

General Convention of The Episcopal Church 2022 Archives' Research Report

Resolution No.: 2022-D053
Title: Amend Various Canons in Titles IV and V to Provide for Notices of Sentences
Proposer: Canon Paul Ambos
Topic: Discipline

Directly Related: (Attached)

2018-A132 Refer a Resolution on Amending Canon IV.14 [Of Accords and Orders] (Referred)
2018-D079 Refer a Resolution to Amend Various Canons in Titles III, IV, and V Regarding Disciplinary Cases (Referred)

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

2018-A118 Amend Canons IV.13 and IV.14.7 [Of Hearing Panels, Order Issued by Panels]
2018-A119 Amend Canon IV.15 [Of Review]
2015-A136 Amend Canon IV.14.4 [Of Accords and Orders]
2015-A140 Amend Canon IV.14.12 [Of Accords and Orders]

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.

D053 - Amend various Canons in Titles IV and V to provide for Notices of Sentences

Final Status: Not Yet Finalized

Proposed by: Canon Paul Ambos

Endorsed by: Canon Barbara Okamoto Bach, The Rev. Gail Bennett

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 Canon IV.4.1.d 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. 1.d. abide by the requirements of any Sentence pronounced pursuant to an Accord or Order, or any applicable Pastoral Direction, restriction on ministry, or placement on Administrative Leave issued under Canon IV.7;

And be it further

Resolved, That Canon IV.14.8 is hereby amended to add a new subsection c., to read as follows:

c. Following the receipt from the Court of Review of a notice of determination of an appeal of an Order, other than a dismissal of the matter or a direction granting a new hearing, the Bishop Diocesan shall then pronounce Sentence not sooner than twenty-five days following the receipt of the notice of determination of the appeal and not later than forty days following such receipt.

And be it further

Resolved, That Canon IV.14.12 is hereby amended to read as follows:

Sec. 12. Notice of all Sentences pronounced pursuant to Accords and Orders which have become effective shall be given without delay as follows:

a. In the case of any Accord or Order pertaining to a Priest or Deacon, the Bishop Diocesan shall give notice of the Sentence to every Member of the Clergy in the Diocese, each Vestry in the Diocese, the Secretary of Convention, and the Standing Committee of the Diocese, which shall be added to the official records of the Diocese; to the Presiding Bishop, to all other Bishops of the Church, and where there is no Bishop, to the Ecclesiastical Authority of each Diocese of the Church; to the President of the House of Deputies; to the Recorder of Ordinations; to the Archives; to the Secretary of the House of Bishops and the Secretary of the House of Deputies; and to the Office for Transition Ministry, which shall insert a copy of the notice of Sentence on the Respondent's OTM Portfolio.

b. In the case of any Accord or Order pertaining to a Bishop, the president of the Disciplinary Board for Bishops shall give notice of the Sentence to the Presiding Bishop, to all other Bishops of the Church, and where there is no Bishop, to the Ecclesiastical Authority of every Diocese of the Church, to the President of the House of Deputies, to the Recorder of Ordinations, to the Archives, to the Secretary of the House of Bishops and the Secretary of the House of Deputies, to all Archbishops and Metropolitans, to all Presiding Bishops of Churches in full communion with this Church, and to the Office for Transition Ministry, which shall insert a copy of the notice of Sentence on the Respondent's OTM Portfolio.

c. All notices given pursuant to this Canon shall reference the Canon(s), section(s) and subsection(s) specifying the Offense which is the subject of the Accord or Order. In addition to setting forth the Sentence pronounced, the notice shall set forth any other terms of the Accord or Order that are accepted by the Bishop Diocesan or the president of the Disciplinary Board for Bishops which place restrictions upon the exercise of the ministry of the Member of the Clergy.

d. Similar notice shall be given whenever there is any modification or remission of any Sentence for which notice has previously been given pursuant to this Canon.

And be it further

Resolved, That Canon IV.17.6 is hereby amended to read as follows:

Sec. 6. The provisions of Canons IV.14.1.d and IV.14.6.c pertaining to recommendations that a Respondent be admonished or suspended or deposed from ministry shall not apply where the Respondent is a Bishop. Where the Respondent is a Bishop, an Accord or Order may provide for the admonishment, suspension, or deposition of the Respondent. In such event, the Sentence of admonishment, suspension, or deposition, together with such other terms as may be contained in the Accord or Order, shall be pronounced by the president of the Disciplinary Board for Bishops. The president shall have no discretion to decline to

pronounce the Sentence or to pronounce a lesser Sentence. Where an Accord provides for the admonishment, suspension, or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence within thirty days after the date on which the Conciliator or the president signs the Accord. Where an Order provides for the admonishment, suspension, or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence not sooner than forty days following the issuance of the Order and not later than sixty days following the issuance of the Order. Notwithstanding anything in this section to the contrary, no Sentence shall be pronounced while an appeal of the matter is pending. However, the president may, while an appeal is pending, place restrictions upon the exercise of the Respondent's ministry, or place the Respondent on Administrative Leave, or continue any such restriction or Administrative Leave as was in effect at the time of the issuance of the Order. Following the receipt from the Court of Review for Bishops of a notice of determination of an appeal of an Order, other than a dismissal of the matter or a direction granting a new hearing, the president shall then pronounce Sentence not sooner than twenty-five days following the receipt of the notice of determination of the appeal and not later than forty days following such receipt.

And be it further

Resolved, That Canon IV.18 is hereby amended to read as follows:

CANON 18: Of Modification and Remission of Orders *Sentences*

Sec. 1. Any Member of the Clergy who is the subject of a Sentence may apply to the Bishop Diocesan of the Diocese from which the Sentence issued, or the Presiding Bishop in the case of a Bishop, for modification or remission of the Sentence. If the Bishop is satisfied that sufficient reasons exist for granting the modification or remission sought, in whole or in part, the procedures provided in this Canon for modification or remission shall apply.

Sec. 2. In the case of a Sentence pertaining to a Priest or Deacon, any provision of any Sentence other than a Sentence of deposition of the Priest or Deacon may be modified or remitted by the Bishop Diocesan of the Diocese from which the Sentence issued with the advice and consent of two-thirds of the members of the Disciplinary Board.

