

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

RESOLUTION NO.: 2018-A090
TITLE: Amend Canons regarding Full Communion
PROPOSER: Standing Commission on Structure, Governance, Constitution and Canons
TOPIC: Canons

Directly Related: (Attached)

2015-C033 Amend Canon III.9 [Of the Life and Work of Priests]
2006-A025 Amend Canon I.20 [Of Churches in Full Communion]
2000-B051 Amend Canon III.19 [Implementation of *Called to Common Mission*]
1994-A019 Amend Canon IV [Ecclesiastical Discipline]

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

2009-A073 Add Canon I.20.3 [Full Communion: Moravian Church in America]
2006-A026 Amend Canon III.12.1(d) [Clergy Ordained by Bishops of Churches in Communion]

Supplemental Documents: (Linked)

(Blue Book) Report to General Convention, [Standing Commission on Structure, Governance, Constitution and Canons](#), see pages 379-386.

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.

A090 Amend Canons regarding Full Communion

Proposer	Standing Commission on Structure, Governance, Constitution and Canons
Topic	Canons
Endorsed by	
Sponsored by	
Page numbers	Blue Book: p. N/A; Constitution & Canons: p. 36, 48-49, 50, 53, 55, 56, 57, 60, 90-91, 95, 102, 112, 116-117, 121, 155, 158, 159
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 the 79th General Convention amend the following identified Canons to read as follows:
 - 2 Canon I.4.9(a) Ordained Ministers and Lay Communicants of this Church, or of some church in *full* communion with this Church, in good standing, who qualify in accordance with the standards and procedures adopted from time to time by the Executive Council, shall be eligible for appointment as Missionaries of this Church.
 - 3 (b) Members in good standing of Churches not in *full* communion with this Church, but otherwise qualified as above, may, at the request of the Ecclesiastical Authority of the jurisdiction in which the requirement exists, be employed and assigned to positions for which they are professionally prepared; and may receive the same stipends and other allowances as appointed Missionaries. The Ecclesiastical Authority of a jurisdiction may employ any qualified person for work in the jurisdiction.
 - 4 Canon I.11.2(a) The House of Bishops may establish a Mission in any Area not included within the boundaries of a Diocese of this Church, or of a Church in *full* communion with this Church, under such conditions and agreements, not inconsistent with the Constitution and Canons of this Church, as shall be approved by the House of Bishops from time to time.
 - 5 Canon I.11.2(c) For every such Area Mission, a Bishop of this Church, or of a church in *full* communion with this Church, shall be assigned by the House of Bishops to give episcopal oversight. The person so assigned, if a Bishop of this Church, shall, for the duration of such assignment, exercise jurisdiction as a Missionary Bishop under these Canons, so far as they are applicable to the Area Mission; and should occasion arise for the function of a Standing Committee or a Commission on Ministry, the Bishop shall appoint a board or boards of Clergy and Lay Persons resident in the area, to fulfill such functions as may be required.
 - 6 Canon 1.11.2(e) An Area Mission may be terminated by the House of Bishops as a mission of this Church; or it may be transferred by them to become a mission of another church, or to become a constituent part of an autonomous Province in *full* communion with this Church; or it may
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organize itself as an extra-provincial Diocese.

