

**Canonical Changes Proposed by Governance Task Force
Meeting January 16, 2020 in Atlanta, GA**

Title I - Definition of Certain Terms

Ecclesiastical Authority – “Ecclesiastical Authority” means the diocesan Bishop or, in the absence of a Bishop with authority to act, the Standing Committee or its equivalent.

Added by request from the floor of PC 2019.

Canon I.6.9

Section 9 - Concerning Transfer *or Disaffiliation*

1. Congregations reserve the right to transfer from one Diocese to another with the permission and blessing of both the sending and receiving diocesan bishops.
2. Congregations wishing to transfer from one Diocese to another Diocese of the Church are required first to notify their current diocesan Bishop stating: (1) their desire to transfer, (2) the Diocese to which they request to apply for such transfer, and (3) the reason for their request to transfer.
3. If the congregation and their diocesan Bishop cannot reach agreement on such transfer, either party may request the Archbishop to mediate and facilitate a transfer or other resolution.
4. A congregation transferring into a Diocese becomes subject to the Constitution and Canons of that Diocese.
5. Congregations reserve the right to disaffiliate with the Church after consultation with their Bishop.

Added to title for clarification.

Canon I.10.2 – Duties of the Laity

With the help of God’s grace, it shall be the duty of ~~every member~~ all members of the Church:

This was rejected.

10. To affirm and follow the biblical standards of sexual morality and ethics in Canon II.8 and the standards regarding Holy Matrimony in Canon II.7;

This was tabled.

Canon I.12 – Missionary District

4. Where the initiative is of one or more dioceses, ~~episcopal oversight and financial support of the Missionary District shall be the responsibility of the District and such dioceses, not of the Province. they shall provide episcopal oversight and financial support.~~ Clergy and congregations shall all be domiciled together in one of the ~~diocese or~~ dioceses to which the Missionary District belongs.

5. Where the initiative is of the Provincial Council, the College of Bishops may elect a Bishop for Special Mission, ~~who shall be domiciled in an existing diocese of the Province. Financial support of the Missionary District shall be the responsibility of the District and of the Province, not of the Bishop for Special Mission's diocese of domicile. and the Province shall provide financial support.~~ Clergy and congregations shall be domiciled in the Diocese in which the Bishop for Special Mission is domiciled. Where the Missionary District is an initiative of the Province, The Bishop for Special Mission shall owe canonical obedience to the Archbishop and College of Bishops, and the clergy of the Missionary District shall owe canonical obedience to the Bishop for Special Mission.

Amended in response to questions from the 2020 College of Bishops and for clarification.

Canon II.7.1 – On Christian Marriage

The Anglican Church in North America affirms our Lord's teaching that Holy Matrimony, commonly called a Sacrament (Article 25 and ACNA Catechism ~~124-125~~), is a lifelong covenant between one man and one woman, binding both to self-giving love and exclusive fidelity. Jesus Christ teaches that God is the author of marriage from the beginning of time. "So God created man in his own image, in the image of God he created him, male and female he created them" (Genesis 1:27; cf. Matthew 19:4-6). God's design for marriage has always involved one man and one woman (Genesis 2:24). Marriage is established by God for the procreation of children and their nurture in the knowledge and love of the Lord; for mutual joy, and for the help and comfort given one another in prosperity and adversity; to maintain purity, so that husbands and wives, with all the household of God, might serve as holy and undefiled members of the Body of Christ; and for the upbuilding of Christ's kingdom in family, church, and society, to the praise of his holy Name.

It was determined that this change should NOT be made.

Canon III.6 - Of the Acceptance and Dismissal of Clergy in this Church

~~Section 3 – Concerning Transfer to Another Christian Denomination or Jurisdiction~~

~~Any Deacon or Presbyter of this Church in good standing may, at their own request, be released from the obligations of the ministry of this Church to unite with any other Christian denomination or jurisdiction by a commendatory letter, signed by the Bishop, and attested by one other person having ecclesiastical standing within the Diocese or other Jurisdiction of which the Deacon or Presbyter is a member. Upon the approval of the Standing Committee, the Bishop may remove the Deacon or Presbyter from the roll of clergy of the diocese.~~

Section 4 3 - Concerning Voluntary Resignation from the Ordained Ministry of this Church

1. Any Deacon or Presbyter in good standing may resign from the Ordained Ministry of this Church by sending a resignation in writing to the Bishop with jurisdiction. The Bishop or other Ecclesiastical Authority shall record the declaration and request so made, and shall determine that the Deacon or Presbyter is not under discipline as defined in Title IV of these canons, and that the resignation is not occasioned by misconduct or irregularity, but is voluntary and for causes which do not affect the moral character of the Deacon or Presbyter.

