

**PROPOSED AMENDMENTS TO CANON XIX-B TO IMPLEMENT AMENDED AND RESTATED
REGIONAL DISCIPLINARY BOARD COMPACT**

Canon XIX-B

Ecclesiastical Discipline - Regional Disciplinary Board

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.” This Canon XIX-B applies to all proceedings under this Title commenced after January 1, 2021, the date that the Regional Disciplinary Board Compact ~~shall become~~ became effective and while ~~it the~~ Compact remains in effect.

Section 2. Disciplinary Board.

- a. Authority. The Diocese has since January 1, 2021 been a party to the Regional Disciplinary Board elected to enter into a compact Compact among the Dioceses of Ohio, Southern Ohio, Pittsburgh, Northwestern Pennsylvania, Western New York, and West Virginia (“The Dioceses”) to maintain a joint Disciplinary Board for the purposes of implementing this Title. Effective January 1, 2027, the Diocese has approved certain amendments to the Regional Disciplinary Board Compact, which shall be called the Amended and Restated Regional Disciplinary Board Compact ~~(the “Compact”).~~ Because the Amended and Restated Regional Disciplinary Board Compact is a continuation of the Regional Disciplinary Board Compact, this canon uses the term “Compact” to refer to either or both of them, as the context requires. The Bishop of this Diocese shall be authorized to execute and implement the Compact and any amendments or modifications thereto consistent with this Canon XIX-B.
- b. Creation. As provided in the Compact, the Disciplinary Board shall consist of thirteen (13) persons, seven (7) of whom shall be members of the Clergy, and six (6) of whom shall be members of the Laity. Each of The Dioceses shall select one member of the Clergy and one member of the Laity to serve on the Disciplinary Board, and a thirteenth member, who shall be a member of the Clergy from one of The Dioceses, shall be nominated by ~~the Disciplinary Board~~ and subject to the unanimous approval of the Bishops of The Dioceses (the “Thirteenth Member”). Beginning January 1, 2027, the Thirteenth Member shall serve from January 1, 2027 until December 31, 2029 (and for each three-year period thereafter). The Disciplinary Board shall constitute a Court for purposes of Article IX of the Constitution of the Episcopal Church.
- c. Selection of Members. The ~~original~~ Clergy and Lay members of the Disciplinary Board from this Diocese shall be ~~selected from among the elected members of the Disciplinary Board existing under Canon XIX-A and shall be chosen by the Standing Committee, subject to the concurrence of the Bishop. Thereafter, as their terms on the Disciplinary Board are due to expire, the members of the Disciplinary Board from this Diocese shall be~~ elected by the Diocesan Convention ~~to serve three year~~ for the terms specified below.
 - i. The Clergy members of the Disciplinary Board from this Diocese must be canonically and geographically resident within the Diocese. The Lay members of

the Disciplinary Board from this Diocese 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.~~

~~ii.~~ 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.

~~iii. At the Annual Convention held in 2026, the Clergy member of the Disciplinary Board from this Diocese shall be elected to a one-year term to commence January 1, 2027. Thereafter, the Clergy member of the Disciplinary Board from this Diocese shall be elected to a three-year term to commence January 1, 2028 and to end December 31, 2030, and for each three-year period thereafter, to align with the Class 2 members of the Disciplinary Board under the Compact.~~

~~iv. The Lay member of the Disciplinary Board from this Diocese effective January 1, 2027 shall be the person currently in office as the Lay member of the Disciplinary Board from this Diocese and whose term expires December 31, 2028. Thereafter, the Lay member of the Disciplinary Board from this Diocese shall be elected to a three-year term to commence January 1, 2029 and to end December 31, 2031, and for each three-year period thereafter, to align with the Class 3 members of the Disciplinary Board under the Compact.~~

~~v. The Diocese will notify the President of the Disciplinary Board of the members elected to the Disciplinary Board by the Diocese.~~

d. Vacancies. Upon ~~the determination~~becoming aware that a vacancy from this Diocese exists, the President of the Disciplinary Board shall notify the Bishop of the vacancy and request appointment of a replacement member from this Diocese 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. The term of any person selected as a replacement member from this Diocese shall be ~~until for the remainder of the unexpired term~~next annual convention of the Diocese, or until a successor is elected or appointed.

