

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

**RESOLUTION NO.:** 2018-A148  
**TITLE:** Amend Canons III.11.1, III.11.3 and III.11.9(c)  
**PROPOSER:** Task Force on the Episcopacy  
**TOPIC:** Canons

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**Directly Related:** (Attached)

2015-C028 Utilize Available Background Recourses in a Search Process  
2009-D003 On the Topic of Amending Canons III.6.5(j) [Examinations] and III.8.5(j)  
[Evaluation] (Rejected)  
2006-A082 Amend Canons in Title III [Ministry]

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

2015-D014 Evaluate Individuals in the Ordination Process for Addiction Concerns

**Supplemental Documents:** (Linked)

(*Blue Book*) Report to General Convention, [Task Force on the Episcopacy](#), see pages 735-737.

*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.*

# A148 Amend Canons III.11.1, III.11.3 and III.11.9(c)

<b>Proposer</b>	Task Force on the Episcopacy
<b>Topic</b>	Canons
<b>Endorsed by</b>	
<b>Sponsored by</b>	
<b>Page numbers</b>	Blue Book: p. N/A; Constitution & Canons: p. 107, 108-109, 112-113
<b>HiA / Leg. Cttee</b>	/
<b>Current Status</b>	Resolution Filed
<b>Version</b>	Original (as filed)
<b>Review Status</b>	Not yet reviewed

## RESOLUTION TEXT

- 1 *Resolved*, the House of \_\_\_\_\_ concurring, That Canon III.11.1 is hereby amended to add the following, And the subsequent subsections renumbered accordingly:
  - 2 *(c) Prior to any person's name being placed on the ballot in nomination for election as a Bishop in a diocese, whether by the nominating body or by petition, floor nomination or in any other way, the diocese shall have:*
  - 3 *(i) conducted a thorough background check of each nominee according to criteria established by the Standing Committee. Such background check to include but not be limited to criminal records, credit checks, reference checks, sex offender registry checks, verification of education, employment and ordination and review of all complaints, charges and allegations while an ordained person;*
  - 4 *(ii) each nominee evaluated by a licensed medical doctor approved by the Standing Committee;*
  - 5 *(iii) each nominee evaluated by a licensed psychologist approved by the Standing Committee, with psychiatric referral if desired or necessary;*
  - 6 *(iv) each nominee evaluated for substance, chemical and alcohol use and abuse whether as part of the medical examination, psychological examination or otherwise by professionals approved by the Standing Committee;*
  - 7 *Reports of all background checks, medical, psychological and substance, chemical or alcohol use and abuse evaluations shall be kept permanently on file and remain a part of the permanent diocesan record for the person elected and consented to by bishops exercising jurisdiction and Standing Committees.*
  - 8 And be it further
  - 9 *Resolved*, That Canon III.11.1(b) is hereby amended to read as follows:
  - 10 Canon III.11.1(b)
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11 (b) In lieu of electing a Bishop, the Convention of a Diocese may request that an election be made  
on its behalf by the House of Bishops of the Province of which the Diocese is a part, subject to  
confirmation by the Provincial Synod, or it may request that an election be made on its behalf by  
the House of Bishops of the Episcopal Church.

1. If either option in Sec. 1(b) is chosen, a special Joint Nominating Committee shall be appointed unless the Diocesan Convention has otherwise provided for the nominating process. The Committee shall be composed of three persons from the Diocese, appointed by its Standing Committee, and three members of the electoral body, appointed by the President of that body. The Joint Nominating Committee shall elect its own officers and shall nominate three persons whose names it shall communicate to the Presiding Officer of the electoral body. The Presiding Officer shall communicate the names of the nominees to the electoral body at least three weeks before the election when the names shall be formally placed in nomination. Opportunity shall be given for nominations from the floor or by petition, in either case with provisions for adequate background checks.
2. If either option in Sec. 1(b) is chosen, the *background checks and evaluations required by Canon III.11.x(y) shall be carried out by the special Joint Nominating Committee unless the Diocesan Convention has otherwise provided for the nominating process.* The evidence of the election shall be a certificate signed by the Presiding Officer of the electoral body and by its Secretary, with a testimonial signed by a constitutional majority of the body, in the form required in Canon III.11.3, which shall be sent to the Standing Committee of the Diocese on whose behalf the election was held. The Standing Committee shall thereupon proceed as set forth in Canon III.11.3

