

| | | |
|------------------------------|---|-------------------------------------|
| THE EPISCOPAL CHURCH ET AL., |) | |
| |) | IN THE DISTRICT COURT OF |
| Plaintiffs, |) | |
| |) | |
| AND |) | |
| |) | |
| MARGARET MIEULI ET AL., |) | |
| |) | |
| Third-Party Defendants and |) | |
| Counterclaimants, |) | TARRANT COUNTY, TEXAS. |
| |) | |
| v. |) | |
| |) | |
| FRANKLIN SALAZAR ET AL., |) | |
| |) | |
| Defendants. |) | 141 st JUDICIAL DISTRICT |

SECOND AFFIDAVIT OF MARK DUFFY

Before me, the undersigned authority, personally appeared **Mark Duffy**, who, being by me duly sworn, deposed and said:

1. My name is Mark Duffy. I am of sound mind, capable of making this Affidavit, and have personal knowledge of the facts herein stated.

2. I am the Canonical Archivist and Director for The Episcopal Church. It is my duty to acquire, organize, authenticate, and preserve various documents filed in the Archives of The Episcopal Church.

3. I am the custodian of the records of the Archives of The Episcopal Church. Each of the documents attached as an exhibit hereto is kept by The Episcopal Church in the Archives of The Episcopal Church in the regular course of business, and for each document it was the regular course of business of The Episcopal Church for an employee or representative of The Episcopal Church with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record, and the record was made

at or near the time or reasonably soon thereafter. Pursuant to Canons of The Episcopal Church I.1(5), I.1(6), and I.5, each of the documents attached as an exhibit hereto is required to be filed in the Archives of The Episcopal Church. The records attached hereto are exact duplicates of the originals.

4. Attached hereto as Exhibit 1 is a true and correct copy of the Constitution & Canons for the Government of the Protestant Episcopal Church in the United States of America Otherwise Known as The Episcopal Church (Church Publishing Inc., 2009).

5. Attached hereto as Exhibit 2 is a true and correct copy of the revised Title IV in effect until July 1, 2011.

6. Attached hereto as Exhibit 3 are true and correct copies of excerpts from The Episcopal Church Annual (Morehouse Church Resources, 2010).

7. Attached hereto as Exhibit 4 are true and correct copies of 1785, 1786, and 1789 Journals of the General Convention, collected in Journals of the General Conventions of the Protestant Episcopal Church in the United States of America, from the Year 1784, to the Year 1814, Inclusive (Philadelphia: John Bioren, 1817).

8. Attached hereto as Exhibit 5 are true and correct copies of excerpts from *The Book of Common Prayer* (New York: The Church Hymnal Corporation, September 1979).

9. Attached hereto as Exhibit 6 are true and correct copies of excerpts from the 1979 Journal of the General Convention.

10. Attached hereto as Exhibit 7 are true and correct copies of excerpts from the 1868 Journal of the General Convention.

11. Attached hereto as Exhibit 8 are true and correct copies of excerpts from the 1940 Journal of the General Convention.

12. Attached hereto as Exhibit 9 are true and correct copies of excerpts from the 1904 Journal of the General Convention.

13. Attached hereto as Exhibit 10 is a true and correct copy of the Deposition of the Right Rev'd Robert W. Duncan dated September 19, 2008.

14. Attached hereto as Exhibit 11 is a true and correct copy of the Resolution adopted by the Executive Council at its meeting on June 11-14, 2007.

15. Attached hereto as Exhibit 12 are true and correct copies of excerpts from the 1838 Journal of the General Convention.

16. Attached hereto as Exhibit 13 are true and correct copies of excerpts from the 1895 Journal of the General Convention.

17. Attached hereto as Exhibit 14 are true and correct copies of excerpts from the 1895 Constitution of the Diocese of Dallas.

18. Attached hereto as Exhibit 15 are true and correct copies of excerpts from the 1896 Canons of the Diocese of Dallas.

19. Attached hereto as Exhibit 16 are true and correct copies of excerpts from the Minutes of the June 18, 1982, Special Convention of the Diocese of Dallas.

20. Attached hereto as Exhibit 17 are true and correct copies of excerpts from the 1982 Journal of the General Convention.

21. Attached hereto as Exhibit 18 is a true and correct copy of the Constitution & Canons for the Government of the Protestant Episcopal Church in the United States of America Otherwise Known as The Episcopal Church (Seabury Prof'l Servs., 1979).

22. Attached hereto as Exhibit 19 is a true and correct copy of The Proceedings of the Primary Convention of the Episcopal Diocese of Fort Worth (1982).

23. Attached hereto as Exhibit 20 is a true and correct copy of the Journal of the Eighty-Seventh Annual Meeting of the Diocese of Dallas (1982).
24. Attached hereto as Exhibit 21 are true and correct copies of excerpts from the 1982 Constitution and Canons of the Episcopal Diocese of Fort Worth.
25. Attached hereto as Exhibit 22 is a true and correct copy of the Declaration of Conformity executed by the Rt. Rev. A. Donald Davies.
26. Attached hereto as Exhibit 23 is a true and correct copy of the Declaration of Conformity executed by the Rt. Rev. Clarence C. Pope.
27. Attached hereto as Exhibit 24 is a true and correct copy of the Declaration of Conformity executed by the Rt. Rev. Jack Leo Iker.
28. Attached hereto as Exhibit 25 are true and correct copies of excerpts from The Proceedings of the Seventh Annual Convention of the Episcopal Diocese of Fort Worth (Oct. 6-7, 1989).
29. Attached hereto as Exhibit 26 are true and correct copies of excerpts from the Journal of the Special Diocesan Convention (Sep. 27, 2003).
30. Attached hereto as Exhibit 27 are true and correct copies of excerpts from the 1985, 1988, 1991, 1994, 1997, 2000, 2003, and 2006 Journals of the General Convention.
31. Attached hereto as Exhibit 28 are true and correct copies of excerpts from the Journal of the Twelfth Annual Meeting of the Diocese of Fort Worth (Oct. 7-8, 1994).
32. Attached hereto as Exhibit 29 are true and correct copies of excerpts from the Journal of the Episcopal Diocese of Fort Worth 2006.
33. Attached hereto as Exhibit 30 are true and correct copies of excerpts from the Journal of the Tenth Annual Meeting of the Diocese of Fort Worth (Oct. 2-3, 1992).

34. Attached hereto as Exhibit 31 are true and correct copies of excerpts from The Order of Service for the Ordination and Consecration of the Reverend Jack Leo Iker to be a Bishop in the Church of God and Bishop Coadjutor of the Diocese of Forth Worth.

35. Attached hereto as Exhibit 32 are true and correct copies of excerpts from the Journal of the Thirteenth Annual Meeting of the Diocese of Fort Worth (Nov. 3-4, 1995).

36. Attached hereto as Exhibit 33 is a true and correct copy of the Renunciation of Ordained Ministry and Declaration of Removal and Release of the Rt. Rev. Jack Leo Iker dated December 5, 2008.

37. Attached hereto as Exhibit 34 are true and correct copies of forms signed by Bishop Edwin F. Gulick (Oct. 15, 2009) and the members of the Standing Committee of the Diocese of Fort Worth (Nov. 12, 2009) consenting to the ordination and consecration of Scott A. Benhase to be the Bishop of the Diocese of Georgia.

38. Attached hereto as Exhibit 35 are true and correct copies of excerpts from The Episcopal Church Annual (Morehouse Church Resources, 2009).

39. Attached hereto as Exhibit 36 is a true and correct copy of the Constitution & Canons for the Government of the Protestant Episcopal Church in the United States of America Otherwise Known as The Episcopal Church (Church Publishing Inc., 2006).

40. Attached hereto as Exhibit 37 are true and correct copies of excerpts from The Episcopal Church Annual (Morehouse-Barlow Co., 1984).

41. Attached hereto as Exhibit 38 are true and correct copies of excerpts from the Proceedings of a Convention of the Clergy and Laity of the Protestant Episcopal Church in the State of Texas, 1849.

42. Attached hereto as Exhibit 39 are true and correct copies of excerpts from the 1850 Journal of the General Convention.

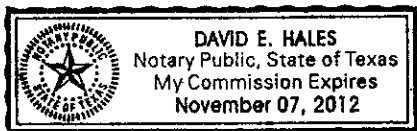
43. Attached hereto as Exhibit 40 are true and correct copies of excerpts from the Journal of the Twenty-Fifth Annual Council of the Protestant Episcopal Church in the Diocese of Texas, May 28-30, 1874.

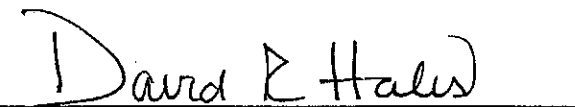
44. Attached hereto as Exhibit 41 are true and correct copies of excerpts from the 1874 Journal of the General Convention.

45. Attached hereto as Exhibit 42 are true and correct copies of excerpts from the Journal of the Fourth Annual Convocation of the Protestant Episcopal Church in the Missionary District of Northern Texas, May 30-June 1, 1878.


Mark Duffy

SUBSCRIBED AND SWORN TO BEFORE ME on this 13 day of October, 2010.




Notary Public in and for the State of Texas

CONSTITUTION & CANONS

TOGETHER WITH THE RULES OF ORDER

FOR THE GOVERNMENT OF THE PROTESTANT EPISCOPAL CHURCH
IN THE UNITED STATES OF AMERICA
OTHERWISE KNOWN AS

THE EPISCOPAL CHURCH



ADOPTED AND REVISED IN GENERAL CONVENTION, 1789-2009

2009

Edited by
The Archives of the Episcopal Church
GENERAL CONVENTION OFFICE
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TABLE OF CONTENTS

CONSTITUTION OF THE GENERAL CONVENTION

Preamble.....1
Article
 I: Of the General Convention.....1
 II: Of Bishops.....3
 III: Of Bishops Consecrated for Foreign Lands.....4
 IV: Of the Standing Committee.....5
 V: Of Admission of New Dioceses.....5
 VI: Of Missionary Dioceses.....6
 VII: Of Provinces.....7
 VIII: Of Requisites for Ordination.....7
 IX: Of Courts.....8
 X: Of The Book of Common Prayer.....9
 XI: Of Dioceses and Missionary Dioceses.....9
 XII: Of Amendments to the Constitution.....9

CANONS OF THE GENERAL CONVENTION

Title I Organization and Administration

Canon
 1: Of the General Convention.....11
 2: Of the Presiding Bishop.....25
 3: Of the Domestic and Foreign Missionary Society.....29
 4: Of the Executive Council.....30
 5: Of the Archives of the Episcopal Church.....36
 6: Of the Mode of Securing an Accurate View of the State of This Church.....38
 7: Of Business Methods in Church Affairs.....39
 8: Of The Church Pension Fund.....41
 9: Of Provinces.....44
 10: Of New Dioceses.....46
 11: Of Missionary Jurisdictions.....48
 12: Of Standing Committees.....51
 13: Of Parishes and Congregations.....51
 14: Of Parish Vestries.....52
 15: Of Congregations in Foreign Lands.....52
 16: Of Clergy and Congregations Seeking Affiliation with This Church.....55
 17: Of Regulations Respecting the Laity.....55
 18: Of the Solemnization of Holy Matrimony.....58
 19: Of Regulations Respecting Holy Matrimony: Concerning Preservation
 of Marriage, Dissolution of Marriage, and Remarriage.....59
 20: Of Churches in Full Communion.....60

CONTENTS

Title II Worship

Canon

| | |
|--|----|
| 1: Of the Due Celebration of Sundays..... | 61 |
| 2: Of Translations of the Bible..... | 61 |
| 3: Of the Standard Book of Common Prayer..... | 61 |
| 4: Of the Authorization of Special Forms of Service..... | 63 |
| 5: Of the Music of the Church..... | 64 |
| 6: Of Dedicated and Consecrated Churches..... | 64 |

Title III Ministry

Canon

| | |
|--|-----|
| 1: Of the Ministry of All Baptized Persons..... | 65 |
| 2: Of Commissions on Ministry..... | 65 |
| 3: Of Discernment..... | 66 |
| 4: Of Licensed Ministries..... | 66 |
| 5: Of General Provisions Respecting Ordination..... | 68 |
| 6: Of the Ordination of Deacons..... | 69 |
| 7: Of the Life and Work of Deacons..... | 74 |
| 8: Of the Ordination of Priests..... | 76 |
| 9: Of the Life and Work of Priests..... | 83 |
| 10: Of Reception of Clergy from other Churches..... | 95 |
| 11: Of the Ordination of Bishops..... | 101 |
| 12: Of the Life and Work of a Bishop..... | 110 |
| 13: Of Dioceses without Bishops..... | 117 |
| 14: Of Religious Orders and Other Christian Communities..... | 117 |
| 15: Of the General Board of Examining Chaplains..... | 119 |
| 16: Of the Board for Transition Ministry..... | 120 |

Title IV Ecclesiastical Discipline

Canon

| | |
|---|-----|
| 1: Of Accountability and Ecclesiastical Discipline..... | 123 |
| 2: Of Terminology Used in This Title..... | 123 |
| 3: Of Accountability..... | 126 |
| 4: Of Standards of Conduct..... | 127 |
| 5: Of Disciplinary Structures..... | 128 |
| 6: Of Intake and Referral of Information Concerning Offenses..... | 130 |
| 7: Of Pastoral Direction, Restricted Ministry and Administrative Leave..... | 132 |
| 8: Of Pastoral Response..... | 134 |
| 9: Of Agreements Between Bishops Diocesan and Respondents..... | 135 |
| 10: Of Conciliation..... | 136 |
| 11: Of Investigations..... | 136 |
| 12: Of Conference Panels..... | 137 |
| 13: Of Hearing Panels..... | 139 |
| 14: Of Accords and Orders..... | 142 |
| 15: Of Review..... | 145 |
| 16: Of Abandonment of The Episcopal Church..... | 148 |
| 17: Of Proceedings for Bishops..... | 150 |
| 18: Of Modification and Remission of Orders..... | 154 |

CONTENTS

19: Of General Provisions.....155
20: Of Transitional Provisions and Conforming Amendments.....164

Title V General Provisions

Canon

1: Of Enactment, Amendment, and Repeal.....167
2: Of Terminology Used in These Canons.....168
3: Of a Quorum.....168
4: Of Vacancies on Canonical Bodies.....169

RULES OF ORDER

House of Bishops

Services and Devotions.....171
First Day of Session.....171
Daily Orders.....172
General Rules for Meetings of This House.....174
The Presiding Bishop.....182
Missionary Bishops.....182
Standing Orders.....184
Standing Resolutions.....185

House of Deputies

The Holy Scriptures.....187
Opening of the Daily Session.....187
Order of Business.....187
Legislative Committees.....189
Commissions and Joint Committees.....193
Resolutions and Memorials.....193
Motions in Order of Precedence.....196
Motions Without Order of Precedence.....198
Reconsideration.....200
Decorum and Debate.....200
Voting.....201
Messages from the House of Bishops.....202
Committee of the Whole.....203
Election of a Bishop.....204
General Regulations.....204
Unanimous Consent.....206
Rules in Force.....206
Amendments.....206
Robert's Rules of Order.....206
Standing Orders.....206

Joint Rules of the House of Bishops and House of Deputies

Joint Standing Committees and Joint Legislative Committees.....209
Joint Standing Committee on Program, Budget, and Finance.....210
Proposals for Legislative Consideration.....212

CONTENTS

| | |
|--|-----|
| Supplemental Money Bills..... | 213 |
| Summary of General Convention Action..... | 213 |
| Joint Standing Committee on Planning and Arrangements..... | 213 |
| Joint Standing Committee on Nominations..... | 214 |
| Joint Legislative Committee on Committees and Commissions..... | 214 |
| Task Forces of the General Convention..... | 215 |
| Rules in Force..... | 215 |

INDEX

| | |
|--|-----|
| Resolutions Amending the Constitution, Canons, and Rules of Order..... | 217 |
| Index to the Constitution, Canons, and Rules of Order..... | 219 |

CONSTITUTION

PREAMBLE

The Protestant Episcopal Church in the United States of America, otherwise known as The Episcopal Church (which name is hereby recognized as also designating the Church), is a constituent member of the Anglican Communion, a Fellowship within the One, Holy, Catholic, and Apostolic Church, of those duly constituted Dioceses, Provinces, and regional Churches in communion with the See of Canterbury, upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer. This Constitution, adopted in General Convention in Philadelphia in October, 1789, as amended in subsequent General Conventions, sets forth the basic Articles for the government of this Church, and of its overseas missionary jurisdictions.

Name of Church.

Anglican Communion.

ARTICLE I

Sec. 1. There shall be a General Convention of this Church, consisting of the House of Bishops and the House of Deputies, which Houses shall sit and deliberate separately; and in all deliberations freedom of debate shall be allowed. Either House may originate and propose legislation, and all acts of the Convention shall be adopted and be authenticated by both Houses.

General Convention.

Sec. 2. Each Bishop of this Church having jurisdiction, every Bishop Coadjutor, every Suffragan Bishop, every Assistant Bishop, and every Bishop who by reason of advanced age or bodily infirmity, or who, under an election to an office created by the General Convention, or for reasons of mission strategy determined by action of the General Convention or the House of Bishops, has resigned a jurisdiction, shall have a seat and a vote in the House of Bishops. A majority of all Bishops entitled to vote, exclusive of Bishops who have resigned their jurisdiction or positions, shall be necessary to constitute a quorum for the transaction of business.

House of Bishops.

Quorum.

Sec. 3. At the General Convention next before the expiration of the term of office of the Presiding Bishop, it shall elect the Presiding Bishop of the Church. The House of Bishops shall choose one of the Bishops of this Church to be the Presiding Bishop of the Church by a vote of a majority of all Bishops, excluding retired Bishops not present, except that whenever two-thirds of the House of Bishops are present a majority vote shall suffice, such choice to be subject to confirmation by the House of Deputies. The term and tenure of office and duties and particulars of the election not inconsistent with the preceding provisions shall be prescribed by the Canons of the General Convention.

Election of Presiding Bishop.

Term and tenure of Office.

But if the Presiding Bishop of the Church shall resign the office as such, or if by reason of infirmity shall become disabled, or in case of death, the Bishop who, according to the Rules of the House of

Succession.

Bishops, becomes its Presiding Officer, shall (unless the date of the next General Convention is within three months) immediately call a special meeting of the House of Bishops, to elect a member thereof to be the Presiding Bishop. The certificate of election on the part of the House of Bishops shall be sent by the Presiding Officer to the Standing Committees of the several Dioceses, and if a majority of the Standing Committees of the Dioceses shall concur in the election, the Bishop elected shall become the Presiding Bishop of the Church.

House of
Deputies.

Sec. 4. The Church in each Diocese which has been admitted to union with the General Convention, each area Mission established as provided by Article VI, and the Convocation of the American Churches in Europe, shall be entitled to representation in the House of Deputies by not more than four ordained persons, Presbyters or Deacons, canonically resident in the Diocese and not more than four Lay Persons, confirmed adult communicants of this Church, in good standing in the Diocese but not necessarily domiciled in the Diocese; but the General Convention by Canon may reduce the representation to not fewer than two Deputies in each order. Each Diocese, and the Convocation of the American Churches in Europe, shall prescribe the manner in which its Deputies shall be chosen.

Quorum.

To constitute a quorum for the transaction of business, the Clerical order shall be represented by at least one Deputy in each of a majority of the Dioceses entitled to representation, and the Lay order shall likewise be represented by at least one Deputy in each of a majority of the Dioceses entitled to representation.

Majority Vote.

Sec. 5. The vote on all questions which come before the House of Deputies shall be governed by the following provisions, supplemented by such procedural provisions as the House of Deputies may adopt in its Rules of Order:

Vote by Orders.

Unless a greater vote on any question is required by this Constitution or by the Canons in cases not specifically dealt with by this Constitution or unless a vote by orders on a question is required, the affirmative vote of a majority of all of the Deputies present and voting shall suffice to carry any question. A vote by orders on any question shall be taken if required for that question by this Constitution or by the Canons or if the Clerical or Lay representation from three or more separate Dioceses shall so request at the time of the call for the vote on that question. In all cases of a vote by orders, the vote of each order, Clerical and Lay, shall be counted separately, each order in each Diocese shall have one vote, and a vote in the affirmative by an order in a Diocese shall require the affirmative vote of a majority of the Deputies present in that order in that Diocese. To carry in the affirmative any question being voted on by orders requires concurrence in the affirmative by both orders and, unless a greater vote is required by this Constitution or by the Canons in cases not specifically dealt with by this Constitution, concurrence in the affirmative by an

order requires the affirmative vote in that order by a majority of the Dioceses present in that order.

Sec. 6. In either House any number less than a quorum may adjourn from day to day. Neither House, without the consent of the other, shall adjourn for more than three days, or to any place other than that in which the Convention shall be sitting. Adjournment.

Sec. 7. The General Convention shall meet not less than once in each three years, at a time and place determined in accordance with the Canons. Special meetings may be held as provided for by Canon. Time and place of meeting.

ARTICLE II

Sec. 1. In every Diocese the Bishop or the Bishop Coadjutor shall be chosen agreeably to rules prescribed by the Convention of that Diocese, *provided* that the retirement date of the Bishop Diocesan shall not be more than thirty-six months after the consecration of the Bishop Coadjutor. Bishops of Missionary Dioceses shall be chosen in accordance with the Canons of the General Convention. Election of Bishops.

Sec. 2. No one shall be ordained and consecrated Bishop until the attainment of thirty years of age; nor without the consent of a majority of the Standing Committees of all the Dioceses, and the consent of a majority of the Bishops of this Church exercising jurisdiction. But if the election shall have taken place within one hundred twenty days before the meeting of General Convention, the consent of the House of Deputies shall be required in place of that of a majority of the Standing Committees. No one shall be ordained and consecrated Bishop by fewer than three Bishops. Required age.
Consent to election.
Consecration.

Sec. 3. A Bishop shall confine the exercise of such office to the Diocese in which elected, unless requested to perform episcopal acts in another Diocese by the Ecclesiastical Authority thereof, or unless authorized by the House of Bishops, or by the Presiding Bishop by its direction, to act temporarily in case of need within any territory not yet organized into Dioceses of this Church. Jurisdiction of Bishops.

