

# The Standing Commission on the Structure of the Church

## CONTENTS

	Page
<b>A. INTRODUCTION</b> .....	AA-10
Identity of the Commission .....	AA-10
The Preliminary Report .....	AA-11
Basic Concepts and Principles .....	AA-11
<b>B. REPORT RELATING TO THE ADMINISTRATIVE FUNCTION</b> ...	AA-13
I Some Basic Principles .....	AA-13
II Some Historical Considerations .....	AA-14
III The Role of the Presiding Bishop .....	AA-14
IV Secretary, Treasurer and Other Staff .....	AA-15
V Executive Council, Accountability and Name .....	AA-16
VI Coordinated Budgets .....	AA-16
VII Apportioning the General Convention Budget .....	AA-18
VIII Election of the Presiding Bishop .....	AA-19
IX Joint Nominating Committee .....	AA-19
X The Commencement of the Term of the Presiding Bishop	AA-20
XI Chancellor to the Presiding Bishop .....	AA-21
<b>C. REPORT RELATING TO THE LEGISLATIVE FUNCTION</b> .....	AA-21
I The Issue of Biennial Conventions .....	AA-21
II The Divided Vote .....	AA-22
III The Size of the House of Deputies .....	AA-22
IV Longer Terms for Deputies .....	AA-24
V Equalization of Deputies' Expenses .....	AA-24
VI The General Convention Executive Secretary .....	AA-25
VII Form of Proposed Canonical Changes .....	AA-26
VIII The Seating of New Dioceses .....	AA-27
IX Voting by Retired Bishops .....	AA-28
X Deacons as Deputies .....	AA-29
XI Orientation of New Deputies .....	AA-30
XII The Issue of a Unicameral House .....	AA-31
XIII Joint Commission on Native Ministries .....	AA-31
<b>D. REPORT RELATING TO REGIONAL GROUPINGS</b> .....	AA-32
I The 1973 Mandate .....	AA-32
II Provincial System Not a New Idea .....	AA-32
III Studies of the System, 1955 and Later Years .....	AA-32
IV Consideration in the 60's .....	AA-33
V The Work of the Regional Groupings Committee .....	AA-34
VI Coalition 14 and APSO .....	AA-34
VII Activity of the Eighth Province .....	AA-34
VIII Conclusion as to Need .....	AA-35
IX Realignment of Boundaries .....	AA-35
X Metropolitan Councils .....	AA-35
XI The Executive Council .....	AA-37
XII Increased Representation from the Provinces .....	AA-37
XIII Summary .....	AA-38
<b>E. REPORT RELATING TO THE JUDICIAL PROCESS</b> .....	AA-38
I Joint Standing Committee on Constitution and Canons ..	AA-38
II General Court of Review .....	AA-41

## APPENDICES

---

<b>F. APPENDIX A</b> .....	<b>AA-43</b>
<b>I</b> Introduction – Reason for the Canonical Proposals .....	<b>AA-43</b>
<b>II</b> Canonical Changes With Respect to the Budget Cycle . . . .	<b>AA-43</b>
<b>III</b> Canonical Changes in Terms of Office of Members of the Executive Council .....	<b>AA-43</b>
<b>IV</b> Canonical Changes in Terms of Office of Trustees of The Church Pension Fund .....	<b>AA-44</b>
<b>V</b> Canonical Changes in Terms of Members of the Standing Commission on Structure .....	<b>AA-45</b>
<b>VI</b> Canonical Changes in Terms of Judges of the Provincial Courts of Review .....	<b>AA-45</b>
<b>VII</b> Canonical Changes in Terms of Judges of the Court for the Trial of a Bishop .....	<b>AA-46</b>
<b>VIII</b> Canonical Changes in Terms of Judges of the Court of Review of the Trial of a Bishop .....	<b>AA-46</b>
<b>G. APPENDIX B</b> .....	<b>AA-47</b>
<b>I</b> Report of Receipts and Expenditures .....	<b>AA-47</b>
<b>II</b> Estimated Future Requirements .....	<b>AA-47</b>

### A. INTRODUCTION

#### Identity of the Commission

The Standing Commission on the Structure of the Church was established by the Houston General Convention and derives its authority from Canon I.1.2(f). That Canon makes it the duty of the Commission to study and to make recommendations concerning the structure of the General Convention and of the Church as a whole.

The present composition of the Commission is as follows (the date of expiration of the term of each member is in parentheses):

The Rt. Rev. William H. Folwell (1979)  
The Rt. Rev. Richard Millard (1976) *Vice Chairman*  
The Rt. Rev. Milton L. Wood, Jr. (1976)  
The Rev. George E. Bates (1979)  
The Rev. Robert R. Parks (1976)  
The Rev. Joseph A. Pelham (1976)  
Mrs. Donald C. Barnum (1979)  
Mr. George W. Brandt, Jr. (1976)  
Mr. Charles M. Crump (1976) *Secretary*  
Mr. John H. Farquharson (1979)  
Mr. Paul M. Roca (1976) *Chairman*  
Mr. Ross H. Sidney (1976)

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Consultant:  
Mr. K. Wade Bennett

The Commission has carried on its work by dividing itself into four standing committees as follows:

#### Committee on the Administrative Function

The Rev. Robert R. Parks, *Chairman*  
The Rev. George E. Bates, *Secretary*  
The Rt. Rev. Milton L. Wood  
Mr. John H. Farquharson

#### Committee on the Legislative Function

The Rt. Rev. Richard Millard, *Chairman*  
The Rev. Joseph A. Pelham, *Secretary*  
Mr. George W. Brandt, Jr.

#### Committee on Regional Groupings

Mr. Charles M. Crump, *Chairman*

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Mrs. Donald C. Barnum, *Secretary*  
The Rt. Rev. William H. Folwell  
Committee on the Judicial Function  
Mr. Ross H. Sidney, *Chairman*  
Mr. Paul M. Roca, *Secretary*

### The Preliminary Report

In March, 1975, the Commission issued and disseminated throughout the Church a Preliminary Report in which it made some of the proposals to be found in this report, as well as several others which we do not now espouse. In that Report, the Commission requested criticisms and suggestions, and a very substantial number of Episcopalians accepted our invitation. The Commission is very grateful for such comments, all of which have been given careful consideration, many of which have been incorporated into this Final Report, and a large number of which have led us to modify our earlier recommendations.

All members of the Commission concur in this unanimous Final Report.

### Basic Concepts and Principles

Throughout its work, the Commission has attempted to keep in mind certain concepts and principles concerning the Church and concerning organization structure. The Commission desires to share these concepts and principles with the Church as a whole, since it feels an understanding of them is important to an understanding of this Report.

The underlying concept of the Commission's work is the belief that the Church is God's Church and is divine in origin and function. In this lies the uniqueness of its structure. In our Preliminary Report we compared some of the Church's structural units to business and governmental organizations which are superficially similar. Further reflection has made us realize that the similarity is of no significance and that the structure of the Church is indeed *sui generis*.

In general, the Commission also believes:

1. The structure of an organization is the way in which individuals group themselves into interrelated parts of the whole, and such groups usually follow a definite pattern. The purpose and mission of the whole structure dominates and determines the way in which its various parts relate.
2. Individuals group themselves into an organized structure because they feel it is the most effective way they can fulfill an agreed purpose and mission.
3. Individuals usually perform more effectively as parts of an organization if they know that the organization has been structured and that it functions in accordance with the following guidelines:
  - a. The purpose and mission of the organization has been clearly stated and communicated to all parts of the organization.
  - b. Definite and clear-cut responsibility has been assigned to each position.
  - c. Responsibility for each position has been coupled with corresponding authority.
  - d. No change will be made in the scope or in the responsibility of a position unless all persons concerned definitely understand the effect of the change.
  - e. No individual occupying a single position in the organization will be subject to directives from more than one source.
  - f. Orders will never be given to subordinates over the heads of their immediate supervisors.
  - g. All disputes or differences as to authority or responsibilities will be carefully and promptly adjudicated.
  - h. Supervisors whose work is subject to regular inspection will, whenever practical, be given the assistance and facilities necessary to enable them to maintain an independent check of the quality of their work.

## APPENDICES

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4. The major organization components of the Church are:
  - a. The Communicant.
  - b. The Parish (or Mission).
  - c. The Diocese.
  - d. The Province.
  - e. The General Convention.
  - f. The Executive Council of the General Convention.
  - g. The Office of the Presiding Bishop, including the staff for the general church program.
5. The Church, as an organization, is basically a democracy divinely motivated and led. Its democratic nature is defined by the way in which it functions and, by its functioning, establishes the responsibility and authority of the different organization components.
  - a. The Communicants elect the Vestries of the Parish.
  - b. The Parishes, acting through their Vestries, or in Parish meetings, elect representatives to the Diocesan Convention.
  - c. The Diocesan Convention elects representatives to the Provincial Synods and Deputies to the General Convention.
  - d. The General Convention comprises the House of Deputies, consisting of elected representatives of the laity and clergy from each Diocese, and the House of Bishops, consisting of all the Bishops, each having been duly elected by a Diocese or by Diocesan representatives.
  - e. The Provincial Synods and the General Convention elect the members of the Executive Council of the General Convention.
  - f. The Presiding Bishop is chosen by the House of Bishops and his selection is confirmed by the House of Deputies.
6. Each Diocese is led by a Bishop who is duly elected by the membership of that Diocese in Diocesan Convention and whose election is confirmed by a majority of the Bishops and a majority of the Standing Committees of all the other Dioceses.
7. The whole Church is led by a Presiding Bishop elected by the House of Bishops and confirmed by the House of Deputies.
8. The Bishops receive their authority and responsibility for their leadership from two sources:

First, such authority and responsibility are to be found in the commissioning by Jesus of the first Apostles and their successors, who have been known as Bishops. The Bishops together are the Episcopate. This apostolic responsibility and authority is conferred by the Holy Spirit in the authorized service of ordination and consecration of a Bishop and is manifested in the office of the Bishop as:

  - a. Chief evangelist and missionary.
  - b. Chief steward of the sacraments.
  - c. Chief overseer of:
    - (1)The spiritual welfare of all the people committed to the Bishop's care, clergy and laity alike;
    - (2)The proclamation of the Gospel in preaching and teaching; and
    - (3)The selection and ordination of persons for the offices of deacon and priest.

Second, the Episcopate derives its responsibility and authority from the consent of those who are led. This consent is secured from the members of the organization through the processes of Convention. The Convention through the Constitution and Canons, Prayer Book, program and budgets and other legislative actions expresses its consent to the Episcopate.

The Commission recognizes that the two types of responsibility and authority

are not clearly separate and distinct. The “apostolic authority” leadership helps motivate and shape the responses of those led and, further, the degree of consent may depend on their evaluation of the effectiveness of the leadership.

9. The Presiding Bishop and the Executive Council of the General Convention are the administrative arm of the Convention and are responsible for carrying out the program and policy adopted by the General Convention. They have charge of the unification, development and prosecution of the missionary, educational and social work of the Church, and of such other work as may be committed to them by the General Convention.

The Presiding Bishop, as President of the Executive Council of General Convention, is the Chief Administrative Officer of the Church in addition to being the Chief Pastor of the Church.

These concepts and principles have been used by the Commission as guidelines in its study and consideration of the many suggestions received in response to the Preliminary Report and in the preparation of the recommendations included in this Final Report. Throughout its deliberations the Commission has approached its task in the belief that its purpose is not to propose the abolition of any existing Church structure nor to suggest the substitution of new structures, but instead to make recommendations which, if followed, would in our opinion facilitate the work of the Lord by clarifying and perhaps realigning existing structural units.

Undoubtedly some of those who responded to the Preliminary Report will be disappointed that the Commission does not recommend the abolition of some or all of the existing forms, but it is the view of the Commission that the most important structural task now facing the Church arises out of the necessity of regrouping and realigning its activities so as to achieve better coordination and better communication, so as to establish clearer lines of responsibility and authority and, more importantly, so as to reenforce the basic principle of a divinely-motivated democratic style of church structure.

## **B. REPORT RELATING TO THE ADMINISTRATIVE FUNCTION**

### **I. Some Basic Principles**

From the standpoint of ultimate accountability, there can be only one executive. The Episcopal Church can have but one ultimate administrator, and of obvious necessity he is and must be the Presiding Bishop. It goes without saying that the Presiding Bishop may, and indeed must, share the administrative burdens—he may delegate to subordinate officers some of his responsibilities as well as the authority to carry them out.

The Canon specifies that the Presiding Bishop is the President of the Executive Council of the General Convention—thus the Presiding Bishop and the Council are yoked together and together share (to the extent they can be shared) the burdens and responsibilities of administration. The Canon gives to the Council, headed by the Presiding Bishop, the power to expend all sums of money covered by the budgets approved by the General Convention, subject only to such restrictions as the Convention may impose. In addition, the Council, again with the Presiding Bishop as its head, has “power to undertake such other work” as may be within the program approved by the General Convention or as may have arisen after the adjournment of the General Convention (Canon I.4.6(b)). It has been considered from time to time that this power of the Presiding Bishop and Council to undertake new work is legislative in nature, but a more careful examination of the matter suggests that what is involved is the performance of a necessary administrative function which results from the fact that the General Convention is not in continuous session.

