

PEP Argument Briefing Paper

Title: Episcopal Relief & Development Sunday Welcome in Pittsburgh
Applicable to: Resolution 1 (Establish the First Sunday of Lent as Episcopal Relief & Development Sunday)
Author: Lionel Deimel
Date: 09/30/2009

Background

Episcopal Relief & Development is the well-respected relief agency of The Episcopal Church. The Presiding Bishop designated the first Sunday in Lent as Episcopal Relief & Development Sunday in 2008.

Argument

Although the diocese has a history of supporting Episcopal Relief & Development (formerly Presiding Bishop's Fund for World Relief), under Bishop Duncan, Anglican Relief & Development Fund, a more ideological agency, became the preferred relief agency supported by the diocese. After the October 4, 2008, schism, it is important that the diocese once again show its support for the Episcopal Church agency. Designating a particular Sunday to recognize and raise funds for Episcopal Relief & Development will raise awareness in the diocese of this fine agency.

Supporting Information

Resolution (from *Preconvention Journal 2009*, page C-1, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

1. Title: *Establish the First Sunday of Lent as Episcopal Relief & Development Sunday*

Be it Resolved, that the Diocese of Pittsburgh dedicate the first Sunday in Lent as Episcopal Relief & Development Sunday and that parishes and individuals be encouraged to support Episcopal Relief & Development's life-saving work through prayer and a special offering that will help heal a hurting world.

EXPLANATION In 2008, the Presiding Bishop designated the first Sunday in Lent as Episcopal Relief & Development Sunday and as an annual celebration of Episcopal Relief and Development's role in our collective mission to seek and serve Christ in all persons. The Episcopal Church's ongoing commitment to fight poverty and disease around the world is lived out in a variety of ways. Advocacy with our government for the achievement of the Millennium Development Goals is one vital way. Another is through the ministry of Episcopal Relief & Development, which, as the relief and development arm of the Episcopal Church, works to alleviate hunger, fight disease, and strengthen communities.

Sponsors:

Jacqueline Thomas Och, St. Paul's, Mt. Lebanon
Joan Morris, St. Andrew's, Highland Park

PEP Argument Briefing Paper

Title: Recognition of Volunteers Appropriate
Applicable to: Resolution 2 (Resolution In Recognition of Volunteers)
Author: Lionel Deimel
Date: 09/30/2009

Background

Volunteers have played a major role in setting up an office for the Episcopal Diocese of Pittsburgh and carrying out the work of that office following the convention of October 4, 2008. This resolution acknowledges those volunteers.

Argument

It is difficult to fault the sentiment expressed in this resolution. Volunteers were invaluable in setting up a replacement diocesan office and have done much of the day-to-day work of that office.

It is perfectly appropriate that these volunteers be acknowledged. The resolution could have been shortened and better edited, but it is not worth quibbling over.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pages C-1–C-2, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

2. Title: *Resolution In Recognition of Volunteers*

Whereas this diocese found itself without paid staff following the 2008 annual convention, and whereas the diocese had immediate and long term needs for willing hands to do the on-going work of this diocese; and

Whereas people stepped forward immediately to offer professional expertise without requesting remuneration to provide creative, faithful, and humane leadership that allowed the diocese to function and move forward immediately; and

Whereas numerous people gave freely of their time to perform the tasks necessary to create an working infrastructure for the diocese including such challenges as organizing Preconvention Journal 2009 C-2 Episcopal Diocese of Pittsburgh and staffing a special convention; setting up a functioning office space by cleaning, shopping, donating, moving and assembling furniture and installing computers and telephones; and

Whereas the office has benefitted from the willingness of volunteers to file; collate, stamp, and stuff mailings; compile data; draft letters; answer phones and make calls, and do other office tasks as requested; and

Whereas this annual convention has depended on volunteers to feed, entertain, register, guide visitors, count ballots, and lead our worship; be it therefore

Resolved that the Episcopal Diocese of Pittsburgh gratefully acknowledges the thousands of hours of unpaid service offered so willingly and with good spirit and hereby requests that all those here present who have provided volunteer service for the diocese since October 4, 2008 stand and receive the thanks of the convention.

Sponsors:

Dr. Joan R. Gundersen, Church of the Redeemer, Squirrel Hill

The Rev. Cynthia Bronson Sweigert, Rector, Church of the Redeemer, Squirrel Hill

The Rev. Dr. James Simons, Rector, St. Michael's of the Valley, Ligonier

PEP Argument Briefing Paper

Title: Appreciation Cannot Be Enthusiastic
Applicable to: Resolution 3 (Thanksgiving for Celebrate 250)
Author: PEP Board of Directors
Date: 10/5/2009

Background

Celebrate 250 was the Episcopal Diocese of Pittsburgh's response to Pittsburgh's 250th anniversary celebration. The committee included people who eventually left The Episcopal Church as well as people who stayed. Several events were held before the 2008 convention, but Bishop Duncan presided at the concluding events after the October 2008 convention, and those events were sponsored by the realigned entity.

Argument

- The diocese obviously should recognize the hard work of those of its members who contributed to the success of the Celebrate 250 events. It would thus seem ungracious to reject this resolution.
- However, it is difficult to muster enthusiasm for a resolution celebrating events presided over by a deposed bishop and offered under the sponsorship of a group that left the The Episcopal Church and spent money on the concluding events from endowment rightfully belonging to this diocese without its permission.
- The resolution also offers thanks to the recently retired archivist who continued as an employee of the group that left The Episcopal Church. She did serve for many years as the archivist for the whole diocese and was helpful to any and all who requested assistance.
- One technical point: "Episcopal Church of the United States" is not an official name of our church.

Supporting Information

Resolution (from *Preconvention Journal 2009*, page C-2,
<http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

3. **Title:** *Thanksgiving for Celebrate 250*

Resolved: That the 144th Convention of the Episcopal Diocese of Pittsburgh of the Episcopal Church of the United States expresses its appreciation to the many individuals who contributed to the success of the Celebrate 250 initiative, most especially to Nancy Chalfant-Walker, Sky Foerster, Elizabeth Hobbs, Alan Komm, Tom Moore, Jeff Murph and Fred Thieman, and also extends heartfelt thanks to Lynne Wohleber, as she concludes twenty years of dedicated service as diocesan archivist, and most especially for her assistance to parishes throughout the Diocese in the art of historical preservation.

Explanation: Celebrate 250 sought to highlight the many and diverse legacies of a notable family of clergy and laypeople throughout western Pennsylvania. Thanks to the contributions of many members of the Diocese of all theological persuasions, an honest attempt was made to celebrate our past at a time of uncertain future. All those who gave of their time, talents and treasure to recognize the achievements of 250 years of Christian witness are to be commended for their enthusiasm and energy.

Sponsors:

Dr. Jeremy Bonner, Trinity Cathedral
The Rev. Dr. Bruce Robison, D.Min, St. Andrew's, Highland Park
Celinda Scott, Christ Church, Indiana

PEP Argument Briefing Paper

Title: Reunion Task Force Premature
Applicable to: Resolution 4 (Task Force on Reunion)
Author: Lionel Deimel
Date: 10/3/2009

Background

The “realignment” of October 2008 has resulted, for the moment at least, in an Episcopal Diocese of Pittsburgh of reduced size and resources. Nevertheless, the diocese has reorganized, is functioning with acceptable efficiency, and is about to approve the selection of a provisional bishop. The diocese is neither facing a crisis nor anticipating one. Notwithstanding, the resolution proposes forming a task force to consider uniting (or reuniting) the Diocese of Pittsburgh and the Diocese of Northwestern Pennsylvania.

Argument

- The Explanation attached to the resolution speaks of economic and demographic changes that have taken place in Western Pennsylvania in the past century, as well as changes resulting from the recent “realignment.” Sponsors have not, however, suggested why their study is needed. One would expect that a study of a plan would follow the recognition of a problem and the proposal of the plan as a means of addressing the problem. This resolution is a solution in search of a problem. One can imagine benefits of reunion—increased administrative efficiency, for example—but equally easy to imagine are drawbacks—increased travel costs and times, for instance. No real case for this resolution has been made.
- A recent Episcopal News Service story quotes a spokesperson from the Diocese of Northwestern Pennsylvania as saying that no resolution about a reunion study is to be brought before that diocese’s November convention and that the diocese will not be interested in merging with another diocese “anytime soon.” The sponsors of this resolution have either not tried to generate interest in the Northwestern Pennsylvania diocese or have been unsuccessful in doing so. Without such interest, the proposed task force will be wasting its time.
- Whatever the merits of reunion, now is an inopportune time to initiate a study of it. As a result of litigation or other developments, the diocese could become markedly larger or wealthier. For the first time in many years, it will be led by a bishop who has no agenda outside the diocese. The changed situation a year from now could invalidate the analysis of any report prepared too early.
- In particular, changes in the condition of the diocese can be expected to affect the attractiveness of reunion in both dioceses. Pittsburgh’s legal exposure could be viewed negatively by Northwestern Pennsylvania, a situation that would change with favorable resolution of litigation. Such a change might make reunion less attractive from Pittsburgh’s viewpoint, however.

- Whereas it is true that, due to the downturn in the economy and losses of church membership, a number of dioceses, as well as The Episcopal Church itself, face economic difficulties that may require weak dioceses to merge, the Diocese of Pittsburgh has no pressing need for reunion to “save” it. We do have many problems to confront, however. It would be foolhardy to attempt to take on a leadership role in diocesan consolidation simply to demonstrate our forward thinking.
- The newly reorganized Pittsburgh diocese is still finding its true mission and character. Diverting attention even to considering reunion may abort the important process of discerning who we are and what we are called to do.
- The resolution sends the wrong message. We have seen at least one conservative commentator suggesting that this resolution is a sign that our diocese is in deep trouble. Although one might be inclined to dismiss such analysis as uninformed or as propaganda, it can have damaging effects, stiffening the intransigence of the realigned group or discouraging realigned individuals or parishes from returning to The Episcopal Church. It may even be demoralizing to our own parishioners, many of whom have worked hard to make the Diocese of Pittsburgh a viable institution.
- This resolution might be appropriate at some later time. It is to be hoped that any similar resolution in the future would be more focused, include a funding estimate, and be accompanied by some indication of interest from the Diocese of Northwestern Pennsylvania.

Supporting Information

Mary Frances Schjonberg. “PITTSBURGH: Diocese may consider reuniting with neighbor.” September 25, 2009, Episcopal Life Online, http://www.episcopalchurch.org/81803_115018_ENG_HTM.htm.

