We stand at a fork in the road and must choose whom we shall serve, and serve alongside. As did the prior Vestry, we choose to remain within the Anglican Communion in its adherence to the apostolic and historic Christian faith.'

While the Vestry was very firm and clear that TEC had walked apart from the apostolic faith, necessitating a separation from it, the Vestry also expressed its grief over the necessity of separation and its hope that a gracious way forward could be found where we could stand together in biblical truth once again. The document from 2006 says:

'We accept that those with whom we disagree hold their views sincerely and...'

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firmly, and we reiterate our thanks to the Diocese for graciousness and open communications amid these disagreements. We wish our actions to be understood, including by those who do not agree with them. As acknowledged by the Diocesan Commission on Reconciliation (on which one of the members of our Vestry served), the Diocese of Virginia comprises two markedly different understandings of the Christian faith and Scriptures. Given the decisions and actions of the last three years—and particularly the last five months—we see no way for those competing understandings to continue within the same diocese. We further have come to see that the impaired relationship between Truro and the Diocese since General Convention 2003 is not likely to improve and is not sustainable. There is and needs to be a division.

Nevertheless, and whatever may happen in the next few months, we do thank God for Truro’s long history in the Anglican church and Diocese of Virginia, grieving that these two beloved legacies have become incompatible. We continue to desire, with the 2006 Diocesan Council, “the highest degree of communion possible” with those individuals and congregations that remain in the Diocese and Episcopal Church; we commit to continue to pray for the Diocese and its leadership, and appreciate its recent efforts to find a useful and gracious way forward amid the division; and we long for the day when we might be fully reunited in truth, that the world may know all the more that God the Father has sent his Son into the world, to reconcile us to Himself by redeeming and transforming our lives.

Q. Does Truro still stand by its decision to separate from TEC 2006?

A. We wish to be very clear that we still stand firmly for the decisions we made as a Vestry and Parish in 2006 to separate ourselves from TEC and EDV and join CANA and ADV. CANA was one of the founding organizations of the new Anglican Church in North America (ACNA) and ADV has now become a part of the new Diocese of the Mid-Atlantic (DOMA) under Bishop John Guernsey.

We will not return to TEC. TEC and EDV continue to engage in teaching and practices on issues of human sexuality that we believe promote an erroneous understanding of human nature and obscure the iconic radiance of God’s image in human beings, created as male and female. We believe this teaching impinges on the Gospel in profound ways and that it is false (see Ephesians 5:31-32). This is, in part, what we mean by “serious theological differences.”

We firmly resist this teaching and its corresponding practices. But we say this in a spirit of repentance because given our sins and practices regarding hyper-individualism, extra-marital sex, pornography and divorce, we conservative
Anglican churches have surely embraced, in some measure, this erroneous anthropology as well.

Yet the gospel is paradoxical and calls us to love even our enemies (Luke 6:35 and Matthew 5:44). We reaffirm the hope expressed in our 2006 “Sources of Division” document that one day we might be reunited with the EDV in biblical truth, “that the world may know all the more that God the Father has sent his Son into the world, to reconcile us to Himself by redeeming and transforming our lives.” While that day has not yet come, we follow our 2006 commitment “to continue to pray for the Diocese and its leadership” and express our hope that one day through God’s grace we can stand together at the foot of the Cross as forgiven sinners and affirm the historic faith of the One, Holy, Catholic, and Apostolic Church. “For nothing is impossible with God” (Luke 1:37).

Q. Why does Tory refer to Bp Shannon Johnston in the joint press release as a brother in Christ if he engages in false teaching?

A. Bp Johnston confesses faith in the risen Christ, as outlined in the Nicene Creed:

For us and for our salvation
he came down from heaven:
by the power of the Holy Spirit
he became incarnate from the Virgin Mary,
and was made man.
For our sake he was crucified under Pontius Pilate;
he suffered death and was buried.
On the third day he rose again
in accordance with the Scriptures;
he ascended into heaven
and is seated at the right hand of the Father.
He will come again in glory to judge the living and the dead,
and his kingdom will have no end.

This is orthodox Christian teaching on Jesus. This is a reliable criterion concerning whether or not someone is a Christian (Acts 16:31 and Romans 10:9).

This does not mean that his life or teaching is always consistent with the professed faith. At times, this can be said of all of us. But inconsistent belief is better than consistent unbelief. Of course, consistent belief is what we should all aspire and strive for.
The term “brother in Christ” normally describes persons who look to Christ alone for salvation. It need not connote a close relationship built on a high degree of theological agreement and affinity. Many of us live in families where estrangement and strong disagreement coexist with love and a continued desire for relationship and charity toward one another. This normal definition is an accurate description of Tory’s and Bishop Johnston’s relationship.

