

R-2 To Provide for the Transfer of Bishops and Deacons to Churches in Communion

Resolved, by the 229th Annual Convention of the Diocese of Virginia, that the following resolution be presented to the 81st General Convention:

Resolved, the House of _____ concurring, That the 81st General Convention of The Episcopal Church amend Canon III.7 by adding a new Section 7 as follows (with subsequent sections renumbered):

Sec. 5. Transfer to Churches in Communion with This Church

(a) A Deacon desiring to become canonically resident within a Diocese or equivalent jurisdiction of a Church in Full Communion (as identified in Canon I.20) or Church in Communion with This Church (as identified by Canon III.10.2.(a)(3)) shall request a testimonial from the Ecclesiastical Authority of the Diocese of current canonical residence, which testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese or equivalent jurisdiction to which transfer is proposed. The testimonial may include a portfolio of training, continuing education, and exercise of ministries. The testimonial shall be in the following form or in the form specified by the receiving Diocese or equivalent jurisdiction:

I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of _____, is a Deacon of the Diocese of _____ of the Episcopal Church in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.

(Date) _____ (Signed) _____

(b) If the Ecclesiastical Authority of the Diocese or equivalent jurisdiction of the Church in Full Communion or Church in Communion with This Church accepts the testimonial, the canonical residence of the Deacon transferred shall date from such acceptance, and notice of acceptance shall be promptly forwarded by the Deacon to the Ecclesiastical Authority in the sending Diocese. Such notification from the receiving Ecclesiastical Authority may be in the following form:

I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Deacon in good standing.

(Date) _____ (Signed) _____

Upon receipt of said acceptance, the Ecclesiastical Authority of the sending Diocese shall notify the Church Pension Fund and the Recorder of Ordinations of the Deacon's departure from the Episcopal Church.

(c) This provision shall not be used for Deacons who seek to enter Churches Not in Communion with This Church or for those who seek transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church. In such cases the provisions of Canon III.7.9 [after renumbering] shall be followed.

And Be it Further Resolved that, the House of _____ concurring, the 81st General Convention of The Episcopal Church amend Canon III.12 by adding a new Section 7 as follows (with subsequent sections renumbered):

Sec. 5. Transfer to Churches in Communion with This Church

(a) A Bishop desiring to become canonically resident within another Province or equivalent jurisdiction of a Church in Full Communion (as identified in Canon I.20) or Church in Communion with This Church (as identified by Canon III.10.2.(a)(3)) shall request a testimonial from the Presiding Bishop, which testimonial, with the advice and consent of a majority of the members of the Advisory Council to the Presiding Bishop, shall be given by the Presiding Bishop to the applicant, and a duplicate thereof may be sent to the Presiding Bishop or Primate of the Province or equivalent jurisdiction to which transfer is proposed. The testimonial may include a portfolio of training, continuing education, and exercise of ministries. The testimonial shall be in the following form or in the form specified by the receiving Diocese or equivalent jurisdiction:

I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of _____, is a Bishop of the Episcopal Church in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.

(Date) _____ (Signed) _____

(b) If the Presiding Bishop or Primate of the Province or equivalent jurisdiction of the Church in Full Communion or Church in Communion with This Church accepts the testimonial, the canonical residence of the Bishop transferred shall date from such acceptance, and notice of acceptance shall be promptly forwarded by the Presiding Bishop or Primate to the Presiding Bishop of the Episcopal Church. Such notification from the receiving Ecclesiastical Authority may be in the following form:

I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Bishop in good standing.

(Date) _____ (Signed) _____

Upon receipt of said acceptance, the Presiding Bishop of the Episcopal Church shall notify the Church Pension Fund and the Recorder of Ordinations of the Bishop's departure from the Episcopal Church.

(c) This provision shall not be used for Bishops who seek to enter Churches Not in Communion with This Church or for those who seek transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church. In such cases the provisions of Canon III.12.8 [after renumbering] shall be followed.

Submitted by the Rev. Dr. Robert W. Prichard

Explanation:

Prior to 2012, the Episcopal Church generally provide for Bishops, Priests, and Deacons transferring to other parts of the Anglican Communion the information requested by the

receiving dioceses. Title III, Canon 10 (Of Reception of Clergy from other Churches) specified the information needed for a clergy person seeking to transfer to The Episcopal Church. This situation changed when the General Convention adopted Resolution 2012-A030, which created the new category of “release and removal.” At that point the chancellor for the Presiding Bishop began to advise dioceses that clergy seeking transfer to other parts of the Anglican Communion were to be released from the jurisdiction of the Episcopal Church without being provided with documentation of any kind for the receiving institution. This was apparently done as a response to those Bishops of The Episcopal Church who were issuing documentation to unhappy clergy who sought to transfer to other Provinces of the Anglican Communion, such as the Church of Nigeria, that announced that they were no longer in communion with The Episcopal Church and were actively supporting the formation of what would eventually become the Anglican Church in North America (ACNA). The Episcopal Church did not want to take any action that implied acceptance of the dissident denomination that was being created.

Shortly after the adoption of this revision to the canons, a priest from the Diocese Virginia sought to transfer to the Diocese of Toronto from which she had originally come to Virginia. When inquiring, the Bishop and Standing Committee were told by the Presiding Bishop’s office that the new “release and removal” approach meant that there was no longer any way to provide a testimonial to the receiving diocese, which was in a province of the Anglican Communion in communion with and supportive of The Episcopal Church.

A member of the Virginia deputation to General Convention drafted a resolution to remedy the problem facing the diocese. Later endorsed by Province III, it was adopted by the next General Convention as Resolution 2015-C033, which provided instructions for transferring priests to “Church in Communion with this Church” based upon the procedure still expected for transfer to The Episcopal Church. This 2015 resolution added a new section 5 to Title III, Canon 9. It included a provision that it was not to be used in those cases for which the “release and removal” had been written—for “Churches Not in Communion with This Church or for those who seek transfer to another Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church.”

The 2015 provision has worked well, but it covers only the specific situation which it was drafted—the transfer of a priest. This current resolution has been drafted to ask General Convention to make parallel provisions in the case of deacons and bishops