

**GENERAL CONVENTION OF THE EPISCOPAL CHURCH 2018
ARCHIVES' RESEARCH REPORT**

RESOLUTION NO.: 2018-A084
TITLE: Amend Canon III.12.9-12
PROPOSER: House of Bishops Committee on Pastoral Development
TOPIC: Canons

Directly Related: (Attached)

2006-A082 Amend Canons in Title III [Ministry]

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

2012-A032 Amend Canon III.12.5(b)(3) [Assistant Bishops' Eligibility]

Supplemental Documents: (Linked)

(Blue Book) Report to General Convention, [House of Bishops Committee on Pastoral Development](#), see page 551.

In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1976 through 2015, 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 at 800-525-9329 before Convention or at Convention in the General Convention Secretariat.

A084 Amend Canon III.12.9-12

Proposer	House of Bishops Committee on Pastoral Development
Topic	Canons
Endorsed by	
Sponsored by	
Page numbers	Blue Book: p. N/A; Constitution & Canons: p. 122
HiA / Leg. Cttee	/
Current Status	Resolution Filed
Version	Original (as filed)
Review Status	Not yet reviewed

RESOLUTION TEXT

- 1 *Resolved*, the House of _____ concurring, That Canon III.12 be amended as follows:
- 2 Sec. 9 The Resignation or Incapacity of Bishops
- 3 ~~(p) When it is certified to the Presiding Bishop, by at least two licensed medical doctors, psychologists or psychiatrists, who have examined the case, that a Bishop Diocesan is incapable of authorizing the Bishop Coadjutor, if there is one, or a Bishop Suffragan, if there is one, or the Standing Committee to act as the Ecclesiastical Authority, then, upon the advice of five Bishops of neighboring Dioceses selected by the Presiding Bishop, the Presiding Bishop shall declare the Bishop Coadjutor, or a Bishop Suffragan, if the Constitution and Canons of the Diocese so provide, or the Standing Committee to be the Ecclesiastical Authority for all purposes set forth in these Canons and to retain such canonical authority until the Presiding Bishop, acting upon a like certificate, declares the Bishop Diocesan competent to resume official duties.~~
- 4 ~~(q) If it is certified to the Ecclesiastical Authority of a Diocese by two licensed medical doctors, psychologists or psychiatrists, selected by the Ecclesiastical Authority, that the Bishop Coadjutor in the Diocese is permanently unable, by reason of medical, psychological or psychiatric condition, to carry out the duties of Bishop Coadjutor, the Ecclesiastical Authority, upon the advice of three Bishops of three neighboring Dioceses, may declare that the right of succession of the Bishop Coadjutor is terminated and a new Bishop Coadjutor may then be elected as provided in Canon III.11.9.~~
- 5 *Sec. 10 Impairment*
- 6 *When any of (i) a Bishop of a Diocese, including a Bishop Diocesan, a Bishop Coadjutor or a Bishop Suffragan of that Diocese, (ii) a two-thirds majority of all of the members of the Standing Committee of a Diocese, (iii) a two-thirds majority of a Diocese's Convention, or (iv) at least five Bishops conclude that a Bishop of the aforementioned Diocese is seriously impaired, either physically, psychologically, or emotionally, and that the impairment is causing substantial harm, or presents a significant risk of causing substantial harm, to the Bishop in question, his or her family, the Diocese, the Church, or any other person or community, the*

person or body reaching that conclusion may petition the Presiding Bishop, in writing, to intervene and assist in the matter. The written petition shall include sufficient information to inform the Presiding Bishop and the parties involved of the specifics of the purported impairment. The Presiding Bishop shall initiate such efforts as are appropriate under the circumstances to attempt to ascertain the nature and severity of any impairment and to address any such impairment, which efforts may include, but are not limited to, the appointment of medical and other professionals, consultants or mediators, as well as the issuance of Pastoral Directions.

7 And be it further

8 *Resolved*, That Sections III.12.10, 11 and 12 be renumbered to Section 11, 12 and 13.

EXPLANATION

No explanation.



Resolution Number: 2006-A082
Title: Amend Canons in Title III [Ministry]
Legislative Action Taken: Concurred as Amended
Final Text:

[Resolved, that Canon III.12.8 be amended to read as follows:]

