

PROPOSED CHANGES

TO THE CONSTITUTION & CANONS OF THE EPISCOPAL DIOCESE OF PITTSBURGH

COMMITTEE ON CANONS
EPISCOPAL DIOCESE OF PITTSBURGH

AUGUST 10, 2009

This document contains recommendations for changes to the constitution and canons of the Episcopal Diocese of Pittsburgh. These recommendations are being presented now to solicit feedback from interested parties before the Committee on Canons presents its official report of recommendations to be acted on at the next convention.

The Committee on Canons has worked diligently throughout 2009 to prepare these recommendations. There was not sufficient time to develop proposals for every change to our constitution and canons that might be beneficial. The recommendations offered to the diocese, therefore, represent proposed changes to the governing documents of the diocese that seem most urgent to effect.

TABLE OF RECOMMENDATIONS

Number	Title	Affects	Page
CC01	Members of Convention	Article III	1
CC02	Deputies to Extra-Diocesan Conventions or Synods	Article XII	3
CC03	Admission of Parishes	Article XIII	5
CC04	Of the Director of Administration	Canon VII	6
CC05	Of the History and Archives of the Episcopal Diocese of Pittsburgh Registrar/Historiographer	Canon XI	7
CC06	Of the Mode of Election of Rector or Other Member of the Clergy	Canon XX	9
CC07	Of Definition of Titles and Definitions	Canon XXIII Canon XXXIII	12
CC08	Of Vacant Parishes	Canon XXV	14
CC09	Of Deputies to the Provincial Synod	Canon XXVI	16

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RECOMMENDATION CC01

MEMBERS OF CONVENTION

Proposal type: Constitutional change, first reading
Affects: Article III

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

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 and actually 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 actually” have been inserted before “resident in the Diocese.” These words were removed by votes in 2003 and 2004. The change 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.

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.

The current wording of Article III to be replaced is the following:

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.

RECOMMENDATION CC02

DEPUTIES TO EXTRA-DIOCESAN CONVENTIONS OR SYNODS

Proposal type: Constitutional amendment, first reading

Affects: Article XII

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 rela-

tionship 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.

The current wording of Article XII to be replaced is the following:

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.

RECOMMENDATION CC03

ADMISSION OF PARISHES

Proposal type: Constitutional amendment, first reading
Affects: Article XIII

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 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 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.)

The current wording of Article XIII to be replaced is the following:

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.

RECOMMENDATION CC04

OF THE DIRECTOR OF ADMINISTRATION

Proposal type: Canonical change

Affects: Canon VII

Canon VII, Of the Director of Administration, shall be amended by omitting the text struck through in the present version of the canon, shown below:

Canon VII

Of the Director of Administration

There shall be a Director of Administration for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Director of Administration ~~shall be the Treasurer of the Diocese. In addition, the Director of Administration~~ shall have such duties as shall be determined by the Bishop, in consultation with the Diocesan Council.

Rationale: The roles of Treasurer and Director of Administration are rather different, and, although one person could full both roles, there is no logical need for the roles to be so joined. It might be desirable to employ a volunteer Treasurer or to hire someone other than the Director of Administration to serve as Treasurer. The proposed change allows, but does not require, that the Treasurer and Director of Administration be different people. The change is intended to provide greater flexibility in the organization of the diocesan office.

If approved, this change will require changes to the Financial Regulations, which assume that the Treasurer and Director of Administration are the same. The Financial Regulations, for example, assign certain duties to the "Treasurer" that are clearly functions of an office manager and that should therefore be assigned to the Director of Administration. Note that, in accordance with Canon XII, Section 1, the Financial Regulations are the responsibility of the bishop and of the Diocesan Council.

The current wording of Canon VII is the following:

Canon VII

Of the Director of Administration

There shall be a Director of Administration for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Director of Administration shall be the Treasurer of the Diocese. In addition, the Director of Administration shall have such duties as shall be determined by the Bishop, in consultation with the Diocesan Council.