12 And be it further

13 *Resolved*, That Canon III.11.3 is hereby amended to read as follows:

14 Canon III.11.3

15 Sec. 3.

16 (a) The Standing Committee of the Diocese for which the Bishop has been elected shall by its  
President, or by some other person or persons specially appointed, immediately send to the  
Presiding Bishop and to the Standing Committees of the several Dioceses a certificate of the  
election by the Secretary of Convention of the Diocese bearing a statement of receipt of:

17 (1) evidence of the Bishop-elect's having been duly ordered Deacon and Priest;

18 (2) certificates from a licensed medical doctor, and licensed ~~psychiatrist~~ *psychologist and  
substance abuse professional*, authorized by the Presiding Bishop, that they have thoroughly  
examined the Bishop-elect as to that person's medical, psychological and psychiatric  
condition *and for substance, chemical and alcohol use and abuse* and have not discovered  
any reason why the person would not be fit to undertake the work for which the person has  
been chosen. Forms and procedures agreed to by the Presiding Bishop and The Church  
Pension Fund shall be used for this purpose; and

19 (3) evidence that a testimonial in the following form was signed by a constitutional majority

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of the Convention:

20 And be it further

21 *Resolved*, That Canon III.11.9(c) is hereby amended to read as follows:

22 Canon III.11.9(c)

23 (c) Missionary Bishops

24 (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.

25 (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 communion with this Church of which the Diocese is a member. A Certificate of the Election, signed by the presiding officer and the Secretary of the Synod or Provincial House of Bishops, or Regional Council, and a testimonial in the form required in Canon III.11 signed by a constitutional majority of the Synod, Provincial House of Bishops or Regional Council, shall be transmitted by its presiding officer to the Standing Committee of the Missionary Diocese on whose behalf such election was made. The Standing Committee shall thereupon proceed as set forth in Canon III.11, the above Certification of Election and Testimonial serving in lieu of evidence of election and testimonial therein required. *If this option is used the background checks and evaluations required by Canon III.11.1(b) shall be carried out by the Synod of the Province or the House of Bishops of the Province, whichever body conducts the election.*

26 (3) The Convention of a Missionary Diocese may, in lieu of electing a Bishop, request that such election may be made on its behalf by the House of Bishops. Such choice shall be subject to confirmation by a majority of the Standing Committees of the several Dioceses. The medical certificate as required in Canon III.11 shall also be required of Missionary Bishops-elect.

27 (i) When the House of Bishops is to elect a Bishop for a Missionary Diocese within a given Province, the President of the Province may convene the Synod of the Province prior to the meeting of the House of Bishops at which a Bishop for such Missionary Diocese is to be elected. The Synod of the Province may thereupon nominate not exceeding three persons to the House of Bishops for that office. It shall be the duty of the President of the Province to transmit such nominations, if any be made, to the Presiding Officer of the House of Bishops, communicate the same to the Bishops, along with other nominations that have been made, in accordance with the Rules of Order of the House. Each Province containing a Missionary Diocese shall, by Ordinance, provide the manner of convening the Synod and making such

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*nomination. If the Synod of the Province nominates persons as provided in this subsection, the background checks and evaluations required by Canon III.11.1(b) shall be carried out by Synod of the Province. The House of Bishops shall carry out the background checks and evaluations required by Canon III.11.1(b) for all persons nominated in accordance with the Rules of Order of the House.*

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**EXPLANATION**

No explanation.



**Resolution Number:** 2015-C028  
**Title:** Utilize Available Background Recourses in a Search Process  
**Legislative Action Taken:** Concurred as Substituted  
**Final Text:**

*Resolved, That the 78th General Convention recommends that all discernment, search, and nominating committees for bishops and rectors in the Episcopal Church use resources available to them including knowledge of unrestricted criminal convictions in evaluation of candidates in thoughtful ways and make certain that all members of such committees be made aware of any issues which may impact the character and competence of candidates; and be it further*

*Resolved, That this General Convention commends to all such discernment, search, and nominating committees a policy that more than two members of such committee review all reports prepared for or provided to such committees on the character or competence of candidates.*

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Salt Lake City, 2015* (New York: General Convention, 2015), pp. 450-451.



