

**General Convention of The Episcopal Church 2022
Archives' Research Report**

Resolution No.: 2022-D052
Title: Amending Canon III.11.8 Regarding Objections to Episcopal Elections
Proposer: The Rev. Chris Wendell
Topic: Appointments/Elections, Bishops, Canons

Directly Related: (Attached)

1994-A024 Amend Canon III.22-29 [Of the Ordination and Consecration of Bishops]
1991-A217 Amend Canon III.21 [Add Sec. 5: Objections to the Election Process]

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

None

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.

D052 - Amending Canon III.11.8 regarding Objections to Episcopal Elections

Final Status: Not Yet Finalized

Proposed by: The Rev. Chris Wendell

Endorsed by: Ms. Laura Russell, The Rev. Edwin Johnson

Requests New Interim Body: No

Amends C&C or Rules of Order: Yes

Has Budget Implications: No

Cost:

HiA: HB

Legislative Committee Currently Assigned: 15 - Ministry

Completion Status: Incomplete

Latest House Action: N/A

Supporting Documents: No

Resolution Text

Resolved, the House of _____ concurring,

That Canon III.11.8 is hereby amended to read as follows:

<Amended text as it would appear if adopted and concurred. Scroll below the line of asterisks (***) to see the version showing all deleted and added text.>**

Sec. 8

a. Within ten days after the election of a Bishop Diocesan, a Bishop Coadjutor, or a Bishop Suffragan by a Diocesan Convention, delegates constituting no less than ten percent of the number of delegates casting votes on the final ballot may file with the Secretary of the Convention written objections to the election process, setting forth in detail all alleged irregularities. Within ten days after receipt thereof, the Secretary of the Convention shall forward copies of the same to the Bishop Diocesan, the Chancellor and Standing Committee of the Diocese, and to the Presiding Bishop, who shall request the Court of to investigate the complaint. The Court of Review may invite response by the Bishop Diocesan, the Chancellor, the Standing Committee and any other persons within the Diocese for which the Bishop was elected. Within 45 days after receipt of the request, the Court of Review shall send a written report of its findings to the Presiding Bishop, a copy of which report the Presiding Bishop, within

fifteen days, shall cause to be sent to the Bishop Diocesan, the Chancellor, the Standing Committee and the Secretary of the Convention of the electing Diocese. The Secretary shall send a copy of the report to each of the delegates who filed objection to the election process.

b. The report of the Court of Review shall be sent to the Standing Committees of the several Dioceses, with the Certificate of the Secretary of the electing Convention relating to consent to ordain. Likewise, the Presiding Bishop shall include the report in the communication to the Bishops exercising jurisdiction. The 120 day period for Standing Committees and Bishops to consent to the election begins with these communications.

<Proposed amended resolution text showing exact changes being made:>

Resolved, the House of ____ concurring, That Canon III.11.8 is hereby amended to read as follows:

Sec. 8

a. Within ten days after the election of a Bishop Diocesan, a Bishop Coadjutor, or a Bishop Suffragan by a Diocesan Convention, delegates constituting no less than ten percent of the number of delegates casting votes on the final ballot may file with the Secretary of the Convention written objections to the election process, setting forth in detail all alleged irregularities. Within ten days after receipt thereof, the Secretary of the Convention shall forward copies of the same to the Bishop Diocesan, the Chancellor and Standing Committee of the Diocese, and to the Presiding Bishop, who shall request the Court of Review ~~of the Province in which the Diocese is located~~ to investigate the complaint. The Court of Review may invite response by the Bishop Diocesan, the Chancellor, the Standing Committee and any other persons within the Diocese for which the Bishop was elected. Within ~~thirty~~ 45 days after receipt of the request, the Court of Review shall send a written report of its findings to the Presiding Bishop, a copy of which report the Presiding Bishop, within fifteen days, shall cause to be sent to the Bishop Diocesan, the Chancellor, the Standing Committee and the Secretary of the Convention of the electing Diocese. The Secretary shall send a copy of the report to each of the delegates who filed objection to the election process.

b. The report of the Court of Review shall be sent to the Standing Committees of the several Dioceses, with the Certificate of the Secretary of the electing Convention relating to consent to ordain. Likewise, the Presiding Bishop shall include the report in the communication to the Bishops exercising jurisdiction. *The 120 day period for Standing Committees and Bishops to consent to the election begins with these communications.*

Explanation

This resolution seeks to make three canonical amendments related to the Court of Review's work investigating contested episcopal elections. The first amendment removes a now anachronistic reference to provincial courts of review, which no longer exist. The second amendment increases the length of time that the Court of Review is given to complete its investigation and issue its report from 30 to 45 days. This change is requested by the President of the Court of Review in response to the Court's experience investigating episcopal elections during the past triennium. The single, church-wide Court of Review is much larger than the Provincial Courts of Review and so the coordination of calendars to ensure maximal participation by members of the Court, along with the need to sometimes conduct work in translation, necessitates the increased window of time. The third amendment clarifies that the 120 day time period for Standing Committees and Bishops with jurisdiction to consent to the election (described in Canon III.11.3 and Canon III.11.4) does not begin until after the Court of Review concludes its work and its report is distributed.



Resolution Number: 1994-A024
Title: Amend Canon III.22-29 [Of the Ordination and Consecration of Bishops]
Legislative Action Taken: Concurred As Amended
Final Text:

Resolved, That the indicated following portions of Title III, the Canons, be amended to read:

CANON 22.

Of the Election and Ordination and ~~Consecration~~ of Bishops

Sec. 1(a). The election of a person to be a Bishop in a Diocese shall be held in accordance with the rules prescribed by the Convention of the Diocese and pursuant to the provisions of the Constitution and Canons of this Church.

(b). The Convention of a Diocese may request that an election be made on its behalf by the House of Bishops of the Province of which the Diocese is a part, subject to confirmation by the Provincial Synod, or it may request that an election be made on its behalf by the House of Bishops of the Episcopal Church.

