

**IN THE DIOCESE OF VIRGINIA
BEFORE THE HEARING PANEL IN THE
TITLE IV MATTER OF
THE REVEREND DR. CAYCE RAMEY, RESPONDENT**

**CHURCH ATTORNEY’S RESPONSE TO RESPONDENT’S
“MOTION FOR RECUSAL OF BISHOP DIOCESAN”**

THE “MOTION FOR RECUSAL OF BISHOP DIOCESAN” IS
MISCHARACTERIZED, CANONICALLY IMPROPER, NOT SUPPORTED BY THE
RECORD, AND SHOULD BE DENIED.

Title IV has separate and distinct canons regulating impartiality and recusal. The only one directly pertinent to the Respondent’s Motion is IV.19.14(a). That canon vests the authority to disqualify and recuse the Bishop Diocesan solely and exclusively in the Bishop Diocesan. The Hearing Panel has no authority to disqualify the Bishop Diocesan or to request the Bishop Diocesan to disqualify himself.

The title to Respondent’s Motion, “Motion for Recusal of Bishop Diocesan,” is misleading and mischaracterizes the relief he actually seeks, which is stated in the opening and closing paragraphs of the Motion: that the Hearing Panel “request” that the Bishop Diocesan recuse himself. That wording shows that the Respondent knows that the Hearing Panel cannot recuse the Bishop Diocesan. To ask the Hearing Panel to request the Bishop Diocesan to recuse himself is gratuitous at best. It is also asking the Hearing Panel to do something it has absolutely no canonical authority to do. It is a canonical nullity.

In stark contrast to IV.19.14(a), subsection (c) of IV.19.14 empowers a Panel to determine whether a Church Attorney or Panel member who has not disqualified himself should be disqualified and replaced. General Convention clearly knows how to vest the authority to disqualify in someone other than the challenged person. With respect to Bishops Diocesan General Convention plainly vested that power in Bishops Diocesan and Bishops Diocesan alone.

The Diocese of Virginia has legislated similarly. Canon 27.3 on Ecclesiastical Discipline empowers Conference and Hearing Panels to disqualify challenged Panel members. There is no parallel canon for disqualification of the Bishop Diocesan in Title IV proceedings.

Moreover, as shown by the Declaration of Bishop Stevenson attached hereto and the undisputed evidence at the hearing, when Bishops Goff and Stevenson met on or about November 10, 2022, Bishop Goff had been dealing with the Respondent, his Eucharistic fast and excommunication for almost two years (see JX 3, dated February

28, 2021). It was natural and entirely appropriate for her to brief her successor on an important impending Title IV matter. Based on her extensive and thorough knowledge of the situation Bishop Goff had already determined that she was duty bound to proceed under Title IV. As shown by JX 23, that same day she told the Respondent this:

"I will be in conversation with Bishop-elect Stevenson, since he will soon be your bishop, and I will decide how I must respond as a bishop who has taken vows to uphold the doctrine, discipline and worship of the Church. And you will hear back from me after Convention." [Emphases supplied.]

To which the Respondent

"...implied that he would welcome a Title IV proceeding since he'd be able to make his case and explain his decision. I reminded him that the Title IV process focusses on the canons of the Church and not on his theology."

It is clear that the decision to proceed under Title IV was Bishop Goff's, not Bishop Stevenson's. He concurred, but she did not ask for and he was not called on or required to, and did not, give her permission. He did not "encourage" her. In no way did he become a "co-Complainant," as contended by the Respondent in his Motion.

There is nothing in the record of this matter to support the Respondent's contention that Bishop Stevenson's impartiality may reasonably be questioned or that he should disqualify himself. The Respondent's Motion is specious.

For these reasons, The Hearing Panel should decline the Respondent's Motion to make a canonically improper "request" to the Bishop Diocesan that he disqualify himself. The Respondent is inviting the Hearing Panel to commit canonical error, which should be declined.

Date: April 8, 2024

/s/ Bradfute W. Davenport, Jr., Church Attorney
davenportbw@gmail.com; (804) 690-3136

Attachment to Church Attorney's Response to Respondent's
"Motion for Recusal of Bishop Diocesan"
DECLARATION OF THE RIGHT REVEREND E. MARK STEVENSON

I, the Right Reverend E. Mark Stevenson, declare as follows:

1. I am the 14th Bishop Diocesan of the Diocese of Virginia. I was elected Bishop Diocesan on June 4, 2022 and was ordained and consecrated on December 3, 2022.
2. In the period prior to my ordination and consecration, I had numerous conversations with a variety of people in the Diocese to learn about activities in the Diocese.
3. Those conversations included conversations with The Rt. Rev. Susan E. Goff who, prior to my ordination and consecration, was the Ecclesiastical Authority.
4. In a conversation on or about November 10, 2022, Bishop Goff advised me that she had reason to believe that The Rev. Dr. Cayce Ramey's eucharistic fast may be an Offense under Title IV and planned to file a Title IV Complaint against Dr. Ramey. We had a consensus that, as a Member of the Clergy, she had a duty to "... report to the Intake Officer all matters which may constitute an Offense as defined in Canon IV.2 meeting the standards of Canon IV.3.3 ..." (Canon IV.4.1(f))
5. Bishop Goff's testimony at the hearing was that she and I "... had a consensus ... on the need to do it [file a Complaint on the matter] and how to do it." Bishop Goff specifically rejected the suggestion of Respondent's counsel at the hearing that I, Bishop Stevenson, "encouraged" her to file a Title IV Complaint, saying "I can't say he encouraged me." Further, Bishop Goff is clear in her testimony that she was already of a mind to file the Complaint; she was not asking for my permission to file the Complaint when she informed me of the situation.
6. The conversation with Bishop Goff on or about November 10, 2022 was similar to several other conversations I have had with clergy in this Diocese since that time regarding canonical matters and, as I did with Bishop Goff, I have routinely referred possible Complainants to Canon IV.4.1(f) and advised the possible Complainant to comply with his or her duty to report the matter to an Intake Officer.
7. At no time do I believe that my conversation with Bishop Goff about the matter involving Dr. Ramey influenced Bishop Goff to file her Complaint on the matter involving Dr. Ramey for any reason other than her Canonical duty under Canon IV.4.1(f). I do not believe that my conversation with Bishop Goff on or about November 10, 2022, or anything else, affects my impartiality with respect to my duty as Bishop Diocesan to impose a Sentence on Dr. Ramey based on an Order from the Hearing Panel.

I declare under penalty of perjury that the foregoing is true and correct.

6 April 2024



The Right Reverend E. Mark Stevenson