

TO: Clergy, Convention Delegates and
Diocesan Leadership

FROM: Leon A. Brathwaite II, Secretary of Convention

DATE: November 16, 2010

RE: Summary of Actions by the 225th Diocesan Convention



I am writing to inform you of actions taken by the 225th Annual Convention of the Diocese of Massachusetts, which took place on November 6, 2010 at St. Stephen's Church, Lynn, Massachusetts. The day began with the Liturgy of the Word and a meditation given by Bishop Shaw. He reflected on answering God's urgent call together, telling those present that "we write God's Gospel with our lives. Our lives are like the Gospel of Matthew. They proclaim the love of God in a world that is so easily drawn into despair and hopelessness. There is, as Matthew felt it, not a moment to waste. The call of God is just as urgent today as it was then. So in this convention, in this year that God has given us to minister, let us answer God's urgent call together. Let's do it from that place of beauty, from the expansiveness of God that we all know about, and go to those places of deepest need, that we know that we'll be transformed as well. Let us be taken by the urgency. And let us do it together."

During the business session, delegates and clergy heard reports from Bishops Suffragan Bud Cederholm and Gayle E. Harris as well as the Slavery and Reconciliation Task Force, Life Together: The Diocese of Massachusetts Intern Program and the Barbara C. Harris Camp & Conference Center.

Following are some highlights of the event. All Convention actions can be found in the Diocesan Convention section of our Web site, www.diomass.org.

Convention Election Results:

Clerical Deputies to General Convention (listed in the order of election):

The Rev. Jane Soyster Gould, St. Stephen's Church, Lynn
The Rev. Mally Ewing Lloyd, Canon to the Ordinary
The Rev. Karen Brown Montagno, St. Cyprian's Church, Roxbury
The Rev. Patrick Gray, Christ Church, South Hamilton

Lay Deputies to General Convention (listed in the order of election):

The Hon. Byron Rushing, St. John St. James Church, Roxbury
Dr. Fredrica Harris Thompsett, St. Barnabas's Church, Falmouth
Mr. Samuel Gould, St. Stephen's Memorial Church, Lynn
Ms. Betsy Madsen, Church of the Advent, Boston

Uncontested Elections:

Clerical Member of Standing Committee:

The Rev. Mark McKone-Sweet, St. Dunstan's Church, Dover

Lay Member of Standing Committee:

James Gray Wagner, Esq., Parish of the Epiphany, Winchester

Clerical Members of the Diocesan Disciplinary Board:

The Rev. Kathryn Piccard, Church of St. John the Evangelist, Boston (one-year term)
The Rev. Michael Hodges, St. Paul's Church, Dedham (two-year term)

The Rev. Kathleen Lonergan, Trinity Church, Newton Centre (two-year term)
The Rev. Andrew Stoessel, St. Michael's Church, Marblehead (three-year term)
The Rev. Christine Whittaker, St. Michael's Church, Holliston (three-year term)

Lay Members of the Diocesan Disciplinary Board:

Ms. Lois Murphey, Society of St. John the Evangelist, Cambridge (two-year term)
Mr. Peter Trenouth, Christ Church, Plymouth (two-year term)
Mr. Charles Curti, St. John's Church, Gloucester (three-year term)
Dr. Robert Parke, St. David's Church, South Yarmouth (three-year term)

Clerical Member of Cathedral Chapter:

The Rev. Addison C. Hall, St. Andrew's Church, Wellesley

Lay Member of Cathedral Chapter:

Mr. Dennis Pang, Cathedral Church of St. Paul—Chinese Congregation, Boston

Board of Directors of the Barbara C. Harris Center:

The Rev. Alan Hesse, Church of the Epiphany, Walpole
The Rev. Mary Scott Wagner, Church of the Good Shepherd, Reading

Member of Trustees of Donations:

Ms. Lauriann C. Kloppenburg, St. Anne's-in-the-Fields Church, Lincoln

Treasurer of the Diocese:

Mr. James F. Gammill, Parish of the Epiphany, Winchester

Secretary of the Diocese:

Mr. Leon A. Brathwaite II, Church of the Good Shepherd, Waban

2011 Diocesan Budget: The convention approved a balanced budget of nearly \$6.3 million for 2011, which is close to 20 percent less than the 2008 budget and about 9.5 percent less than the 2009 budget. Despite the fact that income and spending are reduced, this budget focuses its support so that the overall ministry of the congregations and strategic ministries can continue to thrive. To view the 2011 Summary Budget, visit www.diomass.org.