(c). If either option in Sec. 1(b) is chosen, a special Joint Nominating Committee shall be appointed unless the diocesan convention has otherwise provided for the nominating process. The Committee shall be composed of three persons from the diocese, appointed by its Standing Committee, and three members of the electoral body, appointed by the President of that body. The Joint Nominating Committee shall elect its own officers and shall nominate three persons whose names it shall communicate to the Presiding Officer of the electoral body. The Presiding Officer shall communicate the names of the nominees to the electoral body at least three weeks before the election when the names shall be formally placed in nomination. Opportunity for nominations from the floor shall be given.

(d). If either option in Sec. 1(b) is chosen, the evidence of the election shall be a certificate signed by the presiding officer of the electoral body and by its Secretary, with a testimonial signed by a constitutional majority of the body, in the form required in Canon III.22.3, which shall be sent to the Standing Committee of the Diocese on whose behalf the election was held. The Standing Committee shall thereupon proceed as set forth in Canon III.22.3 or 4.

(e). The Secretary of the body electing a Bishop, Bishop Coadjutor, or Suffragan Bishop, shall inform the Presiding Bishop promptly of the name of the person elected. The Bishop-elect shall notify the Presiding Bishop of acceptance or refusal of the election, at the same time as the Bishop-elect notifies the electing Diocese.

Sec. 3 2. It shall be lawful, within six months prior to the effective date of the resignation or retirement of a *Diocesan Bishop from his jurisdiction*, for the said Bishop, with the advice and consent of the Standing Committee, to call a special meeting of the Convention of the Diocese to elect a successor; Provided, that if the Convention is to meet in regular session meanwhile, it may hold the election during *the such* regular session. The proceedings incident to preparation for the ordination and consecration of *such the* successor shall be as provided in ~~Sec.1~~ of this Canon; but the Presiding Bishop shall not take order for the ~~consecration ordination~~ to be on any date prior to that upon which the resignation is to become effective.

Sec. 13 (a). ~~Whenever the Church in any a~~ Diocese shall desire ~~s~~ the ordination and consecration of a Bishop-elect, if the *date of the election shall have taken place occurs* within three months before a meeting of the General Convention, the Standing Committee of the said Diocese shall, by ~~their its~~ President, or by some person or persons specially appointed, forward to the Secretary of the House of Deputies evidence of the election of the Bishop-elect by the Convention of the Diocese, together with evidence ~~of his that the Bishop-elect has~~ having been duly ordered Deacon and Priest, *evidence of acceptance of election*, and also a testimonial signed by a constitutional majority of ~~such the~~ Convention, in the following words ~~, viz:~~

We, whose names are hereunder written, fully sensible of how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality ~~or affection~~, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A. B. ought not to be ordained ~~and consecrated~~ to that Holy Office. We do, moreover, jointly and severally declare that we believe the Reverend A. B. *to have been duly and lawfully elected and to be of such sufficiency in good learning, of such soundness in the Faith, and of such virtuous and pure manners and godly conversation character* as to be able to exercise the Office of a Bishop to the honor of God and the edifying of ~~His the~~ Church, and to be a wholesome example to the flock of Christ.

(Date) _____ (Signed) _____

The Secretary of ~~such the~~ Convention shall certify upon this testimonial that it has been signed by a constitutional majority ~~thereof of the Convention~~.

(b). ~~There The~~ Standing Committee shall also ~~be forward ed to the Secretary of the General Convention~~, with the testimonial and other documents, certificates from ~~two recognized and licensed professionals~~ a *licensed medical doctor and licensed psychiatrist*, appointed by the Ecclesiastical Authority of the Diocese with the approval of the Presiding Bishop, that they have thoroughly examined the Bishop-elect as to ~~such that~~ person's ~~physical and mental medical, psychological and psychiatric~~ condition ~~s~~ and have not discovered any reason why ~~it would not be wise for such the person would not be fit~~ to undertake the work for ~~such which the person has been chosen. The forms~~ *Forms and procedures agreed to by the Presiding Bishop and the Church Pension Fund shall be used for this purpose.* ~~for medical, and psychiatric reports prepared by The Church Pension Fund shall be used for this purpose.~~

(c). The Secretary of the House of Deputies shall ~~lay present~~ the said testimonials before to the House, and if the House shall consent ~~s~~ to the ~~consecration~~ ordination of the Bishop-elect, notice of ~~said its~~ consent, certified by the President and ~~the~~ Secretary of ~~said the~~ House, ~~together with the testimonials~~, shall be sent to the House of Bishops ~~, together with the testimonials aforesaid.~~

(b d) (1). If a majority of the House of Bishops of this Church *exercising jurisdiction* consent ~~s~~ consent to the ~~consecration~~ ordination, the Presiding Bishop shall, without delay, notify ~~such consent to~~ the Standing Committee of the Diocese electing and ~~to the Bishop-elect of the consent .;~~ and upon notice of the acceptance by the Bishop-elect of his election, the Presiding Bishop shall take order for the consecration of the said Bishop-elect either by himself or the President of the Province of which the Diocese electing is part, and two other Bishops of this Church, or by any three Bishops of the Church to whom he may communicate the testimonials.

(e) *Sec. 4 (a).* If the *date of the election of a Bishop shall have taken place occurs* more than three months before the meeting of the General Convention, the Standing Committee of the Diocese electing shall by ~~their its~~ President, or by some person or persons specially appointed,

immediately send to the Standing Committees of the several Dioceses a certificate of the election by the Secretary of Convention of the Diocese, bearing a statement that evidence of the Bishop-elect's having been duly ordered Deacon and Priest and the certificates as to ~~mental and physical~~ *the Bishop-elect's medical, psychological and psychiatric* examination as required in Sec. 4(a) 3 2 (b) of this Canon have been received and that a testimonial in the form set out in Sec. 4 3 (a) of this Canon has been signed by a constitutional majority of the Convention. ~~and i~~ [I] f a majority of the Standing Committees of all the Dioceses shall consent ~~s~~ to the consecration *ordination* of the Bishop-elect, the Standing Committee of the Diocese electing shall then forward the evidence of said ~~the~~ consent, with the other necessary documents described in Sec. 4 3 (a) *and (b)* of this Canon, to the Presiding Bishop, who shall immediately communicate ~~them~~ the same to every Bishop of this Church *exercising having* jurisdiction. ~~and i~~ f a majority of such ~~those~~ Bishops shall consent ~~s~~ to the consecration *ordination*, the Presiding Bishop shall, without delay, notify such consent to the Standing Committee of the Diocese electing and to the Bishop-elect *of the consent*. ~~and upon notice of his acceptance of the election, the Presiding Bishop shall take order for the consecration of the Bishop-elect either by himself or the President of the Province of which the Diocese electing is a part and two other Bishops of this Church, or by any three Bishops of this Church to whom he may communicate the testimonials provision according to Sec. 2 (d) (1) of this Canon.~~