## APPENDICES

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### II. Some Historical Considerations

Our conclusion with respect to the relationship between the Presiding Bishop and the Executive Council is heavily influenced by a consideration of history, and particularly the history of the Council. The Council came into existence in 1919 by virtue of (then) Canon 60, entitled "Of the Presiding Bishop and Council," about which White and Dykman, *Annotated Constitution and Canons*, Vol. I, pp. 226-227, has this explanation:

"... there was a strong and growing sentiment in the Church that there ought to be a coordination of the missionary, religious education, and social service departments; also, there should be a closer relation between the Presiding Bishop, . . . and the several departments of the Church's work. . . ." Accordingly, early in the spring of 1919, committees from the Board of Missions, the General Board of Religious Education, and the Joint Commission on Social Service met with the chairman of the Committee on Canons of the House of Deputies, for the purpose of formulating a canon that would coordinate the different departments of the Church's work, uniting them under one organization, of which the Presiding Bishop should be the chief executive, *the actual as well as the nominal head*. (Emphasis supplied.) This joint special committee prepared a proposed canon which . . . after having been amended . . . was finally enacted to read as follows:

"Sec. 1. The Presiding Bishop and Council, as hereinafter constituted, shall administer and carry on the Missionary, Educational, and Social work of the Church, of which work the Presiding Bishop shall be the executive head.

"Sec. 2. The Presiding Bishop and Council shall exercise all the powers of The Domestic and Foreign Missionary Society . . . and have charge of the unification, development and prosecution of the work of Missions, Church Extension, Religious Education, and Christian Social Service; of the performance of such work as may be committed to them by the General Convention, and of the initiation and development of such new work between the sessions of the General Convention as they may deem necessary, subject, however, to the provisions of the Constitution and Canons and other directions of the General Convention."

### III. The Role of the Presiding Bishop

The Structure Commission is not of the opinion that the Presiding Bishop needs to be given any additional powers which he does not now inherently have, but we nevertheless feel that the role and function of the office would be better understood by the Church at large if his administrative authority as Chief Pastor and as President of the Executive Council of the General Convention were more explicitly stated. We therefore propose the following clarifying amendments to Canon I.2.4(a) (1) and Canon I.2.4(c): [Throughout this Report, and for the convenience of the reader, matter proposed to be eliminated from a Canon is stricken through, while new matter is italicized.]

#### Resolution A-2

*Resolved*, the House of \_\_\_\_\_ concurring,

1. That Canon I.2.4(a) (1) be amended to read as follows:

(1) Be charged with responsibility for [giving] leadership in initiating and developing the policy and strategy of the Church and, as *Chairman of the Executive Council of General Convention*, with ultimate responsibility for the implementation of such policy and strategy through the conduct of policies and programs authorized by the General Convention or approved by the Executive Council of the General Convention.

2. That Canon I.2.4(c) be amended to read as follows:

(c) *The Presiding Bishop shall perform such other functions as shall be prescribed in these Canons; and, in order to enable him better to perform his duties and responsibilities, he may appoint, to positions established by the Executive Council of General Convention, officers, responsible to him, to whom he may delegate so much of his authority as to him shall seem appropriate.*

**IV. Secretary, Treasurer and Other Staff**

The Canonical amendments we have proposed under the caption "The Role of the Presiding Bishop" give clear authority to the Presiding Bishop to appoint staff to assist in the administration of the policies and programs authorized by the General Convention. Officers of the Executive Council are now provided for by Canon, with the Presiding Bishop serving *ex officio* as President and the Council being authorized to elect vice presidents, a treasurer and a secretary upon the nomination of the Presiding Bishop. Additionally, the Council is authorized by Canon to employ other officers, agents and employees to perform such duties as are designated by the Presiding Bishop and the Council, acting together.

The Canon thus gives to the Council broad appointing power, but Council bylaws proceed upon a somewhat different theory. In Art. I, Sec. 2, the bylaws provide for the election by the Council, on nomination of the Presiding Bishop, of an Executive Vice-President, but in Art. II, Sec. 9, the bylaws specify that upon the recommendation of the Executive Vice-President the Presiding Bishop "may employ such persons as he deems necessary to the carrying out of the canonical responsibilities of the Executive Council." The result, of course, is that except for the officers who are appointed jointly by the Presiding Bishop and the Council, the staff is really the Presiding Bishop's staff, a result which would also be achieved by the Canonical amendment we propose under the caption "The Role of the Presiding Bishop."

The Structure Commission has no real quarrel with the system thus established for the appointment of staff, partly by Canon and partly by Council Bylaw. We feel that the method sufficiently carries out Canonical intent and provides a satisfactory practical result. The arrangement is even theoretically satisfactory, so long as it is remembered that the Council and the Presiding Bishop, its President, are together discharging an administrative function enjoined by the General Convention.

On the other hand, we are affirmatively of the opinion that administrative efficiency would be substantially promoted were the Treasurer of General Convention to be the person who is the Treasurer of the Executive Council of the General Convention, and were the Secretary of the General Convention to be the individual who also serves as the Secretary of the Executive Council.

In the case of the Treasurer, we propose no Canonical change because of the factor of accountability of executive officers—the Treasurer of the General Convention, who handles its funds, must be accountable to the General Convention as the appointing power, and the Treasurer of the Executive Council, who handles its funds, must be responsible to and appointed by the Council. Notwithstanding such factors of accountability, we are strongly of the opinion, as is elsewhere herein discussed, that the budget of the General Convention should be carefully coordinated with the Program Budget developed by the Executive Council and we thus recommend that at its Minnesota meeting, the General Convention select as its Treasurer whomever shall have been theretofore selected by the Presiding Bishop and Council as the Treasurer of the Executive Council of the General Convention.

With respect to the Secretary, there are no such problems of financial accountability, and we therefore recommend the enactment of the following amendment to Canon I.4.3, relating to the officers of the Executive Council:

## APPENDICES

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### Resolution A-3

*Resolved, the House of \_\_\_\_\_ concurring, That Canon I.4.3 be amended to read as follows:*

**Sec. 3. The Presiding Bishop shall be ex officio the President. The Secretary of the General Convention shall be ex officio the Secretary. The Executive Council of General Convention shall elect the Vice-Presidents and the Treasurer, [and the Secretary] such elections to be upon the nomination of the President. The additional officers, agents, and employees of the Council shall be such and shall perform such duties as the Presiding Bishop and the Council may from time to time designate."**

### V. Executive Council, Accountability and Name

In considering the Treasurer, we have spoken of the problem of accountability of individual executive officers. In both fact and theory, the Presiding Bishop is accountable to the House of Bishops, to the General Convention, and to the whole Church, and the means by which he reports to all three appear to us to be sufficient and sufficiently well established.

The Executive Council, an arm of the General Convention, is clearly accountable to the Convention, both in theory and by Canon. Canon I.4.1(b) specifies: "The Executive Council shall be accountable to the General Convention and shall render a full report concerning the work with which it is charged to each meeting of the said Convention." The Council has regularly submitted a very detailed program and budget, which has been dealt with primarily by the Joint Standing Committee on Program, Budget and Finance as an arm of the General Convention. A question has been raised as to whether the Convention should attempt to consider the Council's reports, or at least their programmatic portions, in some additional and non-fiscal way, but the Convention as it is now constituted is probably not equipped to deal more effectively with the "full report" enjoined upon the Council by Canon. In another day, perhaps with a smaller and more manageable number of Deputies, a more meaningful process may be possible.

On a number of occasions questions have been raised as to the name of the Council. In 1919 it was called by the single word "Council," but that gave way to the more geographical description "National Council," and more recently, largely to avoid confusion, to "Executive Council." There have been some who have suggested that the function of the body is not really executive, and that the adjective should therefore be dropped. There have been those who have suggested that both words be abandoned in favor of "The Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America," which was the name of the corporation specially chartered by the New York legislature in 1821, whose functions were given to the Council by the 1919 Canon.

We are not impressed with any of the arguments. In fact the Council is an executive and administrative body for the whole Church, and not only for domestic and foreign missions. There seems to be no persuasive reason not to continue the present Canonical name. On the other hand, and so as to give emphasis to its accountability to the General Convention and to the fact that, with the Presiding Bishop as its head, it is the administrative arm of the Convention, the Executive Council might well be called (as we have done in this Final Report at a number of points) "Executive Council of the General Convention."

### VI. Coordinated Budgets

If the Treasurer of the General Convention and the Treasurer of the Executive Council of the General Convention are the same person, coordination between the General Convention Budget and the Program Budget should be much easier to achieve.

As the Canons now read, the General Convention Budget (Canon I.1.8) is designed to cover (a) the contingent expenses of the General Convention, (b) the stipend and office expenses of the Presiding Bishop, (c) the expenses of the President of the House of Deputies and his staff and Advisory Council, and (d) Church Pension Fund assessments. The Program Budget or Executive Council Budget is designed to cover the salaries of all agents and employees of the Council (Canon I.4.5(a)) and the expense of carrying on the program of the Church, as proposed by the Council and approved by the General Convention (Canon I.4.6(a)). The General Convention Budget is assessed to the Dioceses on the basis of a so-called "head tax" measured by the number of clergy canonically resident in each Diocese; the Program Budget is apportioned to the Dioceses under a plan of apportionment proposed by the Council and adopted by the General Convention. Each Diocese is expected, but not required, to make a voluntary pledge equal to the amount of its apportionment.

It has been several times suggested that the two budgets be combined. The Commission does not presently so recommend. We do, however, commend the General Convention on the creation, at Louisville, of the Joint Standing Committee on Program, Budget and Finance, and we further commend that Standing Committee on its valuable and dedicated activities during the triennium now ending. In its report to the Louisville Convention, this Commission recommended the establishment by rule of a Joint Standing Committee on Budget and Finance (Journal, 1973, p. 987), and the House of Deputies quite wisely saw fit to expand our suggestion so as to combine the budget and finance function with that of program (Journal, 1973, pp. 414, 1191).

The Joint Standing Committee has charge of the preparation of both budgets, which makes it possible for them to be prepared on a wholly coordinated basis. More important, the Joint Standing Committee, by preparing both budgets, is in a position to examine every proposed item of expenditure to make sure of its nature, and hence to be certain that it is placed in the proper budget. As we pointed out in our Preliminary Report, in the past, expenditures which are truly program items have often been included in the General Convention Budget because the funds are to be spent by an instrumentality of the General Convention, such as a Joint Commission. This Commission is delighted to learn that in December, 1975, the Joint Standing Committee on Program, Budget and Finance accepted our recommendation that the General Convention Budget be stripped of program items and determined that all funds for program activities of all kinds should thereafter be placed in the Program Budget.

The Commission has considered the matter of interim (between meetings of the General Convention) transfers of Budget items—a process which can have practical application to the General Convention Budget only with respect to the expenses of General Convention commissions and committees, but which can become important as interim changes occur in projects funded by the Program Budget. It is the position of the Commission (1) that no true "program" functions should be funded by the General Convention Budget (a position which has apparently now been accepted), (2) that to the extent internal budget shifting (between line items) is possible in the General Convention Budget, approval for such shifting, if it does not violate Canonical sanctions or priorities established by the General Convention, should be the responsibility of the Presiding Bishop with respect to all items except (a) the expenses of the President of the House of Deputies, who should here have paramount authority, and (b) Church Pension Fund assessments, which should be inviolate, (3) that internal budget shifting between line items of the Program Budget (if such shifting is Canonically permissible and not prohibited by General Convention priorities) should be the responsibility of the Presiding Bishop and the Executive Council, advised by the Joint Standing Committee on Program, Budget

## APPENDICES

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and Finance, and, finally (4) that shifting should never be permitted between the General Convention Budget and the Program Budget.

### VII. Apportioning the General Convention Budget

At its 1974 meeting in Mexico, the House of Bishops adopted the following resolution:

*Whereas*, the present system of financing the General Convention Assessment is based on the number of clergy "Canonically Resident" in a diocese, and

*Whereas*, this assessment tends to restrict the facility with which clergy are received into new dioceses of actual physical residence; and

*Whereas*, a more accurate standard on which to assess the clerical strength of a diocese is now available through the Church Pension Fund payments made for those clergy professionally employed in the diocese, therefore, be it

*Resolved*, That the Treasurer of the General Convention be requested to present to the next General Convention a study on how the General Convention Assessments might be levied on the several dioceses in the triennium 1977-1979, based on Pension Fund payments, and be it further

*Resolved*, That the Standing Commission on Structure be asked to prepare the necessary canonical amendments to effect such a change at the 65th General Convention, if it is the wish of the Convention to do so.

