

Committee on Canons
Proposed Amendments in the Constitution and Canons
For the Consideration of Diocesan Convention October 15-16, 2010

Constitutional Changes (Second Reading)

These proposed amendments were passed by the Annual Convention of 2009 and are now before the Convention of 2010. Should they pass this year without amendment, they will go into effect at the close of convention.

The Committee on Canons moves approval of the following three Constitutional amendments, all of which were approved at the 2009 annual Convention:

Article III, Members of Convention, shall be restated in its entirety as follows:
Members of Convention

Section 1. The Convention shall be composed of Clergy and Lay Deputies.

Section 2. Every member of the Clergy in regular standing who shall have been canonically and physically resident in the Diocese and engaged in the parochial, missionary, or educational work of the Church under the Ecclesiastical Authority of the Diocese for three months preceding any Convention shall be entitled to a seat and vote in such Convention in all cases except in the election of a Bishop, in which case the qualifications necessary to vote shall be as hereinafter provided in Article XIV of this Constitution. No member of the Clergy so qualified shall lose his or her right to a seat and vote by reason of sickness or old age.

Section 3. The Deputies shall consist of two Deputies from each Parish in union with the Convention, chosen from the Lay Communicants as the Convention may, from time to time, by Canon, prescribe. Each such Parish shall have the right to send additional Deputies, chosen as aforesaid, in such proportion to the number of its registered communicants as the Convention may, from time to time, by Canon, prescribe. A change in the scale of graduation, when fixed by Canon, shall not become effective until the succeeding Annual Convention. The Chancellor of the Diocese shall be an ex-officio member of the Convention with the right to a single vote in the appropriate order.

Section 4. No Parish shall be entitled to representation in the Convention that does not comply with duly enacted Canons of this Diocese relating to assessments levied upon it by authority of the Convention, unless it shall not do so for reasons that shall be deemed satisfactory by the Convention itself; and it shall be the duty of the Diocesan Council, at the opening of each session, to present to the Secretary a list of such Parishes as are delinquent in this regard, in order that the same may be placed in the hands of the Committee on Claims of Deputies to Seats.

Rationale: There are two substantive changes made here. Additionally, a number of minor editorial changes have been made for clarity, consistency, or grammatical correctness. (As long as the article

is being amended, it seems proper to make such minor improvements as well.) In Section 2, the words “and physically” have been inserted before “resident in the Diocese.” The words “and actually” were removed from this location by votes in 2003 and 2004.

The change in 2003 -2004 allowed clergy working elsewhere while canonically resident in Pittsburgh to vote in convention. Such people did so in large numbers, largely voting as a block. The effect was to dilute the votes of people actually living in the diocese and regularly participating in its work. The Committee on Canons responded to a concern voiced at our August forum by adding wording in Section 2 giving vote to missionaries and chaplains canonically resident here but serving elsewhere. This, however, turned out to create more questions than it solved, and the committee has decided to return to its original proposal allowing only those clergy actually living in the diocese to vote. The change proposed in this resolution restores Section 2 to its pre-2004 meaning and improves clarity. In Section 3, the final words “Lay order” have been replaced with “appropriate order.” The section assumes the Chancellor is necessarily a layperson, but this office could, in principle, be held by a member of the clergy, even though Canon IX currently requires a lay chancellor.

This would replace the current Article III reprinted below:

Article III

Members of Convention

Section 1. The convention shall be composed of Clergy and Lay Deputies.

Section 2. Every member of the Clergy, in regular standing, who shall have been canonically resident in the Diocese, and engaged in the parochial, missionary, or educational work of the Church, under the Ecclesiastical Authority of the Diocese, for three months preceding any Convention, shall be entitled to a seat and vote in such Convention in all cases except in the election of a Bishop, in which case the qualifications necessary to vote shall be as hereinafter provided in Article XIV of this Constitution, PROVIDED, that no member of the Clergy so qualified shall lose his or her right to a seat and vote by reason of sickness or old age.

