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REPLY TO:
CHARLESTON LITIGATION

September 22, 2011

Barbara G. Mann, Chair
Episcopal Forum of South Carolina
P.O. Box 1772
Mt. Pleasant, S.C. 29465

RE: Executive Council Notification

Dear Ms. Mann:

Earlier this summer, I received a letter from the Rev'd Canon Dr. Gregory Straub, Secretary of the Executive Council for The Episcopal Church, notifying me that the Executive Council, through its Joint Committee on Governance and Administration, decided at its June 2011 meeting that a 2007 Resolution adopted by the Executive Council applies to the Diocese of South Carolina.

The 2007 Resolution (NAC023), adopted June 15, 2007, nullifies any and all amendments to diocesan Constitutions which "purport in any way to limit or lessen the unqualified accession to the Constitution and Canons of The Episcopal Church."

Resolution NAC023 nullified Constitutional amendments that were adopted in the dioceses of Quincy, Ft. Worth, Pittsburgh, and San Joaquin, which eliminated accession to the Constitution and Canons of The Episcopal Church. The former Bishops and clergy from various parishes of those four dioceses later joined the "Anglican Church in North America, and the "remaining" dioceses of Quincy, Ft. Worth, Pittsburgh, and San Joaquin have new leadership and have since been rejuvenated as Dioceses within The Episcopal Church. In addition to its voiding amendments adopted by the four above referenced dioceses, Resolution NAC023 also renders "any amendment to a diocesan Constitution" limiting accession to The Episcopal Church "null and void, as if such amendments had not been passed." The explanatory language below the body of the Resolution broadens the application of the Resolution to "other dioceses that have taken steps to pass such amendments to diocesan Constitutions."

Knowing that the Diocese of South Carolina had just amended its Constitution in such a way at its 2011 Convention, and having been aware of the 2007 Executive Council Resolution, I asked the Executive Council if the diocesan amendments to its Constitution were valid. I received the answer in late June; however, I waited to let EFSC and others know about this until the Diocese also was informed. I am told that the Diocese has received word of the decision.

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Barbara G. Mann

I am sending this to you, as Board Chair of the Episcopal Forum of South Carolina, and to other loyal Episcopalians who also have been concerned about the recent actions of the Diocese. The Executive Council's letter and Resolution are enclosed for your reference.

Best regards,

A handwritten signature in blue ink, appearing to read 'Melinda A. Lucka', with a long horizontal flourish extending to the right.

Melinda A. Lucka



THE EPISCOPAL CHURCH
THE GENERAL CONVENTION

16 June 2011


Melinda A. Lucka, Esq.
PO Box 225
Charleston, SC 29402

Dear Ms. Lucka:

Thank you for your letter of 25 May 2011, addressed to the Most Rev'd Katharine Jefferts Schori, Canon Bonnie Anderson and me for the Executive Council of The Episcopal Church. I referred your letter to the Joint Standing Committee on Governance & Administration of Council, which considered it at its meeting on Thursday, 16 June. The committee spent considerable time taking up the concerns raised in your letter and reviewed 2007 Resolution NAC023 to which you refer. (I attach a copy of that resolution.) The Joint Standing Committee agreed that, while the Diocese of South Carolina is not named therein, the resolution covers the situation there without its being reconsidered by Council.

The Joint Standing Committee and Executive Council will continue to monitor actions of the Annual Convention of the Diocese of South Carolina. Be assured of Executive Council's care and regard for all the members of the diocese. I am

Very truly yours,


(The Rev'd Canon Dr.) Gregory Straub,
Secretary of Executive Council

THE EPISCOPAL CHURCH CENTER



THE EPISCOPAL CHURCH

THE DOMESTIC AND FOREIGN MISSIONARY SOCIETY
OF THE PROTESTANT EPISCOPAL CHURCH IN THE UNITED STATES OF AMERICA
FOUNDED 1821 ■ INCORPORATED 1846

June 25, 2007

The following is a true copy of a Resolution adopted by the Executive Council at its meeting on June 11-14, 2007 in Parsippany, New Jersey, at which a quorum was present and voting.

Resolved, That the Executive Council, meeting in Parsippany, New Jersey from June 11-14, 2007, reminds the dioceses of The Episcopal Church that Article V, Section 1 of the Constitution of The Episcopal Church requires each Diocese to have a Constitution which shall include "an unqualified accession to the Constitution and Canons of this Church;" and be it further

Resolved, that any amendment to a diocesan Constitution that purports in any way to limit or lessen an unqualified accession to the Constitution and Canons of The Episcopal Church is null and void; and be it further

Resolved, that the amendments passed to the Constitutions of the Dioceses of Pittsburgh, Ft. Worth, Quincy, and San Joaquin, which purport to limit or lessen the unqualified accession to the Constitution and Canons of The Episcopal Church are accordingly null and void and the Constitutions of those dioceses shall be as they were as if such amendments had not been passed.

EXPLANATION

Some dioceses of The Episcopal Church have purported to pass amendments to their diocesan Constitutions that repeal or limit the extent to which those dioceses are subject to the Constitution and Canons of The Episcopal Church. The Dioceses of Pittsburgh, Ft. Worth, Quincy, and San Joaquin have done so, and other dioceses have taken initial steps to do so. Because such actions violate the Constitution of The Episcopal Church as a whole, they can have no force or effect and must accordingly be considered as completely ineffective.

The Rev. Dr. Gregory S. Straub
Secretary of the Executive Council and
The Domestic and Foreign Missionary Society
of the Protestant Episcopal Church in the United States of America

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