Sec. 4. It shall be lawful for a Diocese, at the request of the Bishop of that Diocese, to elect not more than two Suffragan Bishops, without right of succession, and with seat and vote in the House of Bishops. A Suffragan Bishop shall be consecrated and hold office under such conditions and limitations other than those provided in this Article as may be provided by Canons of the General Convention. A Suffragan Bishop shall be eligible for election as Bishop or Bishop Coadjutor of a Diocese, or as a Suffragan in another Diocese. Bishops Suffragan.

Sec. 5. It shall be lawful for a Diocese to prescribe by the Constitution and Canons of such Diocese that upon the death of the Bishop, a Suffragan Bishop of that Diocese may be placed in charge of such Diocese and become temporarily the Ecclesiastical Authority thereof until such time as a new Bishop shall be chosen May become Ecclesiastical Authority.

and consecrated; or that during the disability or absence of the Bishop, a Bishop Suffragan of that Diocese may be placed in charge of such diocese and become temporarily the Ecclesiastical Authority thereof.

Resignation. Sec. 6. A Bishop may not resign jurisdiction without the consent of the House of Bishops.

Bishop Suffragan for Armed Forces. Sec. 7. It shall be lawful for the House of Bishops to elect a Suffragan Bishop who, under the direction of the Presiding Bishop, shall be in charge of the work of those chaplains in the Armed Forces of the United States, Veterans' Administration Medical Centers, and Federal Correctional Institutions who are ordained Ministers of this Church. The Suffragan Bishop so elected shall be consecrated and hold office under such conditions and limitations other than those provided in this Article as may be provided by Canons of the General Convention. The Suffragan Bishop shall be eligible for election as Bishop or Bishop Coadjutor or Suffragan Bishop of a Diocese.

Election of Bishops to other jurisdictions. Sec. 8. A Bishop who has for at least five years next preceding, exercised jurisdiction as the Ordinary, or as the Bishop Coadjutor, of a Diocese, may be elected as Bishop, Bishop Coadjutor, or Suffragan Bishop of another Diocese. Before acceptance of such election a resignation of jurisdiction in the Diocese in which the Bishop is then serving, conditioned on the required consents of the Bishops and Standing Committees of the Church to such election, shall be submitted to the House of Bishops, and also, if the Bishop be a Bishop Coadjutor, a renunciation of the right of succession. Such resignation, and renunciation of the right of succession in the case of a Bishop Coadjutor, shall require the consent of the House of Bishops.

Resignation procedure must be followed.

Compulsory retirement age. Sec. 9. Upon attaining the age of seventy-two years a Bishop shall resign from all jurisdiction.

ARTICLE III

Bishops consecrated for foreign lands. Bishops may be consecrated for foreign lands upon due application therefrom, with the approbation of a majority of the Bishops of this Church entitled to vote in the House of Bishops, certified to the Presiding Bishop; under such conditions as may be prescribed by Canons of the General Convention. Bishops so consecrated shall not be eligible to the office of Diocesan or of Bishop Coadjutor of any Diocese in the United States or be entitled to vote in the House of Bishops; nor shall they perform any act of the episcopal office in any Diocese or Missionary Diocese of this Church, unless requested so to do by the Ecclesiastical Authority thereof. If a Bishop so consecrated shall be subsequently duly elected as a Bishop of a Missionary Diocese of this Church, such election shall then confer all the rights and privileges given in the Canon to such Bishops.

ARTICLE IV

In every Diocese a Standing Committee shall be elected by the Convention thereof, except that provision for filling vacancies between meetings of the Convention may be prescribed by the Canons of the respective Dioceses. When there is a Bishop in charge of the Diocese, the Standing Committee shall be the Bishop's Council of Advice. If there be no Bishop or Bishop Coadjutor or Suffragan Bishop canonically authorized to act, the Standing Committee shall be the Ecclesiastical Authority of the Diocese for all purposes declared by the General Convention. The rights and duties of the Standing Committee, except as provided in the Constitution and Canons of the General Convention, may be prescribed by the Canons of the respective Dioceses.

Standing Committees.

ARTICLE V

Sec. 1. A new Diocese may be formed, with the consent of the General Convention and under such conditions as the General Convention shall prescribe by General Canon or Canons, (1) by the division of an existing Diocese; (2) by the junction of two or more Dioceses or of parts of two or more Dioceses; or (3) by the erection into a Diocese of an unorganized area evangelized as provided in Article VI. The proceedings shall originate in a Convocation of the Clergy and Laity of the unorganized area called by the Bishop for that purpose; or, with the approval of the Bishop, in the Convention of the Diocese to be divided; or (when it is proposed to form a new Diocese by the junction of two or more existing Dioceses or of parts of two or more Dioceses) by mutual agreement of the Conventions of the Dioceses concerned, with the approval of the Bishop of each Diocese. In case the Episcopate of a Diocese be vacant, no proceedings toward its division shall be taken until the vacancy is filled. After consent of the General Convention, when a certified copy of the duly adopted Constitution of the new Diocese, including an unqualified accession to the Constitution and Canons of this Church, shall have been filed with the Secretary of the General Convention and approved by the Executive Council of this Church, such new Diocese shall thereupon be in union with the General Convention.

Admission of new Dioceses.

Sec. 2. In case one Diocese shall be divided into two or more Dioceses, the Bishop of the Diocese divided, at least thirty days before such division, shall select the Diocese in which the Bishop will continue in jurisdiction. The Bishop Coadjutor, if there be one, subsequently and before the effective date of the division shall select the Diocese in which the Bishop Coadjutor shall continue in jurisdiction, and if it not be the Diocese selected by the Bishop shall become the Bishop thereof.

Rights of Bishops when Diocese divides.

Sec. 3. In case a Diocese shall be formed out of parts of two or more Dioceses, each of the Bishops and Bishops Coadjutor of the

When a new Diocese forms from other Dioceses.

several Dioceses out of which the new Diocese has been formed shall be entitled, in order of seniority of consecration, to the choice between the Bishop's Diocese and the new Diocese so formed. In the case the new Diocese shall not be so chosen, it shall have the right to choose its own Bishop.

Constitution and Canons of new Dioceses.

Sec. 4. Whenever a new Diocese is formed and erected out of an existing Diocese, it shall be subject to the Constitution and Canons of the Diocese out of which it was formed, except as local circumstances may prevent, until the same be altered in accordance with such Constitution and Canons by the Convention of the new Diocese.

Whenever a Diocese is formed out of two or more existing Dioceses, it shall be subject to the Constitution and Canons of that one of the said existing Dioceses to which the greater number of Members of the Clergy shall have belonged prior to the erection of such new Diocese, except as local circumstances may prevent, until the same be altered in accordance with such Constitution and Canons by the Convention of the new Diocese.

Number of Presbyters and Parishes.

Sec. 5. No new Diocese shall be formed unless it shall contain at least six Parishes and at least six Presbyters who have been for at least one year canonically resident within the bounds of such new Diocese, regularly settled in a Parish or Congregation and qualified to vote for a Bishop. Nor shall such new Diocese be formed if thereby any existing Diocese shall be so reduced as to contain fewer than twelve Parishes and twelve Presbyters who have been residing therein and settled and qualified as above provided.

Cession of diocesan territory.

Sec. 6. By mutual agreement between the Conventions of two adjoining Dioceses, consented to by the Ecclesiastical Authority of each Diocese, a portion of the territory of one of said Dioceses may be ceded to the other Diocese, such cession to be considered complete upon approval thereof by the General Convention or by a majority of Bishops having jurisdiction in the United States, and of the Standing Committees of the Dioceses, in accordance with the Canons of this Church. Thereupon the part of the territory so ceded shall become a part of the Diocese accepting the same. The provisions of Section 3 of this Article V shall not apply in such case, and the Bishop and Bishop Coadjutor, if any, of the Diocese ceding such territory shall continue in their jurisdiction over the remainder of such Diocese, and the Bishop and Bishop Coadjutor, if any, of the Diocese accepting cession of such territory shall continue in jurisdiction over such Diocese and shall have jurisdiction in that part of the territory of the other Diocese that has been so ceded and accepted.

General Convention to approve.

Rights of Bishops.

ARTICLE VI

Area Missions.

Sec. 1. The House of Bishops may establish a Mission in any area not included within the boundaries of any Diocese of this Church or

of any Church in communion with this Church, and elect or appoint a Bishop therefor.

Sec. 2. The General Convention may accept a cession of the territorial jurisdiction of a part of a Diocese when such cession shall have been proposed by the Bishop and the Convention of such Diocese, and consent thereto shall have been given by three-fourths of the Parishes in the ceded territory, and also by the same ratio of the Parishes within the remaining territory. Cession of jurisdiction.

Any territorial jurisdiction or any part of the same, which may have been ceded by a Diocese under the foregoing provision, may be retroceded to the said Diocese by such joint action of all the several parties as is herein required for its cession, save that in the case of retrocession of territory the consent of Parishes within the territory retroceded shall not be necessary; *Provided*, that such action of the General Convention, whether of cession or retrocession, shall be by a vote of two-thirds of all the Bishops present and voting and by a vote by orders in the House of Deputies in accordance with Article I, Section 5, except that concurrence by the orders shall require the affirmative vote in each order by two-thirds of the Dioceses. Retrocession of such jurisdiction.

Sec. 3. Missionary Dioceses shall be organized as may be prescribed by Canon of the General Convention. Missionary Dioceses.

ARTICLE VII

Dioceses may be united into Provinces in such manner, under such conditions, and with such powers, as shall be provided by Canon of the General Convention; *Provided, however*, that no Diocese shall be included in a Province without its own consent. Provinces.

ARTICLE VIII

No person shall be ordered Priest or Deacon to minister in this Church until the person shall have been examined by the Bishop and two Priests and shall have exhibited such testimonials and other requisites as the Canons in that case provided may direct. No person shall be ordained and consecrated Bishop, or ordered Priest or Deacon to minister in this Church, unless at the time, in the presence of the ordaining Bishop or Bishops, the person shall subscribe and make the following declaration: Requisites for ordination.

I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God, and to contain all things necessary to salvation; and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of the Episcopal Church. Declaration.

Provided, however, that any person consecrated a Bishop to minister in any Diocese of an autonomous Church or Province of a Church in communion with this Church may, instead of the foregoing Proviso.

declaration, make the promises of Conformity required by the Church in which the Bishop is to minister.

If any Bishop ordains a Priest or Deacon to minister elsewhere than in this Church, or confers ordination as Priest or Deacon upon a Christian minister who has not received Episcopal ordination, the Bishop shall do so only in accordance with such provisions as shall be set forth in the Canons of this Church.

Admission of
foreign clergy.

No person ordained by a foreign Bishop, or by a Bishop not in communion with this Church, shall be permitted to officiate as a Minister of this Church until the person shall have complied with the Canon or Canons in that case provided and also shall have subscribed the aforesaid declaration.

Clergy of
Churches in full
communion.

A bishop may permit an ordained minister in good standing in a church with which this church is in full communion as specified by the Canons who has made the foregoing declaration, or a minister ordained in the Evangelical Lutheran Church in America or its predecessor bodies who has made the promise of conformity required by that Church in place of the foregoing declaration to officiate on a temporary basis as an ordained minister of this church.

ARTICLE IX

Court for trial
of Bishops.
For trial of
Presbyters and
Deacons.

The General Convention may, by Canon, establish one or more Courts for the Trial of Bishops.

Presbyters and Deacons canonically resident in a Diocese shall be tried by a Court instituted by the Convention thereof; Presbyters and Deacons canonically resident in a Missionary Diocese shall be tried according to Canons adopted by the Bishop and Convocation thereof, with the approval of the House of Bishops; *Provided*, that the General Convention in each case may prescribe by Canon for a change of venue.

Courts of
Review.

The General Convention, in like manner, may establish or may provide for the establishment of Courts of Review of the determination of diocesan or other trial Courts.

Composed
of Bishops.
Court of
Appeal.

The Court for the review of the determination of the trial Court, on the trial of a Bishop, shall be composed of Bishops only.

The General Convention, in like manner, may establish an ultimate Court of Appeal, solely for the review of the determination of any Court of Review on questions of Doctrine, Faith, or Worship.

Bishop to
pronounce
sentence.

None but a Bishop shall pronounce sentence of suspension, or removal, or deposition from the Ministry, on any Bishop, Presbyter, or Deacon; and none but a Bishop shall admonish any Bishop, Presbyter, or Deacon.

Suspension.

A sentence of suspension shall specify on what terms or conditions and at what time the suspension shall cease. A sentence of suspension may be remitted in such manner as may be provided by Canon.

ARTICLE X

The Book of Common Prayer, as now established or hereafter amended by the authority of this Church, shall be in use in all the Dioceses of this Church. No alteration thereof or addition thereto shall be made unless the same shall be first proposed in one regular meeting of the General Convention and by a resolve thereof be sent within six months to the Secretary of the Convention of every Diocese, to be made known to the Diocesan Convention at its next meeting, and be adopted by the General Convention at its next succeeding regular meeting by a majority of all Bishops, excluding retired Bishops not present, of the whole number of Bishops entitled to vote in the House of Bishops, and by a vote by orders in the House of Deputies in accordance with Article I, Sec. 5, except that concurrence by the orders shall require the affirmative vote in each order by a majority of the Dioceses entitled to representation in the House of Deputies.

The Book of Common Prayer.

Alterations or additions.

But notwithstanding anything herein above contained, the General Convention may at any one meeting, by a majority of the whole number of the Bishops entitled to vote in the House of Bishops, and by a majority of the Clerical and Lay Deputies of all the Dioceses entitled to representation in the House of Deputies, voting by orders as previously set forth in this Article:

Exceptions.

- (a) Amend the Table of Lessons and all Tables and Rubrics relating to the Psalms.
- (b) Authorize for trial use throughout this Church, as an alternative at any time or times to the established Book of Common Prayer or to any section or Office thereof, a proposed revision of the whole Book or of any portion thereof, duly undertaken by the General Convention.

Lectionary.

Trial use.

And *Provided*, that nothing in this Article shall be construed as restricting the authority of the Bishops of this Church to take such order as may be permitted by the Rubrics of the Book of Common Prayer or by the Canons of the General Convention for the use of special forms of worship.

Special forms of worship.

ARTICLE XI

Whenever the term "Diocese" is used without qualification in this Constitution, it shall be understood to refer both to Dioceses and to Missionary Dioceses and also, wherever applicable, to all other jurisdictions entitled to representation in the House of Deputies of the General Convention.

Interpretation of "Diocese."

ARTICLE XII

No alteration or amendment of this Constitution shall be made unless the same shall be first proposed at one regular meeting of the General Convention and be sent to the Secretary of the Convention of every Diocese, to be made known to the Diocesan Convention at

Alterations or amendments to Constitution.

its next meeting, and be adopted by the General Convention at its next succeeding regular meeting by a majority of all Bishops, excluding retired Bishops not present, of the whole number of Bishops entitled to vote in the House of Bishops, and by an affirmative vote by orders in the House of Deputies in accordance with Article I, Section 5, except that concurrence by the orders shall require the affirmative vote in each order by a majority of the Dioceses entitled to representation in the House of Deputies.

Notwithstanding the provisions of the foregoing paragraph, the adoption of any alteration or amendment of this Constitution which inserts or repeals an Article, or a Section or Clause of an Article, shall effect the necessary change in numbers or letters of Articles or Sections or Clauses of an Article, that follow, and in references made in this Constitution to any other part, without the necessity of specific provision therefor in the alteration or amendment.

Effective date.

Each duly adopted alteration or amendment to this Constitution, unless otherwise expressly stated therein, shall take effect on the first day of January following the adjournment of the General Convention at which it is finally adopted.

**TITLE I
ORGANIZATION AND ADMINISTRATION**

CANON 1: Of the General Convention

Sec. 1 (a) At the time and place appointed for the meeting of the General Convention, the President of the House of Deputies, or, if absent, the Vice-President of the House, or, if there be neither, a presiding officer *pro tempore* appointed by the members of the House of Deputies on the Joint Committee of Arrangements for the General Convention, shall call to order the members present. The Secretary, or, if absent, a Secretary *pro tempore* appointed by the presiding officer, shall record the names of those whose testimonials, in due form, shall have been presented, which record shall be *prima facie* evidence that the persons whose names are therein recorded are entitled to seats. In the event that testimonials are presented by or on behalf of persons from jurisdictions which have not previously been represented in a General Convention, then the Secretary, or one appointed instead as provided herein, shall proceed as provided in Clause (c). If there be a quorum present, the Secretary shall so certify, and the House shall proceed to organize by the election, by ballot, of a Secretary, and a majority of the votes cast shall be necessary to such election. Upon such election, the presiding officer shall declare the House organized. If there be a vacancy in the office of President or Vice-President, the vacancy or vacancies shall then be filled by election, by ballot, the term of any officer so elected to continue until the adjournment of the General Convention. As soon as such vacancies are filled, the President shall appoint a committee to wait upon the House of Bishops and inform it of the organization of the House of Deputies, and of its readiness to proceed to business.

Organizing
the House
of Deputies.

(b) There shall be a President and a Vice-President of the House of Deputies, who shall perform the duties normally appropriate to their respective offices or specified in these Canons. They shall be elected not later than the seventh day of each regular meeting of the General Convention in the manner herein set forth. The House of Deputies shall elect from its membership, by a majority of separate ballots, a President and a Vice-President, who shall be of different orders. Such officers shall take office at the adjournment of the regular meeting at which they are elected, and shall continue in office until the adjournment of the following regular meeting of the General Convention. They shall be and remain *ex officio* members of the House during their term of office. No person elected President or Vice-President shall be eligible for more than three consecutive full terms in each respective office. In case of resignation, death, absence, or inability, of the President, the Vice-President shall perform the duties of the office until a new President is elected. The President shall be authorized to appoint an Advisory Council for consultation and advice in the performance of the duties of the

Election of
President and
Vice-President.

Appointment
of Advisory
Council and
Chancellor.

office. The President may also appoint a Chancellor to the President, a confirmed adult communicant of the Church in good standing who is learned in both ecclesiastical and secular law, to serve so long as the President may desire, as counselor in matters relating to the discharge of the responsibilities of that office.

Diocesan Journals to be forwarded.

(c) In order to aid the Secretary in preparing the record specified in Clause (a), it shall be the duty of the Secretary of the Convention of every Diocese to forward to the Secretary of the House of Deputies, as soon as may be practicable, a copy of the latest Journal of the Diocesan Convention, together with a certified copy of the testimonials of members aforesaid, and a duplicate copy of such testimonials. Where testimonials are received for persons from jurisdictions which have not previously been represented in General Convention, the Secretary shall ascertain that the applicable provisions of Article V, Section 1, of the Constitution have been complied with prior to such persons being permitted to take their seats in the House.

Testimonials required.

Secretary to keep minutes and records.

(d) The Secretary shall keep full minutes of the proceedings of the House; record them, with all reports, in a book provided for that purpose; preserve the Journals and Records of the House; deliver them to the Registrar, as hereinafter provided; and perform such other duties as may be directed by the House. The Secretary may, with the approval of the House, appoint Assistant Secretaries, and the Secretary and Assistant Secretaries shall continue in office until the organization of the next General Convention, and until their successors be chosen.

Notices of Amendments to Constitution and Prayer Book.

(e) It shall be the duty of the Secretary of the House of Deputies, whenever any alteration of the Book of Common Prayer or of the Constitution is proposed, or any other subject submitted to the consideration of the several Diocesan Conventions, to give notice thereof to the Ecclesiastical Authority of the Church in every Diocese, as well as to the Secretary of the Convention of every Diocese, and written evidence that the foregoing requirement has been complied with shall be presented by the Secretary to the General Convention at its next session. All such notices shall be sent by certified or registered mail, with the Secretary's certificates to be returned. The Secretary shall notify all diocesan Secretaries that it is their duty to make known such proposed alterations of the Book of Common Prayer, and of the Constitution, and such other subjects, to the Conventions of their respective Dioceses at their next meeting, and to certify to the Secretary of the House of Deputies that such action has been taken.

Secretary and Treasurer to have seat and voice.

(f) The Secretary of the House of Deputies and the Treasurer of the General Convention shall be entitled to seats upon the floor of the House, and, with the consent of the President, they may speak on the subjects of their respective offices.

Rules of the House of Deputies.

(g) At the meetings of the House of Deputies the Rules and Orders of the previous meeting shall be in force until they are amended or repealed by the House.

(h) In case of the resignation, death, or total disability of the President and Vice-President during the recess of the General Convention, the Secretary of the House of Deputies shall perform such *ad interim* duties as may appertain to the office of President until the next meeting of the General Convention or until such disability is removed.

(i) If, during recess, a vacancy shall occur in the office of Secretary of the House of Deputies, the duties thereof shall devolve upon the First Assistant Secretary, or, if there be none such, upon a Secretary *pro tempore* appointed by the President of the House, or if the office of President be also vacant, then by the Vice-President, and if both offices be vacant, then by the members from the House of Deputies of the Joint Committee on Planning and Arrangements for the next General Convention, appointed by the preceding General Convention.

(j) At every regular meeting of the General Convention, the Secretary elected by the House of Deputies shall, by concurrent action of the two Houses of the General Convention, also be made the Secretary of the General Convention, who shall have responsibility for assembling and printing of the Journal of the General Convention, and for other matters specifically referred to the Secretary.

Secretary of House of Deputies to be Secretary of Convention.

Sec. 2 (a) The General Convention by Canon may establish Standing Commissions, to study and draft policy proposals on major subjects considered to be of continuing concern to the mission of the Church. The Canon shall specify the duties of each such Commission. Standing Commissions shall be composed of three (3) Bishops, three (3) Priests and/or Deacons of this Church and six (6) Lay Persons, who shall be confirmed adult communicants of this Church in good standing. Priests, Deacons and Lay Persons are not required to be members of the House of Deputies.

Standing Commissions.

(b) The terms of all members of Standing Commissions shall be equal to the interval between the regular meeting of the General Convention preceding their appointment and the adjournment of the second succeeding regular meeting of the General Convention, and such terms shall be rotated so that, as near as may be, the term of one half of the members shall expire at the conclusion of each regular meeting of the General Convention. The term of a member shall become vacant in the event of two absences from meetings of the Commission occurring in the interval between successive regular meetings of the General Convention unless excused by the Commission for good cause.

Terms of office.