Section 3. The Deputies shall consist of two Deputies from each Parish in union with the Convention, chosen from the Lay Communicants as the Convention may, from time to time, by Canon prescribe. And each such Parish shall have the right to send additional Deputies, chosen as aforesaid, in such proportion to the number of its registered communicants as the Convention may, from time to time, by Canon prescribe. PROVIDED, however, that a change in the scale of graduation, when fixed by Canon, shall not become effective until the next succeeding Annual Convention. The Chancellor of the Diocese shall be ex-officio a member of the Convention with the right to a single vote in the Lay order.

Section 4. No Parish shall be entitled to a representation in the Convention which does not comply with duly enacted Canons of this Diocese relating to assessments levied upon it by authority of the Convention, unless it shall not do so for reasons which shall be deemed satisfactory by the Convention itself; and it shall be the duty of the Diocesan Council, at the opening of each session, to present to the Secretary a list of such Parishes as are delinquent in this regard, in order that the same may be placed in the hands of the Committee on Claims of Deputies to Seats.

1. **Article XII**, Deputies to Extra-Diocesan Conventions or Synods, shall be restated in its entirety as follows:

Article XII

Deputies to the General Convention

Section 1. At the Annual Diocesan Convention that is held not more than two nor less than one year before the regular General Convention, four members of the Clergy and four Lay Persons shall be elected to represent this Diocese as Deputies to such General Convention and four members of the Clergy and four Lay Persons shall be elected as Alternate Deputies in the manner specified in the General Rules of Order.

Section 2. The Clerical Deputies shall be members of the Clergy entitled to seats in the convention of this Diocese, and the Lay Deputies shall be communicants of this Church and residents in this Diocese.

Section 3. Should a vacancy among the deputies occur by reason of resignation, removal from the Diocese, death or otherwise between the stated times of election, it shall be filled by the highest ranking Alternate Deputy, as determined by the General Rules of Order.

Section 4. In case of failure or neglect of the Convention to elect Deputies, those already in office shall continue until successors are chosen.

Section 5. It shall be the duty of the Deputies-elect to signify to the Bishop, in writing, at least one month before the meeting of the General Convention, their acceptance of the appointment and their intention to perform its duties. If a Deputy-elect fails to give this notice or fails to attend the Convention, the Bishop shall notify a replacement in accordance with Section 3 hereof.

Section 6. It shall be the duty of the Deputies to the General Convention to make a report, as a deputation to the succeeding Diocesan Convention.

Rationale: The current Article XII was modified by the annual conventions of 2007 and 2008 in connection with the attempts to withdraw the diocese from The Episcopal Church. At the Special Convention of December 13, 2008, Resolution IV was passed, affirming the accession of the diocese to the Constitution and canons of The Episcopal Church. The proposed wording basically restores the pre-2008 text of Article XII, making explicit the relationship of the diocese to the General Convention of The Episcopal Church. Section 1 has been altered to clarify exactly when deputies are to be elected.

This would replace the current Article XII reprinted below:

Article XII

Deputies to Extra-Diocesan Conventions or Synods

Section 1. At each Annual Convention, there shall be elected four Clergy and an equal number of lay persons to serve as deputies or delegates to any extra-

diocesan conventions, synods or meetings that may occur between Annual Conventions and to which the Diocese shall be invited to send deputies. They shall possess the same qualifications as member of Standing Committee and shall be elected by a concurrent majority of both orders.

Section 2. At the same Convention, there shall be chosen in the same manner and with the same qualifications, the same number of Clergy and Laity to serve as alternate deputies.

Section 3. Should a vacancy among the deputies or delegates occur by reason of resignation, removal from the Diocese, death or otherwise between the stated times of election, it shall be filled by the highest ranking Alternate, as determined by the General Rules of Order.

Section 4. In case of failure or neglect of the Convention to elect deputies or delegates, those already in office shall continue until successors are chosen.