Sec. 3. In the case of a Sentence of deposition of a Priest or Deacon, such deposition may be remitted and terminated by the Bishop Diocesan of the Diocese from which the Sentence issued only upon the following conditions: a. the remission shall be done with the advice and consent of two-thirds of the members of the Disciplinary Board of the Diocese from which the Sentence issued; b. the proposed remission, with the reasons therefor, shall be submitted to the judgment of five of the Bishops Diocesan whose Dioceses are nearest to the Diocese from which the Sentence issued, and the Bishop Diocesan shall receive in writing from at least four of those Bishops their approval of the remission and their consent thereto; c. if the person deposed maintains legal residence or canonical residence in a Diocese other than the Diocese from which the Sentence issued, the proposed remission, with the reasons therefor, shall be submitted to the judgment of the Bishop(s) Diocesan of the Diocese(s) of legal and canonical residence and such Bishop(s) shall give his or her (or their) written approval of the remission and consent thereto; and d. before such remission,

the Bishop Diocesan shall require the person deposed, who desires to be restored to the ordained ministry, to subscribe to the declaration required in Article VIII of the Constitution.

Sec. 4. In the case of a Sentence pertaining to a Bishop, any provision of the Sentence may be modified or remitted by the president of the Disciplinary Board for Bishops with the advice and consent of a majority of the members of the Board and the Bishops who are then serving on the Court of Review.

Sec. 5. In the case of any deposition of a Member of the Clergy for abandoning the Church, no application for remission shall be received by the Bishop Diocesan until the deposed person has lived in lay communion with the Church for not less than one year next preceding application for the remission.

Sec. 6. No Sentence may be modified or remitted unless the Member of the Clergy, the Church Attorney and each Complainant have been afforded sufficient opportunity to be heard by the Disciplinary Board, or the Disciplinary Board together with the Bishops who are then serving on the Court of Review, as the case may be, as to why the proposed modification or remission should or should not be permitted.

And be it further

Resolved, That Canon IV.19.3 is hereby amended to read as follows:

Sec. 3. No secular court shall have authority to review, annul, reverse, restrain or otherwise delay any proceeding under this Title. No action shall be brought in any secular court to enforce the terms or provisions of any Accord or Order or Sentence unless otherwise expressly provided therein.

And be it further

Resolved, That Canon IV.19.10.f is hereby amended to read as follows:

Sec. 10.f The reasonable costs and expenses of providing Advisors made available by the Bishop Diocesan shall be the obligation of the Diocese in which the matter of Discipline is proceeding unless otherwise provided in a Sentence implementing an Accord or Order. The reasonable costs and expenses of providing Advisors chosen by the Respondent or Complainant and not made available by the Bishop Diocesan shall be the obligation of such Respondent or Complainant unless otherwise provided in a Sentence implementing an Accord or Order.

And be it further

Resolved, That the first sentence of Canon IV.19.23 is hereby amended to read as follows:

Sec. 23. Except as expressly provided in this Title, applicable Diocesan Canon, or in a Sentence implementing any Accord or Order, all costs, expenses and fees, if any, shall be the obligation of the party, person or entity incurring them.

And be it further

Resolved, That Canon IV.19.26 is hereby amended to read as follows:

Sec. 26. Wherever in this Title it is provided that any communication, deliberation, investigation or proceeding shall be confidential, no person having knowledge or possession of confidential information derived from any such communication, deliberation, investigation or proceeding shall disclose the same except as provided in this Title, in any Accord or Order or a Sentence pursuant to such Accord or Order, or as required by any applicable law.

And be it further

Resolved, That Canon IV.19.30.b is hereby amended to read as follows:

b. The Bishop Diocesan shall:

1. promptly deliver to The Archives of the Episcopal Church a copy of any Accord or Order which has become effective and any Sentence pronounced thereon and a record of any action of remission or modification of any Sentence, and
2. provide for the permanent preservation of copies of all Accords and Orders and Sentences by means which permit the identification and location of each such copy by the name of the Member of the Clergy who is the subject thereof.

And be it further

Resolved, That Canon V.4.1.a.2 is hereby amended to read as follows:

Sec. 1. a.2 upon any restriction on exercise of ministry, placement on Administrative Leave; or pronouncement of a Sentence of admonition, suspension, or deposition pursuant to an Order or Accord upon a Member of the Clergy then serving on the body;

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

Sec. 1.d. abide by the requirements of any ~~applicable~~ *Sentence pronounced pursuant to an Accord or Order*, or any applicable Pastoral Direction, restriction on ministry, or placement on Administrative Leave issued under Canon IV.7;

And be it further

Resolved, That Canon IV.14.8 is hereby amended to add a new subsection (c), to read as follows:

c. Following the receipt from the Court of Review of a notice of determination of an appeal of an Order, other than a dismissal of the matter or a direction granting a new hearing, the Bishop Diocesan shall then pronounce Sentence not sooner than twenty-five days following

the receipt of the notice of determination of the appeal and not later than forty days following such receipt.

And be it further

Resolved, That Canon IV.14.12 is hereby amended to read as follows:

Sec. 12. ~~If there has been no objection by the Respondent or the Church Attorney to the Order(s),~~ *notice of Notice of all Sentences pronounced pursuant to Accords and Orders* which have become effective shall be given without delay as follows:

a. In the case of any Accord or Order pertaining to a Priest or Deacon, the Bishop Diocesan shall give notice of the ~~Accord or Order~~ *Sentence* to every Member of the Clergy in the Diocese, each Vestry in the Diocese, the Secretary of Convention, and the Standing Committee of the Diocese, which shall be added to the official records of the Diocese; to the Presiding Bishop, to all other Bishops of the Church, and where there is no Bishop, to the Ecclesiastical Authority of each Diocese of the Church; to the President of the House of Deputies; to the Recorder of Ordinations; to the Archives; to the Secretary of the House of Bishops and the Secretary of the House of Deputies; and to the Office of *for* Transition Ministry, which shall insert a copy of the notice of ~~Accord or Order~~, *Sentence* on the Respondent's OTM Portfolio.

b. In the case of any Accord or Order pertaining to a Bishop, the ~~Presiding Bishop~~ *president of the Disciplinary Board for Bishops* shall give notice of the ~~Accord or Order~~ *Sentence* to the *Presiding Bishop, to all other Bishops of the Church, and where there is no Bishop, to the Ecclesiastical Authority of every Diocese of the Church, to the President of the House of Deputies,* to the Recorder of Ordinations, *to the Archives,* to the Secretary of the House of Bishops *and the Secretary of the House of Deputies,* to all Archbishops and Metropolitans, to all Presiding Bishops of Churches in full communion with this Church, and to the Office of *for* Transition Ministry, which shall insert a copy of the notice of ~~Order or Accord~~, *Sentence* on the Respondent's OTM Portfolio.

c. All notices given pursuant to this Canon shall reference the Canon(s), section(s) and subsection(s) specifying the Offense which is the subject of the Accord or Order. *In addition to setting forth the Sentence pronounced, the notice shall set forth any other terms of the Accord or Order that are accepted by the Bishop Diocesan or the president of the Disciplinary Board for Bishops which place restrictions upon the exercise of the ministry of the Member of the Clergy.*

d. Similar notice shall be given whenever there is any modification or remission of any Order *Sentence* for which notice has previously been given pursuant to this Canon.