(c) The Presiding Bishop shall appoint the Episcopal members, and the President of the House of Deputies the Lay and other Clerical members, of such Commissions as soon as practicable after the adjournment of the General Convention, but not later than ninety (90) days following the close of General Convention. Episcopal members appointed after the adjournment of any General Convention at which a Presiding Bishop is elected shall be

Appointment of members.

appointed by the Presiding Bishop-elect. Vacancies shall be filled in similar manner; *Provided, however,* that vacancies occurring within one year of the next regular General Convention shall not be filled unless so requested by the Commission.

Consultants and coordinators.

(d) The Presiding Bishop and the President of the House of Deputies shall jointly appoint members of the Executive Council as liaison persons to provide for communication between the Executive Council and each Commission. Notice of such appointments shall be given to the Secretaries of both Houses. Such appointed liaison persons shall not be members of the Commission and shall have voice but not vote. The reasonable expenses thereof shall be provided for by the Executive Council. Each such Commission shall have a member of the Presiding Bishop's staff appointed by the Presiding Bishop to assist in its work. Each such Commission shall have the power to constitute committees, from among members or non members of the Commission, and, subject to the Commission's budget, engage the services of consultants and coordinators necessary to the carrying on of its work.

Ex officio members.

(e) The Presiding Bishop and the President of the House of Deputies shall be members *ex officio* of every Commission with the right, but no obligation, to attend meetings, and with seat and vote in the deliberations thereof, and shall receive their minutes and an annual report of their activities; *Provided,* that the said presiding officers may appoint personal representatives to attend any meeting in their stead, but without vote.

Notification of duties.

(f) The Executive Officer of the General Convention shall, not later than one hundred and twenty (120) days following the meeting of the General Convention, notify the members of the respective Houses of the appointments upon Commissions and the duty to present Reports to the next Convention. One year prior to the opening day of the Convention, the Executive Officer of the General Convention shall remind the Chairs and Secretaries of all Commissions of this duty.

Convener appointed and officers elected.

(g) Every Commission appointed by the Presiding Bishop and the President of the House of Deputies, and when convened shall be organized by electing a chair, vice-chair and secretary. In the event that the Commission is not convened as above provided within six months from the date of adjournment of each Convention, one-third of the members may take such action as shall be necessary to convene the Commission. After the Commission shall have been convened, and its officers chosen, the Chair or, in the absence of the Chair or in the Chair's inability or refusal to act, the Vice-Chair shall be empowered to call a meeting and fix the time and place and shall do so upon signed request of one-third of the members.

Referrals.

(h) It shall be the privilege of either House to refer to a Commission any matter related to the subject for which it was appointed; but neither House shall have the power, without the consent of the other, to instruct the Commission as to any particular line of action.

(i) It shall be the duty of each Commission to give appropriate notice in the Church press of issues before it and the time and place of meetings at which such issues are to be considered, together with instructions as to the manner in which members of the Church may address their views to such Commission. Public notice of meeting.

(j) Every Commission shall prepare a Report, which, together with any minority Report, shall be sent, not later than 150 days prior to the opening day of each Convention, to the Executive Officer of the General Convention, who shall print and distribute the same, as far as practicable, to all members of said Convention. Reports due.

(k) The Report of every Commission presented at the General Convention shall: Contents of Reports.

- (1) Set forth the names of its original members, any changes in membership, the names of all those who concur in and all those who dissent from its recommendation, and shall further state, if less than a majority of its entire membership sign the Report, their authority for presenting it.
- (2) Summarize the work of the Commission, including the various matters studied, the recommendations for action by the General Convention and drafts of Resolutions proposed for adoption to implement the recommendations of the Commission.
- (3) Include a detailed report of all receipts and expenditures, including moneys received from any source whatsoever, during the preceding interval since the last meeting of the General Convention, and if it recommends that it be continued, the estimated requirements for the ensuing interval until the next regular meeting of the General Convention.

(l) Every Commission, as a condition precedent to the presentation and reception of any Report in either House, in which such Commission proposes the adoption of any Resolution, shall, by vote, authorize a member or members of that House, who, if possible, shall be a member of the Commission, with such limitations as the Commission may impose, to accept or reject, on behalf of the Commission, any amendments proposed in such House to any such Resolution; *Provided, however,* that no such amendment may change the substance of the proposal, but shall be primarily for the purpose of correcting errors. The name of the member or members of the particular House upon whom such authority has been conferred, and the limitations of authority, shall be communicated in writing to the Presiding Officer of such House not later than the presentation of such Report in that House. The application of this Rule in either House may be suspended, in any particular case, by the majority vote of the members of such House. Spokesperson to be present at General Convention.

(m) Every Commission whose Report requests expenditure out of the funds of the General Convention (except for the printing of the Budget requirements.

Report) shall present to the Joint Standing Committee on Program, Budget, and Finance its written request, on or before the first business day of the session, and all Resolutions providing for any such expenditures shall be immediately referred to the Joint Standing Committee on Program, Budget, and Finance. No proposition involving such expenditures shall be considered unless so presented and until after report of the Joint Standing Committee on Program, Budget, and Finance.

(n) There shall be the following Standing Commissions:

Anglican and
International
Peace with
Justice
Concerns.

- (1) A Standing Commission on Anglican and International Peace with Justice Concerns. It shall be the duty of the Commission to develop recommendations and strategies regarding common ministry opportunities and concerns with other Provinces of the Anglican Communion as to the work of this Church and the Anglican Communion on issues of international peace with justice and to make recommendations pertaining thereto to the Presiding Bishop, the Executive Council and the General Convention.

Small
Congregations.

- (2) A Standing Commission for Small Congregations. It shall be the duty of the Commission to identify and recommend to General Convention policies, priorities, and opportunities to affirm and strengthen the health and development of small congregations.

Constitution
and Canons.

- (3) A Standing Commission on Constitution and Canons. It shall be the duty of the Commission to:
- (i) Review such proposed amendments to the Constitution and Canons as may be submitted to the Commission, placing each such proposed amendment in proper Constitutional or Canonical form including all amendments necessary to effect the proposed change. The Commission shall express its views with respect to the substance of any such proposal only to the proponent thereof; *Provided, however,* that no member of the Commission shall, by reason of expressing, before a Legislative Committee or on the floor of the House of membership, personal views with respect to the substance of any such proposed amendment.
 - (ii) Conduct a continuing comprehensive review of the Constitution and Canons with respect to their internal consistency and clarity, and on the basis of such a review propose to the General Convention such technical amendments to the Constitution and Canons as in the opinion of the Commission are necessary or desirable in

order to achieve such consistency and clarity without altering the substance of any Constitutional and Canonical provisions; *Provided, however,* that the Commission shall propose, for the consideration of the appropriate Legislative Committees of the two Houses, such amendments to the Constitution and Canons as in the opinion of the Commission are technically desirable but involve a substantive alteration of a Constitutional or Canonical provision.

- (iii) On the basis of such review suggest to the Executive Council and the Domestic and Foreign Missionary Society such amendments to their respective By-laws as in the opinion of the Commission are necessary or desirable in order to conform the same to the Constitution and Canons.
 - (iv) Conduct a continuing and comprehensive review and update of the authorized "Annotated Constitution and Canons for the Government of the Protestant Episcopal Church in the United States of America otherwise known as The Episcopal Church" to reflect actions of General Convention which amend the Constitution and Canons and, in the discretion of the Commission, develop other materials which are appropriate to the purpose of the "Annotated Constitution and Canons," and facilitate the publication of this document and related materials. The Commission may provide or support forums to promote commentary, discussion, and understanding of the Constitution and Canons.
 - (v) Discharge such other duties as shall from time to time be assigned by the General Convention.
- (4) A Standing Commission on the Mission and Evangelism of The Episcopal Church. It shall be the duty of the Commission to identify, study and consider policies, priorities and concerns as to the effectiveness of The Episcopal Church in advancing, within this Church's jurisdictions, God's mission to restore all people to unity with God and each other in Christ, including patterns and directions for evangelism, Church planting, leadership development, and ministries that engage the diversity of the Church's membership and the

Mission and
Evangelism of
The Episcopal
Church.

Ecumenical and
Interreligious
Relations.

- communities it serves, and to make recommendations to General Convention.
- (5) A Standing Commission on Ecumenical and Interreligious Relations. It shall be the duty of the Commission to recommend to the General Convention a comprehensive and coordinated policy and strategy on relations between this Church and other Churches, and this Church and other religions, and to make recommendations to General Convention concerning inter-Church cooperation and unity, and interreligious dialogue and action.

Liturgy and
Music.

- (6) A Standing Commission on Liturgy and Music. The Custodian of the Book of Common Prayer shall be a member *ex officio* with voice, but without vote. It shall be the duty of the Commission to:
- (i) Discharge such duties as shall be assigned to it by the General Convention as to policies and strategies concerning the common worship of this Church.
 - (ii) Collect, collate and catalogue material bearing upon possible future revisions of the Book of Common Prayer.
 - (iii) Cause to be prepared and to present to the General Convention recommendations concerning the Lectionary, Psalter, and offices for special occasions as authorized or directed by the General Convention or House of Bishops.
 - (iv) Recommend to the General Convention authorized translations of the Holy Scripture from which the Lessons prescribed in the Book of Common Prayer are to be read.
 - (v) Receive and evaluate requests for consideration of individuals or groups to be included in the Calendar of the Church year and make recommendations thereon to the General Convention for acceptance or rejection.
 - (vi) Collect, collate, and catalogue material bearing upon possible future revisions of The Hymnal 1982 and other musical publications regularly in use in this Church and encourage the composition of new musical materials.
 - (vii) Cause to be prepared and present to the General Convention recommendations concerning the musical settings of liturgical texts and rubrics, and norms as to liturgical music and the manner of its rendition.

- (viii) At the direction of the General Convention, to serve the Church in matters pertaining to policies and strategies concerning Church music.
- (7) A Standing Commission on Ministry Development. It shall be the duty of the Commission to:
- (i) Recommend policies and strategies to the General Convention for the affirmation, development, and exercise of ministry by all baptized persons (lay persons, bishops, priests and deacons).
 - (ii) Recommend strategies to General Convention for the development and support of networks of individuals, diocesan Committees and commissions, agencies and institutions engaged in recruitment, gifts discernment, education and training for ministry, leadership development, and deployment.
 - (iii) Study the needs and trends of theological education for all baptized persons, including seminary education and life-long learning, and recommend strategies to General Convention to strengthen theological education for all baptized persons.
- (8) A Standing Commission on Social Justice and Public Policy. It shall be the duty of the Commission to identify, study and theologically interpret social justice issues facing the United States and their impact on other nations, and to develop and recommend policies and strategies to the General Convention.
- (9) A Standing Commission on Stewardship and Development. It shall be the duty of the Commission to recommend policies that foster within The Episcopal Church a broad understanding of Christian stewardship, both individual and corporate. The Commission shall recommend strategies to General Convention for stewardship, including education, development, and planned giving, with special sensitivity to the cultural and linguistic diversity of the Church.
- (10) A Standing Commission on the Structure of the Church. It shall be the duty of the Commission to study and make recommendations concerning the structure of the General Convention and of The Episcopal Church. It shall, from time to time, review the operation of the several Committees, Commissions, and Boards to determine the necessity for their continuance and the effectiveness of their functions and to bring about a coordination of their efforts. Whenever a proposal is

Ministry
Development.

Social Justice
and Public
Policy.

Stewardship
and Develop-
ment.

Structure.

- made for the creation of a new Committee, Commission, Board or Agency, it shall, wherever feasible, be referred to the Standing Commission on the Structure of the Church for its consideration and advice.
- World Mission. (11) A Standing Commission on World Mission, whose members shall include persons broadly representative of jurisdictions outside the United States of America, as well as persons having direct engagement with and experience in world mission. It shall be the duty of the Commission, to review and evaluate policies, priorities, and strategies for global mission, and to make recommendations regarding global mission to General Convention.
- Communication and Technology. (12) A Standing Commission on Communication and Information Technology. It shall be the duty of the Commission to identify, study and recommend to General Convention communication strategies, policies, priorities, and technologies to strengthen the Church's communication of the Gospel and the mission of the Church to the world at large and to improve information management and exchange within The Episcopal Church.
- Health. (13) A Standing Commission on Health. It shall be the duty of the Commission to identify and study national and international healthcare issues, practices, and policies and the Church's healthcare ministries, and to make recommendations to General Convention.
- Christian Formation. (14) A Standing Commission on Lifelong Christian Formation and Education. It shall be the duty of the Commission to develop and recommend to the General Convention comprehensive and coordinated policies for children, youth, adults, and seniors for lifelong Christian formation.
- Special meetings. **Sec. 3 (a)** The right of calling special meetings of the General Convention shall be vested in the Bishops. The Presiding Bishop shall issue the summons for such meetings, designating the time and place thereof, with the consent, or on the requisition, of a majority of the Bishops, expressed to the Presiding Bishop in writing.
- Deputies to special meetings. **(b)** The Deputies elected to the preceding General Convention shall be the Deputies at such special meetings of the General Convention, except in those cases in which other Deputies shall have been chosen in the meantime by any of the Diocesan Conventions, and then such other Deputies shall represent in the special meeting of the General Convention the Church of the Diocese in which they have been chosen.
- Vacancy. **(c)** Any vacancy in the representation of any Diocese caused by the death, absence, or inability of any Deputy, shall be supplied either temporarily or permanently in such manner as shall be

prescribed by the Diocese, or, in the absence of any such provision, by appointment by the Ecclesiastical Authority of the Diocese. During such periods as shall be stated in the certificate issued to such person by the appointing power, the Provisional Deputy so appointed shall possess and shall be entitled to exercise the power and authority of the Deputy in place of whom he or she shall have been designated.

Sec. 4 (a) All jurisdictions of this Church entitled by the Constitution or Canons to choose Deputies to the General Convention shall be required to do so not later than twelve months preceding the opening date of the General Convention for which they are chosen. Deputies of jurisdictions failing so to elect may not be seated unless permitted by ruling of the Presiding Officer.

Deputies to be elected twelve months prior to Convention.

(b) It shall be the duty of each seated Deputy to communicate to the electing jurisdiction the actions taken and the positions established by the General Convention.

(c) It shall be the responsibility of each Diocese to provide a forum in which the Deputies to the General Convention from that jurisdiction have opportunity to report.

Sec. 5 (a) The House of Deputies, upon the nomination of the House of Bishops, shall elect a Presbyter, to be known as the Registrar of the General Convention, whose duty it shall be to receive all Journals, files, papers, reports, and other documents or articles that are, or shall become, the property of either House of the General Convention, and to transmit the same to the Archives of the Church as prescribed by the Archivist.

Registrar.

(b) It shall also be the duty of the said Registrar to maintain suitable records of the ordinations and consecrations of all the Bishops of this Church, designating accurately the time and place of the same, with the names of the consecrating Bishops, and of others present and assisting; to have the same authenticated in the fullest manner practicable; and to take care for the similar record and authentication of all future ordinations and consecrations of Bishops in this Church. Due notice of the time and place of such ordinations and consecrations shall be given by the Presiding Bishop to the Registrar; and thereupon it shall be the duty of the Registrar to attend such ordinations and consecrations, either in person or by deputy.

To keep records of consecrations.

(c) The Registrar shall prepare, in such form as the House of Bishops shall prescribe, the Letters of Ordination and Consecration in duplicate, shall have the same immediately signed and sealed by the ordaining and consecrating Bishops, and by such other Bishops assisting as may be practicable, shall deliver to the newly consecrated Bishop one of the said Letters, shall carefully file and retain the other, and shall make a minute thereof in the official records.

To prepare Letters of Consecration.

(d) The Registrar shall also be Historiographer, unless in any case the House of Bishops shall make a separate nomination; and in this event the House of Deputies shall confirm the nomination.

Registrar as Historiographer.

(e) The necessary expenses incurred under this Section shall be paid by the Treasurer of the General Convention.

Journals and papers sent to Registrar and Archives. (f) It shall be the duty of the secretaries of both Houses to deliver to the Registrar the minutes of both Houses, together with the Journals, files, papers, reports, electronic records, and all other records of either House in a manner prescribed by the Archivist. The minutes of both Houses shall remain filed until after the adjournment of the first General Convention following that at which such minutes shall have been taken; *Provided, however*, that any part of such minutes, for any reason unpublished in the Journal, shall remain filed in the Archives. The Secretary of the House of Deputies shall also deliver to the Registrar, as prescribed by the Archivist, when not otherwise expressly directed, all the Journals, files, papers, reports, and other published, unpublished or electronic documents specified in Canon I.6. The Secretaries shall require the Registrar to give them receipts for the Journals and other records. The Registrar shall transmit the records of the secretaries of both Houses to the Archivist of the Church.

Vacancy. (g) In the case of a vacancy in the office of Registrar, the Presiding Bishop shall appoint a Registrar, who shall hold office until the next General Convention.

Recorder. Sec. 6 (a) The House of Deputies, upon nomination of the House of Bishops, shall elect a Recorder (who may be a natural person or an incorporated organization of this Church), whose duty is/shall be to continue the List of Ordinations and to keep a list of the Clergy in regular standing.

Information to be sent to Recorder. (b) It shall be the duty of the Bishop, or, if there be no Bishop, of the President of the Standing Committee of every jurisdiction to forward to the Recorder on or before the first day of March in each and every year a report certifying the following information as of the thirty-first day of December in the preceding year: (1) the names of the Clergy canonically resident therein with their several charges; (2) the names of the Clergy licensed by the Bishop to officiate, but not yet transferred; (3) the names of all persons connected with the jurisdiction who have been ordered Deacons or Priests during the preceding twelve months, with the date and place of ordination and the name of the Bishop ordaining; (4) the names of the Clergy of the jurisdiction who have died during the preceding twelve months, with the date and place of death; (5) the names of the Clergy who have been received during the preceding twelve months, with the date of their reception and the name of the jurisdiction from which received, and, in the case of Clergy not received from a jurisdiction of this Church, the date and place of ordination and the name of the Bishop ordaining; (6) the names of the Clergy who have been transferred during the preceding twelve months, with the dates of the Letters Dimissory and of their acceptance, and the name of the jurisdiction to which transferred; (7) the names of the Clergy who have been suspended during the preceding twelve months, with the date and ground of suspension; (8) the names of the Clergy who

have been removed or deposed during the preceding twelve months, with the date, place, and ground of removal or deposition; (9) the names of the Clergy who have been restored during the preceding twelve months, with the date; (10) the names of Deaconesses canonically resident therein.

(c) It shall be the duty of the Recorder to furnish, upon proper authority and at the expense of the applicant, such information as may be in the possession of the Recorder, based upon the reports required under Clause (b) hereof. Recorder to furnish information.

(d) The Recorder shall prepare and present to each session of the General Convention a list of all Clergy ordained, received, suspended, removed, deposed, or restored, and of all Bishops consecrated, and of all Bishops and other Clergy who have died; such list to cover the period from the last preceding similar report of the Recorder through the thirty-first day of December immediately preceding each session of the General Convention. Report to the General Convention.

(e) The necessary expenses incurred under this Section by the Recorder shall be paid by the Treasurer of the General Convention. Expenses.

(f) In case of a vacancy in the office of Recorder, the Presiding Bishop shall appoint a Recorder, who shall hold office until the next General Convention. Vacancy.

Sec. 7 (a) At every regular meeting of the General Convention a Treasurer (who may also be Treasurer of the Domestic & Foreign Missionary Society and the Executive Council) shall be elected by concurrent action of the two Houses, and shall remain in office until a successor shall be elected. It shall be the Treasurer's duty to receive and disburse all moneys collected under the authority of the Convention, and of which the collection and disbursement shall not otherwise be prescribed; and, with the advice and approval of the Presiding Bishop and the Treasurer of the Executive Council, to invest, from time to time, such surplus funds as may be on hand. The Treasurer's account shall be rendered to the Convention at each regular meeting, and shall be audited at the direction of a committee acting under its authority. Treasurer.

(b) In case of a vacancy, by death, resignation, or otherwise, in the office of Treasurer of the General Convention, the Presiding Bishop and the President of the House of Deputies shall appoint a Treasurer, who shall hold office until a successor is elected. In case of temporary inability of the Treasurer to act, from illness or other cause, the same officials shall appoint an Acting Treasurer who shall perform all duties of the Treasurer until the Treasurer is able to resume them. Vacancy.

Sec. 8. The General Convention shall adopt, at each regular meeting, a budget to provide for the contingent expenses of the General Convention, the stipend of the Presiding Bishop together with the necessary expenses of that office, the necessary expenses of the President of the House of Deputies including the staff and Advisory Council required to assist in the performance of the duties Assessment for General Convention Expense Budget.

and matters related to the President's office, and the applicable Church Pension Fund assessments. To defray the expense of this budget, an assessment shall be levied upon the Dioceses of the Church in accordance with a formula which the Convention shall adopt as part of this Expense Budget. It shall be the duty of each Diocesan Convention to forward to the Treasurer of the General Convention annually, on the first Monday of January, the amount of the assessment levied upon that Diocese.

Treasurer may borrow.

Sec. 9. The Treasurer of the General Convention shall have authority to borrow, in behalf and in the name of the General Convention, such a sum as may be judged by the Treasurer to be necessary to help defray the expenses of the General Convention, with the approval of the Presiding Bishop and the Executive Council.

Shall give bond.

Sec. 10. The Treasurer shall give a bond conditioned on the faithful performance of assigned duties. The amount thereof and the terms on which the same shall be given shall be subject to the approval of the Presiding Bishop, the expense of such bond to be paid by the General Convention.

Shall submit budget.

Sec. 11. The Treasurer shall submit to the General Convention at each regular meeting thereof a detailed budget in which the Treasurer proposes to request appropriations for the ensuing budgetary period and shall have power to expend all sums of money covered by this budget, subject to such provisions of the Canons as shall be applicable.

May appoint Assistant Treasurer.

Sec. 12. The Treasurer may appoint, subject to the approval of the Presiding Bishop, an Assistant Treasurer, who shall hold office during the pleasure of the Treasurer and shall perform such duties as shall be assigned by the Treasurer. The Assistant Treasurer shall give bond conditioned on the faithful performance of assigned duties. The amount thereof and the terms on which the same shall be given shall be subject to the approval of the Presiding Bishop, the expense of such bond to be paid by the General Convention.

General Convention Executive Office.

Sec. 13. There shall be an Executive Office of the General Convention, to be headed by a General Convention Executive Officer to be appointed jointly by the Presiding Bishop and the President of the House of Deputies. The Executive Office of the General Convention shall include the functions of the Secretary and the Treasurer of the General Convention and those of the Manager of the General Convention and, if the several positions are filled by different persons, such officers shall serve under the general supervision of the General Convention Executive Officer, who shall also coordinate the work of the Committees, Commissions, Boards and Agencies funded by the General Convention Expense Budget.

