

General Convention of The Episcopal Church 2024 Archives' Research Report

Resolution No.: 2024-C017
Title: Amend Canon III.7 to Provide for the Transfer of Deacons to Churches in Communion
Proposer: Virginia
Topic: Anglican Communion, Canons

Directly Related: (Attached)

2015-C033 Amend Canon III.9 [Of the Life and Work of Priests]

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

2012-A030 Amend Canons III.7, 9, 12 and Canon IV.16 as follows:
Canon III.7.8 [Release and Removal of a Deacon]
Canon III.7.9 [Release and Removal of a Deacon in Disciplinary Cases]
Canon III.7.10 [Declaration of Release and Removal of a Deacon]
Canon III.9.8 [Release and Removal of a Priest]
Canon III.9.9 [Request for Release of a Priest]
Canon III.9.10 [Release and Removal of a Priest in Disciplinary Cases]
Canon III.9.11 [Declaration of Release and Removal of a Priest]
Canon III.12.7(a) [Release and Removal of a Bishop]
Canon III.12.7(b) [Release and Removal of a Bishop in Disciplinary Cases]
Canon III.12.7(c) [Declaration of Release and Removal of a Bishop]
Canon IV.16 [Of Abandonment of the Episcopal Church]

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](#).

C017 - Amend Canon III.7 to Provide for the Transfer of Deacons to Churches in Communion

Final Status: Not Yet Finalized

Proposed by: Virginia

Has Budget Implications: No

Cost:

Amends C&C or Rules of Order: Yes

Requests New Interim Body: No

Changes Mandate Of Existing Ib: 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, the House of _____ concurring,

That the General Convention amend Canon III.7 to add a new section 7 as follows, renumbering subsequent sections:

<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. 7. Transfer to Churches in Full Communion with this Church

a. A Deacon desiring to become canonically resident within a Diocese or equivalent jurisdiction of a Church in Full Communion (as identified in Canon I.20) or a Church in Communion with this Church (as identified by Canon III.10.2..a.3)) shall request a testimonial from the Ecclesiastical Authority of the Diocese of current canonical residence, which testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese or equivalent jurisdiction to which transfer is proposed. The testimonial may include a portfolio of training, continuing education, and exercise of ministries. The

testimonial shall be in the following form or in the form specified by the receiving Diocese or equivalent jurisdiction:

I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of _____, is a Deacon of the Diocese of _____ of the Episcopal Church in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.

(Date) _____

(Signed) _____

b. If the Ecclesiastical Authority of the Diocese or equivalent jurisdiction of the Church in Full Communion or Church in Communion with this Church accepts the testimonial, the canonical residence of the Deacon transferred shall date from such acceptance, and notice of acceptance shall be promptly forwarded by the Deacon to the Ecclesiastical Authority in the sending Diocese. Such notification from the receiving Ecclesiastical Authority may be in the following form:

I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Deacon in good standing.

(Date) _____

(Signed) _____

c. Upon receipt of said acceptance, the Ecclesiastical Authority of the sending Diocese shall notify the Church Pension Fund and the Recorder of Ordinations of the Deacon's departure from the Episcopal Church.

d. This provision shall not be used for Deacons who seek to enter Churches Not in Communion with this Church or for those who seek transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church. In such cases the provisions of Canon III.7.8 shall be followed.

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

Canon III.7

Sec. 7. *Transfer to Churches in Full Communion with this Church*

a. *A Deacon desiring to become canonically resident within a Diocese or equivalent jurisdiction of a Church in Full Communion (as identified in Canon I.20) or a Church in Communion with this Church (as identified by Canon III.10.2..a.3)) shall request a*

testimonial from the Ecclesiastical Authority of the Diocese of current canonical residence, which testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese or equivalent jurisdiction to which transfer is proposed. The testimonial may include a portfolio of training, continuing education, and exercise of ministries. The testimonial shall be in the following form or in the form specified by the receiving Diocese or equivalent jurisdiction:

I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of _____, is a Deacon of the Diocese of _____ of the Episcopal Church in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.

(Date) _____

(Signed) _____

b. If the Ecclesiastical Authority of the Diocese or equivalent jurisdiction of the Church in Full Communion or Church in Communion with this Church accepts the testimonial, the canonical residence of the Deacon transferred shall date from such acceptance, and notice of acceptance shall be promptly forwarded by the Deacon to the Ecclesiastical Authority in the sending Diocese. Such notification from the receiving Ecclesiastical Authority may be in the following form:

I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Deacon in good standing.

