

1 **R-2a Resolution to General Convention To Amend the Canons to Provide for**
2 **the Transfer of Bishops and Deacons to Churches in Communion**

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

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

8 Sec. 7. Transfer to Churches in Communion with this Church

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

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

22 **(Date) _____ (Signed) _____**

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

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

31 **(Date) _____ (Signed) _____**

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

35 (c) This provision shall not be used for Deacons who seek to enter Churches Not in Communion
36 with this Church or for those who seek transfer to another Province of the Anglican Communion
37 while remaining geographically within the boundaries of the Episcopal Church. In such cases the
38 provisions of Canon III.7.9 [the renumbering of current III.7.8] shall be followed.

39 **And be it further resolved that**, the House of _____ concurring, the 81st General
40 Convention of The Episcopal Church amend Canon Title III.12 by adding a new Section 7 as
41 follows (with subsequent sections renumbered):

42 Sec. 7. Transfer to Churches in Communion with this Church

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

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

57 **(Date) _____ (Signed) _____**

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

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

66 **(Date) _____ (Signed) _____**

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

70 (c) This provision shall not be used for Bishops who seek to enter Churches Not in Communion
71 with this Church or for those who seek transfer to another member church or Province of the
72 Anglican Communion while remaining geographically within the boundaries of the Episcopal
73 Church. In such cases the provisions of Canon III.12.8 [the renumbering of current III.127 shall
74 be followed.

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76 *Submitted by the Rev. Dr. Robert W. Prichard*

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78 *Amended by the Resolutions Committee*

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82 **Explanation:**

83 Prior to 2012, the Episcopal Church generally provide for Bishops, Priests, and Deacons
84 transferring to other parts of the Anglican Communion the information requested by the
85 receiving dioceses. Title III, Canon 10 (Of Reception of Cle

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

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

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

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