Section 5. It shall be the duty of the persons so elected to signify to the Bishop, in writing, at least one month before the meeting of the extra-diocesan convention or synod, their acceptance of the appointment and their intention to perform its duties. If a person so elected fails to give this notice or fails to attend the convention or synod, the Bishop shall notify a replacement in accordance with Section 3 hereof.

2. **Article XIII**, Admission of Parishes shall be restated in its entirety as follows:

Article XIII

Admission of Parishes

Any Parish formed within the limits of the Diocese, and regularly organized according to the Canons, may be admitted into union with the Convention, on motion, by a majority of votes. PROVIDED, it shall have laid before the Convention its Charter and By-laws, or its original Articles of Association, or a duly certified copy thereof, wherein it expressly adopts and recognizes the authority of the Constitution and Canons of this Diocese, and the Constitution, Canons, doctrines, discipline, and worship of the Protestant Episcopal Church in the United States of America. And provided, also, that it shall have complied with the canonical requirements for such admission.

Rationale: The current Article XIII was modified by the annual conventions of 2007 and 2008 in connection with the attempts to withdraw the diocese from The Episcopal Church. At the Special Convention of December 13, 2008, Resolution IV was passed, affirming the accession of the diocese to the Constitution and canons of The Episcopal Church. The proposed wording restores the pre-2008 text of Article XIII, which explicitly acknowledges the authority of The

Episcopal Church. (The Protestant Episcopal Church in the United States of America is the official name of the general church. According to the Preamble of the church's constitution, the church is "otherwise known as" The Episcopal Church .) By restoring the traditional language of "doctrine, discipline, and worship of the Protestant Episcopal Church in the United States of America" to this canon the proposed change incorporates a commitment to the historic faith and order of the Book of Common Prayer.

This would replace the current Article XIII which reads:

Article XIII
Admission of Parishes

Any Parish formed and desiring union with the Diocese, and regularly organized according to the Canons, may be admitted into union with the Convention, on motion, by a majority of votes; provided it shall have laid before the Convention its Charter and By-laws, or its original Articles of Association, or a duly certified copy thereof, wherein it expressly adopts and recognizes the authority of the Constitution and Canons of this Diocese, and commits to upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer. And provided, also, that it shall have complied with the canonical requirements for such admission.

Constitutional Amendment: Article X (First Reading)

The Committee on Canons moves the amendment of Article X, Section 1 of the Constitution to read as follows with the following implementation stipulation: all currently sitting trustees may serve their full allotted term even if redistricting places them in the same district as another trustee. The amended Article would read:

Article X:

The Board of Trustees for the Diocese

Section 1. The Board of Trustees shall consist of the Bishop, five Lay persons appointed by the Bishop, and one Lay person from each District and seven other Lay persons without limitation as to District, elected in the manner and for the term specified by Canon. The Bishop shall appoint the President of the Board of Trustees each year, and the Board of Trustees shall elect other officers as it shall deem appropriate.

Explanation:

Article X section 1 currently reads:

Section 1. The Board of Trustees shall consist of the Bishop, five Lay persons appointed by the Bishop, and one Lay person from each District and five other lay persons without limitation as to District, elected in the manner and for the term specified by Canon duly enacted. The Bishop shall appoint the President of the Board of Trustees each year, and the Board of Trustees shall elect other officers as it shall deem appropriate.

The Charter of the incorporated Board of Trustees requires that there be between 16 and 20 members of whom 5 are to be appointed by the Bishop and the remainder elected by Convention as set out in the Diocesan Constitution and Canons. The current canons specify that 5 shall be elected at large by the convention and that each district shall elect one member. This works if we have between 6 and 10 districts. If we reduce the number of districts to 4, we will be short the required minimum number of trustees. By increasing the at large elected trustees to seven we will achieve the required minimum size and allow for the creation of up to four additional districts without requiring further constitutional amendment. A constitutional amendment requires approval by two successive conventions. To complete the amendment process, the convention of 2011 will also need to pass this same amendment.

