

## PEP Argument Briefing Paper

**Title:** Rewriting Needed  
**Applicable to:** Canonical Change 4 (Canon VII)  
**Author:** PEP Board of Directors  
**Date:** 10/7/2009

### Background

In the present canons, the Director of Administration and Treasurer of the diocese are necessarily the same person. This is not unreasonable, but, although it may, for some reason, have been desirable in the past, there is no obvious motivation for making it a requirement. Unfortunately, the canonical change, as proposed, creates other problems.

### Argument

- One would expect the Treasurer to be an officer of the diocese and the Director of Administration to be a manager (essentially, the office manager). The present Canon VII is about appointment of the Director of Administration, who, incidentally, is also designated Treasurer. Both the Director of Administration and Treasurer are mentioned elsewhere in the canons as having specific duties. Only the Treasurer is mentioned in the diocese's Financial Regulations, however, though it is clear that some of the references to the "Treasurer" really refer to the Director of Administration/Treasurer qua Director of Administration. In other words, the governing instruments of the diocese expect there to be both a Director of Administration and a Treasurer. There is no logical reason these two roles have to be filled by the same person, however.
- The proposed canon merely eliminates the statement that the Director of Administration is also the Treasurer. Unfortunately, the role of Treasurer is defined in Canon VII and nowhere else. If the proposed amendment is passed, it will be clear that there needs to be a Treasurer, but it will not be clear where one is supposed to come from. The intention of the amendment is well meaning, but the wording must be fixed.
- Assuming that both the Director of Administration and the Treasurer are to be designated in the same way, a reasonable substitute motion might be the following:

Canon VII, Of the Director of Administration, shall be restated in its entirety as follows:

**Canon VII**  
**Of the Treasurer and Director of Administration**

*Section 1.* There shall be a Treasurer for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Treasurer shall have such duties as are defined by canon or determined by the Bishop, in consultation with the Diocesan Council.

*Section 2.* There shall be a Director of Administration for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Director of Administration shall have such duties as are defined by canon or determined by the Bishop, in consultation with the Diocesan Council.

*Section 3.* The Treasurer and the Director of Administration of the Diocese may be the same person.

- If a change is made to Canon VII, the Financial Regulations will also have to be changed. According to Canon XII, Section 1, this is the responsibility of the bishop and Diocesan Council. Given other changes in the diocesan office since October 4, 2008, it is clear that the Financial Regulations will need to be altered in any event.

### **Supporting Information**

Resolution (from *Preconvention Journal 2009*, pages C-10–C-11, <http://www.episcopalpgh.org/wp-content/uploads/file/Documents/2009%20DioConv/2009DioConventionPacketV3.pdf>):

4. **Canon VII**, Of the Director of Administration, shall be amended by omitting the text struck through in the present version of the canon, shown below:

#### **Canon VII Of the Director of Administration**

There shall be a Director of Administration for the Diocese, who shall be appointed by the Bishop with the approval of the Diocesan Council. The term of office and salary shall be determined by the Bishop and the Diocesan Council. The Director of Administration ~~shall be the Treasurer of the Diocese. In addition, the Director of Administration~~ shall have such duties as shall be determined by the Bishop, in consultation with the Diocesan Council.

**Rationale:** The roles of Treasurer and Director of Administration are rather different, and, although one person could full both roles, there is no logical need for the roles to be so joined. It might be desirable to employ a volunteer Treasurer or to hire someone other than the Director of Administration to serve as Treasurer. The proposed change allows, but does not require, that the Treasurer and Director of Administration be different people. The change is intended to provide greater flexibility in the organization of the diocesan office.

If approved, this change will require changes to the Financial Regulations, which assume that the Treasurer and Director of Administration are the same. The Financial Regulations, for example, assign certain duties to the “Treasurer” that are clearly functions of an office manager and that should therefore be assigned to the Director of Administration. Note that, in accordance with Canon XII, Section 1, the Financial Regulations are the responsibility of the bishop and of the Diocesan Council.