**Resolution Number:** 2009-D003  
**Title:** On the Topic of Amending Canons III.6.5(j) [Examinations]  
and III.8.5(j) [Evaluation]  
**Legislative Action Taken:** Rejected  
**Text of Resolution:**

*Resolved*, the House of Deputies concurring, That Canon III.6.5(j) be amended as follows:

(j) Within ~~thirty-six~~ sixty twelve months prior to ordination as a Deacon, the following must be accomplished

(1) a background check, according to criteria established by the Bishop and Standing Committee;

(2) a medical ~~and psychological~~ evaluation by a professionals approved by the Bishop, using forms prepared for the purpose by The Church Pension Fund, and ~~if desired or necessary,~~ psychiatric referral; ~~and be it further~~

(k) Within sixty months prior to ordination as a Deacon, the following must be accomplished:

(1) a psychological evaluation by a professional approved by the Bishop, using forms prepared for the purpose by The Church Pension Fund, and if desired or necessary, psychiatric referral.

(2) Nothing precludes a bishop from asking for additional such evaluations at any time; and be it further

*Resolved*, That Canon III.8.5(k) be amended as follows:

(k) Within ~~thirty-six~~ sixty twelve months prior to ordination as a Deacon under this Canon, the following must be accomplished:

(1) a background check, according to criteria established by the Bishop and Standing Committee.

(2) a medical ~~and psychological~~ evaluation by a professionals approved by the Bishop, using forms prepared for the purpose by The Church Pension Fund, and; ~~if desired or necessary,~~ psychiatric referral

(l) Within sixty months prior to ordination as a Deacon, the following must be accomplished:

(1) a psychological evaluation by a professional approved by the Bishop, using forms prepared for the purpose by The Church Pension Fund, and if desired or necessary, psychiatric referral.

(2) Nothing precludes a bishop from asking for additional such evaluations at any time.



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

[*Resolved*, that Canon III.11 be amended to read as follows:]

**Sec. 1.**

**(a) Discernment of vocation to be a Bishop occurs through a process of election in accordance with the rules prescribed by the Convention of the Diocese and pursuant to the provisions of the Constitution and Canons of this Church. With respect to the election of a Bishop Suffragan, the Diocese shall establish a nominating process either by Canon or by the adoption of rules and procedure for the election of the Bishop Suffragan at a regular or special Diocesan Convention with sufficient time preceding the election of the Bishop Suffragan.**

**(b) In lieu of electing a Bishop, the Convention of a Diocese may request that an election be made on its behalf by the House of Bishops of the Province of which the Diocese is a part, subject to confirmation by the Provincial Synod, or it may request that an election be made on its behalf by the House of Bishops of The Episcopal Church.**

**(1) If either option in Sec. 1(b) is chosen, a special Joint Nominating Committee shall be appointed unless the Diocesan Convention has otherwise provided for the nominating process. The Committee shall be composed of three persons from the Diocese, appointed by its Standing Committee, and three members of the electoral body, appointed by the President of that body. The Joint Nominating Committee shall elect its own officers and shall nominate three persons whose names it shall communicate to the Presiding Officer of the electoral body. The Presiding Officer shall communicate the names of the nominees to the electoral body at least three weeks before the election when the names shall be formally placed in nomination. Opportunity shall be given for nominations from the floor or by petition, in either case with provision for adequate background checks.**

**(2) If either option in Sec. 1(b) is chosen, the evidence of the election shall be a certificate signed by the Presiding Officer of the electoral body and by its Secretary, with a testimonial signed by a constitutional majority of the body, in the form required in Canon III.11.3, which shall be sent to the Standing Committee of the Diocese on whose behalf the election was held. The Standing Committee shall thereupon proceed as set forth in Canon III.11.3 or 4.**

**(c) The Secretary of the body electing a Bishop Diocesan, Bishop Coadjutor, or Bishop Suffragan, shall inform the Presiding Bishop promptly of the name of the person elected. It shall be the duty of the Bishop-elect to notify the Presiding Bishop of acceptance or declination of the election, at the same time as the Bishop-elect notifies the electing Diocese.**

