IN THE SUPREME COURT OF CALIFORNIA

EPISCOPAL CHURCH CASES.

S155094 Ct.App. 4/3 G036096, G036408 & G036868 Orange County JCCP No. 4392

MODIFICATION OF OPINION

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THE COURT:

The opinion herein, filed on January 5, 2009, and appearing at 45 Cal.4th 467, is modified as follows:

The first sentence in the second full paragraph on page 473 is modified to read: "Applying the neutral principles of law approach, we conclude, on this record, that the general church, not the local church, owns the property in question."

The third full paragraph on page 476 is modified to read: "We granted review to decide whether this action is subject to the special motion to strike under Code of Civil Procedure section 425.16 and to address the merits of the church property dispute."

The first full paragraph on page 478, under "B.," is modified to read: "Both lower courts also addressed the merits of the dispute over ownership of the local

church — the trial court found in favor of the local church and the Court of Appeal found clear and convincing evidence in favor of the general church. We will also address this question, which the parties as well as various amici curiae have fully briefed. We will first consider what method the secular courts of this state should use to resolve disputes over church property. We will then apply that method to analyze the dispute of this case."

The first sentence of the first full paragraph on page 493 is modified to read: "For these reasons, we agree with the Court of Appeal's conclusion (although not with all of its reasoning) that, on this record, when defendants disaffiliated from the Episcopal Church, the local church property reverted to the general church."

This modification does not affect the judgment.