

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

To: The Rev. Dr. B. Cayce Ramey, Respondent
The Rev. Edward O. Miller, Jr. Respondent's Advisor
Jack W. Burtch, Jr. Esquire, Counsel to Respondent
Bradfute W. Davenport, Jr., Esquire, Church Attorney
The Rt. Rev. Susan E. Goff, Complainant
The Rt. Rev. E. Mark Stevenson, Bishop Diocesan

DECISION ON RESPONDENT'S MOTION FOR RECUSAL OF
BISHOP DIOCESAN

INTRODUCTION

Respondent's Counsel on April 3, 2024, filed a Motion for Recusal of Bishop Diocesan (hereinafter MOTION). The Church Attorney's Response to Respondent's "Motion for Recusal of Bishop Diocesan" (hereinafter RESPONSE) was filed on April 8, 2024. The Hearing Panel (hereinafter PANEL) on April 6, 2024, received email notification that Respondent's Counsel and the Church Attorney agreed that "no evidentiary hearing or oral argument is necessary" for the PANEL's considerations and ruling on the filed MOTION and RESPONSE.

OPINION

The first and last paragraphs of the MOTION respectively seek that the PANEL request "the recusal of the Rt. Rev'd Mark Stevenson [as Bishop Diocesan] from any consideration of this matter" and "that Bishop Stevenson disqualify himself from participation in this matter."

The MOTON cites Title IV.19.14 (a) as Canonical authority for the moved request, and sets out the following:

Sec. 14 Impartiality of officials and bodies described in the Title shall be addressed as follows:

- a. Any Bishop Diocesan exercising authority under this Title shall disqualify herself or himself in any proceeding in which the Bishop's impartiality may reasonably be questioned. The Bishop shall also disqualify himself or herself when the Bishop, the Bishop's spouse, or a person within the third degree of relationship to either of them, or the spouse of such person, is the Respondent, Complainant or an Injured Person.

The Church Attorney in the RESPONSE contends:

The only [canon] 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 Church Attorney argues:

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.

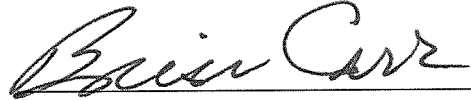
The Diocese of Virginia has legislated similarly. Canon 27.3 on Ecclesiastical Discipline empowers Conference and Hearing Panels to disqualify challenged Panel members. There is no parallel canon for disqualification of the Bishop Diocesan in the Title IV proceedings.

DECISION

Not finding any Canonical authority enabling the PANEL to rule on the MOTION's sought "request," the PANEL declines the MOTION.

Dated:

April 12, 2024

A handwritten signature in cursive script that reads "Brian Carr". The signature is written in black ink and is positioned above a horizontal line.

Brian Carr, President
Hearing Panel of the
Diocese of Virginia