

Standing Commission on the Structure of the Church

Membership

Membership List

Ms. D. Rebecca Snow, <i>Chair</i>	Alaska, VIII	2012
The Rev. Morgan Allen, <i>Vice-Chair</i>	Texas, VII	2012
Mr. Thomas A. Little, <i>Secretary</i>	Vermont, I	2015
The Rev. Jennifer Baskerville-Burrows	Central New York, II	2015
Mr. J.P. Causey	Virginia, III	2015
Canon Judith Conley	Arizona, VIII	2012
Mr. Vincent Currie, Jr.	Central Gulf Coast, IV	2015
The Rt. Rev. S. Johnson Howard	Florida, IV	2012
The Rt. Rev. Jeffrey Lee	Chicago, V	2015
Ms. Jennifer Railing	Central Pennsylvania, III	2012
The Rt. Rev. David M. Reed	West Texas, VII	2012
The Rev. Bob Sessum	Lexington, IV	2012
Ms. Vycke McEwen, <i>EC Liaison</i>	Oklahoma, VII	2012
The Rt. Rev. Wilfrido Ramos-Orench, <i>Staff</i>	Central Ecuador, IX	

Changes in Membership

Three changes in membership occurred during the triennium: Bishop David Reed replaced Bishop Clifton Daniel in July 2010, J.P. Causey replaced Linda Curtiss in September 2010, and Bishop Johnson Howard replaced Bishop Victor Scantlebury in April 2011.

Representation at General Convention

Pursuant to Canon I.1.2(l), Deputy Thomas A. Little and Bishop Jeffrey Lee are authorized to receive non-substantive amendments to the Resolutions proposed in this report on behalf of the Commission at the 77th General Convention.

Summary of Work

The Standing Commission on the Structure of the Church met in Chicago, Illinois in November, 2009; and in Linthicum, Maryland in October 2010 and June 2011. In addition, the Commission met via telephone or Web conference call sixteen times. Detailed accounts of the Commission's proceedings can be accessed on the General Convention website.

The Commission's assignments from the 2009 General Convention included seven substantive areas of research, analysis, and recommendations: current diocesan configurations, the role and term of the Presiding Bishop, the cultural homogeneity of the canons, provinces, Church agencies, chancellors and parliamentarians (Resolution 2009-A127); a second look at the nominating process for the Presiding Bishop (Resolution 2009-A121); and a second look at the office of Registrar (Resolution 2009-A060). In February 2011, Executive Council requested that the Commission convene a consultation of representatives from seven interim bodies to address the Church governance reform ideas, concerns and proposals circulating in the Church. The resulting Consultation, held in late May 2011, generated a great deal of additional work for the Commission, as reported below.

Review of Canonical Mandate

The canonical mandate of the Commission is from Canon I.1.2.(n)(10):

It shall be the duty of the Commission to study and make recommendations concerning the structure of the General Convention and of The Episcopal Church. It shall, from time to time, review the operation of the several Committees, Commissions, and Boards to determine the necessity for their

continuance and the effectiveness of their functions and to bring about a coordination of their efforts. Whenever a proposal is made for the creation of a new Committee, Commission, Board or Agency, it shall, wherever feasible, be referred to the Standing Commission on the Structure of the Church for its consideration and advice.

Response to Resolution 2009-A163

Each Commission member made a commitment to comply with the mandate of this Resolution to complete the web-based, self-directed tutorial on HIV/AIDS.

The Commission members participated in the anti-racism training session included in the orientation meetings held in November 2009, and applied the principles presented to its consideration of the proposed Strategic Plan. On September 28, 2010, Judith Conley led the members in an anti-racism exercise, using 40 questions probing individual attitudes and actions, followed by group discussion.

Executive Council Resolution GAM-009

At its February 2011 meeting, the Executive Council adopted Resolution GAM-009, directing the Commission to coordinate concurrent efforts by Committees, Commissions, and Task Forces regarding strategic planning and structural change. It directed the Commission to hold a consultation with the Joint Standing Committee on Program, Budget and Finance; the Joint Standing Committee on Planning and Arrangements; the Standing Commission on Constitution and Canons; the Budgetary Funding Task Force; the House of Deputies Committee on the State of the Church; and three of Executive Council's standing committees. It further asked for an interim report ten days later with recommendations and a timeline for implementation.

The Commission convened the consultation on May 30–31, 2011, to coordinate concurrent efforts by the represented interim bodies regarding strategic planning and structural change for the Church. At the conclusion of this consultation the Commission reflected on what was heard, synthesized central themes and concerns, and adopted a preliminary version of the following report to present to the Executive Council at its June 2011 meeting as recommendations for next steps. What follows is the Commission's final version of that preliminary report, which includes recommendations for eleven Resolutions.-

Assumptions

Several working assumptions undergirded our deliberations.

- We agreed that the governance structure of The Episcopal Church is a representative, unitary government with the General Convention at its head.
- While the General Convention has ultimate authority and responsibility to determine structural and policy issues and to articulate a broad mission vision, the Church's structures disperse significant power and responsibility for carrying out mission to the diocesan level, and within each diocese, to the congregational level.
- Thus the structure is necessarily multi-layered and complex. To honor it well requires regular reassessment.
- We find no conflict between the hierarchical nature of the Church and the fulfillment of its mission at more local levels, when they have or can be provided with the resources for appropriate ministry responses.
- At its best, our structure embodies our values and provides for creative tension between institutional stability and fluidity for mission.
- We see as foundational the need to hold up the ministry of all the baptized, by striving to ensure that all voices have an equal opportunity to be heard.

The key values reflected in these assumptions are:

- the need for and expectation of innovation at every level coordinated with the giving and receiving of support among all levels;
- application of structural flexibility to better respond to God's call; and
- commitment to increasing diversity in the Church's governance. Using these values as a lens, and recognizing that they often don't overlap with current realities, we offer a number of proposals generated in our post-Consultation discussions.

We do not offer them as final answers to what a re-energized structure might look like; rather we want to assure that the right questions are asked so that all members of the Church can live out their baptismal ministries in a structure

that honors effectiveness over efficiency and provides the stability necessary to support an atmosphere of flexibility and nimbleness for ministry and mission.

Encouraging Subsidiarity

We are called today in The Episcopal Church to witness and serve in a time characterized, in both the domestic and international parts of our body, by fast-changing needs of populations who are driven by experiences and values quite different from those of earlier generations and of each other. Yet we are one body as Paul teaches us, united by and in the love of God incarnated for us in Jesus Christ, whose values do not change. In this time of social and cultural upheaval and widespread catastrophes of diverse kinds, how is this manifestation of the body of Christ called the Church able to respond? Clearly there is no single right answer to the pressing questions that present themselves daily to the Church. But we also know from Paul that the body has many parts, each with its own gifts and talents suitable to particular tasks, yet unable to say to any other part “I have no need of you.” Our challenge is empowering the best and most effective use of our gifts and talents in the circumstances that call out for action while also maintaining our unity as a body.

Because General Convention is the center of our structure, it creates and symbolizes our ecclesial unity, which is reinforced by the Book of Common Prayer in expressing and symbolizing our theological unity. Within that unity, authority to govern dioceses and congregations and to exercise the ministry of all the baptized is broadly dispersed making room for as wide a vision of ministry responses as human imagination, guided by the Holy Spirit and supported by other parts of the body, can devise. Still, hierarchy, and our history of clericalism, can be experienced as stifling innovation when the present times call for a plethora of local initiatives and experiments, which can be quickly conceived, executed, evaluated and, where appropriate, shared widely.

“Subsidiarity,” as applied to the Church, is a term that signifies the appropriate balancing between the unity of the whole and the roles and responsibilities of its parts, all working toward and measured against a sense of the good of the whole. In searching for that proper balance, decision makers must be attuned to the capacity for effective action at any given level, so that those stepping out in ministry are neither over-burdened nor under-burdened. General Convention—the Church gathered in its fullest embodiment—sets the parameters of “the good of the whole” through its resolutions, which are then turned into action by the several “members of the body” through their diverse ministries. Keeping true to the “good of the whole” requires reciprocal communication and assessment so that all parts may be held accountable by each other to those commonly identified parameters.