David W. Virtue. “PITTSBURGH: Faux Episcopal Diocese Seeks Merger with Diocese of Northwestern PA.” September 18, 2009, Virtue Online, <http://www.virtueonline.org/portal/modules/news/article.php?storyid=11218>.

Resolution (from *Preconvention Journal 2009*, pages C-3–C-4, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

4. Title: *Task Force on Reunion*

Resolved: that this 144th Annual Convention of the Episcopal Diocese of Pittsburgh of the Episcopal Church direct the Standing Committee (or Ecclesiastical Authority) of the Episcopal Diocese of Pittsburgh to form a broadly based task force, including at least three clergy and three lay persons, to study the possibility of the reunion of the Episcopal Diocese of Pittsburgh and the Episcopal Diocese of Northwestern Pennsylvania under the provisions of Title I, canon 10, section 6 of the Constitution and Canons of the Episcopal Church, 2006 [see below], and to prepare a report on the results of that study and any recommendations to the 145th Annual Convention of the Episcopal Diocese of Pittsburgh, in the fall of 2010. The Task Force shall consider specifically the potential long-term impact of such reunion on the financial and administrative resources of the two dioceses, and shall invite the Bishop and Standing Committee of the Episcopal Diocese of Northwestern Pennsylvania to participate in the study.

Explanation: The division of the Episcopal Diocese of Pittsburgh, to create the Episcopal Diocese of Pittsburgh and the Episcopal Diocese of Erie, in the early 20th century took place in an era of growth in population and industry—and in church membership—in both the northern and southern quadrants of Western Pennsylvania. In the intervening century much has changed in both regions in terms of economics and demographics. In what was the Diocese of Erie (now the Episcopal Diocese of Northwestern Pennsylvania) there has been a significant decline of population. In the Diocese of Pittsburgh the Episcopal Church itself has experienced unprecedented change following the “realignment” and departure from the Episcopal Church of many clergy and congregations. This resolution, making no prior assumptions about any result, directs that one part of planning for the future of the Episcopal Diocese of Pittsburgh at this critical time should include a reconsideration of the early-20th century division of Western Pennsylvania into two dioceses and an exploration of the possible benefits of a reunion of the two dioceses at this time.

Constitution and Canons of the Episcopal Church, Title I, Canon 10, Section 6 (2006):

Sec. 6 (a) When a Diocese, and another Diocese which has been formed either by division therefrom or by erection into a Diocese or a Missionary Diocese formed by division therefrom, shall desire to be reunited into one Diocese, the proposed reunion must be initiated by a mutual agreement between the Conventions of the two Dioceses, consented to by the Ecclesiastical Authority of each Diocese. If the said agreement is made and the consents given more than three months before the next meeting of the General Convention, the fact of the agreement and consents shall be certified by the Ecclesiastical Authority and the Secretary of the Convention of each Diocese to all the Bishops of the Church having jurisdiction and to the Standing Committees of all the Dioceses; and when the consents of a majority of such Bishops and of a majority of the Standing Committees to the proposed reunion shall have been received, the facts shall be similarly certified to the Secretary of the House of Deputies of the General Convention, and thereupon the reunion shall be considered complete. But if the agreement is made and the consents given within three months of the next meeting of the General Convention, the facts shall be certified instead to the Secretary of the House of Deputies, who shall lay them before the two Houses; and the reunion shall be deemed to be complete when it shall have been sanctioned by a majority vote in the House of Bishops, and in the House of Deputies voting by orders.

(b) The Bishop of the parent Diocese shall be the Bishop, and the Bishop of the junior Diocese shall be the Bishop Coadjutor, of the reunited Diocese; but if there be a vacancy in the Episcopate of either Diocese, the Bishop of the other Diocese shall be the Bishop, and the Bishop Coadjutor if there be one shall be the Bishop Coadjutor, of the reunited Diocese.

(c) When the reunion of the two Dioceses shall have been completed, the facts shall be certified to the Presiding Bishop and to the Secretary of the House of Deputies. Thereupon the Presiding Bishop shall notify the Secretary of the House of Bishops of any alteration in the status or style of the Bishop or Bishops concerned, and the Secretary of the House of Deputies shall strike the name of the junior Diocese from the roll of Dioceses in union with the General Convention.

Sponsors:

The Rev. Bruce Robison, D.Min., Rector, St. Andrew’s, Highland Park,
Fran Gargotta, St. Brendan’s, Franklin Park

The Rev. Daniel E. Hall, M.D., Episcopal Priest in Residence, the First Lutheran Church
of Pittsburgh

The Rev. Scott Quinn, Nativity, Crafton

The Rev. Stephen Smalley, Rector, St. Barnabas, Brackenridge
The Rev. Philip Wainwright, Rector, St. Peter's, Brentwood.

PEP Argument Briefing Paper

Title: Details of Resolution Problematic
Applicable to: Resolution 4 (Task Force on Reunion)
Author: Lionel Deimel
Date: 09/30/2009

Background

The proposed resolution would create a task force of six or more members to study the possible “reunion” of the Diocese of Pittsburgh with the Diocese of Northwestern Pennsylvania, presumably—this is not at all clear—for achieving economies of scale. The timing of this resolution is problematic, but also problematic are the details (or, in some cases, the lack of details) of the resolution.

Argument

- The resolution proposes no budget for its task force, and the proposed 2010 budget contains no funds for the project. Whereas much work can be done by volunteers, certain aspects of reunion—financial and legal considerations come immediately to mind—should be studied by experts, preferably external experts with no stake in the outcome. It is unreasonable to expect the task force to carry out its charge competently without expending any funds.
- Even if the work could be carried out by volunteers, establishing the task force represents poor stewardship. Pittsburgh has more pressing issues to deal with, and the six (or however many people) on the task force will necessarily be prevented from helping the diocese carry out its mission in other ways.
- The resolution asks the task force to look at the “potential long-term impact” of reunion but is silent on any short-term impact. Even if there are substantial long-term advantages to reunion, the short-term costs, particularly to a diocese still working toward achieving stability and a sense of identity, could be substantial enough to make reunion contraindicated at this time.
- The composition of the task force seems arbitrary, and there is nothing in the resolution suggesting how either balance or depth of expertise is to be obtained among task force members. Nor is there any requirement that the study be transparent or involve wide participation by parishioners of the diocese. Other mechanisms for studying reunion seem more likely to produce a satisfactory report, for example, use of a larger committee served by a paid staff of consultants.
- Reunion with Northwestern Pennsylvania could make the incumbent Bishop of Northwestern Pennsylvania bishop of the combined diocese. Whether or not this might be desirable in the abstract, Pittsburgh Episcopalians may feel disenfranchised by a process that does not let them vote for a bishop of their choice.
- If reunion with Northwestern Pennsylvania is a good idea, should we not also consider other options? Pittsburgh borders at least five other dioceses. Perhaps joining

with West Virginia or another adjacent diocese would be a good idea. The resolution does not give the task force the freedom to explore such options.

- Given that there is no urgent need for combining our diocese to assure the survival of Episcopal churches in Southwestern Pennsylvania, the task force should be prevented from proposing an actual reunion resolution to the 2010 convention. In practice, most people of the diocese will pay little attention to the possibility of reunion until a serious reunion movement emerges, at which time, people should be given a year or more to study the issue. The resolution contains no such provision.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pages C-3–C-4, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

4. Title: *Task Force on Reunion*

Resolved: that this 144th Annual Convention of the Episcopal Diocese of Pittsburgh of the Episcopal Church direct the Standing Committee (or Ecclesiastical Authority) of the Episcopal Diocese of Pittsburgh to form a broadly based task force, including at least three clergy and three lay persons, to study the possibility of the reunion of the Episcopal Diocese of Pittsburgh and the Episcopal Diocese of Northwestern Pennsylvania under the provisions of Title I, canon 10, section 6 of the Constitution and Canons of the Episcopal Church, 2006 [see below], and to prepare a report on the results of that study and any recommendations to the 145th Annual Convention of the Episcopal Diocese of Pittsburgh, in the fall of 2010. The Task Force shall consider specifically the potential long-term impact of such reunion on the financial and administrative resources of the two dioceses, and shall invite the Bishop and Standing Committee of the Episcopal Diocese of Northwestern Pennsylvania to participate in the study.

Explanation: The division of the Episcopal Diocese of Pittsburgh, to create the Episcopal Diocese of Pittsburgh and the Episcopal Diocese of Erie, in the early 20th century took place in an era of growth in population and industry—and in church membership—in both the northern and southern quadrants of Western Pennsylvania. In the intervening century much has changed in both regions in terms of economics and demographics. In what was the Diocese of Erie (now the Episcopal Diocese of Northwestern Pennsylvania) there has been a significant decline of population. In the Diocese of Pittsburgh the Episcopal Church itself has experienced unprecedented change following the “realignment” and departure from the Episcopal Church of many clergy and congregations. This resolution, making no prior assumptions about any result, directs that one part of planning for the future of the Episcopal Diocese of Pittsburgh at this critical time should include a reconsideration of the early-20th century division of Western Pennsylvania into two dioceses and an exploration of the possible benefits of a reunion of the two dioceses at this time.

Constitution and Canons of the Episcopal Church, Title I, Canon 10, Section 6 (2006):

Sec. 6 (a) When a Diocese, and another Diocese which has been formed either by division therefrom or by erection into a Diocese or a Missionary Diocese formed by division therefrom, shall desire to be reunited into one Diocese, the proposed reunion must be initiated by a mutual agreement between the Conventions of the two Dioceses, consented to by the Ecclesiastical Authority of each Diocese. If the said agreement is made and the consents given more than three months before the next meeting of the General Convention, the fact of the agreement and consents

shall be certified by the Ecclesiastical Authority and the Secretary of the Convention of each Diocese to all the Bishops of the Church having jurisdiction and to the Standing Committees of all the Dioceses; and when the consents of a majority of such Bishops and of a majority of the Standing Committees to the proposed reunion shall have been received, the facts shall be similarly certified to the Secretary of the House of Deputies of the General Convention, and thereupon the reunion shall be considered complete. But if the agreement is made and the consents given within three months of the next meeting of the General Convention, the facts shall be certified instead to the Secretary of the House of Deputies, who shall lay them before the two Houses; and the reunion shall be deemed to be complete when it shall have been sanctioned by a majority vote in the House of Bishops, and in the House of Deputies voting by orders.

(b) The Bishop of the parent Diocese shall be the Bishop, and the Bishop of the junior Diocese shall be the Bishop Coadjutor, of the reunited Diocese; but if there be a vacancy in the Episcopate of either Diocese, the Bishop of the other Diocese shall be the Bishop, and the Bishop Coadjutor if there be one shall be the Bishop Coadjutor, of the reunited Diocese.

