

WTN 2024-2: STREAMLINING DIOCESAN GOVERNANCE RESOLUTION STUDY REPORT

OUTCOME OF THE STUDY AND RECOMMENDATIONS

Resolution WTN 2024-2: “Streamlining Diocesan Governance” from the 43rd Convention of The Episcopal Diocese of West Tennessee (EDWTN) directed the Committee on Constitution & Canons (CCC) “to consult with other chancellors and bishops in other dioceses of The Episcopal Church on the advisability and practicality of combining the Standing Committee and Bishop & Council into a single body,” and “that the Standing Committee and Bishop & Council engage in joint conversations with the Committee on Constitution and Canons regarding” the same.

After completing its consultations, conversations, and study, the CCC does not recommend combining the two bodies.

The CCC does recommend, however, that:

- The recently instituted practice of inviting the SC President or another appointed representative of the SC to B&C meetings for informational and communication purposes continue.
- B&C and SC consider an annual gathering of both bodies for informational purposes, community building, and prayer.

CONTEXT

The Constitution and Canons (C&C) of The Episcopal Church (TEC) mandate that each diocese must have a Standing Committee (SC). Article IV specifies that, “The rights and duties of the Standing Committee, except as provided in the Constitution and Canons of the General Convention, may be prescribed by the Canons of the respective Dioceses.” Since the denominational canons *do not provide for a diocesan council*, all but approximately 5% of the 106 dioceses of TEC use the leeway in the C&C to delegate certain duties to the diocesan bishop and a diocesan council through their respective diocesan canons. In The Episcopal Diocese of West Tennessee (EDWTN), Canon 9 establishes Bishop & Council (B&C) which “shall have and exercise all powers of the Convention between meetings of the Convention.”

By virtue of the denominational canons, any “combining” of the two bodies of the EDWTN would not be a combining at all but rather would mean *eliminating* B&C and *reassigning* all of their duties to the SC.

Summary of the Role & Responsibilities of Bishop & Council

- Duties outlined in EDWTN Constitution & Canons only.
- Bishop presides as the officer responsible for the executive and administrative functions of the Diocese.
- Elected by Diocesan Convention.

- Of the 8 members, half of the members are clerical, half are lay, each serving 4-year terms.
- Canon 9.11.a. B&C acts as the Board of Directors under TN nonprofit corporation law, therefore both Tennessee law and the EDWTN Canons apply.
- Canon 1.1 The Convention is the legislative body of the Diocese and shall exercise all powers not reserved to the Bishop under these Canons or the Canons of The Episcopal Church or reserved to any other entity of the Diocese pursuant to the Canons.
- Canon 9.2 The Council shall have and exercise all powers of the Convention between meetings of the Convention, provided it may not
 - (a) elect a Bishop,
 - (b) amend the Constitution or Canons, or
 - (c) take any action contrary to actions taken by the Convention or these Canons

Responsibilities:

- Financial oversight including:
 - Preparation of the annual Diocesan budget
 - Overseeing administration and disbursement of funds of the Diocese consistent with the budget
 - Power to amend the budget between conventions
 - Fixing of Diocesan employee salaries and clergy minimum compensation
 - Setting congregational assessments
- Has charge and oversight of the development and implementation of the policies and programs of The Episcopal Church by the Diocese.
- Has the power and authority to organize, implement, and carry out the policies and programs of the Convention.
- Provides for the organization of the work of the Diocese through the creation of Diocesan Committees:
 - Designate titles
 - Define structure, duties, and responsibilities
 - Provide for expenses
- Approval of the purchase, sale, or encumbrance of any property held by a congregation or the Diocese.

Summary of the Role & Responsibilities of Standing Committee

- Duties outlined in both TEC and Diocesan Canons, as well as EDWTN Articles of Incorporation.
- Standing Committee President (elected from within the SC) presides.
- Elected by Diocesan Convention.
- Of the 6 members, half are clerical, half are lay, each serving 3-year terms.
- Functions as the Ecclesiastical Authority in the absence of the Bishop and has the ability to organize and call convention in the absence of the Bishop.

Responsibilities:

- Serves as Bishop's council of advice.
- Requested to give consent for all bishops elected in The Episcopal Church.
- In consultation with the Bishop and the Commission on Ministry, formally designates persons as candidates for ordination.
- Gives the Bishop counsel and consent on the purchase, sale, or encumbrance of property held by a congregation or the Diocese (NOTE: In EDWTN, per Canon 15.3.c., the Standing Committee only consents to the purchase, sale, or encumbrance of spaces used for Divine Worship, but not all congregational property. B&C approves all purchases, sales, or encumbrances. **This is the only area of overlapping duties between the two bodies**).
- Gives the Bishop counsel and consent as to any judicial sentence given to a clergy person or concurs in allowing a clergy person to cease functioning as a member of the clergy.
- Investigates and reports to the Bishop on the charge that a deacon or priest has abandoned the doctrine, discipline, and worship of The Episcopal Church.
- Receives the Bishop's resignation.
- Holds oversight and responsibility for the process of electing a new Bishop (EDWTN Canon 2).

