

General Convention of The Episcopal Church 2022 Archives' Research Report

Resolution No.: 2022-A120
Title: Amend Canon IV.17.8 on Vacancies on the Court of Review for Bishops
Proposer: Standing Commission on Structure, Governance, Constitution and Canons
Topic: Canons, Discipline

Directly Related: (Attached)

2018-A127 Amend Canon IV.17.3 [Disciplinary Board for Bishops]

Indirectly Related: (Available in the [Acts of Convention](#) database, searchable by resolution number)

2018-A110 Amend Title Canon IV [Ecclesiastical Discipline]

In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1973 through 2018, selecting “direct” resolutions that have a substantive bearing on the proposed legislation. The “direct” resolutions are attached and “indirect” resolutions are available in the Acts of Convention database. Committee members who require other research assistance should contact the Archives through the [Research Request Form](#) or call 800-525-9329.

A120 - Amend Canon IV.17.8 on Vacancies on the Court of Review for Bishops

Final Status: Not Yet Finalized

Proposed by: Standing Commission on Structure, Governance, Constitution and Canons

Requests New Interim Body: No

Amends C&C or Rules of Order: Yes

Has Budget Implications: No

Cost:

HiA: HB

Legislative Committee Currently Assigned: 03 - Title IV Disciplinary Canons

Completion Status: Incomplete

Latest House Action: N/A

Supporting Documents: No

Resolution Text

Resolved, the House of _____ concurring,

That the 80th General Convention amend Canon IV.17.8 to read as follows:

Sec. 8. The Court of Review for Bishops is hereby established as a court of the Church to have jurisdiction to hear appeals from Hearing Panels of the Disciplinary Board for Bishops.

a. The Court of Review for Bishops shall consist of nine members, all of whom shall be Bishops. Three Bishops shall be elected by the House of Bishops at any regularly scheduled meeting of the House of Bishops, to serve until the adjournment of the third succeeding regular meeting of General Convention and until their successors are elected and qualify; however, there shall be no change in the composition of the Court with respect to a particular Respondent following any hearing in the matter and while it is pending unresolved before the Court.

b. *Vacancies on the Court of Review for Bishops shall be filled by the Presiding Bishop.*

b c. From among their number, the members of the Court of Review for Bishops shall elect a president.

e d. The reasonable and necessary expenses of the Court of Review for Bishops, including fees, costs, disbursements and expenses of the members, clerks, reporters and Church

Attorneys shall be charged upon the General Convention and paid by the Treasurer of the General Convention upon Order of the president of the Court of Review. The Court of Review for Bishops shall have the authority to contract for and bind the General Convention to payment of these expenses.

Explanation

The Standing Commission noticed that the current canon makes no provision for filling a vacancy on the Court. This amendment would authorize the Presiding Bishop to fill such a vacancy, which is similar to the proposed amended provision for vacancies on the churchwide Court of Review (pursuant to which the Presiding Bishop would fill vacancies in Bishop seats and the President of the House of Deputies would fill vacancies in the Clergy and lay seats).



Resolution Number: 2018-A127
Title: Amend Canon IV.17.3 [Disciplinary Board for Bishops]
Legislative Action Taken: Concurred
Final Text:

Resolved, That Canon IV.17.3 be amended as follows:

Sec. 3. The Disciplinary Board for Bishops is hereby established as a court of the Church to have original jurisdiction over matters of discipline of Bishops, to hear Bishops' appeals from imposition of restriction on ministry or placement on Administrative Leave and to determine venue issues as provided in Canon IV.19.5. The Disciplinary Board for Bishops shall consist of ten Bishops elected ~~at any regularly scheduled meeting of~~ by the House of Bishops *at a regularly scheduled session of General Convention*, and four Priests or Deacons and four lay persons ~~initially appointed by the President of the House of Deputies with the advice and consent of the lay and clergy members of the Executive Council and thereafter elected by the House of Deputies~~. All lay persons *elected or* appointed to serve shall be confirmed adult communicants in good standing. Members of the Board shall serve staggered terms of six years, with terms of one half of the Bishops and one half of the lay persons, Priests and Deacons collectively expiring every three years ~~with the first expirations occurring at the end of the year 2012~~.

A vacancy among the member Bishops shall be appointed by the Presiding Bishop with the advice and consent of the Bishop members of Executive Council. A vacancy among the lay or Priest or Deacon members shall be filled by the President of the House of Deputies with the advice and consent of the lay, Priest and Deacon members of Executive Council. Unless elected or appointed to fill the remainder of an unexpired term, each member shall serve from the first day of January following the adjournment of the General Convention at which the member was elected, until the last day of December of the sixth calendar year following election and until the member's successor is elected and qualifies; however, there shall be no change in the composition of any Hearing Panel while a matter is pending unresolved before the Hearing Panel.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Austin, 2018* (New York: General Convention, 2018), pp. 974-975.