

Proposed Constitutional Amendment 1: Article VII, Section 2.

Current Text: “Disability or Impermissible Absence of the Bishop”

If the Standing Committee should determine upon careful deliberation that the Bishop is under a disability, or has absented himself without permission from or consultation with the Standing Committee for more than four weeks, it may with the consent of the Archbishop declare the Office of the Bishop vacant. In such case, the Bishop Coadjutor, if there be one, or the Bishop Suffragan shall take charge until the Standing Committee with the consent of the Archbishop declares the Bishop restored. If there be neither Bishop Coadjutor nor Bishop Suffragan, the Standing Committee shall serve as the Ecclesiastical Authority of the Diocese until the Standing Committee with the consent of the Archbishop declares the Bishop restored.

Proposed Text to replace the underlined portion above:

“In such case, the Bishop Coadjutor shall take charge until the Standing Committee, with the consent of the Archbishop, declares the Bishop restored. If there be no Bishop Coadjutor, the Standing Committee shall be the Ecclesiastical Authority of the Diocese. In consultation with the Archbishop, the Standing Committee may select a Bishop Suffragan or an assistant Bishop of the Diocese, if either exists, or another bishop of the Province as Acting Bishop. This bishop will function as that Ecclesiastical Authority of the Diocese until the Standing Committee, with the consent of the Archbishop, declares the Bishop restored.”

Rationale:

The Suffragan should not be included as one who would automatically take charge in the disability or impermissible absence of the bishop. Unlike a Bishop Coadjutor, who is elected with the right of succession to the current bishop, a Suffragan Bishop is elected to assist in the episcopal affairs of the diocese without the automatic right of succession.

The proposed change brings Article VII, Section 2 of the Constitution in line with the definition of a Suffragan Bishop.

Note: This a proposed amendment to the Constitution. As such, the following applies:

Article XVI Amendment

No amendment to this Constitution may be adopted until it has been reviewed by the Constitution and Canons Committee and its recommendations given to the Synod. This Constitution may be amended by a 2/3 vote at any annual meeting of the Synod, provided that each amendment must also be approved by a majority of each order’s total delegates present at the meeting. If approved, the amendment shall lie over to the next annual meeting of the Synod. If again approved in the same form by a 2/3 vote of the Synod and a majority of each order’s total delegates present at the meeting, the Constitution shall then stand amended as proposed.

Source: The Constitution and Canons Committee

#1 Proposed Amendment to the Canons: Title 1A.Canon 2. Section 10

Current Text: “Diocesan Delegates to the Provincial Assembly and Provincial Council”

The Synod of the Diocese shall elect the delegates and alternates to the Provincial Assembly and Provincial Council from a list of nominees provided by the Clergy and Vestries of the Congregations and Missions and endorsed by the Standing Committee and the Bishop. [See the new insertion in the proposed text.] The number of alternates shall be decided by the Standing Committee and the Bishop. Vacancies shall be filled by elected alternates in descending order, according to number of votes received. The Standing Committee may fill any remaining vacancies in the event that an insufficient number of elected alternates are able to serve.

Proposed Text to be inserted (underlined):

“The synod of the Diocese shall elect the delegates and alternates to the Provincial Assembly and the Provincial Council from a list of nominees provided by the Clergy and Vestries of the Congregations and Missions endorsed by the Standing Committee and the Bishop. Delegates elected for the Provincial Council shall be automatically included among the Provincial Assembly delegates. The number of alternates shall be decided by the Standing Committee and the Bishop. Vacancies shall be filled by elected delegates in descending order, according to the number of votes received. The Standing Committee may fill any remaining vacancies in the event that an insufficient number of elected alternates are able to serve.”

Rationale:

Provincial Council delegates have 5 year terms where as Provincial Assembly delegates are elected for each Assembly. It creates additional expense for the diocese and is awkward and unhelpful if our Provincial Council delegates travel across the country to serve one day at Provincial Council and then do not also serve the very next day as part of our Provincial Assembly delegation.

Source: The Constitution and Canons Committee

#2 Proposed Amendment to the Canons: Title Ia. Canon 4. Section 1

Current Text: “Officers of the Diocese”

Section 1. The Bishop

The Bishop shall serve as the Ecclesiastical Authority of the Diocese and the Presiding Officer of the Standing Committee and the Synod with the authority and responsibility as set forth in Article IV of the Constitution of the Diocese and those additional express authorities set forth in the Constitution and Canons of the Province and the Diocese.

Section 2. The Bishop Coadjutor

Section 3. The Bishop Suffragan

Section 4. The Chancellor...

Proposed Text to be inserted at the end of section 1 (underlined):

“The Bishop shall serve as the Ecclesiastical Authority of the Diocese and the Presiding Officer of the Standing Committee and the Synod with the authority and responsibility as set forth in Article IV of the Constitution of the Diocese and those additional express authorities set forth in the Constitution and Canons of the Province and the Diocese.

“The Bishop, with the consent of the Standing Committee, may appoint from the existing Bishops of the Province, one or more Assistant Bishops. The Bishop shall prescribe the duties and responsibilities of each Assistant Bishop.”

Rationale:

Our Canons currently contain no provision for the appointment of an assisting Bishop. Assisting Bishops are appointed by the Diocesan Bishop, with the approval of the Standing Committee, to assist with specific episcopal responsibilities within a diocese. Assisting Bishops are selected from those already called and ordained to the office of bishop.

