

Goldstein Hall PLLC Secures Major Victory for Episcopal Churches across New York

NYS Supreme Court Agrees It Must Respect Diocesan Hierarchy in Decisions about Episcopal Church Property

New York, NY – October 18, 2019 – Goldstein Hall PLLC successfully secured a motion for summary judgment on behalf of St. James Episcopal Church and a major victory for episcopal churches across New York.

2520 Jerome LLC, represented by Herrick Feinstein LLC, sought to force the sale of Episcopal Church-owned property despite the Bishop and Standing Committee rejecting the contract for sale.

However, the Hon. Judge Ruben Franco of the Supreme Court State of New York Bronx County agreed with St. James Episcopal Church that the Court must respect Diocesan hierarchy with respect to decisions made regarding Episcopal Church property.

Specifically, the Court agreed that an individual Episcopalian parish “does not own [its] property; it is held in trust for the benefit of the Episcopal Diocese,” and, as a result, the “court cannot substitute its judgment for that of the Diocese Canons, the Episcopal Church Canons and the Guidelines.”

This case underlined that that “although this court has the power to direct specific performance in an appropriate case ... the judiciary may not interfere in disputes concerning matters of religious doctrine and practice,” thereby agreeing that—in the specific dispute involving the Episcopal Church—the sale of a parish’s property is an ecclesiastical matter to be decided by the Diocese and not the State.

“We are thrilled to see the Court respect religious hierarchies and their role in making decisions about church property, and we hope that future disputes involving the Episcopal Church are avoided as result of this clear-eyed decision,” said Brian J. Markowitz, partner and head of Goldstein Hall’s Litigation practice.

St. James Episcopal Church’s defense team in *2520 Jerome LLC vs. The Corporation of the Rector, Churchwardens, and Vestrymen of Saint James Episcopal Church* consists of Goldstein Hall Partner Brian J. Markowitz and Associate Daniel Goldenberg.

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About Goldstein Hall PLLC

Goldstein Hall PLLC is a full-service real estate law firm with a concentration in affordable housing and community development. A certified Benefit Corporation (B-Corp.), we are committed to empowering our clients to build strong organizations and communities by forming smart, focused and responsive partnerships between our clients and our attorneys. To learn more, visit www.goldsteinhall.com.