

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

RESOLUTION NO.: 2018-A131
TITLE: Amend Canon IV.14.5 - Clarity About Accords
PROPOSER: Standing Commission on Structure, Governance, Constitution and Canons
TOPIC: Canons

Directly Related: (Attached)

2015-A137 Amend Canon IV.14.5 [Of Accords and Orders]
2012-A033 Amend Canons IV.2, 5, 6, 11

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

2009-A185 Amend Title IV [Ecclesiastical Discipline]

Supplemental Documents: (Linked)

(*Blue Book*) Report to General Convention, [Standing Commission on Structure, Governance, Constitution and Canons](#), see page 446.

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.

A131 Amend Canon IV.14.5 - Clarity About Accords

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. 153
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 IV.14.5 be amended as follows:
- 2 Sec. 5. The Bishop Diocesan shall have twenty (20) days from the date on which the Accord is entered 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. *If a Sentence of Admonition, Suspension or Deposition is imposed,* ~~t~~The Bishop Diocesan shall pronounce Sentence not sooner than twenty (20) days following the date on which the Accord is entered and not later than forty (40) 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.

EXPLANATION

Accords are not a possible outcome from a Hearing Panel. Canon IV.13.10 provides that the only options a Hearing Panel has are to dismiss the matter or issue an Order.

Chancellors requested a clarification so it is clear that an Accord may, but need not, include a Sentence in accordance with Canon IV.9.2.



Resolution Number: 2015-A137
Title: Amend Canon IV.14.5 [Of Accords and Orders]
Legislative Action Taken: Concurred as Amended
Final Text:

Resolved, That Canon IV.14.5 be amended to read as follows:

Sec. 5. The Bishop Diocesan shall have ~~thirty~~ *twenty* days from the date on which the Accord is sent to the Bishop Diocesan ~~entered~~ 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 ~~forty~~ *twenty* days following the date on which the Accord is sent to the Bishop Diocesan ~~entered~~ and not later than ~~sixty~~ *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 ~~became~~ *becomes* effective and irrevocable.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Salt Lake City, 2015* (New York: General Convention, 2015), p. 712.



Resolution Number: 2012-A033
Title: Amend Canons IV.2, 5, 6, 11
Legislative Action Taken: Concurred as Amended
Final Text:

[*Resolved, That Canon IV.14.5 is amended to read as follows:*]

Sec. 5. The Bishop Diocesan shall have thirty days from the date on which the Accord is sent to the Bishop Diocesan 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 forty days following the date on which the Accord is sent to the Bishop Diocesan and not later than sixty 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 became effective and irrevocable.*

Citation: Canon IV.14.5 is excerpted from the Final Text of 2012-A033, which revised Canons IV.2, 5-9, 11-14, 19 and I.9. See General Convention, *Journal of the General Convention of...The Episcopal Church, Indianapolis, 2012* (New York: General Convention, 2012), pp. 292-298.