Site selection.

Sec. 14 (a) At each meeting of the General Convention the Joint Standing Committee on Planning and Arrangements shall submit to

the General Convention its recommendations for sites for the meeting of the General Convention to be held as the third succeeding General Convention following the General Convention at which the report is made. In making such recommendations, the Committee shall certify to the Convention the willingness of the Dioceses within which recommended sites are located to have the General Convention meet within their jurisdictions.

(b) From the sites recommended by the Joint Committee, the General Convention shall approve no fewer than three nor more than five sites as possible for such meeting of the General Convention. Approval of sites.

(c) From the sites approved by the General Convention, the Joint Committee, with the advice and consent of a majority vote of the following: The Presidents and the Vice-Presidents of both Houses of Convention, the Presidents of the Provinces and the Executive Council, shall determine the site for such General Convention and proceed to make all reasonable and necessary arrangements and commitments for that meeting of the General Convention. The site and date thus selected shall be deemed to have been appointed by the General Convention, as provided in the Constitution. Determination of site.

(d) Upon the final selection of and the arrangements for the site for that General Convention, the Joint Committee shall advise the Secretary of the General Convention, who shall communicate the determination to the Dioceses. Notice to Dioceses.

(e) Within such guidelines as may have been established by the General Convention regarding the date and length of future General Conventions, and pursuant to the reasonable and necessary arrangements and commitments with the Dioceses and operators of facilities within the Diocese in which the next General Convention will be held, the Joint Committee shall fix the date and the length of the next succeeding Convention, report the same to the Secretary of the General Convention and include the same in its report to the Convention. In the event of a change of circumstances indicating the necessity or advisability of changing the date or length previously fixed, the Joint Committee shall investigate and make recommendations to the Presiding Bishop and the President of the House of Deputies, who, with the advice and consent of the Executive Council, may fix a different date or length or both. Changes in the date and length of General Convention.

CANON 2: Of the Presiding Bishop

Sec. 1 (a) At each General Convention the House of Deputies shall elect one Clerical and one Lay Deputy from each Province as members of the Joint Nominating Committee for the Election of the Presiding Bishop. A Deputy from a particular Province may be nominated only by another Deputy from the same Province, but the election of each member of the Committee shall be by the entire membership of the House of Deputies, with a majority of those voting necessary for election. Prior to the election, the Clerical and Lay Deputies from each Province shall hold a caucus, at which two Clerical and Lay members of Nominating Committee.

Clerical Deputies and two Lay Deputies as nominees shall be selected by the caucus, and these shall be the only nominees upon which the House of Deputies shall vote in electing the members of the Joint Nominating Committee. The President of the House of Deputies, after consultation with representatives of youth, shall appoint two persons, age 16-21, as members of the Joint Nominating Committee for the Election of the Presiding Bishop.

Episcopal
members of
Nominating
Committee.

(b) At each General Convention the House of Bishops shall elect one Bishop from each Province as a member of the Joint Nominating Committee for the Election of the Presiding Bishop. A Bishop from a particular Province may be nominated only by another Bishop from the same Province, but the election of each member of the Committee shall be by the entire membership of the House of Bishops, with a majority of those voting necessary for election. Prior to the election, the Bishops from each Province shall hold a caucus, at which two Bishops as nominees shall be selected by the caucus, and these shall be the only nominees upon which the House of Bishops shall vote in electing the members of the Joint Nominating Committee.

Vacancies in
Nominating
Committee.

(c) In the event vacancies shall occur in the Joint Nominating Committee after the election of its members due to death, disability, resignation, or other cause within one year of the next General Convention, the vacancies shall not be filled and the remaining members shall constitute the Joint Nominating Committee. In the event such vacancies shall occur more than one year prior to the next General Convention, the Presiding Officer of the House of Bishops shall appoint Bishops and the President of the House of Deputies shall appoint Clerical and Lay Deputies, in all cases from the same Provinces as those Bishops or Deputies whose positions are being filled. An elected or appointed member who shall not be a Deputy to the next General Convention shall continue as a member of the Joint Nominating Committee until the adjournment of such next General Convention. A member of the Committee who transfers from one Province to another or a Lay Deputy who is ordained Presbyter or Deacon, or a Presbyter or Deacon who is consecrated a Bishop, shall not thereby become ineligible to continue to serve on the Joint Nominating Committee through the next succeeding General Convention.

Term of
Nominating
Committee.

(d) The Joint Nominating Committee shall remain in office until the adjournment of the next General Convention, at which a new Joint Nominating Committee shall be elected. Members of the Committee are eligible for reelection.

Election to
follow Joint
Session.

(e) At the General Convention at which a Presiding Bishop is to be elected, the Joint Nominating Committee shall present to the House of Bishops and the House of Deputies in Joint Session the names of not fewer than three members of the House of Bishops for the consideration of the two Houses in the choice of a Presiding Bishop. At the Joint Session to which the Joint Nominating Committee shall report, any Bishop or Deputy may nominate any

other member of the House of Bishops for the consideration of the two Houses in the choice of a Presiding Bishop, and there may be discussion of all nominees. Commencing on the day following the Joint Session, election shall be by the House of Bishops from among such nominees. If the House of Bishops shall find itself unable to elect a Presiding Bishop from among such nominees, another Joint Session shall be held, at which additional nominations may be received, and on the following day, election shall be by the House of Bishops from among all of the nominees. After the election by the House of Bishops, report of the result thereof, including the number of votes cast for each nominee on each ballot, shall be made to the House of Deputies which shall vote to confirm or not to confirm such choice of Presiding Bishop.

(f) In the event a vacancy in the office of Presiding Bishop shall occur in the interim between meetings of the General Convention, as specified in the second paragraph of Article I, Section 3 of the Constitution, the Joint Nominating Committee, subject to the said Article, shall submit to the Secretary of the House of Bishops the names of not fewer than three members of the House of Bishops for the consideration by that House in the choice of a Presiding Bishop to fill the vacancy, and simultaneously therewith shall transmit a copy of such report to the Secretary of the House of Deputies for mailing to all Deputies. Such report shall also be released to the Church and secular press. Thereafter, the House of Bishops shall hold a special meeting for the purpose of electing a Presiding Bishop to fill the vacancy, and, in such election, the vote shall be upon the nominees of the Joint Nominating Committee and any further nominations made by any voting member of the House of Bishops. Immediately following the election by the House of Bishops, the Secretary of the House of Bishops shall inform the President and Secretary of each Diocesan Standing Committee, requesting a meeting at the earliest possible date to consider approval. Upon receipt of the approval of a majority of the Standing Committees of the Dioceses, the Presiding Bishop Elect shall be declared elected.

Vacancy
between
meetings of
the General
Conventions.

Sec. 2. The term of office of the Presiding Bishop, when elected according to the provisions of Article I, Section 3 of the Constitution, shall be nine years, beginning the first day of the month of November following the close of the Convention at which the Presiding Bishop is elected, unless attaining the age of seventy-two years before the term shall have been completed; in that case the Presiding Bishop shall resign the office to the General Convention which occurs nearest to the date of attaining such age. At that Convention a successor shall be elected, and shall assume office on the first day of the month of November following the close of that Convention or immediately upon the death, retirement, or disability of the Presiding Bishop; except that when a Presiding Bishop has been elected by the House of Bishops to fill a vacancy, as provided for in the second paragraph of Article I, Section 3 of the

Term of office.

Constitution, the Presiding Bishop so elected shall take office immediately.

To resign previous jurisdiction.

Sec. 3 (a) Upon the expiration of the term of office of the Presiding Bishop, the Bishop who is elected successor shall tender to the House of Bishops a resignation from the Bishop's previous jurisdiction to take effect upon the date of assuming the office of Presiding Bishop, or, upon good cause with the advice and consent of the Advisory Committee established under the Rules of Order of the House of Bishops, not later than six months thereafter.

(b) Such resignation shall be acted upon immediately by the House of Bishops.

Chief Pastor and Primate.

Sec. 4 (a) The Presiding Bishop shall be the Chief Pastor and Primate of the Church, and shall:

Policy and Strategy.

(1) Be charged with responsibility for leadership in initiating and developing the policy and strategy in the Church and speaking for the Church as to the policies, strategies and programs authorized by the General Convention;

Representative of Church and episcopate.

(2) Speak God's words to the Church and to the world, as the representative of this Church and its episcopate in its corporate capacity;

Provide for interim in a Diocese.

(3) In the event of an Episcopal vacancy within a Diocese, consult with the Ecclesiastical Authority to ensure that adequate interim Episcopal Services are provided;

Convene Bishops.

(4) Take order for the consecration of Bishops, when duly elected; and, from time to time, assemble the Bishops of this Church to meet, either as the House of Bishops or as a Council of Bishops, and set the time and place of such meetings;

Presiding Officer.

(5) Preside over meetings of the House of Bishops; and, when the two Houses of the General Convention meet in Joint Session, have the right of presiding over such Session, of calling for such Joint Session, of recommending legislation to either House and, upon due notification, of appearing before and addressing the House of Deputies; and whenever addressing the General Convention upon the state of the Church, it shall be incumbent upon both Houses thereof to consider and act upon any recommendations contained in such address;

Visitations.

(6) Visit every Diocese of this Church for the purpose of: (i) Holding pastoral consultations with the Bishop or Bishops thereof and, with their advice, with the Lay and Clerical leaders of the jurisdiction; (ii) Preaching the Word; and (iii) Celebrating the Holy Eucharist.

Reports and Pastoral Letters.

(b) The Presiding Bishop shall report annually to the Church, and may, from time to time, issue Pastoral Letters.

(c) The Presiding Bishop shall perform such other functions as shall be prescribed in these Canons; and, to be enabled better to perform such duties and responsibilities, the Presiding Bishop may appoint, to positions established by the Executive Council of General Convention, officers, responsible to the Presiding Bishop, who may delegate such authority as shall seem appropriate.

May delegate authority.

Sec. 5. The Presiding Bishop may appoint, as Chancellor to the Presiding Bishop, a confirmed adult communicant of the Church in good standing who is learned in both ecclesiastical and secular law, to serve so long as the Presiding Bishop may desire, as counselor in matters relating to the office and the discharge of the responsibilities of that office.

May appoint Chancellor.

Sec. 6. The stipends of the Presiding Bishop and such personal assistants as may be necessary during the Presiding Bishop's term of office for the effective performance of the duties, and the necessary expenses of that office, shall be fixed by the General Convention and shall be provided for in the budget to be submitted by the Treasurer, as provided in the Canon entitled, "Of the General Convention."

Stipends.

Sec. 7. In the event of the disability of the Presiding Bishop, the Bishop who, according to the Rules of the House of Bishops, becomes its Presiding Officer, shall be substituted for the Presiding Bishop for all the purposes of these Canons, except the Canons entitled, "Of the Domestic and Foreign Missionary Society," and "Of the Executive Council."

If disabled.

Sec. 8. Upon the acceptance of the Presiding Bishop's resignation for reasons of disability prior to the expiration of the term of office, the Presiding Bishop may be granted, in addition to whatever allowance may be received from The Church Pension Fund, a disability allowance to be paid by the Treasurer of the General Convention in an amount to be fixed by the Joint Standing Committee on Program, Budget, and Finance, and ratified at the next regular meeting of the General Convention.

Disability allowance.

CANON 3: Of the Domestic and Foreign Missionary Society

The Constitution of the said Society, which was incorporated by an act of the Legislature of the State of New York, as from time to time amended, is hereby amended and established so as to read as follows: *Constitution of The Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America as established in 1821, and since amended at various times.*

ARTICLE I This organization shall be called The Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America, and shall be considered as comprehending all persons who are members of the Church.

Name of organization.

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| Board of Directors. | ARTICLE II The Executive Council, as constituted by Canon, shall be its Board of Directors, and shall adopt By-laws for its government not inconsistent with the Constitution and Canons. |
| Officers. | ARTICLE III The officers of the Society shall be a President, Vice Presidents, a Secretary, a Treasurer, and such other officers as may be appointed in accordance with the Canons or By-Laws. The Presiding Bishop of the Church shall be the President of the Society; one Vice President shall be the person who is the President of the House of Deputies; and one Vice President shall be the person who is the executive director; the Treasurer shall be the person who is the Financial Officer of the Executive Council; and the Secretary shall be the person who is the Secretary of the Executive Council, and shall have such powers and perform such duties as may be assigned by the By-Laws. The other officers of the Society shall be such as are provided for by the By-Laws of the Society. The tenure of office, compensation, powers, and duties of the officers of the Society shall be such as are prescribed by the Canons and by the By-laws of the Society not inconsistent therewith. |
| Amendment. | ARTICLE IV This Constitution of the Society may be altered or amended at any time by the General Convention of the Church. |
| CANON 4: Of the Executive Council | |
| Function. | Sec. 1 (a) There shall be an Executive Council of the General Convention (which Council shall generally be called simply the Executive Council) whose duty it shall be to carry out the program and policies adopted by the General Convention. The Executive Council shall have charge of the coordination, development, and implementation of the ministry and mission of the Church. |
| Accountability. | (b) The Executive Council shall be accountable to the General Convention and shall render a full published report concerning the work with which it is charged to each meeting of the said Convention. The report shall also include information on the implementation of all concurred resolutions of the previous General Convention calling for action by the Executive Council, by its officers and staff, and by the jurisdictions of the Church. |
| How constituted. | (c) The Executive Council shall be composed (a) of twenty members elected by the General Convention, of whom four shall be Bishops, four shall be Presbyters or Deacons, and twelve shall be Lay Persons who are confirmed adult communicants in good standing (two Bishops, two Presbyters or Deacons, and six Lay Persons to be elected by each subsequent regular meeting of the General Convention); (b) of eighteen members elected by the Provincial Synods; (c) of the following <i>ex officio</i> members: the Presiding Bishop and the President of the House of Deputies; and (d) the Vice-President, the Secretary, and the Treasurer of the Executive Council, who shall have seat and voice but no vote. Each Province shall be entitled to be represented by one Bishop or Presbyter or Deacon canonically resident in a Diocese which is a |

constituent member of the Province and by one Lay Person who is a confirmed adult communicant in good standing of a Diocese which is a constituent member of the Province, and the terms of the representatives of each Province shall be so rotated that two persons shall not be simultaneously elected for equal terms.

Sec. 2 (a) Of the members to be elected by the General Convention, the Bishops shall be elected by the House of Bishops subject to confirmation by the House of Deputies, and the Presbyters or Deacons and Lay Persons shall be elected by the House of Deputies subject to confirmation by the House of Bishops. How elected.

(b) Except in the case of members initially elected for shorter terms in order to achieve rotation of terms, the terms of office of the members of the Council (other than *ex officio* members) shall be equal to twice the interval between regular meetings of the General Convention. The terms of office of all members shall commence immediately upon the adjournment of the General Convention at which they were elected or, in the case of election by a Synod, upon the adjournment of the first regular meeting of General Convention following such election. The term of a member shall become vacant in the event of two absences from meetings of the Council in the interval between successive regular meetings of the General Convention unless excused by the Chair for good cause. Members shall remain in office until their successors are elected and qualified. No person who has served at least three consecutive years on the Executive Council shall be eligible for immediate re-election for a term of more than three years. After any person shall have served six consecutive years on the Executive Council, a period of three years shall elapse before such person shall be eligible for re-election to the Council. Term of office.

(c) Should any vacancy occur in the Council through the death or resignation of a member elected by the General Convention or through the change in status of any such member by consecration or ordination, the Council shall fill such vacancy by the election of a suitable person to serve until a successor is elected by the General Convention. The General Convention shall elect a suitable person to serve the portion of any term which will remain unexpired. Vacancy.

(d) Should any vacancy occur in the Council through the failure of any Provincial Synod to elect a member, or through the death, resignation, or removal from the Province of any such member, the President and Provincial Council of the Province shall appoint a suitable person, canonically resident in such Province, to serve until the Provincial Synod shall by election fill the vacancy.

(e) The Council shall exercise the powers conferred upon it by Canon, and such further powers as may be designated by the General Convention, and between sessions of the General Convention may initiate and develop such new work as it may deem necessary. It may, subject to the provision of this Canon, enact By- Powers of Council.

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| | laws for its own government and the government of its several departments. |
| Serves as Board of Directors. | (f) In its capacity as the Board of Directors of The Domestic and Foreign Missionary Society, the Council shall have the power to direct the disposition of the moneys and other property of said Society in accordance with the provisions of this Canon and the orders and budgets adopted or approved by the General Convention. |
| Elects members. | (g) The Council shall elect the Church's members of the Anglican Consultative Council (ACC) and of other Anglican and ecumenical bodies for which no other procedure is provided. Members of the ACC representing The Episcopal Church shall report to each General Convention using the schedule and format required for Standing Commissions in Canon I.1.2 (j) and (k), and shall provide comprehensive written or oral reports to Executive Council at Council's next meeting following each meeting of the ACC. |
| Officers. | Sec. 3 (a) The Presiding Bishop shall be <i>ex officio</i> the Chair and President. However, at the first meeting of the Executive Council following the adjournment of any General Convention at which a Presiding Bishop is elected if it occurs before the commencement of the term of the newly elected Presiding Bishop, the Presiding Bishop-elect shall be <i>ex officio</i> the Chair and President. The Chair and President shall be the chief executive officer of the Executive Council and as such the Chair and President shall have ultimate responsibility for the oversight of the work of the Executive Council in the implementation of the ministry and mission of the Church as may be committed to the Executive Council by the General Convention. |
| Chair. | |
| Vice Chair. | (b) The President of the House of Deputies shall be <i>ex officio</i> Vice Chair. |
| Secretary. | (c) The Secretary of the General Convention shall be the Secretary of the Executive Council <i>ex officio</i> . |
| Executive Director. | (d) The Presiding Bishop shall appoint, with the advice and consent of a majority of the Executive Council, an executive director, who shall be an adult confirmed communicant in good standing or a member of the clergy of this Church in good standing who shall be the chief operating officer and who shall serve at the pleasure of the Presiding Bishop and be accountable to the Presiding Bishop. If a vacancy should occur in the office of the executive director, a successor shall be appointed in like manner. |
| Financial Officer. | (e) Upon joint nomination of the Chair and Vice Chair, the Executive Council shall appoint a Financial Officer of the Executive Council, who may, but need not, be the same person as the Treasurer of the General Convention and who shall report and be accountable to the Chair of Executive Council and shall serve at the pleasure of the Chair of the Executive Council. If a vacancy should occur in that office, a successor shall be appointed in like manner. |
| Chair to preside. | (f) The Chair shall preside at meetings of the Council, shall perform such other duties as are customary for such office and shall |

perform such other duties as may be conferred by Canon and the By-laws of the Council. In the absence or at the request of the Chair, the Vice-Chair shall preside at meetings of the Council and shall perform such other duties as may be conferred by Canon and by the By-laws of the Council.

(g) Upon joint nomination of the Chair and Vice Chair, the Executive Council shall elect a Joint Audit Committee of the Council and the Domestic and Foreign Missionary Society. The Committee shall be composed of 6 members, one of whom shall be a member of the Executive Council's Committee on Administration & Finance, one from the membership of the Joint Standing Committee on Program, Budget and Finance, and the remaining four shall be members of the Church-at-large, having experience in general business practices. The members shall serve for a term of three years beginning on January 1 following a regular meeting of the General Convention or immediately following their appointment, whichever comes later, and continue until a successor is appointed, and may serve two consecutive terms, after which a full triennium must elapse before being eligible for re-election. The Chair and Vice-Chair of Council shall designate the Chair of the Committee from among its members. The Audit Committee shall regularly review the financial statements relating to all funds under the management or control of the Council and the Society and shall report thereon at least annually to the Council and the Society.

Audit
Committee.

Upon recommendation of the Audit Committee, the Executive Council shall employ on behalf of the Council and the Society an independent Certified Public Accountant firm to audit annually all accounts under the management or control of the Council and Society. After receipt of the annual audit, the Audit Committee shall recommend to the Council and Society what action to take as to any matters identified in the annual audit and accompanying management letter. The operations of the Audit Committee shall be set out in an Audit Committee Charter. The Audit Committee shall review, at least annually, the Committee's Charter and recommend any changes to the Executive Council for approval.

(h) The Executive Council shall establish by its By-laws such Standing Committees of the Executive Council, consisting of its own members, as shall be deemed appropriate and necessary by the Executive Council for the discharge of its duties, the members of which are to be nominated jointly by the Chair and Vice-Chair and appointed by the Council. The Council may also establish by its By-laws such other Committees, which may include or consist of non-members, to be nominated jointly by the Chair and Vice-Chair and appointed by the Council, as may be necessary to fulfill its fiduciary responsibility to The Episcopal Church.

Council to
establish
Committees.

(i) The additional officers, agents and employees of the Council shall be such and shall perform such duties as the Council, upon the recommendation and under the authority and direction of the Chair and President, may from time to time designate.

Employees.

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| Meetings. | Sec. 4. (a) The Council shall meet at such place, and at such stated times, at least three times each year, as it shall appoint and at such other times as it may be convened. The Council shall be convened at the request of the President, or on the written request of any nine members thereof. |
| Quorum. | (b) A majority of the elected members of the Council shall be necessary to constitute a quorum at any meeting of the Council. No action shall be taken in the name of the Council except when a quorum, so defined, is present and voting. |
| Salaries. | Sec. 5. With the exception of the salary of the President, the salaries of all officers of the Council and of all agents and employees of the Council shall be fixed by the Council and paid by the Treasurer. |
| Budget for the Episcopal Church. | Sec. 6 (a) The Executive Council shall submit to the General Convention at each regular session thereof the Budget for the Episcopal Church for the ensuing budgetary period, which budgetary period shall be equal to the interval between regular meetings of the General Convention. |
| Budget for Canonical and corporate expenses. | (b) The budget proposed for adoption by General Convention shall include a Canonical and corporate portion which shall provide for the contingent expenses of the General Convention, the stipend of the Presiding Bishop together with the necessary expenses of that office, the necessary expenses of the President of the House of Deputies, including the staff and Advisory Council required to assist in the performance of the duties and matters related to the President's office, and the applicable Church Pension Fund assessments, and also the corporate requirements for the administrative support of the Domestic & Foreign Missionary Society offices. |
| Budget to support Program. | (c) The budget proposed for adoption by the General Convention shall include provision for support for the Program of the Episcopal Church. The program so submitted shall include a detailed budget of that part of the program for which it proposes to make appropriations for the ensuing year, and estimated budgets for the succeeding portion of the budgetary period. |
| Convention to set formula for single asking. | (d) Revenue to support the Budget for the Episcopal Church shall be generated primarily by a single asking of the Dioceses of the church based on a formula which the General Convention shall adopt as part of its Program, Budget and Finance process. If in any year the total anticipated income for budget support is less than the amount required to support the budget approved by the General Convention, the canonical portion of the Budget for the Episcopal Church shall have funding priority over any other budget areas subject to any decreases necessary to maintain a balanced budget. |
| Canonical funding to have priority. | |
| Council to send budget before Convention. | (e) After the preparation of the budget the Executive Council shall, at least four months before the sessions of the General Convention, transmit to the Bishop of each Diocese and to the President of each Province a statement of the existing and the proposed askings necessary to support the Budget for the Episcopal |

Church. The Executive Council shall also submit to the General Convention, with the budget, a plan for the askings of the respective Dioceses of the sum needed to execute the budget.