Compensation and Benefits Committee Resolutions: Resolutions concerning guidelines for minimum clergy compensation were established, following recommendations of the Compensation and Benefits Committee. The text of these resolutions is at the end of this memorandum. For a copy of the complete Clergy Compensation and Benefits Committee report contact Ms. Lynn Clark, Director of Human Resources 617-482-4826, extension 578; email: lclark@diomass.org.

RESOLUTIONS:

**Final versions as voted by the 225th Diocesan Convention, Nov. 6, 2010,
St. Stephen's Church, Lynn**

Repeal of Canons 19 and 20 and adoption of new Canon 19—Ecclesiastical Discipline

Resolved, That Canons 19 and 20 of the Canons of the Episcopal Diocese of Massachusetts be repealed as of July 1, 2011 except with respect to matters then pending before the Diocesan Review Committee or Ecclesiastical Trial Court as specified in Title IV, Canon 20 of the Canons of the General Convention, and that as to those matters, Canons 19 and 20 remain in effect until the final disposition of all such matters, whereupon Canons 19 and 20 will be repealed and the terms of office of the members of the Diocesan Review Committee and the Ecclesiastical Trial Court shall terminate; and

Further Resolved, That the initial members of Disciplinary Board shall be elected at the Diocesan Convention which adopts this Canon in the following manner: two members from the clerical order and two members from the lay order shall serve for three-year terms; two members from the clerical order and two members from the lay order shall serve for two-year terms; and one member from the clerical order

shall serve for a one-year term. Initial members whose terms expire shall be eligible to succeed themselves; Members of the Disciplinary Board may serve no more than two consecutive three-year terms; and

Further Resolved, that a new Canon 19 be adopted - Ecclesiastical Discipline, to read as follows:

CANON 19 -- ECCLESIASTICAL DISCIPLINE

Section 1. Intent and Interpretation.

1.01 Relation To Canons of General Convention. This Canon adopts policies, procedures and structures to implement in The Diocese of Massachusetts (the “Diocese”) provisions for discipline set forth in Title IV of the Canons of General Convention (“Church Canons”) for priests and deacons who, by their vows at ordination, have accepted both responsibility under and accountability for the doctrine, discipline and worship of The Episcopal Church (the “Church”). In the event any provision of this Canon is in conflict with or inconsistent with Title IV of Church Canons, the provisions of Title IV shall prevail.

1.02 Definitions. The capitalized terms herein shall have the meanings attributed to them in Canon IV.2 of Church Canons unless otherwise defined herein. All references herein to the Bishop shall mean the Bishop Diocesan, or a Bishop Suffragan if specific jurisdiction for matters contemplated by Title IV of Church Canons has been assigned to that Bishop Suffragan.

Section 2. Discipline Structure

2.01 Disciplinary Board. A court to be known as the Disciplinary Board (“Disciplinary Board”) is hereby created for the Diocese of Massachusetts, with a membership as set forth below.

- a. The Disciplinary Board shall consist of nine members, five of whom are priests or deacons and four of whom are Laity.
- b. The Clergy members of the Disciplinary Board shall be priests or deacons who are canonically resident within the Diocese.
- c. The lay members of the Disciplinary Board shall be adult Communicants of this church, in good standing in this Diocese but not necessarily domiciled in the Diocese.
- d. No person acting as Chancellor or Vice Chancellor of the Diocese (and no person associated with a law firm of the Chancellor or Vice Chancellor) shall serve as a member of the Disciplinary Board or as Church Attorney. A member of the Standing Committee is not, by virtue of such position, prohibited from serving on the Disciplinary Board.
- e. Members of the Disciplinary Board may be removed by the Bishop, with the advice and consent of the Standing Committee, whenever in the judgment of the Bishop the best interests of the Diocese would be served thereby.
- f. The members of the Disciplinary Board shall be elected by the Diocesan Convention. Each member shall be elected for a three-year term; except, if a member is elected to fill a vacancy, the term of such member shall be the unexpired term of the member being replaced. The term of the member shall commence on election. The terms of office of the Disciplinary Board shall be staggered so that one-third of the members is elected each year. Members of the Disciplinary Board may serve no more than two consecutive, full three-year terms.
- g. Vacancies on the Disciplinary Board shall be filled as follows:
 - i. Upon the determination that a vacancy exists, the President of the Disciplinary Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.
 - ii. The Bishop shall appoint a replacement Disciplinary Board member with the advice and consent of the Standing Committee from the same order as the former member.