And be it further

Resolved, That Canon IV.17.6 is hereby amended to read as follows:

Sec. 6. The provisions of Canons IV.14.1.d and IV.14.6.c pertaining to recommendations that a Respondent be *admonished or* suspended or deposed from ministry shall not apply

where the Respondent is a Bishop. Where the Respondent is a Bishop, an Accord or Order may provide for the *admonishment*, suspension, or deposition of the Respondent. In such event, the Sentence of *admonishment*, suspension, or deposition, *together with such other terms as may be contained in the Accord or Order*, shall be pronounced by the president of the Disciplinary Board for Bishops. The president shall have no discretion to decline to pronounce the Sentence or to pronounce a lesser Sentence. Where an Accord provides for the *admonishment*, suspension, or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence within thirty days after the date on which the Conciliator or the president signs the Accord. Where an Order provides for the *admonishment*, suspension, or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence not sooner than forty days following the issuance of the Order and not later than sixty days following the issuance of the Order. Notwithstanding anything in this section to the contrary, no Sentence shall be pronounced while an appeal of the matter is pending. However, the president may, while an appeal is pending, place restrictions upon the exercise of the Respondent's ministry, or place the Respondent on Administrative Leave, or continue any such restriction or Administrative Leave as was in effect at the time of the issuance of the Order. *Following the receipt from the Court of Review for Bishops of a notice of determination of an appeal of an Order, other than a dismissal of the matter or a direction granting a new hearing, the president shall then pronounce Sentence not sooner than twenty-five days following the receipt of the notice of determination of the appeal and not later than forty days following such receipt.*

And be it further

Resolved, That Canon IV.18 is hereby amended to read as follows:

CANON 18: Of Modification and Remission of Orders *Sentences*

Sec. 1. Any Member of the Clergy who is the subject of ~~an Order which has become effective~~ a *Sentence* may apply to the Bishop Diocesan of the Diocese from which the ~~Order Sentence~~ *Sentence* issued, or the Presiding Bishop in the case of a Bishop, for modification or remission of the ~~Order Sentence~~ *Sentence*. If the Bishop is satisfied that sufficient reasons exist for granting the modification or remission sought, in whole or in part, the procedures provided in this Canon for modification or remission shall apply.

Sec. 2. In the case of ~~an Order~~ a *Sentence* pertaining to a Priest or Deacon, any provision of any ~~Order Sentence~~ other than a ~~provision recommending~~ *Sentence of* deposition of the Priest or Deacon may be modified or remitted by the Bishop Diocesan of the Diocese from which the ~~Order Sentence~~ *Sentence* issued with the advice and consent of two-thirds of the members of the Disciplinary Board.

Sec. 3. In the case of a *Sentence of* deposition of a Priest or Deacon ~~pursuant to an Order~~, such deposition may be remitted and terminated by the Bishop Diocesan of the Diocese from which the ~~Order Sentence~~ *Sentence* issued only upon the following conditions: a. the remission shall be done with the advice and consent of two-thirds of the members of the Disciplinary Board of the Diocese from which the ~~Order Sentence~~ *Sentence* issued; b. the proposed remission, with the reasons therefor, shall be submitted to the judgment of five of the Bishops Diocesan whose Dioceses are nearest to the Diocese from which the ~~Order Sentence~~ *Sentence*

issued, and the Bishop Diocesan shall receive in writing from at least four of those Bishops their approval of the remission and their consent thereto; c. if the person deposed maintains legal residence or canonical residence in a Diocese other than the Diocese from which the ~~Order~~ *Sentence* issued, the proposed remission, with the reasons therefor, shall be submitted to the judgment of the Bishop(s) Diocesan of the Diocese(s) of legal and canonical residence and such Bishop(s) shall give his or her (or their) written approval of the remission and consent thereto; and d. before such remission, the Bishop Diocesan shall require the person deposed, who desires to be restored to the ordained ministry, to subscribe to the declaration required in Article VIII of the Constitution.

Sec. 4. In the case of ~~an Order~~ *a Sentence* pertaining to a Bishop, any provision of the ~~Order~~ *Sentence* may be modified or remitted by the president of the Disciplinary Board for Bishops with the advice and consent of a majority of the members of the Board and the Bishops who are then serving on the Court of Review.

Sec. 5. In the case of any ~~Order~~ *deposing deposition of* a Member of the Clergy for abandoning the Church, no application for remission shall be received by the Bishop Diocesan until the deposed person has lived in lay communion with the Church for not less than one year next preceding application for the remission.

Sec. 6. No ~~Order~~ *Sentence* may be modified or remitted unless the Member of the Clergy, the Church Attorney and each Complainant have been afforded sufficient opportunity to be heard by the Disciplinary Board, or the Disciplinary Board together with the Bishops who are then serving on the Court of Review, as the case may be, as to why the proposed modification or remission should or should not be permitted.

And be it further

Resolved, That Canon IV.19.3 is hereby amended to read as follows:

Sec. 3. No secular court shall have authority to review, annul, reverse, restrain or otherwise delay any proceeding under this Title. No action shall be brought in any secular court to enforce the terms or provisions of any *Accord* or *Order or Sentence* unless otherwise expressly provided therein.

And be it further

Resolved, That Canon IV.19.10.f is hereby amended to read as follows:

Sec. 10.f The reasonable costs and expenses of providing Advisors made available by the Bishop Diocesan shall be the obligation of the Diocese in which the matter of Discipline is proceeding unless otherwise provided in *a Sentence implementing* an *Accord* or *Order*. The reasonable costs and expenses of providing Advisors chosen by the Respondent or Complainant and not made available by the Bishop Diocesan shall be the obligation of such Respondent or Complainant unless otherwise provided in *a Sentence implementing* an *Accord* or *Order*.