Upon making this determination, the Bishop or other Ecclesiastical Authority shall defer formal action upon the declaration for two months, and meanwhile shall lay the matter before

the Standing Committee or its equivalent for advice and consent. With its advice and consent, the Bishop or other Ecclesiastical Authority may pronounce that such resignation is accepted and that the Deacon or Presbyterian is released from the obligations of the Ministerial office, and that the Deacon or Presbyterian relinquishes the right to exercise in this Church the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in ordination.

2. The Bishop's declaration shall state that the resignation was for causes which do not affect the Deacon or Presbyterian's moral character, and shall, if requested, give a certificate to this effect to the person so removed from the ministry of this Church. In all other cases of resignation or renunciation of the ordained ministry, where there may be a question of misconduct or irregularity, the Bishop shall follow the procedures outlined in Canon IV.7.
3. Any Deacon or Presbyterian whose resignation has been accepted under this canon may request that the Bishop write a commendatory letter to another Christian denomination or jurisdiction.
4. A Deacon or Presbyterian having voluntarily resigned from the ordained ministry of this Church and not under the discipline of any ecclesial body may petition the Bishop having jurisdiction in the diocese from which the Deacon or Presbyterian resigned to restore the right to exercise in this Church the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in ordination. The terms and conditions of such restoration shall be entirely within the discretion of the Bishop having jurisdiction in the diocese from which the Deacon or Presbyterian resigned, with the advice and consent of the Standing Committee or its equivalent.
5. If the diocese from which the Deacon or Presbyterian resigned no longer exists, petition shall be submitted to the Archbishop or to a diocesan Bishop designated by the Archbishop.

Added in response to question from Standing Committee of the Diocese of the Great Lakes.

Canon III.8 - Of Bishops

Section 4 - Concerning the Election of Bishops

1. With the consent of the College of Bishops, a diocese may commence the process of election of a Bishop. This consent to commence the process may be by electronic or telephonic meeting of the College of Bishops. The College of Bishops shall consider the report of the Executive Committee on the sustainability of the electing diocese (Canon I.5.7) prior to its decision whether to grant consent to the diocese to commence the process of election of a bishop. Such election will be subject to the approval of the College of Bishops as described in this section.
2. Bishops shall be chosen by a Diocese in conformance with the constitution and canons of the Diocese and consistent with the Constitution and Canons of this Church.

Added upon discussion with Executive Committee to clarify the process and timeline for electing a Bishop, including the Canonically mandated Report on Diocesan sustainability (Canon I.5.7).

Canon III.8 - Of Bishops

Section 6 - Concerning Bishops for Special Mission

Bishops for Special Mission are Bishops elected by and serving directly under the College of Bishops for a specific missionary purpose. The office of any Bishop for Special Mission shall be created in consultation with the Executive Committee. Any male Presbyterian of this Church qualified by these Canons may be elected as a Bishop for Special Mission by the College of Bishops. ~~The College of Bishops may certify two or three candidates, from whom one may be elected by the affirmative vote of two-thirds of the College.~~

Removed to bring in conformity with language of elections elsewhere in Title III.

Canon IV.3 - Of Presentments of Presbyters and Deacons

Section 3 - Concerning Canonical Investigation, Presentment and Trial

3. If the Bishop deems the accuser(s) or the accusation(s) to be credible, he shall cause an investigation to be made by a canonical investigator. If the Bishop deems the accuser(s) not to be credible and the accusation(s) to be without any merit, he shall inform the accuser(s) of his determination and the accuser(s) shall have the right, within 30 days of after such determination by the Bishop, to appeal his decision to the Standing Committee. The Standing Committee shall then have 30 days to determine whether the accuser(s) and the accusation(s) are credible, or to affirm the Bishop's decision. If they reverse the Bishop's determination, in whole or in part, they shall cause an investigation to be made by a canonical investigator.

Added by GTF for clarification of the rights of the accused.

Canon IV.3. - Of Presentments of Presbyters and Deacons

Section 3 - Concerning Canonical Investigation, Presentment and Trial

6. If it is determined by the Ecclesiastical authority that a trial should occur, then a presentment shall be prepared and procedures followed according to the norms of ecclesiastical law. Such procedures shall acknowledge the presumption of innocence of the accused and the right to representation by counsel, the right to confront and examine witnesses. and shall be consistent with principles of fairness, due process and natural justice and shall require expeditious handling consistent with those principles. No new rule of procedure shall be made while a matter is pending that would be affected by that rule.