As this is written, the Treasurer of the General Convention has not completed the mandated study, and therefore the Commission has not had the benefit of his recommendations. Additionally, the Commission understands that the Joint Standing Committee on Program, Budget and Finance has appointed a sub-committee to study several other proposed methods of apportioning the General Convention assessment. We are without details with respect to such methods and we recognize that whatever method may be recommended by the subcommittee may be found to be preferable to an apportionment on the basis of pension fund assessments. On the other hand, the following Canonical change would appear to accomplish what the House of Bishops had in mind:

#### Resolution A-4

*Resolved*, The House of \_\_\_\_\_ concurring, That Canon I.1.8 shall be amended to read as follows:

**Sec. 8.** In order that the contingent expenses of the General Convention, and the stipend of the Presiding Bishop, together with the necessary expenses of his office, and the necessary expenses of the President of the House of Deputies, including the staff and Advisory Council required by him to assist him in the performance of the duties and matters relating to the office, and Church Pension Fund assessments may be defrayed, it shall be the duty of the several Diocesan Conventions to forward to the Treasurer of the General Convention annually, on the first Monday of January, as to each Diocese a sum [not greater than the diocesan levy established by the General Convention from time to time for each Bishop having jurisdiction therein, any Bishop Coadjutor, and each Suffragan Bishop in active service therein, and each retired Bishop, and each Presbyter and Deacon canonically resident therein,] *which shall represent its aliquot share of all such expenses, apportioned and assessed on the basis of the ratio between The Church Pension Fund assessments with respect to Clergy professionally employed and residing in such Diocese and the total of all Church Pension Fund assessments, in each case for the most recent year for which statistics are available, provided, however, [except] that as to each Missionary Diocese and the Convocation of American Churches in Europe, [the amount of said levy shall be one quarter of that applicable to other Dioceses.] Pension Fund assessments shall be included in the computations as though they had been twenty-five per*

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*cent of the actual amount.* [The number of Bishops, Presbyters, and Deacons canonically resident in each Dioceses, as reported to the House of Deputies and recorded in the Journal of the General Convention last preceding, shall be the basis upon which such assessment shall be made. The amount of such assessment shall be determined by the Joint Committee on Expenses. A new Diocese not recorded in the last Journal shall furnish to the Treasurer, prior to the first day of November, a report of the number of Bishops, Presbyters, and Deacons for which such Diocese is subject to assessment, which shall be the same as in its report to the House of Deputies.

### VIII. Election of the Presiding Bishop

The 1973 Convention directed "That all Resolutions dealing with proposed changes in the method of electing a Presiding Bishop . . . be referred to the Standing Commission on Structure for intensive study, with recommendations to be reported to the 65th General Convention for action." (Journal, 1973, p. 443).

The Commission has indeed given intensive study to the whole matter of electing a Presiding Bishop, and to the feeling of the Church with respect thereto. We find a distinct dichotomy of views and attitudes:

1. The Presiding Bishop is the Chief Pastor for the whole Church. He is, and as we have noted elsewhere he must be, the ultimate administrative officer charged with the duty of carrying out the programs and policies mandated by General Convention. There is ample logic behind the claim that the chief administrative officer of the whole Church should be elected by all the people of the Church, that is to say, by a truly open election in a joint executive session of the House of Bishops and the House of Deputies.

2. The Presiding Bishop is also just that. His role as Chief Pastor and chief administrative officer of the whole Church is the result and outgrowth of his primary function—to preside over the House of Bishops. There is equal logic to the view that every legislative body should be permitted to choose its own presiding officer. (It should be noted, however, that, except when the 25th amendment intervenes, the President of the Senate is elected not by the Senate, but by the electors, as representatives of all the people.)

The Commission is not persuaded by those who would have the Presiding Bishop elected in joint executive session. The Commission does not believe that there is any compelling reason for depriving the House of Bishops of the privilege of choosing its own presiding officer, nor, by such a joint executive session, for violating the historic doctrine of separation of the two Houses. The Commission, therefore, recommends against the election of the Presiding Bishop in joint session.

### IX. Joint Nominating Committee

Notwithstanding that we do not recommend the joint election of a Presiding Bishop, the Commission suggests and strongly urges that a greater degree of democracy be achieved through the use of a truly representative joint nominating committee.

Canon I.2.1 now provides for a Joint Nominating Committee of eight Bishops (all appointed by the Presiding Bishop, but one from each Province) and four Lay and four Clerical Deputies (all appointed by the President of the House of Deputies but one from each Province). The Commission recommends that the Canon be substantially redrafted, as follows:

#### Resolution A-5

*Resolved*, the House of \_\_\_\_\_ concurring, That Canon I.2.1 be amended to read as follows:

## APPENDICES

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Sec. 1 [a] Before a Presiding Bishop is elected at a General Convention, a Joint Nominating Committee consisting of [eight Bishops] (one Bishop from each Province), together with [four] one clerical and [four] one lay members of the House of Deputies ([one member] from each Province) shall present to the House of Bishops and the House of Deputies in Joint Session the names of not fewer than three members [thereof] of the House of Bishops for [its] the consideration of the two Houses in the choice of a Presiding Bishop.

(b) The House of Deputies shall elect one clerical and one lay Deputy from each Province as members of the Joint Nominating Committee. A Deputy from a particular Province may be nominated only by another Deputy from the same Province, but the election of each member of the committee shall be by the entire membership of the House of Deputies with a majority of those voting necessary for election.

(c) The House of Bishops shall elect, by the vote of a majority of those voting, one Bishop from each Province as members of the Joint Nominating Committee. A Bishop from a particular Province may be nominated only by another Bishop from the same Province.

(d) At the Joint Session to which the Joint Nominating Committee shall report, any Bishop may nominate any other member of the House of Bishops for the consideration of the two Houses in the choice of a Presiding Bishop, and there may be discussion of all nominees. Commencing on the day following the Joint Session, election shall be by the House of Bishops from among such nominees. If the House of Bishops shall find itself unable to elect a Presiding Bishop from among such nominees, another Joint Session shall be held, at which additional nominations may be received, and on the following day, election shall be by the House of Bishops from among all of the nominees. Thereafter, the House of Deputies shall vote to confirm or not to confirm such choice of Presiding Bishop.

(e) In the event a vacancy in the office of Presiding Bishop shall occur in the interim period between meetings of the General Convention, as specified in the second paragraph of Article I., Section 3, of the Constitution, and in the event a Joint Nominating Committee is not then in existence, the Presiding Officer of the House of Bishops shall appoint Bishops, and the President of the House of Deputies shall appoint clerical and lay deputies to a Joint Nominating Committee which shall consist of one Bishop, one clerical deputy and one lay deputy from each Province.

### X. The Commencement of the Term of the Presiding Bishop

During the Commission's consideration of the method of electing a Presiding Bishop, we became concerned with the present Canonical provision whereby a Presiding Bishop does not take office until twelve months after his election. It is the unanimous opinion of the Commission that any administrative officer should occupy a new position to which he is elected promptly and certainly long before the lapse of a full year. Three months would give adequate time for a newly elected Presiding Bishop to make provision for a change in leadership in the Diocese from which he comes and to assume, with authority, the functions and privileges of his new office.

The Commission, therefore, recommends the following Canonical change:

#### Resolution A-6

Resolved, the House of \_\_\_\_\_ concurring, That Canon I.2.2 be amended to read as follows:

Sec. 2. The term of office of the Presiding Bishop, when elected according to the provisions of Article 1., Section 3, of the Constitution, shall be twelve years,

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beginning [twelve] *three* months after the close of the Convention at which he is elected, unless he shall attain the age of sixty-five years before his term shall have been completed; in that case he shall resign his office to the General Convention which occurs in or next after the year of his attaining such age. At that Convention his successor shall be elected, and shall assume office [twelve] *three* months thereafter or immediately upon the death, retirement, or disability of the Presiding Bishop; except that when a Presiding Bishop has been elected by the House of Bishops to fill a vacancy, as provided for in the second paragraph of Article I., Section 3, of the Constitution, the Presiding Bishop so elected shall take office immediately.

#### XI. Chancellor to the Presiding Bishop

Because of various occurrences during the past triennium, the Commission has become impressed with the desirability of providing in the Canons for the appointment of a Chancellor to the Presiding Bishop, who could serve the Presiding Bishop in the same manner that a Diocesan Chancellor serves the Ordinary. Canon I.2.5 now provides for the payment of "The stipends of the Presiding Bishop and such personal assistants as may be necessary during his term of office for the effective performance of his duties, and the necessary expenses thereof . . ." and, since the Chancellor to the Presiding Bishop would certainly qualify as a "personal assistant," it does not appear necessary to adopt any special language to provide for the compensation or expenses of such an officer.

The Commission thus recommends the adoption of the following resolution:

#### Resolution A-7

*Resolved*, the House of \_\_\_\_\_ concurring, That Canon I.2 be amended by the addition of a new Section 5, hereafter set forth, and by renumbering present Sections 5, 6 and 7 to be 6, 7 and 8:

*Sec. 5. The Presiding Bishop may appoint, as Chancellor to the Presiding Bishop, a lay communicant of the Church who is learned in both ecclesiastical and secular law to serve at his pleasure as his counselor in matters relating to his office and the discharge of his responsibilities.*

### C. REPORT RELATING TO THE LEGISLATIVE FUNCTION

#### I. The Issue of Biennial Conventions

Particularly in this century, there can be no question that the National Church has become more responsive to issues affecting the people of the country as a whole. But an analysis of the response makes it apparent that while modern communications have enabled the Church's individual leaders to respond to issues and crises, the basic legislative machinery—the General Convention, which is the central source of authority—finds keeping pace extremely difficult because of the three-year interval between its meetings.

By a Constitutional amendment, action on which was completed at Houston, the General Convention must now meet "not less than once in each three years," which means that without the necessity of any further amendment to the Constitution, any General Convention may determine that in the future the interval between regular meetings will remain at three years, be fixed at two, or even fixed at one.

The number of areas and agencies which would be directly affected by more frequent meetings of the Convention is great—they include the budget process of the National Church, the Executive Council, program development and implementation, the relationship of Dioceses to the National Church organization, the relationship of the Dioceses to each other and to the Provinces—and they certainly include the General Convention itself.

## APPENDICES

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There are many arguments both for and against biennial conventions, and for various reasons, related largely to the expense problem, a majority of the Commission does not presently recommend that the General Convention, at its Minnesota meeting, elect to change the pattern by determining that henceforth the interval between regular meetings shall be two years. On the other hand, the entire Commission is unanimously of the opinion that it would be logical and appropriate, and may even be urgently necessary, that the Minnesota Convention proceed to amend the Canons so that, in this respect, they will be parallel to the Constitution as it was amended at Houston—that is to say, so that either the Minnesota Convention or any future Convention may, without the necessity of either Constitutional or Canonical change, elect, by the adoption of a simple resolution, a two-year interval pattern between regular meetings of the Convention.

The changes which we propose are housekeeping changes designed to simplify meaningful future consideration of the issue, and thus to facilitate an intelligent choice. The Canonical changes which in our opinion are necessary in order to clear the decks to permit a change without the necessity of accompanying Canonical entanglements are set forth in Appendix A to this Report. The fact that the changes are in an Appendix should not be construed to mean that the Commission feels them to be unimportant. The situation is precisely the reverse—we consider the changes to be of the utmost importance and we affirmatively and earnestly recommend their adoption at Minnesota, regardless of what may then be the attitude of the two Houses with respect to the interval between meetings of the Convention.

### II. The Divided Vote

The vexing and perplexing issue respecting the procedure by which the House of Deputies under certain circumstances votes by Dioceses and orders and the equally meddlesome problems which result from House of Deputies Rule 41 permitting a “divided” vote are, essentially, structural matters.

Prior to the Houston Convention, the predecessor of this Commission, known as the Joint Commission on the Structure of the Church, devoted many hours of study to the history of the divided vote and to the problems inherent in its use. In its report to the Louisville Convention, a majority of this Commission recommended the adoption of a Constitutional amendment which would have eliminated the vote by orders except when required by the Constitution or by Canon (Journal, 1973, p. 1003).

At Louisville, our recommendation did not meet with ready acceptance and the House of Deputies adopted a resolution directing the President of the House to appoint a committee of at least five persons, who in turn were directed to make a study and to report to the Minnesota Convention.

In our Preliminary Report we made no mention of the general subject of voting by orders or the divided vote, and a very substantial number of persons from throughout the Church took us to task for our omission. On the occasion of our final meeting of the triennium (when this report was agreed upon) we again considered the matter and discussed in some detail the letters and comments we had received. Notwithstanding such reconsideration, we adhere to our original view—since a special committee has been appointed, and since, as this is written, its final report has not been received, we refrain from any comment or recommendation on the subject.

### III. The Size of the House of Deputies

The House of Deputies faces mathematical chaos.

At Louisville there were 114 Dioceses represented on the floor, each entitled to four Deputies in each Order, for a total of 912. It may reasonably be expected that

the number of Dioceses will steadily increase because of further subdivision of those which are larger and more populous. Even the present size of the House makes it hard to secure adequate facilities for meetings and inhibits full participation in debate. Any increase in size will obviously increase the difficulties.

At Louisville, this Commission recommended an extremely modified system of proportional representation whereby Dioceses with fewer than 8,001 communicants would be entitled to two Deputies in each order, Dioceses with more than 8,000 but fewer than 10,001 communicants would be entitled to three Deputies in each order, and Dioceses with communicants in excess of 10,000 would be entitled to four Deputies in each order. Based on present communicant strength, such a system would have meant a total of 750 Deputies, a number which in the opinion of many persons is far too large to nurture any real hope of orderly procedure or effective legislation.

The House of Deputies' Committee on Structure, to which our recommendation was referred, proposed as a substitute that each Diocese be represented by three Deputies in each order, a method which would yield 684 Deputies, still a very substantial number. A second alternative was offered in the form of a suggestion that each Diocese be represented by two Deputies in each order, a proposal which would have resulted in a House of 456 persons.

But the House of Deputies defeated all three proposals. Undoubtedly, largely because of those adverse votes, we made no recommendation respecting the size of the House in our Preliminary Report. The criticism leveled at us for our seeming cowardice has been tremendous. If we can judge by the comments, the Church as a whole is overwhelmingly of the opinion that something—there is no agreement on the solution—must be done. We have, therefore, again considered the entire issue and all of the various possible solutions.