Since all the baptized are the hands and feet of Jesus, ministry must be empowered at the local level, whether diocesan or congregational, formal or informal. We recognize these local faith communities to be organic building blocks where members are formed for mission and service at the local, diocesan, provincial and Churchwide level. At the same time, we recognize that successful ministries at the parish level may depend on support and oversight from the diocesan level, and support for the parish from the diocesan level may depend on support from the province or from the Church Center. Facilitating communication and resource sharing, while still honoring local initiative, will be critical forms of support for maintaining the effectiveness of the several parts of the body as well as their awareness of being part of, and responsible to, the whole.

An outline of an answer is clear. Given the unitary structure set out in the Constitution from its earliest versions, governance of this Church and its relations with the Anglican Communion and other faith communities must be exercised at the level of General Convention. General Convention must also decide, through the Constitution and Canons, whether, when, and how to delegate or share governance responsibilities. General Convention may also describe a larger vision of Churchwide mission. Only the dioceses, however, can discern their particular piece of the larger mission vision in the circumstances in which they and their congregations find themselves. The consultation focused on the need to ensure that practices and organization of Churchwide structures, such as the Church Center, CCABs, provinces, General Convention, and the House of Bishops, do not become barriers to local innovation and effective ministry responses. The interrelatedness of all such entities requires any consideration of structural change to take into account the impact of a change in one area on the others. As part of this effort, The Episcopal Church must be mindful of local realities when setting Churchwide financial and administrative standards, particularly those that require dioceses and congregations to assume new costs.

The question of how the Church best honors and encourages local initiative raises other basic questions:

- At which level are the voices of all the baptized going to be heard most clearly?
- How can those voices be reflected at other levels?

- At which level are the ministries of the baptized going to be most fully realized and nourished?
- At which level is the development of specialized or specific ministries most effectively supported?

We must also ask more practical questions:

- What tasks are most effectively performed at the congregational, diocesan, provincial, regional or Churchwide levels?
- Is the Church best served by a robust staff gathered in one location with Churchwide, specific programmatic responsibilities, or by a leaner central staff dedicated to ministries best pursued at the Churchwide level but working in tandem with other staff located at provincial or regional levels?
- Does our current headquarters building meet the Church's needs?
- Is the gathering of resources to meet particular needs of local and regional ministries best done on the Churchwide, regional or local level?

There are important policy questions as well:

- Do the Church's Constitution and Canons and the policies that guide our work encourage and support innovative ministry responses?
- Does our current formula for diocesan apportionment support the model of ministry we want to encourage?
- Do our current models of leadership reflect a commitment to encouraging initiatives?
- Where are we already successful in promoting risk taking and the search for creative solutions?

As first steps toward aligning the Church's actions with the subsidiarity principle of encouraging a full range of ministries rooted in the part of the body that will be most effective, the Commission recommends the following resolutions to the 77th General Convention:

Resolution A090 Endorse the Principle of Subsidiarity

Resolved, the House of _____ concurring, That the 77th General Convention embrace the principle of "subsidiarity" as embodying a fundamental truth about effective ministry; and be it further

Resolved, that the Executive Council incorporate the principle of "subsidiarity" into its work, governance, and actions, measuring its decisions about where and by whom ministries will be conducted against the standard of what most advances the common good as identified by General Convention; and be it further

Resolved, that the Executive Council, in consultation with the Standing Commission on the Structure of the Church and other appropriate Church bodies, undertake a thorough review and evaluation of whether current or proposed programs, staffing, offices, office locations, including 815 Second Avenue in New York City, provinces, and budgets are consistent with the principle of vigorously encouraging the exercise of any given ministry by the parts of this Church most appropriately gifted to undertake it; and be it further

Resolved, that the Executive Council report its research, findings, actions and recommendations to the 78th General Convention.

Explanation

This Resolution would endorse the principle of "subsidiarity" as defined within this report: "the appropriate balance between the unity of the whole and the roles and responsibility of its parts, all working toward and measured against a sense of the good of the whole," and make it the yardstick for Executive Council to measure its work against in the future. It would also require the Executive Council to evaluate the administrative parts of our structure, using the same yardstick, and to report back to the 2015 General Convention.

Resolution A091 Reduce Diocesan Apportionments

Resolved, the House of _____ concurring, That the 77th General Convention direct the Joint Standing Committee on Program, Budget and Finance

to reduce diocesan apportionments to allow more monies to remain at the diocesan, and thus parish and regional, levels to support greater encouragement of widespread, effective innovation.

Explanation

To free up resources for more innovation in ministry at the diocesan and congregational levels, this Resolution urges a reduction in the funding formula applied to dioceses.

Ensuring the General Convention's Effectiveness

Having reflected on and reaffirmed the unitary governance structure headed by General Convention, we recognize that the General Convention must be enabled to perform its duties in the most effective manner, one most conducive to good decision making. This concern was addressed in part in the guidelines adopted in 1988 for scheduling General Conventions, which called for a convention of 11 days. Resolution 1988-A150, stated, in pertinent part, that a General Convention should run "eleven days between June 15 and October 15. Convention opens on a day selected by the Committee with various committee (possibly 10) meetings for four days prior to Convention." Resolution 1988-A150 is available online, as part of the Digital Archives of the Church. A proposal to reduce the number of days of General Convention from 10 to 8 failed as recently as 2006 in Resolution 2006-A155.

Nevertheless, recent developments in the organization of General Convention have worked against that goal. General Convention has been shortened several times since 1988 by presentation of budgets that could not support a full-length convention. This led Planning and Arrangements to obtain Executive Council approval of a shorter convention. As observed by experienced deputies, the *de facto* shortening of General Convention compresses the time available to deal with the necessary legislation funneled through the current number of legislative committees which meet simultaneously and thus create scheduling conflicts that prevent deputies and bishops from being heard in a variety of committees on matters of importance to them and their dioceses. This compression of time and competition for witnesses' focus curtails debate in the committees, and also contributes to an atmosphere of impatience with debate on the floor and a desire to limit the speakers heard. These factors also make it more difficult for deputies and bishops to benefit from the informal interactions and associated events that help to embody the diverse face and spirit of the Church, and thus to enrich the context for decision making. These effects are even worse during General Conventions in which a Presiding Bishop is elected. The Standing Commission on Structure sees these developments as deleterious to the health and unity of this part of the body of Christ and to the Church's governance structure, even while recognizing the concerns with costs that have motivated some changes.

Some argue that General Convention costs too much because it meets too frequently and for such a long time. The length of the meeting is a reflection of the volume of business that accumulates when meetings are held only every three years; time must be allowed for receiving the input of witnesses and processing the alternatives if decisions are to be well made. Extending the time between conventions would only produce more business to be done at each convention, requiring more time at each convention for processing effectively the business at hand. Alternatively, separating the business aspects of General Convention from the community building events would not significantly shorten the time needed to process legislation well and would remove an important part of the context for making good decisions. Any extension of the time between General Conventions would mean that decisions necessary between meetings would either be further delayed or dealt with by some other entity, thereby significantly reducing meaningful involvement of "all the baptized" in the governance of the Church.

Some would divide the business and community building aspects of General Convention into separate, more frequent meetings. Adding extra meetings for community building would aggravate any cost problems. The Episcopal Church is a vast, international church in which the cost of merely getting to the same city argues against more frequent meetings. The likely effect of holding separate meetings is that attendance at the non-business session would soon dwindle. Despite these concerns, the current cost of General Convention, the heart of the Church, to the budget of the Church is less than \$.08 of every budget dollar.

The cost of participating in General Convention, however, is a significant consideration at the diocesan level. The transportation and housing of deputies has been a challenge with which some dioceses have found creative ways of dealing. Now more dioceses find their budgets straining to support a deputation of eight, so that the 77th General Convention will likely see an increase in limited deputations. Sources of aid need to be sought at all levels of the Church if the vitality of its key governance structure is to be maintained. For example, a pool of funds for deputies' assistance could be established in the General Convention Office to be used on the request of dioceses who must restrict

the number of their deputies for financial reasons. Similarly, at the diocesan level, consideration could be given to the amount committed to sending their bishops to other meetings. For some six triennia, the bishops have been called to two meetings of the House of Bishops per year between General Conventions. To the extent that diocesan budgets bear the costs of those meetings, reducing that number to one per year could free up some funds that could be applied to help the dioceses send more lay and clergy deputies to the General Convention.

The Commission, therefore, recommends to the 77th General Convention the following resolutions on honoring our structure:

Resolution A092 Length of the 78th General Convention

Resolved, the House of _____ concurring, That the Joint Standing Committee on Planning and Arrangements schedule the 78th General Convention for not fewer than ten days, in accordance with the guidelines adopted in 1988.

