

Title: Converting the Chancellor into a Non-Voting Member of Diocesan Convention

Proposer: Constitution & Canons Committee

1. Be it resolved that the Convention amend Article VIII, Section 1 of the
2. Constitution of the Diocese of West Missouri to read as follows:
3. ARTICLE VIII - MEMBERS OF THE DIOCESAN CONVENTION
4. SECTION 1. The members of the Diocesan Convention shall be the following, all
5. with seat, voice, and vote, unless otherwise noted:
6. (a) The Bishop;
7. (b) The Bishop Coadjutor, if any;
8. (c) The Bishop Suffragan, if any;
9. (d) The Archdeacon, if any;
10. (e) Every cleric in good standing in the Church who is canonically
11. resident in this Diocese;
12. (f) The Secretary of the Diocese;
13. (g) The Treasurer of the Diocese;
14. (h) The Chancellor of the Diocese (seat and voice, but no vote);
15. (i) Any other Officers of the Diocese, if any (seat and voice, but no vote);
16. (j) Lay delegates from every Parish and Congregation in union with
17. the Diocese duly chosen and entitled to seats, as hereinafter provided.

The text to be changed, with deleted language struck through and added language *italicized* is below.

18. ARTICLE VIII - MEMBERS OF THE DIOCESAN CONVENTION

~~19. SECTION 1. The members of the Convention shall be the Bishop, the Bishop~~
~~20. Coadjutor, the Suffragan Bishop, and Archdeacons, when there be such, every cleric in~~
~~21. good standing in the Church who is canonically resident in this Diocese; also the~~
~~22. Treasurer and the Associate Treasurer of the Diocese; also the Secretary of the~~
~~23. Diocese; also the Chancellor and the Associate Chancellor of the Diocese; also the~~
~~24. Registrar of the Diocese, and also lay delegates from every Parish and Congregation in~~
~~25. union with the Diocese duly chosen and entitled to seats, as hereinafter provided.~~

26. *SECTION 1. The members of the Diocesan Convention shall be the following, all*
27. *with seat, voice, and vote, unless otherwise noted:*

28. (a) *The Bishop;*
29. (b) *The Bishop Coadjutor, if any;*

30. (c) *The Bishop Suffragan, if any;*
 31. (d) *The Archdeacon, if any;*
 32. (e) *Every cleric in good standing in the Church who is canonically*
 33. *resident in this Diocese;*
 34. (f) *The Secretary of the Diocese;*
 35. (g) *The Treasurer of the Diocese;*
 36. (h) *The Chancellor of the Diocese (seat and voice, but no vote);*
 37. (i) *Any other Officers of the Diocese, if any (seat and voice, but no vote);*
 38. (j) *Lay delegates from every Parish and Congregation in union with*
 39. *the Diocese duly chosen and entitled to seats, as hereinafter provided.*
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Explanation:

This amendment would convert the Chancellor into a non-voting member of the Convention. The Chancellor is the chief legal officer of the Diocese. As such, the Chancellor provides legal advice and counsel to the Diocese and its components, including the Convention. As a voting member of the Convention, the Chancellor could cast a vote on a matter on which they also provided legal advice. By doing so, the attorney-client privilege and attorney work product doctrine that attach to legal advice could be jeopardized, thus potentially putting the Diocese in a bad position. While perhaps remote, having a non-voting Chancellor would be a best practice and would conform with how a majority of dioceses treat this issue.

This amendment would also convert the Registrar and Vice Chancellor into non-voting positions, as well as make the Associate Treasurer a non-voting member of the Convention.

This is the first reading of an amendment to the Constitution. A second reading will be necessary at the next Diocesan Convention, with a vote by orders necessary to adopt the change at that Convention.