(f) There shall be joint sessions of the two Houses for the presentation of the Budget for the Episcopal Church; and thereafter consideration shall be given and appropriate action taken thereon by the General Convention. The Council shall have the power to expend all sums of money covered by the budget and estimated budgets approved by the Convention, subject to such restrictions as may be imposed by the General Convention, including but not limited to the priority declaration set forth in Section 6(d) of this Canon. It shall also have power to undertake such other work provided for in the budget approved by the General Convention, or other work under the jurisdiction of the Council, the need for which may have arisen after the action of the General Convention, as in the judgment of the Council its income will warrant.

Joint Sessions for the presentation of the Budget.

(g) Upon the adoption by the General Convention of a Budget for the Episcopal Church and the planned askings for the budgetary period, the Council shall formally advise each Diocese of its share of the total askings to support the Budget for the Episcopal Church.

Notice of askings to be given.

(h) Each Diocese shall thereupon notify each Parish and Mission of the amount of the askings of such Diocese. Each Diocese shall present to each Parish and Mission a total objective which shall include both its share of the proposed Diocesan Budget and its share of the asking of the Diocese by the Executive Council in accordance with the plan adopted by the General Convention.

Diocese to allot objectives to Parishes.

(i) Each diocese shall annually report to the Executive Council such financial information as may be required in a form authorized by Executive Council.

Financial report.

(j) Each Diocese shall report annually to the Executive Council the name and address of each new congregation, and of each congregation closed or removed by reason of any of the following:

Report on congregations.

- (1) dissolution of the congregation;
- (2) removal of the congregation to another Diocese: due to cession or retrocession of geographic territory in which the congregation is located, pursuant to Articles V.6 or VI.2 of the Constitution;
- (3) removal of the congregation to a new physical location or address, identifying both the location or address from which the congregation has removed, and the successor location or address; and
- (4) merger of the congregation into one or more other congregations, in which case the Diocese shall include in its report the names of all congregations involved in the merger, and the physical location and address at which the merged congregations shall be located.

Sec. 7 (a) Every Missionary Bishop or, in case of a vacancy, the Bishop in charge of the jurisdiction, receiving aid from the Council,

Bishops receiving aid.

shall report at the close of each fiscal year to the Council, giving account of work performed, of money received from all sources and disbursed for all purposes, and of the state of the Church in the jurisdiction at the date of such report, all in such form as the Council may prescribe.

(b) Every Bishop of a Diocese receiving aid from the Council shall report at the close of each fiscal year to the Council, giving account of the work in the Diocese supported in whole or in part by the Council.

Reports of the Council.

Sec. 8. The Council, as soon as practicable after the close of each fiscal year, shall make and publish a full report of its work to the Church. Such report shall contain an itemized statement of all receipts and disbursements and a statement of all trust funds and other property of The Domestic and Foreign Missionary Society, and of all other trust funds and property in its possession or under its control. The Council shall make a like report, including a detailed schedule of the salaries paid to all officers, agents, and principal employees, to each General Convention.

Qualifications of Missionaries.

Sec. 9 (a) Ordained Ministers and Lay Communicants of this Church, or of some Church in communion with this Church, in good standing, who qualify in accordance with the standards and procedures adopted from time to time by the Executive Council, shall be eligible for appointment as Missionaries of this Church.

Employment of noncommunicants.

(b) Members in good standing of Churches not in communion with this Church, but otherwise qualified as above, may, at the request of the Ecclesiastical Authority of the jurisdiction in which the requirement exists, be employed and assigned to positions for which they are professionally prepared; and may receive the same stipends and other allowances as appointed Missionaries. The Ecclesiastical Authority of a jurisdiction may employ any qualified person for work in the jurisdiction.

CANON 5: Of the Archives of the Episcopal Church

Purpose.

Sec. 1. There shall be an Archives of the Episcopal Church, the purpose of which shall be to preserve by safekeeping, to arrange and to make available the records of the General Convention, Executive Council, and the Domestic and Foreign Missionary Society, and other important records and memorabilia of the life and work of the Church, and to carry out a program of records management, so as to further the historical dimension of the mission of the Church.

Records defined.

Sec. 2. For purposes of this Canon, records are defined as all fixed evidential information regardless of method, media, format or characteristics of the recording process, which have been created, received or gathered by the Church, its officers, agents or employees in pursuance of the legal, business and administrative function and the programmatic mission of the Church. Records include all original materials used to capture information, notwithstanding the

place or conditions of creation, or the formality or informality of the characteristics of the record. The records and archives of the Church are not limited by the medium in which they are kept and include such formats as paper records, electronic records, printed records and publications, photo-reproduced images, and machine-readable tapes, film and disks.

Sec. 3 (a) There shall be a Board of the Archives which shall consist of the Archivist (*ex officio*, with vote) and twelve (12) appointed persons, three (3) of whom shall be Bishops, three (3) of whom shall be Clergy, and six (6) of whom shall be Lay Persons. All appointed Members of the Board shall serve terms beginning with the close of the General Convention at which their appointments are confirmed and ending with the close of the second regular Convention thereafter.

Board of the Archives.

(b) Members shall serve rotating terms for the purpose of continuity on the Board. In the first instance following the adoption of these provisions, one of the Bishops and one half of the Clerical and Lay Appointees shall have terms expiring after the next regular meeting of the General Convention as determined by lot.

(c) Bishops shall be appointed by the Presiding Bishop, and other Clerical and all Lay Members shall be appointed by the President of the House of Deputies, all subject to the confirmation of General Convention. Consideration shall be given to assure that membership includes persons who possess knowledge either of history or archival administration, or are persons skilled in disciplines pertinent to the resolutions of the concerns of the Archives. Positions of Members of the Board which become vacant prior to the normal expiration of such Members' terms shall be filled by appointment by the Presiding Bishop or by the President of the House of Deputies, as appropriate. Such appointments shall be for the remaining unexpired portion of such Members' terms, and if a regular meeting of the General Convention intervenes, appointments for terms extending beyond such meeting shall be subject to confirmation of the General Convention. Because of the special skills and knowledge needed by this Board, a Member shall be eligible for appointment for two successive terms, after which the Member may not be reappointed prior to the next meeting of the General Convention following the meeting at the close of which the second successive term of the Member expired. Members appointed to fill vacancies in unexpired terms shall not thereby be disqualified from appointment to two full terms immediately thereafter.

Membership.

(d) The Board of the Archives shall have the duty to set policy for the Archives, to elect the Archivist of the Episcopal Church, and to set forth the terms and conditions with regard to the work of the Archivist.

Duties.

(e) The Board of the Archives shall meet annually, or more often as required.

(f) The Board of the Archives shall elect its own officers and have the power to create committees necessary for the carrying on of its work.

(g) The Board of the Archives shall adopt procedures consistent with the Constitution and Canons of the Episcopal Church for its organization and functioning.

Report to Convention.

(h) The Board of the Archives shall report to the General Convention, and the Executive Council, through the office of the Executive Officer of the General Convention, and to the Church.

Archivist.

Sec. 4. There shall be an Archivist of the Episcopal Church whose duty shall be to manage the Archives, records, and related information resources of the Church at the direction of the Board.

Expenses to be shared.

Sec. 5. The expenses of the Archives of the Episcopal Church shall be shared by the General Convention and the Executive Council.

CANON 6: Of the Mode of Securing an Accurate View of the State of This Church

Annual parish reports to Bishop.

Sec. 1. A report of every Parish and other Congregation of this Church shall be prepared annually for the year ending December 31 preceding, in the form authorized by the Executive Council and approved by the Committee on the State of the Church, and shall be filed not later than March 1 with the Bishop of the Diocese, or, where there is no Bishop, with the ecclesiastical authority of the Diocese. The Bishop or the ecclesiastical authority, as the case may be, shall keep a copy and submit the report to the Executive Council not later than May 1. In every Parish and other Congregation the preparation and filing of this report shall be the joint duty of the Rector or Member of the Clergy in charge thereof and the lay leadership; and before the filing thereof the report shall be approved by the Vestry or bishop's committee or mission council. This report shall include the following information:

- (1) the number of baptisms, confirmations, marriages, and burials during the year; the total number of baptized members, the total number of communicants in good standing, and the total number of communicants in good standing under 16 years of age.
- (2) a summary of all the receipts and expenditures, from whatever source derived and for whatever purpose used.
- (3) such other relevant information as is needed to secure an accurate view of the state of this Church, as required by the approved form.

Non-parochial reports.

Sec. 2. Every Bishop, Presbyter, or Deacon whose report is not included in a parochial report shall also report on the exercise of such office, and if there has been none, the causes or reasons which have prevented the same.

Sec. 3. These reports, or such parts of them as the Bishop may deem proper, shall be entered in the Journal of the convention.

Sec. 4. Likewise, a report of every Diocese shall be prepared annually for the year ending December 31st preceding, in the form authorized by the Executive Council and approved by the Committee on the State of the Church, and shall be filed, not later than September 1, with the Executive Council. It shall include information concerning implementation by the Diocese of resolutions of the previous General Convention which have been specifically identified by the Secretary of General Convention under Joint Rule 13 as calling for Diocesan action.

Annual
Diocesan
Reports.

Sec. 5 (a) It shall be the duty of the Secretary of the Convention of every jurisdiction to forward to the Secretary of the House of Deputies, immediately upon publication, two copies of the Journals of the Convention of the jurisdiction, together with episcopal charges, statements, and such other records in paper or electronic format as may show the state of the Church in that jurisdiction, and two copies to the Archives of the Church in a common format as prescribed by the Archivist of the Church.

Journals to be
forwarded to
Secretary and
Archives.

(b) A Committee of the House of Deputies shall be appointed following the close of each General Convention, to serve *ad interim*, and to prepare and present to the next meeting of the House of Deputies a report on the State of the Church; which report, when agreed to by the said House, shall be sent to the House of Bishops.

Report to the
House of
Deputies.

CANON 7: Of Business Methods in Church Affairs

Sec. 1. In every Province, Diocese, Parish, Mission and Institution connected with this Church, the following standard business methods shall be observed:

Standards
observed.

(a) All accounts of Provinces shall be audited annually by an independent certified public accountant, or independent licensed accountant, or such audit committee as shall be authorized by the Provincial Council. The Audit Report shall be filed with the Provincial Council not later than September 1 of each year, covering the preceding calendar year.

Provinces to
be audited.

(b) Funds held in trust, endowment and other permanent funds, and securities represented by physical evidence of ownership or indebtedness, shall be deposited with a National or State Bank, or a Diocesan Corporation, or with some other agency approved in writing by the Finance Committee or the Department of Finance of the Diocese, under a deed of trust, agency or other depository agreement providing for at least two signatures on any order of withdrawal of such funds or securities. But this paragraph shall not apply to funds and securities refused by the depositories named as being too small for acceptance. Such small funds and securities shall be under the care of the persons or corporations properly responsible for them. This paragraph shall not be deemed to prohibit investments in securities issued in book entry form or other

Deposit of
funds.

Proviso.

- manner that dispenses with the delivery of a certificate evidencing the ownership of the securities or the indebtedness of the issuer.
- Record of trust funds. (c) Records shall be made and kept of all trust and permanent funds showing at least the following:
- (1) Source and date.
 - (2) Terms governing the use of principal and income.
 - (3) To whom and how often reports of condition are to be made.
 - (4) How the funds are invested.
- Treasurers to be bonded. (d) Treasurers and custodians, other than banking institutions, shall be adequately bonded; except treasurers of funds that do not exceed five hundred dollars at any one time during the fiscal year.
- Books of account. (e) Books of account shall be so kept as to provide the basis for satisfactory accounting.
- Annual audit. (f) All accounts of the Diocese shall be audited annually by an independent Certified Public Accountant. All accounts of Parishes, Missions or other institutions shall be audited annually by an independent Certified Public Accountant, or independent Licensed Public Accountant, or such audit committee as shall be authorized by the Finance Committee, Department of Finance, or other appropriate diocesan authority.
- (g) All reports of such audits, including any memorandum issued by the auditors or audit committee regarding internal controls or other accounting matters, together with a summary of action taken or proposed to be taken to correct deficiencies or implement recommendations contained in any such memorandum, shall be filed with the Bishop or Ecclesiastical Authority not later than 30 days following the date of such report, and in no event, not later than September 1 of each year, covering the financial reports of the previous calendar year.
- Insurance. (h) All buildings and their contents shall be kept adequately insured.
- Report to Convention. (i) The Finance Committee or Department of Finance of the Diocese may require copies of any or all accounts described in this Section to be filed with it and shall report annually to the Convention of the Diocese upon its administration of this Canon.
- Fiscal year. (j) The fiscal year shall begin January 1.
- Dioceses to enforce by Canon. Sec. 2. The several Dioceses shall give effect to the foregoing standard business methods by the enactment of Canons appropriate thereto, which Canons shall invariably provide for a Finance Committee, a Department of Finance of the Diocese, or other appropriate diocesan body with such authority.
- Encumbrance of property requires consent. Sec. 3. No Vestry, Trustee, or other Body, authorized by Civil or Canon law to hold, manage, or administer real property for any Parish, Mission, Congregation, or Institution, shall encumber or alienate the same or any part thereof without the written consent of the Bishop and Standing Committee of the Diocese of which the

Parish, Mission, Congregation, or Institution is a part, except under such regulations as may be prescribed by Canon of the Diocese.

Sec. 4. All real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for this Church and the Diocese thereof in which such Parish, Mission or Congregation is located. The existence of this trust, however, shall in no way limit the power and authority of the Parish, Mission or Congregation otherwise existing over such property so long as the particular Parish, Mission or Congregation remains a part of, and subject to, this Church and its Constitution and Canons. Property held in trust.

Sec. 5. The several Dioceses may, at their election, further confirm the trust declared under the foregoing Section 4 by appropriate action, but no such action shall be necessary for the existence and validity of the trust.

CANON 8: Of The Church Pension Fund

Sec. 1. The Church Pension Fund, a corporation created by Chapter 97 of the Laws of 1914 of the State of New York as subsequently amended, is hereby authorized to establish and administer the clergy pension system, including life, accident and health benefits, of this Church, substantially in accordance with the principles adopted by the General Convention of 1913 and approved thereafter by the several Dioceses, with the view to providing pensions and related benefits for the Clergy who reach normal age of retirement, for the Clergy disabled by age or infirmity, and for the surviving spouses and minor children of deceased Clergy. The Church Pension Fund is also authorized to establish and administer the lay employee pension system and denominational health plan of the Church, substantially in accordance with the principles adopted by the General Convention of 2009 in Resolution 2009-A177, with the view to providing pensions, health care and related benefits for the eligible Clergy and eligible lay employees of this Church, as well as their eligible beneficiaries and dependents. Clergy and lay pension and health plans.

Sec. 2. The General Convention at each regular meeting shall elect, on the nomination of a Joint Committee thereof, twelve persons to serve as Trustees of The Church Pension Fund for a term of six years and until their successors shall have been elected and have qualified, and shall also fill such vacancies as may exist on the Board of Trustees. Effective January 1, 1989, any person who has been elected as a Trustee by General Convention for twelve or more consecutive years shall not be eligible for reelection until the next regular General Convention following the one in which that person was not eligible for reelection to the Board of Trustees. Any vacancy which occurs at a time when the General Convention is not in session may be filled by the Board of Trustees by appointment, *ad interim*, of a Trustee who shall serve until the next session of the Election of Trustees.

General Convention thereafter shall have elected a Trustee to serve for the remainder of the unexpired term pertaining to such vacancy.

Royalties and assessments.

Sec. 3. For the purpose of administering the pension system, The Church Pension Fund shall be entitled to receive and to use all net royalties from publications authorized by the General Convention, and to levy upon and to collect from all Parishes, Missions, and other ecclesiastical organizations or bodies subject to the authority of this Church, and any other societies, organizations, or bodies in the Church which under the regulations of The Church Pension Fund shall elect to come into the pension system, assessments based upon the salaries and other compensation paid to Clergy by such Parishes, Missions, and other ecclesiastical organizations or bodies for services rendered currently or in the past, prior to their becoming beneficiaries of the Fund. For the purpose of administering the lay employee pension system and denominational health plan, The Church Pension Fund shall be entitled to collect from all Parishes, Missions, and other ecclesiastical organizations or bodies subject to the authority of this Church, and any other societies, organizations, or bodies in the Church which under the regulations of The Church Pension Fund shall elect to come into the lay employee pension system, assessments and/or contributions based upon the salaries and other compensation paid to eligible lay employees by such Parishes, Missions, and other ecclesiastical organizations or bodies, determine the eligibility of all Clergy and lay employees to participate in the denominational health plan through a formal benefits enrollment process, and The Church Pension Fund shall be entitled to levy upon and collect contributions for health care and related benefits under the denominational health plan from all Parishes, Missions, and other ecclesiastical organizations or bodies subject to the authority of this Church with respect to their Clergy and lay employees.

Limit on allotment.

Sec. 4. The pension system shall be so administered that no pension shall be allotted before there shall be in the hands of The Church Pension Fund sufficient funds to meet such pension, except as directed by the General Convention in 1967.

Minimum retiring allowance.

Sec. 5. To every Member of the Clergy who shall have been ordained in this Church or received into this Church from another Church, and who shall have remained in service in the office and work of the Ministry in this Church for a period of at least twenty-five years, and in respect of whom the conditions of this Canon shall have been fulfilled in the payment of assessments on such reasonable basis as The Church Pension Fund may establish under its Rules of Administration, The Church Pension Fund shall provide a minimum retiring allowance the amount of which shall be determined by the Trustees of the Fund, and shall also provide surviving spouses' and minor children's allowances related thereto. In the case of a Member of the Clergy in whose behalf assessments shall not have been fully paid for a period of at least twenty-five

years, The Church Pension Fund shall be empowered to recompute the aforesaid minimum retiring allowance and the other allowances related thereto at a rate or rates consistent with the proper actuarial practice. The Trustees of The Church Pension Fund are hereby empowered to establish such Rules and Regulations as will fulfill the intention of this Canon and are consistent with sound actuarial practice. Subject to the provisions of this Canon, the general principle shall be observed that there shall be an actuarial relation between the several benefits; *Provided, however,* that the Board of Trustees shall have power to establish such maximum of annuities greater than two thousand dollars as shall be in the best interest of the Church, within the limits of sound actuarial practice.

Sec. 6. An Initial Reserve Fund, derived from voluntary gifts, shall be administered by The Church Pension Fund so as to assure to clergy ordained prior to March 1, 1917, and their families, such addition to the support to which they may become entitled on the basis of assessments authorized by this Canon as may bring their several allowances up to the scale herein established.

Initial Reserve Fund.

Sec. 7. The action of the Trustees of the General Clergy Relief Fund, in accepting the provisions of Chapter 239 of the Laws of 1915 of the State of New York authorizing a merger with The Church Pension Fund, upon terms agreed upon between said two Funds, is hereby approved. Any corporation, society, or other organization, which hitherto has administered clergy relief funds, may to such extent as may be compatible with its corporate powers and its existing obligations, and in so far as may be sanctioned in the case of diocesan societies by the respective Dioceses, merge with The Church Pension Fund, or if merger be impracticable, may establish by agreement with The Church Pension Fund the closest practicable system of co-operation with that fund. Nothing herein contained shall be construed to the prejudice of existing corporations or societies whose funds are derived from payments made by members thereof.

Merger of General Clergy Relief Fund with Church Pension Fund.

Sec. 8. Women ordained to the Diaconate prior to January 1, 1971, who are not employed in active service on January 1, 1977, shall continue to have the benefit of their present provisions for pension protection at the expense of their employers, through the Pension Plan for Deaconesses provided by the Church Life Insurance Corporation, or through some other pension plan providing equivalent or better guarantees of a dependable retirement income, approved by proper authority. Women ordained to the Diaconate prior to January 1, 1971, and who are employed in active service on or after January 1, 1977, shall be entitled to the same provisions for pension protection as other Deacons based on prospective service on or after January 1, 1977. Women ordained to the Diaconate on or after January 1, 1971, shall be entitled to the same pension protection as other Deacons.

Pensions for women.

General
Convention
reserves right
to amend.

Sec. 9. The General Convention reserves the power to alter or amend this Canon, but no such alteration or amendment shall be made until after the same shall have been communicated to the Trustees of The Church Pension Fund and such Trustees shall have had ample opportunity to be heard with respect thereto.

CANON 9: Of Provinces

How
constituted.

Sec. 1. Subject to the proviso in Article VII of the Constitution, the Dioceses of this Church shall be and are hereby united into Provinces as follows:

The First Province shall consist of the Dioceses within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

The Second Province shall consist of the Dioceses within the States of New York and New Jersey, the Dioceses of Haiti and the Virgin Islands, and the Convocation of American Churches in Europe.

The Third Province shall consist of the Dioceses within the States of Pennsylvania, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia.

The Fourth Province shall consist of the Dioceses within the States of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, and Louisiana, except for the portion thereof consisting of the Diocese of Western Louisiana.

The Fifth Province shall consist of the Diocese of Missouri, and of the Dioceses within the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin.

The Sixth Province shall consist of the Dioceses within the States of Minnesota, Iowa, North Dakota, South Dakota, Nebraska, Montana, Wyoming, and Colorado.

The Seventh Province shall consist of the Dioceses of Western Louisiana and of West Missouri, and of the Dioceses within the States of Arkansas, Texas, Kansas, Oklahoma, and New Mexico.