Explanation

This Resolution would direct planners for the 78th General Convention to follow the existing 1988 guidelines for scheduling General Conventions.

Resolution A093 Fund for the Length of the 78th General Convention

Resolved, the House of _____ concurring, That the Joint Standing Committee on Program, Budget and Finance, consider funding in the budget for 2012–2015 for the 78th General Convention to be at least ten days.

Explanation

This Resolution would press the Joint Standing Committee on Program, Budget and Finance to provide adequate funding for the 78th General Convention to last at least 10 days.

Resolution A094 Establish Financial Assistance Fund for Deputies

Resolved, the House of _____ concurring, That the Joint Standing Committee on Program, Budget and Finance consider establishing a fund for assistance for deputies from dioceses with financial need, to be administered by the General Convention Office, to ensure that in each Diocese, at least two Deputies from each Order may attend the 78th General Convention.

Explanation

Currently a “scholarship fund” exists to help bishops from dioceses with limited resources attend the meetings of the House of Bishops. This Resolution would create a similar fund, administered by the General Convention Office, that enable such dioceses to provide broader participation by lay and clergy deputies at General Convention.

Resolution A095 Frequency of Interim Meetings of the House of Bishops

Resolved, the House of _____ concurring, That as a matter of stewardship for the Church, the House of Bishops consider reducing its interim meetings to one per year, except in exigent circumstances.

Explanation

This Resolution requests the House of Bishops to consider reducing the number of times they meet between General Conventions in order to free up the diocesan resources that would usually be expended to send the bishop to such meetings, with an eye toward using those resources instead to support other parts of local ministries.

Supporting Diversity

Another concern expressed regarding General Convention is that it does not necessarily reflect proportionally the richness of The Episcopal Church’s diverse membership. The opportunity of providing diversity of all types arises in the dioceses as they elect their deputies. Although some end up with diverse deputations, all would do well to hold up the value of diversity at the time of their elections. One factor that may hamper efforts to achieve a diverse deputation is the personal cost any given deputy bears in terms of time away from job, family, and other commitments or opportunities. Some believe that those individual costs contribute to a lack of diversity by preventing persons from particular demographics from running for deputy, e.g., young adults or persons who do not have much paid vacation time or the resources to provide for their families’ needs while they are away. Dioceses therefore must be creative, not only about

identifying those with the gifts and voices needed at General Convention, but also about finding ways to support their attendance financially and practically. The structure of The Episcopal Church is sufficiently flexible to permit creative solutions without stifling the institution of General Convention itself. For example, dioceses already usually bear the cost of travel and housing for bishops and deputies, which allow individuals who could not afford those expenses to participate.

Additionally, a system of easy transfer of legislative duties to an alternate already exists. This system could be used by one or more deputies intentionally elected to “job-share,” allowing two or three deputies each to serve for 3 or 4 days, thereby missing less work or family time. A diocese or congregation could help organize alternative care at home for children who would not accompany their parents. At the General Convention level, the Convention could be planned over two weekends, thus using fewer work days for most people. Programs of age-appropriate childcare, which have been offered at recent Conventions for those who do bring their children, should be continued.

General Convention is not, however, the only place where the Church’s diversity can and should be incorporated. CCABs are important vehicles each triennium for funneling the voices and concerns of the broader Church into General Convention for its consideration in setting mission priorities through budget and policy. The presiding officers who appoint the members of these interim bodies have been diligent in seeking a variety of voices to participate in this work. Interim bodies operate on a more manageable time frame for some who might not be able to make the commitment required by General Convention, and offer a less stressful context for learning about and contributing to the scope of General Convention and the mission and ministry of the Church.

Yet to the extent interim bodies are obedient to their mandates, they tend to work in silos, without established means of interaction with other interim bodies whose work may be of significance to their own assignments. The opportunities for communication and coordination presented by holding the organizing meetings of all CCABs in one place were important gifts to the CCABs in the last two triennia, enabling them to move more quickly into their substantive tasks, and to establish connections that could serve them over the ensuing triennium. The joint initial meeting also offers savings in terms of staff time and travel by allowing several of the orientation and training goals for initial meetings to be handled in the larger group. This practice was unfortunately eliminated from the budget for the 2013–2015 triennium. The Executive Council has been asked to consider whether it could still be funded in the 2012 budget. If not, consideration should be given to making the first face-to-face meetings of the CCABs in the 2013–2105 triennium a joint meeting early in 2013. The initial joint meeting should thereafter be restored for the succeeding triennium, with funding provided in the 2015 budget.

In addition, the consultation mandated by the Executive Council for May 2011 on the topic of the Church structure reaffirmed the benefits of bringing a cross-section of bodies working on similar or related tasks together to be informed and inspired by one another’s work. Providing a means for interim bodies to connect part way through a triennium so that they could discover where their work intersects with another body’s would allow them to sharpen their respective focuses and eliminate duplicative or unintentionally conflicting efforts and recommendations.

The Commission, therefore, recommends to the 77th General Convention the following Resolutions on supporting our diversity:

Resolution A096 Reduce Barriers to participation in Church Leadership and Governance

Resolved, the House of _____ concurring, That dioceses and congregations explore creative ways to reduce barriers to participation in Church leadership and governance, which barriers may include time away from home or employment, or the need to care for family members.

Explanation

It is in the best interests of congregations, dioceses and the Church for their governance and ministries to reflect the full diversity of the Church. To encourage more diverse volunteers for such positions, this Resolution urges dioceses and congregations to be conscious of what may be barriers in their contexts and to seek creative ways to overcome them.

Resolution A097 Fund Initial Joint-CCAB Meeting Following the 78th General Convention

Resolved, the House of _____ concurring, That the Joint Committee on Program, Budget and Finance consider funding in the budget for 2015 for

an initial joint meeting of the newly constituted CCABs following the 78th General Convention.

Explanation

This Resolution encourages adequate funding for a joint meeting in the fall of 2015 of all newly constituted Commissions, Committees, Agencies and Boards, for shared orientation, training and development of work plans for the ensuing triennium. Since the meeting would take place in the fall of 2015, when new members are appointed following the General Convention, the funding must be included in the budget adopted at the 2012 General Convention.

Resolution A098 Fund Initial Joint-CCAB Meeting Following the 77th General Convention

Resolved, the House of _____ concurring, That the Joint Committee on Program, Budget and Finance consider funding in the budget for 2013 for a joint meeting of the newly constituted CCABs following the 77th General Convention early in that year, if one has not been provided for in 2012.

Explanation

This Resolution would provide funding for a joint meeting of all newly constituted Commissions, Committees, Agencies and Boards in early 2013, for shared orientation, training and development of work plans for the ensuing triennium. This funding will only be necessary if such a meeting has not already been scheduled for the fall of 2012, using the remaining balances in the budgets of all Commissions, Committees, Agencies and Boards from the current triennium.

Resolution A099 Fund Web-Based Mid-Triennium CCAB Meeting

Resolved, the House of _____ concurring, That the Joint Committee on Program, Budget and Finance consider including \$5,000.00 in the 2013–2015 budget of the General Convention Office for a general mid-triennium, Web-based meeting of no more than two representatives of each CCAB, or for one or more such meetings of appropriate representatives of CCABs whose work implicates a common topic, for the purpose of sharing the work each has undertaken and its progress on that work and for further coordination and cooperation where appropriate, with the meeting to be scheduled by the Executive Officer of General Convention in consultation with the two presiding officers.

Explanation

This Resolution requests funding for a mid-triennium cross-CCAB meeting, or meetings, so that bodies with shared or overlapping assignments may learn about and from each other's work. The Church has had good success this triennium with smaller Web-based meetings at a low cost. Also, the participants in the May 2011 Consultation on Church structural reform found it helpful to have the opportunity to exchange drafts and views with each other before the Consultation using the GCO Extranet website created for the Consultation. This Resolution therefore proposes a relatively small amount be allocated to trying similar technology for like meetings within common areas of interest in the next triennium.

