

Minutes
of the
Standing Commission on Constitution and Canons

December 12-13, 2005

Doubletree Guest Suites Hotel, Phoenix, Arizona

SCCC Members present: Duncan A. Bayne, Chair; Mathew Livingood, Vice Chair; Rev. Stan Runnels, Rev. Gregory A. Jacobs, Rosalie Simmonds Ballentine, Rt. Rev. Stacy F. Sauls, Rev. Ward H. Simpson, Lawrence R. Hitt, II, Thomas A. Little

Guests: Ann Karoly, Gregory Straub

Day 1

1. Following opening prayers, Duncan Bayne gave opening remarks, reviewed the agenda and discussed the goals of the meeting. Tom Little was elected acting Secretary for the meeting.
2. Greg Jacobs lead a session on the Church's teaching on racism, including prayer, breakout groups, reflection and thanks.
3. Duncan Bayne lead the Commission through a detailed review of the most recent (early December 2005) draft of the Title III revisions being developed by the Standing Commission on Ministry Development (SCMD). Matt Livingood showed a PowerPoint presentation prepared by SCMD Chair Jim Kelsey, highlighting the goals, principles and main provisions of the draft.
 - Stan Runnels commented that the term "community of faith" appears in many places in the proposal, but is not defined in it or elsewhere in the Canons. The same is true of "discernment community," although this is used less frequently in the proposal and may have a more commonly understood meaning. In Stan's view, these terms need definition, likely in Title I. Tom Little observed that, at the very least, the terms should be understood to describe communities that exist and function under the authority of the Bishop and the Canons.
 - Gregory Straub noted that the plan at General Convention 2006 is for the Title III proposal to originate in the House of Bishops.
 - Ward Simpson asked why "doctrinal" is proposed to be stricken from Canons 6 and 7. Someone mentioned that there has been a concern that a Standing Committee is not qualified to make judgments about doctrinal issues. After a discussion, there was a consensus that removing "doctrinal" was not wise at this time since, among other reasons, someone needs to make that judgment in the formation and application stage, and since doctrine comes into play in Title IV.

- There was a consensus that the dissolution canon should remain a stand-alone Canon, and not be folded into the “life and work” Canons.
 - Canon 5.1(a) was discussed, and consensus was reached on a rewrite which Duncan will communicate to SCMD.
 - The Commission undertook a page-by-page review and editing of the proposal. The consensus results will be communicated by the Chair to SCMD. We noted that the new draft is a substantial improvement in terms of canonical form and style, and that the Commission’s comments are intended to make further improvements in this regard by identifying inconsistencies, gaps, typographical errors and such. We noted that much of the language that is in italics is brand-new, but much is relocated from other areas, and the proposal does not show where this has occurred – this is confusing.
 - Canons III.9.13-20 are now Canon 15. The Commission favors leaving these as a stand-alone Canon.
4. The Commission next addressed a proposal to amend Canon I.1.2 (n), to give the Commission express direction to oversee the ongoing revision of the Annotated Constitution and Canons (commonly known as White & Dykman). Matt and Tom collaborated on a draft, which the Commission adopted.
 5. It was pointed out that the draft Blue Book report incorrectly states that Resolution A 085 from the 74th General Convention (proposing to amend Article II, Section 2 of the Constitution) passed at First Reading. It did not, and was referred to this Commission.
 6. The Commission then took up a proposed received from the Convocation of American Churches in Europe, that would amend Canon I.15. A copy of the proposal was distributed and reviewed by the Commission. Larry Hitt noted that there appeared to be drafting issues, some gaps and some other problems, and advised that further study and analysis was in order. Gregory Straub observed that the proposal had been adopted without consulting with the Presiding Bishop, who is the Bishop of the churches in question; for that reason, and in order to involve the new Presiding Bishop in the discussion, he recommended not proceeding further at this time. By consensus, the Commission agreed to recommend that the proposal be studied by appropriate bodies (e.g., the Standing Commission on Structure) during the next triennium.
 7. The Commission discussed the pending proposal (from Bishop Sauls at the Seattle meetings) to amend the Canons to authorize the Commission to request that the General Convention issue clarifications of Constitutional provisions. After much discussion about the potential pitfalls and challenges of the proposal, Bishop Sauls withdrew it.
 8. We discussed Bill Fleener’s Canon III.1.2 “exercise of” amendment that would add protection outside the context of discernment. We agreed that this was a