(c) When the reunion of the two Dioceses shall have been completed, the facts shall be certified to the Presiding Bishop and to the Secretary of the House of Deputies. Thereupon the Presiding Bishop shall notify the Secretary of the House of Bishops of any alteration in the status or style of the Bishop or Bishops concerned, and the Secretary of the House of Deputies shall strike the name of the junior Diocese from the roll of Dioceses in union with the General Convention.

Sponsors:

The Rev. Bruce Robison, D.Min., Rector, St. Andrew's, Highland Park,

Fran Gargotta, St. Brendan's, Franklin Park

The Rev. Daniel E. Hall, M.D., Episcopal Priest in Residence, the First Lutheran Church
of Pittsburgh

The Rev. Scott Quinn, Nativity, Crafton

The Rev. Stephen Smalley, Rector, St. Barnabas, Brackenridge

The Rev. Philip Wainwright, Rector, St. Peter's, Brentwood.

PEP Argument Briefing Paper

Title: Resolution Poorly Drawn
Applicable to: Resolution (The Anglican Covenant)
Author: Lionel Deimel
Date: 10/1/2009

Background

Whereas an Anglican covenant is being promoted as a necessary means to maintain unity within the Anglican Communion, the more radically conservative elements of the Communion clearly see it as a mechanism to discipline churches such as The Episcopal Church for taking liberal, non-orthodox positions. It is clear that the General Convention is skeptical about a covenant, but it has been unwilling not to cooperate in the covenant development process. Resolution D020 (not DO20, as is twice stated in the resolution) was indeed passed by the 2009 General Convention, but the original text would have had the church “make a provisional commitment to abide by the terms of the Anglican Covenant.” That text was co-sponsored by the Rev. Bruce Robison, a Pittsburgh deputy and sponsor of the current resolution. The approved resolution is, of course, rather noncommittal as to the covenant’s ultimate fate at the hands of the General Convention, which will likely have to accept or reject it in 2012.

Argument

- It was reasonable for the General Convention to request that dioceses weigh in on the covenant text. This resolution goes a bit further in asking parishes “to submit their responses to the Ridley Cambridge Draft.” This, of course, is something parishes could begin to do immediately and would, no doubt, be a useful exercise. Unlike D020, however, this resolution does not address “any successive drafts” of a covenant. This is a significant omission, in that a revised Section 4 of the present draft is expected to be offered to the Communion, perhaps by the end of 2009.
- To whom are parish responses to the covenant to be submitted? To the diocese? To the Executive Council? The resolution is silent on the matter. Once submitted (perhaps to the diocese), what is to be done with them? Silence again.
- Responses by parishes are described as “a preliminary to a response by the Diocese.” What does this mean? In particular, is the diocese somehow to take the parish responses into account? How is this to be done? The General Convention left the mechanics of developing a response to the covenant to individual dioceses. It would be helpful if the present resolution specified how our diocese was to do that. It does not.
- The failure to specify how our diocese is to generate its response to the request from the General Convention found in D020 is disturbing. Too often in recent years, diocesan leaders have developed and articulated policy with little consultation or transparency. This resolution, as it stands, has the potential, perhaps inadvertent, to perpetuate that unfortunate history. The diocese deserves better.

- This resolution is very badly edited and should be corrected if it is to be passed. Errors include:
 - As noted above, the number of the General Convention resolution referred to is D020, not DO20.
 - “Episcopal Church of the United States” is not a recognized name of our church. (“The Episcopal Church” or the “Protestant Episcopal Church in the United States of America” should be substituted.)
 - The title of D020 is “Provincial Acceptance of Anglican Covenant,” not “Provincial Acceptance of *the* Anglican Covenant.” (The title is stated improperly in the resolution but is correct in the footnote.)
 - Covenant drafts have always been labeled “An Anglican Covenant.” Virtually nowhere is the covenant referred to as the “Anglican Communion Covenant,” as it is in this resolution.
 - “That diocese report” (in the statement of D020) should be “That dioceses report.”
 - In the final sentence of the statement of D020, “proposed” should be “proposed.”

Supporting Information

Current and past drafts proposed for an Anglican covenant can be found at the Anglican Communion Web site at

<http://www.anglicancommunion.org/commission/covenant/index.cfm>.

Original and final versions of 2006 Resolution A166 can be found at

http://www.gc2006.org/legislation/view_leg_detail.aspx?id=207&type=ORIGINAL and http://www.gc2006.org/legislation/view_leg_detail.aspx?id=207&type=CURRENT, respectively.

Original and final versions of 2009 Resolution D020 can be found at

http://www.gc2009.org/ViewLegislation/view_leg_detail.aspx?id=954&type=Original and http://www.gc2009.org/ViewLegislation/view_leg_detail.aspx?id=954&type=Final, respectively.

Resolution (from *Preconvention Journal 2009*, pages C-1–C-2,

<http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

5. Title: *The Anglican Covenant*

Resolved: That the 144th Convention of the Episcopal Diocese of Pittsburgh of the Episcopal Church of the United States receives with gratitude General Convention Resolution 2009-DO20 (Provincial Acceptance of the Anglican Covenant) and commends it to its member parishes for study; and be it further

Resolved: That the parishes of the Episcopal Diocese of Pittsburgh are encouraged to submit their responses to the Ridley Cambridge Draft of the Anglican Communion Covenant as a preliminary

to a response by the Diocese in accordance with General Convention Resolution 2006-A166 (Anglican Covenant Development Process).

Explanation: The proposal for an Anglican Covenant should be viewed as a development of the earlier notion of Mutual Responsibility and Interdependence (MRI) first articulated by Olympia Bishop Stephen Bayne almost half a century ago. Episcopalians cannot afford to be unmindful of the Covenant process, but must undertake a good faith effort to engage with the needs of other provinces in the Anglican Communion, something recognized by the General Convention in its adoption of Resolution DO20.¹

Sponsors: Dr. Jeremy Bonner, Trinity Cathedral
The Rev. William Geiger, Christ Church, Indiana
The Rev. Dr. Daniel Hall, M.D.
The Rev. Dr. Bruce Robison, D.Min, St. Andrew's, Highland Park
The Rev. Canon James Shoucair, Christ Church, North Hills
The Rev. Philip Wainwright, St. Peter's, Brentwood

¹ D020 Substitute Resolution Adopted by the House of Deputies, Concurred by House of Bishops, July 2009:

Covenant: Provincial Acceptance of Anglican Covenant

Resolved, the House of Bishops concurring, That the 76th General Convention of the Episcopal Church commend the Anglican Covenant proposed in the most recent text of the Covenant Design Group (the "Ridley Cambridge Draft") and any successive drafts to the dioceses for study and comment during the coming triennium; and be it further

Resolved, That diocese report on their study to the Executive Council in keeping with Resolution 2006-A166; and be it further

Resolved, That Executive Council prepare a report to the 77th General Convention of the Episcopal Church that includes draft legislation concerning this Church's response to an Anglican Covenant; and be it further

Resolved, That diocese and congregations be invited to consider the Anglican Covenant propped draft as a document to inform their understanding of and commitment to our common life in the Anglican Communion.

PEP Argument Briefing Paper

Title: Changes Helpful but Ambiguous
Applicable to: Canonical Change 1 (Constitution, Article III)
Author: PEP Board of Directors
Date: 10/2/2009

Background

In the wake of the 2003 General Convention, Bishop Duncan began the process of modifying Article III to allow canonically resident clergy who did not live in the diocese to vote in convention. Once this change was effected in 2004, the ranks of non-resident Pittsburgh clergy expanded, and such clergy returned to Pittsburgh in large numbers to support Bishop Duncan's agenda. The intention of the proposed amendment is to prevent a similar packing of the convention in the future. The proposal also has symbolic meaning, signaling a break with the immediate past.

Argument

- The proposed change not only makes it harder to pack the convention but also encourages clergy to establish canonical residence where they actually work. This facilitates episcopal supervision and assures that clergy receive appropriate pastoral attention.
- The substitution of “appropriate order” for “Lay order” is of no significance until such time as Canon IX is changed to permit a clerical chancellor, a change that may never be made.
- Other wording changes simplify or correct the wording of the article and are of no substantive significance. (See Supporting Information.)
- As noted in the Rationale, the exceptions for military chaplains and the like was a last-minute modification. Unfortunately, it has resulted in an ambiguous Section 2. Can a military chaplain vote if he or she has not been canonically resident for three months? What if the chaplain is not in regular standing? The intention is unclear, and the “obvious” meaning is not obvious at all.
- The question Section 2 is designed to answer is what clergy should be allowed to vote in convention. The longstanding three-month requirement—90 days might be a clearer requirement—is presumably designed to assure that voters have gained sufficient familiarity with the diocese to cast informed votes. Clergy who work elsewhere, it may be argued, lack this familiarity, however long they have been canonically resident. (One imagines that this was the justification for the pre-2003 exclusion of non-residents.) The last-minute addition to the proposed article offers an exception to those who necessarily work outside the diocese and who are not simply avoiding a change in their canonical residence. One can still ask if such people are familiar enough with the diocese to have voting privileges, given that they may seldom set foot in the diocese. (Other dioceses come down on both sides of this question.) Depending on how one feels about an exception for clergy not physically

(“actually”) resident, one of the following locutions should replace everything before “should be entitled” in Section 2:

- *Every member of the Clergy in regular standing who shall have been canonically and actually resident in the Diocese and engaged in the parochial, missionary, or educational work of the Church under the Ecclesiastical Authority of the Diocese for three months preceding any Convention ...*
- *Every member of the clergy in regular standing who shall have been canonically resident in the Diocese and engaged in the parochial, missionary, or educational work of the Church under the Ecclesiastical Authority of the Diocese for three months preceding any Convention and is either actually resident in the Diocese or is a member of a religious order, a missionary in foreign lands, or a chaplain in the armed forces of the United States ...*
- If the intention is to allow clergy to vote who necessarily reside outside the diocese, perhaps that intention should be articulated explicitly, lest someone be excluded inadvertently. For example, should a priest serving as an interim rector in another diocese be allowed to vote?

Supporting Information

Proposed change (from *Preconvention Journal 2009*, pages C-6–C-7, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>).

What follows is the proposed revision and the Rationale provided for the change. In the article shown below, which is adapted from the actual proposal, words being deleted are struck through and words being added are shown in brackets.

