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A Parish in the Diocese of San Joaquin
Anglican Church in North America

Justices Supreme Court of Texas
c/o Mr. Blake A. Hawthorne, Clerk
Supreme Court Building
201 W. 14th Street, Room 104
Austin, Texas 78701

March 5, 2018

**Amicus Curiae Letter Submitted In Cause Number 17-1005
In re John Doe, pending in the Supreme Court of Texas**

Dear Mr. Hawthorne:

Please distribute this letter to the Justices of the Supreme Court of Texas for their consideration in Cause Number 17-1005.

My name is Richard I. James, and I am currently a Minister at St Paul's Church in Visalia, California. I also serve as the Rural Dean for the Sequoia Deanery of the Anglican Diocese of the San Joaquin. I graduated from the Protestant Episcopal Theology Seminary in Virginia in May, 1978, and was ordained to the Diaconate in June, 1978, and to the Priesthood in February, 1979. I retired from the Episcopal Church as a priest in good standing in 2008, and now serve as a priest in good standing in the Anglican Church in North America.

For the past 27 years I have also been a Member of the Board of Trustees and the Chaplain for the St. Paul's School in Visalia, California. The school is an independent California non-profit corporation.

The Rector, Wardens and Vestrymen of St. Paul's Parish in Visalia, California, Incorporated
The Very Rev. Richard I. James, Rector and Rural Dean

I am submitting this amicus curiae letter in support of the request by John Doe, individually and on behalf of his son, that this Court grant review of the Dallas appellate court's opinion applying the First Amendment to prevent judicial oversight over Doe's claims against the Episcopal School of Dallas. Neither I nor St. Paul's Church have received a monetary contribution for preparation or submission of this letter.

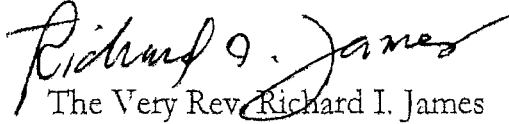
As a leader in the church community, I strongly believe in a church's First Amendment right to make determinations rooted in religious doctrine without being subject to a judge's oversight. This right assures churches are the sole interpreters of their guiding religious principles and that civil courts, which lack the needed training and background, do not interfere with or challenge those interpretations.

I disagree that the First Amendment should be applied to allow religious institutions (whether they be churches or private schools) to avoid civil liability for conduct that does not turn on religious principles. This is especially the case when the conduct involves the treatment and discipline of children in these institutions' care. It is my understanding that the school's treatment and discipline of Doe Jr. are at the core of John Doe's case. I also understand that the Episcopal School of Dallas made a contract with Doe that had non-religious promises about how it would educate and treat his son and that the school violated those promises. The First Amendment should not apply to immunize individuals or institutions from this type of arbitrary and abusive conduct just because they claim a religious affiliation. Such an approach would dilute the very purpose of the religious liberty granted by the First Amendment and allow for the exploitation of young students in situations that have nothing to do with religious belief.

Churches and private schools with a religious affiliation serve an important function in society and are generally successful in their goal of providing a nurturing, faith-based environment for families and children. I note however that studies show that church membership in general has declined across the country due, at least in part, to the very public cases involving abuse of children by members of religious institutions. Each year we also see reported instances of inappropriate conduct toward students by staff of private religious schools involving physical or emotional trauma. Those guilty of this inappropriate conduct that has no basis or support in religious doctrine should not be permitted to avoid a judge's and jury's scrutiny. To allow this would only weaken the First Amendment as well as the public's faith in, and support of, churches and private schools.

I appreciate your time and consideration of this important matter.

Sincerely,


The Very Rev. Richard I. James

CERTIFICATION OF AMICUS

I certify on behalf of Amicus Curiae that the neither I nor St. Paul's Church has received monetary contribution for the preparation or submission of this letter.

/s/ Rev. Richard James
Rev. Richard James

CERTIFICATE OF COMPLIANCE

I certify on behalf of Amicus Curiae that the body of this Amicus letter contains 607 words according to the word count feature of the software used to prepare this Amicus letter.

/s/ Rev Richard James
Rev. Richard James

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this letter has been sent to the following counsel of record via electronic service on March 5, 2018:

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/s/ Rev Richard James
Rev. Richard James