- proposal that the Commission did not have authority to advance, but that Bill and others could do so as Deputies to General Convention.
9. Bishop Sauls reported on the recent meeting, in Chicago, of an ad hoc group of Bishops examining Church property disputes. He attended the meeting, reported that no specific action was taken, and that the work of the group might generate one or more proposals for action at the 75th General Convention.
 10. Tom Little led a discussion of his proposals for amending Constitution Articles X (Book of Common Prayer amendments) and XII (Constitution amendments). While there was consensus that the proposals were well drafted, there also was consensus that there was no compelling need to amend these Articles at this time. No action was taken.
 11. The day concluded with a review of Carl Gerdau's proposal to bifurcate the current Registrar of General Convention's office and thereby create a new office of Registrar of the House of Bishops. There was much discussion which led to a conclusion that there was no compelling reason given for the change, that the current team has worked well since the 1850s, and that the Standing Commission of Structure, and the new Presiding Bishop, should look at the proposal in the next triennium.

Day 2

12. After opening prayers, the Chair reported that he has received from Bill Fleener the detailed minutes of the Commissions June 2005 meetings in Seattle, and proceeded to distribute them. The members wished Bill well and thanked him in absentia for his work.
13. The Commission then took up Stan Runnels' proposal from the Orlando meeting (January 2005) to amend House of Deputies Rule of Order 14 to prohibit, absent a rules suspension, the consideration of amendments to the Constitution and Canons on the last legislative day. Stand extends the proposal to House of Bishops Rule of Order XIII. After discussion and some rewriting of the proposal, the Commission endorsed it.
14. Tom Little circulated his proposed revisions to the Canon III proposal, concerning III.7.4 (a) and III.12.7 (h), which were considered and agreed to. This prompted a discussion of the utility of the continued use of canonical residence in the Canons, and whether a licensure system would work better. The Commission agreed that the idea needs further study, and that General Convention should be requested to authorize the Commission to do so in the next triennium.
15. The Commission next took up a proposal to amend Article VIII of the Constitution to provide a different way to handle requests for temporary

officiating by clergy of Churches in full communion with The Episcopal Church. Following extended discussion and some rewriting, the proposal was adopted and will appear in the Commission Blue Book report.

16. Next, the Commission discussed whether to propose a change to House of Deputies Rule 67 to make it clear that computers may be used on the floor for note-taking. After discussion of the pros and cons of wi fi and other information technology innovations, the Commission decided to take no action on the idea.
17. The Commission then proceeded with a section-by-section review of the November 29, 2005 draft of the Title IV revision proposal of the Task Force on Disciplinary Policy and Procedure. This process took several hours of detailed review and analysis of text, language and context. Among the concerns expressed were the format of longish introductory sections prior to lettered subsections, and the incorporation of the laity into the Canon. Chair Bayne will deliver the Commission's consensus comments to the Task Force. Commission members expressed their personal views, pro and con, on the advisability of the proposal, but all agreed that the drafting was very thorough and complete.
18. Chair Bayne announced that he had just received a Memorandum from Commission member Henderson, regarding the various uses of "Faith," "Worship," and certain other capitalized terms used in the Constitution and Canons. The Chair will circulate the Memorandum after the meeting, as it is somewhat lengthy and there not being time available now to address it.
19. A question was raised regarding the term of the Commission office of Bishop Jenkins, i.e., whether his term ends in 2006 or in 2007. Ann Karoly offered to look into this and report back to the Commission.
20. The Commission then turned to a careful review of the Chair's Blue Book report draft. The members went through it and made a number of changes, additions, deletions and improvements, all of which will be reflected in the next draft to be circulated later in the month.
21. The Chair concluded the meeting with thanks all around for the good work of the Commission and for the good cheer with which the members undertook their work. The members replied with hearty thanks to the Chair for his leadership and equal good cheer. Bishop Sauls lead the members in giving thanks in the name of Jesus Christ.

Respectfully submitted,

Thomas A. Little
Acting Secretary