The Eighth Province shall consist of the Dioceses within the States of Idaho, Utah, Washington, Oregon, Nevada, California, Arizona, Alaska, and Hawaii, the Diocese of Taiwan and the Area Mission of Navajoland.

The Ninth Province shall consist of the Dioceses of this Church in Colombia, the Dominican Republic, Ecuador, Honduras, Puerto Rico, and Venezuela.

New Dioceses.

Sec. 2 (a) When a new Diocese or Area Mission shall be created wholly within any Province, such new Diocese or Area Mission shall be included in such Province. In case a new Diocese or Area Mission shall embrace territory in two or more Provinces, it shall be included in and form part of the Province wherein the greater number of Presbyters and Deacons in such new Diocese or Area Mission shall, at the time of its creation, be canonically resident. Whenever a new Diocese or Area Mission shall be formed of

territory not before included in any Province, the General Convention shall designate the Province to which it shall be annexed.

(b) By mutual agreement between the Synods of two adjoining Provinces, a Diocese or Area Mission may transfer itself from one of such Provinces to the other, such transfer to be considered complete upon approval thereof by the General Convention. Following such approval, Canon I.9.1 shall be appropriately amended.

Transfer of Dioceses.

Sec. 3. For the purpose of the Province the Synodical rights and privileges of the several Dioceses within the Province shall be such as from time to time shall be determined by the Synod of the Province.

Rights and privileges of Dioceses.

Sec. 4. There shall be in each Province a Synod consisting of a House of Bishops and a House of Deputies, which Houses shall sit and deliberate either separately or together. The Synod shall meet on a regular basis as determined by each Province for the purpose of organizing and carrying out the responsibilities of the Province as provided in the Canons.

Provincial Synod.

Sec. 5. Every Bishop Diocesan of this Church, having jurisdiction within the Province, every Bishop Coadjutor, Bishop Suffragan, and Assistant Bishop, and every Bishop whose episcopal work has been within the Province, but who by reason of advanced age or bodily infirmity has resigned, shall have a seat and vote in the House of Bishops of the Province.

All bishops have seat and vote.

Sec. 6 (a) The President of each Province may be one of the Bishops, Presbyters, Deacons, or Lay Persons of the Province, elected by the Synod. The method of election and term of office shall be determined by the rules of the Synod.

President of Province.

(b) When the person elected is not a Bishop, a Vice-President shall be elected who shall be a Bishop member of the Province. In this event the Bishop so elected shall serve, *ex officio*, as President of the House of Bishops of the Synod, and shall represent the Province in all matters requiring the participation of a Bishop.

Sec. 7. Each Diocese and Area Mission within the Province shall be entitled to representation in the Provincial House of Deputies by Presbyters or Deacons canonically resident in the Diocese or Area Mission, and Lay Persons, confirmed adult communicants of this Church in good standing but not necessarily domiciled in the Diocese or Area Mission, in such number as the Provincial Synod, by Ordinance, may provide. Each Diocese and Area Mission shall determine the manner in which its Deputies shall be chosen.

Representatives of Dioceses.

Sec. 8. The Provincial Synod shall have power: (a) to enact Ordinances for its own regulation and government; (b) to elect judges of the Provincial Court of Review; (c) to perform such duties as many be committed to it by the General Convention; (d) to deal with all matters within the Province; *Provided, however*, that no

Powers of Provincial Synod.

Provincial Synod shall have power to regulate or control the internal policy or affairs of any constituent Diocese; and *Provided, further*, that all actions and proceedings of the Synod shall be subject to and in conformity with the provisions of the Constitution and the Canons for the government of this Church; (e) to adopt a budget for the maintenance of any Provincial work undertaken by the Synod, such budget to be raised in such manner as the Synod may determine; (f) to create by Ordinance a provincial Council with power to administer and carry on such work as may be committed to it by the General Convention, or by the Presiding Bishop and the Executive Council, or by the Synod of the Province.

May take over administration of work.

Sec. 9. The Synod of a Province may take over from the Executive Council, with its consent, and during its pleasure, the administration of any given work within the Province. If the Province shall provide the funds for such work, the constituent Dioceses then members of, and supporting, such Province shall receive proportional credit therefor upon the quotas assigned to them for the support of the Program of the Church, provided that the total amount of such credits shall not exceed the sum appropriated in the budget of the Executive Council for the maintenance of the work so taken over.

To consider subjects referred by General Convention.

Sec. 10. Within sixty days after each session of the General Convention, the Presidents of the two Houses thereof shall refer to the Provincial Synods, or any of them, such subjects as the General Convention may direct, or as they may deem advisable, for consideration thereof by the Synods, and it shall be the duty of such Synods to consider the subject or subjects so referred to them at the first meeting of the Synod held after the adjournment of the General Convention, and to report their action and judgment in the matter to the Secretary of the House of Bishops and to the Secretary of the House of Deputies at least six months before the date of the meeting of the next General Convention.

Records and Archives.

Sec. 11. Each Provincial Synod shall keep minutes, journals or other records of its meetings, and shall transmit one copy of the records to the Secretary of the House of Deputies, and one copy to the Archives of The Episcopal Church. The Synod shall also transmit copies of any unpublished inactive records to the Archives.

Primary Convention.

CANON 10: Of New Dioceses

Sec. 1. Whenever a new Diocese shall be formed within the limits of any Diocese, or by the junction of two or more Dioceses, or parts of Dioceses, and such action shall have been ratified by the General Convention, the Bishop of the Diocese within the limits of which a Diocese is formed, or in case of the junction of two or more Dioceses, or parts of Dioceses, the senior Bishop by consecration, shall thereupon call the Primary Convention of the new Diocese, for the purpose of enabling it to organize, and shall fix the time and

place of holding the same, such place being within the territorial limits of the new Diocese.

Sec. 2. In case there should be no Bishop who can call such Primary Convention, pursuant to the foregoing provision, then the duty of calling such Convention for the purpose of organizing and of fixing the time and place of its meeting, shall be vested in the Standing Committee of the Diocese within the limits of which the new one is erected, or in the Standing Committee of the oldest of the Dioceses by the junction of which, or of parts of which, the new Diocese may be formed. And such Standing Committee shall make the call immediately after ratification of the General Convention.

How called with no Bishop.

Sec. 3. Whenever one Diocese is about to be divided into two Dioceses, the Convention of such Diocese shall declare which portion thereof is to be in the new Diocese, and shall make the same known to the General Convention before the ratification of such division.

Division of existing Diocese.

Sec. 4. Whenever a new Diocese shall have organized in Primary Convention in accordance with the provisions of the Constitution and Canons in such case made and provided, and in the manner prescribed in the previous Sections of this Canon, and shall have chosen a name and acceded to the Constitution of the General Convention in accordance with Article V, Section 1 of the Constitution, and shall have laid before the Executive Council certified copies of the Constitution adopted at its Primary Convention, and the proceedings preparatory to the formation of the proposed new Diocese, such new Diocese shall thereupon be admitted into union with the General Convention.

How admitted into union with General Convention.

Sec. 5. In the event of the erection of an Area Mission into a Diocese of this Church, as provided in Article V, Sec. 1, the Convocation of the said Area Mission shall be entitled to elect Deputies to the succeeding General Convention, and also to elect a Bishop. The jurisdiction previously assigned to the Bishop in the Area Mission shall be terminated upon the admission of the new Diocese.

Convocation may elect Deputies and Bishop.

Sec. 6 (a) When a Diocese, and another Diocese which has been formed either by division therefrom or by erection into a Diocese or a Missionary Diocese formed by division therefrom, shall desire to be reunited into one Diocese, the proposed reunion must be initiated by a mutual agreement between the Conventions of the two Dioceses, consented to by the Ecclesiastical Authority of each Diocese. If the said agreement is made and the consents given more than three months before the next meeting of the General Convention, the fact of the agreement and consents shall be certified by the Ecclesiastical Authority and the Secretary of the Convention of each Diocese to all the Bishops of the Church having jurisdiction and to the Standing Committees of all the Dioceses; and when the consents of a majority of such Bishops and of a majority of the

Provision for reunion of Dioceses.

Standing Committees to the proposed reunion shall have been received, the facts shall be similarly certified to the Secretary of the House of Deputies of the General Convention, and thereupon the reunion shall be considered complete. But if the agreement is made and the consents given within three months of the next meeting of the General Convention, the facts shall be certified instead to the Secretary of the House of Deputies, who shall lay them before the two Houses; and the reunion shall be deemed to be complete when it shall have been sanctioned by a majority vote in the House of Bishops, and in the House of Deputies voting by orders.

Rights and jurisdictions of Bishops.

(b) The Bishop of the parent Diocese shall be the Bishop, and the Bishop of the junior Diocese shall be the Bishop Coadjutor, of the reunited Diocese; but if there be a vacancy in the Episcopate of either Diocese, the Bishop of the other Diocese shall be the Bishop, and the Bishop Coadjutor if there be one shall be the Bishop Coadjutor, of the reunited Diocese.

Dioceses in union with the General Convention.

(c) When the reunion of the two Dioceses shall have been completed, the facts shall be certified to the Presiding Bishop and to the Secretary of the House of Deputies. Thereupon the Presiding Bishop shall notify the Secretary of the House of Bishops of any alteration in the status or style of the Bishop or Bishops concerned, and the Secretary of the House of Deputies shall strike the name of the junior Diocese from the roll of Dioceses in union with the General Convention.

CANON 11: Of Missionary Jurisdictions

Responsibility of the whole Church.

Sec. 1. Area Missions established in accordance with Article VI, Sec. 1 and Missionary Dioceses organized in accordance with Article VI, Sec. 3 shall constitute jurisdictions for which this Church as a whole assumes a special responsibility.

House of Bishops may establish Area Missions.

Sec. 2 (a) The House of Bishops may establish a Mission in any Area not included within the boundaries of a Diocese of this Church, or of a Church in communion with this Church, under such conditions and agreements, not inconsistent with the Constitution and Canons of this Church, as shall be approved by the House of Bishops from time to time.

May be ecumenical.

(b) Such Area Mission may be undertaken under the sole auspices of this Church, or it may be undertaken jointly with another Christian body or bodies, on such terms as shall not compromise the doctrines of the Christian faith as this Church has received the same.

Bishops to be assigned to oversee Area Missions.

(c) For every such Area Mission, a Bishop of this Church, or of a Church in communion with this Church, shall be assigned by the House of Bishops to give episcopal oversight. The person so assigned, if a Bishop of this Church, shall, for the duration of such assignment, exercise jurisdiction as a Missionary Bishop under these Canons, so far as they are applicable to the Area Mission; and should occasion arise for the function of a Standing Committee or a Commission on Ministry, the Bishop shall appoint a board or boards

of Clergy and Lay Persons resident in the area, to fulfill such functions as may be required.

(d) Except as may be expressly provided otherwise in the agreements referred to in paragraph (a) of this Section, the Bishop having jurisdiction in an Area Mission may authorize the use of such forms of worship as the Bishop may judge appropriate to the circumstances.

(e) An Area Mission may be terminated by the House of Bishops as a mission of this Church; or it may be transferred by them to become a mission of another Church, or to become a constituent part of an autonomous Province in communion with this Church; or it may organize itself as an extra-provincial Diocese.

May be terminated by House of Bishops.

(f) An Area Mission which shall have been undertaken under the sole auspices of this Church, with a Bishop of this Church assigned to give episcopal oversight, shall be entitled to representation in the Provincial House of Bishops and the Provincial House of Deputies in the Province of which it is a part.

Representation in its Province.

(g) In the event of a vacancy in the office of Bishop assigned jurisdiction in an Area Mission, the charge thereof shall devolve upon the Presiding Bishop, with the power of appointing some other Bishop as his substitute in such charge, until the vacancy is filled by the House of Bishops.

Episcopal vacancy.

Sec. 3 (a) An Area not previously organized as a Diocese, and not under the permanent jurisdiction of a Bishop in communion with this Church, may, upon application for admission, in accordance with the procedures of Article V, Section 1, be admitted as a Diocese, and may be accepted as a Missionary Diocese within the meaning of Sec. 1 of this Canon. Such Missionary Diocese, and every present Missionary Diocese organized by the House of Bishops under previously existing Canons and admitted into union with the General Convention, shall be governed by a Constitution and Canons, adopted by the Convention of the said Diocese, which acknowledge the authority of the Constitution and Canons of the General Convention, and incorporate the provisions set forth in the subsequent paragraphs of this section.

May be organized as Missionary Diocese.

(b) In the event a Missionary Diocese beyond the territory of the United States of America is incapable of functioning as a jurisdiction in union with the Episcopal Church, and the Bishop, or if there be none the Ecclesiastical Authority, of such Diocese, after consultation with appropriate diocesan authorities and the Presiding Bishop agree that continuation in union with this Church is no longer feasible, the Presiding Bishop is authorized, after consultation with the appropriate authorities in the Anglican Communion, to take such action as needed for such Diocese to become a constituent part of another Province or Regional Council in communion with this Church.

To adopt a Constitution and Canons.

Transfer to another Province.

(c) In every Missionary Diocese there shall be an annual Convention, composed of the Bishop or Bishops, the other Clergy of the Diocese, and Lay Delegates from the organized

Convention to elect.

Congregations. Such Convention shall elect a Standing Committee, in accordance with the diocesan Canons, which shall have the powers and duties set forth for Standing Committees in Canon I.12 and in other Canons of the General Convention. It shall also elect Clerical and Lay Deputies and alternate Deputies to the General Convention, in accordance with its diocesan Canons, and the provisions of Article I.4 of the Constitution. If the Missionary Diocese is a member of a Province of this Church, it shall also provide for Clerical and Lay Deputies and alternate Deputies to the Synod, in accordance with the diocesan Canons and the provisions of the Ordinances of the Province.

Missionary Diocese to adopt a budget.

(d) The Convention of a Missionary Diocese shall also adopt an annual budget and program for the Diocese, and provide for the means of its administration throughout the year; and shall make provision for the review and approval of requests for grants in aid from the Executive Council or other sources of funds, both toward current operations and for capital needs.

Election of Bishop.

(e) The election of the Bishop of a Missionary Diocese, in the event of a vacancy, or, when canonical consent is given, the election of a person to be Bishop Coadjutor or Bishop Suffragan, shall be made by a Diocesan Convention in accordance with its own Canons, and the provisions of Canon III.11 of the General Convention.

General Convention may grant autonomy.

(f) At the request of the Convention of a Missionary Diocese, supported by the presentation of relevant facts and a reasonable plan, the General Convention may by joint Resolution (1) permit the Diocese seeking autonomy to unite with another Province, or Regional Council having metropolitanical authority, of the Anglican Communion, or (2) permit the Diocese seeking autonomy but not planning to unite with another Province or Regional Council, to unite with no less than three (3) other viable Dioceses at the same time which are geographically contiguous, or so located geographically as to be considered of the same region, for the purpose of establishing a new Province, or new Regional Council having metropolitanical authority, of the Anglican Communion.

May transfer to another Province or Regional Council.

Status of Missionary Diocese may be altered to Area Mission.

(g) At the request of the Convention of a Missionary Diocese, accompanied by the Bishop's written resignation of permanent jurisdiction therein, the General Convention may alter the status of a Missionary Diocese to that of an Area Mission, under such terms and conditions as may be stipulated by the House of Bishops in accordance with Canon I.11.2(a); and in such case, its right to representation by Deputies in the General Convention shall cease.

Notices to be sent to Primates.

Sec. 4. Notice shall be sent to all Archbishops and Metropolitans, and all Presiding Bishops, of Churches in communion with this Church, of the establishment of any Area Mission, or of the organization or change of status of any Missionary Diocese outside the United States; and of the consecration, or assignment, of a Missionary Bishop therefor.

Exercise of jurisdiction.

It is hereby declared as the judgment of this Church that no two Bishops of Churches in communion with each other should exercise

jurisdiction in the same place; except as may be defined by a concordat adopted jointly by the competent authority of each of the said Churches, after consultation with the appropriate inter-Anglican body.

CANON 12: Of Standing Committees

Sec. 1. In every Diocese the Standing Committee shall elect from their own body a President and a Secretary. They may meet in conformity with their own rules from time to time, and shall keep a record of their proceedings; and they may be summoned to a special meeting whenever the President may deem it necessary. They may be summoned on the requisition of the Bishop, whenever the Bishop shall desire their advice; and they may meet of their own accord and agreeably to their own rules when they may be disposed to advise the Bishop. Meetings.

Sec. 2. In all cases in which a Canon of the General Convention directs a duty to be performed, or a power to be exercised, by a Standing Committee, or by the Clerical members thereof, or by any other body consisting of several members, a majority of said members, the whole having been duly cited to meet, shall be a quorum; and a majority of the quorum so convened shall be competent to act, unless the contrary is expressly required by the Canon. Quorum.

Sec. 3. Any document required to be signed by members of the Standing Committee or by the Clerical members thereof, or by any other body consisting of several members may be signed in counterparts each of which shall be deemed an original. Signed originals.

CANON 13: Of Parishes and Congregations

Sec. 1. Every Congregation of this Church shall belong to the Church in the Diocese in which its place of worship is situated; a Member of the Clergy serving a Cure having Congregations in more than one jurisdiction shall have such rights, including vote, in the Convention of the jurisdiction in which the Member of the Clergy has canonical residence as may be provided in the Canons of that diocese and may be granted seat and voice in the jurisdiction(s) in which the Member of the Clergy does not have canonical residence. Jurisdiction of Congregation and Clergy
Canonical residence.

Sec. 2 (a) The ascertainment and defining of the boundaries of existing Parishes or Parochial Cures, as well as the establishment of a new Parish or Congregation, and the formation of a new Parish within the limits of any other Parish, is left to the action of the several Diocesan Conventions. Parish boundaries.

(b) Until a Canon or other regulation of a Diocesan Convention shall have been adopted, the formation of new Parishes, or the establishment of new Parishes or Congregations within the limits of existing Parishes, shall be vested in the Bishop of the Diocese, acting by and with the advice and consent of the Standing Committee Formation of new Parish within limits of existing Parish.

thereof, and, in case of there being no Bishop, of the Ecclesiastical Authority.

Boundaries of Parish when not defined by law.

Sec. 3 (a) Where Parish boundaries are not defined by law, or settled by Diocesan Authority under Section 2 of this Canon, or are not otherwise settled, they shall be defined by the civil divisions of the State as follows:

Parochial boundaries shall be the limits as fixed by law, of a village, town, township, incorporated borough, city, or of some division of any such civil district, which may be recognized by the Bishop, acting with the advice and consent of the Standing Committee, as constituting the boundaries of a Parish.

Parochial Cure.

(b) If there be but one Church or Congregation within the limits of such village, town, township, borough, city, or such division of a civil district, as herein provided, the same shall be deemed the Parochial Cure of the Member of the Clergy having charge thereof. If there be two or more Churches or Congregations therein, it shall be deemed the Cure of the Members of the Clergy thereof.

Not to affect legal rights.

(c) This Canon shall not affect the legal rights of property of any Parish or Congregation.

CANON 14: Of Parish Vestries

Regulations left to State or Diocesan law.

Sec. 1. In every Parish of this Church the number, mode of selection, and term of office of Wardens and Members of the Vestry, with the qualifications of voters, shall be such as the State or Diocesan law may permit or require, and the Wardens and Members of the Vestry selected under such law shall hold office until their successors are selected and have qualified.

As agents and legal representatives.

Sec. 2. Except as provided by the law of the State or of the Diocese, the Vestry shall be agents and legal representatives of the Parish in all matters concerning its corporate property and the relations of the Parish to its Clergy.

Rector to preside.

Sec. 3. Unless it conflicts with the law as aforesaid, the Rector, or such other member of the Vestry designated by the Rector, shall preside in all the meetings of the Vestry.

CANON 15: Of Congregations in Foreign Lands

Congregations in foreign lands.

Sec. 1. It shall be lawful, under the conditions hereinafter stated, to organize a Congregation in any foreign land and not within the jurisdiction of any Missionary Bishop of this Church nor within any Diocese, Province, or Regional Church of the Anglican Communion.

Who may officiate temporarily.

Sec. 2. The Bishop in charge of such Congregations, and the Council of Advice hereinafter provided for, may authorize any Presbyter of this Church to officiate temporarily at any place to be named by them within any such foreign land, upon being satisfied

that it is expedient to establish at such place a Congregation of this Church.

Sec. 3. Such Presbyter, after having publicly officiated at such place on four consecutive Sundays, may give notice, in the time of Divine Service, that a meeting of the persons of full age and attending the services, will be held, at a time and place to be named by the Presbyter in charge, to organize the Congregation. The said meeting may proceed to effect an organization subject to the approval of the said Bishop and Council of Advice and in conformity to such regulations as the said Council of Advice may provide. Organization.

Sec. 4. Before being taken under the direction of the General Convention of this Church, such Congregation shall be required, in its Constitution, or Plan, or Articles of Organization, to recognize and accede to the Constitution, Canons, Doctrine, Discipline, and Worship of this Church, and to agree to submit to and obey such directions as may be, from time to time, received from the Bishop in charge and Council of Advice. To recognize Constitution and Canons.

Sec. 5. The desire of such Congregation to be taken under the direction of the General Convention shall be duly certified by the Member of the Clergy, one Warden, and two Vestry members or Trustees of said Congregation, duly elected. To be received by General Convention.

Sec. 6. Such certificate, and the Constitution, Plan, or Articles of Organization, shall be submitted to the General Convention, if it be in session, or to the Presiding Bishop at any other time; and in case the same are found satisfactory, the Secretary of the House of Deputies of the General Convention, under written instruction from the Presiding Bishop, shall thereupon place the name of the Congregation on the list of Congregations in foreign lands under the direction of the General Convention; and a certificate of the said official action shall be forwarded to and filed by the Registrar of this Church. Such Congregations are placed under the government and jurisdiction of the Presiding Bishop. How accepted.

Sec. 7. The Presiding Bishop may, from time to time, by written commission under the episcopal signature and seal, assign to a Bishop or Bishops of this Church, or of a Church in communion with this Church, the care of, and responsibility for, one or more of such Congregations and the Clergy officiating therein, for such period of time as the Presiding Bishop may deem expedient; *Provided*, that, should such term expire in a year during which a General Convention is to be held, prior to said Convention, the commission may be extended until the adjournment of the Convention. Presiding Bishop may assign jurisdiction.

