

General Convention of The Episcopal Church 2024 Archives' Research Report

Resolution No.: 2024-D025
Title: Amend Canon IV.6 Regarding Intake Officers
Proposer: Brown, Deputy Nathan
Topic: Canons, Discipline

Directly Related: (Attached)

2022-D036 Refer a Resolution on Canon IV.6.4 [Of Intake and Referral of Information Concerning Offenses] (Referred)
2018-D033 Refer a Resolution on a Church-wide Intake Officer (Referred)
2018-D074 Amend Canon IV.6.4 [Investigation]

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

2018-A110 Amend Title Canon IV [Ecclesiastical Discipline]

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

D025 - Amend Canon IV.6 regarding Intake Officers

Final Status: Not Yet Finalized

Proposed by: Brown, Deputy Nathan

Endorsed by: Gonzalez Hernandez, The Rev. Yoimel,Szarke , The Rev. Christopher,Warren, Ms. Evangeline,Miller, Mr. Kevin

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: HD

Legislative Committee Currently Assigned: 18 - Title IV Disciplinary Canons

Completion Status: Incomplete

Latest House Action: N/A

Supporting Documents: No

Resolution Text

Resolved, the House of _____ concurring,

That the 81st General Convention amends Canon IV.6 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.6

Sec. 4. Upon receipt of such information, the Intake Officer may undertake such initial inquiry as they deem necessary to make a determination outlined in Sections 5 and 7 of this Canon, and shall incorporate the information into a written intake report, including as much specificity as possible. The Intake Officer shall provide copies of the intake report to the other members of the Reference Panel and to the Church Attorney.

Sec. 12. At least one church-wide Intake Officer shall be available for the receipt of any complaints either by a Complainant or by a matter being forwarded by a Bishop of the Church. Such an officer shall be entitled to fulfill, for any diocese, the duties as an Intake Officer in this Title.

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

IV.6

Sec. 4. Upon receipt of such information, the Intake Officer may undertake such initial inquiry as ~~he or she deems~~ *they deem* necessary to make a determination outlined in Sections 5 and 7 of this Canon, and shall incorporate the information into a written intake report, including as much specificity as possible. The Intake Officer shall provide copies of the intake report to the other members of the Reference Panel and to the Church Attorney.

Sec. 12. *At least one church-wide Intake Officer shall be available for the receipt of any complaints either by a Complainant or by a matter being forwarded by a Bishop of the Church. Such an officer shall be entitled to fulfill, for any diocese, the duties as an Intake Officer in this Title.*

Explanation

There have been many excellent resolutions coming from Interim Bodies during the biennium addressing well-discussed structural issues with Title IV within our existing Canons, but more is needed to address some of the issues experienced with Intake Officers.

This resolution seeks to address two key issues related to the role of the Intake Officer which can cause confusion for both the Intake Officer and Complainants in the initial phase of the Title IV process. This resolution seeks to create canonically at least one church-wide Intake Officer who can serve as reference point for the initial Title IV process.

First, this resolution seeks to clarify that investigatory actions of the Intake Officer should be limited to making a determination “that the information, if true, would constitute an Offense” and is not meant to rise to the level of an investigation as laid out in Canon 11. It has been observed that this “initial inquiry” often goes beyond its Canonical scope, and this amendment seeks to provide more clarity to intake officers on the limited scope of that inquiry.

Second, this resolution seeks to require at least one church-wide intake officer be available for receipt of any complaints. This could come directly from a Complainant, or by referral of the matter by a Bishop. It may be simpler at times for someone to make a complaint to a central intake officer who, presumably, is not a part of the Diocese in question. Some

complainants have expressed reservations about bringing complaints to Intake Officers in a Diocese who may have personal knowledge of the Respondent and complainants may feel more comfortable with, and have greater confidence in, an initial intake report being handled by a well-trained individual who likely has minimal personal knowledge of anyone involved in the case.

Similarly, there may be times where a Bishop may wish for a third-party outside the Diocese to handle the initial intake report because of a concern of a conflict of interest, the possible appearance of impropriety or a conflict of interest, or a lack of resources in the Diocese to address such a complaint. Such a role made optionally available in the Church would provide greater options to both injured parties and Bishops in ensuring this critical part of the Title IV process is handled professionally, and without any appearance of impropriety.

If the church-wide Intake Officer refers a matter to the Reference Panel, the matter would then proceed to a reference panel as currently outlined in Title IV.



Resolution Number: 2022-D036
Title: Refer a Resolution on Canon IV.6.4 [Of Intake and Referral of Information Concerning Offenses]
Legislative Action Taken: Referred
Final Text:

Resolved, That the 80th General Convention amend Canon IV.6.4 to read as follows:

Sec. 4. Upon receipt of such information, the Intake Officer ~~may~~ *shall* undertake *an* such initial inquiry ~~as he or she deems necessary~~, and shall incorporate the information into a written intake report, including as much specificity as possible: *the name and contact information of the Complainant; the name(s) and contact information of injured party/parties; the name and contact information of the Subject Member of the Clergy; alleged facts; citation to applicable canon(s); identities of other injured parties if any; names and contact information of possible witnesses; description and location of tangible or electronic evidence; procedural history to date; and any attachments to the report of information received.* The Intake Officer shall provide copies of the intake report to the other members of the Reference Panel and to the Church Attorney *according to the various circumstances noted in the following sections of this canon. The intake report is not to be sent to other persons than those noted.*

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Baltimore, 2022* (New York: General Convention, 2023), p. 746.



Resolution Number: 2018-D033
Title: Refer a Resolution on a Church-wide Intake Officer
Legislative Action Taken: Referred
Final Text:

Resolved, That the 79th General Convention amend Title IV, Canon 2 to add the definition of “Churchwide Intake Officer” as follows:

Churchwide Intake Officer. One or more Intake Officer(s) appointed by the President of the House of Deputies and confirmed by lay and clergy members of Executive Council to serve as churchwide Intake Officers as set forth in Title IV, Canon 6.11.

And be it further

Resolved, That Title IV be amended to add new Title IV, Canon 6.11 to read as follows:

Sec. 11. If any Complainant or Injured Person has a concern that there may be a conflict of interest, or other factor which might reasonably impair the fair and objective consideration of their claim, between the Intake Officer in the diocese where the claim would be filed (or all dioceses where the claim could be properly brought) and the Bishop of that diocese and/or the President of the Disciplinary Board, the Complainant or Injured Person may bring the matter to the Churchwide Intake Officer described in Title IV, Canon 2, for the remainder of that case. The expenses of that Intake Officer will be borne by the diocese in which the claim is being brought.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Austin, 2018* (New York: General Convention, 2018), p. 537.



Resolution Number: 2018-D074
Title: Amend Canon IV.6.4 [Investigation]
Legislative Action Taken: Concurred
Final Text:

Resolved, That the 79th General Convention amend Canon IV.6.4 as follows:

Sec. 4. Upon receipt of such information, the Intake Officer may ~~make such preliminary investigation~~ undertake such initial inquiry as he or she deems necessary, and shall incorporate the information into a written intake report, including as much specificity as possible. The Intake Officer shall provide copies of the intake report to the other members of the Reference Panel and to the Church Attorney.

And be it further

Resolved, That the descriptive caption adjacent to Canon IV.6.4 shall be amended as follows:
~~Investigation:Initial Inquiry.~~

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Austin, 2018* (New York: General Convention, 2018), pp. 1142-1143.