RECOMMENDATION CC05

OF THE HISTORY AND ARCHIVES OF THE EPISCOPAL DIOCESE OF PITTSBURGH REGISTRAR/HISTORIOGRAPHER

Proposal type: Canonical change

Affects: Canon XI

Canon XI, Of the History and Archives of the Episcopal Diocese of Pittsburgh Registrar/Historiographer, shall be restated in its entirety as follows:

Canon XI

Of the History and Archives of the Episcopal Diocese of Pittsburgh

Section 1. There shall be a Commission on Archives and History composed of six members drawn from the Laity and Clergy of the Diocese. The members shall serve three-year terms, so arranged that two terms shall end each year. The Commission shall elect its own Chairperson. Members of the Commission shall be appointed by the Bishop and shall have special expertise as archivists, librarians, historians, or genealogists. The Commission shall provide general oversight and advice on matters related to the history and archives of the diocese, and, in consultation with the Archivist, recommend to Diocesan Council for adoption a records management plan and archival policies, including matters related to the accession and deaccession of materials, development of special collections, access to the collection, and proper care and housing of materials. The Commission shall make an annual report to the Convention and shall be consulted on any personnel review of the Archivist.

Section 2. Upon recommendation of the Commission on Archives and History, the Bishop may appoint an Archivist, who shall administer the Diocesan Archives and perform other such duties as directed by the Bishop. It shall be the duty of the Archivist to issue, on request, proper certification of records in the archives, including, but not limited to, Consecration, Ordination, Baptism, Confirmation, Marriage, and Burial Records.

Section 3. The Bishop may appoint a Historiographer, who shall encourage the development of materials such as exhibits, articles, books, and pamphlets related to the history of the Diocese, its parishes, and other Episcopal organizations and ministries.

Section 4. The Archivist and Historiographer shall be, ex officio, members of the Commission on Archives and History with voice.

Rationale: In 2007, the diocese replaced a long, detailed canon defining the duties of Archivist, Historiographer, and Commission on Archives and History with a short canon that

eliminated the Commission and all policy statements, and changed the duties of the Archivist and Historiographer. This canon restores a small Commission to form a board with appropriate expertise to provide oversight of the Archives. The canon also provides a method for setting archival policy that ensures appropriate professional guidance on archival policies while giving representatives of the whole diocese a voice in setting that policy.

The current wording of Canon XI to be replaced is the following:

Canon XI

Of the History and Archives of the Episcopal Diocese of Pittsburgh Registrar/Historiographer

Section 1. The Bishop may appoint an Archivist who shall administer the Diocesan archives, including the historical documentation of the Diocese and Parishes, and perform such other duties as directed by the Bishop or Standing Committee. It shall be the duty of the Archivist to issue, on request, proper certification of records in the archives including, but not limited to, Consecration, Ordination, Baptism, Confirmation, Marriage and Burial Records.

Section 2. The Bishop may appoint a Historiographer who shall provide for the safekeeping and preservation of all Diocesan records not otherwise under the custody of the Archivist, and perform such other duties as directed by the Bishop or Standing Committee.

RECOMMENDATION CC06

OF THE MODE OF ELECTION OF RECTOR OR OTHER MEMBER OF THE CLERGY

Proposal type: Canonical change
Affects: Canon XX

Canon XX, Of the Mode of Election of a Rector or Other Member of the Clergy, shall be restated in its entirety as follows:

Canon XX

Of the Mode of Election of a Rector or Other Member of the Clergy

When a Parish becomes vacant, the Wardens or other proper officers shall, in accordance with the Canons of The Episcopal Church, at once notify the Bishop of the fact, and, in the case of the resignation of an Assistant Minister, the Bishop shall likewise be notified, and no election of a Rector shall be held, and no selection by the Rector of any Assistant Minister and approval thereof by the Vestry shall be made, until the name of the Member of the Clergy whom it is proposed to elect or select has been made known to the Bishop, and sufficient time, not exceeding thirty days, has been given to the Bishop to communicate with the Parish thereon.