(b). ~~The e~~ Evidence of the consent of the several *each* Standing Committees shall be a testimonial in the following words, signed by a majority of the Standing *all the members of the* Committee ~~s~~ of all the Dioceses:

We, being a majority of all the members of the Standing Committee of _____, and having been duly convened at _____, fully sensible how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality ~~or affection~~, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A. B. ought not to be ordained ~~and consecrated to the~~ *that Holy Office Order*. In witness whereof, we have hereunto set our hands this _____ day of _____ in the year of our Lord _____. (Signed) _____.

~~If the Presiding Bishop shall not have received the consent of a majority of the Bishops within three months from the date of notice to them, he shall then give notice of such failure to the Standing Committee of the Diocese electing.~~

~~Sec.5. and u~~ Upon notice receipt of the consents and *assurance* of the acceptance of the election by the Bishop-elect of his election, the Presiding Bishop shall take order for the consecration *ordination* of the said Bishop-elect either by himself *the Presiding Bishop* or the President of the *House of Bishops of the* Province of which the Diocese electing is part, and two other Bishops of this Church, or by any three Bishops ~~of the Church~~ to whom he *the Presiding Bishop* may communicate the testimonials.

Sec. 6 5(d). In case a majority of all the Standing Committees of the several Dioceses shall ~~do~~ not consent to the consecration *ordination* of a ~~the~~ Bishop-elect within the period of six ~~four~~ months from the date of the notification of the election by the Standing Committee of the Diocese electing, or in case a majority of all the Bishops entitled to act in the premises *exercising jurisdiction* shall ~~do~~ not consent within the period of three ~~four~~ months from the date of notification to them by the Presiding Bishop of the election, the Presiding Bishop shall declare the election null and void and *shall give notice to the Standing Committee of the*

Diocese electing and to the Bishop-elect. † The Convention of the Diocese may then proceed to a new election.

(e). It shall be the duty of the Secretary of the Convention electing a Bishop, Bishop Coadjutor, or Suffragan Bishop, to inform the Presiding Bishop promptly of the name of the person elected. It shall be the duty of the Bishop-elect to notify the Presiding Bishop of his acceptance or declination of the election, at the same time as he notifies the electing Diocese.

~~Sec. 2 (a). When a Bishop of a Diocese is unable, by reason of age, or other permanent cause of infirmity, or, except in a Missionary Diocese, by reason of the extent of Diocesan work, fully to discharge the duties of his office, a Bishop Coadjutor may be elected by and for said Diocese, who shall have the right of succession; Provided, that before the election of a Bishop Coadjutor for the reason of extent of Diocesan work, the consent of the General Convention, or during the recess thereof, the consent of a majority of the Bishops having jurisdiction and of the several Standing Committees, must be had and obtained. Before any election of a Bishop Coadjutor, the Bishop of the Diocese shall read, or cause to be read, to the Convention thereof, his written consent to such election, and in such consent he shall state the duties which he thereby assigns to the Bishop Coadjutor, when duly ordained and consecrated, and such consent shall form part of the proceedings of the Convention. The duties assigned by the Bishop to the Bishop Coadjutor in any Diocese may be enlarged by mutual consent whenever the Bishop of the Diocese may desire to assign such additional duties to the Bishop Coadjutor. In case of the inability of the Bishop of the Diocese to issue the aforesaid consent, the Standing Committee of the Diocese may request the Convention to act without such consent, and such request shall be accompanied by certificates of medical persons as to the inability of the Bishop of the Diocese to issue his written consent.~~

~~(d). There shall not be in any Diocese at the same time more than one Bishop Coadjutor; Provided, if it is certified to the Ecclesiastical Authority of a Diocese by three competent physicians selected by that Authority that the Bishop Coadjutor in such Diocese is permanently unable, by reason of physical or mental condition, to carry out the duties as Bishop Coadjutor, the Ecclesiastical Authority, upon advice of three Bishops of three neighboring Dioceses, may declare that the right of succession of such Bishop Coadjutor is terminated and in such event a new Bishop Coadjutor may be elected for such Diocese as provided in paragraph (a) of this Sec. 2.~~

Sec. 7. In all particulars the service at the consecration *ordination* of a Bishop shall be under the direction of the Bishop presiding at such consecration *the ordination* .

~~Sec. 4 8.~~ No one person shall be ordained and consecrated Bishop unless he *the person* shall at the time, *and in the presence of the ordaining Bishops and congregation*, subscribe, ~~in the presence of the ordaining and consecrating Bishops,~~ *to and make* the declaration required in Article VIII of the Constitution.

