

**IN THE DIOCESE OF VIRGINIA  
BEFORE A HEARING PANEL  
IN THE TITLE IV MATTER OF  
THE REVEREND DR. CAYCE RAMEY, RESPONDENT**

**CHURCH ATTORNEY'S SURREPLY TO RESPONDENT'S  
RESPONSE TO MOTION FOR SANCTIONS**

There are several flaws in the arguments the Respondent advances in his Response to Motion for Sanctions.

(1) General Convention, not the parties to Title IV cases, makes the rules. In Canon IV.3.1(b) and the spirit of Canon IV.19.18, General Convention has very clearly and intentionally stated that clergy and all members of the Church are expected to cooperate, appear, testify, and respond. Indeed, General Convention was sufficiently concerned about this that clergy are subject to Title IV discipline if they fail without good cause to cooperate with a Title IV investigation or proceeding. The Respondent's gratuitous statement in his September 23, 2023 email that if recipients "get contacted by the Diocesan attorney, Brad Davenport, please know you are under no obligation to speak with him or to not speak with him either way" is not only inaccurate canonically but it also exposes unsuspecting Members of the Clergy who are not familiar with the canons to Title IV discipline if they decline to speak to the Church Attorney, as the Respondent says, misleadingly, they are free to do. The Respondent's advice to recipients of his email is "clear," but it is certainly not "innocuous," despite his protestations to the contrary in his Response.\*

Neither the Respondent nor the Church Attorney can rewrite the canons or pick the ones they want to obey.

(2) Canon IV.3.1(b)'s duty to cooperate applies, by its own terms, to both an "investigation" and a "proceeding conducted under authority of this Title." The Respondent addresses the "investigation" part, accurately stating that there have been two investigations. But that is irrelevant to this Motion. This Title IV case before this Hearing Panel is a "proceeding conducted under authority of this Title." The Respondent ignores that.

(3) The Respondent says that his statement "was directed to a group of friends, some of whom may have previously been identified to the Church Attorney in

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\* Strictly speaking, Canon IV.19.18 does not apply, yet. But if the Respondent's conduct to date is any guide, the Hearing Panel can reasonably anticipate that the Respondent will repeat his erroneous advice to members of the Church who are served with notices to appear and testify at the hearing. The Hearing Panel can nip that in the bud now by ordering the relief sought in paragraph 8 of the Motion for Sanctions.

documents exchanged during the mandatory disclosures.” Maybe. Maybe not. The Respondent’s September 23, 2023, email says the recipients are blind carbon copied, so the Church Attorney has no way of knowing. That is precisely why in paragraph 8 of his Motion for Sanctions the Church Attorney has asked the Hearing Panel to order the Respondent to identify the recipients of the email.

(4) The Respondent’s reference to the canonical provisions for depositions and written interrogatories is off the mark. Canon IV.13.5(d) allows “up to two depositions” and “up to twenty written interrogatories regarding each Complainant.” The Church Attorney has taken the Respondent’s deposition, and served him with an interrogatory, which he answered. Unless and until the Respondent identifies the recipients of his email the Church Attorney is in the dark on who else he might want to depose. (Depending on what the Hearing Panel orders and what information the Respondent provides, the Church Attorney may need to seek leave to take additional depositions past the discovery cut off.) The written interrogatory portion of the canon clearly applies to the Respondent’s ability to serve interrogatories to the Complainant. The Respondent has already taken the deposition of the Complainant and did not serve any written interrogatories by the agreed October 13, 2023, discovery deadline in the Hearing Panel’s September 5, 2023, Discovery and Scheduling Order.