Rationale: Canon XX as currently worded limits the ability of parishes to call clergy of their choice, and the ability of a rector to select an assistant of his or her choice. The proposed new canon restores the freedom given in these matters by the canons of The Episcopal Church.

The current wording of Canon XX to be replaced is the following:

Canon XX

Of the Mode of Election of Rector or Other Member of the Clergy

Section 1. When a Parish proceeds to call a new Rector, it shall first consider a list of candidates proposed by the Bishop. The Vestry may reject all of the proposed names after due research and shall thereupon notify the Bishop. The Vestry shall then ask the Bishop for additional names and may reject all of these. They may then proceed to consider other names. The Vestry's choice shall be communicated to the Bishop in writing together with documentation evidencing the qualifications of the candidate to meet the Parish's requirements for priestly leadership. The Bishop shall have 30 days to respond. The Bishop shall have the option of approving, or, after consultation with the Standing Committee, of rejecting the proposed candidate. If the candidate is rejected, the Vestry may proceed to consider

other candidates. In the event that the Bishop and the Vestry cannot resolve their differences over Clergy selection, the case shall be taken to the Standing Committee which shall hear the facts from all concerned parties and recommend a course of action. The Bishop shall thereafter consult with the Standing Committee and the Vestry to effect the final disposition of the issue in the most satisfactory manner possible.

Section 2. When a Rector, Wardens and members of a Vestry proceed to call an Assistant Minister, the Rector shall first consult with the Bishop and submit a list of proposed candidates to the Bishop as well as receive a list of proposed candidates from the Bishop. Only those candidates of the Rector who are approved by the Bishop may be submitted to the Vestry as a whole. The Vestry may reject all the candidates proposed and the Rector, thereupon, would notify the Bishop. The Bishop and Rector in consultation shall then present the names of the additional candidates. The choice of the Rector, Wardens and members of the Vestry shall be communicated to the Bishop in writing, and the Bishop shall have 30 days to respond. The Bishop shall have the option of approving, or, after consultation with the Standing Committee, of rejecting the proposed candidate. If the candidate is rejected, the Rector, Wardens and members of the Vestry may proceed to consider other candidates. In the event that the Bishop and the Rector, Wardens and members of the Vestry cannot resolve their differences over the Clergy selection, the case shall be taken to the Standing Committee which shall hear the facts from all concerned parties and recommend a course of action. The Bishop shall thereafter consult with the Standing Committee and the Rector, Wardens and members of the Vestry to effect the final disposition of the issue in the most satisfactory manner possible.

Section 3. A Rector, Assistant Minister or Priest, or Deacon-in-Charge of a Parish shall be elected by the affirmative votes of two-thirds of the Vestry, given by ballot; and, in addition, in the election of an Assistant, the consent of the Rector shall have previously been expressed in writing. The election must be made after open nomination at a previous meeting of the Vestry duly convened. The notice for the meeting of the Vestry at which such election is intended shall express such intention.

Section 4. The call of the Clergy-elect shall be in writing in a letter of agreement between the member of the Clergy and the Vestry (and in the case of a Transitional Parish, the Bishop and Diocesan Council) and must express distinctly job description and any special conditions, together with the stipulations of salary or support, which salary when the member of the Clergy is settled shall be held a valid legal contract, and the salary as accruing to be an acknowledged debt, recoverable by process of law, if necessary, of which said call shall be held as substantial evidence. Provided, that the salary may be increased or diminished, as the parties may from time to time agree; due notice of which shall be given to the Ecclesiastical Authority by the Clerk of the Vestry.