- iii. Persons appointed to fill vacancies on the Disciplinary Board shall meet the same eligibility requirements as apply to elected Disciplinary Board members.
- iv. With respect to a vacancy created by any reason other than pursuant to a challenge as provided below, the term of any person selected as a replacement Disciplinary Board member shall be until the next annual Convention. With respect to a vacancy resulting from a challenge, the replacement Disciplinary Board member shall serve only for the proceedings for which the elected Disciplinary Board member is not serving as a result of the challenge.

h. The term of office of any member of a Hearing Panel whose original term expires after a matter has been referred to that Panel shall be extended until forty days after the entry of an Order by that Panel.

2.02 Preserving Impartiality. In any proceeding under Title IV, if any member of a Conference Panel or Hearing Panel of the Disciplinary Board shall become aware of a conflict of interest or undue bias, that member shall immediately notify the President of the Disciplinary Board and request a replacement member of the Panel. Respondent, Complainant, and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subjects of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that proceeding. If the member is excused, the President shall appoint another member of the Disciplinary Board to the panel to fill the vacancy created by the challenge, in a manner consistent with Canon IV.6.7 of the Church Canons.

2.03 President. The President of the Disciplinary Board shall be elected annually by the Disciplinary Board, subject to the approval of the Standing Committee.

2.04 Intake Officer. One or more Intake Officers shall be appointed from time to time by the Bishop after consultation with the Disciplinary Board. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the Diocese.

2.05 Investigator. As circumstances may require, the Bishop shall appoint an Investigator in consultation with the Disciplinary Board President and the Intake Officer. The Investigator may but need not be a Member of the Church. The Bishop may terminate the term of the Investigator with the advice and consent of the Standing Committee. The Diocese may compensate an Investigator for services rendered at the rate described in a written retainer agreement. Whether or not an Investigator is compensated, the Diocese shall reimburse an Investigator for reasonable and necessary expenses, subject to budgetary constraints as may be established by the Diocesan Council, incurred in a proceeding under this Canon.

2.06 Church Attorney. The Bishop in consultation with the Standing Committee shall appoint one or more Church Attorneys. The person so selected must be a member in good standing of the Bar of the Commonwealth of Massachusetts. The Bishop may remove the Church Attorney with the advice and consent of the Standing Committee at any time. The Diocese may compensate a Church Attorney for services rendered at a rate described in a written retainer agreement and, whether or not the Church Attorney is compensated, shall reimburse the Church Attorney for reasonable and necessary expenses, subject to budgetary constraints as may be established by the Diocesan Council, incurred in a proceeding under this Canon.

2.07 Investigations. Investigations shall be conducted only to a reasonable and necessary extent.

2.08 Pastoral Response Coordinator. The Bishop may appoint a Pastoral Response Coordinator, to serve at the will of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Title IV.8 of the Church Canons and this Title. The Pastoral Response

Coordinator may be the Intake Officer, but shall not be a person serving in any other appointed or elected capacity under this Title.

2.09 Advisors. In each proceeding under Title IV, the Bishop shall appoint an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Title, and shall not include Chancellors or Vice Chancellors of this Diocese or any person likely to be called as a witness in the proceeding.

2.10 Accord. No less than thirty days prior to the issuance of an Accord, the initiating body or party shall notify the Bishop of the intent to issue an Accord and shall confer with the Bishop concerning the proposed terms of the Accord.

2.11 Order. The opportunity of the Bishop and Complainant to be heard on the proposed terms of an Order by a Conference or a Hearing Panel in accordance with Canon IV.14.7 of the Church Canons shall occur no less than thirty days prior to the issuance of the Order.

2.12 Agreements. In accordance with Canon IV.5.3(i) of Church Canons, the Diocese may enter into agreements with one or more other dioceses for the sharing of resources in connection with discipline under Title IV and this Canon.

Section 3. Expenses

3.01 Expenses Generally. Unless expressly provided otherwise in this Canon 19, all costs, expenses and fees incurred under Title IV of Church Canons and this Canon 19 shall be the obligation of the person incurring them.

3.02 Costs Incurred by the Church. The reasonable costs and expenses of the Disciplinary Board, the Intake Officer, the Investigator, the Church Attorney, the Advisors and the Pastoral Response Coordinator shall be the obligation of the Diocese, subject to budgetary constraints as may be established by Diocesan Council.

