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***THE ROLES, DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE COUNCIL,
DOMESTIC AND FOREIGN MISSIONARY SOCIETY, PRESIDING BISHOP AND
PRESIDENT OF THE HOUSE OF DEPUTIES IN THE GOVERNANCE OF THE
EPISCOPAL CHURCH***

I have been requested by the Presiding Bishop and the President of the House of Bishops to prepare a study paper for the use of the Executive Council as it considers the various roles, responsibilities and duties of the constituents parts now involved in the governance of the Church. With the permission of the Secretary of General Convention, I have not included any considerations of the several entities in the administration of the Houses of General Convention, or the administration and management of General Convention itself, or the various appointing powers established by the Constitution and Canons.

I have tried to avoid conclusions or conclusory statements wherever possible so as to leave those to the determinations of Executive Council in its deliberations. Some conclusions are evident on their face and have been so noted.

A distinction has been drawn between "roles" and "duties and responsibilities". The former falls to the nature of the office, while the latter are the creatures of direct legislation.

[**Note:** Numerous quotations and canons from prior to 1976 contain masculine nouns and pronouns. This is out of accuracy and not insensitivity to the role of women in our Church, but merely a recitation and/or quotations as to the Church as it was then found in those eras.]

THE GENERAL CONVENTION

Any discussion of these roles, responsibilities and duties must start with the General Convention. Article I of the Constitution begins "There shall be a General Convention of this Church consisting of the House of Bishops and the House of Deputies ...", which enunciates the great principle that this is a national Church, and that such a convention was to be its highest council attaching to it every power inherent in such a body. It is this body that by concurrent action has power and authority to amend the Constitution ("the law to the law givers"); alter and add to the *Book of Common Prayer*; be the final arbiter of judicial conflicts; establish a Court of Review on questions of Doctrine, Faith and Worship; enact, amend and repeal Canons; and to issue Resolutions and statements. Precedent (a rule for future guidance based on past actions) and desuetude (abrogation of law by custom or disuse) are not a part of The Episcopal Church's legislative or polity tradition. Thus, these ecclesiastical bodies of the Episcopal Church exist through and by virtue of actual and ongoing enactments of General Convention.

In 1964 in response to the so-called *Pike Affair*, the 61st General Convention addressed the question of *Levels of Authority Within the Church* and adopted by concurrent Resolution the following:

Sec. 1. The Protestant Episcopal Church accepts as its authority the Holy Scriptures, the Nicene and Apostles Creeds and speaks through the Book of Common Prayer and the Constitution and Canons of the Church. The Protestant Episcopal Church speaks also through Resolutions, Statements and actions of the General Convention. In these ways the Church speaks at the highest level of responsibility for the Church to the Church and to the world. (1964 *Journal*, pp. 312-313)

After 1964, the level of authority of Resolutions of the General Convention was seriously eroded by the action of the House of Bishops at Port St. Lucie with the so-called "Statement of Conscience" (1979 *Journal*, pp. B-193 – B-196); and by the 1979 "Statement" in the House of Bishops in reaction to Resolution A-53s (1979 *Journal*, B-110 – B-112), both unilaterally excepting Bishops from certain legislative actions of the General Convention. Thereafter, *In re The Rt. Rev. R. Stewart Wood* stood for the proposition that violations of Resolutions of the General Convention, which were not Canons, were not matters for ecclesiastical discipline. *In re The Rt. Rev. Walter C. Righter* held that, unless Resolutions of the General Convention were matters of core doctrine of the Church, violations thereof were not to be considered the offense of "Holding and teaching ... any doctrine contrary to that held by this Church." and, thus, not subject to ecclesiastical discipline.

However, I would submit that Resolutions, such as directives or Budget Resolutions for example, or Canons of the General Convention addressed to canonical bodies, to which individual clergy and/or laity have accepted appointment or election, requiring or directing action would be binding upon such bodies or individuals. Violations of the Canons of the Church by members of the clergy could subject them to ecclesiastical discipline. (Canon IV.1.1.(e) at p. 119) Lay persons " ... accepting any office in this Church shall well and faithfully perform the duties of that office in accordance with the Constitution and Canons of this Church ..." (Canon 1.17.8. at pp. 55-56.) Failure to do so could be cause for removal.