Resolution A100 Coordinate Church Reform and Restructuring

Resolved, the House of _____ concurring, That consistent with the canonical mandate of the Standing Commission on the Structure of the Church, the Commission shall encourage and coordinate the various reform and restructuring efforts happening within the Church; and be it further

Resolved, that the Standing Commission on the Structure of the Church receive and review these various governance reform and restructuring proposals from around the Church; and be it further

Resolved, that the Standing Commission on Structure develop a framework for diocesan and provincial conversations regarding how to defines mission and how a diocese's ministries and those of its congregations could be enhanced by changes in organization of the Church and provincial staff, program focus and delivery, revenue sharing, and any other important

factors, and shall monitor and collate the results of such conversations; and be it further

Resolved, that the several dioceses of the Church shall hold diocesan conversations on this subject in 2013 and report their outcomes to SCSC; and be it further

Resolved, that following the diocesan conversations, each province shall hold further conversations among its dioceses on this subject, sharing the outcomes of their respective conversations and considering the ways in which the province may be a useful part of the effort to align the missional organization and enhance ministry at the various levels of the Church, and report the outcomes of the provincial conversations to the Commission; and be it further

Resolved, that the Commission report the findings of these conversations and its recommendations to the 78th General Convention; and be it further

Resolved, that the Joint Standing Committee on Program, Budget and Finance consider adding \$25,000 to the budget of the Commission to cover the costs of this mandate.

Explanation

The canonical mandate of the Standing Commission on the Structure of the Church makes it the logical and proper coordinator of the various efforts around the Church to improve, restructure and reform Church governance.

Configuration of Dioceses (Constitutional Amendments for First Reading)

One of the resolve clauses of Resolution 2009-A127 directed the Commission to study “the current diocesan configuration and suggest whether adjustments thereto would be appropriate.” This mandate reflected the awareness that in 2009 several dioceses were struggling to support their bishops and a variety of active ministries given their limited resources. Economic conditions have not improved since then.

The Commission sees dioceses gathered around bishops as the iconic building block of any Anglican church and hence of The Episcopal Church. Thus, the effectiveness and vitality of dioceses is a key aspect of all our ministries. Our dioceses are diverse in many ways, including geographic scope, number of congregations and clergy, funding, organization and staffing. Dioceses are also subject to changing circumstances as they grow or shrink and as the world around them changes. In some cases, decisions made on diocesan alignments years ago may not fit well the current world in which those dioceses exist. Notwithstanding those changes, dioceses are communities of faith and their histories and successes as communities should be respected and valued.

While the Commission discussed what might be desirable characteristics of a diocese and models of diocesan effectiveness and vibrancy, it was obvious that what is needful to be a thriving diocese raises significant issues which are critical to the structure of our Church. The Commission therefore plans to solicit input on what is expected of a diocese and what it needs to fulfill those expectations, and will continue looking for models for effectiveness and vitality in dioceses. A survey will go out to all dioceses after the 2012 General Convention, to gather information for the 2013–2015 Standing Commission on the Structure of the Church to aid in developing some measures for the Church of diocesan effectiveness and vitality, and hence, viability.

In addition, the Commission recommends the following resolution for consideration by the 77th General Convention:

Resolution A101 Convene Consultation on Diocesan Effectiveness

Resolved, the House of _____ concurring, That the 77th General Convention request that the Standing Commission on the Structure of the Church convene a consultation on the effectiveness of dioceses, with a focus on the potential for re-aligning dioceses to maximize their effective witness and ministry; and be it further

Resolved, that the Committee on Program, Budget and Finance consider including in the 2013–2015 budget \$25,000 to fund such consultation.

Explanation

While there are provisions in the Constitution which enable dioceses to divide and combine, the Commission feels that it would be productive to call for a consultation for dioceses seeking to improve effectiveness and stewardship of resources. Even though the consultation would be open to all dioceses, its focus would be on dioceses which might benefit from considering separating from, combining with, or realigning their boundaries with one or more other dioceses. There are currently some diocesan re-alignment efforts in progress and the Commission encourages them, but seeks to enable additional discussions along those lines. The issues of dividing or combining dioceses are complex and emotional. The consultation the Commission recommends would offer resources to help dioceses identify potential structural changes which could increase their effectiveness and vitality.

Proposed Constitutional Amendment

In reviewing the current provisions for reconfiguring dioceses, the Commission noted that the Constitution does not allow a diocese to take formation actions in the absence of a Bishop. The Commission concluded that while this prohibition is generally appropriate, when two dioceses are considering combining into a new diocese, their process should not be delayed by the absence of a bishop in one of them. An episcopal vacancy might well be the most fertile time for a diocese to consider such a step. An additional advantage might be that the vacancy would not need to be filled.

The Commission therefore proposes the following Constitutional amendments to the 77th General Convention:

Resolution A102 Amend Article V of the Constitution

Resolved, the House of _____ concurring, That the 77th General Convention amend Article V of the Constitution to read as follows:

ARTICLE V

Sec. 1. A new Diocese may be formed, with the consent of the General Convention and under such conditions as the General Convention shall prescribe by ~~General Canon or Canons~~, (1) by the division of an existing Diocese; (2) by the junction of two or more Dioceses or of parts of two or more Dioceses; or (3) by the erection into a Diocese of an unorganized area evangelized as provided in Article VI. The proceedings shall originate in a Convocation of the Clergy and Laity of the unorganized area called by the Bishop for that purpose; or, with the approval of the Bishop, in the Convention of the Diocese to be divided; or (when it is proposed to form a new Diocese by the junction of two or more existing Dioceses or of parts of two or more Dioceses) by mutual agreement of the Conventions of the Dioceses concerned, with the approval of the ~~Bishop~~ Ecclesiastical Authority of each Diocese. In case the Episcopate of a Diocese be vacant, no proceedings toward its division shall be taken until the vacancy is filled. After consent of the General Convention, when a certified copy of the duly adopted Constitution of the new Diocese, including an unqualified accession to the Constitution and Canons of this Church, shall have been filed with the Secretary of the General Convention and approved by the Executive Council of this Church, ~~such~~ the new Diocese shall thereupon be in union with the General Convention.

Sec. 2. In case one Diocese shall be divided into two or more Dioceses, the Bishop of the Diocese divided, ~~if there be one~~, at least thirty days before such division, shall select the Diocese in which the Bishop will continue in jurisdiction. The Bishop Coadjutor, if there be one, subsequently and before the effective date of the division, shall select the Diocese in which the Bishop

Coadjutor shall continue in jurisdiction, and, if it not be the Diocese selected by the Bishop, shall become the Bishop thereof.

Sec. 3. In case a Diocese shall be formed out of parts of two or more Dioceses, each of the Bishops and Bishops Coadjutor of the several Dioceses out of which the new Diocese has been formed shall be entitled, in order of seniority of ~~consecration~~ ordination to the episcopate, to the choice between the Bishop's Diocese and the new Diocese so formed. In the case the new Diocese shall not be so chosen, it shall have the right to choose its own Bishop.

Sec. 4. Whenever a new Diocese is formed and erected out of an existing Diocese, it shall be subject to the Constitution and Canons of the Diocese out of which it was formed, except as local circumstances may prevent, until ~~the same be altered in accordance with such~~ the convention of the new diocese adopts its own Constitution and Canons ~~by the Convention of the new~~ Diocese.

Whenever a Diocese is formed out of two or more existing Dioceses, it shall be subject to the Constitution and Canons of that one of the ~~said~~ existing Dioceses to which the greater number of Members of the Clergy shall have belonged prior to the erection of ~~such~~ the new Diocese, except as local circumstances may prevent, until ~~the same be altered in accordance with~~ such convention of the new Diocese adopts its own Constitution and Canons ~~adopted by the Convention of the new Diocese.~~

Sec. 5. No new Diocese shall be formed unless it shall contain at least ~~six~~ fifteen Parishes and at least ~~six~~ fifteen ~~Presbyters~~ Priests who have been for at least one year canonically resident within the bounds of such new Diocese, regularly settled in a Parish or Congregation and qualified to vote for a Bishop. Nor shall such new Diocese be formed if thereby any existing Diocese shall be so reduced as to contain fewer than ~~twelve~~ fifteen Parishes and ~~twelve~~ fifteen ~~Presbyters~~ Priests who have been residing therein and settled and qualified as above provided.