And be it further

Resolved, That the first sentence of Canon IV.19.23 is hereby amended to read as follows:

Sec. 23. Except as expressly provided in this Title, applicable Diocesan Canon, or in a *Sentence implementing* any Accord or Order, all costs, expenses and fees, if any, shall be the obligation of the party, person or entity incurring them.

And be it further

Resolved, That Canon IV.19.26 is hereby amended to read as follows:

Sec. 26. Wherever in this Title it is provided that any communication, deliberation, investigation or proceeding shall be confidential, no person having knowledge or possession of confidential information derived from any such communication, deliberation, investigation or proceeding shall disclose the same except as provided in this Title, in any Accord or Order *or a Sentence pursuant to such Accord or Order*, or as required by any applicable law.

And be it further

Resolved, That Canon IV.19.30.b is hereby amended to read as follows:

b. The Bishop Diocesan shall:

1. promptly deliver to The Archives of the Episcopal Church a copy of any Accord or Order which has become effective *and any Sentence pronounced thereon* and a record of any action of remission or modification of any ~~Order~~ *Sentence*, and
2. provide for the permanent preservation of copies of all Accords and Orders *and Sentences* by means which permit the identification and location of each such copy by the name of the Member of the Clergy who is the subject thereof.

And be it further

Resolved, That Canon V.4.1.a.2 is hereby amended to read as follows:

Sec. 1.a.2 upon any restriction on exercise of ministry;, placement on Administrative Leave;; *or pronouncement of a Sentence of admonition, suspension, or deposition pursuant to entry* of an Order or Accord, ~~which Order or Accord includes a Sentence of Admonition, Suspension, or Deposition of~~ *upon* a Member of the Clergy then serving on the body;

Explanation

This proposal incorporates parts of Resolution 2018-D079, which was referred to the Standing Commission on Structure, Governance, Constitution and Canons but not reported to this Convention. Given its workload, this was only to be expected. Under the constraints imposed on the 80th General Convention, the proposer recommends that this proposal also be referred to the Standing Commission for study and perfection for the 81st General Convention.

The 2009 revision of Title IV provides for giving notice of Accords and Orders. The previous revision provided instead for giving notice of Sentences. With one limited exception regarding sentencing of Bishops, Accords and Orders are merely recommendations to the sentencing Bishop, who has discretion to impose a lesser sentence. So what is contained in an Accord or Order may not correspond to the actual sanction imposed on the member of the clergy. If the sanction is a suspension of ministry or deposition, this is a significant fact for those to whom the notice is directed. Yet the current requirements for notices of Accords and Orders only require a recitation of the subsections of Canon IV.3 or IV.4 that the Offense involved violated. Neither the facts of the Offense nor the sanction recommended need be specified (these must go into the Accord or Order but not the notice). All that is known is that a Title IV proceeding has come to a close.

This proposal returns to a system of giving notices of Sentences. Restrictions on ministry contained in the Sentence should be included in the notice in addition to any suspension or deposition, so that the recipients can know that the clergyperson in question cannot fully function as a cleric.

Current Title IV does not provide for when a Bishop Diocesan should pronounce Sentence following an appeal that affirms or modifies an Order. This is added by new Canon IV.14.8.c.

Pre-revision Title IV provided for notice to be given of Sentences and not of Trial Court Judgments (Canon IV.12.9 & .11 (2006)). Since the Sentence is the operative document, that is what should be noticed. This is included in the proposed changes to IV.14.12. In addition, since it is the president of the Disciplinary Board for Bishops that pronounces a Sentence on a Bishop, that person, rather than the Presiding Bishop, should be the person to send notices. The recipients of the notices for Bishops in IV.14.12.b and for other clergy in IV.14.2.a are conformed and the name of offices corrected. Restrictions on ministry are added to IV.13.12.c

As to modifications and remissions, since an Order or Accord is only a recommendation to the Bishop for sentencing, what really needs to be modified or remitted is the Sentence itself, which would include an admonition, suspension, or deposition, in addition to such "other terms" of the Accord or Order as the Bishop accepts. See Canon IV.13 (2006). While the current Canon only speaks to modifications or remissions arising from an Order, there is no reason that issues arising from an Accord should not be included as well. In IV.18.5, the reference to an "Order" is deleted, because a deposition for abandonment is not pursuant to any Order, which by definition (IV.2) can only be issued by a Conference or Hearing Panel. (This anomaly is an argument (there are many) for moving the Abandonment Canon (IV.16) from Title IV to Title III, since its procedures are outside the scope of the disciplinary structures established by Title IV.)

Canon IV.17.6 on Sentences for Bishops varies from sentencing for other clergypersons in that Accords or Orders that would result in suspension or deposition cannot be given any lesser sanction by the sentencing Bishop, but it is silent on recommendations for admonition or for any other terms that may be included in the Accord or Order, where the sentencing Bishop could presumably refuse to admonish or could reduce or waive any restrictions on the Respondent, and no review of this is provided for. ("The president shall have no

discretion to decline to pronounce the Sentence or to pronounce a lesser Sentence" only refers to the defined term "Sentence" which does not include those "other terms".) Also, the sentencing Bishop is just one Bishop chosen to be the president of the Disciplinary Board for Bishops, chosen either by vote or by seniority (IV.17.3). For sentencing following an Accord, the terms of the Accord will have been approved by the Presiding Bishop and a majority of the entire Board (IV.17.9), and for sentencing following an Order issued by a Conference or Hearing Panel consisting of three bishops, one other clergyperson, and one lay person, and possibly affirmed on appeal by a Court of Review of nine bishops. Despite the limited language directing only two points of departure from IV.14.1(d) and IV.14.6(c), I believe that it is the clear intention is that sentencing under these circumstances is a ministerial act, and the sentencing Bishop should not have discretion to unilaterally impose a lesser burden on the Respondent than the Accord or Order shall provide. Language is inserted to clarify this.

New language is added parallel to that for new IV.14.8(c) to provide for sentencing following an appeal.

