

**DIOCESE OF SOUTH CAROLINA**  
**Convention Report**  
**of the Constitution And Canons Committee**  
**for the 229<sup>th</sup> Annual Convention**

The Committee on Constitution and Canons discussed the following proposals, with the eye of considering whether the present Constitution and Canons, as written, would serve us best in this time of diocesan life:

**I.     ARTICLE V, SECTION 4: (Canonically Resident Retired Clergy)**

The first item of consideration was whether or not Convention should revisit the time requirement for canonically resident, retired priests to be entitled to vote in Convention, and whether to expand their service eligibility requirements for voting. The current requirements are:

*“Each canonically resident priest who served a church, an institution of the Diocese, or on diocesan staff for at least five years immediately prior to retirement shall be entitled to all privileges as a member of Convention.”*

**DISCUSSION:**

*“Each canonically resident priest who served a church, an institution of the Diocese, on the diocesan staff, (adding, “or in any other capacity, cure, or position, volunteer or paid, at the direction of the Bishop”), for at least five (should the time period change?) years immediately prior to retirement shall be entitled to all privileges as a member of Convention.”*

**RECOMMENDATION:**

**The Committee discussed the possible amendments above, addressing prior service time period and expanding the types of service eligibility, and recommend not to make changes at this time of transition in the diocese.**

**II.    ARTICLE V, SECTION 5: (Canonically Resident Deacons)** The second item to consider is whether canonically resident deacons should be entitled to vote in Convention. The current requirement is:

*“Each canonically resident deacon of the Diocese shall be entitled to seat and voice as a member of Convention.”*

**DISCUSSION:**

- A. To maintain the current practice of the Diocese;**
- B. To allow all canonically resident Deacons, currently serving in a diocesan Parish, Mission, or Worshipping Community to have Seat, Voice, and Vote in Convention; or**

- C. **To allow canonically resident Transitional Deacons, currently serving in a diocesan Parish, Mission, or Worshipping Community to have Seat, Voice, and Vote in Convention.**

RECOMMENDATION:

**The Committee discussed the above options, and recommend that no changes to this constitutional section should occur at this time of transition in our diocese; however, that this issue should continue to be discussed on a diocesan-wide level.**

- III. The Committee discussed whether there is a need to make any specific constitutional and/or canonical changes relating to Returning Congregations with vestries and delegates that will be appointed by the Bishop, in order to determine if either document addresses delegate status in the upcoming Convention.

RECOMMENDATION:

**After discussion of this important issue, the Committee agreed that our current governing documents adequately address Convention rights of delegates from Returning Congregations, and that no new canonical or constitutional changes be proposed. (See Canon 5 and Article VIII of the Constitution below).**

**The Committee further recommends that the Resolution Committee draft a Resolution, that will welcome Returning Congregations with Seat and Voice in the upcoming Convention.**

- IV. There is a possible discrepancy between the Constitution of the Diocese and the Constitution of The Episcopal Church as to the type of clergy deputation that can be elected to General Convention. (See TEC's Constitution Article 1.4 and the Constitution of the Diocese, Article 10):

**The Episcopal Church Constitution: Article 1.4**

*Sec. 4. The Church in each Diocese which has been admitted to union with the General Convention, each area Mission established as provided by Article VI, and the Convocation of Episcopal Churches in Europe, shall be entitled to representation in the House of Deputies by not more than **four ordained persons, Presbyters or Deacons**, canonically resident in the Diocese and not more than four Lay Persons, confirmed adult communicants of this Church, in good standing in the Diocese but not necessarily domiciled in the Diocese; but the General Convention by Canon may reduce the representation to Election of Presiding Bishop. Term and tenure of Office. Succession. House of Deputies. Article I.2-4 Constitution 2 not fewer than two*

*Deputies in each order. Each Diocese, and the Convocation of Episcopal Churches in Europe, shall prescribe the manner in which its Deputies shall be chosen.*

**Constitution of the Diocese: Article 10**

*Section 1. At an Annual Convention during the triennium between General Conventions, but preceding each General Convention, **priests and laypersons**, in the appropriate number and having qualifications established by The Episcopal Church, shall be chosen by ballot to represent the Diocese at the next succeeding General Convention. No more than the requisite number of other priests and laypersons, having the same qualifications, shall be chosen by ballot, as alternates for those selected. Such representatives and alternates shall serve until their successors are elected and qualified.*

**RECOMMENDATION:**

**The Committee recommends that no changes are needed at this time, as the language in TEC Article 1.4 allows Presbyters or Deacons.**

- V. The diocesan Rules of Order, Rule 1 Sec. (5)(c) require 5-6 members of the Finance Committee, and over the years, a greater number has been used.