Sec. 6. By mutual agreement between the Conventions of two adjoining Dioceses, consented to by the Ecclesiastical Authority of each Diocese, a portion of the territory of one of said Dioceses may be ceded to the other Diocese, such cession to be considered complete upon approval thereof by (a) if within one hundred twenty days before a meeting of the General Convention, the General Convention or (b) if not within one hundred twenty days before a meeting of the General Convention, ~~by~~ a majority of Bishops having jurisdiction ~~in the United States~~, and of the Standing Committees of the Dioceses, in accordance with the Canons of this Church. Thereupon the part of the territory so ceded shall become a part of the Diocese accepting the same. The provisions of Section 3 of this Article ~~V~~ shall not apply in such case, and the Bishop and Bishop Coadjutor, if any, of the Diocese ceding such territory shall continue in their jurisdiction over the remainder of such Diocese, and the Bishop and Bishop Coadjutor, if any, of the Diocese accepting cession of such territory shall continue in jurisdiction over such Diocese and shall have jurisdiction in that part of the territory of the other Diocese that has been so ceded and accepted.

Explanation

This Resolution amends Article V, Sec.1, to allow the Ecclesiastical Authority, which could be the Bishop Diocesan or, in the absence of one, the Standing Committee, to participate in the diocese's approval of a plan to form a new diocese by joining two or more dioceses or parts of them. It also proposes two other substantive changes and several non-substantive ones. The amendment in Sec. 5 would increase the number of parishes and canonically resident priests required to form a new diocese in an effort to ensure that the affected dioceses will have the resources to function effectively and sustainably. The amendment to Section 6 introduces a standard by which to determine whether the proposed change needs to be presented to General Convention or to Bishops and Standing Committees for the Church's approval. Currently both alternatives are provided without a consistent means to determine which should be used. The standard proposed is the same as for consents to elections of Bishops. The other amendments are non-substantive, designed to make the language of this Article consistent with the usage more recently adopted in other revisions to articles and canons.

Cultural Sensitivity of the Canons

The Commission initiated its review of this issue by developing a series of questions and statements, including: how do we make the Canons culturally responsive; many canonical terms may not translate well into other languages; the prevailing cultures and/or legal systems in many dioceses not in the United States may not be consistent with the Constitution and Canons—particularly with the Title IV disciplinary canons.

Our Church continues to live into the reality that it is an international province of the Anglican Communion with many dioceses on other continents, living under different governments and legal systems and within different cultures. Our members from those dioceses frequently remind us of the tension between the way things are done in their countries and American expectations embedded in the structure of The Episcopal Church.

The Constitution and Canons of General Convention are based on principles growing out of common law and Church law grounded in England and the United States. The multiplicity of national legal and cultural contexts where the Church's dioceses are located (e.g., Province IX, Haiti, the Convocation of Episcopal Churches in Europe, and the Diocese of Taiwan) makes the expectation of rigid diocesan conformity to these basic documents at least challenging if not unreasonable. Not only are there cultural barriers to understanding and applying these essentially Anglo-American precepts, but inconsistencies between the canonical requirements and the local, national legal standards are also likely. To be consistent with the Church's commitment to affirm and celebrate its international make-up and rich cultural diversity, it is essential that its canons be re-examined to identify areas that, if applied in foreign jurisdictions, might create inconsistencies or unacceptable gaps.

The 76th General Convention charged the Commission to investigate this issue and report back to a future General Convention. However, an adequate exploration of the challenges and appropriate accommodations in this international legal puzzle requires the expertise of the Standing Commission on Constitution and Canons, aided by experts in the local laws potentially in conflict with the Church's foundational documents. An especially important context is the discipline canons of Title IV. Therefore, this Commission recommends the following Resolution to initiate the necessary in depth study of this complex issue. Even though Title IV presents the best opportunity to begin these efforts, further work will be needed in future triennia to bridge other cultural conflicts.

Resolution A103 Study Title IV Disciplinary Canons

Resolved, the House of _____ concurring, That appropriate staff from the Global Partnerships department of the Episcopal Church Center assist the Standing Commission on Constitution and Canons, in consultation with appropriate persons in the affected dioceses, in evaluating the applicability of Title IV of the Canons of The Episcopal Church in each diocese or convocation not subject to the laws of the United States, so that the Commission may make recommendations to the 78th General Convention regarding ways to amend Title IV or to assist those dioceses to harmonize their diocesan canons with the foundational principles embodied in Title IV, and be it further

Resolved, that the Joint Committee on Program, Budget and Finance consider adding \$100,000 to the budget of the Global Partnerships department to support the necessary international consultations.

Explanation

The 76th General Convention charged the Commission to investigate this issue and report back to a future General Convention. The Commission concluded that an adequate exploration of the challenges and appropriate accommodations in this international legal puzzle requires the expertise of the Standing Commission on Constitution and Canons, aided by experts in the local laws potentially in conflict with The Church's foundational documents. An especially important context is the discipline canons of Title IV, where local legal differences may make fulfilling the intent of these canons difficult and put the integrity of the Church at risk as well. Additional budgetary resources are necessary to enable a full consideration of the contexts in the breadth of countries involved, including adequate opportunities for consultation with knowledgeable representatives.

Role and Term of the Presiding Bishop

The Commission examined the issues presented by this portion of Resolution 2009-A127, touching on the length of the Presiding Bishop's term of office and the nature of the Presiding Bishop's role and authority as the Primate of The Episcopal Church in the context of the Anglican Communion.

The role of the Presiding Bishop has gradually evolved over the life of The Episcopal Church. The Constitution provides that the canons shall specify the duties of the Presiding Bishop, so those duties consist only of what is stated in the canons, especially in Canon I.2.4 (p. 28-29 of the 2009 Canons). Originally the senior bishop was the Presiding Bishop of the House of Bishops, with responsibility for presiding over meetings of the House of Bishops and of General Convention. He was also made the chief consecrator of new bishops, although he could delegate that role to another.

In 1901, the title was changed to Presiding Bishop of the Church, reflecting the growth in duties to that time; in 1967 the term "chief pastor" was first applied to the Presiding Bishop. The title of "Primate" was added in 1982, in lieu of "archbishop," as a way to relate the office to its peers in the Anglican Communion.

In 1919 the General Convention finally amended the Constitution to provide for election of the Presiding Bishop. The first description of duties thereafter stated, in addition to the original duties of presiding over the House of Bishops and being chief consecrator, "The Presiding Bishop shall... be the executive head of all departments of the Church's work, including those of Missions and Church Extension, of Religious Education and of Christian Social Service. He shall also perform all other duties prescribed for him by other Canons of the General Convention."¹ From this point forward the administrative role of the Presiding Bishop at times has been in tension with the pastoral and prophetic roles.

The next major revision occurred in 1967, adding most of what is now in the canon, although there have continued to be refinements to the present.²

This Commission consulted with the three living Presiding Bishops regarding whether the canonical description of duties was consistent with the practical demands on them while in that office or in any way impeded their work on behalf of the Church. None of them identified any ways in which the existing canons fail to adequately describe what the Presiding Bishop is expected to do in today's Church, either at home or abroad. None of them had experienced ways in which the canons impeded fulfillment of their responsibilities. The Commission therefore recommends no change in the canonical provisions related to the Presiding Bishop's powers and duties.

The term of the Presiding Bishop has also changed over the decades since the position became an elective office. Initially, the term was set at six years, with no mandatory retirement age.³ The 1967 General Convention, which extensively revised the duties of the office, also established the term at 12 years or until the Convention in or following the year in which the Presiding Bishop turns age 65, whichever is less.⁴ Currently, consistent with the mandatory retirement age for all bishops, the Presiding Bishop must resign at the Convention nearest to reaching age 72.

In 1994, the term was reduced to nine years, a change the then incumbent, Bishop Browning, approved of. His successors have both expressed their belief that nine years is too short a term, especially given the breadth of responsibilities carried by the Presiding Bishop. Both concluded that many of those duties - whether within The Episcopal Church, the Anglican Communion, or ecumenical or interfaith initiatives - depend on developing relationships of understanding and trust, a process that cannot be rushed, especially when the Presiding Bishop must be working on many fronts simultaneously. In some recognition of this concern, in 1997 this Commission recommended making diocesan visits

1 White & Dykman, *Annotated Constitution and Canons* (1981 ed.), 199.

2 *Id.*, 202.

3 *Id.*, 199.

4 *Id.*, 202.

discretionary for the Presiding Bishop in recognition of how hard it would be to fit in those visits in the shorter term. This recommendation did not pass.

The Commission is persuaded that the Church has not had long enough experience with the nine year term to change it at this time, and that the heavy burdens imposed on a Presiding Bishop caution against such a change. The Commission suggests that the experience of Presiding Bishops with respect to their terms of office continue to be reviewed by future Commissions.