Section 5. On the election of the member of the Clergy as aforesaid, the Vestry shall immediately deliver to the Bishop, or to the Ecclesiastical Authority of the Diocese, notice of said election in the form following, or to this effect, which shall be signed by the names of those who certify: "We, the Church Wardens (or, in case of an Assistant, We, the Rector and Church Wardens), do certify to the Rt. Rev. (naming the Bishop) or to the Reverend (naming the President of the Standing Committee when necessary) that A. B. (naming the person), has been duly chosen Rector, Assistant, or Priest, or Deacon-in-Charge (as the case may be) of (naming the Parish) on the following condition (here shall follow a full copy of the call)."

Section 6. The said elected member of the Clergy shall not be recognized by the Bishop as the Rector, Assistant, or Priest, or Deacon-in-Charge of the Parish until said elected member of the Clergy has been canonically transferred to this jurisdiction nor shall the said elected member of the Clergy with or without the consent of the Vestry of said Church perform any of the rites or ceremonies of the Church except with the special permission of the Bishop of this Diocese until the Bishop or the Ecclesiastical Authority shall have certified to the Vestry that such member of the Clergy-elect has been canonically transferred to this jurisdiction. The certificate of the Bishop or Ecclesiastical Authority shall be entered upon the minutes of the Vestry.

RECOMMENDATION CC07

OF DEFINITION OF TITLES AND DEFINITIONS

Proposal type: Canonical change
Affects: Canon XXIII and Canon XXXIII

Canon XXXIII, Definitions, shall be deleted, and Canon XXIII, Of Definition of Titles, shall be restated in its entirety as follows:

Canon XXIII

Of Definition of Titles

Section 1. Whereas the Titles used for the Clergy in settlement are not authoritatively defined in the legislation of the Church, therefore, for the purpose of the Constitution and of these Canons, these respective Titles shall be understood and received as follows:

- a. A “Rector” is a Priest who is canonically settled in a self-supporting Parish that is fully organized and in union with the Convention, whose settlement is without limitation of time, and whose salary is therefore of the nature of a permanent contract.
- b. An “Assistant” is a Priest or Deacon approved by the Vestry to assist the Rector, either for a specified time or permanently.
- c. A “Priest-in-Charge” or a “Pastor” is a Priest or Deacon settled in a Transitional Parish and whose settlement in the Parish is subject to a specific agreement as to time and other conditions. These Titles also apply to all members of the Clergy appointed by the Ecclesiastical Authority to the cure of souls.
- d. A “Minister-in-Charge” is a Lay person appointed by the Ecclesiastical Authority to conduct the religious affairs of a Transitional Parish having no Priest or Pastor.
- e. A “Settled Member of the Clergy” is a Rector who has been duly elected and inducted in accordance with the provisions as herein before set forth in Canon XX, or an Assistant who has been selected and approved pursuant to that canon.

Section 2. Except as may otherwise be provided within these Canons, for purposes of the Canons of the Diocese of Pittsburgh:

- a. “Constitution” shall mean the Constitution of the Diocese of Pittsburgh.
 - b. “The Bishop” shall mean the Diocesan Bishop of the Diocese of Pittsburgh.
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Rationale: The present Canons XXIII and XXXIII establish definitions. This proposal combines the canons into a revised Canon XXIII and eliminates Canon XXXIII. Minor changes have been made for consistency. Section 1b and 1e have been changed to conform to the proposed changes to Canon XX respecting the selection of assistants.