Constitutional Amendment Article XI (First Reading)

The Committee on Canons moves that Section 1 of Article XI Diocesan Council be amended to read:

Section 1. The Diocesan Council shall consist of the Bishop, the Secretary of the Convention, the Chancellor of the Diocese, the President of the Board of Trustees, the President of the Standing Committee, the President of the Episcopal Church Women and three Deputies to Convention from each District (two Lay and one Ordained) elected in the manner and for the term specified by Canon.

Explanation: The amendment strikes the word "normally" from the phrase "(normally two lay and one ordained)." The effect of the amendment will be to require that District representation be two Lay members and one Clergy. Council is the Diocesan Convention in recess and as such should reflect as closely as possible the proportion of Lay and Clergy deputies found in the Convention as a whole. A constitutional amendment requires approval by two successive conventions. To complete the amendment process, the convention of 2011 will also need to pass this same amendment. This gives Districts time to use the normal election process to adjust their representation to Diocesan Council.

Canonical Changes

Canon XVIII Section 1 Revisions

The Committee on Canons moves that Canon XVIII, Section 1 be amended to read as follows with the following implementation stipulation: all currently sitting members of Diocesan Council may serve their full allotted terms even if redistricting places them in the same district with three other members of Council. The amended section would read:

Section 1. The Diocese shall be divided into such Districts, not less than four nor more than eight, as may be determined from time to time by action of the Convention. The Bishop, with the advice of the Standing Committee, shall formulate the districting plan that, after at least one open hearing, shall be submitted to Diocesan Council for its concurrence prior to presentation of the plan to the Convention for approval.

Explanation:

Section 1. currently reads:

Section 1. The Diocese shall be divided into such Districts, not less than six nor more than ten, as may be determined from time to time by action of the Convention. The Bishop, with the advice of the Standing Committee, shall formulate the districting plan which, after at least one open hearing, shall be submitted to Diocesan Council for its concurrence prior to presentation of the plan to the Convention for approval.

The Special Convention of 2008 took an expedient action by voting that Districts 1 and 2 should act as a single district and that Districts 5 and 10 should do likewise. However, it was too early to determine a more equitable arrangement of Districts. Now we have a better understanding of the size and location those parishes fully participating in the diocese. Following the procedure specified in the canons, the Bishop and Standing Committee have proposed a new arrangement of districts. The required public hearing was held on August 2, 2010 and Diocesan Council approved the plan at its meeting later that night. It now comes to convention. The plan of membership in districts to be implemented if this measure passes, is found in the "District Chart with Allocation of Deputies for 2011" that arranges parishes into four districts and which is found at the end of the proposed changes for Canon XVIII.

DISTRICT CHART WITH ALLOCATION OF DEPUTIES for 2011
(as determined by 2009 Parochial Report)

Total Lay Deputies eligible to vote: 82

District 1

All Saints, Brighton Heights	2
St. Barnabas, Brackenridge	2
St. Brendan's Franklin Park	3
St. Paul's, Kittanning	2
Christ Church, North Hills	7
Emmanuel, North Side	2
Trinity Cathedral, Pittsburgh	2
Total	20

Not submitting Parochial Reports:
Our Saviour, Ambridge; Trinity, Beaver; St. Peter's, Butler; Grace Church, Edgeworth; St. Luke's Georgetown; St. Thomas-in-the-Fields, Gibsonia; Church of Our Savior, Glenshaw; Prince of Peace, Hopewell; Christ Church, New Brighton; St. Philip's, Moon Township; St. Stephen's Sewickley; St. Christopher's, Warrendale.

District 3

St. Peter's, Brentwood	3
All Saints, Bridgeville*	2
St. Thomas, Canonsburg	2
Church of the Nativity, Crafton	3
St. Stephen's, McKeesport	3
St. Paul's, Mt. Lebanon	8
All Souls, North Versailles	2
Total	23

**If Convention admits them to union*

Not submitting Parochial Reports:
Church of the Advent, Brookline; Church of the Atonement, Carnegie; Church of the Transfiguration, Clairton; Church of the Good Samaritan, Liberty Boro; St. Philip's, Moon; Grace, Mt. Washington; St. David's, Peters Township; Trinity, Washington; St. George's, Waynesburg.