It is important to note: our situation at this moment in history is entirely novel in the Anglican Communion. Finding redemptive strategies in the midst of shattering differences forced Tory to look to the Great Tradition of apostolic Christianity for models of co-existence, apologetics and evangelism. He has written a book and articles that develop these redemptive strategies (see his book *Evangelical Hospitality* and article *Why Anglicanism*). His approach is well known to the many he has taught around the U.S. in his role as a missioner and professor. It is the approach generally taken by those who have been shaped by the deep apostolic witness and ethos of Alpha.

It is also important to note, as Tory has spoken before, his inspiration in dealing with the Episcopal Church (its clergy and laity) has been inspired by and modeled after St. Francis de Sales’ ministry in the early 17th century diocese of Geneva. He has also learned much from St. Augustine’s various rhetorical strategies in his controversies with Manicheans, Donatists, Pelagians, and Pagans. From experience and study he has concluded that love – commitment to the eternal well-being of his theological opponents – must be the motivation and design of all persuasion and polemics. In truth, despite his years in Lexington, Tory still loves Episcopalians in general and Bishop Johnston in particular and is encouraging them to consider more deeply the “grand mystery” that many were never taught (Ephesians 5:31-32).

As many know, it is due to the novelty of the Episcopal Church’s teaching on human sexuality (and widespread confusion as to biblical teaching on that subject) that Tory and Elizabeth are currently teaching a two year course on the Theology of the Body. They will continue to speak into this issue from the Scriptures and the Great Tradition of the Church as well as reach out to any who wish to find hope and healing from their brokenness and confusion.

**Q. What are the "relationships and ministry opportunities" in the Church of England that Tory said in a March sermon he is opening to Bishop Johnston?**

**A.** These are not opportunities to promote the teachings that have divided the Anglican Communion. They are instead ones in which Bishop Johnston will have the opportunity to meet orthodox Anglicans in England and learn about another
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part of the Anglican tradition to which Tory is deeply committed and, regrettably, which is in short supply in North America. That is why he is taking Bishop Johnston to England. Tory will have more to report later this summer.

In addition, Bishop Johnston and Tory have discussed that there may be areas of ministry to which both could contribute without violating their own or the recipient’s integrity. An example is raising funds to allow young Muslim men from Darfur to rebuild a Catholic church in South Sudan that was burned down by North Sudanese soldiers.

Q. Does the Covenant of Mutual Charity and Respect mean that we will not be able to say what is true about TEC or EDV? Have we agreed to muzzle ourselves?

A. No. The Covenant is what we proposed as an alternative to what is commonly called a “non-disparagement” clause in settlement contracts. These are inserted to prevent parties from doing or saying anything that harms the reputation, services, and management of an organization.

We considered various ways to word such a clause, but in the end felt it focused on the wrong thing – preventing certain behavior in a legalistic way. Instead we thought it be far more useful to put some thought into how we want to behave in relation to each other, recognizing that there are wounds that need healing (we have, after all, been antagonists for a number of years) and that the significant and serious differences between us that led to our separation still remain.

The Covenant has yet to be written. It will not prevent us from speaking truth, but it will call us to speak the truth with love. It will apply not only to us but to the EDV as well. It will be reviewed and approved by the Vestry and the Rector before Truro enters into it.

Q. Does allowing the Episcopal Diocese of Virginia access to the historic Chapel for a service mean that same sex blessings might take place on Truro property while we are there?

A. No. First, the lease provides that the terms and conditions of the EDV’s use of the Chapel must be mutually agreed upon by Bishop Johnston and Tory. This means that Tory can make sure that the congregation will not engage in activities that Truro would find objectionable or otherwise inconsistent with our theological commitments.

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Second, we have been assured that Bishop Johnston has no intention to create discord on the Truro property. If he exercises the option to place a congregation in the Chapel, he will be careful to select one that is theologically compatible with Truro. His assurances are reinforced by his intentions in entering into the settlement with Truro. Bishop Johnston has stated that he wants this to be a “witness” to the Anglican Communion that both sides can be gracious to the other. Bishop Johnston is aware that allowing a same-sex blessing, or any other controversial “innovation,” would violate all that they have worked to achieve as well as create a furor at Truro and among those who are its friends around the world.

Q. How can members of Truro Anglican Church ask additional questions or express concerns?

A. The Vestry has established several venues for parishioners to express their thoughts and concerns relating to the settlement agreement.

First, members of the Vestry will be visiting home groups in the coming weeks to provide pastoral care and opportunities for parishioners to ask additional questions, seek clarification or express concerns. Vestry members will make every effort to respond to all questions raised during these sessions. If questions arise to which an individual Vestry member does not know the answer, the question will be responded to via the FAQ webpage. The Vestry plans to complete these visits by June 30.

Second, every Sunday between now and June 24 members of the Vestry will be on hand between services and after the 11:00 am service at table located either in Common Grounds or on the brick patio to answer questions and hear the concerns of parishioners. Individual conversations with members of the Vestry are also encouraged.

Third, the Vestry has established a special email in-box that can be found at transition@truroanglican.com. Vestry members and the Rector will review and respond to all questions from parishioners and post answers to the FAQ page.