The current wording of Canon XXIII to be replaced is the following:

Canon XXIII

Of Definition of Titles

Section 1. Whereas, the Titles used for the Clergy in settlement are not authoritatively defined in the legislation of the Church, therefore for the purpose of the Constitution and of these Canons these respective Titles shall be understood and received as follows:

- a. A “Rector” is a Priest who is canonically settled in a self-supporting Parish which is fully organized and in union with the Convention; whose settlement is without limitation of time, and whose salary is therefore of the nature of a permanent contract.
- b. An “Assistant” is a Priest or Deacon called by the Vestry to assist the Rector, either for a specified time, or permanently.
- c. A Priest-in-Charge or a Pastor is a Priest or Deacon settled in a Transitional Parish and whose settlement in the Parish is subject to a specific agreement as to time and other conditions. These Titles also apply to all members of the Clergy appointed by the Ecclesiastical Authority to the cure of souls.
- d. Minister-in-Charge is a Lay person appointed by the Ecclesiastical Authority to conduct the religious affairs of a Transitional Parish having no Priest or Pastor.
- e. A “Settled Member of the Clergy” is a Rector or Assistant who has been duly elected and inducted in accordance with the provisions as herein before set forth in Canon XX.

The current wording of Canon XXXIII to be deleted is the following:

Canon XXXIII

Definitions

Except as may otherwise be provided within these Canons, for purposes of the Canons of the Diocese of Pittsburgh:

- a. “constitution” shall mean the Constitution of the Diocese of Pittsburgh.
- b. “The Bishop” shall mean the Diocesan Bishop of the Diocese of Pittsburgh

RECOMMENDATION CC08

OF VACANT PARISHES

Proposal type: Canonical change

Affects: Canon XXV

Canon XXV, Of Vacant Parishes, shall be restated in its entirety as follows:

Canon XXV

Of Vacant Parishes

Section 1. When a Parish becomes vacant, it shall be the duty of the Wardens thereof to give notice to the Bishop, or, if there be no Bishop, to the President of the Standing Committee.

Section 2. Should a vacant Parish fail to provide services of public worship for more than 30 days, the Bishop shall make provision for such services. After consultation with the vestry, the Bishop may appoint a Priest-in-Charge to the Parish. The Parish will negotiate a contract (approved by the Bishop) with that person, including provisions regarding compensation, expectations, and termination process.

Section 3. The Parish shall notify the Bishop of any agreement reached for interim services with a Minister canonically resident in the Diocese and must seek appropriate licensing from the Bishop for an Interim Priest not canonically resident in the Diocese.

Section 4. In developing a search process for a Minister, the Parish may consult with those knowledgeable in such searches.

Section 5. The Parish must provide written notice to the Bishop of any call offered to a Minister, so that the Bishop may determine if the person so called is a duly qualified Minister as defined by the Constitution and Canons of The Episcopal Church. When the call is accepted, the Bishop shall send the Minister's name to the Secretary of Convention and Recorder of Ordinations for proper recording of the call.

Rationale: This proposed process eliminates the first three sections of the current canon in order to give parishes the flexibility provided in the canons of The Episcopal Church. The revision aligns diocesan procedures more closely with those in Episcopal Church canons. Section 3 removes the requirement that a priest canonically resident in the diocese seek an additional license to serve a parish within the diocese. The addition of the Recorder of Ordinations in Section 5 is to ensure that the person who is responsible for notifying the Church Pension Fund and The Episcopal Church about changes in clergy status receives notice directly.

The current wording of Canon XXV to be replaced is the following:

Canon XXV

Of Vacant Parishes

Section 1. The Bishop shall assume ecclesiastical oversight of each vacant Parish.

Section 2. When the Vestry is notified by the Rector of an intent to resign, the Bishop shall simultaneously be notified. Upon such notification, the Bishop shall have the authority to examine any Parish records which would assist in evaluating the condition of the Parish. The Vestry shall furnish the Bishop such information as the Bishop deems necessary to assist the Parish in the selection of a new Rector, including but not limited to, parish goals, profile of the Parish, and desired Clergy qualifications.

Section 3. In the event of a vacant parish, the Bishop shall take such action as the Bishop deems appropriate to supply said parish for appropriate services, and such supply expenses shall be borne by said parish.

Section 4. When a Parish becomes vacant, it shall be the duty of the Wardens thereof to give notice to the Bishop, or if there be no Bishop, to the President of the Standing Committee, forthwith.

