

General Convention of The Episcopal Church 2024 Archives' Research Report

Resolution No.: 2024-A057
Title: Amend Canon IV.17.6 Regarding Suspension of a Bishop
Proposer: Standing Commission on Structure, Governance, Constitution and Canons
Topic: Canons, Discipline

Directly Related: (Attached)

2022-D053 Refer a Resolution on Amending Canons IV and IV to Provide for Notices of Sentences (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)

None

In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1973 through 2022, 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](#).

A057 - Amend Canon IV.17.6 Regarding Suspension of a Bishop

Final Status: Not Yet Finalized

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

Has Budget Implications: No

Cost:

Amends C&C or Rules of Order: Yes

Requests New Interim Body: No

Changes Mandate Of Existing lb: No

Directs Dfms Staff: No

Directs Dioceses: No

Directs Executive Council: No

HiA: No House Assigned

Legislative Committee Currently Assigned: No Committee Assigned

Completion Status: Incomplete

Latest House Action: N/A

Supporting Documents: No

Resolution Text

Resolved, That the 81st General Convention amend Canons IV.17.6 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.>**

IV.17.6

Sec. 6. Where the Respondent is a Bishop, an Accord or Order may provide for the suspension or deposition of the Respondent. In such event, the Sentence of suspension or deposition 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 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 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. Unless otherwise expressly provided in writing in the restriction on ministry or Sentence of suspension, a Bishop under a restriction of Ministry or Sentence of suspension shall not exercise any authority of his or her office and the Standing Committee will serve as the Ecclesiastical Authority. A Sentence of suspension of a Bishop lasting longer than six months shall terminate the pastoral relation between the Bishop and the Diocese unless (i) the Standing Committee by two-thirds vote requests of the Disciplinary Board for Bishops within thirty days that the relation continue and (ii) the Disciplinary Board for Bishops approves such request, except in the case of a Sentence of suspension for a Bishop Provisional serving as provided by Canon III.13 which shall result in the termination of the agreement with the Diocese. If the pastoral relation has not been terminated, religious services and sacramental ministrations shall be provided for that Diocese as though a vacancy exists. This Section shall not prohibit the application of Canon III.12.11.

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

Sec. 6. ~~The provisions of Canons IV.14.1.d and IV.14.6.c pertaining to recommendations that a Respondent be 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 suspension or deposition of the Respondent. In such event, the Sentence of suspension or deposition 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 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 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. *Unless otherwise expressly provided in writing in the restriction on ministry or Sentence of suspension, a Bishop under a restriction of Ministry or Sentence of suspension shall not exercise any authority of his or her office and the Standing Committee will serve as the Ecclesiastical Authority. A Sentence of suspension of a Bishop lasting longer than six months shall terminate the pastoral relation between the Bishop and the Diocese unless (i) the Standing Committee by two-thirds vote requests of the Disciplinary Board for Bishops within thirty days that the relation continue and (ii) the Disciplinary Board for Bishops approves such request, except in the case of a Sentence of suspension for a Bishop Provisional serving as provided by Canon III.13 which shall result in the termination of the agreement with the Diocese. If the pastoral relation has not been terminated, religious services and sacramental ministrations shall be provided for*

that Diocese as though a vacancy exists. This Section shall not prohibit the application of Canon III.12.11.

Explanation

These proposed changes offer greater parity between an order or accord involving a suspension of priests and deacons, described in Canon IV.19.7, and that of a bishop, making termination of the pastoral relationship the default in both cases. This change would also mean a Bishop Provisional, serving under Canon III.13, who is suspended could then be removed without a vote of convention.



Resolution Number: 2022-D053
Title: Refer a Resolution on Amending Canons IV and IV to Provide for Notices of Sentences
Legislative Action Taken: Referred
Final Text:

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.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~~ 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 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;

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Baltimore, 2022* (New York: General Convention, 2023), pp. 654-657.



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.