District 2

Calvary, East Liberty	7
St. Andrew's, Highland Park	3
St. Matthew's, Homestead	2
Holy Cross, Homewood	2
St. Thomas, Oakmont	4
Redeemer, Squirrel Hill	2
St. Stephen's Wilksburg	2
Total	22

Not submitting Parochial Reports:
Seeds of Hope, Bloomfield; Fox Chapel Episcopal Church, Fox Chapel; Church of the Good Shepherd, Hazelwood; St. Martin's, Monroeville; St. Andrew's, New Kensington; Ascension, Oakland; St. James, Penn Hills; All Saints, Rosedale; Shepherd's Heart, Uptown.

District 4

St. Peter's, Blairsville	2
Christ Church Greensburg (TEC)	2
Christ Church, Indiana	2
Church of the Advent, Jeanette	2
St. Michael's, Ligonier	3
St. Mark's, Johnstown	2
St. Bartholomew's, Scottdale	2
St. Francis-in-the-Fields, Somerset	2
Total	17

Not submitting Parochial Reports:
Christ Church, Brownsville; St. Mary's, Charleroi; St. John's, Donora; Holy Innocents, Leechburg; St. Paul's Monongehela; St. Alban's, Murrysville; Sts. Thomas and Luke, Patton; St. Mary's Red Bank; St. Michael's, Wayne Township; St. Peter's, Uniontown.

Canon XVIII Section 3 Revisions

The Committee on Canons moves that Canon XVIII, Section 3 be amended to read:

Section 3: Each District Commission shall meet annually to fill any existing vacancies for their district or terms expiring at the end of the year on Diocesan Council and the Board of Trustees. Those elected to Diocesan Council must be members of the District Commission. The Annual Meeting of the District Commissions shall take place as part of the order of business for the Annual Convention of the Diocese.

Explanation:

This section currently reads:

Section 3. Each District Commission shall meet annually in order to elect one of its members to serve as members (Pursuant to Article XI, Section 1 of the Constitution, and to Canon V, Section 3) of Diocesan Council and, where a vacancy is about to occur, one individual to serve on the Board of Trustees. The Annual Meeting of the District Commissions shall take place as part of the order of business for the Annual Convention of the Diocese.

The current section does not authorize the district to fill an existing vacancy for an unexpired term. The Standing Committee has the authority to appoint people to fill vacant unexpired terms on elected committees, but should they wish to refer this to the district, or have neglected to fill the position, the amendment provides that the district itself can ensure it is adequately represented on Diocesan Council and the Board of Trustees.

Canon IV Revision

The Committee on Canons moves that Canon IV be amended to include a Section 5 which shall read:

Section 5. Through a prior Declaration of Trust, as amended, the Board of Trustees has established the Diocesan Growth Fund. The Declaration of Trust, as it is now or may hereafter be amended in accordance with the Declaration of Trust, shall be appended to these Canons. The appointment or election of the members of the Diocesan Growth Fund Committee shall occur as set forth in the Declaration of Trust, as it is in effect at the time.

Explanation: The current Constitution and Canons of the Diocese of Pittsburgh do not define the Diocesan Growth Fund or explain the requirements for appointment or election to the Diocesan Growth Fund Committee. The Growth Fund was established by a prior Declaration of Trust by the Board of Trustees, which has been amended several times. The Declaration of Trust itself describes the requirements for appointment or election to the Diocesan Growth Fund

Committee, which will now be appended to the Constitution and Canons of the Diocese, as are the Rules of Order and Financial Regulations of the Diocese.

