

MINUTES
STANDING COMMISSION ON CONSTITUTION AND CANONS
WHITE & DYKMAN SUBCOMMITTEE
April 3, 2012

The first meeting of the White & Dykman Subcommittee convened by teleconference at 4:00pm. Present on the teleconference were members Diane Sammons, Chair, Bill Cathcart, Bishop Dorsey Henderson, Larry Hitt, Steve Hutchinson, Sally Johnson, Eric Lobsinger, Joan Geiszler-Ludlum, and Tom Little (joined the call late as expected).. Members excused: Mark Duffy.

Diane Sammons welcomed the call participants and expressed her appreciation for all agreeing to participate in this project. She then proceeded with the agenda.

The agenda was reviewed and approved as presented.

Diane appointed Joan Geiszler-Ludlum as Secretary to take minutes. Joan agreed to serve and the subcommittee ratified her appointment.

For the benefit of Eric, Diane asked each member to introduce him/herself and tell why she/he felt called to this work.

Discussion then turned to the time line and future meetings. Diane stated that she felt it essential to establish a time line for the work of the subcommittee to help us push this work forward to completion in a timely manner. She envisions three face to face meetings over the next two years, depending on the availability of funding. The meeting schedule could expand as needed with other venues such as teleconferencing and web-based technology. Of critical importance is to avoid further delay in producing an annotation on Title IV.

Sally Johnson noted that meetings will depend on the form and level of detail an annotation might take. Steve Hutchinson noted our commitment to producing this and future updates in an electronic format.

Eric Lobsinger asked if there is an electronic database of Title IV cases. Sally explained the Archives role as the repository of official documents of The Episcopal Church, housed in Austin, TX. Title IV records since 1994 are required by the canon to be sent to Archives, with copies retained in the Diocese. Sally estimates that there have been 30 to 40 Diocesan trials and 3 or 4 trials of bishops. Whether the Archives has all these records and in what form has not yet been verified with Mark Duffy. Sally also noted that the Recorder of Ordinations in the Church Pension Group offices maintains records of changes in clergy status (such as suspension or deposition and reinstatement).

Steve noted that the larger challenge is capturing the legislative history, along with understanding and interpreting that history.

In response to a question, Diane said that the focus for now is on Title IV because of the existing gap in updating White and Dykman (W&D) since the 1991 supplement. Title III is a later task to tackle. Out of this work she hopes to see a protocol and format develop that will allow SCCC to update W&D as part of the triennium work, perhaps as part of or along side the Blue Book Report.

Diane then reviewed the canonical mandate of SCCC regarding W&D and the expectations as SCCC has expressed for the work of this subcommittee. The mandate does not prevent moving to an electronic format, which is encouraged, and is not wedded to continuing to operate under the W&D name and format. SCCC has prioritized three elements for inclusion in an annotation: a) an archival resource that would house the important historical documents relative to final 1994 work product and the 2009 product; b) a commentary; c) citations and a summary of cases that have been tried under both revisions.

[Tom Little joined the teleconference and introduced himself.]

Sally commented that gathering the case law should be simple through the Episcopal Chancellors Network and the cases involving bishops are likewise accessible. These documents could then be scanned in and posted for electronic access. Larry Hitt noted he is serving on the Board of the Archives and will inquire whether Archives has already scanned hard copies of the records it has. Diane will inquire of Mark Duffy to identify what is already available through the Archives.

Sally noted that much of the legislative history is available in the 1991 – 2009 (soon to be 2012) Blue Book Reports; minutes and records of the Canons Legislative Committee; and her boxes of materials related to the 1994 and 1997 revisions. Steve reported that he has boxes of materials related to the Title IV Task Force I and II (TFTF) (2000-2009); minutes of SCCC; and Journals of General Convention. Sally also noted that most of the members of SCCC and Canons Legislative Committees are still alive and available as an oral history resource. Diane noted that the survey done early in the work of Task Force I is available in the Blue Book. Steve reported that the Les Alvis paper and the Pamela Cooper-White's paper on the theological underpinnings of Title IV are also in the 2003 Blue Book. There are also the more recent writings about the constitutionality of the 2009 revisions, although these lack authority beyond the opinions of the writers. Sally noted these all form a primary layer of resource material addressing the "what happened and why?" She has some secondary resources including various PowerPoint presentations on the 2006 and 2009 revisions, and articles and other commentary on the 1994 and 1997 revisions. Diane noted that some decisions will have to be made about what goes into commentary versus the archives.

Steve reported on work begun to look at other annotation forms used by other faith communities and their resources. He has contact with Professor Jeff Hazard, an authority on professional responsibility and legal ethics who is also an Episcopalian. He consulted with TFTFI on moving from a mediation approach as opposed to a criminal model for discipline. He has the potential as an additional academic resource.

Eric offered to look at how other churches annotate their canons and has access to the Roman Catholic canons.

Diane reviewed the proposed list of work groups and asked the members to think about other possible ways of dividing the work and about their preferences for participation. Some members volunteered their current preferences:

1. Documents/Archives – Larry Hitt
2. Commentary – Tom Little, Eric Lobsinger, and Steve Hutchinson (Sally Johnson expressed initial interest in this area but will reflect further on which group(s) she would like to serve.)
3. Form and Process to Implement Triennium W&D
4. Case law – Bill Cathcart and Dorsey Henderson

Arrangements for the first in-person meeting are nearly final for June 11-13 at the Maritime Center in Baltimore and should be confirmed in the next day or two. Diane will provide notices via e-mail and the Extranet site for this subcommittee until access via the Extranet site is confirmed for all members. Steve noted that 7 of the 10 members will be together at the Western Chancellors Conference next week which may allow some additional informal discussion.

Diane called on Bishop Henderson for a closing prayer. The teleconference adjourned at 4:59pm.

Respectfully submitted,

Joan C. Geiszler-Ludlum
Secretary
White & Dykman Subcommittee