Any members of the clergy or lay persons who believe themselves to be unable to comply with the Canons and/or Resolutions of the General Convention may relieve themselves thereof through resignation. Otherwise, there is a canonical and fiduciary duty to comply.

Thus, we must look solely to the enactments of the General Convention for guidance and as the source of and authority for any discussion of the several duties and responsibilities at issue.

THE EXECUTIVE COUNCIL

The Executive Council acts for the General Convention, when the General Convention is not in session. Title I, Canon 4: Of the Executive Council (*Constitution and Canons, 2006* at pp. 30-31), creating that body, provides in pertinent part:

Sec. 1(a) There shall be an Executive Council of the General Convention ... whose duty it shall be to carry out the program and policies adopted by the General

Convention.. The Executive Council shall have charge of the coordination, development, and implementation of the ministry and mission of the Church.

The General Convention of 1997, in response to Resolution A187 in the Report of the Standing Commission on the Structure of the Church ("SCS"), amended Clause (a) to read as above by the following amendment:

There shall be an Executive Council of the General Convention (which council shall be called simply the Executive Council) whose duty it shall be to carry out the program and policies adopted by the General Convention. The Executive Council shall have charge of the ~~unification~~ *implementation of the ministry and mission* ~~the Missionary, Educational and Social Work~~ of the Church *and of such other work as may be committed to it by the General Convention.*

It was SCS's stated intention that: "The Executive Council is the executive board of the church and such a directing board exercises full corporate and fiduciary responsibilities for the policies, strategies and budgets adopted by the General Convention and will function as a true directing board. It is proposed that a volunteer board will be competent and capable of discharging these duties." (*1997 Blue Book*, at p. 488)

It was understood that the term "mission" is meant to be understood and used to express God's mission of redemption and reconciliation "to restore all people to unity with God and each other in Christ" (*BCP*, p. 855). While the term "ministry" should mean the many and diverse ways that Christians participate in the one mission of God as articulated by the Baptismal Covenant in the five broad areas of worship, forgiveness, proclamation, service and securing justice. (*BCP*, pp. 304-305) (See: *1997 Blue Book*, at p. 447)

It is respectfully submitted that these two terms and definitions are those against which all actions of the Executive Council should be moved and judged as it discharges its duties and responsibilities.

That said, what then are the general and specific duties and responsibilities of Executive Council in matters of governance? The following may help to outline the same:

- (1) "... carry out the program and policies adopted by the General Convention ..."(Canon I.4.1.(a));
- (2) "... have charge of the implementation of the ministry and mission of the Church ..." (Canon I.4.1.(a));
- (3) "... have charge of ... such other work as may be committed to it by the General Convention." (Canon I.4.1.(a));
- (4) "... be accountable to the General Convention..." (Canon I.4.1.(b));
- (5) "... render a full published report concerning the work with which it is charged to each meeting of said Convention ... " (Canon I.4.1.(b));

- (6) "... exercise the powers conferred upon it by Canon ..." (Canon I.4.2.(e))
- (7) "... exercise ... such further powers as may be designated by the General Convention ..." (Canon I.4.2.(e));
- (8) "... between sessions of the General Convention initiate and develop such new work as it may deem necessary." (Canon I.4.2.(e));
- (9) "In its capacity as the Board of Directors of The Domestic and Foreign Missionary Society, the Council shall have the power to direct the disposition of the moneys and other properties of said Society in accordance with the provisions of this Canon and the orders and budgets adopted or approved by the General Convention. (Canon I.4.2.(f));
- (10) advise and consent to the appointment of an Executive Director by the Presiding Bishop (Canon I.4.3.(d));
- (11) "The additional officers , agents and employees of the Council shall be such and shall perform such duties as the Council, upon recommendation and under the authority and direction of the Chair and President, may from time to time designate." (Canon I.4.3.(h))
- (12) "... the salaries of all officers of the Council and of all agents and employees of the Council shall be fixed by the Council ..." (Canon I.4.5.);
- (13) "... shall submit to the General Convention ... the Budget for the Episcopal Church for the ensuing budgetary period ..." (Canon I.4.6(a));
- (14) "... shall ... transmit to the Bishop of each Diocese and to the President of each Province a statement of the existing and proposed askings necessary to support the Budget ..." (Canon I.4.6.(c));
- (15) "... shall also submit to the General Convention, with the Budget, a plan for the askings of the respective Dioceses of the sum needed to execute the budget." (Canon I.4.6.(e));
- (16) "... shall have the power to expend all sums of money covered by the budget and estimated budgets ... subject to such restrictions as may be imposed by the General Convention ..." (Canon I.4.6.(f));
- (17) "... shall also have the power to undertake such other work provided for in the budget approved by the General Convention ..." (Canon I.4.6.(f));
- (18) "... shall also have power to undertake ... other work under the jurisdiction of Council, the need for which may have arisen after the action of the General