As to modifications and remissions, since an Order or Accord is only a recommendation to the Bishop for sentencing, what really needs to be modified or remitted is the Sentence itself, which would include an admonition, suspension, or deposition, in addition to such "other terms" of the Accord or Order as the Bishop accepts. See Canon IV.13 (2006). While the current Canon only speaks to modifications or remissions arising from an Order, there is no reason that issues arising from an Accord should not be included as well. In IV.18.5, the reference to an "Order" is deleted, because a deposition for abandonment is not pursuant to any Order, which by definition (IV.2) can only be issued by a Conference or Hearing Panel. (This anomaly is an argument (there are many) for moving the Abandonment Canon (IV.16) from Title IV to Title III, since its procedures are outside the scope of the disciplinary structures established by Title IV.)

Miscellaneous conforming changes are proposed for IV.19 and for V.4.1.



Resolution Number: 2018-A132
Title: Refer a Resolution on Amending Canon IV.14 [Of Accords and Orders]
Legislative Action Taken: Referred
Final Text:

Resolved, That Canon IV.14 be amended as follows:

Sec. 4. *In the case of any Accord that has become effective:*

- (a) ~~A~~ a copy of the Accord shall be sent to the Complainant, the Complainant's Advisor, *the Complainant's counsel, if any*, the Respondent, the Respondent's Advisor, the Respondent's counsel, if any, the Church Attorney, the president of the Disciplinary Board, and the Bishop Diocesan by the Conciliator or the president of the Conference Panel (whichever the matter was before when the Accord was reached), *the Presiding Bishop, the President of the House of Deputies and the Secretary of the General Convention* on the date on which the Accord is signed;;
- (b) If the Accord was reached between the Bishop Diocesan and Respondent under Canon IV.9, the Bishop Diocesan shall send a copy of the Accord to the president of the panel to which the matter is assigned and the persons listed in ~~this Section subsection (a), above~~, on the date the Accord becomes effective and irrevocable;; and
- (c) *in the case of any Accord pertaining to a Bishop, the Presiding Bishop shall provide a full and complete copy of the Accord to (i) in the case of a Bishop Diocesan, Bishop Suffragan serving under Article II.5, or Bishop serving under Canon III.13, to the Standing Committee of that Diocese, (ii) in the case of a Bishop Suffragan, Bishop Coadjutor, or Assistant Bishop, to the Bishop Diocesan and the Standing Committee of that Diocese.*

Sec. 5. The Bishop Diocesan shall have twenty days from the date on which the Accord is entered in which to advise in writing the Respondent, the Respondent's Advisor, the Respondent's counsel, if any, the Complainant, the Complainant's Advisor, the Church Attorney and the Conciliator or the president of the Conference Panel ~~or Hearing Panel~~ whether the Bishop Diocesan will pronounce the Sentence or accept the other terms of the Accord as recommended. The Bishop Diocesan shall advise that he or she will (a) pronounce the Sentence as recommended, or (b) pronounce a lesser Sentence than that recommended and/or, (c) reduce the burden on the Respondent of any of the other terms of the Accord. The Bishop Diocesan shall pronounce Sentence not sooner than twenty days following the date on which the Accord is entered and not later than forty days following such date. The Bishop

Diocesan's pronouncement of a lesser Sentence than that recommended or other modification shall not affect the validity or enforceability of the remainder of the Accord. In the case of an Accord under Canon IV.9, the Bishop Diocesan shall pronounce Sentence not sooner than the day after the date the Accord becomes effective and irrevocable.

And be it further

Resolved, **That a new Section 12 be added to Canon IV.14 and successive sections renumbered:**

Sec. 12. In the case of any Order issued by a Conference Panel, Hearing Panel or a Provincial Court of Review or Court of Review for Bishops:

(a) a copy of the Order shall be sent to the Complainant, the Complainant's Advisor, the Complainant's counsel, if any, the Respondent, the Respondent's Advisor, the Respondent's counsel, if any, the Church Attorney, the president of the Disciplinary Board, the Presiding Bishop, the President of the House of Deputies and the Secretary of the General Convention on the date on which the Order is signed; and

(b) in the case of any Order pertaining to a Bishop, the President of the Disciplinary Board for Bishops shall provide a full and complete copy of the Order (i) in the case of a Bishop Diocesan, Bishop Suffragan serving under Article II.5, or Bishop serving under Canon III.13, to the Standing Committee of any Diocese in which they are serving, and (ii) in the case of a Bishop Suffragan, Bishop Coadjutor, or Assistant Bishop, to the Bishop Diocesan and the Standing Committee of any Diocese in which they are serving.

And be it further

Resolved, **That Canon IV.14.12 is hereby amended to read as follows:**

Sec. 12-13. If there has been no objection by the Respondent or the Church Attorney to the Order(s), notice of Accords and Orders which have become effective shall be given without delay as follows:

(a) In the case of any Accord or Order that has become effective and that contains a Restriction on Ministry or a Sentence pertaining to a Priest or Deacon, the Bishop Diocesan shall give notice of the Accord or Order to every Member of the Clergy in the Diocese, each Vestry in the Diocese, the Secretary of Convention, and the Standing Committee of the Diocese, which shall be added to the official records of the Diocese; to the Presiding Bishop, to all other Bishops of the Church, and where there is no Bishop, to the Ecclesiastical Authority of each Diocese of the Church; to the President of the House of Deputies; to the Recorder of Ordinations; to the Archives; to the Secretary of the House of Bishops; to the Secretary of the House of Deputies; to the Secretary of the General Convention; to the Church Pension Fund; and to the Office of Transition Ministry; the Archives; and to the Secretary of the House of Bishops and the Secretary

~~of the House of Deputies.~~ *If the Priest or Deacon is canonically resident in a Diocese other than the Diocese in which the matter is being heard, the Bishop Diocesan of the Diocese of canonical residence shall also give notice of the Accord or Order to every Member of the Clergy in the Diocese, each Vestry in the Diocese, the Secretary of Convention, and the Standing Committee of the Diocese, which shall be added to the official records of the Diocese.*

(b) In the case of any Accord or Order that has become effective and that contains a Restriction on Ministry or a Sentence pertaining to a Bishop, the Presiding Bishop shall give notice of the Accord or Order to the Ecclesiastical Authority of every Diocese of the Church, to the Standing Committees of every Diocese of the Church, to the Recorder of Ordinations, ~~to the Office of Transition Ministry,~~ and to the Secretary of the House of Bishops, ~~to the President of the House of Deputies, to the Secretary of the General Convention, to the Archives, and to the Office of Transition Ministry and to all Archbishops and Metropolitans, and to all Presiding Bishops of Churches in communion with this Church.~~

(c) In the case of any Accord or Order that has become effective and that contains a Sentence of Suspension or Deposition pertaining to a Bishop, the Presiding Bishop shall give notice of the Accord or Order to those parties listed in subsection (b), above, and to all Archbishops, Metropolitans, Presiding Bishops and heads of Churches in full communion with this Church.