~~Sec. 5 9 (a).~~ Within ten days after the election of a Bishop, a Bishop Coadjutor, or a Suffragan Bishop by a Diocesan Convention, delegates constituting no less than 10% of the number of delegates casting votes on the final ballot may file with the Secretary of the Convention written objections to the election process, setting forth in detail all alleged irregularities. Within ten days after receipt thereof, the Secretary of the Convention shall forward copies of the same to the Bishop, the Chancellor and Standing Committee of the Diocese, and to the Presiding Bishop, who shall request the Court of Review of the Province in which the Diocese is located to investigate the complaint. The Court of Review may invite response by the Bishop, the Chancellor, the Standing Committee and any other persons within the electing

Diocese. Within thirty days after receipt of the request, the Court of Review shall send a written report of its findings to the Presiding Bishop, a copy of which report the Presiding Bishop, within fifteen days, shall cause to be sent to the Bishop, the Chancellor, the Standing Committee and the Secretary of the Convention of the electing Diocese. *The Secretary shall send a copy of the report to each of the delegates who filed objection to the election process.* (b) ~~If such~~ the election shall ~~have~~ *has* taken place within three months before a meeting of the General Convention, the report shall be sent with the evidence of election and testimonials as provided in Section ~~1~~ 3(a) of this Canon. (c) ~~If such~~ the election shall ~~have~~ *has* taken place more than three months before the meeting of the General Convention, the report of the Court of Review shall be sent to the Standing Committees of the several Dioceses, with the Certificate of the Secretary of the electing Convention relating to consent to ~~consecrate~~ *ordain*. Likewise, the Presiding Bishop shall include ~~such~~ the report in the communication to the Bishops ~~having~~ *exercising* jurisdiction. ~~The Secretary also shall send a copy of the report to each of the delegates who filed objection to the election process.~~

CANON 23.

Of Missionary Bishops [No changes]

CANON ~~27~~ 24.

Of Bishops and their Duties

Sec. 1. Each Bishop shall keep a record of all official acts, which record shall be the property of the Diocese and shall be transmitted to the Bishop's successor.

Sec. 2. No Bishop shall perform episcopal acts or officiate by preaching, ministering the Sacraments, or holding any public service in a Diocese other than that in which the Bishop is canonically resident, without permission or a license to perform occasional public services from the Ecclesiastical Authority of the Diocese in which the Bishop desires to officiate.

~~Sec. 1~~ 3 (a). ~~It shall be the duty of every Bishop having jurisdiction in a Diocese of this Church, to reside within the limits of his jurisdiction; Each bishop elected to serve in a Diocese shall reside in that Diocese.~~

(b). ~~nor shall he~~ *The Diocesan Bishop shall not be absent himself therefrom from the Diocese for a period of more than three consecutive months without the consent of the Convention or the Standing Committee of the Diocese.*

(c). *A Diocesan Bishop, whenever leaving the Diocese for six consecutive months, shall authorize in writing, under hand and seal, the Bishop Coadjutor, the Suffragan Bishop if the Constitution and Canons of the Diocese so provide, or, should there be none, the Standing Committee of the Diocese, to act as the Ecclesiastical Authority thereof during the absence. The Bishop Coadjutor or, the Suffragan Bishop if the Constitution and Canons of the Diocese so provide, or, should there be none, the Standing Committee may at any time become the Ecclesiastical Authority upon the written request of the Bishop and continue to act as such until the request is revoked by the Bishop in writing.*

~~Sec. 2~~ 4 (a). ~~Every~~ *Each Diocesan Bishop shall visit the Congregations within his jurisdiction the Diocese at least once in three years . Interim visits may be delegated to another Bishop of this Church.*

(b). *At every visitation the visiting Bishop shall preside at the Holy Eucharist and at the Initiatory Rites, as required, preach the Word, for the purposes of examining their condition, inspecting the behavior of the Clergy, administering Confirmation, preaching the Word, and at his*

~~discretion celebrating the Sacrament of the Lord's Supper. At every visitation it shall be the duty of the Bishop to examine the records of the Congregation required by Canon III.14.3 : , and examine the life and ministry of the Clergy and Congregation according to Canon III.14.2(e).~~

~~(b c). If a Diocesan Bishop shall for three years have has declined to visit a Parish or Congregation for three years, the Member of the Clergy in charge and Vestry (or the Corporation), or the Bishop, may apply to the Presiding Bishop to appoint the five Diocesan Bishops in charge of Dioceses who live nearest to the Diocese in which such Parish or Congregation may be is situated as a Council of Conciliation, who shall amicably determine all matters of difference between the parties, and each party shall conform to the decision of the Council . in the premises; Provided, that, in case of any subsequent trial of either party for failure to conform to such the decision, any constitutional or canonical right of the defendant Accused under the Constitutions and Canons of this Church or of the Diocese holding the trial in the premises may be pleaded and established as a sufficient defense, notwithstanding such the former decision; and Provided, further, that, in any case, the Bishop may at any time apply for such Council of Conciliation.~~

~~(c) . Every Bishop shall keep a record of all his official acts, which record shall be the property of the Diocese, and shall be transmitted to his successor.~~

~~Sec. 3 5. The Diocesan Every Bishop shall may deliver, from time to time at his discretion, a Charge to the Clergy of his jurisdiction, and may, from time to time, address the Diocese and a Pastoral Letter to the people of his jurisdiction Pastoral Letters on points of Christian doctrine, worship, or manners, which he the Diocese on points of doctrine, discipline, or worship. The Bishop may require the Clergy to read the Pastoral Letter to their Congregations.~~

~~Sec. 4 6. At every each Annual Meeting of the Diocesan Convention the Diocesan Bishop shall make a statement report of the affairs State of the Diocese since the last Annual M m eeting of the Convention; including the names of the Churches which he has Congregations visited; the number of persons confirmed and received; the names of those who have been received admitted as Postulants and Candidates for Holy Orders, and of those who have been ordained, and of those who have been by him suspended or deposed from Holy Orders; the changes by death, removal, or otherwise, which have taken place among the Clergy; and all other matters the Bishop desires to present to the Convention; tending to throw light upon the affairs of the Diocese; which statement shall be inserted in the Journal .~~

~~Sec. 5. It shall be the duty of a Bishop, whenever leaving his Diocese for the space of six calendar months, to authorize, by writing, under his hand and seal, the Bishop Coadjutor, or, should there be none, the Standing Committee of the Diocese, to act as the Ecclesiastical Authority thereof during his absence. The Bishop Coadjutor, or, should there be none, the Standing Committee, may become at any time the Ecclesiastical Authority upon the written request of the Bishop, and continue to act as such until the request be revoked by him in writing.~~

~~Sec. 6 (a). Any Bishop of this Church may, on the invitation of the Convention or of the Standing Committee of any Diocese where there is no Bishop, or where the Bishop is for the time under a disability to perform episcopal offices by reason of a judicial sentence, visit and perform episcopal offices in that Diocese, or in any part thereof; and this invitation may be for a stated period, and may be at any time revoked.~~

~~CANON 25.~~

Of Bishops Coadjutor

Sec. 1 (a). When the Diocesan Bishop is unable, by reason of permanent medical, psychological or psychiatric condition, or by reason of the extent of Diocesan work, fully to discharge the duties of the office, or in order to provide an orderly transition in the office, a Bishop Coadjutor, who shall have the right of succession, may be elected by and for the Diocese, in accordance with Canon III.22.