- 7 Canon I.11.3(a) An Area not previously organized as a Diocese, and not under the permanent jurisdiction of a Bishop in *full* communion with this Church, may, upon application for admission, in accordance with the procedures of Article V, Section 1, be admitted as a Diocese, and may be accepted as a Missionary Diocese within the meaning of Sec. 1 of this Canon. Such Missionary Diocese, and every present Missionary Diocese organized by the House of Bishops under previously existing Canons and admitted into union with the General Convention, shall be governed by a Constitution and Canons, adopted by the Convention of the said Diocese, which acknowledge the authority of the Constitution and Canons of the General Convention, and incorporate the provisions set forth in the subsequent paragraphs of this section.
 - 8 Canon I.11.3(b) In the event a Missionary Diocese beyond the territory of the United States of America is incapable of functioning as a jurisdiction in union with the Episcopal Church, and the Bishop, or if there be none the Ecclesiastical Authority, of such Diocese, after consultation with appropriate diocesan authorities and the Presiding Bishop agree that continuation in union with this Church is no longer feasible, the Presiding Bishop is authorized, after consultation with the appropriate authorities in the Anglican Communion, to take such action as needed for such Diocese to become a constituent part of another Province or Regional Council in *full* communion with this Church.
 - 9 Canon I.11.4. Notice shall be sent to all Archbishops and Metropolitans, and all Presiding Bishops, of Churches in *full* communion with this Church, of the establishment of any Area Mission, or of the organization or change of status of any Missionary Diocese outside the United States; and of the consecration, or assignment, of a Missionary Bishop therefor. It is hereby declared as the judgment of this Church that no two (2) Bishops of Churches in *full* communion with each other should exercise jurisdiction in the same place; except as may be defined by a concordat adopted jointly by the competent authority of each of the said Churches, after consultation with the appropriate inter-Anglican body.
 - 10 Canon I.15.7 The Presiding Bishop may, from time to time, by written commission under the episcopal signature and seal, assign to a Bishop or Bishops of this Church, or of a Church in *full* communion with this Church, the care of, and responsibility for, one (1) or more of such Congregations and the Clergy officiating therein, for such period of time as the Presiding Bishop may deem expedient; provided that, should such term expire in a year during which a General Convention is to be held, prior to said Convention, the commission may be extended until the adjournment of the Convention.
 - 11 Canon I.16.3 A Member of the Clergy of such Congregation who shall have been ordained by a Bishop not in *full* communion with this Church, but the regularity of whose ordination is approved by the Presiding Bishop, shall be admitted in the appropriate Order under the provision of Canon III.10.3.
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- 12 Canon I.17.1(c) It is expected that all adult members of this Church, after appropriate instruction, will have made a mature public affirmation of their faith and commitment to the responsibilities of their Baptism and will have been confirmed or received by the laying on of hands by a Bishop of this Church or by a Bishop of a Church in *full* communion with this Church. Those who have previously made a mature public commitment in another Church may be received by the laying on of hands by a Bishop of this Church, rather than confirmed.
 - 13 Canon I.17.1(d): Any person who is baptized in this Church as an adult and receives the laying on of hands by the Bishop at Baptism is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also,
 - 14 Any person who is baptized in this Church as an adult and at some time after the Baptism receives the laying on of hands by the Bishop in Reaffirmation of Baptismal Vows is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also,
 - 15 Any baptized person who received the laying on of hands at Confirmation (by any Bishop in *apostolic historic* succession) and is received into the Episcopal Church by a Bishop of this Church is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; and also,
 - 16 Any baptized person who received the laying on of hands by a Bishop of this Church at Confirmation or Reception is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed.
 - 17 Canon I.17.4(a) A member of this Church removing from the congregation in which that person's membership is recorded shall procure a certificate of membership indicating that that person is recorded as a member (or adult member) of this Church and whether or not such a member:
 - 18 (1) is a communicant;
 - 19 (2) is recorded as being in good standing;
 - 20 (3) has been confirmed or received by a Bishop of this Church or a Bishop in *full* communion with this Church.
 - 21 Canon I.17.4(d) Any communicant of any Church in *full* communion with this Church shall be entitled to the benefit of this section so far as the same can be made applicable.
 - 22 Canon I.20: Of Churches in Full Communion
 - 23 Sec. 1. The Episcopal Church, a member of the Anglican Communion, has a relationship of full communion with those Churches in the historic episcopal succession, *including those duly constituted Dioceses, Provinces, and regional Churches in communion with the See of Canterbury, and those Churches in the historic episcopal succession with whom it has entered*
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into covenant agreements including:

- 24 (a) the Old Catholic Churches of the Union of Utrecht,
- 25 (b) la Iglesia Filipina Independiente/the Philippine Independent Church, and
- 26 (c) the Mar Thoma Syrian Church of Malabar.
- 27 *Sec. 2.* The Episcopal Church has a relationship of full communion with the Evangelical Lutheran Church in America under the terms of *and as defined by* “Called to Common Mission,” which was adopted by the 73rd General Convention of ~~the~~ *The Episcopal Church* as Resolution GC2000-A040.
- 28 *Sec. 3.* The Episcopal Church has a relationship of full communion with the Northern and Southern Provinces of the Moravian Church in America under the terms of *and as defined by* the "Finding Our Delight in the Lord: A Proposal for Full Communion Between The Episcopal Church; the Moravian Church-Northern Province; and the Moravian Church-Southern Province", which was adopted by the 76th General Convention of The Episcopal Church as Resolution GC2009-A073.
- 29 Canon III.9.5. Transfer to Churches in *Full Communion* with This Church
1. A Priest desiring to become canonically resident within a Diocese or equivalent jurisdiction of a Church in ~~Full Communion~~ *full communion with The Episcopal Church* (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:
- 30 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 (3) years.
- 31 (Date) _____ (Signed) _____
- 32 Canon III.9.5(b) If the Ecclesiastical Authority of the Diocese or equivalent jurisdiction of the Church in *full communion* ~~Full Communion or Church in Communion~~ with ~~this~~ *The Episcopal 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:
- 33 I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Priest in
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good standing.

34 (Date) _____ (Signed) _____

35 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.

36 Canon III.9.5(c) This provision shall not be used for Priests who seek to enter churches ~~Not in Communion~~ *not in full communion* with ~~This~~ *The Episcopal 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.8.6 shall be followed.

37 Canon III.9.7(c) No Rector or Priest-in-Charge of any congregation of this Church, or if there be none, no Wardens, Members of the Vestry, or Trustees of any congregation, shall permit any person to officiate in the congregation without sufficient evidence that such person is duly licensed and ordained and in good standing in this Church; provided, nothing in these Canons shall prevent:

38 (1) The General Convention, by Canon or otherwise, from authorizing persons to officiate in congregations in accordance with such terms as it deems appropriate;

39 (2) The Bishop of any Diocese from giving permission

40 (i) To a Member of the Clergy of this Church, to invite Clergy of another church to assist in the Book of Common Prayer Offices of Holy Matrimony or of the Burial of the Dead, or to or read Morning or Evening Prayer, in the manner specified in Canon III.9.5; or

41 (ii) To Clergy of any other church to preach the Gospel, or in ecumenical settings to assist in the administration of the sacraments; or

42 (iii) To godly persons who are not Clergy of this Church to address the Church on special occasions; *or*

43 (iv) To the Member of the Clergy or Priest-in-Charge of a congregation or if there be none, to the Wardens, to invite Clergy ordained in another church in *full* communion with this Church to officiate on an occasional basis, provided that such clergy are instructed to teach and act in a manner consistent with the Doctrine, Discipline, and Worship of this Church.

44 Canon III.9.7(e) Any Priest desiring to officiate temporarily outside the jurisdiction of this Church but in a church in *full* communion with this Church, shall obtain from the Ecclesiastical Authority of the Diocese in which the person is canonically resident, a testimonial which shall set forth the person's official standing, and which may be in the following form:

45 I hereby certify that A.B., who has signified to me the desire to be permitted to officiate temporarily in churches not under the jurisdiction of The Episcopal Church, yet in *full* communion with this Church, is a Priest of _____ in good standing, and as such is entitled to the rights and privileges of that Order.

46 (Date) _____ (Signed) _____

47 Such testimonial shall be valid for one year and shall be returned to the Ecclesiastical Authority at the end of that period. The Ecclesiastical Authority giving such testimonial shall record its issuance, the name of the Priest to whom issued, its date and the date of its return.

48 Canon III.10.2(a)(3):

49 (3) The provisions of ~~this Section~~ *Sections 2 and 3* shall be fully applicable to all Members of the Clergy ordained in any Church ~~in the process of entering the historic episcopal succession with which The Episcopal Church is in full communion~~ *with this Church* as specified in Canon I.20, subject to ~~the~~ *any* covenant of the two (2) Churches as adopted by the General Convention.

50 (i) ~~those duly constituted Dioceses, Provinces, and regional Churches in communion with the See of Canterbury,~~

51 (ii) ~~the Old Catholic Churches of the Union of Utrecht,~~

52 (iii) ~~the Philippine Independent Church, and~~

53 (iv) ~~the Mar Thoma Syrian Church of Malabar~~

54 (v) ~~the Evangelical Lutheran Church in America.~~

55 Canon III.11.9(c)

56 (c) Missionary Bishops

57 (1) The election of a person to be a Bishop in a Missionary Diocese shall be held in accordance with the procedures set forth in the Constitution and Canons of this Church.