Sec. 8. Nothing in this Canon is to be construed as preventing the election of a Bishop to have charge of such Congregations under the provision of Canon III.12.1-4.

Sec. 9. To aid the Presiding Bishop or the Bishop in charge of these foreign Churches in administering the affairs of the same, and in Council of Advice.

settling such questions as may, by means of their peculiar situation, arise, a Council of Advice, consisting of four Clergy and four Lay Persons, shall be constituted as follows, and shall act as a Council of Advice to the Bishop in charge of the foreign Churches. They shall be chosen to serve for two years and until their successors are elected and have accepted election, by a Convocation duly convened, of all the Clergy of the foreign Churches or Chapels, and of two Lay representatives of each Church or Chapel, chosen by its Vestry or Committee. The Council of Advice shall be convened on the requisition of the Bishop whenever the Bishop may desire their advice, and they may meet of their own accord and agreeably to their own rules when they may wish to advise the Bishop. When a meeting is not practicable, the Bishop may ascertain their mind by letter.

It shall be lawful for the Presiding Bishop at any time to authorize by writing under the episcopal hand and seal the Council of Advice to act as the Ecclesiastical Authority.

Members of the Clergy charged with canonical offense.

Sec. 10. In case a Member of the Clergy in charge of a Congregation in a foreign land shall be accused of any offense under the Canons of this Church, it shall be the duty of the Bishop in charge of such Congregations to summon the Council of Advice, and cause an inquiry to be instituted as to the truth of such accusation; and should there be reasonable grounds for believing the same to be true, the said Bishop and the Council of Advice shall appoint a Commission, consisting of three Clergy and two Lay Persons, whose duty it shall be to meet in the place where the accused resides, and to obtain all the evidence in the case from the parties interested; they shall give to the accused all rights under the Canons of this Church which can be exercised in a foreign land. The judgment of the said Commission, solemnly made, shall then be sent to the Bishop in charge, and to the Presiding Bishop, and, if approved by them, shall be carried into effect; *Provided*, that no such Commission shall recommend any other discipline than admonition or removal of the Member of the Clergy from charge of said Congregation.

Proviso.

Should the result of the inquiry of the aforesaid Commission reveal evidence tending, in their judgment, to show that said Member of the Clergy deserves a more severe discipline, all the documents in the case shall be placed in the hands of the Presiding Bishop, who may proceed against the Member of the Clergy, as far as possible, according to the Canons of the General Convention.

Limitation on new Congregations.

Sec. 11. If there be a Congregation within the limits of any city in a foreign land, no new Congregation shall be established in that city, except with the consent of the Bishop in charge and the Council of Advice.

Pastoral relationship.

Sec. 12. In case of a difference between the Member of the Clergy and a Congregation in a foreign land, the Bishop in charge shall duly examine the same, and the said Bishop shall, with the Council of

Advice, have full power to settle and adjust such difference upon principles recognized in the Canons of the General Convention.

Sec. 13. No Member of the Clergy shall be allowed to take charge of a Congregation in a foreign land, organized under this Canon, until nominated by the Vestry thereof, or, if there be no Vestry, by the Council of Advice, and approved by the Bishop in charge; and once having accepted such appointment, the Member of the Clergy shall be transferred to the jurisdiction of the Presiding Bishop.

Appointment of Clergy.

CANON 16: Of Clergy and Congregations Seeking Affiliation with This Church

Sec. 1. Whenever a Congregation of Christian people, holding the Christian faith as set forth in the Catholic creeds and recognizing the Scriptures as containing all things necessary to salvation, but using a rite other than that set forth by this Church, shall desire affiliation with this Church, while retaining the use of its own rite, such congregation shall, with the consent of the Bishop in whose Diocese it is situate, make application through the Bishop to the Presiding Bishop for status.

Congregation seeking affiliation with this Church.

Sec. 2. Any person who has not received episcopal ordination, and desires to serve such a Congregation as a Member of the Clergy, shall conform to the provisions of Canon III.10.4.

Non-episcopally ordained Clergy.

Sec. 3. A Member of the Clergy of such Congregation who shall have been ordained by a Bishop not in communion with this Church, but the regularity of whose ordination is approved by the Presiding Bishop, shall be admitted in the appropriate Order under the provision of Canon III.10.3.

Clergy regularly ordained.

Sec. 4. Clergy and delegates of such Congregations may have seats but no vote in the Diocesan Convention unless by formal action of such Convention they are so admitted.

To have seats but no vote.

Sec. 5. The oversight of Congregations so admitted shall rest with the Bishop of the Diocese unless the Bishop delegates this authority to another Bishop who may be commissioned by the Presiding Bishop to have oversight of such Congregations.

Oversight with Bishop of Diocese.

CANON 17: Of Regulations Respecting the Laity

Sec. 1 (a) All persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in this Church or in another Christian Church, and whose Baptisms have been duly recorded in this Church, are members thereof.

Baptized members.

(b) Members sixteen years of age and over are to be considered adult members.

Adult members.

(c) It is expected that all adult members of this Church, after appropriate instruction, will have made a mature public affirmation of their faith and commitment to the responsibilities of their

Members confirmed or received.

Baptism and will have been confirmed or received by the laying on of hands by a Bishop of this Church or by a Bishop of a Church in communion with this Church. Those who have previously made a mature public commitment in another Church may be received by the laying on of hands by a Bishop of this Church, rather than confirmed.

Adult baptism. (d) Any person who is baptized in this Church as an adult and receives the laying on of hands by the Bishop at Baptism is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also,

Any person who is baptized in this Church as an adult and at some time after the Baptism receives the laying on of hands by the Bishop in Reaffirmation of Baptismal Vows is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also,

Any baptized person who received the laying on of hands at Confirmation (by any Bishop in apostolic succession) and is received into the Episcopal Church by a Bishop of this Church is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; and also,

Any baptized person who received the laying on of hands by a Bishop of this Church at Confirmation or Reception is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed.

Communicants. Sec. 2 (a) All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered communicants of this Church.

Adult communicants. (b) For the purposes of statistical consistency throughout the Church, communicants sixteen years of age and over are to be considered adult communicants.

Communicants in good standing. Sec. 3. All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God, are to be considered communicants in good standing.

Removing to another congregation. Sec. 4 (a) A member of this Church removing from the congregation in which that person's membership is recorded shall procure a certificate of membership indicating that that person is recorded as a member (or adult member) of this Church and whether or not such a member:

- (1) is a communicant;
- (2) is recorded as being in good standing;
- (3) has been confirmed or received by a Bishop of this Church or a Bishop in communion with this Church.

Upon acknowledgment that a member who has received such a certificate has been enrolled in another congregation of this or another Church, the Member of the Clergy in charge or Warden

issuing the certificate shall remove the name of the person from the parish register.

(b) The Member of the Clergy in charge or Warden of the congregation to which such certificate is surrendered shall record in the parish register the information contained on the presented certificate of membership, and then notify the Member of the Clergy in charge or Warden of the congregation which issued the certificate that the person has been duly recorded as a member of the new congregation. Whereupon the person's removal shall be noted in the parish register of the congregation which issued the certificate.

(c) If a member of this Church, not having such a certificate, desires to become a member of a congregation in the place to which he or she has removed, that person shall be directed by the Member of the Clergy in charge of the said congregation to procure a certificate from the former congregation, although on failure to produce such a certificate through no fault of the person applying, appropriate entry may be made in the parish register upon the evidence of membership status sufficient in the judgment of the Member of the Clergy in charge or Warden.

(d) Any communicant of any Church in communion with this Church shall be entitled to the benefit of this section so far as the same can be made applicable.

Sec. 5. No one shall be denied rights, status or access to an equal place in the life, worship, and governance of this Church because of race, color, ethnic origin, national origin, marital status, sex, sexual orientation, disabilities or age, except as otherwise specified by Canons. Rights of Laity.

Sec. 6. A person to whom the Sacraments of the Church shall have been refused, or who has been repelled from the Holy Communion under the rubrics, or who has been informed of an intention to refuse or repel him or her from the Holy Communion under the rubrics, may appeal to the Bishop or Ecclesiastical Authority. A Priest who refuses or repels a person from the Holy Communion, or who communicates to a person an intent to repel that person from the Holy Communion shall inform that person, in writing, within fourteen days thereof of (i) the reasons therefor and (ii) his or her right to appeal to the Bishop or Ecclesiastical Authority. No Member of the Clergy of this Church shall be required to admit to the Sacraments a person so refused or repelled without the written direction of the Bishop or Ecclesiastical Authority. The Bishop or Ecclesiastical Authority may in certain circumstances see fit to require the person to be admitted or restored because of the insufficiency of the cause assigned by the member of the Clergy. If it shall appear to the Bishop or Ecclesiastical Authority that there is sufficient cause to justify refusal of the Holy Communion, however, appropriate steps shall be taken to institute such inquiry as may be directed by the Canons of the Diocese; and should no such Canon exist, the Bishop or Ecclesiastical Authority shall proceed according Refusal of Holy Communion.

to such principles of law and equity as will ensure an impartial investigation and judgment, which judgment shall be made in writing within sixty days of the appeal and which shall also specify the steps required for readmission to Holy Communion.

Eligibility for Communion.

Sec. 7. No unbaptized person shall be eligible to receive Holy Communion in this Church.

Fiduciary responsibility.

Sec. 8. Any person accepting any office in this Church shall well and faithfully perform the duties of that office in accordance with the Constitution and Canons of this Church and of the Diocese in which the office is being exercised.

CANON 18: Of the Solemnization of Holy Matrimony

Legal and canonical requirements.

Sec. 1. Every Member of the Clergy of this Church shall conform to the laws of the State governing the creation of the civil status of marriage, and also to the laws of this Church governing the solemnization of Holy Matrimony.

Conditions.

Sec. 2. Before solemnizing a marriage the Member of the Clergy shall have ascertained:

Laws of State.

(a) That both parties have the right to contract a marriage according to the laws of the State.

Holy Matrimony.

(b) That both parties understand that Holy Matrimony is a physical and spiritual union of a man and a woman, entered into within the community of faith, by mutual consent of heart, mind, and will, and with intent that it be lifelong.

Free consent.

(c) That both parties freely and knowingly consent to such marriage, without fraud, coercion, mistake as to identity of a partner, or mental reservation.

One party baptized. Instruction.

(d) That at least one of the parties has received Holy Baptism.
(e) That both parties have been instructed as to the nature, meaning, and purpose of Holy Matrimony by the Member of the Clergy, or that they have both received such instruction from persons known by the Member of the Clergy to be competent and responsible.

Procedures.

Sec. 3. No Member of the Clergy of this Church shall solemnize any marriage unless the following procedures are complied with:

Thirty days notice.

(a) The intention of the parties to contract marriage shall have been signified to the Member of the Clergy at least thirty days before the service of solemnization; *Provided*, that for weighty cause, this requirement may be dispensed with if one of the parties is a member of the Congregation of the Member of the Clergy, or can furnish satisfactory evidence of responsibility.

In case the thirty days' notice is waived, the Member of the Clergy shall report such action in writing to the Bishop immediately.

- (b) There shall be present at least two witnesses to the solemnization of marriage. Witnesses.
- (c) The Member of the Clergy shall record in the proper register the date and place of the marriage, the names of the parties and their parents, the age of the parties, their residences, and their Church status; the witnesses and the Member of the Clergy shall sign the record. Recorded in Register.
- (d) The Member of the Clergy shall have required that the parties sign the following declaration: Declaration of Intention.
- (e) "We, A.B. and C.D., desiring to receive the blessing of Holy Matrimony in the Church, do solemnly declare that we hold marriage to be a lifelong union of husband and wife as it is set forth in the Book of Common Prayer.
- (f) "We believe that the union of husband and wife, in heart, body, and mind, is intended by God for their mutual joy; for the help and comfort given one another in prosperity and adversity; and, when it is God's will, for the procreation of children and their nurture in the knowledge and love of the Lord.
- (g) "And we do engage ourselves, so far as in us lies, to make our utmost effort to establish this relationship and to seek God's help thereto."

Sec. 4. It shall be within the discretion of any Member of the Clergy of this Church to decline to solemnize any marriage.

CANON 19: Of Regulations Respecting Holy Matrimony: Concerning Preservation of Marriage, Dissolution of Marriage, and Remarriage

Sec. 1. When marital unity is imperiled by dissension, it shall be the duty, if possible, of either or both parties, before taking legal action, to lay the matter before a Member of the Clergy; it shall be the duty of such Member of the Clergy to act first to protect and promote the physical and emotional safety of those involved and only then, if it be possible, to labor that the parties may be reconciled. When marriage is imperiled.

Sec. 2 (a) Any member of this Church whose marriage has been annulled or dissolved by a civil court may apply to the Bishop or Ecclesiastical Authority of the Diocese in which such person is legally or canonically resident for a judgment as to his or her marital status in the eyes of the Church. Such judgment may be a recognition of the nullity, or of the termination of the said marriage; *Provided*, that no such judgment shall be construed as affecting in any way the legitimacy of children or the civil validity of the former relationship. Application for judgment on marital status.

(b) Every judgment rendered under this Section shall be in writing and shall be made a matter of permanent record in the Archives of the Diocese. Judgment in writing.

Conditions for re-marriage. **Sec. 3.** No Member of the Clergy of this Church shall solemnize the marriage of any person who has been the husband or wife of any other person then living, nor shall any member of this Church enter into a marriage when either of the contracting parties has been the husband or the wife of any other person then living, except as hereinafter provided:

Decree that former marriage is dissolved. (a) The Member of the Clergy shall be satisfied by appropriate evidence that the prior marriage has been annulled or dissolved by a final judgment or decree of a civil court of competent jurisdiction.

Concern for former spouse and children. (b) The Member of the Clergy shall have instructed the parties that continuing concern must be shown for the well-being of the former spouse, and of any children of the prior marriage.

Consent of Bishop and report given. (c) The Member of the Clergy shall consult with and obtain the consent of the Bishop of the Diocese wherein the Member of the Clergy is canonically resident or the Bishop of the Diocese in which the Member of the Clergy is licensed to officiate prior to, and shall report to that Bishop, the solemnization of any marriage under this Section.

Consent of Bishop of other jurisdiction. (d) If the proposed marriage is to be solemnized in a jurisdiction other than the one in which the consent has been given, the consent shall be affirmed by the Bishop of that jurisdiction.

Sec. 4. All provisions of Canon I.18 shall, in all cases, apply.

CANON 20: Of Churches in Full Communion

Covenant relationships. **Sec. 1.** The Episcopal Church, a member of the Anglican Communion, has a relationship of full communion with those Churches in the historic episcopal succession and with whom it has entered into covenant agreements including:

(a) the Old Catholic Churches of the Union of Utrecht,
 (b) la Iglesia Filipina Independiente/the Philippine Independent Church, and
 (c) the Mar Thoma Syrian Church of Malabar.

Lutheran Church. **Sec. 2.** The Episcopal Church has a relationship of full communion with the Evangelical Lutheran Church in America under the terms of "Called to Common Mission," which was adopted by the 73rd General Convention of the Episcopal Church as Resolution A040.

Moravian Church. **Sec. 3.** The Episcopal Church has a relationship of full communion with the Northern and Southern Provinces of the Moravian Church in America under the terms of the "Finding Our Delight in the Lord: A Proposal for Full Communion Between The Episcopal Church; the Moravian Church-Northern Province; and the Moravian Church-Southern Province", which was adopted by the 76th General Convention of The Episcopal Church as Resolution A073.

**TITLE II
WORSHIP**

CANON 1: Of the Due Celebration of Sundays

All persons within this Church shall celebrate and keep the Lord's Day, commonly called Sunday, by regular participation in the public worship of the Church, by hearing the Word of God read and taught, and by other acts of devotion and works of charity, using all godly and sober conversation.

The Lord's Day to be observed.

CANON 2: Of Translations of the Bible

The Lessons prescribed in the Book of Common Prayer shall be read from the translation of the Holy Scriptures commonly known as the King James or Authorized Version (which is the historic Bible of this Church) together with the Marginal Readings authorized for use by the General Convention of 1901; or from one of the three translations known as Revised Versions, including the English Revision of 1881, the American Revision of 1901, and the Revised Standard Version of 1952; from the Jerusalem Bible of 1966; from the New English Bible with the Apocrypha of 1970; or from The 1976 Good News Bible (Today's English Version); or from The New American Bible (1970); or from The Revised Standard Version, an Ecumenical Edition, commonly known as the "R.S.V. Common Bible" (1973); or from The New International Version (1978); or from The New Jerusalem Bible (1987); or from the Revised English Bible (1989); or from the New Revised Standard Version (1990); or from translations, authorized by the diocesan bishop, of those approved versions published in any other language; or from other versions of the Bible, including those in languages other than English, which shall be authorized by diocesan bishops for specific use in congregations or ministries within their dioceses.

Authorized versions.

CANON 3: Of the Standard Book of Common Prayer

Sec. 1. The copy of the Book of Common Prayer accepted by the General Convention of this Church, in the year of our Lord 1979, and authenticated by the signatures of the Presiding Officers and Secretaries of the two Houses of the General Convention, is hereby declared to be the Standard Book of Common Prayer of this Church.

Standard Book of Common Prayer.

Sec. 2. All copies of the Book of Common Prayer to be hereafter made and published shall conform to this Standard, and shall agree therewith in paging, and, as far as it is possible, in all other matters of typographical arrangement, except that the Rubrics may be printed either in red or black, and that page numbers shall be set against the several headings in the Table of Contents. The requirement of uniformity in paging shall apply to the entire book

All copies to conform.

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| | but shall not extend to editions smaller than those known as 32mo, or to editions noted for music. |
| Correcting inaccuracies. | Sec. 3. In case any typographical inaccuracy shall be found in the Standard Book of Common Prayer, its correction may be ordered by a joint Resolution of any General Convention, and notice of such corrections shall be communicated by the Custodian to the Ecclesiastical Authority of each Diocese of this Church, and to actual publishers of the Book of Common Prayer. |
| Copies of Standard to be sent to Dioceses. | Sec. 4. Folio copies of the Standard Book of Common Prayer, duly authenticated, as in the case of the Standard Book, shall be sent to the Ecclesiastical Authority of each Diocese in trust for the use thereof, and for reference and appeal in questions as to the authorized formularies of this Church. |
| All editions must be authorized. | Sec. 5. No copy, translation, or edition of the Book of Common Prayer, or a part or parts thereof, shall be made, printed, published, or used as of authority in this Church, unless it contains the authorization of the Custodian of the Standard Book of Common Prayer, certifying that the Custodian or some person appointed by the Custodian has compared the said copy, translation, or edition with the said Standard, or a certified copy thereof, and that it conforms thereto. And no copy, translation, or edition of the Book of Common Prayer, or a part or parts thereof, shall be made, printed, published, or used as of authority in this Church, or certified as aforesaid, which contains or is bound up with any alterations or additions thereto, or with any other matter, except the Holy Scriptures or the authorized Hymnal of this Church, or with material set forth in the Book of Occasional Services and The Proper for the Lesser Feasts and Fasts, as those books are authorized from time to time by the General Convention. |
| Trial use. | Sec. 6 (a) Whenever the General Convention, pursuant to Article X of the Constitution, shall authorize for trial use a proposed revision of the Book of Common Prayer, or of a portion or portions thereof, the enabling Resolution shall specify the period of such trial use, the precise text thereof, and any special terms or conditions under which such trial use shall be carried out. |
| Duties of Custodian. | (b) It shall be the duty of the Custodian of the Standard Book of Common Prayer: <ol style="list-style-type: none"> (1) To arrange for the publication of such proposed revision; (2) To protect, by copyright, the authorized text of such revision, on behalf of the General Convention; which copyright shall be relinquished when such proposed revision or revisions shall have been adopted by the General Convention as an alteration of, or addition to, the Book of Common Prayer; (3) To certify that printed copies of such revision or revisions have been duly authorized by the General |

Convention, and that the printed text conforms to that approved by the General Convention.

(c) During the said period of trial use and under the modifying conditions specified, only the material so authorized, and in the exact form in which it has been so authorized, shall be available as an alternative for the said Book of Common Prayer or the said portion or portions thereof; *Provided, however,* that it shall be competent for the Presiding Bishop and the President of the House of Deputies, jointly, on recommendation by a resolution duly adopted at a meeting of the Standing Commission on Liturgy and Music communicated to the said presiding officers in writing, to authorize variations and adjustments to, or substitutions for, or alterations in, any portion of the texts under trial, which seem desirable as a result of such trial use, and which do not change the substance of a rite.

Authorized trial use texts.

(d) In the event of the authorization of such variations, adjustments, substitutions, or alternatives, as aforesaid, it shall be the duty of the Custodian of the Standard Book of Common Prayer to notify the Ecclesiastical Authority of every Diocese, and the Convocation of the American Churches in Europe, of such action, and to give notice thereof through the media of public information.

Sec. 7. The appointment of the Custodian of the Standard Book of Common Prayer shall be made by nomination of the House of Bishops and confirmed by the House of Deputies at a meeting of the General Convention. The Custodian shall hold office until the second General Convention following the General Convention at which the Custodian was nominated and confirmed. A vacancy occurring in the office of Custodian when General Convention is not meeting may be filled until the next General Convention by appointment by the Presiding Bishop upon the confirmation of the Executive Council.

Appointment of Custodian.

Sec. 8. It shall be the duty of the Ecclesiastical Authority of any Diocese in which any unauthorized edition of the Book of Common Prayer, or any part or parts thereof, shall be published or circulated, to give public notice that the said edition is not of authority in this Church.

Action on unauthorized editions.

CANON 4: Of the Authorization of Special Forms of Service

In any Congregation, worshipping in other than the English language, which shall have placed itself under the oversight of a Bishop of this Church, it shall be lawful to use a form of service in such language; *Provided,* that such form of service shall have previously been approved by the Bishop of the Diocese, until such time as an authorized edition of the Book of Common Prayer in such language shall be set forth by the authority of the General Convention; and *Provided further,* that no Bishop shall license any such form of service until first satisfied that the same is in accordance with the Doctrine and Worship of this Church; nor in

Authorized forms of worship in a foreign language.

any case shall such form of service be used for the ordination or consecration of Bishops, Priests, or Deacons.

CANON 5: Of the Music of the Church

Clergy responsible for music.

