

Response to Hearing Panel Report Regarding Bishop of Albany

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FOR IMMEDIATE RELEASE

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Dear Friends in Christ:

We, the Bishops of Long Island and Pittsburgh, have now read, marked, learned and inwardly digested the report of the Hearing Panel in the case of the Bishop of Albany, subtitled *Decision of the Hearing Panel on Cross-Motions for Summary Judgment*. While it is clear to us that the panel reached an appropriate decision, it is also clear that the report misrepresents the actions of General Convention regarding B012 in two important particulars. We believe these to be honest mistakes. The case was complex and the burden on the panel enormous. However, since the hearing panel's interpretation of B012 has been referenced in previous discussions, and since we were co-sponsors of the original B012, and were intimately engaged in its evolution throughout the Convention, we feel it necessary to set the record straight.

The first error is obvious. In its initial summary, the report describes B012 as *properly constituted and passed as an authorized revision to the BCP as expressly provided for in Constitution Article X (b)*. (Report, p.3). B012 did not revise the Prayer Book. B012 merely set the terms for the trial use of the liturgies in question as specified in Article 10. Indeed, later in its report, *the Panel concludes that Resolution B012 was properly passed as a proposed revision to the BCP*. (Report, p.41). This is correct. The wording of the summary should be understood in the light of the later wording, that B012 established a *proposed* revision, not a revision *per se*.

The second error is a bit more subtle. The panel states that B012 requires *Rectors or Clergy in charge to make provision for same-sex couples, where civil law allows, to use the liturgies in their local congregation or worshipping community*. (Report, p.11). In support of its interpretation the panel cites the seventh resolve of the resolution:

Resolved, That under the canonical direction of the Rector or Member of the Clergy in charge and where permitted to do so by civil law, provision will be made for all couples desiring to use these marriage liturgies in their local congregation or worshipping community, provided that nothing in this Resolve narrows the authority of the Rector or Priest-in-Charge (Canon III.9.6(a)). (Emphasis is ours.)

Many will recall that this particular resolve was originally put forward by members of Committee 13 who also had served on the Task Force on Marriage, though without the final clause. That language was added in consultation with the Presiding Bishop's chancellors to make clear that the General Convention was not abrogating the final authority of rectors to decide what liturgies could or could not take place within their churches. This amendment was extensively discussed in Committee and, we believe, was the common understanding of both Houses when the final B012 was passed.

B012 was, and remains, a godly framework to insure both the unity and the diversity of the Episcopal Church. In this season of our national divisions, we pray these qualities may endure as an effective witness to Jesus Christ who gave himself that we all might be one, as Christ and the Father are one. (John 17:22).

Faithfully in Christ,

The Right Reverend Lawrence C. Provenzano, Bishop of Long Island

The Right Reverend Dorsey W. M. McConnell, Bishop of Pittsburgh

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