Article III

Members of Convention

Section 1. The ~~convention~~ [Convention] shall be composed of Clergy and Lay Deputies.

Section 2. Every member of the Clergy in regular standing who shall have been canonically [and actually] resident in the Diocese and engaged in the parochial, missionary, or educational work of the Church under the Ecclesiastical Authority of the Diocese for three months preceding any Convention [or who is a member of a religious order, a missionary in foreign lands, or a chaplain in the armed forces of the United States] shall be entitled to a seat and vote in such Convention in all cases except in the election of a Bishop, in which case the qualifications necessary to vote shall be as hereinafter provided in Article XIV of this Constitution.

~~PROVIDED, that no~~ [No] member of the Clergy so qualified shall lose his or her right to a seat and vote by reason of sickness or old age.

Section 3. The Deputies shall consist of two Deputies from each Parish in union with the Convention, chosen from the Lay Communicants as the Convention may, from time to time, by Canon[,] prescribe. ~~And each~~ [Each] such Parish shall have the right to send additional Deputies, chosen as aforesaid, in such proportion to the number of its registered communicants as the Convention may, from time to time, by Canon[,] prescribe. ~~PROVIDED, however, that a~~ [A] change in the scale of graduation, when fixed by Canon, shall not become effective until the ~~next~~ succeeding Annual Convention. The Chancellor of the Diocese shall be [an] ex-officio a member of the Convention with the right to a single vote in the ~~Lay~~ [appropriate] order.

Section 4. No Parish shall be entitled to representation in the Convention ~~which~~ [that] does not comply with duly enacted Canons of this Diocese relating to assessments levied upon it by authority of the Convention, unless it shall not do so for reasons ~~which~~ [that] shall be deemed satisfactory by the Convention itself; and it shall be the duty of the Diocesan Council, at the opening of each session, to present to the Secretary a list of such Parishes as are delinquent in this regard, in order that the same may be placed in the hands of the Committee on Claims of Deputies to Seats.

Rationale: There are two substantive changes made here. Additionally, a number of minor editorial changes have been made for clarity, consistency, or grammatical correctness. (As long as the article is being amended, it seems proper to make such minor improvements as well.) In Section 2, the words “and actually” have been inserted before “resident in the Diocese.” These words were removed by votes in 2003 and 2004. The change allowed clergy working elsewhere while canonically resident in Pittsburgh to vote in convention. Such people did so in large numbers, largely voting as a block. The effect was to dilute the votes of people actually living in the diocese and regularly participating in its work.

When the work of the committee was presented in a public meeting on August 12, 2009, concerns were raised that certain canonically resident clergy engaged in the work of the diocese necessarily live outside the diocese and were being disenfranchised. The committee [i.e., the Committee on Canons] addressed this concern in Section 2 with the addition of wording adapted from the canons of the Diocese of West Virginia.

In Section 3, the final words “Lay order” have been replaced with “appropriate order.” The section assumes the Chancellor is necessarily a layperson, but this office could, in principle, be held by a member of the clergy, even though Canon IX currently requires a lay chancellor.

PEP Argument Briefing Paper

Title: Amendment Regularizes General Convention Deputy Election
Applicable to: Canonical Change 2 (Constitution, Article XII)
Author: PEP Board of Directors
Date: 10/5/2009

Background

In preparation for “realignment,” Article XII was modified to provide for electing representatives to whatever synod is held in whatever Anglican province to which the diocese might attach itself. This amendment restores the original purpose of Article XII, namely providing for the election of deputies to the triennial General Convention of The Episcopal Church.

Argument

- This amendment does little more than restore Article XII to its pre-2008 state. Until it or something like it is accepted by two successive annual conventions, the diocese is required to elect General Convention deputies every year. In the pre-2008 Section 1, there was some ambiguity about just when General Convention deputies were to be elected. The proposed Section 1 clears up this confusion. Assuming that the General Convention continues to be held in the summer, deputies will be elected about 20 months prior to the Convention. The deputies for the 2012 General Convention would be elected at the 2010 convention. Of course, the amendment does not become effective until the 2010 convention is adjourned, but elections can be held under the current provisions of Article XII.
- Section 3 is oddly worded. It would be wise to replace “by reason of resignation, removal from the Diocese, death or otherwise” with something like “by reason of resignation, removal from the Diocese, death, or other contingency.”

Supporting Information

Resolution (from *Preconvention Journal 2009*, pages C-8–C-9, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

2. **Article XII**, Deputies to Extra-Diocesan Conventions or Synods, shall be restated in its entirety as follows:

Article XII Deputies to the General Convention

Section 1. At the Annual Diocesan Convention that is held not more than two nor less than one year before the regular General Convention, four members of the Clergy and four Lay Persons shall be elected to represent this Diocese as Deputies to such General Convention and four members of the Clergy and four Lay Persons shall be elected as Alternate Deputies in the manner specified in the General Rules of Order.

Section 2. The Clerical Deputies shall be members of the Clergy entitled to seats in the convention of this Diocese, and the Lay Deputies shall be communicants of this Church and residents in this Diocese.

Section 3. Should a vacancy among the deputies occur by reason of resignation, removal from the Diocese, death or otherwise between the stated times of election, it shall be filled by the highest ranking Alternate Deputy, as determined by the General Rules of Order.

Section 4. In case of failure or neglect of the Convention to elect Deputies, those already in office shall continue until successors are chosen.

Section 5. It shall be the duty of the Deputies-elect to signify to the Bishop, in writing, at least one month before the meeting of the General Convention, their acceptance of the appointment and their intention to perform its duties. If a Deputy-elect fails to give this notice or fails to attend the Convention, the Bishop shall notify a replacement in accordance with Section 3 hereof.

Section 6. It shall be the duty of the Deputies to the General Convention to make a report, as a deputation to the succeeding Diocesan Convention.

Rationale: The current Article XII was modified by the annual conventions of 2007 and 2008 in connection with the attempts to withdraw the diocese from The Episcopal Church. At the Special Convention of December 13, 2008, Resolution IV was passed, affirming the accession of the diocese to the Constitution and canons of The Episcopal Church. The proposed wording basically restores the pre-2008 text of Article XII, making explicit the relationship of the diocese to the General Convention of The Episcopal Church. Section 1 has been altered to clarify exactly when deputies are to be elected.

This would replace the current Article XII reprinted below:

Article XII Deputies to Extra-Diocesan Conventions or Synods

Section 1. At each Annual Convention, there shall be elected four Clergy and an equal number of lay persons to serve as deputies or delegates to any extra-diocesan conventions, synods or meetings that may occur between Annual Conventions and to which the Diocese shall be invited to send deputies. They shall possess the same qualifications as member of Standing Committee and shall be elected by a concurrent majority of both orders.

Section 2. At the same Convention, there shall be chosen in the same manner and with the same qualifications, the same number of Clergy and Laity to serve as alternate deputies.

Section 3. Should a vacancy among the deputies or delegates occur by reason of resignation, removal from the Diocese, death or otherwise between the stated times of election, it shall be filled by the highest ranking Alternate, as determined by the General Rules of Order.

Section 4. In case of failure or neglect of the Convention to elect deputies or delegates, those already in office shall continue until successors are chosen.

Section 5. It shall be the duty of the persons so elected to signify to the Bishop, in writing, at least one month before the meeting of the extra-diocesan convention or synod, their acceptance of the appointment and their intention to perform its duties. If a person so elected fails to give this notice or fails to attend the convention or synod, the Bishop shall notify a replacement in accordance with Section 3 hereof

PEP Argument Briefing Paper

Title: Change Ties Parishes to Episcopal Church
Applicable to: Canonical Change 3 (Constitution, Article XIII)
Author: PEP Board of Directors
Date: 10/13/2009

Background

Article XII, Admission of Parishes, was modified by votes in 2007 and 2008 to remove the requirement that new parishes recognize the authority of The Episcopal Church. This proposed change restores that requirement.

Argument

- The Rationale for this change provided by the Committee on Canons (see below) provides an adequate justification for this measure.
- The change completed in 2008 not only removed the reference to The Episcopal Church but added a commitment to “upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer.” Although some sympathy has been expressed for retaining this wording, the commitment to The Episcopal Church, as explained in the Rationale, surely entails this commitment.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pp. C-9–C-10, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

3. **Article XIII**, Admission of Parishes shall be restated in its entirety as follows:

Article XIII **Admission of Parishes**

Any Parish formed within the limits of the Diocese, and regularly organized according to the Canons, may be admitted into union with the Convention, on motion, by a majority of votes. PROVIDED, it shall have laid before the Convention its Charter and By-laws, or its original Articles of Association, or a duly certified copy thereof, wherein it expressly adopts and recognizes the authority of the Constitution and Canons of this Diocese, and the Constitution, Canons, doctrines, discipline, and worship of the Protestant Episcopal Church in the United States of America. And provided, also, that it shall have complied with the canonical requirements for such admission.

Rationale: The current Article XIII was modified by the annual conventions of 2007 and 2008 in connection with the attempts to withdraw the diocese from The Episcopal Church. At the Special Convention of December 13, 2008, Resolution IV was passed, affirming the accession of the diocese to the Constitution and canons of The Episcopal Church. The proposed wording restores the pre-2008 text of Article XIII, which explicitly acknowledges the authority of The Episcopal Church. (The Protestant Episcopal Church in the United States of America is the official name of

the general church. According to the Preamble of the church's constitution, the church is "otherwise known as" The Episcopal Church.) By restoring the traditional language of "doctrine, discipline, and worship of the Protestant Episcopal Church in the United States of America" to this canon the proposed change incorporates a commitment to the historic faith and order of the Book of Common Prayer.

This would replace the current Article XIII which reads:

Article XIII
Admission of Parishes

Any Parish formed and desiring union with the Diocese, and regularly organized according to the Canons, may be admitted into union with the Convention, on motion, by a majority of votes; provided it shall have laid before the Convention its Charter and By-laws, or its original Articles of Association, or a duly certified copy thereof, wherein it expressly adopts and recognizes the authority of the Constitution and Canons of this Diocese, and commits to upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer. And provided, also, that it shall have complied with the canonical requirements for such admission.

PEP Argument Briefing Paper

Title: Rewriting Needed
Applicable to: Canonical Change 4 (Canon VII)
Author: PEP Board of Directors
Date: 10/7/2009

Background

In the present canons, the Director of Administration and Treasurer of the diocese are necessarily the same person. This is not unreasonable, but, although it may, for some reason, have been desirable in the past, there is no obvious motivation for making it a requirement. Unfortunately, the canonical change, as proposed, creates other problems.