Convention, as in the judgment of the Council its income will warrant." (Canon I.4.6.(f));

- (19) " ... the Council shall formally advise each Diocese of its share of the total askings to support the Budget ... " (Canon I.4.6.(g));
- (20) " ... shall make and publish a full report of its work to the Church. [which] shall contain an itemized statement of all receipts and disbursements and a statement of all trust funds and other property of the Domestic and Foreign Missionary Society, and of all trust funds and property in its possession or under its control." (Canon I.4.8.);
- (21) " ... shall make a like report, including a detailed schedule of the salaries paid to all officers, agents and principal employees, to each General Convention." (Canon I.4.8.);
- (22) establish " ... [qualifications of missionaries] in accordance with standards and procedures adopted from time to time by the Executive Council ... " (Canon I.4.9.(a));
- (23) " ... with the advice of the Joint Standing Committee on Program, Budget and Finance,[Executive Council] shall adjust the budget to the assured income of the Executive Council so as to carry out the Budget for the Episcopal Church for that year on a balanced budget basis." (General Convention Budget Resolution D079, 2006 *Journal*, p. 334).

[Note: There is a conflict between item (11) above and ARTICLE I, Sec. 9 of the By-laws of Executive Council and D&FMS. The former provides that "[t]he additional officers, agents and employees of the Council shall be and shall perform such duties as the Council, upon the recommendation and under the authority and direction of the Chair and President may from time to time designate."

ARTICLE I, Sec. 9 of the By-laws provides that:

The Chair may employ such persons deemed necessary to the carrying out of the canonical responsibilities of the Council and Society. Such persons shall continue in employment at the pleasure of the Chair and shall while so employed by subject to such personnel policies as the Council may enact from time to time.

Canon I.4.2.(c) provides in part that Council may " ... subject to the provisions of this Canon, enact By-laws for its own government and the government of its several departments." Thus, Sec. 9 is in conflict with the Canons and must yield to them.]

This breadth of authority, duties and responsibilities lies clearly in the Executive Council as a corporate entity, but it is also clearly subordinate to the authority, programs and policies of the

General Convention. Executive Council as the central corporate authority in the governance of the Church, when General Convention is not in session.

No distinction is made as to the rights, duties and privileges of any members of Executive Council as such: all being equal members.

One of the ongoing issues tends to be how Executive Council actually discharges these corporate programs and policies of General Convention and its duties and responsibilities.

Within the structure of Executive Council, it acts most frequently through its officers. Canon I.4.3(a) provides in pertinent part:

(a) The Presiding Bishop shall be *ex officio* the Chair and President. ... The Chair and President shall be the chief executive officer of the Executive Council and **as such the Chair and President** shall have ultimate responsibility for the oversight of the work of the Executive Council in the implementation of the ministry and mission of the Church as maybe committed to the Executive Council by the General Convention. [Emphasis supplied.]

In 1997, the General Convention added the following subsection to Canon I.4.3(f):

(f) The Chair shall preside at meetings of the Council, shall perform such other duties as are customary for such office and shall perform such other duties as maybe conferred by Canon and the By-laws of Council. In the absence or at the request of the Chair, the Vice-Chair shall preside at meetings of the Council and shall perform such other duties as may be conferred by Canon and the By-laws of the Council.