The Commission does propose the following Resolution amending Canon I.4.3(a) to address an anomaly in the canons defining the Presiding Bishop's role.

Resolution A104 Amend Canon I.4.3(a)

Resolved, the House of _____ concurring, That Canon I.4.3(a) be amended to read as follows:

Sec. 3 (a) The Presiding Bishop shall be *ex officio* the Chair and President. However, at the first meeting of the Executive Council following the adjournment of any General Convention at which a Presiding Bishop is elected if it occurs before the commencement of the term of the newly elected Presiding Bishop, the Presiding Bishop-elect shall be *ex officio* the Chair and President. The Chair and President shall be the chief executive officer of the Executive Council and as such the Chair and President shall have ultimate responsibility for the oversight of the work of the Executive Council in the implementation of the ministry and mission of the Church as may be committed to the Executive Council by the General Convention.

Explanation

In 2000, an amendment to Canon I.4.3(a) passed, providing that the Presiding Bishop-elect would preside at an Executive Council meeting scheduled between the election and the beginning of the new Presiding Bishop's term. The rationale was that this provision would allow the incoming Presiding Bishop to participate in making appointments for the reorganization of the Executive Council occasioned by election of a new class of members at the preceding General Convention. However, this provision creates a canonically irregular and undesirable situation by allowing a person who has not taken office to exercise the responsibilities of that office while the incumbent is still serving in all other capacities. It has not been used since its enactment, because the first Executive Council meeting after the 2006 General Convention was scheduled after the investiture of the new Presiding Bishop. If in the future the Council is concerned about who will preside at its first meeting after the electing Convention, it can avoid the problem as it did in 2006, by scheduling that meeting after the investiture.

In the Commission's consultations with Bishop Griswold and Presiding Bishop Jefferts Schori, both felt that having to be the Chair and President of the Executive Council prior to their investitures would have been an unwelcome burden, distracting them from the important work of transitioning from their dioceses to their new position. Both recognized the importance of having time to properly close out their ministries in their respective dioceses and to prepare themselves spiritually and mentally for their new responsibilities, as well as beginning to learn the details of operation at the Church Center. Having to preside would have greatly compressed the learning curve for them when the retiring Presiding Bishop was in the best position to continue working with staff and the other officers to set the agenda for a meeting if it occurred before they had taken office. Having the retiring Presiding Bishop exercise a familiar responsibility could also be seen as aiding continuity in the work of Executive Council at an important juncture, given that the first meeting after a General Convention is the meeting at which a newly elected class of Council members also is introduced and oriented to the work of the Council. Consultation between the outgoing Presiding Bishop and the newly elected one in preparation for this meeting is not only possible without this provision, but has been the practice from before the provision's adoption.

Observations on the Investiture of the Presiding Bishop

The Commission concluded its review of this subject with two observations. First, much concern has been expressed regarding the timing and expense of the practice of investing the Presiding Bishop at the National Cathedral at the beginning of the new term. The Commission looked at the most recent experience in 2006 and discussed alternatives in its interviews with the current and the two preceding Presiding Bishops. One suggestion has been to hold the investiture at the end of the electing General Convention on the same site where the convention has been held. Canonically it is impossible to put a person into an office which that person does not then immediately begin to exercise. Even a bishop coadjutor exercises an office as soon as consecrated. Thus, while it is possible for a term to begin canonically before the liturgical act is held, it is not possible for the liturgical act to precede the canonical beginning of the term. Those interviewed could not imagine this liturgical Church not using the investiture liturgy to mark the beginning of the Presiding Bishop's term. They also all felt strongly that the symbolism of holding the investiture in the National

Cathedral, where the Presiding Bishop's seat is located, is an important facet of this liturgical event in the life of the Church. From a practical and pastoral perspective, they all agreed that the Presiding Bishop-elect needs the time now provided by the canons not only for the transition tasks noted in the explanation above, but also to plan the liturgical expression of this new beginning, including the desire to incorporate significant and representative members of family, the Church, and ecumenical and interfaith bodies.

Second, the expense to the Church budget of the investiture service in 2006 amounted to \$267,057, a significant portion of which (43%) was for communication links that made it accessible to the wider church. While the total expense is a significant amount, it need not be a charge solely on the budget of the year of the election. It, and other expenses inherent in the transition, could be spread over the entire time between elections by placing a percentage in a reserve for the event or the whole process. Some express concern over the amount spent by those choosing to attend the service. The efforts of many members of the Church to attend this significant event reflects a desirable sense of connection to the Church gathered in celebration and means that these expenses would be incurred regardless of where and when the investiture were held. To the extent that holding it immediately after a General Convention would ensure a significant part of the audience would not have to absorb additional travel expenses, begs the question of whether it is appropriate to limit the potential congregation to those who choose to attend a General Convention. While deputies and bishops have a particular interest in who is presiding bishop, the Commission does not believe that their interests should be protected at the expense of a broader cross-section of the Church who might wish to be part of investing a new presiding bishop, an occasion well suited to incarnating the unity in diversity of this Church.

For these reasons, the Commission concluded that no change should be recommended in the timing or location of the investiture service.

Joint Nominating Committee for the Election of the Presiding Bishop

In recent elections, the Joint Nominating Committee for the Election of the Presiding Bishop has recognized that a responsible process requires attention to aspects of preparation for and follow-up to the election itself. These matters, such as providing pastoral support for the nominees and their families or providing transition support for the incoming and outgoing bishops, are not addressed in the canonical description of the Joint Nominating Committee's duties, but neither are they assigned to any other person or entity. It would be helpful to recognize the importance of these tasks by placing them in the canons and identifying who is responsible for them. The Commission feels that the Joint Nominating Committee is the appropriate body to take on these responsibilities.

The Commission proposes the following Resolution to clarify the role of the Joint Nominating Committee in relation to transition in and out of the office of presiding bishop and pastoral support for the nominees:

Resolution A105 Amend Canon I.2.1

Resolved, the House of Bishops concurring, That Canon I.2.1 be amended by adding a new subsection (e), with succeeding subsections to be re-lettered as necessary, to read as follows:

Sec. 1(e) The Joint Nominating Committee shall develop and manage a process for soliciting and identifying qualified nominees for the office of Presiding Bishop and for providing the nominees to the General Convention at which a Presiding Bishop is to be elected. The process shall include (1) providing the names of not fewer than three members of the House of Bishops for consideration by the House of Bishops and the House of Deputies in the choice of a Presiding Bishop; (2) establishing a timely process for any bishop or deputy to express the intent to nominate any other member of the House of Bishops from the floor at the time the Joint Nominating Committee presents its nominees to the joint session of the two Houses, and for each Bishop so nominated to be included in the information distributed about the nominees; (3) providing pastoral care for each nominee bishop and his or her family and diocese; and (4) determining and providing for transition assistance to the Presiding Bishop and the Presiding Bishop-elect.

Explanation

The current language of Canon I.2.1 only directs the Joint Nominating Committee for the Election of the Presiding Bishop to bring forward names to the electing convention. In the last several elections, the Joint Nominating Committee has found it necessary to deal with other related issues as well, such as the need for advance notice of who might be nominated from the floor so that the necessary background checks can be performed ahead of time and to assure that floor nominees have equal access to whatever introductory process is used for the Committee's nominees. After the last election, the Joint Nominating Committee recommended that the canon should be amended to specify who is to be responsible for seeing that these other important aspects of the process are properly attended to. The Commission sees the Joint Nominating Committee as the logical entity to oversee or coordinate these tasks which are integral to providing the Church and the nominees with a fair and respectful process.

Provincial Accountability

In its review of the provincial system, the Commission found that the Provinces of The Episcopal Church are intended to be an integral part of the structure of the Church, yet in practice they are not always effectively used. The Provincial Presidents appoint the members of the Provincial Court of Review (Canon IV.5.4); the Provinces elect members to the Joint Nominating Committee for the Election of the Presiding Bishop (Canon I.2), and members to the Executive Council (Canon I.4.1); and they perform such other duties as may be prescribed by Executive Council or the General Convention. The provinces receive some of their funding from the budget adopted by the General Convention but currently are not required to report back to the Church on the use of these resources. The Commission recommends adoption of the following Resolution.