Source: The Constitution and Canons Committee

#3 Proposed Amendment to the Canons: Title Ia. Canon 5. Section 4.B

Current Text: “Sources and Contents of Nominations”

Nominations for Bishops received from any Vestry shall be submitted to the Committee on Nominations, in a form specified by that Committee, not less than 210 days prior to the electing Synod. Nominations from other sources shall be submitted to that Committee, in a form specified by that Committee, not less than 180 days prior to the electing Synod. All nominations must include a written acceptance of the nomination by the nominee.

Proposed Text (changes underlined):

Title: Submission of Nominations

Nominations for Bishops received from any Vestry shall be submitted to the Committee on Nominations, in a form and a timetable specified by that Committee, not less than 180 days prior to the electing Synod. Nominations from other sources shall be submitted to that Committee, in a form specified by that Committee, not less than 150 days prior to the electing Synod. All nominations must include a written acceptance of the nomination by the nominee.

Rationale:

The collective mind of the Constitution and Canons Committee was that 180 / 150 days were sufficient minimum amounts of time for nominations to be solicited, vetted, and candidates presented to the diocese. Please see the extended rationale for more information.

Source: The Constitution and Canons Committee

#4 Proposed Amendment to the Canons: Title Ia. Canon 5. Section 4.C

Current Text: “Screening of Nominations” (changes indicated by strike through)

“The Committee on Nominations shall screen all names placed in nomination to determine whether they meet the criteria established by the Provincial and Diocesan Constitution and Canons. Through a prayerful process of discernment, including due diligence, the Committee shall arrive at a slate consisting of no more than three candidates, each of whom must have communicated to the Committee written permission to make the candidacy public. ~~All candidates currently serving a Congregation or Mission of the Province shall have written support by the Vestry of such Congregation or Mission.~~ The slate of candidates shall be published to the Synod delegates at least 90 days prior to the electing Synod.”

Proposed Text (changes underlined):

The Committee on Nominations shall screen all names placed in nomination to determine whether they meet the criteria established by the Provincial and Diocesan Constitution and Canons. Through a prayerful process of discernment, including due diligence, the Committee shall arrive at a slate consisting of no more than three candidates, each of whom must have communicated to the Committee written permission to make the their candidacy public. The slate of candidates shall be published to the Synod delegates at least 90 days prior to the electing Synod.

Rationale:

The rationale for the original language involved the possibility that the Diocesan Bishop might also serve as clergy in a parish. As the current model of ministry is for the Diocesan Bishop to serve full time in his position, his current vestry should not have veto.

Source: The Constitution and Canons Committee

Extended Rationale for #3 Proposed Amendment to the Canons Title Ia. Canon 5. Section 4.B

Bishop Guernsey requested that the Committee consider making two changes to Section 4.B, Canon 5, Title IA. The first proposed change was to make the deadline for vestries to submit nominations for the office of bishop the same as the deadline for nominations “from other sources.” The second proposed change was to shorten the deadline for nominations for bishop to 120 days prior to the electing Synod or to allow the Nominating Committee, if there be one, to set the timetable.

The Constitution and Canons Committee recommends shortening the existing deadlines for nominations by vestries and by others by 30 days each. The Committee also recommends changing to the title of the canon from “Sources and Contents of Nominations” to “Submission of Nominations”

The Committee recommends against making the deadline for nominations by vestries the same as the deadline for other nominations and against allowing the timetable to be set by a Nominating Committee, if there be one.

Rationale:

The representatives to the Anglican District of Virginia (ADV) Constitution and Canons Committee, which originally drafted and recommended this canon, expressly decided upon the 30-day difference between the deadline for nominations by vestries and the deadline for nominations “from other sources.” Substantial sentiment existed in favor of requiring all nominations for bishop to be made by vestries, but the prevailing view was that the canon should authorize clergy and laypersons to nominate candidates for bishop.

There was a consensus in the ADV Committee, however, that it is *preferable* for nominations to be made by vestries. The 30-day difference between the two deadlines was created to encourage clergy and laypersons to work with and through their vestry. Under this canon, an individual knows that if his or her vestry does not end up nominating someone, that individual will have 30 days to nominate that person himself or herself.

Assuming that nomination-by-vestry is still preferred by DOMA congregations and missions, diocesan leaders will need to be informed of this preferred practice and of their ability to nominate a candidate after nominations by vestry are closed. Interested individuals should be encouraged to engage in a dialogue with their vestry members to help inform and guide any nominations their vestry might make.

The Constitution and Canons Committee also concluded that these nomination deadlines should not be delegated to the Nominating Committee (if one be in existence). The Committee recognizes that election rules and procedures can be mere formalities and nuisances when a consensus or near-consensus emerges for one candidate. However, when there is significant difference of opinion, specific rules and procedures, including rules on election deadlines, help eliminate even the appearance of gamesmanship or other impropriety.

A final point on the 30-day difference is that the Constitution and Canons do not require a Nominating Committee. If a Nominating Committee has not been established, its canonical duties “shall be performed by the Standing Committee.” (Canon IA.5.4.D) The Constitution and

Canons Committee concludes that these canonical nomination deadlines are a helpful check and balance on the powers exercise by DOMA's various committees.

Bishop Guernsey reports that the deadlines in the current canon are more than adequate to allow the diocesan office and others to fulfill their duties. The Constitution and Canons Committee thus recommends reducing each deadline by 30 days. This would make the final deadline for nominations for the office of bishop due approximately 5 months (150 days) before the electing Synod. In addition to due diligence and other constitutional and canonical duties that must be completed, this much time could be necessary to allow the congregations and missions to get to know and consider each of the candidates, especially if one or more them resides outside of the Diocese or the country.