(b). Before the election of a Bishop Coadjutor based on the extent of Diocesan work, or in order to provide an orderly transition in the office, the consent of the General Convention or, if General Convention is not in session, the consent of a majority of the Bishops exercising jurisdiction and of the several Standing Committees must be obtained.

(c). Before an election of a Bishop Coadjutor, the Diocesan Bishop shall read, or cause to be read, to the Convention the Bishop's written consent to the election. The consent shall state the duties to be assigned to the Bishop Coadjutor when ordained. The consent shall form part of the proceedings of the Convention. The duties assigned by the Diocesan Bishop to the Bishop Coadjutor may be enlarged by mutual consent.

(d). In the case of the inability of the Diocesan Bishop to issue the required consent, the Standing Committee of the Diocese may request the Convention to act without the consent. The request shall be accompanied by a certificate by at least two licensed medical doctors, psychologists or psychiatrists as to the inability of the Diocesan Bishop to issue the written consent.

~~(b e). In the case of a Bishop Coadjutor, t~~ The grounds for the his election of a Bishop Coadjutor, as stated in the record of the Convention, shall be communicated ; with the other required testimonials ; to the General Convention ; or to the Standing Committees and the Presiding Bishop.

~~(e f). In the case of application for the~~ *When a Diocese desires the ordination and consecration of a Bishop Coadjutor, the Standing Committee shall forward to the Presiding Bishop, in addition to the evidence and testimonials required by the preceding Section Canon III.22, a certificate of the Presiding Officer and Secretary of the Convention that every requirement of this Section has been complied with.*

Sec. 2. There shall be only one Bishop Coadjutor in any Diocese. Provided, if it is certified to the Ecclesiastical Authority of a Diocese by two licensed medical doctors, psychologists or psychiatrists, selected by the Ecclesiastical Authority, that the Bishop Coadjutor in the Diocese is permanently unable, by reason of medical, psychological or psychiatric condition, to carry out the duties of Bishop Coadjutor, the Ecclesiastical Authority, upon the advice of three Bishops of three neighboring Dioceses, may declare that the right of succession of the Bishop Coadjutor is terminated and a new Bishop Coadjutor may then be elected as provided in Canon III.22.1.

CANON 24 26.

Of Suffragan Bishops

Sec. 1(a). *With the consent of the Diocesan Bishop, a* ~~A~~ **Suffragan Bishop shall be elected in accordance with Canon III.22.1. the Canons enacted in each Diocese for the election of a Bishop. But the initiative shall always be taken by the Bishop of the Diocese asking for the assistance of a Suffragan.**

Sec. 2 (a) (b). Before the election of a Suffragan Bishop in a Diocese, the consent of the General Convention ; or, if General Convention is not in session, ~~during the recess thereof~~ the consent of a majority of the Bishops ~~having~~ *exercising* jurisdiction and of the several Standing Committees ; must be ~~had and~~ obtained.

~~(b) Whenever the Church in any Diocese shall desire the ordination and consecration of a Suffragan Bishop-elect, subsequent proceedings in accordance with the provisions of Canon III. 21.1 shall be taken.~~

~~(c) If the consents required by Canon III. 21.1 are not received as therein prescribed, or if the Suffragan Bishop-elect decline his election, the Convention of the Diocese may then proceed to a new election.~~

~~Sec. 3. There shall not at any time be more than two Suffragan Bishops holding office in and for any Diocese, save by special consent of the General Convention previously obtained.~~

~~Sec. 4. A Suffragan Bishop may be elected and consecrated for any Missionary Diocese in accordance with the provisions of Sec. 2 of this Canon, and subject to all the provisions thereof.~~

~~Sec. 5 2. A Suffragan Bishop shall act, in all respects, as *an* the assistant of *to and under the direction of* the *Diocesan* Bishop of the Diocese, and under his direction.~~

~~Sec. 6(a). Every Suffragan Bishop, upon attaining the age of seventy-two years, shall forthwith tender his resignation from his position by sending it to the Presiding Bishop, who shall immediately communicate the same to every Bishop of this Church having jurisdiction and shall declare the said Bishop's resignation accepted, effective at a designated date not later than three months from the date of such resignation.~~

~~(b). The Presiding Bishop shall communicate to the resigning Bishop the fact of the acceptance of his resignation and the termination of his position effective as of the date fixed; and, in the case of a Suffragan of a Diocese, shall certify the same to the Ecclesiastical Authority of the Diocese concerned. He shall also order the Secretary of the House of Bishops to record the same effective as of the date fixed, to be incorporated in the Journal of the House. At each meeting of the General Convention, it shall be the duty of the Presiding Officer of the House of Bishops to communicate to the House of Deputies, when in session, a list of such resignations which have been accepted since the preceding meeting of the General Convention.~~

~~(c). If any Suffragan Bishop should for any reason fail to submit his resignation upon attaining the age of seventy-two years, as provided in Clause (a) above, the Presiding Bishop shall certify that fact to the House of Bishops. The House of Bishops shall then declare the said Bishop's position terminated, effective at a date not later than three months from the date of such declaration; and shall order the Presiding Bishop's certificate and its own declaration and action to be recorded in its Journal. It shall then be the duty of the Presiding Officer of the House of Bishops to pronounce such position terminated, and to communicate the fact to the House of Deputies, if in session, and to the Ecclesiastical Authority of each Diocese.~~