58 (2) The Convention of a Missionary Diocese may, in lieu of electing a Bishop, request that such election be made on its behalf by the Synod of the Province, or the House of Bishops of the Province subject to confirmation of the Provincial Council, or the Regional Council of Churches in *full* communion with this Church of which the Diocese is a member.

59 Canon III.12.5(b)

60 An Assistant Bishop may be appointed from among the following:

- 61 (1) Bishops Diocesan, Bishops Coadjutor, or Bishops Suffragan, who under the Constitution and Canons of this Church would be eligible for election in that Diocese; provided that at the time of accepting any such appointment a Bishop Diocesan, Bishop Coadjutor or Bishop Suffragan shall resign that office;
- 62 (2) Bishops of this Church who, having resigned their previous responsibilities, are qualified to perform episcopal acts in this Church; and
- 63 (3) Bishops of a Church in *full* communion with this Church, in good standing therein, if they:
- 64 (i) have previously resigned their former responsibilities;
- 65 (ii) have received approval, by a competent authority within the Church of their ordination of their appointment to the position of Assistant Bishop;
- 66 (iii) have exhibited satisfactory evidence of moral and godly character and having met theological requirements;
- 67 (iv) have promised in a writing submitted to the Bishop making the appointment to submit in all things to the Doctrine, Discipline and Worship of this Church;
- 68 (v) have submitted to and satisfactorily passed a thorough examination covering their medical, psychological and psychiatric condition by recognized and licensed professionals appointed by the Ecclesiastical Authority of the Diocese with the approval of the Presiding Bishop. The forms for medical, psychological and psychiatric reports prepared by The Church Pension Fund [CPG] shall be used for these purposes.
- 69 Canon III.12.9(h)
- 70 (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 *full* communion with this Church, subject to the approval of competent authority within the other Church, where such approval may be required.
- 71 Canon IV.14.12(b)
- 72 (b) In the case of any Accord or Order 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 Recorder of Ordinations, to the Office of Transition Ministry, and to the Secretary of the House of
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Bishops, and to all Archbishops and Metropolitans, and to all Presiding Bishops of Churches in *full* communion with this Church.

73 Canon IV.16

74 CANON 16: Of Abandonment of The Episcopal Church

75 (A) By a Bishop

76 Sec. 1. If the Disciplinary Board for Bishops receives information suggesting that a Bishop may have abandoned The Episcopal Church (i) by an open renunciation of the Doctrine, Discipline or Worship of the Church; or (ii) by formal admission into any religious body not in *full* communion with this Church; or (iii) by exercising Episcopal acts in and for a religious body other than the Church or another church in *full* communion with the Church, so as to extend to such body Holy Orders as the Church holds them, or to administer on behalf of such religious body Confirmation without the express consent and commission of the proper authority in the Church, the Board shall promptly notify the Presiding Bishop and the Bishop in question that it is considering the matter. Upon receipt of such notification, the Presiding Bishop may, with the advice and consent of the Advisory Council to the Presiding Bishop, place restrictions on the ministry of the Bishop in question for the period while the matter is under consideration by the Board. If, after consideration of the matter, the Board concludes, by a majority vote of all of its members, that the Bishop in question has abandoned The Episcopal Church, the Board shall certify the fact to the Presiding Bishop and with the certificate send a statement of the acts or declarations which show such abandonment, which certificate and statement shall be recorded by the Presiding Bishop. The Presiding Bishop shall then place a restriction on the exercise of ministry of said Bishop until such time as the House of Bishops shall investigate the matter and act thereon. During the period of such restriction, the Bishop shall not perform any Episcopal, ministerial or canonical acts.