Argument

- One would expect the Treasurer to be an officer of the diocese and the Director of Administration to be a manager (essentially, the office manager). The present Canon VII is about appointment of the Director of Administration, who, incidentally, is also designated Treasurer. Both the Director of Administration and Treasurer are mentioned elsewhere in the canons as having specific duties. Only the Treasurer is mentioned in the diocese's Financial Regulations, however, though it is clear that some of the references to the "Treasurer" really refer to the Director of Administration/Treasurer qua Director of Administration. In other words, the governing instruments of the diocese expect there to be both a Director of Administration and a Treasurer. There is no logical reason these two roles have to be filled by the same person, however.
- The proposed canon merely eliminates the statement that the Director of Administration is also the Treasurer. Unfortunately, the role of Treasurer is defined in Canon VII and nowhere else. If the proposed amendment is passed, it will be clear that there needs to be a Treasurer, but it will not be clear where one is supposed to come from. The intention of the amendment is well meaning, but the wording must be fixed.
- Assuming that both the Director of Administration and the Treasurer are to be designated in the same way, a reasonable substitute motion might be the following:

Canon VII, Of the Director of Administration, shall be restated in its entirety as follows:

Canon VII
Of the Treasurer and Director of Administration

Section 1. There shall be a Treasurer for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Treasurer shall have such duties as are defined by canon or determined by the Bishop, in consultation with the Diocesan Council.

Section 2. There shall be a Director of Administration for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Director of Administration shall have such duties as are defined by canon or determined by the Bishop, in consultation with the Diocesan Council.

Section 3. The Treasurer and the Director of Administration of the Diocese may be the same person.

- If a change is made to Canon VII, the Financial Regulations will also have to be changed. According to Canon XII, Section 1, this is the responsibility of the bishop and Diocesan Council. Given other changes in the diocesan office since October 4, 2008, it is clear that the Financial Regulations will need to be altered in any event.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pages C-10–C-11, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

4. **Canon VII**, Of the Director of Administration, shall be amended by omitting the text struck through in the present version of the canon, shown below:

Canon VII Of the Director of Administration

There shall be a Director of Administration for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Director of Administration ~~shall be the Treasurer of the Diocese. In addition, the Director of Administration~~ shall have such duties as shall be determined by the Bishop, in consultation with the Diocesan Council.

Rationale: The roles of Treasurer and Director of Administration are rather different, and, although one person could full both roles, there is no logical need for the roles to be so joined. It might be desirable to employ a volunteer Treasurer or to hire someone other than the Director of Administration to serve as Treasurer. The proposed change allows, but does not require, that the Treasurer and Director of Administration be different people. The change is intended to provide greater flexibility in the organization of the diocesan office.

If approved, this change will require changes to the Financial Regulations, which assume that the Treasurer and Director of Administration are the same. The Financial Regulations, for example, assign certain duties to the “Treasurer” that are clearly functions of an office manager and that should therefore be assigned to the Director of Administration. Note that, in accordance with Canon XII, Section 1, the Financial Regulations are the responsibility of the bishop and of the Diocesan Council.

PEP Argument Briefing Paper

Title: Change Strikes Balance
Applicable to: Canonical Change 5 (Canon XI)
Author: PEP Board of Directors
Date: 10/7/2009

Background

This canon deals with the archivist and historiographer of the diocese. It had been a model canon that created a professional board to provide advice and support for both the archives and the historiographer. Canon XI was much too detailed, however, particularly in its including archival policy into the canon itself. The 2007 change to the canon went too far in the other direction, eliminating even essential elements. The proposed canon attempts to strike a balance, particularly in light of the diminished size of the diocese.

Argument

- In the 2007 rewrite of Canon XI, the advisory board was eliminated and all policy statements were stripped from the text. The effect was to leave the archivist alone to defend good policies and advocate for proper and professional handling of the archives. The changes virtually eliminated any role for the historiographer.
- The current proposal attempts to find a middle path between pre- and post-2007 versions of this canon. It establishes a smaller oversight board of experts than formerly, and it creates a process for setting policy, rather than defining a fixed policy.
- The old board had term limits. These are not included in the current proposal because we are now a smaller diocese and have a smaller pool of experts to draw on.
- The proposal gives the board an advisory voice in the personnel review of the archivist, which seems only appropriate.
- Note that the roles of the archivist and historiographer are complementary but different. The roles could both be filled by the same person, or the archivist and historiographer could be different people.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pp. C-11–C12,
<http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

5. **Canon XI**, Of the History and Archives of the Episcopal Diocese of Pittsburgh Registrar/Historiographer, shall be restated in its entirety as follows:

Canon XI
Of the History and Archives of the Episcopal Diocese of Pittsburgh

Section 1. There shall be a Commission on Archives and History composed of six members drawn from the Laity and Clergy of the Diocese. The members shall serve three-year terms, so arranged that two terms shall end each year. The Commission shall elect its own Chairperson. Members of the Commission shall be appointed by the Bishop and shall have special expertise as archivists, librarians, historians, or genealogists. The Commission shall provide general oversight and advice on matters related to the history and archives of the diocese, and, in consultation with the Archivist, recommend to Diocesan Council for adoption a records management plan and archival policies, including matters related to the accession and deaccession of materials, development of special collections, access to the collection, and proper care and housing of materials. The Commission shall make an annual report to the Convention and shall be consulted on any personnel review of the Archivist.

Section 2. Upon recommendation of the Commission on Archives and History, the Bishop may appoint an Archivist, who shall administer the Diocesan Archives and perform other such duties as directed by the Bishop. It shall be the duty of the Archivist to issue, on request, proper certification of records in the archives, including, but not limited to, Consecration, Ordination, Baptism, Confirmation, Marriage, and Burial Records.

Section 3. The Bishop may appoint a Historiographer, who shall encourage the development of materials such as exhibits, articles, books, and pamphlets related to the history of the Diocese, its parishes, and other Episcopal organizations and ministries.

Section 4. The Archivist and Historiographer shall be, ex officio, members of the Commission on Archives and History with voice.

Rationale: In 2007, the diocese replaced a long, detailed canon defining the duties of Archivist, Historiographer, and Commission on Archives and History with a short canon that eliminated the Commission and all policy statements, and changed the duties of the Archivist and Historiographer. This canon restores a small Commission to form a board with appropriate expertise to provide oversight of the Archives. The canon also provides a method for setting archival policy that ensures appropriate professional guidance on archival policies while giving representatives of the whole diocese a voice in setting that policy. The current wording of Canon XI to be replaced is the following:

Canon XI
Of the History and Archives of the Episcopal Diocese of Pittsburgh
Registrar/Historiographer

Section 1. The Bishop may appoint an Archivist who shall administer the Diocesan archives, including the historical documentation of the Diocese and Parishes, and perform other duties as directed by the Bishop or Standing Committee. It shall be the duty of the Archivist to issue, on request, proper certification of records in the archives including, but not limited to, Consecration, Ordination, Baptism, Confirmation, Marriage and Burial Records.

Section 2. The Bishop may appoint a Historiographer who shall provide for the safekeeping and preservation of all Diocesan records not otherwise under the custody of the Archivist, and perform such other duties as directed by the Bishop or Standing Committee.

Canon XI (from 2004 Constitution & Canons, Rules of Order, and Financial Regulations, pp. 14–16, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/edopregs2004.pdf>):

Canon XI

Of the History and Archives of the Episcopal Diocese of Pittsburgh

Registrar/Historiographer

Section 1. Election. At each annual session of Convention, a Registrar/Historiographer shall be elected to serve for one year.

Section 2. General Duties. It shall be the duty of the Registrar/ Historiographer to provide for the safekeeping and preservation of the Diocesan records and other materials that relate to the history of the Episcopal Church in this Diocese and any parish therein, and to transmit such materials into the custody of the Diocese to be kept in the Diocesan Archives.

Section 3. Duties at Trials and Inquiries. The Registrar/Historiographer shall act as clerk at all ecclesiastical trials and inquiries held in the Diocese.

Section 4. Convention Responsibilities. The Registrar/ Historiographer shall serve as custodian of records for the Constitution and Canons of the Diocese; shall see that all changes or additions to the Constitution or Canons authorized at any convention are entered in the official copy of the Constitution and Canons which the Registrar shall place in the Diocesan Archives, and that a current copy of the Constitution and Canons as revised be supplied to the President of the Convention, the Chancellor of the Diocese, the Secretary of the Convention, and the Committee on Canons.

Section 5. Preservation Ordination Records. It shall be the duty of the Registrar/Historiographer to preserve in a proper registry book a record of the ordination/consecration of the successive bishops of the Diocese, designating accurately the time and place of the same with the names of the ordaining/ consecrating bishops and the others present and assisting, and to record such additional facts as may be worthy of preservation.

Section 6. Historical Responsibilities. It shall be the responsibility of the Registrar/Historiographer to note any facts which illustrate important aspects of diocesan and parish history. Such historical information may be reported to convention each year.

Section 7. Appointment. There shall be a Diocesan Archives and Historical Commission appointed by the Bishop with the approval of the Diocesan Council. The members shall be persons concerned with and knowledgeable about the keeping of diocesan records. The chairman shall be designated by the Bishop. The Registrar/ Historiographer shall be ex officio voting members of the Commission.

Section 8. General Duties. The Commission shall set policy for the Diocesan Archives. It shall nominate the Diocesan Archivist and set forth the terms and conditions with regard to the work of the Diocesan Archivist. It shall also serve as a committee of advice and support for the Registrar/Historiographer and for individual parishes. The Commission shall adopt such procedures consistent with the Constitution and Canons of this Diocese for its organization and functioning and shall establish such plans and mission objectives that will advance an appreciation of the recorded history of the Episcopal Church in this Diocese. The Diocesan Archives and Historical Commission shall report to the Diocesan Convention.

Section 9. Appropriation for the Diocesan Archives. The diocesan convention may each year make an annual appropriation toward the expense of the Diocesan Archives as recommended by the Diocesan Archives and Historical Commission.

Archivist

Section 10. Selection. The Chairman of the Diocesan Archives and Historical Commission, with the consent of the Commission, may nominate to the Bishop a person trained in archival management. The Bishop may appoint the person nominated as the Diocesan Archivist.

Section 11. General Duties. The appointed Archivist shall be responsible for the direct day-to-day supervision of the Archives and management of all aspects of that work, and shall propose policies and make other recommendations as appropriate.

