

REGIONAL DISCIPLINARY BOARD COMPACT

This Compact is made as of _____, 2020, by and among the Dioceses of Northwestern Pennsylvania, Ohio, Pittsburgh, Southern Ohio, Western New York, and West Virginia (“The Dioceses”) which have agreed to maintain a joint Disciplinary Board for the purposes of implementing Title IV of the Canons of The Episcopal Church (“Compact”). This Compact will become effective January 1, 2021, provided that all six Dioceses have approved the Compact prior to such date.

1. The Regional Disciplinary Board (“RDB”) shall consist of thirteen (13) persons, seven (7) of whom are Clergy and six (6) of whom are Laity, and shall constitute a court for purposes of Article IX of the Constitution of The Episcopal Church. Each of The Dioceses shall elect one clergy member and one lay member on the RDB. The thirteenth member, a clergy member, shall be nominated by the RDB and subject to the unanimous approval by the Bishops of The Dioceses. Eventually, each member of the RDB will serve a three-year term, each term to begin on January 1 following appointment or election.
 - a. During the first year of the Compact, following the election of the President, the twelve members shall draw lots to determine the following classes in such a way that no more than one (1) member from a diocese is a member of the same class, not including the President, who will initially serve a three-year term:
 - i. the four members with terms expiring December 31, 2021;
 - ii. the four members with terms expiring December 31, 2022; and
 - iii. the four members with terms expiring December 31, 2023, in addition to the President.
 - b. Thereafter, each diocese shall elect or appoint members of the same order as the members whose terms are expiring.
 - c. No member of the RDB shall be elected to more than two consecutive full terms, nor be re-elected or appointed until one year shall have elapsed following the expiration of the second term.
 - d. Vacancies on the RDB shall be filled as follows:
 - i. Upon the determination that a vacancy exists, the President of the Board shall notify the appropriate bishop of the vacancy and request appointment of a replacement member of the same order as the member being replaced.
 - ii. Replacements shall be appointed and approved in accordance with the canons of the appointing diocese.
 - iii. The term of any person selected as a replacement member of the RDB shall be until the next annual convention of the appointing diocese, or until his or her successor is elected or appointed.

2. The initial President (a member of one of the Disciplinary Boards in The Dioceses) shall be chosen pursuant to General Canon IV.5.1. On or before January 31 of the year following the conclusion of the initial three-year term of the President of the RDB, the RDB will convene to elect a President by majority vote to serve for the calendar year or until a successor President is elected. If no President is selected by the RDB after sixty (60) days, the then-current President will serve until a successor is elected by a majority vote of the Bishops of The Dioceses.
3. Other Offices.
 - a. Each of The Dioceses will make such provision for Church Attorneys, Intake Officers, Advisors, Investigators, Conciliators, and other persons acting under Title IV as it may choose (“Procedural Participants”), and will notify the other Dioceses and President of the RDB of the names and contact information of the persons designated for those offices.
 - b. Each of The Dioceses will also make available the names and terms of engagement of such of the Procedural Participants as may be available to The Dioceses for those services.
 - c. Procedural Participants shall serve with respect to matters arising in their diocese in which Procedural Participants have been appointed or elected, except in matters of a Complaint that involves more than one diocese, in which case the affected bishops shall determine which Procedural Participants shall be involved.
4. Conduct of Cases
 - a. For any proceeding referred to a Reference Panel, the President will promptly select from the RDB, a Conference Panel and a Hearing Panel, and shall designate a president of each Panel, as appropriate.
 - b. For each proceeding, the Reference Panel will consist of the Intake Officer for the diocese of canonical residence of the Respondent, the President of the RDB, and the bishop of that diocese.
 - c. In addition to the provisions of Canon IV.19.14 of Title IV, the integrity of the RDB shall be maintained by permitting the Church Attorney or a Respondent to challenge a member of the RDB or Panel appointed for a proceeding on grounds of conflict of interest or undue bias. The remaining members of the RDB shall determine whether a challenge is relevant and factually supported in accordance with Canon IV.19.15 of Title IV.
5. The RDB shall use reasonable efforts to conduct its business using electronic means, including video conferences. When it is necessary to incur expense for RDB business, members of the RDB shall make every effort to minimize such expense. Expenses incurred by the Procedural Participants for a particular disciplinary matter shall be borne by the diocese exercising jurisdiction. Any legal fees incurred by the Respondent shall be borne by the Respondent. In situations involving more than one diocesan member of the Compact, the bishops of the affected dioceses shall agree on venue and expense

allocation, subject to Canon IV.19.5. Administrative expenses of the RDB shall be shared equally by The Dioceses. In accordance with Canon IV.19.30, all administrative requirements following the conclusion of a matter shall be the responsibility of the diocese exercising jurisdiction.

6. The Dioceses shall maintain this Compact until one or more of The Dioceses provides written notice of no less than one year to the bishops of all of The Dioceses that it wishes to terminate its participation in the Compact. If any proceeding has been commenced and is still ongoing as of the termination date, this Compact shall remain in effect solely with respect to such proceedings until the final disposition thereof.
7. Any amendment to this Compact must be in writing and signed by the bishops of each of The Dioceses and be concurred in by the Conventions of each of The Dioceses in the manner prescribed by the canons of the concurring diocese and will be effective not earlier than the first day of the year following the year in which the ratification of the amendment shall have been approved by all of The Dioceses.
8. In the event that any provision of this Compact is in conflict with or inconsistent in any way with Title IV of the Constitution and Canons of The Episcopal Church, the provisions of Title IV shall prevail.
9. This Compact may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument. This Compact may be executed and transmitted by facsimile or other means of electronic communication, which signature shall be binding upon the parties as if they were original signatures.

Diocese of Northwestern Pennsylvania

Diocese of Ohio

By: _____

The Rt. Rev. Sean Rowe

By: _____

The Rt. Rev. Mark Hollingsworth, Jr.

Diocese of Pittsburgh

Diocese of Southern Ohio

By: _____

The Rt. Rev. Dorsey W. W. McConnell

By: _____

The Rt. Rev. Thomas E. Breidenthal

Diocese of Western New York

Diocese of West Virginia

By: _____
The Rt. Rev. Sean Rowe

By: _____
The Rt. Rev. W. Michie Klusmeyer