77 (B) By a Priest or Deacon

78 Sec. 3. If it is reported to the Standing Committee of the Diocese in which a Priest or Deacon is canonically resident that the Priest or Deacon, without using the provisions of Canon III.7.8-10 or III. 9.8-11, may have abandoned The Episcopal Church, the Standing Committee shall promptly notify the Bishop Diocesan and the Priest or Deacon in question that it is considering the matter. Upon receipt of such notification, the Bishop Diocesan may, with the advice and consent of the Standing Committee, place restrictions on the ministry of the Priest or Deacon in question for the period while the matter is under consideration by the Standing Committee. The Standing Committee shall ascertain and consider the facts, and if it shall determine by a vote of three-fourths of all the members that the Priest or Deacon has abandoned The Episcopal Church by an open renunciation of the Doctrine, Discipline or worship of the Church, or by the formal admission into any religious body not in *full* communion with the Church, or in any other way, it shall be the duty of the Standing Committee of the Diocese to transmit in writing to the Bishop

Diocesan its determination, together with a statement setting out in a reasonable detail the acts or declarations relied upon in making its determination. If the Bishop Diocesan affirms the determination, the Bishop Diocesan shall place a restriction on the exercise of ministry by that Priest or Deacon for sixty days and shall send to the Priest or Deacon a copy of the determination and statement, together with a notice that the Priest or Deacon has the rights specified in Section 4 of this Canon and at the end of the sixty (60) day period the Bishop Diocesan will consider deposing the Priest or Deacon in accordance with the provisions of Section 4.

EXPLANATION

These changes are proposed to reflect being in full communion rather than communion to remain consistent throughout our Constitution and Canons.



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.



Resolution Number: 2006-A025
Title: Amend Canon I.20 [Of Churches in Full Communion]
Legislative Action Taken: Concurred as Amended
Final Text:

Resolved, That Title I be amended by adding a new Canon 20, to be named “Of Churches in Full Communion,” as follows:

Sec. 1. The Episcopal Church, a member of the Anglican Communion, has a relationship of full communion with those Churches in the historic episcopal succession and with whom it has entered into covenant agreements including:

- (a) the Old Catholic Churches of the Union of Utrecht,*
- (b) la Iglesia Filipina Independiente / the Philippine Independent Church, and*
- (c) the Mar Thoma Syrian Church of Malabar.*

Sec. 2. The Episcopal Church has a relationship of full communion with the Evangelical Lutheran Church in America under the terms of “Called to Common Mission,” which was adopted by the 73rd General Convention of The Episcopal Church as Resolution A040.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Columbus, 2006* (New York: General Convention, 2007), p. 695.



Resolution Number: 2000-B051
Title: Amend Canon III.19 [Implementation of Called to Common Mission]
Legislative Action Taken: Concurred as Amended
Final Text:

Resolved, That Canon III.19 be amended by adding a new subsection (b)(4) to read as follows:

Provided, nothing herein shall be so construed as preventing:

(b) The Bishop of any Diocese from giving permission
(4) To a Member of the Clergy of this Church or the Wardens, in case of clergy vacancy or absence, to invite Clergy ordained in another Church in communion with this Church to officiate on an occasional basis, provided that such clergy shall teach and act in a manner consistent with the Doctrine, Discipline, and Worship of this Church.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Denver, 2000* (New York: General Convention, 2001), p. 634.



Resolution Number: 1994-A019
Title: Amend Canon IV [Ecclesiastical Discipline]
Legislative Action Taken: Concurred as Amended
Final Text:

[*Resolved*, that Canons IV.9 and IV.10 be amended to read as follows:]

CANON 9.

Of Abandonment of the Communion of This Church by a Bishop

Sec. 1. If a bishop abandons the communion of this Church (a) by an open renunciation of the Doctrine, Discipline, or Worship of this Church, or (b) by formal admission into any religious body not in communion with the same, or (c) by exercising episcopal acts in and for a religious body other than this Church or another Church in communion with this Church, so as to extend to such body Holy Orders as this Church holds them, or to administer on behalf of such religious body Confirmation without the express consent and commission of the proper authority in this Church; it shall be the duty of the Advisory Committee to the Presiding Bishop, as provided for by the Rules of Order of the House of Bishops, by a majority vote thereof, to certify the fact to the Presiding Bishop, or if there be none, to the presiding officer of the House of Bishops, and with the certificate to send a statement of the acts or declarations which show such abandonment, which certificate and statement shall be recorded by the Presiding Bishop or the presiding officer. The Presiding Bishop, or the presiding officer, with the consent of the three senior bishops having jurisdiction in this Church, shall then inhibit the said bishop until such time as the House of Bishops shall investigate the matter and act thereon. During the period of Inhibition, the bishop shall not perform any episcopal, ministerial or canonical functions, except as relate to the administration of the temporal affairs of the Diocese of which the bishop holds jurisdiction or in which the bishop is then serving.