In summary, both bodies have distinct and essential roles and responsibilities. The only overlapping area of responsibility arises in the case of the purchase, sale, or encumbrance of spaces used for Divine Worship, but not other congregational spaces. The only individuals who attend meetings of both bodies are the Bishop, the Canon to the Ordinary, and the SC President (or another SC rep) if she chooses to attend.

THE STUDY

Overview

The CCC met as a full committee twice over the course of last 12 months to review and discuss the consultations and conversations detailed below.

Core Values

During the CCC study, an important point was raised: "Values should always inform structure." Expediency and efficiency as named in the purpose statement of the "Streamlining Diocesan Governance" resolution can be good operational priorities or performance criteria, but they are not values that cultivate meaning.

What are our core values as a diocese regarding structure? Our discussions included:

- The importance of mutual ministry between the Bishop, clergy, and laity.
- Allowing our structure to empower the Bishop to lead on equal footing with an equal voice.

- Equipping people for ministry and including more people from around the EDWTN in the work of the Diocese, not fewer.
- Segregation of duties and authority to safeguard checks and balances. This is reflective of the polity of the Episcopal tradition.

Consultations

The Rev. Canon Rob Courtney, Canon to the Ordinary, and The Hon. Scott Haight, Vice Chancellor, reached out to bishops, canons, and chancellors in other dioceses to consult with them about the advisability and practicality of eliminating B&C.

- They connected with representatives of 28 other dioceses.
- They discovered only 5 dioceses across the 106 dioceses of The Episcopal Church that do not utilize a diocesan council.
- One diocese uses a “hybrid” model where members of the Standing Committee also serve on diocesan council, yet there are still two bodies.

While those dioceses that have only one body seem to be comfortable with their setup, there were overall more questions and concerns raised by the discussions. Here is a sampling:

- One diocese has used a single-body structure since its inception. It was noted that their Bishop and Standing Committee President get along well. In such a setup that is the best-case scenario, since healthy functioning would seem to be dependent on that single relationship. What happens in the case of a strained relationship?
- One Bishop, when elected to a diocese with a single-body structure, thought it might make sense to separate out the Standing Committee, but eventually agreed that in operation, the structure functioned efficiently, so decided to wait.
- One person involved in helping to implement a single-body structure in a diocese noted that the structure was harder to implement than could have been predicted, and the structure “cut the Bishop off at the knees and gave him less authority in the system than a rector has in a parish.”
- Another with a combined structure has an “Executive Committee” that the bishop chairs and which functions like a Diocesan Council and meets prior to Standing Committee meetings. Whatever decisions that body makes must then be approved by the SC at the meeting that follows. In practice, this still ends up being two bodies with only one that has a vote, not including the bishop.

Other notable quotations:

- From a Canon: “When the body responsible to be advice and counsel to the bishop (which the Standing Committee is) also acts as the interim legislative authority of convention, there are virtually no checks and balances.”
- From a Chancellor: “We have not considered merging the two at least in part because they basically have a full workload and the skill sets are somewhat different.”
- From a Chancellor: “They each have plenty to do, and their responsibilities are distinct.”

- From a Canon: “Such a structure is outside of our current polity. TEC itself has an Executive Council which emphasizes the importance of the segregation of duties. Even vestries of parishes need approval for certain things from the bishop and Standing Committee.”
- From a Chancellor: “The SC is, by canon, the Council of Advice to the bishop. That means in part that there are things discussed there that should probably not be discussed with others. There are also canonical responsibilities that should remain (in my opinion) solely with the SC. For example, property encumbrances, ordinations, consent to episcopal elections or serving as ecclesiastical authority in the absence of the bishop.”
- From a Chancellor: “Given the different roles, I don’t expect we would combine them. There would be too much power in one body if they were combined.”

Conversations with B&C and SC

The chair of CCC held discussions with B&C and SC to hear their thoughts. The time provided both bodies a good opportunity to:

- Clarify roles and responsibilities
- Affirm the importance of good communication between the two bodies
- Ask questions

At the conclusion of those discussions neither body expressed a felt need to make such a drastic change. While communication and other operational priorities can always be improved, there is only one small area of overlap in decision-making between the two bodies (i.e., approval of the purchase, sale, or encumbrance of spaces used for Diving Worship). Additionally, those three individuals who attend both meetings have no issues with doing so.

CONCLUSIONS

While a unified structure may work in a small number of diocesan systems across TEC, the Committee on Constitution & Canons does not recommend eliminating Bishop & Council and reassigning their duties to the Standing Committee in the EDWTN. Because:

- We value:
 - Mutual ministry
 - Equipping the baptized
 - Segregation of duties
 - Checks and balances
 - Full empowerment of the Bishop
- Our current structure allows us to live out these core values.
- There is not a strong felt need to make such a change even when considering operational priorities.

Sincerely,

The Rev. Christian Senyoni, Chair, Committee on Constitution & Canons