~~(d). Sec. 3. The tenure of office of a Suffragan Bishop shall not be *determined by the tenure of office of the Diocesan Bishop*. terminated on the death or removal of the Bishop of the Diocese. A Suffragan Bishop may, at any time, resign his position as Suffragan of a Diocese with the consent of a majority of the Bishops of this Church having jurisdiction under the procedure set out in Canon III. 26.8 so far as it applies.~~

~~A Suffragan Bishop whose resignation has been accepted shall exercise episcopal functions only as he may be authorized by the Ecclesiastical Authority of a Diocese or of an Area Mission.~~

~~Sec. 7 (a). Whenever a Suffragan Bishop shall be elected Bishop or Bishop Coadjutor of a Diocese, if such election shall have taken place within three months before a meeting of the General Convention, evidence thereof shall be laid before each House of the General Convention and the concurrence of each House and its express consent shall be necessary to the validity of said election, and shall complete the same, so that the Bishop thus elected shall be thereafter the Bishop or Bishop Coadjutor of the Diocese which has elected him.~~

~~(b). If the said election has taken place more than three months before a meeting of the General Convention, the above process may be adopted, or the following instead thereof viz.: The Standing Committee of the Diocese electing, or the Secretary of the House of Bishops, as the case may be, shall give duly certified evidence of the election to every Bishop of this Church having jurisdiction and to the Standing Committee of every Diocese.~~

~~On receiving notice of the concurrence of a majority of the Bishops and of the Standing Committees in the election, and their express consent thereto, the Standing Committee of the Diocese concerned or the Secretary of the House of Bishops, as the case may be, shall transmit notice thereof to the Presiding Bishop and to the Ecclesiastical Authority of every Diocese; which notice shall state what Bishops and what Standing Committees have consented to the election. On receiving this notice the Presiding Bishop shall certify to the Secretary of the House of Bishops the altered status and style of the Bishop elected.~~

~~If the Presiding Bishop shall not have received the consent of a majority of the Bishops within three months from the date of his notice to them, he shall then give notice of such failure to the Standing Committee of the Diocese electing.~~

~~Sec. 8 4. No Suffragan Bishop, while acting as such, shall be Rector or settled Member of the Clergy in charge of a Parish or Congregation.~~

CANON 25 27.

Of Assistant Bishops

~~Sec. 1. Whenever any~~ When a Diocese shall, in the opinion of its Bishop, requires additional episcopal services, the said Bishop may, with the consent of the Standing Committee of the Diocese, in lieu of requesting the election of a Coadjutor or Suffragan Bishop, ask the Diocesan Convention of the Diocese to approve the creation of the position of Assistant Bishop ; and to authorize the Bishop to appoint a Bishop for such the position, with the consent of the Standing Committee of the Diocese, and under such conditions as the Bishop may determine.

~~Sec. 2. Such~~ An Assistant Bishop may be appointed from among the following:

~~(a). Diocesan Bishops now exercising jurisdiction, Coadjutor Bishops, or serving as Suffragan Bishops, who under the Constitution and Canons of this Church, and subject to their provisions, would be eligible for election in that Diocese; Provided, that before at the time of accepting any such appointment a Diocesan Bishop, exercising jurisdiction as the Ordinary or as the Bishop Coadjutor or Suffragan Bishop shall resign that office; jurisdiction, or the right of succession, as the case may be;~~

~~(b). Bishops of this Church who, having resigned their previous responsibilities, are qualified to perform episcopal acts in this Church; and~~

~~(c). Bishops of a Church in communion with this Church, in good standing therein, if they:~~

~~(1). have previously resigned their former responsibilities;~~

~~(2). have received approval , by a competent authority within the Church of their consecration ordination of their appointment to the position of Assistant Bishop;~~

~~(3). have exhibited satisfactory evidence of moral and godly character and having met theological requirements; and~~

~~(4). shall have promised in a writing submitted to the Bishop making the appointment to submit in all things to the Doctrine, Discipline and Worship of this Church; ; and~~

~~(5). also shall have submitted to and satisfactorily passed a thorough examination covering both physical and mental their medical, psychological and psychiatric condition by recognized and licensed professionals appointed by the Ecclesiastical Authority of the Diocese with the approval of the Presiding Bishop. The forms of medical and physical for medical, psychological~~

and psychiatric reports prepared by The Church Pension Fund shall be used for these purposes

~~;~~
(d) . ~~Provided, that before the appointment of a Bishop who is not otherwise a member of the House of Bishops as ; an Assistant Bishop in a Diocese under the provisions of subparagraphs (b) or (c), Secs. 2(b) or 2(c) of this Canon, who is not otherwise a member of the House of Bishops, the consent of the House of Bishops or, if such the appointment is to be made more than three months prior to a meeting of the House of Bishops, the consent of a majority of the Bishops having exercising jurisdiction is essential and must be obtained. Sec. 3. An Assistant Bishop so appointed shall serve at the discretion of, and be under the control and direction of, the Bishop having jurisdiction.~~

Sec. 3. Before an Assistant Bishop so appointed begins service in this position, the Bishop of the Diocese shall give certified evidence of the appointment to the Secretary of the House of Bishops and shall transmit notice of the appointment to the Presiding Bishop and to the Ecclesiastical Authority of every Diocese.

Sec. 4. No person may serve as an Assistant Bishop beyond the termination of the jurisdiction of the appointing Bishop or after attaining the age of 72 years.

Sec. 4. 5. An Assistant Bishop shall serve at the discretion, and under the control and direction of, the Diocesan Bishop.

CANON 28.

Of the Incapacity, Resignation, and Retirement of Bishops

Sec. 1. When it is certified to the Presiding Bishop, by at least two licensed medical doctors, psychologists or psychiatrists, who have examined the case, that a Diocesan Bishop is incapable of authorizing the Bishop Coadjutor, if there is one, or a Suffragan Bishop, if there is one, or the Standing Committee to act as the Ecclesiastical Authority, then, upon the advice of five Bishops of neighboring Dioceses selected by the Presiding Bishop, the Presiding Bishop shall declare the Bishop Coadjutor, or a Suffragan Bishop, if the Constitution and Canons of the Diocese so provide, or the Standing Committee to be the Ecclesiastical Authority for all purposes set forth in these Canons and to retain such authority until the Presiding Bishop, acting upon a like certificate, declares the Diocesan Bishop competent to resume official duties.

