

27 January 2020

Concerning the Recent Events in the Pursuit to Remove Bishop Michael Olson from his Appointment as Bishop of Fort Worth

My Dear Friends,

“Grace to you, and peace from Him Who is, Who was, and Who is to come” (Rev. 1:4).

Much has occurred over the past two weeks regarding this case. The two most prominent events presented publicly are the Bishop’s Quinquennial visit to Rome and the public presentation of Ms. Dianne Cluley’s sworn statement intended for use in the ecclesiastical case. These are not the only remarkable events, but they are the most public and have caused a wide variety of reactions and responses. Last week, I was out of state on business unrelated to this case and had only limited time to speak to involved individuals and monitor the situation. Now, having reviewed the many emails, public postings, and news accounts, I am compelled to write this letter and offer some clarity to these events.

Before presenting my perspective on these events, I must point out several things.

1. *“For we are not contending against flesh and blood, but against the principalities, against the powers, against the world rulers of this present darkness, against the spiritual hosts of wickedness in the heavenly places”* (Eph. 6:12). Anyone who has heard me speak on this issue knows I believe this. What compels 1500+ people from the Diocese of Fort Worth to pursue the removal of Bishop Michael Olson are the thousands of souls gravely harmed by his actions taken as Bishop of Fort Worth. The powers of darkness will use many events and circumstances to obtain their goals. As Christians, we cannot let them have our souls; and we must fight for the souls of our brothers and sisters who are “bruised reeds” and “smoldering wicks”. As Christians who believe in the power and grace of Jesus Christ, we cannot let current circumstances and recent events cause fear to grip us. Fear is a tool of the enemy. Perfect love casts out all fear (1 Jn. 4:16). In our love for Jesus and His people, let us continue working together to bring Light into the present darkness that grips the Diocese of Fort Worth.
2. A comprehensive review of the events that have taken place in the last two weeks make it clear to me that a handful of specific individuals have been targeted with intimidation and bullying tactics. This is not new in the Diocese of Fort Worth. It is why the FRK Advocates petitioned Rome for an apostolic visitation of the Diocese. It is why 75% of priests responding to my recent survey describe the atmosphere of Bishop Olson’s administration with words such as “harmful”, “toxic”, or “intimidating”. That same percentage of priests believe the ***“bishop has lost the appearance of moral authority necessary to govern the diocese effectively.”*** It is why more laity signed mandates for the removal of Bishop Olson than who attended the Masses in celebration of his 25th anniversary as a priest and the 50th anniversary of the Diocese, respectively. This was demonstrated to me by headcounts made by people who did attend.
3. On 29 July 2019, I wrote a letter responding to the Bishop’s 19 July 2019 news release, as well as other events unfolding at that time. Please take time to read or re-read that letter. If you take time to read my 29 July 2019 letter, you will probably agree that the recent events bear a striking similarity to what was happening last summer. It bears remembering that the reason we are pursuing the

Bishop's removal is because his actions and words have caused grave harm to specific individuals as well as to the Diocese as a whole. He has refused to take responsibility for his harmful acts, often making public statements intended to excuse his harmful behavior and words. The result has been a devastating loss of souls. Everyone who signed a mandate knows this. The priests of the Diocese know this.

4. Because this is an ecclesiastical matter, I have always encouraged those involved to keep it ecclesiastical. My greatest fear is two-fold: that the devastating loss of souls will continue, and that either personally or through others the Bishop would pursue a "scorched earth" policy and so cause the exposure of very sensitive information. For our part, everyone who signed a mandate did so knowing that I would protect the privacy and integrity of the sensitive information I received. It's why the full copy of the Petition for his removal has not been shared publicly. This has frustrated some, but I believe it is necessary in order to protect the large number of individuals involved.

I turn now to address the most recent events in this case. I do so with full knowledge that the Bishop and his various spokespersons will likely offer a different perspective. I believe the facts speak for themselves, and a presentation of the facts here will bring clarity for those seeking the truth.