(ed) All notices given pursuant to this Canon shall reference the Canon(s), section(s) and subsection(s) specifying the Offense which is the subject of the Accord or Order.

(de) Similar notice shall be given whenever there is any modification or remission of any Order for which notice has previously been given pursuant to this Canon

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Austin, 2018* (New York: General Convention, 2018), pp. 457-459.



Resolution Number: 2018-D079
Title: Refer a Resolution to Amend Various Canons in Titles III, IV, and V Regarding Disciplinary Cases
Legislative Action Taken: Referred
Final Text:

Resolved, That Canon III.7.9 is hereby amended to read as follows:

Sec. 9. If a Deacon submitting the writing described in Section 8 of this Canon be the subject of information concerning an Offense that has been referred to an Intake Officer or a Respondent in a pending disciplinary matter as defined in Title IV of these Canons, the Ecclesiastical Authority to whom such writing is submitted shall not consider or act upon the written request unless and until the disciplinary matter shall have been resolved by a dismissal *that is no longer subject to review or a Sentence pronounced pursuant to an Accord*, ~~Accord~~, or Order and the time for appeal or rescission of such has expired.

And be it further

Resolved, That Canon III.9.11 is hereby amended to read as follows:

Sec. 11. If a Priest submitting the writing described in Section 8 or 9 of this Canon be the subject of information concerning an Offense that has been referred to an Intake Officer or a Respondent in a pending disciplinary matter as defined in Title IV of these Canons, the Ecclesiastical Authority to whom such writing is submitted shall not consider or act upon the written request unless and the disciplinary matter shall have been resolved by a dismissal *that is no longer subject to review or a Sentence pronounced pursuant to an Accord*, ~~Accord~~, or Order and the time for appeal or rescission of such has expired.

And be it further

Resolved, That Canon III.12.7(c) is hereby amended to read as follows:

Sec. 7(c) In the case of the release and removal of a Bishop from the ordained Ministry of the Church as provided in this Canon, a declaration of removal and release shall be pronounced by the Presiding Bishop in the presence of two or more Bishops, and shall be entered in the official records of the House of Bishops and of the Diocese in which the Bishop being removed and released is canonically resident. The Presiding Bishop shall give notice thereof in writing to the Secretary of the Convention and the Ecclesiastical Authority and the Standing Committee of the Diocese in which the Bishop was canonically resident; to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Recorder of Ordinations, the Secretary of the House of Bishops, the Secretary of the ~~General Convention~~House of Deputies, the President of the House of Deputies, The Church Pension Fund, and the ~~Board~~Office for Transition Ministry, the Archives of The Episcopal Church,

and to all Archbishops and Metropolitans, and to all Presiding Bishops of Churches in communion with this Church.

And be it further

Resolved, That Canon III.12.7(b) is hereby amended to read as follows:

Sec. 7(b) If a Bishop submitting the writing described in Section 7(a) of this Canon be the subject of information concerning an Offense that has been referred to an Intake Officer or a Respondent in a pending disciplinary matter as defined in Title IV of these Canons, the Presiding Bishop shall not consider or act upon the written request unless and until the disciplinary matter shall have been resolved by a dismissal *that is no longer subject to review or a Sentence pronounced pursuant to an Accord, Accord, or Order and the time for appeal or rescission of such has expired.*

And be it further

Resolved, That Canon IV.4.1(d) is hereby amended to read as follows:

Sec. 1(d) abide by the requirements of any applicable *Sentence pronounced pursuant to an Accord or Order, or any applicable Pastoral Direction, restriction on ministry, or placement on Administrative Leave issued under Canon IV.7*

And be it further

Resolved, That Canon IV.12.12 is hereby amended to read as follows:

Sec. 12. The Respondent or the Church Attorney may object to an Order issued by the Conference Panel by giving written notice of the objection to the president of the Conference Panel within fifteen days following the date on which the Order is issued. Upon receipt of the notice of objection, the president of the Conference Panel shall notify and provide copies of the notice of objection to the Bishop, president of the Disciplinary Board and the non-objecting party. *The Order shall thereupon not be effective, and the president of the Disciplinary Board shall promptly notify members of the Hearing Panel and refer the matter to the Hearing Panel.*

And be it further

Resolved, That Canon IV.14.5 is hereby amended to read as follows:

Sec. 5. The Bishop Diocesan shall have twenty days from the date on which the Accord is ~~entered-effective~~ in which to advise in writing the Respondent, the Respondent's Advisor, the Respondent's counsel, if any, the Complainant, the Complainant's Advisor, the Church Attorney and the Conciliator or the president of the Conference Panel or Hearing Panel whether the Bishop Diocesan will pronounce the Sentence or accept the other terms of the Accord as recommended. The Bishop Diocesan shall advise that he or she will (a) pronounce the Sentence as recommended, or (b) pronounce a lesser Sentence than that recommended and/or, (c) reduce the burden on the Respondent of

any of the other terms of the Accord. The Bishop Diocesan shall pronounce Sentence not sooner than twenty days following the date on which the Accord is entered-effective and not later than forty days following such date. The Bishop Diocesan's pronouncement of a lesser Sentence than that recommended or other modification shall not affect the validity or enforceability of the remainder of the Accord. In the case of an Accord under Canon IV.9, the Bishop Diocesan shall pronounce Sentence not sooner than the day after the date the Accord becomes effective and irrevocable.

And be it further

Resolved, That Canon IV.14.8 is hereby amended to read as follows:

Sec. 8(a) Except for an Order from a Conference Panel to which the Respondent or Church Attorney has timely filed a notice of objection, the Bishop Diocesan shall have ~~twenty-five~~ days from the date of the ~~issuance-effectiveness~~ of the Order in which to advise in writing the Respondent, the Respondent's Advisor, the Complainant, the Complainant's Advisor, the Church Attorney, and the president of the Conference Panel or Hearing Panel (whichever Panel issued the Order) whether the Bishop Diocesan will pronounce the Sentence or accept the other terms of the Order as recommended. The Bishop Diocesan shall advise that he or she will (a) pronounce the Sentence as recommended or (b) pronounce a lesser Sentence than that recommended and/or (c) reduce the burden on the Respondent of any of the other terms of the Order.

