

SUPREME COURT OF TEXAS

John Doe v. Roman Catholic Diocese of Dallas

No. 21-1050 · No. No. 21-1050 · Decided October 21, 2022

SUMMARY

Justice Lehrmann concurred in the Texas Supreme Court’s denial of John Doe’s petition for review. The concurrence explains that ecclesiastical abstention barred Doe’s fraud claims because resolving them would require evaluating the Diocese’s internal ecclesiastical processes, while emphasizing that religious entities are not categorically immune from ordinary tort liability.

CASE DETAILS

COURT	Supreme Court of Texas
WRITING FOR THE COURT	Justice Debra H. Lehrmann
JURISDICTION	Texas
DECIDED	October 21, 2022
DOCKET	No. 21-1050
DISPOSITION	writ_denied
PROCEDURAL POSTURE	John Doe petitioned the Supreme Court of Texas for review of a decision by the Court of Appeals for the Fifth District of Texas holding that the ecclesiastical-abstention doctrine barred his fraud claims. Justice Lehrmann concurred in the denial of the petition for review.
PRECEDENTIAL VALUE	Published concurrence in denial of petition for review; the concurrence's separate reasoning is not a majority holding.
PARTIES	John Doe v. Roman Catholic Diocese of Dallas

TOPICS

- appellate procedure
- civil procedure
- fraud
- torts

PRACTICE AREAS

- Civil procedure
- Torts
- Appellate procedure
- Religious-liberty litigation

QUESTIONS PRESENTED

1. Whether the ecclesiastical-abstention doctrine bars Doe's fraud claims because resolving them would require evaluating the Diocese's compliance with its internal ecclesiastical processes and policies.
2. What limits apply to ecclesiastical abstention, including whether religious entities remain subject to neutral principles of law and ordinary tort liability for non-ecclesiastical conduct.

HOLDINGS

1. The court of appeals correctly determined that Doe's fraud claims were barred because resolving them would require the court to evaluate the Diocese's compliance with its ecclesiastical processes and internal-affairs policy, thereby requiring the court to reach behind the ecclesiastical curtain.
2. Ecclesiastical abstention does not categorically immunize a church from tort liability; courts must decide non-ecclesiastical issues under the same neutral principles of law applicable to other entities.

KEY QUOTATIONS

“if the substance and nature of the plaintiff’s claims are inextricably intertwined with matters of doctrine or church governance, then the case must be dismissed” (2)

“defer[] to religious entities’ decisions on ecclesiastical and church polity questions” (2)

“based on the same neutral principles of law applicable to other entities.” (2)

“a church is not immune from tort liability merely because it is a church.” (2)

“reach[ing] behind the ecclesiastical curtain.” (3)

FACTUAL BACKGROUND

Doe alleged that a priest had sexually abused him years earlier and claimed that the Diocese failed to fulfill an alleged promise to follow internal ecclesiastical processes when investigating his allegations and securing the priest's resignation. He did not assert that the Diocese itself committed the sexual abuse or that it negligently or intentionally allowed the accused priest to harm others despite knowledge of the risk. The court viewed the fraud claims as requiring judicial inquiry into the Diocese's canonical rules and internal-affairs policies.

PROCEDURAL HISTORY

The court of appeals held that Doe's fraud claims were barred because resolving them would require evaluating the Diocese's compliance with its internal ecclesiastical processes and policies. The Supreme Court of Texas denied Doe's petition for review. Justice Lehrmann separately concurred in that denial and discussed limits on ecclesiastical abstention.

DISPOSITION

writ_denied

CASES CITED

- 2021 WL 3556830, at *1 (Tex. App.—Dallas Aug. 11, 2021)
- In re Diocese of Lubbock, 624 S.W.3d 506, 514 (Tex. 2021)
- Masterson v. Diocese of Nw. Tex., 422 S.W.3d 594, 596 (Tex. 2013)
- Pleasant Glade Assembly of God v. Schubert, 264 S.W.3d 1, 12 (Tex. 2008)
- In re Diocese of Lubbock, 624 S.W.3d 506, 514 n.2 (Tex. 2021)
- In re Diocese of Lubbock, 624 S.W.3d 506, 514 n.3 (Tex. 2021)

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