This and other revisions in 1997 recognized the increased role of the President of the House of Deputies in both sharing leadership responsibilities as between the Presiding Bishop and the President of the House of Deputies ... (1997 *Blue Book*, p. 491)

The interaction of the Presiding Bishop in the office of Presiding Bishop and as Chair and President of Executive Council is heavily nuanced and will be considered further below.

THE DOMESTIC AND FOREIGN MISSIONARY SOCIETY

A few words are in order as to Executive Council as the Board of Directors of the Domestic and Foreign Missionary Society (“D&FMS”). Executive Council is a creature of The General Convention by Canon, and by its By-laws not inconsistent with the Canons. It is also the Board of Directors of D&FMS, a New York corporation incorporated in 1821. Thus, in addition to D&FMS' Certificate of Incorporation (referred to as its "Constitution"), D&FMS and Executive Council's By-laws and the Canons, it has been governed by several statutory schemes over these many years. D&FMS is now governed by the New York Not-for-Profit Corporations Law (“NPC”).¹

The current D&FMS Constitution is recited in Canon I. 3. Of the Domestic and Foreign Missionary Society (*Constitution and Canons, 2006*, at p. 30). ARTICLE II thereof provides that:

The Executive Council, as constituted by Canon, shall be its Board of Directors, and shall adopt By-laws for its government not inconsistent with the Constitution and Canons.

Given the fact that D&FMS, as a New York corporation and holds title to essentially all assets of The Episcopal Church, service on its Board carries substantial secular rights and obligations. When wearing the hat of a director of D&FMS, the directors have charge over all the assets of the Society and The Episcopal Church, which are owned by the Society in its corporate nature.

The New York NPC Section 701 (a) provides in part: "Except as otherwise provided in the certificate of incorporation, a corporation [D&FMS] shall be managed by its board of directors." All directors of the D&FMS have an equal say in and responsibility for the affairs of the corporation. The New York NPC does not have any provision for different classes of Directors with different levels of duties, unless the same are provided for in the Certificate of Incorporation. None are so provided for in D&DMS' Constitution. Therefore, all directors of D&FMS have exactly the same level of authority and duties and rights and privileges as such directors. No director has greater or lesser authority as a director.

The statutory duty as a Director and Officer of D&FMS under NPC Sec. 717 is essentially as follows:

- (a) Directors and officers shall discharge the duties of their respective positions in good faith and with that degree of diligence, care and skill which ordinarily prudent men would exercise under similar circumstances in like positions. [This Section continues with investment matters not pertinent to this paper.]
- (b) In discharging their duties, directors and officers, when acting in good faith, may rely on information, opinions, reports or statements including financial statements and other financial data, in each case prepared by: (1) one or more officers or employees of the corporation, whom the director believes to be reliable and competent in the matters presented, (2) counsel, public accountants or other persons as to matters which the directors or officers believe to be within such person's professional or expert competence or (3) a committee of the board upon which they

¹ New York Statutes Are available at: www.public.leginfo.state.ny.us

do not serve, duly designated in accordance with a provisions of the certificate of incorporation or the bylaws, as to matters within its designated authority, which committee the directors or officers believe merit confidence, so long as in so relying they shall be acting in good faith and with that degree specified in paragraph (a) of this section. Persons shall not be considered to be acting in good faith if they have knowledge concerning the matter in question that would cause such reliance to be unwarranted. Persons who so perform their duties shall have no liability by reason of being or having been directors or officers of the corporation.

It should be noted that such reliance is not a delegation of authority or overall responsibility to such persons or bodies, but is designed as a protection for NPC directors from personal liability when appropriately acting under Sec. 717(a).

The New York NPC law provides for generous limitations on liability for Directors of IRC Section 501(c)(3) corporations (Sec. 720-a); indemnification by the corporation of officers and directors (Sec. 722 and 725); and for procuring insurance for indemnification (Sec. 726), as do the By-laws of Executive Council/D&FMS (ARTICLE V, Sec. 5, p. -8-).

Thus, so long as the members of Executive Council/D&FMS discharge their duties in good faith and with that degree of diligence, care and skill which ordinarily prudent men would exercise under similar circumstances in like positions and do not place unwarranted reliance on information provided to them, personal liability should not be an issue.