Added in 2020 by request and discussion on the floor at PC 2019.

Canon IV.5 - Of Courts, Membership and Procedures

Section 7 - Concerning Procedures

The Provincial Tribunal, the Court for Trial of a Bishop, the Court of Extraordinary Jurisdiction, and the Trial Courts of the several Dioceses shall establish their own procedures, to include the appointment of a recorder of proceedings. Such procedures shall acknowledge the presumption of innocence of the accused and the right to representation by counsel, the right to confront and examine witnesses. and shall be consistent with principles of fairness, due process and natural justice and shall require expeditious handling consistent with those principles. No new rule of procedure shall be made while a matter is pending that would be affected by that rule. In all

courts of original jurisdiction, the standard of proof shall be by clear and convincing evidence. Unless a higher standard is required by diocesan Canon for a Diocesan Trial Court, the affirmative vote of not fewer than a majority of the members of a Court shall be required for any determination by that Court.

The same change to be made to both Canons IV.3 and IV.5. In response to request from floor of PC 2019.

Canon IV.4 - Of Presentments of Bishops

Section 6 - Concerning the Findings of the Board of Inquiry

If in the judgment of two-thirds of the Board of Inquiry there is probable cause to present the accused Bishop for trial for violation of Canon 2 of this Title, it shall make a public declaration ~~to that effect.~~ of the charges, if any, that shall proceed to trial.

NEW Section 7 – Concerning Voluntary Submission to Discipline

At any time after the Board of Inquiry makes its public declaration, the accused Bishop may confess to the truth of any or all of the charges declared by the Board of Inquiry and submit to the discipline of the Church. If the Bishop disputes any of the charges, those charges shall proceed to trial.

Added to provide same right under Title IV to Bishops as to Presbyters and Deacons.

Canon IV.8 - Of Sentences

Section 1 - Concerning the ~~Role of the Bishop in~~ Sentencing of a Presbyter or Deacon

The Bishop alone has the authority to pronounce sentence on a Presbyter or Deacon convicted, ~~(whether by trial or voluntary submission to the discipline of the Church),~~ as indicated in these canons. The Bishop may, upon recusing himself, delegate the sentencing to another Bishop having jurisdiction. If there is no Bishop, the Archbishop or another Bishop designated by the Archbishop shall pronounce sentence.

The parentheses should be removed and replaced with commas.

Section 2 - Concerning ~~Pronouncement of Sentence~~ the Sentencing of a Bishop

The College of Bishops, speaking through the Archbishop or his designate, has the sole responsibility and authority to pronounce sentence on a Bishop ~~convicted, whether by trial or~~ voluntary submission to the discipline of the Church, as indicated in these canons.

Added for clarification.

Canon IV.11 – The Provincial List

1. The Office of the Archbishop, including such members of the Provincial staff designated in writing by the Archbishop, shall maintain a list of all those clergy who have been tried and convicted, or who have voluntarily submitted to the discipline of the Church, for any offense listed in Canon IV.2.

2. The list shall include (a) the name of the clergyperson, (b) the offense under Canon IV.2 for which they were presented, tried and convicted, or voluntarily submitted to the discipline of the Church, (c) the sentence imposed under Canon IV.8 and any other measures required for the restoration of the clergyperson and the victims, (d) the date of the sentence, and (e) the name of the Bishop who imposed the sentence.
3. It is the responsibility of each Bishop with jurisdiction to ensure that the diocesan records are complete and accurate and that the information required under this canon has been provided to the Office of the Archbishop pursuant to Canon IV.10.
4. Those marked on the list will be informed of its entry and its content by the Office of the Archbishop.
5. The Provincial List may only be accessed by Bishops having jurisdiction and up to two persons designated in writing by the Bishop, and the Provincial Chancellors ~~and diocesan Chancellors~~.

Section 1 requested by members of Provincial staff maintaining the list. Section 5: In many cases where the List will be most useful in screening candidates for deployment, it will be the Canon to the Ordinary or some other diocesan staff person designated by the Bishop, and not necessarily the Chancellor, who will be most immediately involved in the search, hiring and deployment. By designated up to two persons, a Bishop having jurisdiction may include both the Chancellor and the diocesan staff most involved in screening and deployment.