1. Some believe that Bishop Olson's recent visit to Rome was because of the petition for his removal. This is a false belief. In fairness, and to my knowledge, Bishop Olson has never characterized his visit in this way either. His recent visit is simply the quinquennial (five-year) visit that each bishop of the world makes to Rome. The visits are organized with other bishops from Region X, which include the bishops of Texas, Oklahoma, and Arkansas. When the Bishop refers to a two-and-a-half hour meeting with the Holy Father, he is most likely referring to a general meeting the Pope had with all the bishops of Region X during this quinquennial visit; not an exclusive meeting between the two. During this kind of general meeting, the Holy Father gives an address to all the bishops, then greets them individually while remaining in their collective presence. It takes time for the Pope to do this; two-and-a-half hours as reported by Bishop Olson.
2. Regrettably, Dianne Cluley's sworn statement was one of many documents forced by diocesan attorneys to be uploaded to public record in Father Richard Kirkham's defamation lawsuit against Bishop Olson. The case is styled: *Cause Number: 19-5247-431, Reverend Richard Kirkham, Plaintiff, v. Michael F. Olson, Personally and the Catholic Diocese of Fort Worth, Defendants; Denton County, Texas*. Before writing this letter, I consulted two attorneys on how the public records work in these circumstances. I offer one of these explanations below.

[According to public record] Bishop Olson's attorney had filed a Motion to Compel discovery responses on 9-5-2019 against Fr. Richard Kirkham in his defamation case, and a supplemental motion to compel on 9-30-2019. There is an indication [in the public record] that the Motion to Compel was heard on 10-4-2019.... On 10-22-2019, Bishop Olson's attorneys filed a Motion for Sanctions. It appeared that Fr. Richard Kirkham's attorney responded to Defendant's Motion for Sanctions on 12-3-2019. As any good attorney would do when faced with an allegation made to a judge that he did not comply with discovery and produce everything that had been requested, not to mention a separate motion asking that the judge sanction him and/or his client for being in violation, he uploaded to the court all of the responses so that the judge could see what he had produced in order to make a determination about the discovery dispute. Please be aware, no discovery is to be filed in Texas unless there is a discovery dispute. What Olson's attorneys filed and pursued was a discovery dispute—made particularly more nasty by their request for sanctions to be imposed as a penalty. In a review of the public record, two of the 12-3-2019 Responses by Fr. Kirkham's attorney contained 4 pages and the other contained 1746 pages. The Dianne Cluley sworn statements were in the public record as of 12-3-2019, located toward the end of the large, 1746 page upload.

In other words, the Dianne Cluley sworn statements were made part of the public record because Bishop Olson's attorney requested they be turned over during the discovery process, and subsequently filed a motion for sanctions regarding discovery. Because Mrs. Cluley's statements were made expressly for an ecclesiastical matter that involved Father Richard Kirkham and held by his canon lawyer, they were part of the file compelled under that discovery request. It seems that if the Bishop's attorney had not filed such a motion, those two sworn statements would not have been filed in response. By being entered into the public record, anyone who uses proper protocol can obtain them. News outlets do this routinely.

3. In a letter sent to a young mother, who also is a member of the FRK Advocates, Bishop Olson's attorney claims the Cluley statements were not part of the public record. He makes other mischaracterizations as well, both in that letter and in his statements printed in the Fort Worth Star-Telegram. I understand his statements have been shared on public media, and there is no need for me to identify other mischaracterizations except one quoted in the Fort Worth Star-Telegram. In that article, he notes that he did not have opportunity to cross-examine Dianne Cluley and implies that the statements are unreliable for this reason.

Regarding his claim that the statements are not part of the public record, it is important to note that he makes this assertion in a threatening letter to a woman who did not have involvement in the development or use of the statements. As such, his letter demonstrates yet again the reasons we seek the removal of Bishop Michael Olson. If the statements made in that threatening letter are well intentioned, it would mean that the attorney for Bishop Olson did not know the Cluley statements were part of a public record compelled into the record by his own involvement.