Section 5. A Minister canonically resident in this Diocese, without a Parish, may not assume pastoral relations with, nor officiate for longer than one month in a Parish, unless and until he or she shall have obtained from the Bishop a written license authorizing the Minister so to do, and, if such license be refused, by and with the advice and consent of a majority of all the members of the Standing Committee, and if such Clergy shall nevertheless, without such license, officiate in such Parish, or attempt to assume such pastoral relations, the Clergy, by reason of such action on his or her part, shall thereafter not be in regular standing in this Diocese until he or she shall have made satisfaction to the Bishop; and any subsequent Convention of this Diocese may dissolve its union with the offending Parish, provided the Standing Committee shall, at least thirty days prior to such Convention, have sent to the Vestry, or to one of the Wardens, of such Parish written notice that the action of the Parish will be reported to the Convention.

RECOMMENDATION CC09

OF DEPUTIES TO THE PROVINCIAL SYNOD

Proposal type: Canonical change

Affects: Canon XXVI

Canon XXVI, Of Deputies to the Provincial Synod, shall be restated in its entirety as follows:

Canon XXVI

Of Deputies to the Provincial Synod

Section 1. Deputies to the Synod of Province III shall be elected concurrently with Deputies to the General Convention at the Annual Diocesan Convention which is held within two years preceding the regular General Convention in the following manner: The member of the Clergy receiving the highest number of votes as a Deputy to the General Convention shall be declared the Clerical Deputy to the Provincial Synod, and the member of the Clergy receiving the next highest number of votes shall be declared the Supplemental Clerical Deputy. The two Lay persons receiving the two highest number of votes as Deputies to the General Convention shall be declared the Lay Deputies to the Provincial Synod, and the two Lay members receiving the next two highest number of votes shall be declared the Supplemental Lay Deputies, with priority of right in rotation according to plurality of the aggregate vote received by them respectively.

Section 2. The Deputies so selected shall serve a three-year term, beginning with their election. Should a vacancy occur by resignation, removal from the Diocese, death or otherwise among the Deputies or Supplemental Deputies between the stated times of election, it shall be filled by the Deputy in the respective order to the General Convention who received the next highest number of votes.

Section 3. It shall be the duty of the Deputies to make a report as a deputation to the Annual Diocesan Convention following each meeting of the Provincial Synod.

Rationale: Canon XXVI as currently worded does not make it sufficiently clear that the Provincial Synod to which we send representatives is the one prescribed by the Canons of The Episcopal Church. The canon was changed in anticipation of the attempt to withdraw the diocese from The Episcopal Church and is therefore generic in its terminology.

The current wording of Canon XXVI to be replaced is the following:

Canon XXVI

Of Deputies to the Provincial Synod

Section 1. Deputies to a Provincial Synod in which the diocese shall be a participating member shall be elected concurrently with Deputies to the General Convention at the Annual Diocesan Convention which is held within two years preceding the regular General Convention in the following manner: The member of the Clergy receiving the highest number of votes as a Deputy to the General Convention shall be declared the Clerical Deputy to said Provincial Synod, and the member of the Clergy receiving the next highest number of votes shall be declared the Supplemental Clerical Deputy. The two Lay persons receiving the two highest number of votes as Deputies to the General Convention shall be declared the Lay Deputies to said Provincial Synod, and the two Lay members receiving the next two highest number of votes shall be declared the Supplemental Lay Deputies, with priority of right in rotation according to plurality of the aggregate vote received by them respectively.

Section 2. The Deputies so selected shall serve a three-year term, beginning with their election. Should a vacancy occur by resignation, removal from the Diocese, death or otherwise among the Deputies or Supplemental Deputies between the stated times of election, it shall be filled by the Deputy in the respective order to the General Convention who received the next highest number of votes.

Section 3. It shall be the duty of the Deputies to make a report as a deputation to the Annual Diocesan Convention following each meeting of the Provincial Synod.