In making our new study, we have become persuaded that our recommendation at Louisville, while well-intentioned, was directly contrary to the polity of the American Church. So long as the Church remains (as stated in the Preamble to the Constitution) "a Fellowship . . . of . . . Dioceses," it is Constitutional, proper and entirely fitting that the vote and the representation of every Diocese be precisely equal to that of every other. Proportional representation (which would not in fact have been achieved by our 1973 recommendation or by any system, given the existing variations in communicant strength) is theoretically desirable in a representative democracy. But the American Church, while adhering to democratic principles, is nevertheless not a democracy, but instead is a fellowship of equal Dioceses.

Thus, we are convinced that the only right and proper way to reduce the size of the House is by a method which preserves the equality of representation between Dioceses. The Commission, therefore, recommends that at Minnesota the House of Deputies adopt the proposal made at Louisville not by this Commission but by the House's own Committee on Structure. We believe it is urgently and imperatively necessary that the General Convention reduce the representation from each Diocese to three Deputies in each order, so as to yield (at present Diocesan strength) a total of 684. To accomplish this result we recommend the adoption of the following resolution (which also rearranges the Canon in a more logical manner):

#### **Resolution A-8**

*Resolved, the House of \_\_\_\_\_ concurring, That Canons I.1.3(a) and I.1.3(b) be renumbered as Canons I.1.4(a) and I.1.4(b), that Canon I.1.4 be renumbered as Canon I.1.3(c), that present Canon I.1.3(c) be renumbered as Canon I.1.3(b) and that there be enacted new Canon I.1.3(a) to read as follows:*

*Sec. 3(a). The Church in each Diocese which has been admitted to union with the General Convention shall be entitled to representation in the House of*

## APPENDICES

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*Deputies by three Presbyters canonically resident in the Diocese and by three Lay Persons, communicants of this Church having domicile in the Diocese.*

### IV. Longer Terms for Deputies

Approximately half of the Deputies to each meeting of the General Convention are serving for the first time and are unfamiliar with procedures and with many recurring issues. It is, therefore, suggested that in order to insure that there will always be a carry-over of expertise and knowledge to the succeeding meetings of the Convention, Deputies be elected for terms equal to twice the interval between Conventions and that a system be devised whereby each Diocese would elect half its deputation prior to each regular meeting of the General Convention.

In order to provide longer terms for Deputies, the Commission recommends the adoption of the following resolution:

#### Resolution A-9

*Resolved, the House of \_\_\_\_\_ concurring, That Canon I.1.4 be amended to read as follows:*

**Sec. 4. All jurisdictions of this Church entitled by the Constitution or Canons to choose Deputies to the General Convention shall be required to do so not later than the year preceding the year of the General Convention for which they are first chosen. Deputies of jurisdictions failing so to elect may not be seated unless permitted by ruling of the Presiding Officer. Each such jurisdiction shall elect Deputies for terms which shall embrace service in two succeeding regular meetings of the General Convention, and the terms of such Deputies shall be rotated so that, as near as may be, half of the whole number of Deputies in each order shall be elected not later than the year preceding the year of each such General Convention.**

### V. Equalization of Deputies' Expenses

In our report to the Louisville meeting of the General Convention, we recommended that there be assumed by the Church as a whole the travel expense of each Diocese's Deputies and Bishops attending the Convention. In that report (Journal, 1973, p. 1004), we argued that since most Dioceses now pay such costs on behalf of the Deputies and Bishops, the change in system would add little to the total burden on the Church, but would equalize the charge among Dioceses. We pointed out that those Dioceses located farthest from the place of a particular Convention would no longer be penalized by geography, and we also realized (but did not explicitly state) that our plan would reduce the expense burden on those Dioceses least able to bear the costs.

The Commission remains of the opinion that justice requires the equalization of travel expenses among Deputies, but we no longer propose that the new legislation include Bishops. We have been advised that the House of Bishops has informally established a program which quite satisfactorily accomplishes the same result. We thus commend to the General Convention the extension of such a program to the House of Deputies by the adoption of the following resolution:

#### Resolution A-10

*Resolved, the House of \_\_\_\_\_ concurring, That Canon I.1 be amended by renumbering present Section 9 and all succeeding sections, and by the adoption of a new Section 9 to read as follows:*

**Sec. 9. In order that the cost of attending meetings of the General Convention may be defrayed, the Treasurer of the General Convention shall pay to each Diocese a transportation allowance for each of its Deputies, not to exceed eight, who register at each meeting of the General Convention and are**

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*entitled to vote in the House of Deputies, in the amount of the lowest individual round-trip coach air fare from the See City of such Diocese to the commercial airport nearest to the place of meeting of the Convention. The total of all such allowances shall be prorated equally among the several Dioceses, and the portion allocable to each Diocese shall be added, with respect to such Diocese, to the General Convention assessment provided for in Section 8, with respect to the year prior to such meeting of the General Convention.*

## VI. The General Convention Executive Secretary

In our report to the Louisville Convention (Journal, 1973, p. 985) and in our 1975 Preliminary Report, this Commission proposed to assign to the Executive Council of the General Convention the task of evaluating or "auditing" the effectiveness and work of the Churches' various independent and *quasi* independent boards, commissions and committees. In the Preliminary Report we pointed out that the Council had not asked for the task and, indeed, may not be adequately equipped to perform it.

The Council's reaction to our suggestions was both prompt and predictable. We were advised, and undoubtedly quite accurately, that the Council neither wants nor is able to perform the job. Further, our attention was directed to Canon I.1.2(f), which requires the Standing Commission on the Structure of the Church "from time to time . . . [to] . . . review the operation of the several Joint Committees and Joint Commissions to determine the necessity for their continuance and the effectiveness of their functions and to bring about a coordination of their efforts."

The Commission has again considered the whole problem, and we have concluded that, both in 1973 and in our Preliminary Report, we were proceeding on the basis of a fallacious theoretical premise—the Executive Council, while a creature of the General Convention, is nevertheless an administrative and not a legislative body, and the evaluation of the work of the Joint Commissions should be done, in theory, by the General Convention itself. Since that is obviously impractical, the work should be performed by an arm of the legislative body specially designated for the purpose, such as this Commission.

During the triennium between Houston and Louisville, this Commission did make a reasonably detailed study of the various Joint Committees and Joint Commissions, and we presented at Louisville a full report thereon, with extensive recommendations for the revision of the Canons and Rules (Journal, 1973, pp. 986 *et seq.*). All of our proposals were considered by the General Convention and a substantial number were accepted.

During the triennium between Louisville and Minnesota we concluded that no necessity existed for us to repeat the detailed study we had made between 1970 and 1973. As a general principle we do not believe that such a study needs to be continuous, but we feel that this Commission should continue to consider all proposals for the creation of additional Joint Committees and Joint Commissions (as we did in 1975 in the case of the proposed Joint Commission on Native Ministries), and should give comprehensive consideration to such groups only as the necessity seems to arise.

But whether or not the *necessity* for and the *effectiveness* of the several committees and commissions is studied during a particular interval between Conventions, there seems to be no question that the entirely separate job of *coordinating* the work of such groups can and should be performed.

At Louisville, the General Convention adopted a resolution continuing in existence the *Executive Office of the General Convention*, to be headed by an Executive Officer appointed jointly by the Presiding Bishop and the President of the House of Deputies. The resolution specified that the office should include the functions of the Secretary, the Treasurer and the Manager of the General

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## APPENDICES

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Convention, and an amendment added to those duties the functions “of Personnel Co-ordinator and Liaison Officer for the Joint Committees, Joint Commissions, Boards, and Agencies funded by the General Convention Expense Budget.” (Journal, 1973, p. 393).

The resolution was not made a part of the Canons, but if the office thus created is to function effectively in carrying out the tasks so proposed to be assigned to it, then it is the view of the Commission that it should be Canonically based. It is further our view that the coordinating function, with respect to the Committees and Commissions, should be more explicitly provided for.

A consideration of the purpose of the resolution causes us additionally to suggest that the new Canon should be so drawn that the Presiding Bishop and the President of the House of Deputies would feel themselves entirely free (but not required) to appoint as the General Convention Executive Secretary whatever individual may be serving as Secretary of the General Convention. Presently Canon I.1.1(j) requires the two Houses to name as the Secretary of General Convention the person whom the House of Deputies has elected as the Secretary. Under the Canon which we here propose the presiding officers of the two Houses could, if they wished, go even farther by giving the same person all three positions:

### Resolution A-11

*Resolved, the House of \_\_\_\_\_ concurring, That a new Section 13 be enacted at the end of Canon I.1, to read as follows:*

*Sec. 13. There shall be an Executive Office of the General Convention, to be headed by a General Convention Executive Secretary to be appointed jointly by the Presiding Bishop and the President of the House of Deputies. The Executive Office of the General Convention shall include the functions of the Secretary and the Treasurer of the General Convention and those of the Manager of the General Convention, and, if the several positions are filled by different persons, such officers shall serve under the general supervision of the General Convention Executive Secretary, who shall also coordinate the work of the Joint Committees, Joint Commissions, Boards and Agencies funded by the General Convention Expense Budget.*

### VII. Form of Proposed Canonical Changes

Canon V.1.3, which governs the form of proposals for Canonical change presented to the two Houses, specifies only that such proposals shall be in substantially this form: “Canon \_\_\_\_ is hereby amended to read as follows:”, and it has long been customary at meetings of the General Convention to set forth, in proposals for Canonical change, only the language as it will appear after the change, without reference to the form of the existing Canon.

So far as the Commission is aware, the method followed by the General Convention is used by almost no other legislative body. Other such groups use various systems, but almost universally some method is used which permits a clear indication and differentiation between (1) the old language proposed to be replaced or superseded, (2) the wording proposed to be retained, and (3) the substitute or new provision. So as to make it possible for Bishops and Deputies readily to understand, from the text of each legislative proposal, the true purport of every suggested Canonical change without reference to any other document, all resolutions included in this Final Report which propose changes in or additions to the Canons are prepared in the form which will be generally required if the following proposed addition to the Joint Rules of Order is adopted. The Commission recommends the adoption of the following resolution:

**Resolution A-12**

*Resolved*, the House of \_\_\_\_\_ concurring, That Rule III of the Joint Rules of the House of Bishops and the House of Deputies be amended by the addition thereto of a new paragraph, to be numbered 13 and to follow present paragraph 12 (with the subsequent paragraphs of such Joint Rules, beginning with present paragraph 13, to be renumbered), and with such new Paragraph 13 to read as follows:

*13. Each proposal for legislative consideration which includes the language of a proposed addition to or amendment of an existing Constitutional or Canonical provision shall be drawn, insofar as may reasonably be possible, (1) so as to indicate in Roman type the portion, if any, of the existing Constitutional or Canonical provision proposed to be retained, (2) so as to indicate in italic or underlined type the new language proposed to be inserted or added, and (3) so as to indicate, by Roman type which has been stricken through, manually or otherwise, the language of the existing Constitutional or Canonical provision proposed to be eliminated.*

**VIII. The Seating of New Dioceses**

On October 8, 1973, which was the eighth legislative day of the 64th General Convention, the House of Deputies formally concurred with the House of Bishops in admitting into union with the General Convention four new Dioceses: the Missionary Diocese of Northern Mexico, the Missionary Diocese of Western Mexico, the Missionary Diocese of the Southern Philippines, and the Missionary Diocese of the Northern Philippines. In the case of the Philippines the two new Dioceses were erected as a result of action taken by the House of Bishops in October, 1971, at Pocono Manor, when permission was given for the division of the Missionary Diocese of the Philippines into three Dioceses (Journal, 1973, p. 1065). In October, 1972, at New Orleans, the House of Bishops gave similar permission to the Missionary Diocese of Mexico (Journal, 1973, pp. 1092-1093).

However, as the result of inadvertence and (the Commission is certain) without any intention on the part of anyone to violate the rules of the House, deputations from all six Dioceses, including the four new Dioceses not admitted into union with the General Convention until October 8, were seated on the floor when the House of Deputies was called into session on September 30, 1973, and they remained seated on each subsequent day. Under the circumstances, and in order to assist the officials of the House in avoiding a similar situation in the future, the Commission recommends that Canons I.1.1(a) and I.1.1(c) be amended in the following manner:

**Resolution A-13**

*Resolved*, the House of \_\_\_\_\_ concurring,

**1. That Canon I.1.1(a) be amended to read as follows:**

**Sec. 1(a).** At the time and place appointed for the meeting of the General Convention, the President of the House of Deputies, or, in his absence, the Vice-President of the House, or, if there be neither, a Chairman pro tempore appointed by the members of the House of Deputies on the Joint Committee of Arrangements for the General Convention, shall call to order the members present. The Secretary, or, in his absence, a Secretary pro tempore appointed by the presiding officer, shall record the names of those whose testimonials, in due form, shall have been presented to him, which record shall be prima facie evidence that the persons whose names are therein recorded are entitled to seats. *In the event that testimonials are presented by or on behalf of persons from jurisdictions which have not previously been represented in a General Convention, then the Secretary, or one appointed in his stead as provided herein,*

## APPENDICES

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*shall proceed as provided in Clause (c). If there be a quorum present, the Secretary shall so certify, and the House shall proceed to organize by the election, by ballot, of a Secretary, and a majority of the votes cast shall be necessary to such election. Upon such election, the presiding officer shall declare the House organized. If there be a vacancy in the office of President or Vice-President, the vacancy or vacancies shall then be filled by election, by ballot, the term of any officer so elected to continue until the adjournment of the General Convention. As soon as such vacancies are filled, the President shall appoint a committee to wait upon the House of Bishops and inform them of the organization of the House of Deputies, and of its readiness to proceed to business.*

2. That Canon I.1.1(c) be amended to read as follows:

(c) In order to aid the Secretary in preparing the record specified in Clause (a), it shall be the duty of the Secretary of the Convention of every Diocese to forward to him, as soon as may be practicable, a copy of the latest Journal of the Diocesan Convention, together with a certified copy of the testimonials of members aforesaid. He shall also forward a duplicate copy of such testimonials to the Standing Committee of the Diocese in which the General Convention is next to meet. *Where testimonials are received for persons from jurisdictions which have not previously been represented in General Convention, the Secretary shall ascertain that the applicable provisions of Article V., Section 1, of the Constitution have been complied with prior to such persons being permitted to take their seats in the House.*

### IX. Voting by Retired Bishops

A great many of the letters of comment received by the Commission after the release of our Preliminary Report were critical of the present Constitutional arrangement pursuant to which resigned Bishops have seat and vote in the House of Bishops. Indeed, several of the letters recommending a Constitutional change were received from resigned Bishops. A number of the comments went further and recommended that the Commission give consideration to limiting the right to vote in the House of Bishops to Diocesan Bishops, thus stripping away the voting rights of Coadjutors and Suffragans as well.