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

e. A Disciplinary Board member from this Diocese 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 remaining members of the Disciplinary Board shall determine whether the challenge is relevant and factually supported and shall determine whether the challenged member shall be excused from that proceeding. Should a member be disqualified, the President shall appoint another member of the Disciplinary Board to serve on the panel. Members of the Disciplinary Board from this Diocese are otherwise eligible to serve on panels for proceedings involving a member of the clergy from this Diocese.

Section 4. Delegated Officials

- a. President. The President of the Disciplinary Board shall be selected by the Disciplinary Board from the membership on the Disciplinary Board in accordance with the Compact and this Title. Beginning January 1, 2027, the Thirteenth Member of the Disciplinary Board (a member of the clergy of one of the Dioceses selected unanimously by the Bishops) shall serve as President for an initial term of one year. On or before January 31 of each year thereafter, the President will convene an annual meeting of the Disciplinary Board to elect by majority vote a President and Vice President from among its members, both of whom will serve one-year terms. The President shall be eligible for re-election as President or election as Vice President. Each President and Vice President shall continue in office until their successors are elected at the annual meeting of the Disciplinary Board.
- b. Vice President. There shall be a Vice President of the Disciplinary Board who shall be selected by the Disciplinary Board from the membership on the Disciplinary Board at the annual meeting of the Disciplinary Board for a one-year term. The Vice President shall be eligible for re-election as Vice President or election as President. The duties of the Vice President are to attend meetings of the Reference Panel without vote, preside at meetings of the Disciplinary Board in the absence of the President, and perform such other responsibilities as requested by the President. In the event of a disability rendering the President unable to act, the Vice President shall discharge the powers and duties of the President during the disability. In the event of the President's death, resignation, or declination to serve, the Vice President shall become President.
- ~~a.c.~~ Chancellor. The Bishops (or Ecclesiastical Authority) of the Dioceses participating in the Compact shall appoint a Chancellor or Vice-Chancellor for a renewable one-year term to serve as an informal advisor to the President and Vice President of the Disciplinary Board.
- ~~b.d.~~ Intake Officer. The Bishop shall appoint one or more Intake Officers after consultation with the members of the Disciplinary Board from the Diocese. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the Diocese.

- ~~e.e.~~ 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.f.~~ 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.g.~~ 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.h.~~ 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.i.~~ Procedural Participants. The Intake Officer(s), Investigator, Church Attorney, Pastoral Response Coordinator, and Advisors appointed by the Bishop of this Diocese shall serve with respect to matters involving Clergy canonically resident in this Diocese or otherwise within the jurisdiction of this Diocese under this Title. They may, if requested and agree, serve with respect to matters involving another Diocese that is a party to the Compact.
- ~~h.j.~~ Reference Panel. For any proceeding under this Title referred to a Reference Panel, the Reference Panel shall consist of the Bishop of the Diocese of canonical residence of the Respondent or otherwise having jurisdiction over the matter under this Title, the Intake Officer of that Diocese, and the President of the Disciplinary Board.
- ~~i.k.~~ Conference Panel and Hearing Panel. For any proceeding referred to a Reference Panel, the President shall promptly select from the Disciplinary Board a Conference Panel and a Hearing Panel in accordance with this Title. The President of the Disciplinary Board shall designate a president of each panel, as appropriate. 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.
All Disciplinary Board members assigned to a panel are responsible for reporting promptly to the President on actions in the cases assigned to them.
- ~~j.l.~~ Information. When any provision of this Title shall allow information concerning a charge or disciplinary proceeding to be given to a Bishop, the only Bishop to whom such information may be given shall be the Bishop (or Bishops if so agreed) having jurisdiction over that charge or disciplinary proceeding under this Title.
- ~~k.m.~~ 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.

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. The Disciplinary Board shall use reasonable efforts to conduct its business using electronic means, including video conferences. When necessary to incur expense for Disciplinary Board business, members shall minimize such expense. Necessary administrative expenses of the Disciplinary Board other than expenses incurred for a particular matter under this Title shall be shared equally by The Dioceses. The following additional provisions apply to particular matters under this Title involving Clergy canonically resident in this Diocese or otherwise within the jurisdiction of the Diocese.

- 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 having jurisdiction over the matter under this Title. The Bishop shall make provision for the permanent storage of copies of the records of all such 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. Training and Shared Resources. It is the expectation that all members of the Disciplinary Board receive regular training in Title IV as determined by the President, but in no event no less than once during their current term. The Bishop, after consultation with Diocesan Council, may agree with The Dioceses or one or more other Dioceses to develop and share other 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.