**RESOLUTION (#3) – Amend III.12 – Transfer of Bishops**

Submitted by the Diocese of Virginia

**GC Legislative #: C016** Amend Canon III.12 to Provide for the Transfer of Bishops to

 Churches in Communion

Presented to the Synod of Province III on May 6, 2024

If adopted by the Synod, to be forwarded to the Secretary of General Convention

*Resolved*, That the Synod of Province III, meeting in Martinsburg, West Virginia, on May 6, 2024, endorse the following resolution and hereby instructs the Secretary of Province III to forward this endorsement by no later than May 21, 2024, to the Secretary of General Convention.

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Amend Canon III.12 to Provide for the Transfer of Bishops to Churches in Communion

*Resolved*, ThatCanon Title III.12 is amended by adding a new Section 7 to read as follows:

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

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

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

**(Date) \_\_\_\_\_\_ (Signed) \_\_\_\_\_\_**

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

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

**(Date) \_\_\_\_\_\_ (Signed) \_\_\_\_\_\_**

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

(c) This provision shall not be used for Bishops who seek to enter Churches Not in Communion with this Church or for those who seek transfer to another member church or Province of the Anglican Communion while remaining geographically within the boundaries of the Episcopal Church. In such cases the provisions of Canon III.12.7 shall be followed.

Proposer: The Diocese of Virginia

Submitter: Secretary’s Office, The Diocese of Virginia

**Explanation** of proposed amendment to Canon III.12 to Provide for the Transfer of Bishops to Churches in Communion

Prior to 2012, the Episcopal Church generally provided for Bishops, Priests, and Deacons

transferring to other parts of the Anglican Communion the information requested by the

receiving dioceses. This situation changed when the General Convention adopted Resolution

2012-A030, which created the new category of “release and removal” for bishops, priests, and

deacons (Canons III.7.8, III.9.9, and III.12.7). After adoption, the chancellor for the Presiding

Bishop advised dioceses that clergy seeking transfer to other parts of the Anglican Communion

were to be released from the jurisdiction of the Episcopal Church without documentation of any

kind for the receiving jurisdiction. This was apparently done as a response to those Bishops of

The Episcopal Church who were issuing documentation to clergy seeking transfer to other

Provinces of the Anglican Communion, such as the Church of Nigeria, that announced that they

were no longer in communion with The Episcopal Church and were actively supporting the

formation of what would eventually become the Anglican Church in North America (ACNA).

The new “release and removal” approach meant, however, that there was no longer any way to

provide a testimonial to a receiving diocese that was in a province of the Anglican Communion

in communion with and supportive of The Episcopal Church.

The next General Convention adopted Resolution 2015-C033 from the Diocese of Virginia (also

endorsed by Province III), which provided for transferring priests to a “Church in Communion

with this Church.” It was based upon the procedure expected for transfer to The Episcopal

Church (Title III, Canon 10). This 2015 resolution added a new section 5 to Title III, Canon 9.

It included a provision that it was not to be used in those cases for which the “release and

removal” had been written—for “Churches Not in Communion with this Church or for those

seeking transfer to another Province of the Anglican Communion while remaining

geographically within the boundaries of the Episcopal Church.”

The 2015 provision has worked well but covers only the specific situation for which it was

drafted—the transfer of a priest. This current resolution has been drafted to ask General

Convention to make parallel provisions in the case of bishops.