Sec. 7 2 (a). Every Each Bishop and every Bishop Coadjutor and every Missionary Bishop, upon attaining the age of seventy-two years, shall forthwith tender his resignation from his jurisdiction, as required by Sec. 9 of Article II. Sec. 9 of the Constitution . , by sending it The resignation shall be sent to the Presiding Bishop, who shall immediately communicate it the same to every Bishop of this Church having exercising jurisdiction and shall declare the said Bishop's resignation accepted, effective at a designated date not later than three months from the date of such the resignation was tendered.

(b). The Presiding Bishop shall communicate to the resigning Bishop the fact of the acceptance of his the resignation and the termination of his jurisdiction, effective as of the date fixed . ; and, in the case of a Diocesan Bishop or Bishop Coadjutor of a Diocese, the Presiding Bishop shall certify the same resignation to the Standing Committee of the Diocese concerned , and in the case of other Bishops, to the Ecclesiastical Authority of the Diocese concerned. The Presiding Bishop He shall also order the Secretary of the House of Bishops to record the same resignation, effective as of the date fixed, to be incorporated in the Journal of the House.

(c). If any Bishop, should for any reason , fail s to submit his resignation upon attaining the age of seventy-two years, as provided in Clause (a) above Sec. 2 of this Canon, the Presiding Bishop shall certify that fact to the House of Bishops. The House of Bishops shall then declare the said Bishop's jurisdiction position terminated, effective at a date not later than three

months from the date of declaration; and shall order the Presiding Bishop's certificate and its own declaration and action to be recorded in its Journal. ~~It shall then be the duty of t~~ *The Presiding Bishop Officer of the House of Bishops to shall then* pronounce such jurisdiction *the position* terminated, effective as of the date fixed, and *to shall* communicate the fact to the House of Deputies, if in session, and to the Ecclesiastical Authority *Diocesan Bishop and Standing Committee* of each Diocese.

Sec. 8 3 (a). ~~If the Any Bishop of a Diocese, or a Bishop Coadjutor, shall who~~ desire s to resign his jurisdiction, he shall send in writing to the Presiding Bishop his *the* resignation with the reasons therefor *in writing to the Presiding Bishop* . This communication shall be sent at least thirty days before the date set for a regular or special meeting of the House of Bishops. The Presiding Bishop shall *notify* without delay send a copy of the communication to every Bishop of this Church having ecclesiastical jurisdiction, and also to the Standing Committee *of the Diocese* of the Bishop desiring to resign, in order that the Standing Committee may ~~on behalf of the Diocese~~ be heard *on behalf of the Diocese*, either in person or by correspondence , upon the subject. The House during its session shall investigate the whole case, and by a majority of those present accept or refuse the resignation *by a majority of those present*.

(b). If said a resignation shall ~~have has~~ been tendered more than three months before a regular or special meeting of the House of Bishops, the Presiding Bishop shall communicate the same *it*, together with any statement from the Standing Committee of the Diocese concerned, to every Bishop of this Church . having jurisdiction; and ~~i f~~ a majority of such *the* Bishops shall consent s to the resignation, the Presiding Bishop shall, without delay, *shall* notify the resigning Bishop and the Standing Committee of the Diocese concerned of the acceptance of such *the* resignation and the termination of said Bishop's jurisdiction, effective as of the date fixed. ~~He~~ *The Presiding Bishop* shall also order the Secretary of the House of Bishops to record the same *resignation*, effective as of the date fixed, to be incorporated in the Journal of the House.

(c). The House of Bishops may accept the resignation of a Missionary Bishop at any session of the House by a vote of a majority of those present; ~~Provided, that, in case the resignation be sent to the Presiding Bishop more than three months before a regular or special meeting of the House of Bishops, the Presiding Bishop shall follow the procedure set out in Clause (b) above so far as it applies.~~

(d c). At each meeting of the General Convention, it shall be the duty of the Presiding Officer of the House of Bishop s to *shall* communicate to the House of Deputies, when in session, a list of the resignations which have been accepted since the preceding meeting of the General Convention.

(e). Every Missionary Bishop whose resignation for cause of age or disability has been accepted may receive from the Executive Council an annual retirement or disability supplement to be paid by the Treasurer of the Executive Council in an amount to be fixed by the Executive Council. Any such supplement would be in addition to his regular pension received from The Church Pension Fund, and may be revised whenever such Retired Bishop shall receive a regular stipend from an ecclesiastical employment.

(f). Every Missionary Bishop, and every Bishop holding an office created by the General Convention, whose salary is paid by the Executive Council, whose resignation for reasons of policy or strategy, or for reasons beyond his control, has been accepted, and who has reached retirement age, or who has suffered total disability, shall receive from the Executive Council a retiring allowance to be paid by the Treasurer of the Executive Council in an amount to be fixed by the Executive Council.

Sec. 4 (a). A resigned or retired Bishop shall be subject in all matters to the Constitution and Canons of this Church and to the authority of the General Convention.

~~(b). Sec. 9(a). A resigned or retired Bishop whose resignation has been accepted by the House of Bishops may perform any episcopal act, at the request of any Diocesan Bishop of this Church, within the limits of the said that Bishop's jurisdiction Diocese. He A resigned or retired Bishop may also, by vote of the Convention of any Diocese ; and with the consent of the Bishop of the that Diocese, be given an honorary seat in the Convention, with voice but without vote, or such be given an honorary seat in the Cathedral of any Diocese, by and subject to the authority competent to act in the premises grant such seat. He The resigned or retired Bishop shall report all official acts to the Diocesan Bishop and to the Diocese in which such the acts are performed. The foregoing These provisions of this paragraph shall also be applicable to a resigned Bishop of another Church in communion with this Church, subject to the approval of competent authority within such the other Church, where such approval may be required.~~

~~(b). A Bishop who ceases to have episcopal charge shall still be subject in all matters to the Canons and Authority of the General Convention.~~