**(d) No Diocese shall elect a Bishop within thirty days before a meeting of the General Convention.**



**Sec. 2. It shall be lawful, within six months prior to the effective date of the resignation of a Diocesan Bishop, for the Bishop, with the advice and consent of the Standing Committee, to call a special meeting of the Convention of the Diocese to elect a successor; *Provided*, that if the Convention is to meet in regular session meanwhile, it may hold the election during the regular session. The proceedings incident to reparation for the ordination of the successor shall be as provided in this Canon; but the Presiding Bishop shall not take order for the ordination to be on any date prior to that upon which the resignation is to become effective.**

**Sec. 3.**

**(a) When a Diocese desires the ordination of a Bishop-elect, if the date of the election occurs within one hundred twenty days before a meeting of the General Convention, the Standing Committee of the Diocese shall, by its President, or by some person or persons specially appointed, forward to the Secretary of the House of Deputies evidence of the election of the Bishop-elect by the Convention of the Diocese, together with evidence that the Bishop-elect has been duly ordered Deacon and Priest, evidence of acceptance of election, and a testimonial signed by a constitutional majority of the Convention, and a summary of biographical information relating to the Bishop-elect; in the following words:**

**We, whose names are hereunder written, fully sensible of how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A.B. ought not to be ordained to that Holy Office. We do, moreover, jointly and severally declare that we believe the Reverend A.B. to have been duly and lawfully elected and to be of such sufficiency in learning, of such soundness in the Faith, and of such godly character as to be able to exercise the Office of a Bishop to the honor of God and the edifying of the Church, and to be a wholesome example to the flock of Christ.**

**(Date) \_\_\_\_\_ (Signed) \_\_\_\_\_**

**The Secretary of the Convention shall certify upon this testimonial that it has been signed by a constitutional majority of the Convention.**

**(b) The Standing Committee shall also forward to the Secretary of the General Convention, with the testimonial and other documents, certificates from a licensed medical doctor and licensed psychiatrist, appointed by the Ecclesiastical Authority with the approval of the Presiding Bishop, that they have thoroughly examined the Bishop-elect as to that person's medical, psychological and psychiatric condition and have not discovered any reason why the person would not be fit to undertake the work for which the person has been chosen. Forms and procedures agreed to by the Presiding Bishop and The Church Pension Fund shall be used for this purpose.**

**(c) The Secretary of the House of Deputies shall present the testimonials to the House, and if the House consents to the ordination of the Bishop-elect, notice of its consent, certified by the President and the Secretary of the House, together with the testimonials, shall be sent to the House of Bishops.**

**(d) If a majority of the Bishops of this Church exercising jurisdiction consent to the ordination, the Presiding Bishop shall, without delay, notify the Standing Committee of the Diocese electing and the Bishop-elect of the consent.**

**Sec. 4.**

**(a) If the date of the election of a Bishop occurs more than one hundred and twenty days before the meeting of the General Convention, The Standing Committee of the Diocese for which the Bishop has been elected shall by its President, or by some person or persons**

specially appointed, immediately send to the Presiding Bishop and to the Standing Committees of the several Dioceses a certificate of the election by the Secretary of Convention of the Diocese, bearing a statement that evidence of the Bishop-elect's having been duly ordered Deacon and Priest as to the Bishop-elect's medical, psychological and psychiatric examination required in Sec. 3(b) of this Canon have been received and that a testimonial signed by a constitutional majority of the Convention must also be delivered in the following form:

We, whose names are hereunder written, fully sensible of how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A.B. ought not to be ordained to that Holy Office. We do, moreover, jointly and severally declare that we believe the Reverend A.B. to have been duly and lawfully elected and to be of such sufficiency in learning, of such soundness in the Faith, and of such godly character as to be able to exercise the Office of a Bishop to the honor of God and the edifying of the Church, and to be a wholesome example to the flock of Christ.