As the result of such correspondence, the Commission has given careful consideration to the entire matter, and has particularly examined Article I., Section 2, of the Constitution, which grants seat and vote to the following classes of Bishops:

1. Each Bishop having jurisdiction (Diocesan Bishops).
2. Every Bishop Coadjutor.
3. Every Suffragan Bishop.
4. Every Bishop who has resigned his jurisdiction by reason of advanced age or bodily infirmity.
5. Every Bishop who has resigned his jurisdiction upon election to an office created by the General Convention.
6. Every Bishop who has resigned his jurisdiction “. . . for reasons of mission strategy determined by action of the General Convention or the House of Bishops, . . .”, which is generally understood to refer to an overseas Bishop who has resigned his jurisdiction upon a determination by the General Convention or the House of Bishops when mission strategy requires the election and consecration of a native Clergyman.

Upon consideration, the Commission is of the opinion that no good reason exists to deny seat and vote to Coadjutors or Suffragans, or to Bishops who occupy elective offices or have resigned their overseas jurisdictions for the benefit of the whole Church. On the other hand, it seems equally clear to the Commission

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that Bishops who have resigned because of advanced age or bodily infirmity, and are thus no longer actively engaged in the work of the Church, should not have the right to vote upon the current issues which are of concern to the Church.

The Constitutional amendment, the enactment of which the Commission therefore recommends, will have the effect, on its final adoption, of eliminating from the list of Bishops with seat and vote those Bishops who have resigned their jurisdiction because of advanced age or bodily infirmity. Since all such Bishops should as a matter of courtesy have seat but not vote, the Commission also recommends that upon the final adoption of such Constitutional amendment the Rules of Order of the House of Bishops be appropriately amended, so that such resigned Bishops will have seat but not vote, and be otherwise treated as visiting Bishops and collegial members of the House of Bishops.

Since it is not necessary to amend the Rules of Order of the House of Bishops until after the second adoption of the following proposed Constitutional amendment, the Commission presently recommends only the adoption of this resolution:

**Resolution A-14**

*Resolved*, The House of \_\_\_\_\_ concurring, That Article I., Section 2, of the Constitution be amended as hereinafter provided, and that the same be made known to the several Dioceses and Missionary Dioceses and to the Convocation of the American Churches in Europe, in accordance with Article XI., in order that the same may be adopted at the next succeeding regular meeting of the General Convention:

**Sec. 2. Each Bishop of this Church having jurisdiction, every Bishop Coadjutor, every Suffragan Bishop, and every Bishop who [by reason of advanced age or bodily infirmity, or who,] under an election to an office created by the General Convention, or for reasons of mission strategy determined by action of the General Convention or the House of Bishops, has resigned his jurisdiction, shall have a seat and a vote in the House of Bishops. A majority of all Bishops entitled to vote, exclusive of Bishops who have resigned their jurisdictions or positions, shall be necessary to constitute a quorum for the transaction of business.**

**X. Deacons as Deputies**

A number of the letters received by the Commission after the issuance of the Preliminary Report commented upon the inequity by which Deacons are not permitted to serve as clerical members of the House of Deputies and yet, being in Holy Orders, are ordinarily considered to be ineligible for election as Lay Persons. (The Commission has been advised that in a few Dioceses, by virtue of local legislative provisions, Deacons are considered as laymen for this limited purpose, but the practice is obviously isolated and may very well be of questionable propriety.) The Commission is impressed with the arguments, and therefore recommends the enactment of legislation to remove the present Constitutional requirement whereby clerical membership in the House of Deputies is limited to Presbyters. (There are similar Canonical requirements, but no necessity exists for changing them otherwise than in connection with the second adoption of the proposed Constitutional amendment.)

The Commission thus recommends the adoption of the following resolution:

**Resolution A-15**

*Resolved*, the House of \_\_\_\_\_ concurring, That the first paragraph of Article I., Section 4, of the Constitution be amended as hereinafter provided, and that the same be made known to the several Dioceses and Missionary Dioceses and

## APPENDICES

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to the Convocation of the American Churches in Europe, in accordance with Article XI., in order that the same may be adopted at the next succeeding regular meeting of the General Convention:

**Sec. 4. The Church in each Diocese which has been admitted to union with the General Convention shall be entitled to representation in the House of Deputies by not more than four *Persons, either Presbyters or Deacons,* canonically resident in the Diocese, and not more than four Lay Persons, communicants of this Church, having domicile in the Diocese; but the General Convention by Canon may reduce the representation to not fewer than two Deputies in each order. Each Diocese shall prescribe the manner in which its Deputies shall be chosen.**

### XI. Orientation of New Deputies

At every meeting of the General Convention approximately half of the Deputies are new, and while some may have had local or national legislative experience, new Deputies are ordinarily wholly without understanding of the relatively intricate machinery and procedure which surround the meetings of General Conventions. Special orientation sessions for new Deputies were held prior to the actual convening of the meetings of General Convention at Miami Beach, Detroit, St. Louis and Seattle. On the other hand, at more recent meetings of the General Convention there has been no organized system whereby specific instructions have been available to new Deputies with respect to parliamentary procedure generally and with respect, more particularly, to the intricacies of voting by Dioceses and by orders and the other procedural patterns peculiar to the General Convention. The result has been that some Deputies go through most of their first General Convention without a full understanding of what is transpiring. A sense of frustration, not only with respect to the General Convention and its processes, but also in some cases with respect to the Church as an institution, is inevitable.

During the fall of 1975, the Committee on the Agenda and Arrangements for the General Convention issued a Tentative Proposed Schedule for the Minnesota Convention in which it included, on September 10, an item designated as "Orientation for New Deputies." The Standing Commission on the Structure of the Church commends the Agenda group for its foresight and most urgently recommends that the Executive Office of the General Convention take the initiative in planning and in seeing to the conduct of such a seminar during a convenient period prior to the opening of the Convention. The seminar should be attended by those officers of the House of Deputies concerned with parliamentary procedure and with the dispatch of the business of the House, and the agenda should include a well-rounded program of instruction with respect to the operation and function of the Committee system, the method by which legislation is introduced in the House, the procedure with respect to Committee reports and debates thereon, parliamentary procedure generally, the legislative relationship between the House of Deputies and the House of Bishops, the procedural rules of the House of Deputies, and the conduct of the business of the General Convention. This Commission further recommends that adequate notice be given to all the Deputies elected to their first General Convention at Minnesota in order that they may plan their arrival at the site of the Convention in ample time to attend and fully to participate in the proposed seminar.

We further recommend that insofar as possible similar meetings and seminars be held in every Diocese, and in those Provinces holding Synods prior to General Convention. Such meetings in each case should be attended by elected Deputies and alternates, in order that new Deputies may thereby learn about the procedure of the House of Deputies from such of their fellows as may have attended prior Conventions; in order that the entire deputation, including alternates, may discuss

in depth the legislative issues likely to be considered at the Minnesota Convention as well as the reports and recommendations printed and distributed as part of the "Blue Book." The Commission is aware that a number of Dioceses and some Provinces have arranged in the past for meetings such as those here suggested, and it commends those Dioceses which have so proceeded. It is our view that such activities have substantially improved the quality of representation from such Dioceses and that there would be general improvement throughout the House were the system to become more general.

## **XII. The Issue of a Unicameral House**

The proposal to turn the General Convention into a unicameral house composed of Bishops, Clergy and Laity was carefully studied by this Commission prior to the preparation and issuance of our Preliminary Report. In that report we recommended against adopting the English form, but included in Appendix A to the Report a fairly extensive study of the structure of the Church of England prior to and since the 1970 changes upon which the American proposal was modeled. In addition, we included an analysis of the issues involved in the proposal and a statement of the reasons upon which we based our adverse recommendation.

None of the comments on our Preliminary Report (and comments were received from all levels of interest throughout the Church) supported the unicameral proposal. The Commission again unanimously recommends against the creation of a unicameral house for all of the reasons set forth in Appendix A to our Preliminary Report.

## **XIII. Joint Commission on Native Ministries**

In September, 1972, the Executive Council of the General Convention established the National Committee on Indian Work, and at Louisville, the General Convention adopted a resolution (Journal, 1973, p. 411) establishing the Committee on a continuing basis and directing that it meet not less frequently than once a year with the Bishops of those jurisdictions which have significant Indian or Eskimo populations, for the purpose of joint discussion of Indian and Eskimo work and for the further purpose of discussing and preparing a proposed program for the Committee and budget recommendations for the ensuing year.

Shortly before the November, 1975, meeting of this Commission, the National Committee on Indian Work presented to us a proposal for the creation of a Joint Commission on Native Ministries, and advised us that at the Minnesota Convention a resolution would be offered which, if adopted, would establish such a Commission, to consist of three Bishops, three Priests and six Lay Persons, each to be appointed for terms equivalent to two Convention periods, on a rotating basis. The proposal which was presented to us would instruct the Commission to meet not less frequently than once a year with the Bishops of jurisdictions having Indian or Eskimo populations and to develop recommendations and strategies which will be of concrete assistance to the Church in shaping new patterns of mission with respect to Indian and Eskimo populations.

We most enthusiastically commend the National Committee on Indian Work for presenting its proposal to us prior to our final meeting of the triennium. Canon I.1.2(f) specifies that, "Whenever a proposal is made for the creation of a new Joint Committee or Joint Commission, it shall, wherever feasible, be referred to the Standing Commission on the Structure of the Church for its consideration and advice."

Unfortunately, that Canonical requirement is seldom followed because most proposals for the creation of Joint Committees or Joint Commissions are made either during or just before a meeting of the General Convention, when the Structure Commission cannot, as a practical matter, be in session.

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## APPENDICES

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We have given the matter full and careful consideration, and we do not recommend the establishment of a Joint Commission on Native Ministries as proposed by the NCIW. We believe that the Church must be encouraged to establish and to maintain a clear and basic distinction between organizations which are legislative in purpose and intent on the one hand and program bodies, or organizations with program function, on the other. It seems to us that legislative groups should be created by the General Convention and should be designated either as Joint Commissions or Joint Committees, depending upon whether they are to be composed entirely of members of the General Convention and whether their terms are to extend beyond the meetings of the General Convention. On the other hand, it is our view that program groups should be authorized by the General Convention (as was the NCIW), but should be more particularly under the administrative supervision and control of the Executive Council, which is charged with the over-all conduct of the programs of the Church.

Certainly it is true that many organizations can have functions which are in part legislative and in part programmatic, but it seems apparent that the purpose of the NCIW primarily relates and should relate to the conduct of *programs* involving Indians and Eskimos. The 1973 report of the NCIW (Journal, 1973, pp. 603 *et seq.*) contains a clear account of its program activities and a list, occupying more than two pages, of grants made by the Committee from the Indian/Eskimo Community Development Fund from the end of 1969 through 1972. We believe that activities of this sort should be encouraged and continued, but that they can best be carried on by a program and not by a legislative group.

### D. REPORT RELATING TO REGIONAL GROUPINGS

#### I. The 1973 Mandate

The 64th General Convention (Louisville) determined that there should be “. . . developed a strong regional system within the Episcopal Church for the planning and implementation of Mission, Program, and Ministry, appropriate for the respective regions . . .”, and instructed the Standing Commission on Structure to develop a proposal for such a system for consideration by the 65th General Convention. The same resolution instructed the Executive Council “. . . to use every appropriate means to involve the existing provincial system and existing coalitions of Dioceses in the development and implementation of Mission, Program, and Ministry during the next triennium.” (Journal, 1973, p. 445).

#### II. Provincial System Not a New Idea

A provincial system was first proposed to the General Convention in 1865. The subject was considered at each succeeding General Convention, with various proposals being submitted, until 1913, when action was taken. The Canon enacted at that Convention expressly provided that the Provinces should have no power to regulate Dioceses or to take action inconsistent with General Convention; those constraints continue in the present Canon (Canon I.8.8).

The Conventions of 1919 and 1922 adopted amendments which brought the Canon very close to its present form; the principal changes since then have been concerned with the designation of member jurisdictions and with the creation, in 1964, of the Ninth Province.

#### III. Studies of the System, 1955 and Later Years

Questions having been raised as to the value of the Provinces, the 1955 General Convention created a Joint Commission to Study the Provincial System, which recommended to the 1958 Convention (Journal, 1958, pp. 514 *et seq.*), but largely without success:

1. A Canon to require the program and budget (and not merely the budget) to be referred to the Provinces for study and report prior to General Convention. (To some extent the Council began before Louisville and is continuing such a process through a series of regional meetings.)