~~(c). A resigned Bishop whose resignation has been accepted may, at the discretion of the Bishop of the Diocese in which he the resigned Bishop chooses to reside s, and upon the presentation of Letters Dismissory from the Ecclesiastical Authority of the Diocese in which he the resigned Bishop has had canonical residence most recently, be enrolled among the Clergy of that the new Diocese, and become subject to its Constitution and e C anons and regulations; including and may be ing given accorded a seat and vote in the Diocesan Convention, in accordance with its canonical provisions for qualification of Presbyters; clergy members.~~

~~(d) . but if he shall When a resigned Bishop accept s a pastoral charge or other ministerial post within the a Diocese , as hereinafter provided, he the Diocesan Bishop shall process such the Letters Dismissory , and the resigned Bishop shall be enrolled among the Clergy of the Diocese ; and be given seat and vote in the Diocesan Convention in accordance with the canonical provisions of the Diocese for qualification of clergy members, and subject to the provisions of paragraph (g h) of this section.~~

~~(d e). Such A resigned Bishop may, with the approval of the Bishop of the Diocese in which he chooses to the resigned Bishop reside s, accept a pastoral charge in said that Diocese, and, subject to the Diocese's its canonical provisions for the filling of vacancies, may accept election as the Rector of a Parish therein.~~

~~(e f). Such A resigned Bishop may, with the approval of the Bishop of the Diocese in which he chooses to the resigned Bishop reside s, accept any position created under the authority of the Diocesan Convention, including that of Assistant Bishop .He and may, at the same time, occupy a pastoral charge.~~

~~(f g). Enrollment among the Clergy of, or acceptance of any position within, a Diocese shall not deprive a resigned Bishop of the seat and vote in the House of Bishops to which he the Bishop may be entitled under Article I. Sec. 2 of the Constitution.~~

~~(g h). The provisions of the foregoing paragraphs of this section shall be applicable to a resigned Bishop who continues to reside within the limits of the jurisdiction he previously served as Bishop, resigned Bishop's former Diocese, except that he the resigned Bishop shall not have the right to vote in the Diocesan Convention, unless the Canons of the Diocese so specifically so provide.~~

~~Sec. 10. When it is certified to the Presiding Bishop, by at least three competent physicians who shall have examined the case, that the Bishop of any Diocese is incapable of authorizing the Bishop Coadjutor, if there be one, or a Suffragan Bishop, if there be one, or the Standing~~

~~Committee, to act as the Ecclesiastical Authority, then, upon the advice of five Bishops of neighboring Dioceses, to be selected by the Presiding Bishop, the Bishop Coadjutor, if there be one, or a Suffragan Bishop, if there be one, and if the Constitution and Canons of the Diocese so provide, or the Standing Committee, shall be declared by the Presiding Bishop to be the Ecclesiastical Authority for all purposes set forth in these Canons, and shall retain such authority until such time as, acting upon a like certificate, the Presiding Bishop shall declare the said Bishop competent to perform official duties.~~

CANON 29.

Of Dioceses without Bishops

~~Sec. 6 1 (b): A Diocese without a Bishop, or of which the Bishop is for the time under a disability by reason of a judicial sentence, may, by a act of its Convention, and in consultation with the Presiding Bishop, be placed under the provisional charge and authority of the a Bishop or Bishop Coadjutor of another Diocese or of a resigned Bishop, who shall by that act be authorized to perform exercise all the duties and offices of the Bishop of the Diocese so vacant or whose Bishop is under disability, until, in the case of a vacant Diocese, a Bishop be duly is elected and consecrated ordained for that Diocese or until for the same; or, in the case of a Diocese whose Bishop is disabled, until the disqualification be removed; or until, in either case, the said act of the Convention be is revoked.~~

Sec. 2. Any Bishop may, on the invitation of the Convention or of the Standing Committee of any Diocese where there is no Bishop, visit and exercise episcopal offices in that Diocese ; or any part of it. This invitation shall be for a stated period and may be revoked at any time.

~~Sec. 3. (c): A Diocese, while under the provisional charge of a Bishop, shall not invite any other Bishop to perform any visit and exercise episcopal duty or exercise acts or authority without the consent of the Bishop in charge.~~

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Indianapolis, 1994* (New York: General Convention, 1995), pp. 329-46.



Resolution Number: 1991-A217
Title: Amend Canon III.21 [Add Sec. 5: Objections to the Election Process]
Legislative Action Taken: Concurred
Final Text:

Resolved, That Canon III.21 be amended by adding a new section as follows:

Sec. 5 (a). Within ten days after the election of a Bishop, a Bishop Coadjutor or a Suffragan Bishop by a Diocesan Convention, delegates constituting not less than 10% of the number of delegates casting votes on the final ballot may file with the Secretary of the Convention written objections to the election process setting forth in detail all alleged irregularities. Within ten days after receipt thereof, the Secretary of the Convention shall forward copies of the same to the Bishop, the Chancellor and Standing Committee of the Diocese, and to the Presiding Bishop, who shall request the Court of Review of the Province in which the Diocese is located to investigate the complaint. The Court of Review may invite response by the Bishop, the Chancellor, the Standing Committee and any other persons within the electing Diocese. Within thirty days after receipt of the request, the Court of Review shall send a written report of its findings to the Presiding Bishop, a copy of which report the Presiding Bishop, within fifteen days, shall cause to be sent to the Bishop, the Chancellor, the Standing Committee and the Secretary of the Convention of the electing Diocese.

(b). If such election shall have taken place within three months before a meeting of the General Convention, the Report shall be sent with the evidence of election and testimonials as provided in Section 1(a) of this Canon.

(c). If such election shall have taken place more than three months before the meeting of the General Convention, the report of the Court of Review shall be sent to the Standing Committees of the several Dioceses, with the Certificate of the Secretary of the electing Convention relating to consent to consecrate. Likewise, the Presiding Bishop shall include such report in the communication to the Bishops having jurisdiction. The Secretary also shall send a copy of the Report to each of the delegates who filed objection to the election process.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Phoenix, 1991* (New York: General Convention, 1992), pp. 785-786.