(5) Describing them as “punitive,” the Respondent complains about “... actions the Diocese has already taken against the Respondent,” giving as an example that his “credentials to participate in the recent Diocesan Convention were revoked.” The point hardly seems relevant to this Motion, but since the Respondent brought it up, it must be addressed. What the Respondent does not disclose to the Hearing Panel is that it would have been unconstitutional to seat him at Convention. That is because Article III Section 1(b) of the diocesan Constitution says “No member of the Clerical order under ecclesiastical censure shall be entitled to a seat at the Convention.” (The Respondent was not alone.) The ecclesiastical censure is the Bishop’s December 7, 2022, Restriction on Ministry, a copy of which is attached as Exhibit 1. (The Respondent sought review by a Conference Panel of the Disciplinary Board, as was his right under Canon IV.7.10-12. [Exhibit 2] The Conference Panel affirmed the restriction on ministry and the terms and conditions thereof on April 28, 2023. [Exhibit 3] Thus, the ecclesiastical censure of the Respondent was in effect at Convention.)

### **Conclusion**

The Respondent opens his Response by asserting that “... the Church Attorney’s position is supported by nothing the Respondent said or did, nor does it have any basis or support in the Canons of the Episcopal Church.” He closes his Response with “this Motion comes before the Hearing Panel without any factual or canonical basis.” He is wrong. The Respondent’s own words and General Convention’s canons provide ample “basis” for the Motion.

Date: November 24, 2023

/s/ Bradfute W. Davenport, Jr., Church Attorney  
davenportbw@gmail.com; (804) 690-3136



THE EPISCOPAL DIOCESE OF VIRGINIA

7 December 2022

The Rev. B. Cayce Ramey  
All Saints Sharon Chapel  
3421 Franconia Road  
Alexandria, VA 22310

Subject: Restriction on Ministry

Dear Rev. Mr. Ramey:

I, E. Mark Stevenson, Bishop Diocesan of the Diocese of Virginia, in my capacity as pastor, teacher and canonical overseer of you, as a priest of this Diocese, hereby impose the restrictions on the exercise of your ministry described below, pursuant to Canon IV.7.3 of the Canons of the General Convention of The Episcopal Church. This action is based on my determination that you may have committed one or more Offenses described in Title IV and/or that the good order, welfare or safety of the Church or other person may be otherwise threatened absent these restrictions. The reasons for this restriction on ministry are my concern for your manner of life and behavior as manifested in your recent actions at All Saints Sharon Chapel involving your failure to abide by your ordination vows and promises, your habitual neglect of public worship and of the Holy Communion, and your noncompliance with the disciplinary rubrics of the Book of Common Prayer, and which concern your compliance with the Discipline of the Church.

There are two important rights you have by which these restrictions may be modified or dissolved. First, you may request in writing a modification of any or all of the restrictions from me. Second, you have the right to have the restrictions reviewed by the Conference Panel of the Disciplinary Board. If you wish to exercise that right, you should notify Julian Bivins, President of the Disciplinary Board. The process for such a review is described in Canon IV.7.11.

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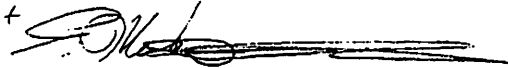
Rev. B. Cayce Ramey

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RESTRICTION

You are to abstain from participation as a member of the Standing Committee and resign from all other committees, boards or commissions of the Diocese.

This restriction is in effect immediately, and shall remain in effect until either modified by me, modified or dissolved by action of the Conference Panel, or upon termination of the disciplinary proceedings currently pending before the Disciplinary Board in which you are a Respondent.



The Right Reverend E. Mark Stevenson, Bishop  
The Episcopal Diocese of Virginia

cc: J. B. Burtch, Jr., Esq., Counsel for the Respondent

Service on me acknowledged this 7<sup>th</sup> day of December, 2022.



The Rev. B. Cayce Ramey

EXHIBIT 2 TO CHURCH ATTORNEY'S SURREPLY

**DISCIPLINARY BOARD OF THE DIOCESE OF VIRGINIA**

**IN THE TITLE IV MATTER OF  
THE REVEREND DR. CAYCE RAMEY, RESPONDENT**

To: Julian M. Bivins, Jr., President of the Disciplinary Board  
(julian.bivins@gmail.com)  
Bradfute W. Davenport, Esquire, Church Attorney  
(davenportbw@gmail.com)

**Request for Review of  
Ministry Restriction**

Pursuant to Canon IV.7.10, Respondent requests review of the imposition of the ministry restriction that “You are to abstain from participation as a member of the Standing Committee...of the Diocese” set forth in the letter dated December 7, 2022, to the Reverend Cayce Ramey from the Rt. Rev. E. Mark Stevenson, Bishop of the Diocese of Virginia. A copy of that letter is attached here as Exhibit A.