Canon X Revision

The Committee on Canons moves that Canon X be amended to read:

Canon X

Of the Committee on Constitution and Canons

Section 1. The Committee on Constitution and Canons shall consist of three Clergy and three Lay persons and shall be elected by ballot at Diocesan Convention, the bishop and the Chancellor of the Diocese shall serve ex-officio with vote.

Section 2. The terms of office of members of the Committee on Constitution and Canons shall be three years on a staggered basis. No member who has served for two consecutive three-year terms shall be eligible for re-election as committee member until the expiration of one year.

Section 3. The Committee on Constitution and Canons shall elect a chairman from among its membership.

Explanation:

Canon X currently reads:

Canon X

Of the Committee on Canons

Section 1. The Committee on Canons shall consist of three Clergy and three Lay persons and shall be elected by ballot at Diocesan Convention.

Section 2. The terms of office of members of the Committee on Canons shall be three years on a staggered basis. No member who has served for two consecutive three-year terms shall be eligible for re-election as committee member until the expiration of one year.

Section 3. The Committee on Canons shall elect a chairman from among its membership.

The revision adds "Constitution" to the name of the committee. This better reflects the actual scope of the work of the committee. The amendment also makes explicit the participation of the Chancellor and Bishop on this committee.

Canon XIX Revision

The Committee on Canons submits the following motion:

Canon XIX of the Canons of the Diocese of Pittsburgh shall be amended as follows with these implementation provisions: (1) the effective date of this amendment shall be July 1, 2011; (2) on July 1, 2011, the Array shall become the Disciplinary Board and the terms of its members shall continue without change

until the end of their normal three-year periods; (3) the predecessor Canon XIX of the Diocese shall stand repealed as of July 1, 2011, except to the extent necessary to address matters which are pending under the predecessor to this Title as provided in Episcopal Church Canon IV.20, Of Transitional Provisions and Conforming Amendments to Other Canons; and (4) if any such matters are pending under the predecessor to this Title on July 1, 2011, the power and authority of the Array under predecessor Canon XIX of the Diocese shall continue for so long as necessary to conclude the matter.

Article XIV Ecclesiastical Discipline

Section 1. This canon incorporates the Disciplinary Title of the Canons of the Episcopal Church. To the extent, if any, that any provision of this diocesan canon is in conflict or inconsistent with the provisions of the Canons of the Episcopal Church, the provisions of the Canons of the Episcopal Church shall govern. This canon and the Disciplinary Title of the Canons of the Episcopal Church are referred to in this canon collectively as "this Title."

Section 2. Disciplinary Board.

a. Creation and Membership. There is hereby established a court to be known as the Disciplinary Board which shall consist of five (5) priests or deacons and four (4) Lay persons, to be elected by the Diocesan Convention to serve three year terms on a staggered basis.

i. The Clergy members of the Disciplinary Board must be canonically and geographically resident within the Diocese. The Lay members of the Disciplinary Board shall be adult members in good standing and geographically resident in the Diocese.

ii. No person who has served two consecutive full terms shall be eligible to serve on the Disciplinary Board until a full year has elapsed. Eighteen or more months of service shall be treated as a full term.

iii. Unless another provision of this Title expressly provides otherwise, members of all other elected bodies of the Diocese, including the Standing Committee, are eligible to serve on the Disciplinary Board.

b. Vacancies. Upon the determination that a vacancy exists, the President of the Disciplinary Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.

i. The Standing Committee shall appoint a replacement to fill the vacancy. Persons appointed to fill vacancies on the Disciplinary Board shall meet the same eligibility requirements as those that apply to elected members.

ii. When a vacancy results from a challenge, the replacement Disciplinary Board member shall serve only for the proceedings for which the elected member is not serving as a result of the challenge.

c. A Disciplinary Board member may be removed from office by the Bishop, following consultation with the Standing Committee, and subject to the prior approval of the Diocesan Council, whenever, in the judgment of the Bishop, the best interests of the Diocese require such removal.