Sec. 2. The Presiding Bishop, or the presiding officer, shall forthwith give notice to the bishop of the certification and Inhibition. Unless the inhibited bishop, within two months, makes declaration by a Verified written statement to the Presiding Bishop, or the presiding officer, that the facts alleged in the certificate are false or utilize the provisions of Canon IV.8. or Canon III.18, as applicable, the bishop will be liable to Deposition. If the Presiding Bishop, or the presiding officer, is reasonably satisfied that the statement (i) constitutes a good faith retraction of the declarations or acts relied upon in the certification to the Presiding Bishop or (ii) a good faith denial that the bishop made the declarations or committed the acts relied upon in the certificate, upon the advice and consent of a majority of the three senior bishops consenting to Inhibition, may terminate the Inhibition. Otherwise, it shall be the duty of the Presiding Bishop to present the matter to the House of Bishops at the next regular or special meeting of the House to consider the case. If the House, by a majority of the whole number of bishops entitled to vote, shall give its consent, the Presiding Bishop shall depose the bishop

from the Ministry, and pronounce and record in the presence of two or more bishops that the bishop has been so deposed.

CANON 10.

Of Abandonment of the Communion of This Church by a Priest or Deacon

Sec. 1. If it is reported to the Standing Committee of the Diocese in which a Priest or Deacon is canonically resident that the Priest or Deacon, without using the provisions of Canon IV.8, has abandoned the Communion of this Church, then the Standing Committee shall ascertain and consider the facts, and if it shall determine by a vote of three-fourths of all its members that the Priest or Deacon has abandoned the Communion of this Church by an open renunciation of the Doctrine, Discipline, or Worship of this Church, or by a formal admission into any religious body not in communion with this Church, or in any other way, it shall be the duty of the Standing Committee of the Diocese to transmit in writing to the Bishop of such Diocese, or if there be no such Bishop, to the bishop of an adjacent Diocese, its determination, together with a statement setting out in reasonable detail the acts or declarations relied upon in making its determination. If the Bishop affirms the determination, the Bishop shall then inhibit the Priest or Deacon from officiating in the Diocese for six months and shall send to the Priest or Deacon a copy of the determination and statement, together with a notice that the Priest or Deacon has the rights specified in Section 2 and at the end of the six-months period the Bishop will consider deposing the Priest or Deacon in accordance with the provisions of Section 2.

Sec. 2. Prior to the expiration of the six-month period of Inhibition, the Bishop may permit the Priest or Deacon to utilize the provisions of Canon IV.8 or Canon III.18, as applicable. If within such six-month period the Priest or Deacon shall transmit to the Bishop a statement in writing signed by the Priest or Deacon which the Bishop is reasonably satisfied constitutes a good faith retraction of such declarations or acts relied upon in the determination or a good faith denial that the Priest or Deacon committed the acts or made the declarations relied upon in the determination, the Bishop shall withdraw the notice and the Inhibition shall expire. If, however, within the six-month period, the Bishop does not pronounce acceptance of the renunciation of the Priest or Deacon in accordance with Canon IV.8 or Canon III.18, as applicable, or the Priest or Deacon does not make retraction or denial as provided above, then it shall be the duty of the Bishop either (i) to depose the Priest or Deacon as provided in Canon IV.12, or (ii) if the Bishop is satisfied that no previous irregularity or misconduct is involved, with the advice and consent of the Standing Committee to pronounce and record in the presence of two or more Priests that the Priest or Deacon is released from the obligations of Priest or Deacon and (for causes which do not affect the person's moral character) is deprived of the right to exercise the gifts and spiritual authority conferred in Ordination.

Citation: Canons IV.9 and IV.10 are excerpted from the Final Text of 1994-A019, which revised Canons in Title IV. See: General Convention, *Journal of the General Convention of...The Episcopal Church*, Indianapolis, 1994 (New York General Convention USA, 1995), pp. 845-90.