(b) The Bishop Diocesan shall pronounce Sentence not sooner than ~~twenty-five~~ days following the ~~issuance-effectiveness~~ of the Order and not later than forty days following the ~~issuance-effectiveness~~ of the Order. Notwithstanding anything in this section to the contrary, no Sentence shall be pronounced while an appeal of the matter is pending. However, the Bishop Diocesan may, while an appeal is pending, place restrictions upon the exercise of the Respondent's ministry, or place the Respondent on Administrative Leave, or continue any such restriction or Administrative Leave as was in effect at the time of the issuance of the Order. The Bishop Diocesan's pronouncement of a lesser Sentence than that recommended or other modification shall not affect the validity or enforceability of the ~~remainder of the Order~~Sentence.

(c) *Following the receipt from the Provincial Court of Review of a notice of determination of an appeal of an Order, other than a dismissal of the matter or a direction granting a new hearing, the Bishop Diocesan shall have fifteen days in which to advise in writing the Respondent, the Respondent's Advisor, the Complainant, the Complainant's Advisor, the Church Attorney, and the president of the Conference Panel or Hearing Panel (whichever Panel issued the Order) whether the Bishop Diocesan will pronounce the Sentence or accept the other terms of the Order as recommended. The Bishop Diocesan shall advise that he or she will (a) pronounce the Sentence as recommended or (b) pronounce a lesser Sentence than that recommended and/or (c) reduce the burden on the Respondent of any of the other terms of the Order. The Bishop Diocesan shall then pronounce Sentence not sooner than twenty-five days following the receipt of the notice of determination of the appeal and not later than forty days following such receipt.*

And be it further

Resolved, That Canon IV.14.10 is hereby amended to read as follows:

Sec. 10. An Accord under Canon IV.9 shall be effective as provided in Canon IV.9.3. An Accord under Canon IV.10 or IV.12 shall be effective ~~thirty-five~~ days following the date on which the Accord is signed by the Conciliator or the president of the Panel *and sent as provided in Canon IV.14.4*. An Order under Canon IV.12.11 is effective ~~five~~ ~~thirty~~ days following the date on which the Order is issued *and sent to the parties required by canon*.

And be it further

Resolved, That Canon IV.14.12 is hereby amended to read as follows:

Sec. 12. ~~If there has been no objection by the Respondent or the Church Attorney to the Order(s), notice of~~ *Notice of all Sentences pronounced pursuant to Accords and Orders which have become effective shall be given without delay as follows:*

(a) In the case of any Accord or Order pertaining to a Priest or Deacon, the Bishop Diocesan shall give notice of the ~~Accord or Order~~ *Sentence* to every Member of the Clergy in the Diocese, each Vestry in the Diocese, the Secretary of Convention, and the Standing Committee of the Diocese, which shall be added to the official records of the Diocese; to the Presiding Bishop, to all other Bishops of the Church, and where there is no Bishop, to the Ecclesiastical Authority of each Diocese of the Church; to the President of the House of Deputies; to the Recorder of Ordinations; to the Office of Transition Ministry; the Archives; and to the Secretary of the House of Bishops and the Secretary of the House of Deputies.

(b) In the case of any Accord or Order pertaining to a Bishop, the ~~Presiding Bishop~~ *president of the Disciplinary Board for Bishops* shall give notice of the ~~Accord or Order~~ *Sentence* to the *Secretary of Convention and the Ecclesiastical Authority and the Standing Committee of the Diocese in which the Bishop was canonically resident, to all Bishops of this Church, the Ecclesiastical Authority of every Diocese of the Church, to the Recorder of Ordinations, to the Office of Transition Ministry, to the Church Pension Fund, to the Archives, to the President of the House of Deputies, to the Secretary of the House of Deputies, and to the Secretary of the House of Bishops, and to all Archbishops and Metropolitans, and to all Presiding Bishops of Churches in communion with this Church.*

(c) All notices given pursuant to this Canon shall reference the Canon(s), section(s) and subsection(s) specifying the Offense which is the subject of the Accord or Order. *In addition to setting forth the Sentence pronounced, the notice shall set forth any other terms of the Accord or Order that are accepted by the Bishop Diocesan or Presiding Bishop which place restrictions upon the exercise of the ministry of the Member of the Clergy.*

(d) Similar notice shall be given whenever there is any modification or remission of any ~~Order~~ *Sentence* for which notice has previously been given pursuant to this Canon.

And be it further

Resolved, That Canon IV.15.2 is hereby amended to read as follows:

Sec. 2. Within ~~forty~~ *twenty* days after ~~issuance~~ *effectiveness* of an Order by a Hearing Panel, the Respondent or the Church Attorney may appeal to the Provincial Court of Review, by serving written notice of the appeal upon the Bishop Diocesan, with copies of the notice to the presidents of the Hearing Panel and the Province. The notice of appeal shall be signed by the Respondent's counsel or the Church Attorney and shall include a copy of the Order from which the appeal is taken and shall state the grounds of the appeal.

And be it further

Resolved, That Canon IV.17.6 is hereby amended to read as follows:

Sec. 6. The provisions of Canons IV.14.1(d) and IV.14.6(c) pertaining to recommendations that a Respondent be *admonished* or suspended or deposed from ministry shall not apply where the Respondent is a Bishop. Where the Respondent is a Bishop, an Accord or Order may provide for the *admonishment*, suspension, or deposition of the Respondent. In such event, the Sentence of *admonishment*, suspension, or deposition, *together with such other terms as may be contained in the Accord or Order*, shall be pronounced by the president of the Disciplinary Board for Bishops. The president shall have no discretion to decline to pronounce the Sentence or to pronounce a lesser Sentence. Where an Accord provides for the *admonishment*, suspension, or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence within thirty days after the date on which ~~the Conciliator or the president signs~~ the Accord *becomes effective pursuant to Canon IV.17.9*. Where an Order provides for the *admonishment*, suspension, or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence not sooner than ~~forty~~ *twenty-five* days following the ~~issuance~~ *effectiveness* of the Order and not later than ~~sixty~~ *forty* days following the ~~issuance~~ *effectiveness* of the Order. Notwithstanding anything in this section to the contrary, no Sentence shall be pronounced while an appeal of the matter is pending. However, the president may, while an appeal is pending, place restrictions upon the exercise of the Respondent's ministry, or place the Respondent on Administrative Leave, or continue any such restriction or Administrative Leave as was in effect at the time of the issuance of the Order. *Following the receipt from the Court of Review for Bishops of a notice of determination of an appeal of an Order, other than a dismissal of the matter or a direction granting a new hearing, the president shall then pronounce Sentence not sooner than twenty-five days following the receipt of the notice of determination of the appeal and not later than forty days following such receipt.*