Regarding his complaint that he was not allowed to cross-examine Mrs. Cluley, such a complaint seems to be an expression of sour grapes. The two statements made by Dianne Cluley were made for use in the ecclesiastical forum many months before Father Kirkham filed his defamation lawsuit. They were part of the ecclesiastical case developed by Father Richard's canon lawyer and sent to Rome in December 2018. Further, the canon lawyer informed Bishop Olson about the statements sometime during the summer of 2019 during a face-to-face meeting. Simply put, at the time the statements were made there was no cross-examination of Mrs. Cluley because there was no lawsuit nor secular process in place for which the statements were intended for use. And, the Bishop was aware that the statements existed before his attorney motioned to compel discovery of the material used in the canonical case. It is possible that the attorney compelled that discovery with the hopes of obtaining a copy and seeing what had been sent to Rome. If the attorney's statements to the young mother were made in good faith, it would mean he did not find or read the Cluley statements in the large file uploaded to public record in December 2019.

4. Within the canonical forum for a petition for the removal of a bishop, discovery works differently than in cases involving secular law systems. There is no opportunity for a private canon lawyer to compel a bishop to provide information related to the petition. Rather, we must develop such cases without the ability to compel. For that reason, I rely on the people in a parish or diocese to share information. In this case, knowing that the priests of the Diocese of Fort Worth are under significant pressure and often intimidation, I chose to pursue an anonymous survey with the priests. Following basic rules of survey taking as I know them, I sent a survey and cover letter to every priest in the Diocese for whom an address was available. I will be sending the complete results to Rome, but a few points to print here. The response rate fell within the margin of a valid response to an external survey. Only 25% of the priests responding believe the Bishop retains the appearance of moral authority necessary to lead the Diocese. Of the 25% who supported Bishop Olson in their responses, none offered personal comments. The only marks on their surveys were circles indicating answers to the questions. Of the 75% opposed to his episcopacy, 60% offered personal comments. I quote one here:

Dear Philip C.L. Gray JCL, Thank you very much for helping us priests and the People of God of the Diocese of Fort Worth. I wish I could give more personal information, but I cannot out of fear of retaliation from Bishop Michael Olson, who has the power to destroy a person [and his] Priesthood. You are in my prayers and God Bless.

As we await a decision from Rome, or the Bishop's own resignation out of respect and love for the People of God in Fort Worth, I will continue to develop information as best I can. I am planning several more surveys.

Also, I encourage the Faithful to use the recently formed, private trust fund established exclusively to fund parish and diocesan needs in the Diocese of Fort Worth. The Laity in Unity Foundation is administered by a board of lay Catholics and the Bishop of Fort Worth has no control over funds donated to it. We are bound by Divine Law to support the Church. We are not bound by Divine Law to entrust that support to the complete and unchecked administration of a particular priest or bishop. In fact, Canon Law allows private trust funds to be used for ecclesiastical purposes, and in many places in the world, this is done regularly to fund parishes, schools, and dioceses. If you do not want your parish or diocesan donation to be used to pay attorney's fees or advance an atmosphere of intimidation among the clergy, please consider making your donations to the newly formed Laity in Unity Foundation.

In closing, I want to encourage you, do not be afraid. This is a spiritual battle and the devil's main objective is to cast darkness and distort the truth. The recent events in public media prove my point. Do not make quick judgements based on emotion or unverified presentations. Much is happening in the background. Please remember, in November 2019, I mailed the Petition for Removal to Rome. The package weighed about 65 pounds. I'll let you figure out how much paper that was. It has only been three months. I encourage all of us to be patient and let the Holy See review that material. It included a large body of information derived from diocesan and public sources, as well as the documentation sent by many of you. It demonstrates how harmful the Bishop's actions have been to the presbyterate, to the spiritual and moral life of the faithful, to the Right to Life movement, to Catholic education at every level, and to so many more issues that are deeply personal and gravely harmful.

As you wait, please pray. Pray for the Bishop. Pray for each other. Pray for the officials in Rome. Pray for me. I would be remiss if I did not remind you that I have always encouraged you to pray for the souls in Purgatory from Fort Worth. Keep up the prayers, as the saints in heaven will do battle for us. Finally, keep sending me information, and keep sending mandates. Anyone who wishes to join our effort is still invited to sign a mandate and add their name to the growing list of those who want a true Pastor as Bishop of Fort Worth.

God bless you all; St. Joseph keep you.

May God be Praised!

Peace,

A handwritten signature in blue ink, appearing to read "Philip C. L. Gray, JCL". The signature is stylized and somewhat cursive.

Philip C. L. Gray, JCL
Procurator/Advocate