



**Synod of the Diocese of the Central States
of the Reformed Episcopal Church
20 October 2022**

REPORT OF THE CONSTITUTION AND CANONS COMMITTEE

Organization:

The Constitution and Canons Committee is a body that serves by appointment of the Bishop Ordinary and is tasked with studying issues related to the Constitution and Canons of the Diocese and, when needed, drafting proposals for amendment of that document by the diocesan Synod.

The current Committee comprises:

The Rev. Canon Scott Houser
The Rev. Dr. Paul Edgerton, Chair
The Rev. Bart Gingerich

Recommendations:

1. CANON CONCERNING THE RETIREMENT OF MINISTERS

The Canons of the national church include the requirement that a minister retire at age seventy-five and the provision for his continued service beyond that age with the consent of the Vestry, if he be a rector, or the Standing Committee, if he be a bishop, or the General Committee, should he be a Presiding Bishop. Canon 19, Section 5 (a) and (b) read as follows:

Section 5 (a) There shall be no mandatory age for the retirement of a Bishop, Presbyter, or Deacon in this Church, provided however that upon the attainment of his seventy-fifth birthday, a Minister may continue to hold canonical office only with the consent of a majority of his Vestry, or if he be a Bishop, of the Standing Committee, or if he be the Presiding Bishop, of the General Committee as provided in Section 5(b). Any Bishop of this Church who has not attained the age of seventy-five years of age shall be eligible to be elected to the office of Presiding Bishop and shall remain in office until the completion of his term regardless of his age unless removed under the terms of the Canons.

(b) Upon attaining the age of seventy-five years of age a Minister shall be considered to have tendered his resignation each year on the anniversary of his birth, and such shall be deemed to have been accepted unless affirmatively rejected by a majority of the Vestry, Standing Committee, or General Committee to which the resignation must be offered. If by reason of infirmity or illness the Presiding Bishop is unable to execute the duties of his office, he may be temporarily removed from said duties by a two-thirds vote of the members of the General Committee upon certification by three reputable physicians who have examined the case, concurring that he is incapable of performing said duties. In such case the Vice President of the General Council shall assume the duties of the Presiding Bishop until, by a two-thirds vote of the General Committee, the Presiding Bishop is restored to his duties or until a new Presiding Bishop shall be elected at the next General Council.

After this canon was revised at the national level, we never changed our diocesan canon to match. Having discussed the matter with the Bishop Ordinary, we recommend that our diocesan guidance in Canons I and II concerning the age of retirement, which was redundant of the national canon and has for some time stood in conflict with it, be stricken as indicated below:

CANON I – *The Clergy*

Section 1. Annually before the meeting of the Synod of the Diocese of the Central States, the Bishop, or if there be none, the Standing Committee, shall prepare or cause to be prepared, a Roll of the Clergy of the Diocese of the Central States, with names of their respective charges, together with their places of residence; and also, with particulars of time and place, the names of all ministers who have been ordained or received from other churches or have resigned, died, have been removed from the Clergy Roll, or may have been subject to discipline. Such Clergy Roll shall be laid before the Synod immediately after it shall have been called to order and the names of the clerical members called therefrom. This Clergy Roll shall be published in the Journal and the Secretary of the Diocese of the Central States shall send a copy of the same to the Secretary of the General Council.

Section 2. It shall be the duty of every minister in the Diocese of the Central States, except he be retired because of age or disability, who is not in charge of a Parish or otherwise engaged in the service of the Diocese of the Central States, to report, in writing, within thirty days immediately preceding the convening of the annual Synod of the Diocese of the Central States, to the Bishop, or if he is not in office, to the Standing Committee, stating his address and occupation. The notation of the receipt of such reports shall be appended to the Clergy Roll.

Any minister failing so to report for two or more successive meetings of the Synod of the Diocese of the Central States shall be dropped from the Clergy Roll, in which event he may be restored by reporting for two successive years to the Bishop (or to the Standing Committee of the Diocese of the Central States). Such reporting must include a satisfactory explanation for his previous failure to report. A call to an active pastorate will negate the need for the disciplinary action to be carried out.

Section 3.

(A) A Presbyter in charge of a Parish shall be designated the Rector, or Pastor, thereof.

(B) A Deacon in charge of a Parish shall be designated the Minister-in-Charge thereof.

(C) A Presbyter or Deacon in charge of a Mission Parish by appointment of the Bishop and Standing Committee of the Diocese of the Central States shall be designated the Vicar thereof.

(D) A Lay Reader may be licensed by the Bishop Ordinary to conduct Divine Worship in a Parish or Mission without pastoral care (Reformed Episcopal Church, Constitution and Canons, Canon 24, Section 1 (a)), but such licensing may only be provided to those who are Communicants of this church and meet the requirements for a Deacon as noted in I Timothy 3:8- 13.

~~**Section 4.** The mandatory age for retirement of Presbyters from active service on the employed staff of the Diocese of the Central States, or in a Parish or Mission Parish, shall be seventy (70) years of age, which period of service can be extended annually for a maximum of five more years by consent of the Standing Committee and the relevant employing Board where staff membership is concerned, or of the Bishop Ordinary and Standing Committee alone where the Minister of a Mission Parish is concerned.~~

CANON II – *Bishops*

Section 1. The Bishop Ordinary shall hold office subject to the Constitution, Canons, and Discipline of the Reformed Episcopal Church. ~~The usual age for retirement of a Bishop shall be seventy two (72) years of age, provided, however, that a Bishop may continue to hold Canonical office with the consent of a majority of the Standing Committee.~~

Section 2. At least thirty (30) days before the Synod at which a Bishop is to be elected, notice in writing of

such election shall be sent by the Secretary of the Standing Committee to every clergyman and vestry in the Diocese. A majority of the parishes must be represented at a Synod in which a Bishop is to be elected. The vote shall be by orders and a majority of those present of both orders shall be necessary for election.

Section 3. The Bishop Ordinary shall preside at all meetings of the Synod and may deliver his sentiments on any subject after it has been discussed and before a vote thereon. In case of a tie, he may cast the deciding vote. The Bishop Ordinary shall also preside at all meetings of the Board of Trustees and Standing Committee.

Reminder: These amendments would be effected immediately upon either a unanimous vote of this Synod or upon the second two-thirds majority vote of two consecutive Synods.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Paul C. Edgerton".

The Rev. Dr. Paul C. Edgerton