**DISCUSSION:**

**The Committee discussed whether to propose a larger number of members to be appointed to the Finance Committee or to reduce the actual number of members in order to be consistent with the Rule.**

**RECOMMENDATION:**

**The Committee recommends that this decision should be left to the Bishop, with input from the Treasurer and the Chair of the Finance Committee, to appoint at least the current number of members specified in the Rules, but a greater number if the Bishop feels that it is necessary or helpful to the diocese.**

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Report of the Constitution and Canons Committee

The Committee may receive suggestions for additional changes to the Constitution and/or the Canons during deanery meetings and/or during the meeting of the Committee that will be held before the start of Convention. The Committee will address any such issues prior to Convention. Any matters that come before the Committee at that time will be considered. If the Committee deems it appropriate, a revised report may be presented to the Convention.

Respectfully submitted by:

Melinda Lucka Kelley  
Committee Chair

Adopted by Convention on \_\_\_\_\_, 2019

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Secretary of the Convention

## SECTIONS OF DIOCESAN CONSTITUTION AND CANONS RELATED TO ITEM III:

Canon 5, Section 3, (below), requires any parish or mission that is declared dormant, and dissolved by the Bishop, with the consent of the Standing Committee, to be re-admitted to the diocese via Article VIII of the Constitution (below). Dormant parishes are defined in Canon 5 Section 2, (below), as those parishes or missions that have not elected a vestry, sent delegates to Convention, filed annual reports, or made financial contributions to the diocese for three successive years. Further, Canon 5 Section 4 (below) gives the Bishop the authority *not* to dissolve dormant parishes or missions, and instead, to appoint priests-in-charge of the dormant parishes or missions. This Committee will discuss the above Canon sections and propose a recommendation to Convention.

### CANON 5: Dormant Parishes and Missions

*Section 2. If any parish or mission shall have failed for three successive years to elect a vestry (if a parish), or to send a delegate to the Convention (if in union with the Convention), or to make the reports required by Title 1, Canon 6, Section I of the General Convention, or to make a financial contribution to the program of the Diocese, such parish or mission shall be considered dormant, and may be dissolved by the Bishop with the consent of the Standing Committee of the Diocese.*

*Section 3. Dormant parishes or missions may not again be in union with the Convention, except under the provisions of Article VIII of the Constitution.*

*Section 4. It shall be the duty of the ecclesiastical authority to adopt measures necessary to preserve the property of such parishes or missions as may be dormant or virtually extinct. If a dormant parish is not dissolved pursuant to Section 2 of this Article, the ecclesiastical authority may appoint a priest-in-charge for such parish if it be without a priest, which priest may be withdrawn at any time.*

ARTICLE VIII of the Constitution: Admitting Parishes and Missions Into Union with the Convention (if dissolved by the Bishop, w/consent of Standing Committee, per Canon 5.2)

*Section 1. Parishes and/or missions, which have been organized as provided by the canons of both The Episcopal Church in South Carolina and The Episcopal Church for not less than one year, may apply for and be admitted into union with the Convention by vote of the Convention, provided that the requirements hereinafter set forth in the canons have been met.*

**Section 2. At the annual Convention next succeeding the receipt of application for admission to union with the Convention, the Secretary shall communicate the same to the Convention on the first day of its session. After reference to both the Committee on Admission of New Parishes and the Committee on Constitution and Canons, the application shall be acted upon by the Convention.**

**Section 3. A parish or mission shall be accorded full privileges of membership in the Convention when it is admitted into union with the Convention, including the right of a voice and vote in the proceedings.**