Section 12. Archival and Records Management Duties. The Archivist shall organize and preserve the journals, files, papers, reports and other documents that have been deposited in and are under the custodianship of the Diocesan Archives. The Archivist shall also undertake responsibility for managing the non-current records of the Diocese by carrying out records retention and disposition practices in consultation with the creating officers and agencies.

Section 13. Certification of Records. It shall be the duty of the Archivist to issue, on request, proper certification of records in the Archives including, but not limited to the following: Consecration, Ordination, Baptism, Confirmation, Marriages and Burial Records.

Records

Section 14. Diocesan and Parish Records. The Archivist shall document and preserve the history of the Diocese and Parishes which provides for historical continuity and promotes an understanding of our common life.

Section 15. Closed or Dissolved Churches. Records, including vestry minutes and parochial registers, of officially closed or dissolved missions and parishes shall revert to the custody of and be preserved in the Diocesan Archives.

Section 16. Disposition of Records. The Archivist, with the consent of the Diocesan Historical Commission, may dispose of duplications and other materials which do not fall within the scope of the established Collection Agreement.

Section 17. Confidentiality of Diocesan Records. The Bishop may direct that documents, which for pastoral or other reasons should be kept in confidence, shall be placed under seal. The Bishop shall specify for what period each security shall continue, who shall have access, and for what purpose.

Section 18. Accessibility. All books, papers, and documents in the Archivist's charge, not previously sealed under Section 16, shall be subject to the call of the Convention and shall be open to the inspection of the Bishop, the Standing Committee, and any committee or officer of the Convention or Diocese.

PEP Argument Briefing Paper

Title: Dangerous Provision Needs to Go
Applicable to: Canonical Change 6 (Canon XV)
Author: PEP Board of Directors
Date: 10/7/2009

Background

The proposal from the Committee on Canons is to delete Section 6 of Canon XV and to renumber subsequent sections accordingly. The text slated for deletion allows the convention, by at two-thirds vote, to “dissolve its union with any Parish,” essentially, to throw a parish out of the diocese. Bishop Robert Duncan invoked this provision at the 2004 annual convention as a means of intimidating Calvary Church and St. Stephen’s, Wilksburg into dropping their lawsuit against him and other diocesan leaders.

Argument

- As the Rationale for this change indicates, it is unclear why the provision in question exists. Vaguely similar provisions exist in the canons of some other dioceses, but those canons specify particular reasons for dissolving the union with a parish (usually the closing of a parish no longer viable). What makes the Pittsburgh provision dangerous is the lack of listed circumstances under which it may be invoked. This allows the canon to be used as a weapon in a dispute between the bishop and a viable parish.
- The consequences of invoking Canon XV, Section 6 would be dire indeed. Given the existence of the Dennis Canon, which says that parish property is held in trust by the diocese, the diocese could immediately claim the affected parish’s property. This would almost certainly lead to a lawsuit.
- If there is conflict between a parish and the diocese (or the bishop), various means are available to achieve reconciliation. As head of the diocese, the bishop is not powerless in such situations. Surely a more pastoral approach to reconciliation than throwing a parish out of the diocese should be employed, if possible.

Supporting Information

Resolution (from *Preconvention Journal 2009*, page C-12,
<http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

6. **Canon XV**, Section 6 shall be deleted, and Sections 7–16 of Canon XV shall be renumbered 6–15. The text to be deleted is the following:

Section 6. The Convention may, by a two-thirds vote, dissolve its union with any Parish. Provided, however, that, except in such cases as may fall under Canon XXV, Section 5, notice of said proposed action shall have been given in the preceding Annual Convention.

Rationale: The intended purpose of this provision is unclear, and other procedures for closing parishes exist. Note also that the reference to Canon XXV, Section 5, is to a provision that the Committee on Canons has recommended eliminating, so that, if this section were not deleted, it would need to be changed.

PEP Argument Briefing Paper

Title: Rector Elections Better Track Episcopal Church Canons
Applicable to: Canonical Change 7 (Canon XX)
Author: Roger Westman
Date: 10/8/2009

Background: Pittsburgh's current Canon XX (Of the Mode of Election of a Rector or Other Member of the Clergy) requires that a vestry consider and reject at least two rounds of candidates handpicked by the bishop before being allowed to conduct a wider search. Pittsburgh's current canons are much more detailed than many of the canons from other dioceses, some of which simply stated that the process would follow Episcopal Church canons. This means that parishes did not have the option of looking at the broadest pool of candidates to find a good match while being able to consider a good candidate within the diocese at the same time. The proposed canon is much shorter and assumes that the canonical steps outlined in the constitution and canons of The Episcopal Church will fill in most of the missing detail (see Canon III.9.3). The bishop has the power in the revised canon to submit names of candidates to the parish and to approve the short list of interviewees. Parishes would have greater flexibility in where and how they form their pool of candidates, and how they respond to the names submitted by the bishop. The proposed canon shortens the length of time given under Episcopal Church canons ("up to sixty days") for the bishop to respond to "thirty days."

Argument

- The existing canon forces parishes first to consider local candidates without the context of a larger pool. It also pressures parishes to choose locally even though the diocese might benefit from a mix of clergy raised up locally and those with the fresh perspectives brought in from outside the diocese.
- The existing canon is much more prescriptive than those of many other dioceses and more than it needs to be.
- The new canon still gives the bishop a voice and influence in the selection of a new rector, while giving the parish flexibility to search in a broader pool. It minimizes the potential for the abuse of power.
- The proposed canon clearly aligns the diocese with Episcopal Church canons and is flexible enough to accommodate many revisions that might, at some future time, be made in those canons without requiring additional changes locally.
- The proposed canon follows Episcopal Church canons in saying that the bishop shall approve a parish's final choice of candidate if that person is a "duly qualified Priest." There is a history behind the use of the term "duly qualified Priest" that means more than just ordination. This historical qualification clarifies and limits the grounds for rejecting the choice made by a parish search committee and vestry.

- The current canon refers to the issuing of a “call” by the vestry for an assistant. However, the choice of an assistant is made by the rector, with the vestry having the right to affirm or reject. The proposed canon clears up this misuse of language.
- The proposed canon keeps the selection process moving forward in a timely manner while providing adequate time for a bishop to communicate with a vestry.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pp. C-12–15, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

7. **Canon XX**, Of the Mode of Election of a Rector or Other Member of the Clergy, shall be restated in its entirety as follows:

Canon XX

Of the Mode of Election of a Rector or Other Member of the Clergy

When a Parish becomes vacant, the Wardens or other proper officers shall, in accordance with the Canons of The Episcopal Church, at once notify the Bishop of the fact, and, in the case of the resignation of an Assistant Minister, the Bishop shall likewise be notified, and no election of a Rector shall be held, and no selection by the Rector of any Assistant Minister and approval thereof by the Vestry shall be made, until the name of the Member of the Clergy whom it is proposed to elect or select has been made known to the Bishop, and sufficient time, not exceeding thirty days, has been given to the Bishop to communicate with the Parish thereon. If the Bishop is satisfied that the person so elected is a duly qualified Priest and that such Priest has accepted election to the office, the Bishop shall cause notice thereof to be sent to the Registrar of Ordinations and to the Secretary of the Convention.

Rationale: Canon XX as currently worded limits the ability of parishes to call clergy of their choice, and the ability of a rector to select an assistant of his or her choice. The proposed new canon restores the freedom given in these matters by the canons of The Episcopal Church. The current wording of Canon XX to be replaced is the following:

Canon XX Of the Mode of Election of Rector or Other Member of the Clergy

Section 1. When a Parish proceeds to call a new Rector, it shall first consider a list of candidates proposed by the Bishop. The Vestry may reject all of the proposed names after due research and shall thereupon notify the Bishop. The Vestry shall then ask the Bishop for additional names and may reject all of these. They may then proceed to consider other names. The Vestry’s choice shall be communicated to the Bishop in writing together with documentation evidencing the qualifications of the candidate to meet the Parish’s requirements for priestly leadership. The Bishop shall have 30 days to respond. The Bishop shall have the option of approving, or, after consultation with the Standing Committee, of rejecting the proposed candidate. If the candidate is rejected, the Vestry may proceed to consider other candidates. In the event that the Bishop and the Vestry cannot resolve their differences over Clergy selection, the case shall be taken to the Standing Committee which shall hear the facts from all concerned parties and recommend a course of action. The Bishop shall thereafter consult with the Standing Committee and the Vestry to effect the final disposition of the issue in the most satisfactory manner possible.

Section 2. When a Rector, Wardens and members of a Vestry proceed to call an Assistant Minister, the Rector shall first consult with the Bishop and submit a list of proposed candidates to

the Bishop as well as receive a list of proposed candidates from the Bishop. Only those candidates of the Rector who are approved by the Bishop may be submitted to the Vestry as a whole. The Vestry may reject all the candidates proposed and the Rector, thereupon, would notify the Bishop. The Bishop and Rector in consultation shall then present the names of the additional candidates. The choice of the Rector, Wardens and members of the Vestry shall be communicated to the Bishop in writing, and the Bishop shall have 30 days to respond. The Bishop shall have the option of approving, or, after consultation with the Standing Committee, of rejecting the proposed candidate. If the candidate is rejected, the Rector, Wardens and members of the Vestry may proceed to consider other candidates. In the event that the Bishop and the Rector, Wardens and members of the Vestry cannot resolve their differences over the Clergy selection, the case shall be taken to the Standing Committee which shall hear the facts from all concerned parties and recommend a course of action. The Bishop shall thereafter consult with the Standing Committee and the Rector, Wardens and members of the Vestry to effect the final disposition of the issue in the most satisfactory manner possible.

Section 3. A Rector, Assistant Minister or Priest, or Deacon-in-Charge of a Parish shall be elected by the affirmative votes of two-thirds of the Vestry, given by ballot; and, in addition, in the election of an Assistant, the consent of the Rector shall have previously been expressed in writing. The election must be made after open nomination at a previous meeting of the Vestry duly convened. The notice for the meeting of the Vestry at which such election is intended shall express such intention.

Section 4. The call of the Clergy-elect shall be in writing in a letter of agreement between the member of the Clergy and the Vestry (and in the case of a Transitional Parish, the Bishop and Diocesan Council) and must express distinctly job description and any special conditions, together with the stipulations of salary or support, which salary when the member of the Clergy is settled shall be held a valid legal contract, and the salary as accruing to be an acknowledged debt, recoverable by process of law, if necessary, of which said call shall be held as substantial evidence. Provided, that the salary may be increased or diminished, as the parties may from time to time agree; due notice of which shall be given to the Ecclesiastical Authority by the Clerk of the Vestry.