2. A Canon to permit the President of each Province to take orders for the consecration of Bishops within the Province.

3. A Canon to require Joint Commissions to file their reports with the Provinces a year before the meeting of General Convention at which they are to be considered, with each Synod to study and make recommendations with respect to such reports.

The Joint Commission was reconstituted and reported to the 1961 Convention that at its first meeting it concluded that "... the Provincial System served a useful purpose and should be continued." (Journal, 1961, p. 593). But after extensive investigation the Commission concluded that "... the function of the Province, as now established, seems to be to provide information, some degree of inspiration and more particularly varying degrees of social fellowship between the delegates from component dioceses." (Journal, 1961, p. 594).

The 1961 Convention merged the Joint Commission to Study the Provincial System with a Joint Committee studying the structure of General Convention, thus forming the Joint Commission on the Structure of General Convention and the Provinces, which was the direct predecessor of the present Standing Commission on the Structure of the Church.

#### **IV. Consideration in the 60's**

In an effort to close the "communications gap" between the then National Council and the clergy and laity of the Church at large, particularly in the years between General Conventions, the 1964 Convention took several actions in accordance with recommendations of the new Joint Commission (Journal, 1964, pp. 931 *et seq.*):

1. General Convention Deputies were given seat and voice in all Synods (Journal, 1964, p. 358).

2. Present Canon I.8.10 was enacted, whereby certain subjects considered by General Convention can be referred to the Provinces for study and report prior to the next General Convention. (Journal, 1964, p. 232. For historical interest, see points 1 and 3 of the 1958 recommendations.)

3. A resolution was adopted (Journal, 1964, pp. 316-317), specifying that, where feasible, Diocesan memorials and petitions should be referred to the Synods for discussion and recommendation before presentation to General Convention.

Special General Convention II in 1969 directed the Joint Commission on Structure "... to give serious consideration to the matter of eliminating the provincial system and relocating provincial duties among other bodies, and report thereon to the 63rd General Convention at Houston." (Journal, 1969, p. 245). The Joint Commission, with funds supplied by the Episcopal Church Foundation, employed Booz-Allen & Hamilton, management consultants, to make a study of the matter and of Church structure generally. The Booz-Allen report was not ready by the time of the Houston Convention, but when it was finally completed in January, 1971 (too late to be considered the preceding fall), it included the following recommendation:

"Since it does not appear financially feasible to strengthen the provinces nor to use them as a means for more effective administration or decentralization, it is recommended that they be discontinued as formal units of the church structure.

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"In the place of provinces, the national church should encourage informal

## APPENDICES

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associations of dioceses. Needs for interdiocesan cooperation which are not effectively met under the present geographical province system are likely to continue." (Booz-Allen & Hamilton, *Study*, pp. 81-82).

At Houston, the House of Deputies adopted a resolution calling for the maintenance of the Provinces and authorizing the Structure Commission to make a study of the Provinces ". . . to the end of strengthening these structured units for greater value as canonically structured regional areas of the Church." (Journal, 1970, P. 333). But the House of Bishops did not concur and the study wasn't made.

Finally, the General Convention at Louisville adopted the resolution quoted above under the heading "The 1973 Mandate."

Thus it is evident that an effective regional system, or level of structure between the Diocese and the National Church, has been a continuing concern for many years.

### V. The Work of the Regional Groupings Committee

The Committee on Regional Groupings of the Commission has considered the history of the Provinces and the studies of the system which have been heretofore made.

The Committee attempted to find out how Church leadership at the Diocesan level feels about this issue by circulating a questionnaire to Bishops, to many clerical and lay deputies to the 1973 General Convention, to many delegates to the 1973 Triennial Meeting, to various members of Executive Council and to other leaders. Various opinions were expressed, but the consensus seemed to be: (1) the value of a level of structure between the Diocese and the National Church is largely informational and educational, (2) the present geographical boundaries of the Provinces are not necessarily, or even usually, suitable for joint programming, and (3) joint programming needs to be done on an *ad hoc* basis. (It is interesting that a similar survey conducted early in 1960 produced a similar variety of opinion. See Journal, 1961, p. 594.)

### VI. Coalition 14 and APSO

The Committee has also examined the recent emergence of *ad hoc* coalitions, that is, groups of Parishes and Missions, as well as Dioceses, which come together to work on mutual problems or to seek to share experience and knowledge for the common good.

The best known example of such an arrangement from the standpoint of administration is Coalition 14, a close-knit organization of noncontiguous Dioceses which joined together because most of them shared the problems which result from large areas with scattered population and because (in the case of the original 14 but not in the case of all the present members) they received direct aid from the National Church. Those in charge of the Coalition carefully examine (and pare) the budgets of all, and they then seek and receive aid from the National Church on a lump sum basis, subject to their own careful budgeting and reallocation of the total among such of the Coalition members as currently require it.

Another coalition of Dioceses functioning primarily in program is the Appalachian Peoples Service Organization (APSO). Thirteen Dioceses from Albany to Alabama, organized with an Executive Director, are responding cooperatively to the unique social and community needs of the people of Appalachia and are also emphasizing training for an indigenous ministry, both ordained and lay. U.T.O. and other grants are made on a lump sum basis to APSO, and the organization in turn decides on the particular recipients within the area.

### VII. Activity of the Eighth Province

The Eighth Province accepted the resolution of the 1973 Convention as a

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mandate to strengthen itself, and has appointed an *ad hoc* Committee on Restructure, which has proposed various means of sharing problems and solutions throughout the Province and has given specific study to a possible utilization of Canon I.8.9, which permits a Provincial Synod to take over from the Executive Council the administration and funding of specific work within the Province.

### **VIII. Conclusion as to Need**

On the other hand, we conclude the obvious—Coalition 14 and APSO are both probably more effective organizations than any Province. Both serve a functional need of their member Dioceses, and in both cases the Dioceses have ceded some power to the central body. In the case of Coalition 14 the power is budgetary, and in APSO, programmatic. These groupings are strong and effective because they have the power necessary to meet their members' needs, and this power has been given up by their members. The power necessary to give regional groupings (or Provinces) strength could alternatively be given up by the National Church.

### **IX. Realignment of Boundaries**

With regard to realignment, the Commission concluded that any purely geographical division would, to some extent, be arbitrary, and necessarily would include dissimilar entities. In all probability it would be impossible to draw geographical lines to the satisfaction of all concerned. There was a consensus in the Commission that, for purposes of education and communication, arbitrary geographical boundaries probably are satisfactory and that, in fact, there is value in the cross-fertilization of ideas that result from grouping dissimilar entities.

We feel that patterns of realignment should come from the member Dioceses themselves and should not be imposed by the General Convention. Therefore, in order to allow decisions regarding realignment of Provinces to be made by those concerned, the Commission recommends the adoption of the following canonical amendment to provide a simplified procedure for a Diocese to shift from one Province to another:

#### **Resolution A-16**

*Resolved, the House of \_\_\_\_\_ concurring, That Canon I.8.2 be amended by designating present Section 2 as Section 2(a) and by adding the following:*

*(b) By mutual agreement between the Synods of two adjoining Provinces, a Diocese may transfer itself from one of such Provinces to the other, such transfer to be considered complete upon approval thereof by the General Convention or by a majority of Bishops having jurisdiction. Following such approval, Canon I.8.1 shall be appropriately amended.*

### **X. Metropolitan Councils**

In 1964, the General Convention adopted a resolution directing the Executive Council to make studies and proposals “. . . toward a more realistic alignment of Dioceses, with a view to safeguarding the essential pastoral functions of the Episcopate, as well as realistically appraising sound regional interests and centers.” (Journal, 1964, p. 281). The Executive Council appointed a Special Committee on Diocesan Boundaries whose final report was approved by the Council and submitted to the 1967 General Convention (Journal, 1967, Appendix, pp. 15.14 *et seq.*).

The report was in two principal parts: (1) Careful and reasonable criteria were recommended for determining the viability of both domestic and overseas Dioceses, and (2) A strong recommendation was made for the establishment of Metropolitan Councils, with a proposed Canon being submitted to govern such Councils. The criteria (not proposed to be embodied in the Canons) were approved by the

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## APPENDICES

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Convention and commended for use by the several Bishops and Dioceses (Journal, 1967, pp. 508-509), but the Canon on Metropolitan Councils, while adopted by the House of Deputies, was rejected by the House of Bishops (Journal, 1967, pp. 355-357).

The Commission believes that the creation of a Metropolitan Council is appropriate where a metropolitan area includes territory within two or more Dioceses, and the problems of ministering to the people cannot be adequately met by merger, division or cession of territory.

The Commission therefore recommends (as was recommended by the Executive Council in 1967) the adoption of the following new Canon to formalize the procedure for the creation of a Metropolitan Council:

### Resolution A-17

*Resolved, the House of \_\_\_\_\_ concurring, That following present Canon I.9., entitled "Of New Dioceses," there shall be a new Canon, to be designated "Of Metropolitan Councils," to be numbered Canon I.10., and to read as is hereafter set forth, with present Canons I.10. through I.18. to be renumbered to be, respectively, Canons I.11. through I.19.:*

*Sec. 1(a). Two or more contiguous Dioceses may form a Metropolitan Council, to be comprised of and to administer such part or all of the territory, program, and functions, of the member Dioceses as shall be determined by the Bishop and the Convention of each of the member Dioceses.*

*(b) The organization of the Metropolitan Council shall be complete upon the approval of its constitution by the Bishops and the Diocesan Conventions of the member Dioceses; Provided, however, that it shall be the duty of the Secretary of the Convention of each of the member Dioceses to certify and forward to the Secretary of the General Convention a copy of the constitution and the date of its approval.*

*Sec. 2. The governing body of the Metropolitan Council shall be the Metropolitan Council Board, to be composed of the Bishop, or in his absence the Bishop Coadjutor or Suffragan Bishop, of each member Diocese, and not less than two or more than five Presbyters and an equal number of Lay Persons elected by the Diocesan Convention or the Executive Council of each member Diocese for terms of not more than three years, the number of such members and the length of their terms of office to be specified in the constitution of the Metropolitan Council.*

*Sec. 3(a) The following officers of the Metropolitan Council shall be elected by the Board: (1) a President; (2) two Vice-Presidents; (3) a Secretary; (4) a Treasurer, and other officers deemed advisable by the Council.*

*(b) The President shall be a Bishop of a member Diocese, a Priest canonically resident in a member Diocese, or a Lay Person who is a Communicant in a member Diocese. The two Vice-Presidents shall have the same qualifications, but shall be of different orders from the President and from each other. All other officers shall have the same qualifications.*

*(c) The Council may elect an Executive Director of the Council and one or more Executive Secretaries to oversee the program and functions to be administered by the Metropolitan Council.*

*Sec. 4. Each of the member Dioceses shall provide its share of the budget of the Metropolitan Council as determined by the Board.*

*Sec. 5. Bishops, Bishops Coadjutor, and Suffragan Bishops of the member Dioceses, and Clergymen canonically resident within the territorial limits of the Metropolitan Council, may perform rites and conduct services within such territorial limits without regard to diocesan boundaries; Provided, however, that their official acts shall be reported to the diocesan office of the member Diocese*

*within whose boundaries such acts were performed for inclusion in the canonical records of such Diocese.*

*Sec. 6(a) A Metropolitan Council formed by two Dioceses may be dissolved by action of the Bishop and Convention of either Diocese, but a Metropolitan Council formed by three or more Dioceses may not be dissolved without the concurrent action of the Bishop and Diocesan Convention or Executive Council of a majority of the member Dioceses.*

*(b) Upon dissolution of the Metropolitan Council, the Secretary thereof shall notify the Secretary of General Convention of such dissolution, and the territory, program, and functions, which had been transferred to the Metropolitan Council shall revert to the member Dioceses.*

## XI. The Executive Council

The resolution which directed this Commission to study the Provinces also directed the Executive Council “. . . to involve the existing provincial system and existing coalitions of Dioceses in the development and implementation of Mission, Program, and Ministry. . . .” (Journal, 1973, p. 445).

During this triennium, both the Presiding Bishop and the Executive Council of the General Convention have been making use of the provincial structure for the purpose of communicating and implementing National Church program to the Dioceses, and the Presiding Bishop has been using the Presidents of the Provinces as a Council of Advice. (The Joint Commission to Study the Provincial System suggested such a program in 1958. See Journal, 1958, p. 516.)