(Date) _____

(Signed) _____

c. Upon receipt of said acceptance, the Ecclesiastical Authority of the sending Diocese shall notify the Church Pension Fund and the Recorder of Ordinations of the Deacon's departure from the Episcopal Church.

d. This provision shall not be used for Deacons who seek to enter Churches Not in Communion with this Church or for those who seek transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church. In such cases the provisions of Canon III.7.8 shall be followed.

Explanation

Prior to 2012, the Episcopal Church generally provided for Bishops, Priests, and Deacons transferring to other parts of the Anglican Communion the information requested by the receiving dioceses. This situation changed when the General Convention adopted Resolution 2012-A030, which created the new category of "release and removal" for bishops, priests, and deacons (Canons III.7.8, III.9.9, and III.12.7). After adoption, the

chancellor for the Presiding Bishop advised dioceses that clergy seeking transfer to other parts of the Anglican Communion were to be released from the jurisdiction of the Episcopal Church without documentation of any kind for the receiving jurisdiction. This was apparently done as a response to those Bishops of The Episcopal Church who were issuing documentation to clergy seeking transfer to other Provinces of the Anglican Communion, such as the Church of Nigeria, that announced that they were no longer in communion with The Episcopal Church and were actively supporting the formation of what would eventually become the Anglican Church in North America (ACNA). The new “release and removal” approach meant, however, that there was no longer any way to provide a testimonial to a receiving diocese that was in a province of the Anglican Communion in communion with and supportive of The Episcopal Church.

The next General Convention adopted Resolution 2015-C033 from the Diocese of Virginia (also endorsed by Province III), which provided for transferring priests to a “Church in Communion with this Church.” It was based upon the procedure expected for transfer to The Episcopal Church (Title III, Canon 10). This 2015 resolution added a new section 5 to Title III, Canon 9. It included a provision that it was not to be used in those cases for which the “release and removal” had been written—for “Churches Not in Communion with this Church or for those seeking transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church.” The 2015 provision has worked well but covers only the specific situation for which it was drafted—the transfer of a priest. This current resolution has been drafted to ask General Convention to make parallel provisions in the case of deacons.



Resolution Number: 2015-C033
Title: Amend Canon III.9 [Of the Life and Work of Priests]
Legislative Action Taken: Concurred
Final Text:

Resolved, That Canon III.9 is hereby amended by adding a new Section 5 as follows (with subsequent sections renumbered):

Sec. 5. Transfer to Churches in Communion with This Church

(a) A Priest desiring to become canonically resident within a Diocese or equivalent jurisdiction of a Church in Full Communion (as identified in Canon I.20) or Church in Communion with This Church (as identified by Canon III.10.2.(a)(3)) shall request a testimonial from the Ecclesiastical Authority of the Diocese of current canonical residence, which testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese or equivalent jurisdiction to which transfer is proposed. The testimonial may include a portfolio of training, continuing education, and exercise of ministries. The testimonial shall be in the following form or in the form specified by the receiving Diocese or equivalent jurisdiction:

I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of _____, is a Priest of the Diocese of _____ of the Episcopal Church in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.

(Date) _____ (Signed) _____

(b) If the Ecclesiastical Authority of the Diocese or equivalent jurisdiction of the Church in Full Communion or Church in Communion with This Church accepts the testimonial, the canonical residence of the Priest transferred shall date from such acceptance, and notice of acceptance shall be promptly forwarded by the Priest to the Ecclesiastical Authority in the sending Diocese. Such notification from the receiving Ecclesiastical Authority may be in the following form:

I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Priest in good standing.

(Date) _____ (Signed) _____

Upon receipt of said acceptance, the Ecclesiastical Authority of the sending Diocese shall notify the Church Pension Fund and the Recorder of Ordinations of the priest's departure from the Episcopal Church.

(c) This provision shall not be used for Priests who seek to enter Churches Not in Communion with This Church or for those who seek transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church. In such cases the provisions of Canon III.6.8 shall be followed.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Salt Lake City, 2015* (New York: General Convention, 2015), pp. 466-467.