3.03 Other Fees and Expenses. In the sole discretion of the Bishop and with the consent of the Standing Committee, the Bishop may recommend to the Diocesan Council the payment by the Diocese of certain reasonable fees and expenses incurred by a Respondent, subject to budgetary constraints as may be established by Diocesan Council.

Section 4. Records

4.01 Records of Proceedings. Records of active proceedings before the Disciplinary Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Clerk, if there be one, otherwise by the Intake Officer.

4.02 Permanent Records. The Bishop shall make provision for the permanent storage of records of all proceedings under this Title at the Archives of the Diocese and the Archives of the Episcopal Church, as prescribed in Title IV of the Church Canons.

Section 5 Privileged Communications

The evidentiary law of the Commonwealth of Massachusetts with respect to privilege and disqualification shall control.

Resolutions on Clergy Compensation and Benefits

Resolved, That the diocesan Total Clergy Compensation (TCC) be defined as the total of cash stipend, utilities allowance, housing, SECA (Self Employment Contribution Act) allowance, if any, and all other cash compensation paid to an individual clergyperson. TCC does not include benefits (e.g. pension, health or dental insurance, etc.) or reimbursements for job-related expenses as described in the 2011 Guidelines.

Resolved, That the TCC Standard be defined as the minimum TCC for active full-time parochial clergy and, for the calendar year 2011, is determined by the following formula:

$$\text{TCC Standard} = \$57,758 + (118.73 \times \text{Points}) + \$500 \times [\text{years of service}^* \text{ within congregation}]$$

Provided that the minimum TCC Standard for full-time parochial clergy is \$61,320.

Points are determined as the sum of three factors, calculated from data taken from the most recent Parochial Report:

Total Current Operating Revenues (000s)	x .30
+ Number of Current Adult Pledging Units	x .40
+ <u>Average Current Sunday-Attendance</u>	x .30
= Total Points	

The TCC applicable to a full-time rector, vicar, priest-in-charge or interim shall not be less than 100% of the TCC Standard for the congregation.

The TCC applicable to a full-time curate shall not be less than:

$$\text{TCC Standard (curate)} = [\$57,758 + (118.73 \times \text{Points})] \times 0.65$$

The TCC applicable to a full-time assistant rector shall not be less than:

$$\begin{aligned} \text{TCC Standard (assistant)} &= [\$57,758 + (118.73 \times \text{Points})] \times 0.70 \\ &+ \$350 \times [\text{years of service within the congregation}] \end{aligned}$$

The TCC applicable to a full-time associate rector shall not be less than:

$$\begin{aligned} \text{TCC Standard (associate)} &= [\$57,758 + (118.73 \times \text{Points})] \times 0.75 \\ &+ \$375 \times [\text{years of service within the congregation}] \end{aligned}$$

*Provided that in each case no more than ten years of service will be considered in this calculation.

Resolution for General Convention endorsing the amendment of Title IV to require that Bishops Diocesan forward information regarding an offense to the Intake Officer

Resolved, that the 225th Convention of the Diocese of Massachusetts submit to General Convention a resolution to amend Canon IV.6.3 to read as follows:

Sec. 3 Any person other than the Intake Officer who receives information regarding an Offense shall promptly forward the information to the Intake Officer. A Bishop Diocesan *shall* forward information to the Intake Officer whenever the Bishop Diocesan believes that the information may indicate conduct constituting one or more Offenses.

Resolution in Response to the Bishop’s Meditation

Resolved, that the 225th Convention of the Episcopal Diocese of Massachusetts affirms and embraces the passionate call of our Diocesan Bishop that we, as Christians, grounded as we are by our conversions into the depth of the beauty of God, go compassionately to those places of barrenness and deepest suffering; that we therefore dedicate our healing efforts in places of pain such as our local communities of undocumented immigrants; the children and youth in our B-SAFE programs; and to combat bullying, especially of LGBT people, minorities, and the elderly.

Resolution in Response to Bishop Suffragan Cederholm’s Report to Convention

Resolved, that the 225th Convention of the Episcopal Diocese of Massachusetts affirms the call of the Bishop Suffragan urging congregations to explore the Genesis Covenant, which calls us to commit to reducing our greenhouse gas emissions from every facility we maintain by 50 percent by 2020; and be it further

Resolved, that parishes commit to using the season of late Pentecost as a “Season of Creation” and designate portions of the plate offerings during this time for the Green Grants Initiative.