## XII. Increased Representation from the Provinces

As a further means of strengthening the provincial system and of giving a greater voice to the Provinces through the Executive Council, the Commission suggests that each Province be represented on the Council by one Bishop or Presbyter and by one Lay Person and that the terms of office of such representatives be on a parity with the terms of members of the Executive Council elected by General Convention. We offer the following Canonical amendments to accomplish this result (a result which was also recommended in 1958):

### Resolution A-18

*Resolved, the House of \_\_\_\_\_ concurring,*

**1. That Canon I.4.1(c) be amended to read as follows:**

*(c). Except as its membership may include additional persons elected prior to the adjournment of the meeting of the General Convention in 1976 for terms which have not expired, the Executive Council of the General Convention shall be composed (a) of [thirty] twenty members elected by the General Convention, of whom [six] four shall be Bishops, [six] four shall be Presbyters, and [eighteen] twelve shall be Lay Persons ([three] two Bishops, [three] two Presbyters, and [nine] six Lay Persons to be elected by each subsequent regular meeting of the General Convention); [Provided, that the 1970 meeting of the General Convention shall elect three Lay Persons for three year terms in addition to nine Lay Persons for regular terms,] (b) of eighteen members elected by the Provincial Synods, each Synod having the right to elect at least one member at the last regular meeting prior to the regular meeting of the General Convention; and (c) of the following ex officio members: the Presiding Bishop and the President of the House of Deputies. Each Province shall be entitled to be represented by one Bishop or Presbyter canonically resident in a Diocese which is a constituent member of the Province and by one Lay Person who is a communicant of a Diocese which is a constituent member of the Province, and the terms of the representatives of each Province shall be so rotated that two*

## APPENDICES

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*persons shall not be simultaneously elected for equal terms.*

2. That the first paragraph of Canon I.4.2(b) be amended to read as follows:

(b). *Except in the case of members initially elected for shorter terms in order to achieve rotation of terms, the terms of office of the members of the Council [elected by the General Convention] (other than ex officio members) shall be [six years, except as otherwise provided, and the term of office of the members of the Council elected by the Provincial Synods shall be three years. equal to twice the interval between regular meetings of the General Convention. The Terms of office of all members [elected as above provided] shall commence immediately upon [their election and their written acceptance thereof filed with the Secretary of the Executive Council. the adjournment of the General Convention at which they were elected or, in the case of election by a Synod, upon the adjournment of the first regular meeting of General Convention following such election. Members shall remain in office until their successors are elected and qualified. No person who has served at least three consecutive years on the Executive Council shall be eligible for immediate re-election for a term of more than three years. After any person shall have served six consecutive years on the Executive Council, a period of three years shall elapse before such person shall be eligible for re-election to the Council.*

3. That the presently unlettered second and third paragraphs of Canon I.4.2(b) shall be designated, respectively, (c) and (d), that the first paragraph of Canon I.4.2(c) shall be designated (e) and that the presently unlettered second paragraph of Canon I.4.2(c) shall be designated (f).

### XIII. Summary

In summary, the Commission believes that these recommendations would allow for the development of a strong regional system within the Church if one is really needed and wanted for its own sake, and we are thus of the opinion that such recommendations constitute a positive response to the resolution of the 1973 General Convention.

## E. REPORT RELATING TO THE JUDICIAL PROCESS

Since the Louisville General Convention, the Standing Commission on Structure has considered various matters relating to the judicial process, and in particular has given somewhat detailed consideration to the question of establishing a General Court of Review, in line with proposals made at Louisville.

While the Commission has concluded against the establishment of a General Court of Review, our consideration of judicial and legal matters has convinced us that there is a situation which needs correction:

### I. Joint Standing Committee on Constitution and Canons

The present House of Bishops' Committees on the Constitution and on the Canons and the cognate committees in the House of Deputies sit only during sessions of the General Convention and thus have no continuing existence. This means that there is no agency which gives ongoing and consistent attention to the need for Constitutional and Canonical changes to meet changing conditions in the Church or to the very real requirements for internal consistency and clarity in both documents. When the General Convention is called to order, the four committees undertake to meet and during such time as their members may snatch from their other duties they consider such Constitutional and Canonical proposals as are then referred to them; time is ordinarily simply not available for the full deliberative process which so important a subject deserves. Equally important, even less time is available for joint meetings between the cognate committees of the two Houses or

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for joint meetings between the related committees of the same House.

Our consideration of these matters has led us to conclude that no satisfactory reason exists for there to be separate committees on the Constitution and on Canons and that there is a very real and urgent necessity for there to be a continuing Joint Standing Committee of the two Houses which would be authorized, empowered and directed to make ongoing studies between meetings of the General Convention in order to achieve internal consistency and clarity in the Constitution and the Canons, and which would be authorized to provide the Presiding Bishop, the President of the House of Deputies and the Church generally with opinions on Constitutional and Canonical questions. Since we believe that such a continuing committee should exercise functions with respect both to the Constitution and to the Canons, we believe it would be a waste of talent if the committee were not also used to exercise the functions now performed by the four separate committees of the two Houses.

We therefore propose that the four committees be abolished and that there be appointed in their place a Joint Standing Committee on Constitution and Canons to operate in precisely the manner of the present Joint Standing Committee on Program, Budget and Finance, that is to say, to have authority to function not only at the meetings of General Convention but also on an interim basis. To accomplish the establishment and interim operation of the Joint Standing Committee, we propose the following resolutions:

*For Joint Action:*

**Resolution A-19**

**Resolved, the House of \_\_\_\_\_ concurring, That the Joint Rules of the House of Bishops and the House of Deputies shall be amended by the addition thereto of a new Part IX, which shall be entitled "Joint Standing Committee on Constitution and Canons" and shall read as follows:**

*IX Joint Standing Committee on  
Constitution and Canons*

*22(a) There shall be a Joint Standing Committee on Constitution and Canons, consisting of 12 persons, being members of the General Convention (three Bishops, three Presbyters and six Lay Persons) who shall be appointed not later than the fifteenth day of December following each regular meeting of the General Convention, the Bishops by the Presiding Bishop, the Presbyters and the Lay Persons by the President of the House of Deputies. The terms of all members shall continue through the succeeding General Convention, and until their successors are appointed; except that any member, being a Presbyter or Lay Person, who has not been elected as a Deputy to the succeeding General Convention by the 31st day of January in the year of such General Convention shall be replaced on the Joint Standing Committee by appointment by the President of the House of Deputies, such appointment to be for the unexpired term of the former member. Any other vacancy, by death, change of status, resignation, or any other cause, shall be filled by the Presiding Officer of the appropriate House and such appointments, likewise, shall be for the unexpired terms.*

*(b) The Joint Standing Committee shall elect its chairman from its membership, and such other officers as may be needed. Meetings of the Joint Standing Committee shall be called by the chairman or upon the request of any five members.*

*(c) During the interim between regular meetings of the General Convention, the Joint Standing Committee shall*

*(i) Review such proposed amendments to the Constitution and Canons as may be submitted to the Joint Standing Committee, placing each such proposed*

## APPENDICES

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*amendment in proper Constitutional or Canonical form. The Joint Committee shall express its views with respect to the substance of any such proposal only to the proponent thereof, provided, however, that no member of the Joint Committee shall, by reason of such membership, be deemed to be disabled from expressing, on the floor of the House of which he be a member, his personal views with respect to the substance of any such proposed amendment.*

*(ii) Conduct a comprehensive review of the Constitution and Canons with respect to their internal consistency and clarity, and on the basis of such review propose to the next meeting of the General Convention such technical amendments to the Constitution and Canons as in the opinion of the Joint Standing Committee are necessary or desirable in order to achieve such consistency and clarity without altering the substance of any Constitutional or Canonical provision, provided, however, that the Joint Standing Committee shall propose, for the consideration of the appropriate legislative committees of the two Houses, such amendments to the Constitution and Canons as in the opinion of the Committee are technically desirable but involve a substantive alteration of a Constitutional or Canonical provision.*

*(iii) Be authorized, on the request of the Presiding Bishop, the President of the House of Deputies, the Executive Council, or any Bishop having jurisdiction, to prepare and to issue advisory opinions on any Constitutional or Canonical question or interpreting any provision of the Constitution or the Canons.*

*(d) During each regular meeting of the General Convention, the Joint Standing Committee shall perform the functions heretofore performed by the Committee on Constitution and the Committee on Canons of the House of Bishops and by the Committee on Constitution and the Committee on Canons of the House of Deputies. The Joint Standing Committee may at its option form subcommittees to permit it more expeditiously to accomplish such work.*

*For action by the House of Bishops:*

### **Resolution A-20**

*Resolved* That Rule I of the General Rules of the House of Bishops shall be amended by striking from the list of Committees contained therein Committees numbered (4) and (5), and by an appropriate renumbering of those Committees now bearing subsequent numbers, and be it further

*Resolved* That Rule XV of the General Rules of the House of Bishops shall be amended to read as follows:

**XV.** When a Report [(or Reports)] of a Joint Committee or Joint Commission is referred to the *Joint Standing Committee[s]* on Constitution and Canons, it shall be within the province of such Committee[s] to [pass and] report only the canonical form and not on the contents of such Report [or Reports.]

*For action by the House of Deputies:*

### **Resolution A-21**

*Resolved* That Rule 7 of the Rules of Order of the House of Deputies shall be amended by striking from the list of Committees contained therein Committees numbered (4) and (5), and by an appropriate renumbering of those Committees now bearing subsequent numbers, and be it further

*Resolved* That Rule 14 of the Rules of Order of the House of Deputies shall be amended to read as follows:

**14.** Any Resolution recommended by a Standing or Special Committee which involves an amendment to the Constitution or Canons shall be referred to the *Joint Standing Committee on Constitution and [Committee on Amendments to the Constitution or the Committee on]* Canons, [as the case may be,] and

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such Committee shall make certain that the Resolution is in proper constitutional or canonical form and includes all amendments necessary to effect the proposed change. In such case the Committee shall neither concern itself with nor report on the substance of the matter referred to it, but whenever requested to do so by the Presiding Officer of the House, the Committee shall in its report to the House make recommendations as to substance. The *Joint Standing Committee on Constitution and [Committee on Amendments to the Constitution and the Committee on] Canons*, when acting on a matter first heard in another Committee, shall not be required to give the notice required by Rule 12(d).

and be it further

*Resolved* That Rule 18(a) of the Rules of Order of the House of Deputies shall be amended to read as follows:

18(a). Every Report of a Joint Committee or Joint Commission shall be referred to the appropriate Standing Committee of this House, if there be one; but, if not, to a Special Committee of this House. The House may at any time refer any Report or Resolution to the *Joint Standing Committee on [Amendments to the] Constitution and Canons* to draft a constitutional amendment, [or to the Committee on Canons to draft] a canon or amendment to the canons which will carry into effect, if enacted, the Report or Resolution so referred.

and be it further

*Resolved* That Rule 23 of the Rules of Order of the House of Deputies shall be amended to read as follows:

23. Notwithstanding any other Rule to the contrary, no Resolution involving an amendment to the Constitution or to the Canons may be considered for final action by the House until after the same has been referred to, and the House has received, the report of the [appropriate] *Joint Standing Committee on [Amendments to the] Constitution [or Committee on] and Canons*; Provided, however, that the substance of any such Resolution may be considered by the House, sitting as a Committee of the Whole, prior to referral to or report of such [appropriate] Committee.

## II. General Court of Review

At Louisville, four legislative proposals dealing with the judicial process in the Church were introduced in the House of Deputies, and all were referred to the House of Deputies' Committee on the Constitution. Briefly stated, such legislative proposals were:

1. Resolution No. B-189, originating from the Diocese of Dallas and proposing an amendment to the Constitution creating "a judicial branch empowered to determine conflicts between the executive and legislative bodies and to rule on constitutionality of all questions referred to it.

2. Resolution No. C-29, proposed by the House of Bishops' Committee on Pastoral Development, and creating a Joint Commission on Ecclesiastical Discipline to consist of three Bishops, three Clergymen and six Lay Persons which would be directed (a) to study the advisability of a National Court of Review to hear appeals by Clergymen from trials by Diocesan Ecclesiastical Courts, (b) to study the desirability of a uniform system of review of the sentences of Clergymen and the action taken on applications for remission of such sentences, and (c) to study the advisability of providing Clergymen with funds to cover the expenses of their appeals.

3. Resolution No. D-72, offered by Mr. Charles M. Crump, a Deputy from the Diocese of Tennessee, to amend the Constitution to create a new Article XII, establishing a Judicial Council, composed of two Bishops, two Priests and five

## APPENDICES

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Lay Persons, three of them attorneys who have served as Diocesan Chancellors. The Judicial Council would have no jurisdiction over Ecclesiastical Courts, but would be vested with final authority to interpret the Constitution and Canons, subject to modification by the General Convention. Requests for opinions could be submitted by any Bishop, the President of the House of Deputies, the Secretary-Treasurer of the General Convention, the Executive Council, any Standing or Joint Commission or Committee, any Diocesan Convention, or any Diocesan Council.

4. Resolution No. D-85, offered by the Rev. Norman H.V. Elliott, a Deputy from the Diocese of Alaska, to establish a Standing Commission on the Constitution and Canons, composed of three Bishops, three Priests and three Lay Persons, appointed from among the members of the Committees on Constitution and on Canons of the two Houses. The Standing Commission would interpret matters pertaining to the Constitution and Canons on reference from the Presiding Bishop, the Executive Council, any Bishop or any Diocesan Standing Committee.

The House of Deputies' Committee on Amendments to the Constitution recommended the adoption of none of the four resolutions but instead adopted a new proposal which was accepted by both Houses:

*Resolved, the House of Bishops concurring, That the Standing Commission on Structure be charged to study the question as to whether there is need for*

**(a) A General Court of Review of Canonical and Constitutional Matters, and whether such General Court of Review should have binding or advisory authority; or**

**(b) A General Court of Review of the trials of Presbyters and Deacons; and if either of these matters seems necessary, to recommend steps for implementation to the 65th General Convention. (Journal, 1973, p. 404).**

Prior to the issuance of its Preliminary Report, the Structure Commission sought the views of the several Chancellors of the Church and, on the basis of such views and its own consideration of the matter, a majority of the Commission recommended, in the Preliminary Report, against establishing a General Court of Review for either of the two purposes set out in the resolution.