ARTICLE III of the D&FMS provides for the officers of D&FMS, who essentially fill offices by virtue of title. The Presiding Bishop is President and the President of the House of Deputies is a Vice President and the officers "... shall have such powers and perform such duties as may be assigned by the By-Laws. ... The tenure of office, compensation, duties of the officers of the Society shall be such as are prescribed by the Canons and by the By-laws of the Society not inconsistent therewith."

The By-laws of Executive Council and D&FMS (Revised November 15, 2006) are one and the same document.

[Note: Since Executive Council and the General Convention themselves essentially have no assets, and inasmuch as all assets of TEC are essentially held and administered by D&FMS, the Board of Directors of D&FMS have the corporate obligation to collect, manage and disburse funds for program, ministry and mission.]

ARTICLE II, Sec. 8 of the By-laws at p. -4-, which mirrors the first part of Canon I.4.2.(e), reads as follows:

Sec. 8. The Council [and thus D&FMS] shall exercise the powers conferred on it by Canon and the General Convention and between sessions of the General Convention may initiate and develop such new work as it may deem necessary. Policy decisions respecting the nature of the work to be carried out shall be made by the Council in conformity with the program established by the General Convention.

THE PRESIDING BISHOP

"Duties and Responsibilities"

A distinction has to be made between the "duties" and "responsibilities" of the Presiding Bishop and the "role" of the Presiding Bishop. Duties and responsibilities, as to governance, are delineated in the Constitution and Canons. The concept of the "role" of a Presiding Bishop is a bit more complex and has been studied and discussed by the Church for many years, which will be considered later.

"The office of the Presiding Bishop is a constitutional office, the tenure and duties of which are prescribed by canons, and he has no duties or powers save as so prescribed." (*White & Dykman, 1981, Vol. I, pp. 203-204*), (*White & Dykman, 1954, Vol. I, p. 176*)

In recent years, confusion has existed as to where the implementation of the ministry and mission of the Church is centered: In the Office of the Presiding Bishop? or In the Executive Council?

Canon I.2: Of the Presiding Bishop (*Constitution and Canons 2006* at p. 28) provides in pertinent part:

Sec. 4(a) The Presiding Bishop shall be the Chief Pastor and Primate of the Church, and shall:

(1) Be charged with responsibility for leadership in initiating and developing the policy and strategy in the Church and speaking for the Church as to the policies, strategies and programs authorized by the General Convention.

Compare and contrast Canon I.2.4.(a) (Presiding Bishop) with Canon I.4.3.(a) (Executive Council), which provides in pertinent part:

(a) The Presiding Bishop shall be *ex officio* the Chair and President. ... The Chair and President shall be the chief executive officer of the Executive Council and as such the Chair and President shall have ultimate responsibility for the oversight of the work of the Executive Council in the implementation of the ministry and mission of the Church as maybe committed to the Executive Council by the General Convention.

It is apparent that the Presiding Bishop is "...charged with leadership in initiating and developing the policy and strategy ...", but that the Presiding Bishop in the role of Chair and President and chief executive officer of the Executive has "... ultimate responsibility for the oversight of the work of the Executive Council ..."

Thus, "policy and strategy" for the Church (*Prophecy*) is the domain of the Presiding Bishop, while " ... the implementation of the ministry and mission of the Church as may be committed to

the Executive Council by General Convention." (*Program*) is vested in Executive Council to be overseen by the Chair and President.

In 1982, at the General Convention next before an election of a Presiding Bishop in 1985, SCS' Report to the General Convention considered several issues as to the office of Presiding Bishop. (*Blue Book*, pp. 334 – 342)

After studying the title of the Episcopal Church's "Presiding Bishop" versus the titles "Primate" and "Archbishop" used in other Provinces. SCS recommended three amendments to the Constitution to add the term "Archbishop" in lieu of "Presiding Bishop.", thus placing the Presiding Bishop on a titular par with these other Anglican leaders. [If these Constitutional amendments were passed for first reading in 1982, canonical conforming changes would be ready for 1985.] SCS stated that this proposal "... implies no change of his authority or any archepiscopal [sic] jurisdiction as is associated with other Christian bodies." However, the 1982 General Convention showed no inclination to even bestow the image of metropolitanical authority on a Presiding Bishop. The House of Bishop rejected these amendments and instead added "Primate" to the Canons and capitalized the words "Chief" and "Pastor". (*1982 Journal*, pp. C-36 – C-37) The House of Deputies concurred, but only after considerable debate as to whether or not "Primate" was a slippery slope towards a feared and unwanted metropolitanical authority in the Office of Presiding Bishop.