Sec. 8. The Resignation or Incapacity of Bishops

- (a) Each Bishop, upon attaining the age of seventy-two years, shall resign as required by Article II, Sec. 9 of the Constitution. The resignation shall be sent to the Presiding Bishop, who shall immediately communicate it to every Bishop of this Church exercising jurisdiction and shall declare the resignation accepted, effective at a designated date not later than three months from the date the resignation was tendered.
- (b) The Presiding Bishop shall communicate to the resigning Bishop the acceptance of the resignation effective as of the date fixed. In the case of a Bishop Diocesan or Bishop Coadjutor, the Presiding Bishop shall certify the resignation to the Standing Committee of the Diocese concerned, and in the case of other Bishops, to the Ecclesiastical Authority of the Diocese concerned. The Presiding Bishop shall also order the Secretary of the House of Bishops to record the resignation, effective as of the date fixed, to be incorporated in the Journal of the House.
- (c) If any Bishop, for any reason, fails to resign upon attaining the age of seventy-two years, as provided in Sec.6 of this Canon, the Presiding Bishop shall certify that fact to the House of Bishops. The House of Bishops shall then declare the Bishop's position terminated, effective at a date not later than three months from the date of declaration; and shall order the Presiding Bishop's certificate and its own declaration and action to be recorded in its Journal. The Presiding Bishop shall then pronounce the position terminated, effective as of the date fixed, and shall communicate the fact to the Bishop Diocesan and Standing Committee of each Diocese.
- (d) Any Bishop who desires to resign shall send the resignation with the reasons therefore in writing to the Presiding Bishop at least thirty days before the date set for a meeting of the House of Bishops. The Presiding Bishop shall notify without delay every Bishop of this Church, and the Standing Committee of the Diocese of the Bishop desiring to resign, in order that the Standing Committee may be heard on behalf of the Diocese, either in person or by correspondence, upon the subject. The House during its session shall accept or refuse the resignation by a majority of those present.
- (e) If a resignation has been tendered more than three months before a meeting of the House of Bishops, the Presiding Bishop shall communicate it, together with any statement from the Standing Committee of the Diocese concerned, to every Bishop of

this Church. If a majority of the Bishops consents to the resignation, the Presiding Bishop, without delay, shall notify the resigning Bishop and the Standing Committee of the Diocese concerned of the acceptance of the resignation, effective as of the date fixed. The Presiding Bishop shall also order the Secretary of the House of Bishops to record the resignation, effective as of the date fixed, to be incorporated in the Journal of the House.

(f) At each meeting of the General Convention, the Presiding Bishop shall communicate to the House of Deputies, when in session, a list of the resignations which have been accepted since the preceding meeting of the General Convention.

(g) A resigned Bishop shall be subject in all matters to the Constitution and Canons of this Church and to the authority of the General Convention.

(h) A resigned Bishop may only perform any episcopal act at the request of or with the permission of the Bishop Diocesan within that Bishop's Diocese. A resigned Bishop may, by vote of the Convention of any Diocese and with the consent of the Bishop of that Diocese, be given an honorary seat in the Convention, with voice but without vote, or be given an honorary seat in the Cathedral of any Diocese, by and subject to the authority competent to grant such seat. The resigned Bishop shall report all official acts to the Bishop Diocesan and to the Diocese in which the acts are performed. These provisions shall also be applicable to a resigned Bishop of another Church in communion with this Church, subject to the approval of competent authority within the other Church, where such approval may be required.

(i) A resigned Bishop may, at the discretion of the Bishop of the Diocese in which the resigned Bishop resides, and upon presentation of Letters Dimissory from the Ecclesiastical Authority of the Diocese in which the resigned Bishop has had canonical residence most recently, be enrolled among the Clergy of the new Diocese, and become subject to its Constitution and Canons including being given a seat and vote in the Diocesan Convention, in accordance with its canonical provisions for qualification of clergy members.

(j) When a resigned Bishop accepts a pastoral charge or other ministerial post within a Diocese, the Bishop Diocesan shall process the Letters Dimissory, and the resigned Bishop shall be enrolled among the Clergy of the Diocese and be given seat and vote in the Diocesan Convention in accordance with the canonical provisions of the Diocese for qualification of clergy members, and subject to the provisions of paragraph (o) of this section.

(k) A resigned Bishop may, with the approval of the Bishop of the Diocese in which the resigned Bishop resides, accept a pastoral charge in that Diocese, and, subject to the Diocese's canonical provisions for the filling of vacancies, may accept election as the Rector of a Parish therein.

(l) A resigned Bishop may, with the approval of the Bishop of the Diocese in which the resigned Bishop resides, accept any position created under the authority of the Diocesan Convention, including that of Assistant Bishop and may, at the same time, occupy a pastoral charge.

(m) A resigned Bishop over the age of seventy-two may accept an appointment by a Bishop Diocesan for a term not to exceed twelve months, and this term may be renewed.

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

(o) The provisions of this section shall be applicable to a resigned Bishop who continues to reside within the limits of the resigned Bishop's former Diocese, except that the resigned Bishop shall not have the right to vote in the Diocesan Convention, unless the Canons of the Diocese specifically so provide.

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

(q) If it is certified to the Ecclesiastical Authority of a Diocese by two licensed medical doctors, psychologists or psychiatrists, selected by the Ecclesiastical Authority, that the Bishop Coadjutor in the Diocese is permanently unable, by reason of medical, psychological or psychiatric condition, to carry out the duties of Bishop Coadjutor, the Ecclesiastical Authority, upon the advice of three Bishops of three neighboring Dioceses, may declare that the right of succession of the Bishop Coadjutor is terminated and a new Bishop Coadjutor may then be elected as provided in Canon III.11.

Citation: Canon III.12.8 is excerpted from the Final Text of 2006-A082, which revised Canons III.5 through III.23. See General Convention, *Journal of the General Convention of...The Episcopal Church, Columbus, 2006* (New York: General Convention, 2007), pp. 583-630.