Section 3. Preserving Impartiality. In any proceeding under this Title, if any member of a Conference Panel or Hearing Panel of the Disciplinary Board shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the Disciplinary Board and request a replacement member of the Panel. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion for disqualification of the challenged member. The members of the Panel not the subjects of the challenge and one additional member of the Disciplinary Board selected by the President of the Disciplinary Board shall promptly consider the motion and determine by majority vote whether the challenged Panel member shall be disqualified from participating in that proceeding. Should a member be disqualified, the President shall appoint another member of the Disciplinary Board to serve on the panel.

Section 4. Delegated Officials.

a. President. After each annual Convention, but before the end of that calendar year, the Bishop shall appoint a President of the Disciplinary Board from among its membership to serve for the following calendar year.

b. Intake Officer. The Bishop shall appoint one or more Intake Officers after consultation with the Disciplinary Board. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the Diocese.

c. Investigator. The Bishop shall appoint an Investigator in consultation with the President of the Disciplinary Board. The Investigator may, but need not, be a Member of the Church.

d. Church Attorney. After the annual Convention but before the end of that calendar year, the Bishop shall appoint an attorney to serve as Church Attorney for the following calendar year. The person so selected must be a Member of the Episcopal Church and a licensed attorney, but need not reside within the Diocese.

e. Pastoral Response Coordinator. The Bishop may appoint a Pastoral Response Coordinator, serving at the will of the Bishop to coordinate the delivery of appropriate pastoral responses provided for in this Title. The Pastoral Response Coordinator may be the Intake Officer, but shall not be a person serving in any other appointed or elected capacity under this Title.

f. Advisors. In each proceeding under this Title, the Bishop shall appoint an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Title and shall not include Chancellors or Vice Chancellors of this Diocese or any person likely to be called as a witness during the proceedings.

g. Clerk. The Disciplinary Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk may be a member of the Disciplinary Board.

h. Conference Panel and Hearing Panel. The President of the Board shall select from the Disciplinary Board a Conference Panel and a Hearing Panel. The President shall be ineligible to serve on either Panel. The members of the Panel shall be selected by lot or other random means and the President of the Disciplinary Board shall designate a president of each Panel. A Conference Panel may consist of one or more persons. A Hearing Panel shall consist of three persons and shall include both Clergy and Lay members. Once appointed to a Panel for a particular matter, a Disciplinary Board member may continue to serve on the Panel for all proceedings in that matter even if the member's term on the Disciplinary Board expires. No member of the Disciplinary Board who serves on a Conference Panel for a particular matter may serve on the Hearing Panel for the same matter.

Section 5. The Bishop shall see that each year public notice is given to the parishes and members of congregations about the methods and means of reporting Offenses.

Section 6. Costs.

a. Costs Incurred by the Church. The reasonable costs and expenses of the Disciplinary Board, the Intake Officer, the Investigator, the Church Attorney, the Board Clerk and the Pastoral Response Coordinator shall be the obligation of this Diocese subject to budgetary constraints as may be established by Convention or Diocesan Council.

b. Costs incurred by the Respondent. In the event of a final Order dismissing the complaint, or by provision of a Covenant approved by the Bishop, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by this Diocese, subject to budgetary constraints as may be established by Convention or Diocesan Council.

Section 7. Records. Records of active proceedings before the Disciplinary Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Clerk, if there be one, otherwise by the Diocesan offices. The Bishop shall make provision for the permanent storage of copies of the records of all proceedings in the Diocesan Archives and for the submission of the original records to the Archives of the Episcopal Church as prescribed in this Title.

Section 8. Shared Resources. The Bishop, after consultation with the Disciplinary Board, may agree with one or more other Dioceses to develop and share resources necessary to implement this Title, including Church Attorneys, Intake Officers, Advisors, Investigators, Conciliators, Pastoral Response Coordinators, and administrative and financial support for proceedings under this Title.