Since the issuance of the Preliminary Report, we have, of course, received substantial comments from throughout the Church and we have given further consideration to the entire matter. It remains our opinion that there is not sufficient need for the establishment of a General Court of Review, either to consider Canonical questions or to review trials, to justify the expenditure of time and treasure necessary to staff, operate and implement such a Court. However, our proposal for the creation of a Joint Standing Committee on Constitution and Canons has met wide acceptance in the Church and, based on the recommendations we have received, we have made certain modifications in our proposal with respect to the Joint Standing Committee: We have proposed to reduce the size of the group in the interest of efficiency, and, in order to meet such need as exists for a General Court of Review, we have proposed to expand its authority so as to give to the Joint Standing Committee the power to issue advisory opinions on Constitutional and Canonical questions on the request not only of the Presiding Bishop and the President of the House of Deputies (as we originally suggested), but also on the request of the Executive Council or of any Bishop having jurisdiction.

Thus, it is our unanimous opinion that the Joint Standing Committee on Constitution and Canons, constituted and empowered as we have proposed, is an adequate and more appropriate answer to the needs of the Church at this time than a General Court of Review.

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**F. APPENDIX A****I. Introduction – Reason for the Canonical Proposals**

The Standing Commission on the Structure of the Church urgently recommends the adoption of the following several Canonical amendments, all designed to implement the 1970 Constitutional change which makes it possible, without further modification of the Constitution, to hold regular meetings of the General Convention triennially, biennially, or even annually. The Canons unfortunately were not, either at Houston or thereafter, amended to correspond to the Constitutionally-mandated freedom, and therefore still preserve, in many particulars, the triennial pattern. However, if the General Convention will now adopt the following changes, then at any time hereafter only a simple resolution, and not either a Constitutional or a Canonical change, will be required to adopt a biennial pattern.

**II. Canonical Changes With Respect to the Budget Cycle**

Presently, the Canonical language with respect to the preparation and adoption of budgets is geared to a three-year interval between meetings of the General Convention—indeed the Canon uses the words “triennium” in two places. To cure the difficulty, we recommended the adoption of the following resolution:

**Resolution A-23**

*Resolved*, the House of \_\_\_\_\_ concurring, That Canons I.4.6(a) and I.4.6(c) be amended to read as follows:

**Sec. 6(a).** The Council shall submit to the General Convention at each regular session thereof a program for the [triennium, including] *ensuing budgetary period, which budgetary period shall be equal to the interval between regular meetings of the General Convention. The program so submitted shall include a detailed budget of that part of the program for which it proposes to make appropriations for the ensuing year, and estimated budgets for the [two] succeeding [years] portion of the budgetary period.* In connection with the preparation of such budget the Executive Council shall, at least fifteen months before the session of the General Convention, transmit to the President of each Province a statement of its existing appropriations for the Dioceses within such Province, showing the items for which such appropriations are expended, for the purpose of obtaining the advice of the Province as to changes therein. The Synod, or Council, of each Province shall thereupon, in such manner as the Synod shall determine, consider such budget and report its findings to the Executive Council for its information. After the preparation of the budget, the Executive Council shall, at least four months before the session of the General Convention, transmit to the Bishop of each Diocese a statement of the existing and the proposed appropriations for all items in the budget. The Executive Council shall also submit to the General Convention with the budget a plan for the apportionment to the respective Dioceses of the sum needed to execute the program.

(c). Upon the adoption by the General Convention of a program and plan of apportionment for the [ensuing triennium,] *budgetary period*, the Council shall formally advise each Diocese with respect to its proportionate part of the estimated expenditure involved in the execution of the program in accordance with the plan of apportionment adopted by the General Convention. Such objectives shall be determined by the Council upon an equitable basis.

**III. Canonical Changes in Terms of Office of Members of the Executive Council**

The terms of office of members of the Executive Council are geared to triennial meetings of the General Convention. If the General Convention is to be enabled to

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## APPENDICES

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decide upon a different pattern, the method by which such terms are expressed must be modified, and the modification must be accomplished so as to avoid shortening the term of any person who is presently serving. In order to provide for increased representation on the Executive Council from the several Provinces, the Commission has elsewhere (under the caption "Increased Representation From the Provinces") recommended modifying Canons I.4.1(c) and I.4.2(b) so as to increase the number of Provincial representatives on the Council from nine to 18, so as to make the terms of all members of the Council begin on the adjournment of the General Convention next after their election, and so as to make the terms of Provincial members equal in length to those of persons elected by the General Convention. In preparing that amendment, the Commission avoided the use of the present language whereby members are elected by the General Convention for six years and by the Provinces for three years, and specified that all members would be elected for a term equal to twice the interval between regular meetings of the General Convention.

If it should transpire that the General Convention rejects our suggestions for increasing representation from the Provinces, it will still be urgently necessary to change the present six-year terms to terms equal to twice the interval between meetings of the General Convention and to change the present three-year terms to terms equal to such interval. We, therefore, propose, if increased representation and equal terms are rejected, that the following resolution be adopted:

### Resolution A-24

*Resolved*, the House of \_\_\_\_\_ concurring,

1. That the first paragraph of Canon I.4.2(b) be amended to read as follows:

(b). The term of office of the members of the Council elected by the General Convention (other than *ex officio* members) shall be [six years,] *equal to twice the interval between regular meetings of the General Convention*, except as otherwise provided; and the term of office of the members of the Council elected by the Provincial Synods shall be [three years] *equal to the interval between regular meetings of the General Convention*. The term of office of all members elected as above provided shall commence immediately upon their election and their written acceptance thereof filed with the Secretary of the Executive Council. Members shall remain in office until their successors are elected and qualified. No person who has served at least three consecutive years on the Executive Council shall be eligible for immediate re-election for a term of more than three years. After any person shall have served six consecutive years on the Executive Council, a period of three years shall elapse before such person shall be eligible for re-election to the Council.

2. That the presently unlettered second and third paragraphs of Canon I.4.2(b) shall be designated, respectively, (c) and (d), that the first paragraph of Canon I.4.2(c) shall be designated (e) and that the presently unlettered second paragraph of Canon I.4.2(c) shall be designated (f).

### IV. Canonical Changes in Terms of Office of Trustees of The Church Pension Fund

In order to avoid the existing arrangement whereby elections of Trustees of The Church Pension Fund conform only to triennial Conventions, the Commission recommends the adoption of the following resolution:

### Resolution A-25

*Resolved*, the House of \_\_\_\_\_ concurring, That Canon I.7.2 be amended to read as follows:

Sec. 2. The General Convention at each regular meeting shall elect, on the nomination of a Joint Committee thereof, twelve persons to serve as Trustees of

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The Church Pension Fund for [a term of six years] *terms which shall be equal to twice the interval between regular meetings of the General Convention* and until their successors shall have been elected and have qualified, and shall also fill such vacancies as may exist on the Board of Trustees; [except that at the meeting held in the year 1970, the General Convention shall elect four persons to serve for a term of three years and four persons to serve for a term of six years.] Any person elected after [the date of this amendment] 1970 may serve not more than [two] *twelve* consecutive [six year terms.] *years*. Any vacancy which occurs at a time when the General Convention is not in session may be filled by the Board of Trustees by appointment, ad interim, of a Trustee who shall serve until the next session of the General Convention thereafter shall have elected a Trustee to serve for the remainder of the unexpired term pertaining to such vacancy. Nothing in this section shall be construed as prohibiting any Trustee *first* elected before [it was amended as herein set forth] 1973 from serving the full term for which he was elected or from being subsequently elected or re-elected as a Trustee under the provisions hereof.

**V. Canonical Changes in Terms of Members of the Standing Commission on Structure**

In order to eliminate dependence on triennial meetings of the General Convention in the case of the terms of members of the Standing Commission on the Structure of the Church (and incidentally to provide for a more logical rotation of terms), the Commission recommends the adoption of the following resolution:

**Resolution A-26**

*Resolved*, the House of \_\_\_\_\_ concurring,

1. That the presently unnumbered and unlettered second, third and fourth paragraphs of Canon I.1.2(f) be lettered respectively (g), (h) and (i), and that the first such presently unnumbered and unlettered paragraph be amended to read as follows:

(g). The Commission shall consist of twelve [(12)] members, three [(3)] of whom shall be Bishops, three [(3)] shall be Presbyters, and six [(6)] shall be Lay Persons. The members shall be appointed by the Presidents of the two Houses of the General Convention, the Bishops by the Presiding Bishop, the Presbyters and Lay Persons by the President of the House of Deputies, for [a term of six (6) years] *terms which shall be equal to twice the interval between regular meetings of the General Convention*. [except that in constituting the original Commission following the enactment of this Clause one (1) Bishop, one (1) Presbyter, and two (2) Lay Persons shall be appointed for a term of three (3) years and the remaining eight (8) members for a term of six (6) years.] *Terms shall be rotated so that, as near as may be, the terms of six members of the Commission shall expire at the conclusion of each regular meeting of the General Convention*. Vacancies occurring during the intervals between meetings of the General Convention may be filled by the respective Presidents of the two Houses.

**VI. Canonical Changes in Terms of Judges of the Provincial Courts of Review**

In order to make the election of Judges of the Provincial Courts of Review of the Trial of a Presbyter or Deacon consistent with either a biennial or triennial Convention system, the Commission recommends the adoption of the following resolution:

**Resolution A-27**

*Resolved*, the House of \_\_\_\_\_ concurring, That Canon IV.3.4 be amended

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## APPENDICES

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to read as follows:

Sec. 4. Each Provincial Synod shall [triennially] at its first meeting after the regular meeting of the General Convention elect the Judges of the Court of Review in the Province. The Synod shall prescribe the manner in which [said] such Judges shall be elected. The persons so elected, except in case of death, resignation, refusal, or inability to serve, shall continue to be members of the Court [for the term of three years end] until their successors shall be elected. The Bishop elected by the Synod shall be the Presiding Officer of the Court.

### VII. Canonical Changes in Terms of Judges of the Court for the Trial of a Bishop

In order to achieve the same result with respect to the terms of the Judges of the Court for the Trial of a Bishop, the Commission recommends the adoption of the following resolution:

#### Resolution A-28

*Resolved*, the House of \_\_\_\_\_ concurring, That Canon IV.3.14(a) be amended to read as follows:

Sec. 14(a). There shall be a Court for the Trial of a Bishop constituted as follows: The House of Bishops shall choose [three] *nine* Bishops to serve as Judges of [said] such court for [a term of three years, three Bishops to serve as aforesaid for a term of six years, and three Bishops to serve as aforesaid for a term of nine years, and] *terms which shall be equal to thrice the interval between regular meetings of the General Convention and which, in the first instance, shall be rotated so that, as near as may be, the terms of three Judges shall expire at the conclusion of each regular meeting of the General Convention.* Thereafter at each General Convention, the House of Bishops shall choose three Bishops to serve [as aforesaid] for [the term of nine years,] *terms which shall be equal to thrice the interval between regular meetings of the General Convention, in place of those whose term of office shall then have expired. All Judges shall serve until their successors shall be elected and shall qualify.*

### VIII. Canonical Changes in Terms of Judges of the Court of Review of the Trial of a Bishop

In order to achieve the same result with respect to the terms of the Judges of the Court of Review of the Trial of a Bishop, the Commission recommends the adoption of the following resolution:

#### Resolution A-29

*Resolved*, the House of \_\_\_\_\_ concurring, That Canon IV.3.15 be amended to read as follows:

Sec. 15. There shall be a Court of Review of the Trial of a Bishop, which shall be composed of Bishops only and shall be constituted as follows: The House of Bishops shall choose [three] *nine* Bishops who shall serve as Judges of the Court of Review of the Trial of a Bishop for [the term of three years, three Bishops to serve as aforesaid for the term of six years, and three Bishops to serve as aforesaid for the term of nine years, and] *terms which shall be equal to thrice the interval between regular meetings of the General Convention and which, in the first instance, shall be rotated so that, as near as may be, the terms of three Judges shall expire at the conclusion of each regular meeting of the General Convention.* Thereafter at each General Convention the House of Bishops shall choose three Bishops to serve [as aforesaid] for [the term of nine years,] *terms which shall be equal to thrice the interval between regular meetings of the General Convention, in place of those whose term of office shall then have expired. All Judges shall serve until their successors shall be elected and shall qualify.*

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**G. APPENDIX B****I. Report of Receipts and Expenditures**

During the last triennium the Commission received from all sources, both directly and indirectly, the following amounts:

Regular appropriation	\$15,000.00
Advance from Trinity Church, New York, for printing	666.27
Authorized expenditure in excess of budget	<u>1,600.00</u>
Total	\$17,266.27

Expenditures through January 31, 1976, were as follows:

For travel, hotel, meals and meeting expense for three full Commission meetings, Committee meetings, telephone, Xeroxing, postage and miscellaneous supplies	\$14,343.21
For printing Preliminary Report	<u>666.27</u>
Total	\$15,009.48

Estimated additional expenditures through 12/31/76	<u>2,256.79</u>
Total	\$17,266.27

**II. Estimated Future Requirements**

During each of the last two triennia, the Commission has held three meetings of all members, each lasting several days, as well as several shorter meetings of committees. Using the cost formulae issued by the General Convention Executive Office, the Commission estimates the following financial requirements for each year of the interval after the Minnesota Convention and prior to the next meeting of the General Convention:

One three-day meeting per year, each attended by twelve people, yields:	
Air travel per year	\$1,530.00
Hotel and incidental expenses per year	4,752.00
Other expenses per year	<u>2,700.00</u>
Total per year	\$8,982.00