Section 5. On the election of the member of the Clergy as aforesaid, the Vestry shall immediately deliver to the Bishop, or to the Ecclesiastical Authority of the Diocese, notice of said election in the form following, or to this effect, which shall be signed by the names of those who certify: “We, the Church Wardens (or, in case of an Assistant, We, the Rector and Church Wardens), do certify to the Rt. Rev. (naming the Bishop) or to the Reverend (naming the President of the Standing Committee when necessary) that A. B. (naming the person), has been duly chosen Rector, Assistant, or Priest, or Deacon-in-Charge (as the case may be) of (naming the Parish) on the following condition (here shall follow a full copy of the call).”

The said elected member of the Clergy shall not be recognized by the Bishop as the Rector, Assistant, or Priest, or Deacon-in-Charge of the Parish until said elected member of the Clergy has been canonically transferred to this jurisdiction nor shall the said elected member of the Clergy with or without the consent of the Vestry of said Church perform any of the rites or ceremonies of the Church except with the special permission of the Bishop of this Diocese until the Bishop or the Ecclesiastical Authority shall have certified to the Vestry that such member of the Clergy-elect has been canonically transferred to this jurisdiction. The certificate of the Bishop or Ecclesiastical Authority shall be entered upon the minutes of the Vestry.

Canon III.9.3 of The Episcopal Church (http://www.episcopalarchives.org/e-archives/canons/CandC_FINAL_11.29.2006.pdf, pp. 81–82):

Sec. 3. The Appointment of Priests

(a) Rectors.

- (1) When a Parish is without a Rector, the Wardens or other officers shall promptly notify the Ecclesiastical Authority in writing. If the Parish shall for thirty days fail to provide services of public worship, the Ecclesiastical Authority shall make provision for such worship.
- (2) No Parish may elect a Rector until the names of the proposed nominees have been forwarded to the Ecclesiastical Authority and a time, not exceeding sixty days, given to the Ecclesiastical Authority to communicate with the Vestry, nor until any such communication has been considered by the Vestry at a meeting duly called and held for that purpose.
- (3) Written notice of the election of a Rector, signed by the Wardens, shall be forwarded to the Ecclesiastical Authority. If the Ecclesiastical Authority is satisfied that the person so elected is a duly qualified Priest and that such Priest has accepted the office to which elected, the notice shall be sent to the Secretary of the Convention, who shall record it. Race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities or age, except as otherwise specified by these Canons, shall not be a factor in the determination of the Ecclesiastical Authority as to whether such person is a duly qualified Priest. The recorded notice shall be sufficient evidence of the relationship between the Priest and the Parish.
- (4) Rectors may have a letter of agreement with the Parish setting forth mutual responsibilities, subject to the Bishop's approval.

It is instructive to look at analogous canons from other dioceses. Here is Canon I.10 of the Diocese of Connecticut (from page 9, <http://www.ctdiocese.org/images/customer-files//constitutionandcanons.pdf>):

Section 10. When a Parish or Congregation becomes vacant the Wardens or other proper officers shall, in accordance with Title III, Canon 17 [Title III canons were revised and renumbered after this canon was adopted, an indication of why specific reference to Episcopal Church canons is risky] of the Canons of the General Convention, at once notify Bishop of the fact, and in the case of the resignation of an Assistant Minister the Bishop shall likewise be notified, and no election of a Rector shall be held, and no selection by the Rector of any Assistant Minister and approval thereof by the Vestry shall be made until the name of the Member of the Clergy whom it is proposed to elect or select has been made known to the Bishop, and sufficient time, not exceeding thirty days, has been given to the Bishop to communicate with the Parish thereon.

Canon 603 [no, the diocese does not have as many canons as this number seems to imply] of the Diocese of Minnesota (from p. 45, <http://images.acswebnetworks.com/1/344/CANONSNovember12004.pdf>):

CANON 603

Congregations: Rector: Call

Canon 603.1 Rector Vacancy. When the position of Rector becomes vacant in a Congregation, the Wardens must within one week give written notice of the fact to the Bishop who may, in consultation with the Vestry, appoint a member of the Clergy to the vacancy until a Rector is elected.

Canon 603.2 Consultation with Bishop. The Vestry must also consult with the Bishop in respect of the procedure to be followed in the selection and call of a new Rector.

Canon 603.3 Election by Vestry. The election of a Rector requires approval of two-thirds of the Lay members of the Vestry.

Canon 603.4 Judgment of Bishop. No commitment may be made by the Vestry to anyone under consideration as a prospective Rector, nor must any formal call be issued, until the name of the Clergy under consideration as Rector has been made known in writing to the Bishop for a judgment, and appropriate background checks completed as directed by Diocesan Council.

a. If the Bishop has not responded within thirty days of receipt by the Bishop of the written notice of the call, or such additional time as has been agreed upon, then the Vestry may proceed with the commitment and call.

Canon 603.5 Objection by Bishop. If the Bishop objects to the choice of the Vestry, then the Bishop informs the Vestry of reasons for the objection.

a. A second meeting of the Vestry must then be held and the person first proposed can be elected only by a unanimous vote of the whole Vestry.

b. If the vote is not unanimous, the same procedure must be repeated for the election of another candidate.

Canon 603.6 Agreement for Call. The call must be in the form of an agreement, which must be signed by the Wardens and, when accepted, signed by the new Rector.

a. The agreement must conform to the applicable provisions of the Canons of the Episcopal Church and of the Diocese.

Canon 603.7 Approval of Agreement by Bishop. The signed agreement must be sent to the Bishop who, when satisfied that the person chosen is a qualified member of the Clergy and has accepted the office, must approve the call and acceptance by counter-signing copies of the agreement or by causing copies of the agreement to be countersigned by a designated representative and returned to the new Rector and to the Congregation.

a. The Bishop must then notify the secretary of the Convention, who records the appointment.

Canon II.1.4 of the Diocese of Central Pennsylvania

(<http://www.diocesecpa.org/cc/titleII.html>):

Section 4. Call of a Rector

- (a) When a Parish anticipates or has a vacancy, the Wardens shall immediately, in writing, notify the Bishop of this Diocese. Thereupon, the Bishop, or his representative, and the Vestry shall meet to agree upon a search and call process.
- (b) No vacancy shall be filled by a Vestry until the name of the priest whom it is proposing to elect has been made known to the Bishop, and the Bishop has been given a mutually agreeable time to concur. In the event of the Bishop's non-concurrence, the nomination procedure set forth above, shall begin again.
- (c) When, in the opinion of the Rector of a Parish or the Vestry of a Parish, it is desirable to consider the dissolution of the pastoral relationship, it will be handled as set forth in the National Canons, Title III, Canons 20 and 21.

PEP Argument Briefing Paper

Title: Changes Mainly Housekeeping Ones
Applicable to: Canonical Change 8 (Canons XXIII and XXXIII)
Author: PEP Board of Directors
Date: 10/7/2009

Background

This proposal consolidates two canons that define terms into a single canon. In the process, minor copyediting has been performed, and two definitions have been changed to conform to proposed changes to Canon XX.

Argument

- The proposal incorporates the definitions of Canon XXXIII into Canon XXIII, eliminating the former canon in the process. It seems sensible to collect definitions in a single canon and to make those definitions as parallel as possible. The revised canon is re-titled “Definitions.”
- For the sake of consistency, clarity, and grammatical correctness, various minor changes have been incorporated into the expanded Canon XXIII. It seems unnecessary to list them all. In particular, however, defined terms have everywhere been set in quotes, commas have been added or deleted, and a “which” has been changed to “that.”
- The proposed change to Canon XX eliminates wording suggesting that assistants are “called” or “elected.” The understanding is that they are selected by the rector and approved by the vestry. To be consistent with this change, Section 1(b) and Section 1(e) had to be altered.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pp. C-15–16, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>) follows. Minor errors in the *Preconvention Journal* have been corrected here.

8. Canon XXXIII, Definitions, shall be deleted, and Canon XXIII, Of Definition of Titles, shall be restated in its entirety as follows:

Canon XXIII **Definitions**

Section 1. Whereas the Titles used for the Clergy in settlement are not authoritatively defined in the legislation of the Church, therefore, for the purpose of the Constitution and of these Canons, these respective Titles shall be understood and received as follows:

- a. A “Rector” is a Priest who is canonically settled in a self-supporting Parish that is fully organized and in union with the Convention, whose settlement is without limitation of time, and whose salary is therefore of the nature of a permanent contract.

- b. An “Assistant” is a Priest or Deacon approved by the Vestry to assist the Rector, either for a specified time or permanently.
- c. A “Priest-in-Charge” or a “Pastor” is a Priest or Deacon settled in a Transitional Parish and whose settlement in the Parish is subject to a specific agreement as to time and other conditions. These Titles also apply to all members of the Clergy appointed by the Ecclesiastical Authority to the cure of souls.
- d. A “Minister-in-Charge” is a Lay person appointed by the Ecclesiastical Authority to conduct the religious affairs of a Transitional Parish having no Priest or Pastor.
- e. A “Settled Member of the Clergy” is a Rector who has been duly elected and inducted in accordance with the provisions as herein before set forth in Canon XX, or an Assistant who has been selected and approved pursuant to that canon.

Section 2. Except as may otherwise be provided within these Canons, for purposes of the Canons of the Diocese of Pittsburgh:

- a. “Constitution” shall mean the Constitution of the Diocese of Pittsburgh.
- b. “The Bishop” shall mean the Diocesan Bishop of the Diocese of Pittsburgh.

Rationale: The present Canons XXIII and XXXIII establish definitions. This proposal combines the canons into a revised Canon XXIII and eliminates Canon XXXIII. Minor changes have been made for consistency. Section 1b and 1e have been changed to conform to the proposed changes to Canon XX respecting the selection of assistants.

The current wording of Canon XXIII to be replaced is the following:

Canon XXIII
Of Definition of Titles

Section 3. Whereas, the Titles used for the Clergy in settlement are not authoritatively defined in the legislation of the Church, therefore for the purpose of the Constitution and of these Canons these respective Titles shall be understood and received as follows:

- a. A “Rector” is a Priest who is canonically settled in a self-supporting Parish which is fully organized and in union with the Convention; whose settlement is without limitation of time, and whose salary is therefore of the nature of a permanent contract.
- b. An “Assistant” is a Priest or Deacon called by the Vestry to assist the Rector, either for a specified time, or permanently.
- c. A Priest-in-Charge or a Pastor is a Priest or Deacon settled in a Transitional Parish and whose settlement in the Parish is subject to a specific agreement as to time and other conditions. These Titles also apply to all members of the Clergy appointed by the Ecclesiastical Authority to the cure of souls.
- d. Minister-in-Charge is a Lay person appointed by the Ecclesiastical Authority to conduct the religious affairs of a Transitional Parish having no Priest or Pastor.
- e. A “Settled Member of the Clergy” is a Rector or Assistant who has been duly elected and inducted in accordance with the provisions as herein before set forth in Canon XX.