Explanation:

Title IV of the Canons for the Government of The Episcopal Church, entitled *Ecclesiastical Discipline*, prescribes standards and procedures for enforcing the ordination vows taken by members of the clergy by which they undertake special responsibilities and accountabilities for doctrine, discipline, worship and obedience. Title IV was comprehensively revised by the 76th General Convention in Resolution 2009-A185 to take effect on July 1, 2011. Revised Title IV in the form of Resolution A185 may be found at http://gc2009.org/ViewLegislation/view_leg_detail.aspx?id=890&type=Final. The revision requires each diocese to create a body to be known as the Disciplinary Board and prescribes certain criteria as to its membership. These criteria require a complete revision of Canon XIX of the Canons of the Diocese of Pittsburgh. In drafting this canon the committee followed closely the model drafts provided by the Episcopal Church and consulted with members of the Array, Standing Committee, the Chancellor, the Bishop and others in the Diocese.

Canon XXI Revision

The Committee on Canons moves that Section 1 of Canon XXI, (Of Settled Clergy) shall be deleted in its entirety and replaced with the following:

Section 1: The Rector or Priest-in-Charge shall have full authority and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of this Church, and the pastoral direction of the Bishop.

Explanation:

The current version of Section 1 reads:

Section 1: The Rector or Priest/Deacon/Minister-in-Charge of a Parish has, by virtue of office, the exclusive charge and care of all the spiritual concerns, music and ritual observances of the Parish, subject and answerable only to the Bishop.

Section 1 of this canon did not conform to the Canons of The Episcopal Church with regards to Authority and Responsibility of the Rector or Priest-in-Charge. This corrects this situation.

Canon XXX Revision

The Committee on Canons moves that Canon XXX, section 2 be deleted in its entirety and replaced so that it reads as stated below, with the following implementation provisions: In the first year after enactment of the new text for section 2 of the Canon XXX, the Bishop shall appoint an approximately equal number of persons to one, two, and three-year terms, and three people shall be elected by Convention, one to serve a one-year term, one a two-year term and one a three-year term. Thereafter, one person shall be elected each year by ballot at Annual Convention to a three-year term.

The new Section 2 would read:

Section 2. Membership. The Bishop shall appoint to the Commission on Ministry a number of members sufficient to carry out efficiently and effectively the duties specified in Section 1, balanced between Lay persons and Clergy. In addition, one member shall be elected by ballot at each Annual Convention. The term of office for all members of the Commission shall be three years. No member may serve on the Commission continuously for more than six years, and no member who has left the Commission may be reappointed or re-elected to the Commission until one year has elapsed. Terms of membership shall be staggered.

Explanation: The current section 2 reads:

Section 2. Membership. The Bishop shall appoint to the Commission on Ministry such persons as the Bishop may deem proper. The term of office shall be one year. Members shall be eligible for reappointment.

The proposed amendment strikes a balance between continuity and revitalization of membership by establishing fixed and staggered terms for members of the Commission on Ministry. The current one-year term is too short, and the lack of term limits allows the possibility of unlimited terms that could last for decades. Given that individuals seeking ordination are before the Commission for several years, allowing a total of six years of service for individual members assures continuity between those seeking ordination and some members of the Commission, while still permitting a continual infusion of new members. While continuing the current practice of appointment of members by the Bishop, the amendment provides the opportunity for anyone to seek election to the Commission. To assure the proper skill set, diversity, and balance among lay and ordained members, the majority of members would serve by appointment. The amendment allows flexibility in determining the efficient and effective number of members while assuring balance between those members who are lay and those who are ordained.

Canon XXXIII –New

The Committee on Canons moves the following addition to the Canons:

Canon XXXIII

On beginning dates of elected offices

Section 1: Unless otherwise specified by canon, article, or act of Convention, the terms of any elected office shall begin on January 1 of the year following the Convention in which the election is held.

Explanation of change: This is a new canon being added to the constitution/canons. The canons currently do not provide a definition of the specific beginning date of terms for an elected office at a Convention. This has led to confusion about the beginning and ending dates of terms.