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CIVIL INTAKE

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JOHN T. FREY  
CLERK OF CIRCUIT COURT  
FAIRFAX, VA

VIRGINIA :

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

IN RE:

CHURCH OF THE APOSTLES  
3500 Pickett Road  
Fairfax, Virginia 22031

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CIVIL NO. ~~CL 2006 1 E~~

**REPORT OF CONGREGATIONAL  
DETERMINATION PURSUANT TO VA. CODE §57-9**

Pursuant to Va. Code §57-9, the Church of the Apostles, Fairfax, Virginia (“Apostles Church”), a non-stock religious corporation organized under the laws of Virginia, respectfully submits this report in support of its petition for approval of its congregational determination.

**OVERVIEW**

1. A division has occurred in the broader “church or religious society” to which Apostles Church was attached prior to its congregational determination. The denomination is now divided in structure as well as doctrine, and this division is present at the global level (the Anglican Communion), the national level (the Episcopal Church in the U.S.A., or “TEC”), and the local level (the Diocese of Virginia, or “the Diocese”). The division has been acknowledged by authorities throughout the Anglican Communion, including in the Diocese of Virginia.

2. By majority vote of 354-11 conducted in accordance with Va. Code §57-9, the members of Apostles Church over 18 years of age have determined to disaffiliate from TEC and the Diocese and to reaffiliate with another branch of the Anglican Communion. The adult members of 12 other congregations—which, together with Apostles Church, comprise roughly 15 percent of average Sunday attendance and 19 percent of congregational operating revenue, in

the Diocese—have likewise severed ties with the denomination, as has at least one other congregation in the Diocese of Southern Virginia and more than 100 other Episcopal congregations in various Episcopal dioceses throughout the United States.

3. Ten of these 14 Virginia congregations have affiliated with the Church of Nigeria, a branch of the Anglican Communion, by joining the Convocation of Anglicans in North America (“CANA”), a United States-based structure, and the Anglican District of Virginia (“District”), an association of Virginia congregations under CANA’s jurisdiction. CANA is a missionary initiative of the Church of Nigeria, and by virtue of that affiliation CANA’s districts, bishop, constituent churches, and missions are members of the Anglican Communion just as are any other Church of Nigeria districts, bishops, churches, and missions; however, CANA is separate from (and no longer in active communion with) TEC. CANA and the District were formed in response to the division within TEC and the Diocese that led to this petition, and CANA and the District now provide episcopal oversight and an ecclesiastical structure for Anglican congregations that have divided from TEC. The remaining four Virginia congregations that have severed ties with TEC and the Diocese as a result of the division have reaffiliated with dioceses of the Province of Uganda, also a branch of the Anglican Communion that is no longer in active communion with TEC. These four congregations are in the process of obtaining “affiliate member” status in the Anglican District of Virginia.

#### **THE ANGLICAN COMMUNION IN VIRGINIA BEFORE THE DIVISION**

4. Apostles Church was established in 1968 as a church plant of Truro Church, Fairfax, Virginia. The Apostles Church congregation immediately became financially self-sufficient. After worshiping in an elementary school for twelve years, in 1980, Apostles Church built and moved into its current premises on Pickett Road. Today, Apostles Church serves an

average of approximately 417 worshippers in the Northern Virginia area, 527 of whom are active, baptized members of the church.

5. Apostles Church is governed by a Vestry consisting of twelve lay members elected by the congregation to promote the spiritual well-being of the congregation, to facilitate public worship services, and to manage the temporal affairs and property of the Church, including the oversight of the Church's trustees, who act at the vestry's direction. The Vestry carries out these functions in concert with the rector, or senior pastor, of the Church. The Rev. David R. Harper is the rector of Apostles Church.

6. Since inception, the Apostles Church has been affiliated with the Diocese of Virginia, which is governed by a bishop and an annual Council of lay and clergy delegates from its congregations; between annual Councils, the bishop is assisted by a 12-member Standing Committee (elected by the Council) and a 15-member Executive Board. Prior to the events that led to this report, the Diocese of Virginia included approximately 190 congregations located in 38 counties throughout central and northern Virginia, making it the largest Episcopal diocese in the United States by membership. Peter James Lee is the Bishop of the Diocese of Virginia.

7. The Diocese of Virginia is affiliated with The Episcopal Church, a branch of the Anglican Communion that until recently was known as the Protestant Episcopal Church in the United States of America ("ECUSA"), but adopted the name The Episcopal Church ("TEC") at its 2006 General Convention. Subject to the limitations of civil law, TEC is governed by a constitution and canons established by the General Convention. This General Convention meets every three years as the chief policy-making body of TEC to pass legislation for the denomination. The General Convention is made up of delegations of laity from each diocese in TEC (the House of Deputies) as well as all of the bishops in TEC (the House of Bishops). Every