

November 13, 2011

Dear members of St. Peter's,

We are ambassadors from Redeemer East Falls and we are glad to be able to worship with you this morning.

For the past year we have been visiting neighboring churches to worship, learn and share. We are able to do this because for the last TWO YEARS we have been locked out of our house of worship by SEPA Synod, who, while facing a recurring six-figure deficit budget, confiscated Redeemer's property and financial assets for a second time in a decade. Redeemer fit none of the constitutional criteria allowing for such actions (which, if used at all, are intended to be **temporary** — as stated but ignored in the bylaw — not as a tool for seizing assets permanently). Redeemer was self-sustaining, had grown five-fold in the previous few years, was very much a neighborhood church and was actively renovating the property.

Today, we worship once a month in borrowed space in our community and visit other churches three or four times a month. Your congregation is the 34th congregation we have visited — a fifth of SEPA congregations.

We are learning a great deal from our visits, primarily that there are many churches in this Synod remarkably like Redeemer who may face similar ministry actions if the behavior of SEPA is not challenged. Synod Assembly, to its credit, insisted on a balanced budget in 2011, after years of significant deficit spending. Had this action been taken earlier, several neighborhoods might still have their churches, including East Falls. Even Synod's "balanced" budget relies on its Mission Fund, funded by property sales. While this has dropped from 10% to 3%, SEPA congregations voting for this budget must ask how SEPA will acquire the property they intend to sell to pay their salaries.

Redeemer, in the Lutheran tradition, owned our property. We had a sizeable endowment and a very active ministry. (Our financial statistics look very much like yours on the Trend reports!) We were about to open our own religious day care center, and we had a growing outreach ministry to East African immigrants which had drawn the interest of the national church. We were developing programs to serve this growing part of our immediate neighborhood, including developing new funding streams for our ministry. We were renovating our educational building and updating our fellowship facilities to expand our ministries. We had identified a rostered Lutheran pastor eager to commit to serving us. Ours was not a dormant, dying congregation. If we had been, it would not be taking a decade and enormous resources to shut us down. We remain a functioning congregation even without our property and assets.

A recent Google search for Redeemer revealed that we were officially closed on June 10, 2010. We were never notified of this. There is no constitution provision giving either the bishop or Synod Council the power to unilaterally declare congregations closed. And if there was anything proper about this, it was done before we were treated as closed. We were denied representation at Synod Assembly for at least two years priors (2009 & 2010), which questions the validity of any actions taken at either assembly according to the rules of order.

Redeemer is putting every resource into correcting this injustice. Every church has a stake in the outcome. It is a tough battle which would best be negotiated within the church, but this has not happened. SEPA Synod chose to sue our congregation and individual lay members before we could exercise the constitutional avenues of appeal. We challenged several actions of the bishop at the 2009 Synod Assembly but the Assembly ignored the issues we presented and instead voted almost unanimously to allow the Bishop to take our property (only one portion of our appeal and one outside their authority according to the Articles of Incorporation). Bishop Burkat has used this vote as a license to mount an ever-escalating, vicious, legal battle against individual lay members of our congregation.

The first secular court chose not to hear the case, ruling in favor of synod on the reasoning that "separation of church and state" removed the conflict from their jurisdiction. Redeemer maintains that the courts have jurisdiction if the church does not follow its constitutions. Most recently, the PA Commonwealth Court reviewed these decisions and issued a split decision. Five jurors again claimed no jurisdiction, but Redeemer is encouraged that two jurors found Redeemer's arguments compelling and issued a strongly worded dissenting opinion — that if the law is applied to the situation, Synod's actions are worthy of challenge and the case should be heard. Meanwhile, a case very similar to ours, in western PA, was decided by the higher courts in favor of the congregation. If nothing else, the dissenting opinion proves that Redeemer's position has legal merit, and so we are appealing once again.

This case raises serious questions for lay leaders. To whom do you answer—the congregation that elects you or must congregational decisions be weighed against synod’s interests, if they are even known? Will *your* members one day be sued for following the congregation’s wishes?

If SEPA prevails in this conflict, other congregations can expect similar treatment. It was reported to 2010 Synod Assembly that SEPA made a presentation to all ELCA synod counsels on just how this was done. In the 2009 court proceedings, Synod reported that Redeemer is the first of six congregations they intend to close this way. When this became known, Bishop Burkat wrote that there is no “hit list.” Both statements cannot be true. We have learned that another congregation in a different synod was recently raided in the dark of night with their synod confiscating all their assets. We predicted failure to challenge this would lead to duplication!

Bishop Burkat, when learning of our visits to congregations issued a letter of warning to all clergy and attached a list of what in their view are financial improprieties. The list emphasizes a loan Redeemer made but fails to mention that our constitution allows our church to borrow money and Redeemer has done so many times in the past. The loan was modest, only about 10% Loan to Value, and the congregation had kept the loan current and was ready to refinance at a lower rate and partially repay the loan when Synod took over the property. Under Synod’s administration the loan is in default. Synod is suing selected lay members of Redeemer to personally repay this congregational debt which is now close to \$400,000, while Synod keeps the property, money remaining from the loan and the congregation’s investments. Redeemer has joined the lender’s suit against Synod for them to pay the obligations of the property now in their control. Recently members of the Redeemer received notice that their personal homes are subject to sheriff’s sale if the loan is not repaid. Redeemer members are not only evicted from their church but ten Redeemer members are in real danger of being evicted from their homes. Meanwhile, SEPA congregations stand by in silence.

Bishop Burkat has issued a letter to clergy explaining that she and Bishop Almquist both attempted to work with our congregation to no avail. We challenge Bishop Burkat to detail how she worked with us as she met with our council only once and did not discuss closing the church at that meeting. She then failed to deliver on any of the promises made at that meeting. She has a nearly perfect record of failing to respond to letters and phone calls. Similarly, Bishop Almquist ignored our congregation almost entirely during his second term — after returning the money taken from our bank account during his first term.

The bishop of the North American Lutheran Church, referred to this situation as “frightening” and “appalling.”

There are no issues between our congregation and synod which could not be resolved by working together as our constitutions intend and the Bible dictates. SEPA leadership has made this impossible. SEPA talks about being a reconciling people. We have not seen this in practice. Reconciliation requires dialog; litigation stops dialog.

Please review the information we have enclosed—all of which can be documented—and apply the Golden Rule. What would your congregation do if the bishop appeared on your doorstep one Sunday with a locksmith?

Sincerely,
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www.redeemereastfalls.com

Redeemer’s web site from 2009 with includes Redeemer’s many attempts to negotiate a peaceful resolution.

www.2x2virtualchurch.com

A forum created by Redeemer for small church ministries. More than 1000 have visited oin the last few months.

www.vbsaid.com

A program started by Redeemer to help congregations of any size host effective summer outreach programs.

Redeemer is not closed; we have been locked out of God’s house by SEPA Synod.