Resolution A106 Amend Canon I.9

Resolved, the House of _____ concurring, That Canon I.9 be amended by adding a new subsection 12 to read as follows:

Sec. 12. The President of each Province shall annually submit to the Executive Council a written report on the ministries, programs and other work of the Province, including a description in reasonable detail of how funds appropriated by the General Convention have been used, and shall report on their work to the Executive Council, on the date and in the form specified by the Executive Council.

Explanation

This Resolution proposes to enhance the connection between the Provinces and the General Convention by formalizing Provincial accountability for being critical vehicles for the mission and ministry of the Church as they expend funds appropriated by the General Convention. Annual reporting to Executive Council is a simple, direct and logical means of achieving this end, allowing each province flexibility to continue to meet the specific needs of its dioceses, while underscoring its responsibility to the General Convention as well.

Registrar

Resolution 2009-A060 directed the Commission to “study the role and qualifications of the Registrar of the General Convention in the maintenance of records or the ordinations and consecrations of the bishops of the church and report back to the 77th General Convention.” The Commission discussed where the various duties of the Registrar could best be handled; whether the Registrar or any Deputy Registrars need to be priests;⁵ and whether the role of Deputy Registrars should be addressed more explicitly in the canon. The following Resolution reflects the canonical changes which the Commission concluded should be enacted, for the reasons articulated in the explanation that follows the proposed Resolution:

Resolution A107 Amend Canon I.1.5

Resolved, the House of _____ concurring, That Canon I.1.5 be revised to read as follows:

Sec. 5 (a) The Secretary of the General Convention shall, *ex officio*, be House of Deputies, upon the nomination of the House of Bishops, shall elect a Presbyter, to be known as the Registrar of the General Convention, whose duty it shall be to receive all Journals, files, papers, reports, and other documents or articles that are, or shall become, the property of either House

5 “Presbyter,” the term currently used in this canon, is no longer in common usage, and has been replaced by “priest” in recent major revisions of Titles III and IV of the Canons.

of the General Convention, and to transmit the same to the Archives of the Church as prescribed by the Archivist.

(b) It shall also be the duty of the said Registrar to maintain suitable records of the ordinations and consecrations of all the Bishops of this Church, designating accurately the time and place of the same, with the names of the consecrating Bishops, and of others present and assisting; to have the same authenticated in the fullest manner practicable; and to take care for the similar record and authentication of all future ordinations, ~~and consecrations~~ and installations of Bishops in this Church; and to transmit the same to the Archives of the Church when and as prescribed by the Archivist. Due notice of the time and place of such ordinations and consecrations shall be given by the Presiding Bishop to the Registrar; and thereupon it shall be the duty of the Registrar to attend such ordinations and consecrations, either in person or by appointing a clergy or lay deputy Registrar.

(c) The Registrar shall prepare, in such form as the House of Bishops shall prescribe, the Letters of Ordination and Consecration in duplicate, shall have the same immediately signed and sealed by the ordaining and consecrating Bishops, and by such other Bishops assisting as may be practicable, shall deliver to the newly consecrated Bishop one of the said Letters, shall carefully file and retain the other, and shall make a minute thereof in the official records.

(d) The Registrar shall also be Historiographer, unless in any case the House of Bishops shall make a separate nomination; and in this event the House of Deputies shall confirm the nomination.

(e) The necessary expenses incurred under this Section shall be paid by the Treasurer of the General Convention.

(f) It shall be the duty of the secretaries of both Houses to deliver to the Registrar the minutes of both Houses, together with the Journals, files, papers, reports, electronic records, and all other records of either House in a manner prescribed by the Archivist. The minutes of both Houses shall remain filed until after the adjournment of the first General Convention following that at which such minutes shall have been taken; Provided, however, that any part of such minutes, for any reason unpublished in the Journal, shall remain filed in the Archives. The Secretary of the House of Deputies shall also deliver to the Registrar, as prescribed by the Archivist, when not otherwise expressly directed, all the Journals, files, papers, reports, and other published, unpublished or electronic documents specified in Canon I.6. The Secretaries shall require the Registrar to give them receipts for the Journals and other records. The Registrar shall transmit the records of the secretaries of both Houses to the Archivist of the Church.

(g) In the case of a vacancy in the office of Registrar, the Presiding Bishop shall appoint a Registrar, who shall hold office until the next General Convention.

Explanation

Canon I.1.5 establishes the office of Registrar of the General Convention and spells out the Registrar's duties. The duties include compiling and delivering to the Archives all records generated by both Houses at General Convention (I.1.5(a)); maintaining accurate records of the ordinations and consecrations of all bishops of the Church and attending them (either in person or by deputy) (I.1.5(b)); preparing the Letters of Ordination and

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Consecration used at ordinations and consecrations of bishops (I.1.5(c)); and serving as Historiographer of the General Convention (unless, as is the norm, a different person is chosen by the House of Bishops and confirmed by the House of Deputies)(I.1.5(d)).

According to information from the Archives, the office of Registrar of the General Convention had been held by the Secretary of the General Convention from its inception in 1853 until 1997, when a vacancy in the office was filled by the Canon to the Presiding Bishop, appointed by the Presiding Bishop pursuant to Canon I.1.5(g). Since then, the Canon to the Presiding Bishop has been performing the Registrar's duties related to ordinations and consecrations of bishops, while the Secretary of the General Convention has been performing the Registrar's duties related to the records of the two Houses of General Convention. The Commission has examined this practice and believes that the Church should revert to the prior longstanding practice where all the duties are carried out by the same individual. Further, the Commission has concluded that the office should be held by the Secretary of the General Convention, *ex officio*. The Secretary has the staff resources to fulfill the clerical tasks involved. Moreover, the Secretary is an officer of the General Convention, elected by both houses, and at consecrations of bishops represents the other orders of ministry. The Secretary's presence is a sign that consecrations are not a function solely of a particular diocese, nor of the House of Bishops, but of the entire Church.

The Commission understands that this change has the support of the incumbent Secretary, the two previous Secretaries and the Archivist. The Commission discussed the proposal with Charles Robinson, current Canon to the Presiding Bishop, who was agreeable to the proposal, stressing that while it is necessary and important for him to attend ordinations and consecrations, to assist the Presiding Bishop and to build relationships with Diocesan leaders, holding the office of Registrar is not critical to these non-canonical functions. The Commission worked closely with the Secretary Straub and Archivist Duffy in researching and drafting the proposed revisions to these canons.

Inserting "installation" in Section 5(b) of the canon covers a bishop who is translating from one episcopal office (e.g., Bishop Suffragan) to another (Bishop Diocesan). Technically, there is no "ordination," nor is there a second consecration to the office of bishop, so the service is often thought of as an installation or seating. The insertion is recommended by the Archivist and the Registrar in order to assure that complete records of such installations are maintained by the Registrar and filed with the Archivist.

The Commission studied the canonical requirement that the Registrar be a priest, and found no compelling reason for the provision, particularly when the Secretary is not required to be a priest. Finally, the Commission believes it would be wise to specify that where the Registrar is unable to attend an ordination and consecration of a bishop, he or she may appoint a clergy or lay Deputy Registrar.

Other Issues Stemming from Resolution 2009-A127

Resolution 2009-A127, initially proposed by the Commission itself in the prior triennium, contains seven "resolved" clauses directing the Commission to study and report back with recommendations on various aspects or issues in the structure of the Church; those not already covered earlier in this report include Church "agencies," the role of Chancellors, and the role of Parliamentarians.

Agencies

Since 2000, the Standing Commission on Structure of the Church has been attempting to describe the Church's understanding and use of "CCABs" in order to guide the development of new interim bodies and to help identify when existing bodies should be retired. In 2003, the General Convention adopted revisions to Canon I.1.2 to standardize the standing commission structure. The Commission's efforts in 2009 to distinguish "committees," including committees of Executive Council, from "Standing Commissions," by regularizing mandates, membership and other characteristics of committees, and to rein in the proliferation of committees, were for the most part rejected by that General Convention. The review of "Agencies" is the last step in this effort.

The Constitution and Canons do not define "Agency." A definition very similar to the one proposed by this Commission's 2006 report is found in the 2010–2012 Handbook for Committees, Commissions, Agencies and Boards, published by the Executive Office of the General Convention:

Agencies are legally independent corporations affiliated with the Church, such as Episcopal Relief and Development. They have their own officers and boards which may be partially selected by the General Convention or ratified by Executive Council. Agencies are expected to develop their own mandates and make their own business decisions. An agency's triennial report may contain a resolution for continued funding of the organization.