The current wording of Canon XXXIII to be deleted is the following:

Canon XXXIII
Definitions

Except as may otherwise be provided within these Canons, for purposes of the Canons of the Diocese of Pittsburgh:

- a. “constitution” shall mean the Constitution of the Diocese of Pittsburgh.
- b. “The Bishop” shall mean the Diocesan Bishop of the Diocese of Pittsburgh.

PEP Argument Briefing Paper

Title: Change Restores Balance to Calling a New Priest
Applicable to: Canonical Change 9 (Canon XXV)
Author: PEP Board of Directors
Date: 10/14/2009

Background

The revision of Canon XXV does not undo recent changes. The diocese's Canon XXV, however, gives the bishop a much more obtrusive role in the search for a new rector than do the canons of The Episcopal Church. The proposed revision puts more responsibility on the parish and limits the unnecessary interference of the bishop.

Argument

- Canon III.9 of The Episcopal Church sets out requirements for a parish when it loses its rector. It is unnecessary for local canons to repeat these requirements or to expand them in such a way that a competent parish is hindered, rather than assisted in finding a new rector.
- The current canon allows the bishop to engage clergy in the absence of a rector and require the parish to pay what the bishop deems appropriate. In the proposed revision, the bishop can step in only when the parish has failed “to provide services of public worship for more than 30 days.”
- The proposed revision makes it clear that a parish may hire its own consultants. This is a check on a bishop's considerable power.
- The draconian measure of dissolving the relationship of a parish with the convention in the current Section 5 has been eliminated.
- In a canon such as this one, a balance must be struck between the needs and desires of the parish and the wishes of the bishop. Although this proposal attempts to establish a more reasonable balance, the proper balance is ultimately a judgment call. Moreover, where the parish and bishop are in conflict, no canon is likely to seem ideal.

Supporting Information

Resolution (from *Preconvention Journal 2009*, pp. C-16—C-18,
<http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

9. Canon XXV, Of Vacant Parishes, shall be restated in its entirety as follows:

Canon XXV **Of Vacant Parishes**

Section 1. When a Parish becomes vacant, it shall be the duty of the Wardens thereof to give notice to the Bishop, or, if there be no Bishop, to the President of the Standing Committee.

Section 2. Should a vacant Parish fail to provide services of public worship for more than 30 days, the Bishop shall make provision for such services. After consultation with the vestry, the Bishop may appoint a Priest-in-Charge to the Parish. The Parish will negotiate a contract (approved by the Bishop) with that person, including provisions regarding compensation, expectations, and termination process.

Section 3. The Parish shall notify the Bishop of any agreement reached for interim services with a Minister canonically resident in the Diocese and must seek appropriate licensing from the Bishop for an Interim Priest not canonically resident in the Diocese.

Section 4. In developing a search process for a Minister, the Parish may consult with those knowledgeable in such searches.

Section 5. The Parish must provide written notice to the Bishop of any call offered to a Minister, so that the Bishop may determine if the person so called is a duly qualified Minister as defined by the Constitution and Canons of The Episcopal Church. When the call is accepted, the Bishop shall send the Minister's name to the Secretary of Convention and Recorder of Ordinations for proper recording of the call.

Rationale: This proposed process eliminates the first three sections of the current canon in order to give parishes the flexibility provided in the canons of The Episcopal Church. The revision aligns diocesan procedures more closely with those in Episcopal Church canons. Section 3 removes the requirement that a priest canonically resident in the diocese seek an additional license to serve a parish within the diocese. The addition of the Recorder of Ordinations in Section 5 is to ensure that the person who is responsible for notifying the Church Pension Fund and The Episcopal Church about changes in clergy status receives notice directly. The current wording of Canon XXV to be replaced is the following:

**Canon XXV
Of Vacant Parishes**

Section 1. The Bishop shall assume ecclesiastical oversight of each vacant Parish.

Section 2. When the Vestry is notified by the Rector of an intent to resign, the Bishop shall simultaneously be notified. Upon such notification, the Bishop shall have the authority to examine any Parish records which would assist in evaluating the condition of the Parish. The Vestry shall furnish the Bishop such information as the Bishop deems necessary to assist the Parish in the selection of a new Rector, including but not limited to, parish goals, profile of the Parish, and desired Clergy qualifications.

Section 3. In the event of a vacant parish, the Bishop shall take such action as the Bishop deems appropriate to supply said parish for appropriate services, and such supply expenses shall be borne by said parish.

Section 4. When a Parish becomes vacant, it shall be the duty of the Wardens thereof to give notice to the Bishop, or if there be no Bishop, to the President of the Standing Committee, forthwith.

Section 5. A Minister canonically resident in this Diocese, without a Parish, may not assume pastoral relations with, nor officiate for longer than one month in a Parish, unless and until he or she shall have obtained from the Bishop a written license authorizing the Minister so to do, and, if such license be refused, by and with the advice and consent of a majority of all the members of the Standing Committee, and if such Clergy shall nevertheless, without such license, officiate in such Parish, or attempt to assume such pastoral relations, the Clergy, by reason of such action on

his or her part, shall thereafter not be in regular standing in this Diocese until he or she shall have made satisfaction to the Bishop; and any subsequent Convention of this Diocese may dissolve its union with the offending Parish, provided the Standing Committee shall, at least thirty days prior to such Convention, have sent to the Vestry, or to one of the Wardens, of such Parish written notice that the action of the Parish will be reported to the Convention.

N.B. In the Preconvention Journal, “Section 5.” was omitted from the above paragraph.

PEP Argument Briefing Paper

Title: Episcopal Church Reference Restored
Applicable to: Canonical Change 10 (Canon XXVI)
Author: PEP Board of Directors
Date: 10/13/2009

Background

Canon XXVI provides for deputies to “a Provincial Synod,” wording adopted in 2007 to replace more specific wording for what is currently known as Province III, a regional grouping of Episcopal Church dioceses.

Argument

- The main purpose of the revision is to restore the reference to the Episcopal Church province of which Pittsburgh is a member, rather than to refer to whatever synod there might be should the diocese find itself in a different Anglican Communion province.
- Whereas the pre-2007 canon referred to the “Province of Washington,” the suggested revision refers to “Province III,” the current name of what used to be the “Province of Washington.” That the provincial name has changed should have been an alert that it might again change in the future. Better that Canon XXVI refer to the “province to which the Diocese is assigned by Episcopal Church canon” or some such.
- Canon XXVI would be more parallel with the proposed Article XII if the explanation of the time of election was similarly stated. The suggested revision says that deputies “shall be elected concurrently with Deputies to the General Convention at the Annual Diocesan Convention which is held within two years preceding the regular General Convention.” The proposed revision of Article XII says that deputies to the General Convention shall be elected at the annual convention “held not more than two nor less than one year before the regular General Convention.” Saying only that deputies are to be elected concurrently with the election of General Convention deputies would remove the apparent inconsistency.
- Section 2 is perhaps not well phrased. In part, it mirrors the clumsy wording proposed for Article XII, which here becomes “by resignation, removal from the Diocese, death or otherwise.” Better would be “by resignation, removal from the Diocese, death, or other contingency.”

Supporting Information

Resolution (from *Preconvention Journal 2009*, pp. C-18–19,
<http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

10. Canon XXVI, Of Deputies to the Provincial Synod, shall be restated in its entirety as follows:

Canon XXVI
Of Deputies to the Provincial Synod

Section 1. Deputies to the Synod of Province III shall be elected concurrently with Deputies to the General Convention at the Annual Diocesan Convention which is held within two years preceding the regular General Convention in the following manner: The member of the Clergy receiving the highest number of votes as a Deputy to the General Convention shall be declared the Clerical Deputy to the Provincial Synod, and the member of the Clergy receiving the next highest number of votes shall be declared the Supplemental Clerical Deputy. The two Lay persons receiving the two highest number of votes as Deputies to the General Convention shall be declared the Lay Deputies to the Provincial Synod, and the two Lay members receiving the next two highest number of votes shall be declared the Supplemental Lay Deputies, with priority of right in rotation according to plurality of the aggregate vote received by them respectively.

Section 2. The Deputies so selected shall serve a three-year term, beginning with their election. Should a vacancy occur by resignation, removal from the Diocese, death or otherwise among the Deputies or Supplemental Deputies between the stated times of election, it shall be filled by the Deputy in the respective order to the General Convention who received the next highest number of votes.

Section 3. It shall be the duty of the Deputies to make a report as a deputation to the Annual Diocesan Convention following each meeting of the Provincial Synod.

Rationale: Canon XXVI as currently worded does not make it sufficiently clear that the Provincial Synod to which we send representatives is the one prescribed by the Canons of The Episcopal Church. The canon was changed in anticipation of the attempt to withdraw the diocese from The Episcopal Church and is therefore generic in its terminology.

The current wording of Canon XXVI to be replaced is the following:

Canon XXVI
Of Deputies to the Provincial Synod

Section 1. Deputies to a Provincial Synod in which the diocese shall be a participating member shall be elected concurrently with Deputies to the General Convention at the Annual Diocesan Convention which is held within two years preceding the regular General Convention in the following manner: The member of the Clergy receiving the highest number of votes as a Deputy to the General Convention shall be declared the Clerical Deputy to said Provincial Synod, and the member of the Clergy receiving the next highest number of votes shall be declared the Supplemental Clerical Deputy. The two Lay persons receiving the two highest number of votes as Deputies to the General Convention shall be declared the Lay Deputies to said Provincial Synod, and the two Lay members receiving the next two highest number of votes shall be declared the Supplemental Lay Deputies, with priority of right in rotation according to plurality of the aggregate vote received by them respectively.

Section 2. The Deputies so selected shall serve a three-year term, beginning with their election. Should a vacancy occur by resignation, removal from the Diocese, death or otherwise among the Deputies or Supplemental Deputies between the stated times of election, it shall be filled by the Deputy in the respective order to the General Convention who received the next highest number of votes.

Section 3. It shall be the duty of the Deputies to make a report as a deputation to the Annual Diocesan Convention following each meeting of the Provincial Synod.

N.B. In the Preconvention Journal, “Section 3.” was omitted from the last paragraph.