

ATTACHMENT #1 TO RESOLUTION #10

AGREEMENT FOR JOINT ADMINISTRATION OF TITLE IV

This is an agreement dated as of October 1, 2010 among the Dioceses of Maine, New Hampshire and Vermont (jointly, the "Dioceses", and individually, "Maine," "New Hampshire" and "Vermont"), for the joint administration and staffing of matters of clergy discipline under Title IV of the Canons of the General Convention of The Episcopal Church ("Title IV") arising in the Dioceses.

1. The Disciplinary Board.

- a. There will be one Disciplinary Board for the Dioceses, consisting of eleven persons, six of whom will be Priests or Deacons of The Episcopal Church and five of whom will be lay persons, selected as provided below. The Disciplinary Board will constitute the only Court instituted by each of the Dioceses within the meaning of Article IX of the Constitution of The Episcopal Church.
- b. Each of the Dioceses will select as members of the Disciplinary Board each year two persons who are either Priests or Deacons and one lay member. In addition, on a rotating basis two of the Dioceses will select a fourth member of the Disciplinary Board, who shall be a lay person. The Diocese that will select only three members will change every three years; for the three years commencing January 1, 2012, Maine will select three members; for the three years commencing January 1, 2015, New Hampshire will select three members; and for the three years commencing January 1, 2018, Vermont will select three members. Thereafter the rotation will continue in like manner for the duration of this agreement.
- c. Selection of members of the Disciplinary Board will be in a manner provided by the Canons of the Diocese selecting the member, provided that all members of the Disciplinary Board shall meet the requirements of Title IV.
- d. Any vacancy in the membership of the Disciplinary Board will be promptly filled by the Diocese selecting the prior member whose resignation or declination to serve, death, disability rendering the member unable to act, or loss of qualification for membership created the vacancy.
- e. On or before December 1 of each year, the Bishop of each of the Dioceses or the Bishop's designee will notify the then President of the Disciplinary Board of those persons selected from that Diocese to serve for the ensuing year as members of the Disciplinary Board. The President will call a meeting of the Disciplinary Board to be held in January of the following year, which may be held by conference call or other electronic means affording simultaneous audio communication, at which the Disciplinary Board will elect a President to serve for the year and until a successor President is elected.
- f. For the period July 1, 2011 to December 31, 2011, Maine will be the Diocese to select only three members, Vermont and New Hampshire will select four members and all persons selected as members will serve terms expiring on December 31, 2011. Thereafter, and notwithstanding that a Diocese may select Board members for longer terms, for the purposes of this agreement the term of each person selected as a member will be for a calendar year, but there will be no limit to the number of successive terms that a member may serve. If a member's term expires after that person has been appointed to a Conference Panel or a Hearing Panel for a specific matter, but before the matter is finally disposed of, and the member is not selected to continue as a member from that Diocese, the member shall nonetheless continue as a member of the Disciplinary Board for the sole purpose of continuing to serve on the Panel for that matter until final disposition thereof.

2. Other Title IV offices.
 - a. Each of the Dioceses will make such provision for Church Attorneys, Intake Officers, Advisors, Investigators, Conciliators and other persons acting under Title IV as it may choose, and will notify the other Dioceses and the President of the Disciplinary Board of the names and contact information of the persons designated for those offices.
 - b. Each of the Dioceses will also notify the other Dioceses and the President of the Disciplinary Board of the names and terms of engagement of such of its Advisors, Investigators, or Conciliators as may be available to the other Dioceses for those services.
3. Conduct of Cases
 - a. The Diocese within which the Respondent is canonically resident shall be responsible for designating a Church Attorney to be assigned to the matter, and shall provide all other Title IV personnel required, although such personnel may be from one of the other Dioceses.
 - b. In selecting a Conference Panel and a Hearing Panel for any case, the President will first decide whether the Conference Panel will be one or more than one person. If the Conference Panel is to be only one person, the President will select that person by drawing by lot a name from among all the names of the Disciplinary Board members who are not disqualified. The President will select the Hearing Panel, and the Conference Panel if it is to be more than one person, by dividing the names of the Disciplinary Board members who are not disqualified into two pools, clergy and lay, and drawing one member of each Panel by lot from each of the two pools. Thereafter, the names remaining in the two pools will be mixed together in a single pool from which the President will draw by lot names to complete the two Panels.
 - c. Wherever appropriate and consistent with the values expressed in Canon IV.1, the Disciplinary Board and each of its Panels may conduct proceedings using technology that facilitates distance meetings in order to conserve resources.
 - d. For each proceeding, the Reference Panel will consist of the Intake Officer for the Diocese of canonical residence of the subject member of the clergy (and if there be more than one Intake Officer in that Diocese, then the Intake Officer assigned by the Bishop to the proceeding), the President of the Disciplinary Board, and the Bishop of that Diocese.
 - e. In addition to the provisions of Canon IV.19.14 of Title IV, the integrity of the Disciplinary Board shall be maintained by permitting the Church Attorney or a Respondent to challenge a member of the Disciplinary Board or Panel appointed for a proceeding on grounds of conflict of interest or undue bias. The Disciplinary Board shall determine whether a challenge is relevant and well-founded in accordance with Canon IV.19.15 of Title IV.
4. Fees and Expenses
 - a. Expenses of the Disciplinary Board in carrying out its duties in a proceeding will be the responsibility of the diocese of canonical residence of the subject member of the clergy. Expenses of the Disciplinary Board not incident to a particular proceeding will be borne equally by the Dioceses.
 - b. Unless expressly provided otherwise in the canons of the diocese of canonical residency of the subject member of the clergy or in this agreement, all costs, expenses and fees incurred under Title IV or otherwise in the administration of matters of clergy discipline shall be the obligation of the person incurring them.
5. Applicability of Title IV.
 - a. This agreement establishes policies, procedures and structures to implement Title IV in the Dioceses for the discipline of Priests and Deacons, who by their vows at ordination, have accepted both responsibility and accountability for the doctrine, discipline and worship of The Episcopal Church. In the event any provision of this agreement is in conflict with or inconsistent with Title IV in a material way, the provisions of Title IV shall prevail.

- b. The Disciplinary Board established by this agreement is intended to serve as the Disciplinary Board under Title IV for each of the Dioceses, and is responsible for carrying out all of the duties of a Disciplinary Board within each of the Dioceses.
6. Effective Date
- a. This agreement will become effective on July 1, 2011, provided that prior to that date each of the Conventions of the Dioceses shall have ratified it in a vote by Orders in like manner as for an amendment to the Diocese's Canons.
7. Duration and Amendment
- a. This agreement, once it has become effective, will remain in effect until the end of the calendar year following the year in which the Bishop of one or more of the Dioceses, having received the concurrence of the Bishop's Convention, sends written notice to the Bishops of the other Dioceses of the termination of this agreement. If any proceeding has been commenced and is still ongoing as of the termination date, this agreement shall remain in effect solely with respect to such proceeding until the final disposition thereof.
 - b. Any amendment to this agreement must be in writing and signed by the Bishops of each of the Dioceses and be concurred in by the Conventions of each of the Dioceses in a vote by Orders in like manner as for an amendment to the Diocese's Canons, and will be effective not earlier than the first day of the year following the year in which the ratification of the amendment shall have been approved by all of the Dioceses.

Diocese of Maine

By _____
The Rt. Rev. Stephen T. Lane

Date

Diocese of New Hampshire

By _____
The Rt. Rev. V. Gene Robinson

Date

Diocese of Vermont

By _____
The Rt. Rev. Thomas C. Ely

Date