1. The Rev'd Dr. Cayce Ramey was duly elected by the Convention of the Diocese of Virginia as a member of the Standing Committee. His term of office expires at the election of new members scheduled for November of 2023. He is currently a member of the Standing Committee. He has been restricted from participating in the meetings and decisions of the Standing Committee.
2. At the time of his election to the Standing Committee, the Rev'd Dr. Ramey was rector of All Saints, Sharon Chapel. He left that cure at the end of December 2022 and holds no current cure.
3. The Standing Committee plays a critical role in the life of the Diocese, and it is governed by the Constitution and Canons of the Episcopal Church and the Canons of the Diocese of Virginia. Members are elected by the Convention of the Diocese and serve for a term of three years. Under the Canons, there is no provision that a member of the Standing Committee can either be appointed by or removed by the Bishop Diocesan.
4. Currently, although the Rev'd Dr. Ramey is the Respondent in charges under Title IV with respect to his eucharistic fast, including his refusal to celebrate the Eucharist during this fast, there has been no finding that he has violated the

Constitution or Canons of the Church or is otherwise ineligible to serve in the office to which he was elected.

5. Although the Bishop Diocesan has the right to “place restrictions upon the exercise of the ministry” (Title IV.7.3) of a member of the clergy, this specific restriction effectively nullifies the decision of the Convention of the Diocese electing the Rev’d Dr. Ramey to the Standing Committee and interferes in the processes and the work of the Standing Committee. Such removal is not otherwise authorized by Canon. The effect of the Bishop Diocesan’s restriction was to remove a member of the Standing Committee without the canonical authority to do so.
6. This restriction violates the integrity of the structure and organization of the Church in that it interferes with the separation of duties, responsibilities and authority divided between the Bishop Diocesan, the Standing Committee and the Convention of the Diocese under the Constitution and Canons of the Church.

For the reasons set forth above, Respondent respectfully requests that the restriction of ministry requiring Respondent to abstain from participation as a member of the Standing Committee be withdrawn.

Respectfully submitted,

**/s/ Jack W. Burtch, Jr.**

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Jack W. Burtch, Jr.  
Counsel to Respondent  
The Rev’d Dr. Cayce Ramey

Cc: The Rt. Rev’d E. Mark Stevenson, Bishop Diocesan  
(mstevenson@thediocese.net)

EXHIBIT 3 TO CHURCH ATTORNEY'S SURREPLY

CONFERENCE PANEL OF THE  
DISCIPLINARY BOARD OF  
THE DIOCESE OF VIRGINIA

April 28, 2023

In the Matter of the Rev. B. Cayce Ramey's Request for Review of a Restriction on  
Ministry

DETERMINATION

*All by email*

To: The Rev. B. Cayce Ramey, the Respondent  
The Rev. Edward O. Miller, Jr., Advisor to the Respondent  
Mr. Jack W. Burtch, Jr., Counsel to the Respondent  
The Very Rev. Fran Gardner-Smith, the Intake Officer  
The Rt. Rev. E. Mark Stevenson, the Bishop Diocesan  
Mr. Bradfute W. Davenport, the Church Attorney  
Mr. J.P. Causey Jr., the Chancellor

This matter is before the Conference Panel on Respondent's request for review of the imposition of ministry restriction pursuant to Canon IV.7.10. Upon consideration of the request for review and the presentations of the Respondent and the Bishop at the hearing before the panel on April 27, 2023, and pursuant to Canon IV.7.12, the panel hereby affirms the restriction on ministry set forth in the letter of December 7, 2022 from the Rt. Rev. E. Mark Stevenson, and the terms and conditions thereof.

The Conference Panel

The Rev. Stephen Schlossberg, President  
The Rev. Dina Widlake  
Mr. David Meeker