This definition has not been adopted by General Convention and may not need to be. The Commission notes that the term is often used more broadly, or loosely, to include a wide variety of non-canonical entities that have various relationships to the Church and its governing bodies and leadership but which do not meet the above definition. Indeed, very many organizations deem themselves as "affiliated with" the Church. The "Red Book" published by the Church Pension Group lists four "official" Church Agencies (the Archives of the Episcopal Church, the Church Pension Group, the Episcopal Church Building Fund, and Forward Movement Publications), but also numerous other organizations with some type of affiliation or association with the Church. Unlike as with Committees, Commissions and Boards,

the Executive Office of the General Convention exercises no responsibility for meeting arrangements or budget management of these “Agency” entities.

The significance of being an official Agency of the Church is not clear to the Commission. The term appears to have no Constitutional or Canonical basis or context. The term is used commonly and loosely to refer to a wide variety of organizations with various degrees and types of relationships to the Church and/or the Church’s governing bodies. Even where there is broad consensus in the Church that an organization is a Church Agency, there is a range of governance oversight and control in place between the Church and the various Agencies. In our increasingly complex world, it seems prudent to be able to describe what is essential before The Episcopal Church allows an entity to claim affiliation as its “Agency.” The press of other assignments prevented the Commission from resolving this issue. The Commission should complete its inquiry into this question, and its research into the meaning and consequences of being an official Agency, in the next triennium.

Role of Chancellors

Resolution 2009-A127 directed the Commission to examine “the role of Chancellors in the structure of The Episcopal Church.” The Commission identified four common Chancellors contexts.

Diocesan Chancellors

Diocesan canons concerning the role and duties of a chancellor vary significantly. Some diocesan canons state that the chancellor is the chancellor to the *bishop*, in others the chancellor is legal and canonical advisor to the *diocese*, and in still others it is some combination. Diocesan Chancellors play a critical role in the life of dioceses, providing services that literally run the gamut.

Provincial Chancellors

This is a non-canonical office, established within some Provinces, to advise Provincial officers in canon and civil law.

Chancellor to the Presiding Bishop

This office is authorized in Canon I.2.5, enacted in 1976. This canon provides that the Presiding Bishop’s Chancellor shall serve “as counselor in matters relating to the office [of the Presiding Bishop] and the discharge of the responsibilities of that office.” The exposition of this canon in White & Dykman states that this “was the result of the increased complexity of ecclesiastical trials in the course of the previous triennium.” The exposition goes on to state: “The chancellor appointed under this section deals with the needs of the Presiding Bishop only, not with those of the whole Church or in connection with secular legal matters with which the Presiding Bishop and Executive Council are involved in the course of their work.”⁶

Chancellor to the President of the House of Deputies

This office is authorized in Canon I.1.1(b), enacted in 1997. This canon provides the President with a “counselor to on matters relating to the discharge of the responsibilities of” the President. As noted in the 1997 Blue Book report of the Standing Commission on the Structure of the Church, the canon “mirrors that of the Chancellor to the Presiding Bishop.”

There is no Chancellor for the House of Bishops, the House of Deputies, the Executive Council or The Episcopal Church. There is an in-house attorney at the Church Center (employed by the Domestic and Foreign Missionary Society (“DFMS”)), who provides legal services relating to a variety of matters, including contracts, employment, leases and nonprofit corporation laws compliance. When the DFMS is sued and there is insurance coverage, a law firm is assigned to defend DFMS. When the Church brings suit or intervenes in litigation, typically a different law firm (of which the Chancellor to the Presiding Bishop has historically been a member) represents the Church.

As the Presiding Bishop is the chief executive officer of DFMS and also is the Chair and President of Executive Council, it is common for her Chancellor to speak on her behalf as legal counsel for the Church in pending litigation. The Commission emphasizes that regardless of the context, the role of Chancellors is very important to the Church.

The Commission explored hypothetical models, one where DFMS has a General Counsel who provides legal counsel to both the Presiding Bishop and the President of the House of Deputies, and one where those two officers jointly appointed

6 White & Dykman, 207.

a Church General Counsel, who would be confirmed by Executive Council. The Commission reached a consensus that there is no compelling reason to proliferate chancellors for other Church governing bodies, including the Executive Council, and concluded that The Episcopal Church does not need a separate chancellor. The Commission proposes no policy or canonical changes in this area.

Role of Parliamentarians

The Commission briefly addressed this clause of the Resolution, focusing on whether a parliamentarian should, or should not, be a voting member of the body of which she or he is the parliamentarian.

Provisions for parliamentarians are not currently included in the Canons or Rules of Order. The recent practice has been that the Presidents of the House of Bishops and the House of Deputies have each appointed a parliamentarian, who typically has also been a member of that house.

Robert's Rules of Order lists a parliamentarian under "Appointed Officers and Consultants," and says (in part), "The Parliamentarian is a consultant, commonly a professional, who advises the president and other officers ... on matters of parliamentary procedure. His role during a meeting is purely an advisory and consultative one – since parliamentary law gives to the chair alone the power to rule on questions or order or to answer parliamentary inquiries."⁷ Robert's further notes, "If a parliamentarian is needed by an organization, the president should be free to appoint one in whom he has confidence."⁸

After consideration, the Commission has concluded that "less is more" as to parliamentarians. The role is defined by Robert's as one of an advisor to the presiding officer, personally selected by the presiding officer as a skilled, trusted advisor, who may, or may not be, a member of the relevant legislative body. Thus, it is neither necessary, nor appropriate, to include provisions in the Canons or the Rules of Order as to parliamentarians and it is appropriate to continue the existing process of each presiding officer having the inherent power to select an appropriate person as parliamentarian to advise the presiding officer on parliamentary issues.

Executive Council Strategic Plan - Emerging Church Structures

No official parameters currently exist for emerging church structures, other than the establishment of a mission and transition of a mission to a parish. The "Fresh Expressions" movement, originating in the Church of England, tends to see these canonical structures as too much "one size fits all," especially for the loose fellowships that claim the "emerging" label. This movement has been sprouting up in The Episcopal Church in the United States as well.

This Commission assignment came from the draft Executive Council Strategic Plan, Sections M 1.1.8 and M 1.1.9 (November 2009). The Commission developed a tentative series of minimums, or thresholds, for these emerging possibilities, that might give them some uniformity of process and form, but without forcing compliance with full, conventional Church process and structure - in order to foster, encourage and nurture new possibilities of Church ministry. The working thresholds include:

- a covenant with the Bishop Diocesan on behalf of the diocese articulating the commitment of each;
- safe church training for all appropriate persons;
- providing room for the Holy Spirit to work;
- remaining nimble, open, and flexible;
- managing risks, including the use of insurance where available; and
- having the emerging entity's or movement's leader(s) become licensed, e.g., as an Evangelist or Pastoral Leader.

The Commission also examined the relationship of diocesan and provincial structures to emerging church movements, asked whether the Church Center was planning any initiatives in this area, and expressed concern about the durability of an emerging fellowship beyond the transition to a new bishop or rector.

In concluding its work on this issue for the triennium, the Commission identified two areas of future research and study. The first is to explore more fully whether the existing Title III ministry canons may already provide some accountability tools to foster emerging church structures, e.g., licensing guidelines. Such provisions should be explored before inventing something new. The second is to collaborate with the Standing Commission on Ministry and Evangelism and the Church Center's outreach ministry staff, to learn more about their efforts in this area. The Commission also expects

7 Robert's Rules of Order, 1981 ed., pp. 387-8.

8 *Id.*

to seek data about its suggested thresholds, to understand whether a firmer set should be offered in a Resolution for the 2015 General Convention.

Goals and Objectives for the 2013–1015 Triennium

The Commission sees the following as its key goals and objectives for the next triennium:

- continue the oversight and coordination work flowing from the GAM 009 Consultation and the related Resolutions adopted by General Convention in 2012;
- complete research and analysis on diocesan configuration issues and on the role of Church Agencies; and
- continue its Strategic Plan work on emerging Church structures.

Budget Report

The Commission met in person three times and by telephone or Web conference call 16 times, and expended \$25,968.88, leaving \$10,031.12 unexpended from its \$36,000.00 budget.

The Commission expects to meet a similar number of times in the 2013–2015 triennium. This will require a budget of \$13,000 for 2013, \$13,000 for 2014, and \$13,000 for 2015, for a total of \$39,000 for the triennium.