The Report of SCS to General Convention in 1997 proposed several canonical amendments most of which form the basis of the Canons today as to the Presiding Bishop and Executive Council. (1997 *Blue Book*, pp. 484-492). SCS commented:

SCS proposes to create an effective role for a Presiding Bishop in calling the church to ministry and mission through the General Convention and through prophetic appeals to the people of this Church. Thereby, SCS proposes a shift in emphasis from managing to leading. There is, and should be, a clear distinction between the office and role of the Presiding Bishop and the Presiding Bishop's duties as Chair and President of Executive Council and the Domestic and Foreign Missionary Society ("D&FMS"). While the same person fills both roles, the roles are not identical and have separate natures and functions. SCS proposes to clarify these distinctions. SCS also proposes re-focusing the locus of development, implementation and management of the ministry and mission of the church on the national level within the Executive Council. (at p. 486)

"Role of the Presiding Bishop"²

The role of the Presiding Bishop, as distinct from the Presiding Bishop's duties and responsibilities in governance of the Church, has been a source of a dilemma ever since the office of Presiding Bishop became a full time position without jurisdiction after World War II. Viewing Presiding Bishops from Sherrill to Lichtenberger to Hines to Allin to Browning to Griswold, an

² I call your attention to *The Role of the Presiding Bishop*, Roland Foster, Forward Movement Publications, Cincinnati, OH. This work was commissioned in 1981 by SCS in anticipation of the election of a Presiding Bishop in 1985 and the work of SCS in preparation for the 1982 General Convention.

observer would see vastly different understanding, activities and approaches to the role of a Presiding Bishop.

Following the 1970 General Convention, SCS retained Booz-Allen & Hamilton, Inc. (management consultants) to evaluate the work of the church. Their report declared that the role of the Presiding Bishop was still too vaguely defined and that he was assigned too many responsibilities.

The skills that appear to be required to fulfill the important symbolic, prophetic, pastoral and leadership responsibilities are quite distinct from the administrative skills required of a chief executive ... The concept of the Presiding Bishop has not been fully reconciled with the concept of the autonomy of bishops in the dioceses."³

After the 1970 Houston General Convention, Presiding Bishop Hines appointed a Consultant Group to make recommendations as to the definition of the office. They reported in 1972:

We assumed ... we would arrive at a clearer definition of the job of the Presiding Bishop, and might even be able to write a job description ... We are now convinced that this would be very unwise. One of the real strengths of the office – and of the church – is to elect a first rate man and then establish a situation in which he is free to exercise his own talents – and graces - be they pastoral, prophetic, administrative or other. The varieties of talents brought by a succession of Presiding Bishops is essential to the vitality of the church.⁴

At a meeting of the House of Bishops in 1972, after Presiding Bishop Hines had announced his intention to retire, that House spent some time on the nature of the office:

We want the Presiding Bishop to be prophet, pastoral leader, symbol of unity, flexible chief liturgist ... Many [bishops] urged very strongly a great deal of delegation, especially in the administrative area. Some [bishops] urged consideration of separating the administrative function from the office, so the Presiding Bishop could be "Chairman of the Board" rather than President. Members suggested consideration of a different title to clarify the Church's expectations of that office.⁵

The Church has struggled with the role of the Presiding Bishop at different times, in different eras and under different circumstances. However, if the observer looks at all the post-WW II Presiding Bishops, the sense of the Consultant Group in 1972 comes closest to the mark that the persons so chosen and their personalities, skills and interests will shape and somewhat define the office in the light of the needs of the Church and their times.

THE PRESIDENT OF THE HOUSE OF DEPUTIES

³ *Ibid*, p.120.

⁴ *Ibid*, pp. 120-121.

⁵ *Ibid*, p. 122.