(Date) \_\_\_\_\_ (Signed) \_\_\_\_\_

The Presiding Bishop, without delay, shall notify every Bishop of this Church exercising jurisdiction of the Presiding Bishop's receipt of the certificates mentioned in this Section and request a statement of consent or withholding of consent. Each Standing Committee, in not more than one hundred and twenty days after the sending by the electing body of the certificate of the election, shall respond by sending the Standing Committee of the Diocese for which the Bishop is elected either the testimonial of consent in the form set out in paragraph (b) of this Section or written notice of its refusal to give consent. If a majority of the Standing Committees of all the Dioceses consents to the ordination of the Bishop-elect, the Standing Committee of the Diocese for which the Bishop is elected shall then forward the evidence of the consent, with the other necessary documents described in Sec. 3(a) of this Canon, to the Presiding Bishop. If the Presiding Bishop receives sufficient statements to indicate a majority of those Bishops consents to the ordination, the Presiding Bishop shall, without delay, notify the Standing Committee of the Diocese for which the Bishop is elected and the Bishop-elect of the consent.

(b) Evidence of the consent of each Standing Committee shall be a testimonial in the following words, signed by a majority of all the members of the Committee:

We, being a majority of all the members of the Standing Committee of \_\_\_\_\_, and having been duly convened at \_\_\_\_\_, fully sensible how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A.B. ought not to be ordained to that Holy Order. In witness whereof, we have hereunto set our hands this \_\_\_\_ day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_.

(Signed) \_\_\_\_\_

Sec. 5. In case a majority of all the Standing Committees of the Dioceses do not consent to the ordination of the Bishop-elect within one hundred and twenty days from the date of the notification of the election by the Standing Committee of the Diocese for which the Bishop was elected, or in case a majority of all the Bishops exercising jurisdiction do not consent within one hundred and twenty days from the date of notification to them by the Presiding Bishop of the election, the Presiding Bishop shall declare the election null and void and shall give notice

to the Standing Committee of the Diocese for which the Bishop was elected and to the Bishop-elect. The Convention of the Diocese may then proceed to a new election.

**Sec. 6.** Upon receipt of the consents and assurance of the acceptance of the election by the Bishop-elect, the Presiding Bishop shall take order for the ordination of the Bishop-elect either by the Presiding Bishop or the President of the House of Bishops of the Province of which the Diocese for which the Bishop was elected is part, and two other Bishops of this Church, or by any three Bishops to whom the Presiding Bishop may communicate the testimonials.

**Sec. 7.** In all particulars the service at the ordination of a Bishop shall be under the direction of the Bishop presiding at the ordination.

**Sec. 8.** No person shall be ordained Bishop unless the person shall at the time, and in the presence of the ordaining Bishops and congregation, subscribe to and make the declaration required in Article VIII of the Constitution.

**Sec. 9.**

(a) Within ten days after the election of a Bishop Diocesan, a Bishop Coadjutor, or a Bishop Suffragan by a Diocesan Convention, delegates constituting no less than 10% of the number of delegates casting votes on the final ballot may file with the Secretary of the Convention written objections to the election process, setting forth in detail all alleged irregularities. Within ten days after receipt thereof, the Secretary of the Convention shall forward copies of the same to the Bishop Diocesan, the Chancellor and Standing Committee of the Diocese, and to the Presiding Bishop, who shall request the Court of Review of the Province in which the Diocese is located to investigate the complaint. The Court of Review may invite response by the Bishop Diocesan, the Chancellor, the Standing Committee and any other persons within the Diocese for which the Bishop was elected. Within thirty days after receipt of the request, the Court of Review shall send a written report of its findings to the Presiding Bishop, a copy of which report the Presiding Bishop, within fifteen days, shall cause to be sent to the Bishop Diocesan, the Chancellor, the Standing Committee and the Secretary of the Convention of the electing Diocese. The Secretary shall send a copy of the report to each of the delegates who filed objection to the election process.

(b) If the election has taken place within one hundred and twenty days before a meeting of the General Convention, the report shall be sent with the evidence of election and testimonials as provided in Section 3(a) of this Canon.

(c) If the election has taken place more than one hundred and twenty days before the meeting of the General Convention, the report of the Court of Review shall be sent to the Standing Committees of the several Dioceses, with the Certificate of the Secretary of the electing Convention relating to consent to ordain. Likewise, the Presiding Bishop shall include the report in the communication to the Bishops exercising jurisdiction.

**Citation:** Canon III.11 is excerpted from the Final Text of 2006-A082, which revised Canons in Title III. General Convention, *Journal of the General Convention of...The Episcopal Church*, Columbus, 2006 (New York: General Convention, 2007), pp. 583-630.