And be it further

Resolved, That Canon IV.18 is hereby amended to read as follows:

CANON 18: Of Modification and Remission of ~~Orders~~ *Sentences*

Sec. 1. Any Member of the Clergy who is the subject of an Order which has become effective a Sentence may apply to the Bishop Diocesan of the Diocese from which the Order-Sentence issued, or the Presiding Bishop in the case of a Bishop, for modification or remission of the Order-Sentence. If the Bishop is satisfied that sufficient reasons exist for granting the modification or remission sought, in whole or in part, the procedures provided in this Canon for modification or remission shall apply.

Sec. 2. In the case of an Order-a Sentence pertaining to a Priest or Deacon, any provision of any Order-Sentence other than a provision recommending Sentence of deposition of the Priest or Deacon may be modified or remitted by the Bishop Diocesan of the Diocese from which the Order-Sentence issued with the advice and consent of two-thirds of the members of the Disciplinary Board.

Sec. 3. In the case of a Sentence of deposition of a Priest or Deacon pursuant to an Order, such deposition may be remitted and terminated by the Bishop Diocesan of the Diocese from which the Order-Sentence issued only upon the following conditions: (a) the remission shall be done with the advice and consent of two-thirds of the members of the Disciplinary Board of the Diocese from which the Order-Sentence issued; (b) the proposed remission, with the reasons therefor, shall be submitted to the judgment of five of the Bishops Diocesan whose Dioceses are nearest to the Diocese from which the Order-Sentence issued, and the Bishop Diocesan shall receive in writing from at least four of those Bishops their approval of the remission and their consent thereto; (c) if the person deposed maintains legal residence or canonical residence in a Diocese other than the Diocese from which the Order Sentence issued, the proposed remission, with the reasons therefor, shall be submitted to the judgment of the Bishop(s) Diocesan of the Diocese(s) of legal and canonical residence and such Bishop(s) shall give his or her (or their) written approval of the remission and consent thereto; and (d) before such remission, the Bishop Diocesan shall require the person deposed, who desires to be restored to the ordained ministry, to subscribe to the declaration required in Article VIII of the Constitution.

Sec. 4. In the case of an Order-a Sentence pertaining to a Bishop, any provision of the Order-Sentence may be modified or remitted by the president of the Disciplinary Board for Bishops with the advice and consent of a majority of the members of the Board and the Bishops who are then serving on any Provincial Court of Review.

Sec. 5. In the case of any ~~Order deposing~~ *deposition of a Member of the Clergy for abandoning the Church*, no application for remission shall be received by the Bishop Diocesan until the deposed person has lived in lay communion with the Church for not less than one year next preceding application for the remission.

Sec. 6. No ~~Order~~ *Sentence* may be modified or remitted unless the Member of the Clergy, the Church Attorney and each Complainant have been afforded sufficient opportunity to be heard by the Disciplinary Board, or the Disciplinary Board together with the Bishops who are then serving on any Provincial Court of Review, as the case may be, as to why the proposed modification or remission should or should not be permitted.

And be it further

Resolved, That Canon IV.19.3 is hereby amended to read as follows:

Sec. 3. No secular court shall have authority to review, annul, reverse, restrain or otherwise delay any proceeding under this Title. No action shall be brought in any secular court to enforce the terms or provisions of any Accord or Order or *Sentence* unless otherwise expressly provided therein.

And be it further

Resolved, That Canon IV.19.10(f) is hereby amended to read as follows:

Sec. 10(f) The reasonable costs and expenses of providing Advisors made available by the Bishop Diocesan shall be the obligation of the Diocese in which the matter of Discipline is proceeding unless otherwise provided in a *Sentence implementing* an Accord or Order. The reasonable costs and expenses of providing Advisors chosen by the Respondent or Complainant and not made available by the Bishop Diocesan shall be the obligation of such Respondent or Complainant unless otherwise provided in a *Sentence implementing* an Accord or Order.

And be it further

Resolved, That Canon IV.19.23 is hereby amended to read as follows:

Sec. 23. Except as expressly provided in this Title, applicable Diocesan Canon, or in a *Sentence implementing* any Accord or Order, all costs, expenses and fees, if any, shall be the obligation of the party, person or entity incurring them.

And be it further

Resolved, That Canon IV.19.26 is hereby amended to read as follows:

Sec. 26. Wherever in this Title it is provided that any communication, deliberation, investigation or proceeding shall be confidential, no person having

knowledge or possession of confidential information derived from any such communication, deliberation, investigation or proceeding shall disclose the same except as provided in this Title, in any Accord or Order *or a Sentence pursuant to such Accord or Order*, or as required by any applicable law.

And be it further

Resolved, That Canon IV.19.30(b) is hereby amended to read as follows:

(b) The Bishop Diocesan shall:

- (1) promptly deliver to The Archives of the Episcopal Church a copy of any Accord or Order which has become effective *and any Sentence pronounced thereon* and a record of any action of remission or modification of any ~~Order-Sentence~~, and**
- (2) provide for the permanent preservation of copies of all Accords and Orders *and Sentences* by means which permit the identification and location of each such copy by the name of the Member of the Clergy who is the subject thereof.**

And be it further

Resolved, That Canon V.4.1(a)(2) is hereby amended to read as follows:

Sec. 1(a)(2) upon any restriction on exercise of ministry, placement on Administrative Leave, *or pronouncement of a Sentence pursuant to entry of an Order or Accord, which Order or Accord includes a Sentence of Admonition, Suspension, or Deposition of upon* a Member of the Clergy then serving on the body;

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Austin, 2018* (New York: General Convention, 2018), pp. 445-451.