"Duties" and "Responsibilities"

The office of President of the House of Deputies also is divided between the canonical legislation of duties and responsibilities and the nature of the role of the person so elected.

Canon I.1.1.(b) provides for the office of President: "There shall be a President ... of the House of Deputies, who shall perform the duties appropriate to [the office] or as specified in these Canons."

The Canons also provide that the President is *ex officio* Vice Chair of Executive Council (Canon I.4.3.(b)), and is a Vice President of D&FMS (Canon I.3.ARTICLE III).

In addition, the Canons and Rules of Order provide numerous duties and responsibilities for appointing powers either directly or co-jointly with the Presiding Bishop.

Over the years, the canonical involvement and nature of the President of the House of Deputies has evolved and become more important in issues of governance.

In 1988, SCS proposed the clarification of naming the President of the House of Deputies as "*ex officio the Vice Chairman*". (1988 Blue Book, p. 410). General Convention accepted this revision to Canon I.3., but used the terms "Chair" and "Vice Chair" and added provision for the Vice Chair to preside in the absence of the Chair. (1988 Journal, p. 330-331.)

In 1997, SCS proposed numerous canonical revisions as to Executive Council, one of which was adding to the role of Vice Chair (PHOD) as it is found today, especially in co-joint appointments. SCS stated: "This amendment recognizes the increased role of the President of the House of Deputies and has the effect of both sharing leadership responsibilities as between Presiding Bishop and President of the House of Deputies ..." (1997 Blue Book, p. 491)

"Role"

As with the office of Presiding Bishop, the "role" of the President of the House of deputies has varied greatly over the years under the canonical rubric of "duties appropriate to the office". As with the observations as to the post-WW II Presiding Bishops, a look back at how prior Presidents of the House of Deputies during the past forty years exercised their offices is also instructive. Presidents Coburn and Collins focused primarily on their canonical roles within the House of Deputies. President Lawrence was active especially in attending meetings of interim bodies and in giving addresses around the country and even abroad. President Chinnis had a far more active role in both the governance and leadership of the Church, ministering to many groups of the Church and formally acting for Presiding Bishop Browning in representing him and the Church domestically and abroad. President Werner was personally extraordinarily active with consultations and appearances before national clergy groups, diocesan conventions and consultations, clergy retreats, etc. Each of these very different Presidents was appropriate to his or her era, the needs of the Church and the skills and interests of that President and, to some degree their relationships with the then Presiding Bishop.

The polity of the Church has a great deal to say about the activities of the President of the House of Deputies. The House of Bishops is much smaller, meets three or four times a year and is highly informal and collegial. Thus, there is always the opportunity of dominating the polity and governance of the Church.

The House of Deputies, clergy and laity, meet but once every three years. Thus, its formality, the turnover of Deputies and leaders, and lack of collegiality make it more difficult to be a forum for the interim concerns of issues facing the laity and clergy in the Church. However, this is the only real national forum in which these two orders may be heard. Thus, it is submitted that the activities of any President of the House of Deputies in listening to and helping to advise these constituents between General Conventions is vital and essential and falls under the canonical rubric to "... perform the duties normally appropriate to [the office]." (Canon I.1.1.(b))

We might paraphrase the 1972 Consultant Group Report on the Presiding Bishop as to the role of a President of the House of Deputies as follows:

We could arrive at a clearer definition of the job of the President of the House of Deputies, and might even be able to write a job description ... We are now convinced that this would be very unwise. One of the real strengths of the office – and of the church – is to elect first rate persons and then establish situations in which they are free to exercise their own talents – and graces - be they pastoral, prophetic, administrative or other. The varieties of talents brought by a succession of Presidents of the House of Deputies is essential to the vitality of the church.

Given the intended flexibility of the canonical officer of President of the House of Deputies and better to serve that House and the clergy and laity of the Church we continue to rely on the talents and skills of the person elected as President of the House of Deputies and the times in which they serve to best define the role.

I hope that this is helpful to you all in your deliberations. I have been honored to have been asked to serve in this capacity and stand ready to answer any questions that you may wish to propound through the Secretary.

The Visitation
May 31, 2008

Respectfully Submitted,

Robert C. Royce, Esq.