

Advent 2018

Dear Colleagues,

At this past summer's 79th General Convention, Canon IV.19.4 was amended (Resolution D034)* to create a three-year suspension of the statute of limitations for initiating procedures in matters regarding clergy sexual misconduct against adults. The period of suspension begins on January 1, 2019 and concludes on December 31, 2021. Please consult with your Chancellor and Intake Officer to coordinate your faithful and effective response to this temporary change to the Canons. ***Please note: sexual misconduct against persons under 21 years of age continues to be reportable without any time limitations.***

Beyond ensuring compliance with the administrative dimensions of this canonical change, I encourage you to act pastorally in your dioceses and communities by heightening awareness of the Church's sensitive response to the tragedy of clergy sexual misconduct. Such pastoral acts might include a pastoral letter, an op-ed in local newspapers, prominent website placement of reporting options, or creation of diocesan listening liturgies similar to the one offered at General Convention.

As we continue being ministers of healing and reconciliation, I remain available for counsel and advice on administrative or pastoral implications of Resolution D034.

Blessings to you in this season of hope and expectation.



The Rt. Rev. Todd Ousley
Bishop for Pastoral Development
Office of the Presiding Bishop and Primate

D034 Amend Canon IV.19.4 - Suspending Statute of Limitations

Resolved, That the 79th General Convention amend Canon IV.19.4 to read as follows:

Sec. 4(a) A Member of the Clergy shall not be subject to proceedings under this Title for acts committed more than ten years before the initiation of proceedings except:

1. if a Member of the Clergy is convicted in a criminal Court of Record or a judgment in a civil Court of Record in a cause involving immorality, proceedings may be initiated at any time within three years after the conviction or judgment becomes final;
2. if an alleged Injured Person was under the age of twenty-one years at the time of the alleged acts, proceedings may be initiated at any time prior to the alleged Injured Person's attaining the age of twenty-five years; or
3. if an alleged Injured Person is otherwise under disability at the time of the alleged acts, or if the acts alleged were not discovered, or the effects thereof were not realized, during the ten years immediately following the date of the acts alleged, the time within which proceedings may be initiated shall be extended to two years after the disability ceases or the alleged Injured Person discovers or realizes the effects of the acts alleged; provided, however, the time within which proceedings may be initiated shall not be extended beyond fifteen years from the date the acts are alleged to have been committed.

(b) The time limits of Subsection (a) above shall not apply with respect to persons whose acts include physical violence, sexual abuse or sexual exploitation, if the acts occurred when the alleged Injured Person was under the age of twenty-one years; in any such case, proceedings under this Title may be initiated at any time.

(c) *The time limits of Subsection (a) above shall not apply with respect to persons whose acts include sexual misconduct, provided proceedings are initiated under this Title between January 1, 2019 ~~December 31, 2018~~ and December 31, 2021.*

(d) Except as provided in Subsection (b) above, the time limitations for initiation of proceedings in this Section shall be retroactive only to January 1, 1996.

(e) No proceedings under this Title shall be initiated for acts which are alleged to violate Canon IV.3.1(a) or to constitute a breach of Canon IV.4.1(b), (c), (e) or (h)(2) unless the acts were committed within or continued up to two years immediately preceding the time the proceedings are initiated.

(e/f) For purposes of this Section 4, proceedings are initiated under this Title with respect to a particular Offense when specific allegations of the commission of that Offense are made to the Intake Officer.