It shall be the duty of every Member of the Clergy to see that music is used as an offering for the glory of God and as a help to the people in their worship in accordance with the Book of Common Prayer and as authorized by the rubrics or by the General Convention of this Church. To this end the Member of the Clergy shall have final authority in the administration of matters pertaining to music. In fulfilling this responsibility the Member of the Clergy shall seek assistance from persons skilled in music. Together they shall see that music is appropriate to the context in which it is used.

CANON 6: Of Dedicated and Consecrated Churches

Evidence of affiliation.

Sec. 1. No Church or Chapel shall be consecrated until the Bishop shall have been sufficiently satisfied that the building and the ground on which it is erected are secured for ownership and use by a Parish, Mission, Congregation, or Institution affiliated with this Church and subject to its Constitution and Canons.

Consent required to encumber or alienate consecrated property.

Sec. 2. It shall not be lawful for any Vestry, Trustees, or other body authorized by laws of any State or Territory to hold property for any Diocese, Parish or Congregation, to encumber or alienate any dedicated and consecrated Church or Chapel, or any Church or Chapel which has been used solely for Divine Service, belonging to the Parish or Congregation which they represent, without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee of the Diocese.

Consent to deconsecrate Churches.

Sec. 3. No dedicated and consecrated Church or Chapel shall be removed, taken down, or otherwise disposed of for any worldly or common use, without the previous consent of the Standing Committee of the Diocese.

All Churches to be held in trust.

Sec. 4. Any dedicated and consecrated Church or Chapel shall be subject to the trust declared with respect to real and personal property held by any Parish, Mission, or Congregation as set forth in Canon I.7.4.

**TITLE III
MINISTRY**

CANON 1: Of the Ministry of All Baptized Persons

Sec. 1. Each Diocese shall make provision for the affirmation and development of the ministry of all baptized persons, including: Responsibility of Diocese.

(a) Assistance in understanding that all baptized persons are called to minister in Christ's name, to identify their gifts with the help of the Church and to serve Christ's mission at all times and in all places.

(b) Assistance in understanding that all baptized persons are called to sustain their ministries through commitment to life-long Christian formation.

Sec. 2. No person shall be denied access to the discernment process for any ministry, lay or ordained, in this Church because of race, color, ethnic origin, national origin, sex, marital status, sexual orientation, disabilities or age, except as otherwise provided by these Canons. No right to licensing, ordination, or election is hereby established. Access to discernment process.

Sec. 3. The provisions of these Canons for the admission of Candidates for the Ordination to the three Orders: Bishops, Priests and Deacons shall be equally applicable to men and women. Equal applicability.

CANON 2: Of Commissions on Ministry

Sec. 1. In each Diocese there shall be a Commission on Ministry ("Commission") consisting of Priests, Deacons, if any, and Lay Persons. The Canons of each Diocese shall provide for the number of members, terms of office, and manner of selection to the Commission. Each Diocese to have a Commission.

Sec. 2. The Commission shall advise and assist the Bishop: To assist the Bishop.

(a) In the implementation of Title III of these Canons.

(b) In the determination of present and future opportunities and needs for the ministry of all baptized persons.

(c) In the design and oversight of the ongoing process for recruitment, discernment, formation for ministry, and assessment of readiness therefor.

Sec. 3. The Commission may adopt rules for its work, subject to the approval of the Bishop; *Provided* that they are not inconsistent with the Constitution and Canons of this Church and of the Diocese. May adopt rules.

Sec. 4. The Commission may establish committees consisting of members and other persons to report to the Commission or to act on its behalf.

Sec. 5. The Bishop and Commission shall ensure that the members of the Commission and its committees receive ongoing education and training for their work. Education and training.

CANON 3: Of Discernment

- Community discernment in the call to ministry. **Sec. 1.** The Bishop and Commission shall provide encouragement, training, and necessary resources to assist each congregation in developing an ongoing process of community discernment appropriate to the cultural background, age, and life experiences of all persons seeking direction in their call to ministry.
- Discernment communities. **Sec. 2.** The Bishop, in consultation with the Commission, may utilize college and university campus ministry centers and other communities of faith as additional communities where discernment takes place. In cases where these discernment communities are located in another jurisdiction, the Bishop will consult with the Bishop where the discernment community is located.
- Recruiting leadership. **Sec. 3.** The Bishop and Commission shall actively solicit from congregations, schools and other youth organizations, college and university campus ministry centers, seminaries, and other communities of faith names of persons whose demonstrated qualities of Christian commitment and potential for leadership and vision mark them as desirable candidates for positions of leadership in the Church.
- Support for discernment process. **Sec. 4.** The Bishop, Commission, and the discernment community shall assist persons engaged in a process of ministry discernment to determine appropriate avenues for the expression and support of their ministries, either lay or ordained.

CANON 4: Of Licensed Ministries

- Selection and license. **Sec. 1 (a)** A confirmed communicant in good standing or, in extraordinary circumstances, subject to guidelines established by the Bishop, a communicant in good standing, may be licensed by the Ecclesiastical Authority to serve as Pastoral Leader, Worship Leader, Preacher, Eucharistic Minister, Eucharistic Visitor, Evangelist, or Catechist. Requirements and guidelines for the selection, training, continuing education, and deployment of such persons, and the duration of licenses shall be established by the Bishop in consultation with the Commission on Ministry.
- Member of the Armed Forces. **(b)** The Presiding Bishop or the Bishop Suffragan for the Armed Forces may authorize a member of the Armed Forces to exercise one or more of these ministries in the Armed Forces in accordance with the provisions of this Canon. Requirements and guidelines for the selection, training, continuing education, and deployment of such persons shall be established by the Bishop granting the license.
- Terms. **Sec. 2 (a)** The Member of the Clergy or other leader exercising oversight of the congregation or other community of faith may request the Ecclesiastical Authority with jurisdiction to license persons within that congregation or other community of faith to exercise such ministries. The license shall be issued for a period of time to be determined under Canon III.4.1(a) and may be renewed.

The license may be revoked by the Ecclesiastical Authority upon request of or upon notice to the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.

(b) In renewing the license, the Ecclesiastical Authority shall consider the performance of the ministry by the person licensed, continuing education in the licensed area, and the endorsement of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith in which the person is serving. Renewal:

(c) A person licensed in any Diocese under the provisions of this Canon may serve in another congregation or other community of faith in the same or another Diocese only at the invitation of the Member of the Clergy or other leader exercising oversight, and with the consent of the Ecclesiastical Authority in whose jurisdiction the service will occur.

Sec. 3. A Pastoral Leader is a lay person authorized to exercise pastoral or administrative responsibility in a congregation under special circumstances, as defined by the Bishop. Pastoral Leader.

Sec. 4. A Worship Leader is a lay person who regularly leads public worship under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith. Worship Leader.

Sec. 5. A Preacher is a lay person authorized to preach. Persons so authorized shall only preach in congregations under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith. Preacher.

Sec. 6. A Eucharistic Minister is a lay person authorized to administer the Consecrated Elements at a Celebration of Holy Eucharist. A Eucharistic Minister should normally act under the direction of a Deacon, if any, or otherwise, the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith. Eucharistic Minister.

Sec. 7. A Eucharistic Visitor is a lay person authorized to take the Consecrated Elements in a timely manner following a Celebration of Holy Eucharist to members of the congregation who, by reason of illness or infirmity, were unable to be present at the Celebration. A Eucharistic Visitor should normally act under the direction of a Deacon, if any, or otherwise, the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith. Eucharistic Visitor.

Sec. 8. A Catechist is a lay person authorized to prepare persons for Baptism, Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and shall function under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith. Catechist.

Evangelist. Sec. 9. An Evangelist is a lay person who presents the good news of Jesus Christ in such a way that people are led to receive Christ as Savior and follow Christ as Lord in the fellowship of the Church. An Evangelist assists with the community's ministry of evangelism in partnership with the Presbyter or other leader exercising oversight of the congregation, or as directed by the Bishop.

CANON 5: Of General Provisions Respecting Ordination

Episcopal authority. Sec. 1 (a) The canonical authority assigned to the Bishop Diocesan by this Title may be exercised by a Bishop Coadjutor, when so empowered under Canon III.19, and at the request of the Bishop Diocesan, by a Bishop Suffragan, or by any other Bishop of a Church in full communion with this Church who was ordained in the historic succession, at the request of the ordinand's Bishop.

(b) The Council of Advice of the Convocation of American Churches in Europe, and the board appointed by a Bishop having jurisdiction in an Area Mission in accordance with the provisions of Canon I.11.2(c), shall, for the purpose of this and other Canons of Title III have the same powers as the Standing Committee of a Diocese.

(c) In case of a vacancy in the episcopate in a Diocese, the Ecclesiastical Authority may authorize and request the President of the House of Bishops of the Province to take order for an ordination.

Sec. 2 (a) No Nominee, Postulant, or Candidate for ordination shall sign any of the certificates required by this Title.

Testimonials. (b) Testimonials required of the Standing Committee by this Title must be signed by a majority of the whole Committee, at a meeting duly convened, except that testimonials may be executed in counterparts, each of which shall be deemed an original.

Vestry's letter of support. (c) Whenever the letter of support of a Vestry is required, the letter must be signed and dated by at least two-thirds of all of the members of the Vestry, at a meeting duly convened, and by the Rector or Priest-in-Charge of the Parish, and attested by the Clerk of the Vestry. Should there be no Rector or Priest-in-Charge, the letter shall be signed by a Priest of the Diocese acquainted with the nominee and the Parish, the reason for the substitution being stated in the attesting clause.

(d) If the congregation or other discernment community of which the nominee is a member is not a Parish, the letter of support required by Canon III.6 or Canon III.8 shall be signed and dated by the Member of the Clergy and the council of the congregation or other community of faith, and shall be attested by the secretary of the meeting at which the letter was approved. Should there be no Member of the Clergy, the letter shall be signed and dated by a Priest of the Diocese acquainted with the nominee and the congregation or other community of faith, the reason for the substitution being stated in the attesting clause.

(e) If the applicant is a member of a Religious Order or Christian Community recognized by Canon III.24, the letters of support referred to in Canon III.5 or Canon III.6 and any other requirements imposed on a congregation or Member of the Clergy may be given by the Superior or person in charge, and Chapter, or other comparable body of the Order or Community.

Member of a Religious Order or Community.

Sec. 3. An application for any dispensation permitted by this Title from any of the requirements for ordination must first be made to the Bishop, and if approved, referred to the Standing Committee for its advice and consent.

Dispensations.

CANON 6: Of the Ordination of Deacons

Sec. 1. Selection

The Bishop, in consultation with the Commission, shall establish procedures to identify and to select persons with evident gifts and fitness for ordination to the Diaconate.

Selection and Nomination of Deacons.

Sec. 2. Nomination

A confirmed adult communicant in good standing, may be nominated for ordination to the diaconate by the person's congregation or other community of faith.

(a) The Nomination shall be in writing and shall include a letter of support by the Nominee's congregation or other community of faith committing the community to

- (1) pledge to contribute financially to that preparation, and
- (2) involve itself in the Nominee's preparation for ordination to the Diaconate.

If it be a congregation, the letter shall be signed by two-thirds of the Vestry or comparable body, and by the Member of the Clergy or leader exercising oversight.

(b) The Nominee, if in agreement with the nomination, shall accept the nomination in writing and shall provide the following to the Bishop:

Application for admission as Postulant.

- (1) Full name and date of birth.
- (2) The length of time resident in the Diocese.
- (3) Evidence of Baptism and Confirmation.
- (4) Whether an application has been made previously for Postulancy or the person has been nominated in any Diocese.
- (5) A description of the process of discernment by which the Nominee has been identified for ordination to the Diaconate.
- (6) The level of education attained and, if any, the degrees earned, and areas of specialization, together with copies of official transcripts.

Sec. 3. Postulancy

Postulancy is the time between nomination and candidacy and may initiate the formal preparation for ordination. Postulancy involves

Postulancy for the Diaconate.

continued exploration of and decision about the Postulant's call to the Diaconate.

(a) Before granting admission as a Postulant, the Bishop shall

- (1) determine that the Nominee is a confirmed adult communicant in good standing, and
- (2) confer in person with the Nominee,

Commission to review the application. (b) If the Bishop approves the Nominee proceeding into Postulancy, the Commission, or a committee of the Commission, shall meet with the Nominee to review the application and prepare an evaluation of the Nominee's qualifications to pursue a program of preparation for ordination to the Diaconate. The Commission shall present its evaluation and recommendations to the Bishop.

Previous refusal or cessation. (c) No Bishop shall consider accepting as a Postulant any person who has been refused admission as a Candidate for ordination to the Diaconate in any other Diocese, or who, having been admitted, has afterwards ceased to be a Candidate, until receipt of a letter from the Bishop of the Diocese refusing admission, or in which the person has been a Candidate, declaring the cause of refusal or of cessation.

Admission to Postulancy. (d) The Bishop may admit the Nominee as a Postulant for ordination to the Diaconate. The Bishop shall record the Postulant's name and date of admission in a Register kept for that purpose. The Bishop shall inform the Postulant, the Member of the Clergy or other leader exercising oversight of the Postulant's congregation or other community of faith, the Commission, the Standing Committee, and the director of the Postulant's program of preparation, of the fact and date of such admission.

Ember Weeks. (e) Each Postulant for ordination to the Diaconate shall communicate with the Bishop in person or by letter, four times a year, in the Ember Weeks, reflecting on the Postulant's academic, diaconal, human, spiritual, and practical development.

Removal. (f) Any Postulant may be removed as a Postulant at the sole discretion of the Bishop. The Bishop shall give written notice of the removal to the Postulant and the Member of the Clergy or other leader exercising oversight of the Postulant's congregation or other community of faith, the Commission, the Standing Committee, and the director of the program of preparation.

Sec. 4. Candidacy

Definition of Candidacy. Candidacy is a time of education and formation, in preparation for ordination to the Diaconate, established by a formal commitment by the Candidate, the Bishop, the Commission, the Standing Committee and the congregation or other community of faith.

(a) A person desiring to be considered as a Candidate for ordination to the Diaconate shall apply to the Bishop. Such application shall include the following:

- (1) the Postulant's date of admission to Postulancy, and
- (2) a letter of support by the Postulant's congregation or other community of faith. If it be a congregation the letter shall be signed and dated by at least two-thirds of

the Vestry or comparable body and by the Member of the Clergy or other leader exercising oversight.

(b) Upon compliance with these requirements, and receipt of a written statement from the Commission attesting to the continuing formation of the Postulant, and having received approval in writing of the Standing Committee who shall have interviewed the Postulant and who shall have had an opportunity to review the documentation relating to the application of the Postulant, the Bishop may admit the Postulant as a Candidate for ordination to the Diaconate. The Bishop shall record the Candidate's name and date of admission in a Register kept for that purpose. The Bishop shall inform the Candidate, the Member of the Clergy or other leader exercising oversight of the Candidate's congregation or other community of faith, the Commission, the Standing Committee, and the Dean of the seminary the Candidate may be attending or proposes to attend, or the director of the Candidate's program of preparation, of the fact and date of such admission.

Admission to Candidacy.

(c) A Candidate must remain in canonical relationship with the Diocese in which admission has been granted until ordination to the Diaconate under this Canon, except, for reasons acceptable to the Bishop, the Candidate may be transferred to another Diocese upon request, provided that the Bishop of the receiving Diocese is willing to accept the Candidate.

Transfers to another Diocese.

(d) Any Candidate may be removed as a Candidate, at the sole discretion of the Bishop. The Bishop shall give written notice of the removal to the Candidate and the Member of the Clergy or other leader exercising oversight of the Candidate's congregation or other community of faith, the Commission, the Standing Committee, and the director of the program of preparation.

Candidate may be removed.

(e) If a Bishop has removed the Candidate's name from the list of Candidates, except by transfer, or the Candidate's application for ordination has been rejected, no other Bishop may ordain the person without readmission to Candidacy for a period of at least twelve months.

Sec. 5. Preparation for Ordination

(a) The Bishop and the Commission shall work with the Postulant or Candidate to develop and monitor a program of preparation for ordination to the Diaconate in accordance with this Canon to ensure that pastoral guidance is provided throughout the period of preparation.

(b) The Bishop may assign the Postulant or Candidate to any congregation of the Diocese or other community of faith after consultation with the Member of the Clergy or other leader exercising oversight.

Assignment.

(c) Formation shall take into account the local culture and each Postulant or Candidate's background, age, occupation, and ministry.

Formation.

(d) Prior education and learning from life experience may be considered as part of the formation required for ordination.

- (e) Wherever possible, formation for the Diaconate shall take place in community, including other persons in preparation for the Diaconate, or others preparing for ministry.
- Areas of competence. (f) Before ordination each Candidate shall be prepared in and demonstrate basic competence in five general areas:
- (1) Academic studies including, The Holy Scriptures, theology, and the tradition of the Church.
 - (2) Diakonia and the diaconate.
 - (3) Human awareness and understanding.
 - (4) Spiritual development and discipline.
 - (5) Practical training and experience.
- Training. (g) Preparation for ordination shall include training regarding
- (1) prevention of sexual misconduct.
 - (2) civil requirements for reporting and pastoral opportunities for responding to evidence of abuse.
 - (3) the Constitution and Canons of the Episcopal Church, particularly Title IV thereof.
 - (4) the Church's teaching on racism.
- Ember Weeks. (h) Each Candidate for ordination to the Diaconate shall communicate with the Bishop in person or by letter, for times a year, in the Ember Weeks, reflecting on the Candidate's academic, diaconal, human, spiritual, and practical development.
- Evaluation of progress. (i) During Candidacy each Candidate's progress shall be evaluated from time to time, and there shall be a written report of the evaluation by those authorized by the Commission to be in charge of the evaluation program. Upon certification by those in charge of the Candidate's program of preparation that the Candidate has successfully completed preparation and is ready for ordination, a final written assessment of readiness for ordination to the Diaconate shall be prepared as determined by the Bishop in consultation with the Commission. This report shall include a recommendation from the Commission regarding the readiness of the Candidate for ordination. Records shall be kept of all evaluations, assessments, and the recommendation, and shall be made available to the Standing Committee.
- Examinations and evaluations. (j) Within thirty-six months prior to ordination as a Deacon, the following must be accomplished
- (1) a background check, according to criteria established by the Bishop and Standing Committee.
 - (2) medical and psychological evaluation by professionals approved by the Bishop, using forms prepared for the purpose by The Church Pension Fund, and if desired or necessary, psychiatric referral.
- (k) Reports of all investigations and examinations shall be kept permanently on file by the Bishop and remain a part of the permanent diocesan record.

Sec. 6. Ordination to the Diaconate

(a) A person may be ordained Deacon:

- (1) after at least eighteen months from the time of written acceptance of nomination by the Nominee as provided in III.6.2(b), and
- (2) upon attainment of at least twenty-four years of age.

(b) The Bishop shall obtain in writing and provide to the Standing Committee:

Ordination papers.

- (1) an application from the Candidate requesting ordination as a Deacon under this Canon.
- (2) a letter of support from the Candidate's congregation or other community of faith, signed and dated by at least two-thirds of the Vestry and the Member of the Clergy or other leader exercising oversight.
- (3) written evidence of admission of the Candidate to Postulancy and Candidacy, giving the dates of admission.
- (4) a certificate from the seminary or other program of preparation showing the Candidate's scholastic record in the subjects required by the Canons, and giving an evaluation with recommendation as to the Candidate's other personal qualifications for ordination together with a recommendation regarding ordination to the Diaconate under this Canon.
- (5) a certificate from the Commission giving a recommendation regarding ordination to the Diaconate under this Canon.

(c) On the receipt of such certificates, the Standing Committee, if a majority of all members consent, shall certify that the Canonical requirements for ordination to the Diaconate under this Canon have been met, that there is no sufficient objection on medical, psychological, moral, or spiritual grounds and that they recommend ordination. The Standing Committee shall evidence such certification, by a testimonial, addressed to the Bishop in the form specified below and signed by the consenting members of the Standing Committee.

Standing Committee to consent.

To the Right Reverend _____, Bishop of _____ We, the Standing Committee of _____, having been duly convened at _____ at _____, do testify that A.B., desiring to be ordained to the Diaconate under Canon III.6 has presented to us the certificates as required by the Canons indicating A.B.'s preparedness for ordination to the Diaconate under Canon III.6; and we certify that all canonical requirements for ordination to the Diaconate under Canon III.6 have been met; and we find no sufficient objection to ordination. Therefore, we recommend A.B. for ordination. In witness whereof, we have hereunto set our hands this _____ day of _____, in the year of our Lord _____.

(Signed) _____

Declaration of conformity. (d) The testimonial having been presented to the Bishop, and there being no sufficient objection on medical, psychological, moral, or spiritual grounds, the Bishop may ordain the Candidate to the Diaconate under this Canon; and at the time of ordination the Candidate shall subscribe publicly and make, in the presence of the Bishop, the declaration required in Article VIII of the Constitution.

CANON 7: Of the Life and Work of Deacons

Sec. 1. Deacons serve directly under the authority of and are accountable to the Bishop, or in the absence of the Bishop, the Ecclesiastical Authority of the Diocese.

Community of Deacons. Sec. 2. Deacons canonically resident in each Diocese constitute a Community of Deacons, which shall meet from time to time. The Bishop may appoint one or more of such Deacons as Archdeacon(s) to assist the Bishop in the formation, deployment, supervision, and support of the Deacons or those in preparation to be Deacons, and in the implementation of this Canon.

Council on Deacons. Sec. 3. The Bishop may establish a Council on Deacons to oversee, study, and promote the Diaconate.

Rights and responsibilities. Sec. 4. The Bishop, after consultation with the Deacon and the Member of the Clergy or other leader exercising oversight, may assign a Deacon to one or more congregations, other communities of faith or non-parochial ministries. Deacons assigned to a congregation or other community of faith act under the authority of the Member of the Clergy or other leader exercising oversight in all matters concerning the congregation.

(a) Subject to the Bishop's approval, Deacons may have a letter of agreement setting forth mutual responsibilities in the assignment, and, if such a letter exists, it is subject to renegotiation with the Vestry/Bishop's Committee after the resignation of the Rector or the Priest-in-Charge.

(b) Deacons shall report annually to the Bishop or the Bishop's designee on their life and work.

(c) Deacons may serve as administrators of congregations or other communities of faith, but no Deacon shall be in charge of a congregation or other community of faith.

(d) Deacons may accept chaplaincies in any hospital, prison, or other institution.

(e) Deacons may participate in the governance of the Church.

(f) For two years following ordination, new Deacons shall continue a process of formation authorized by the Bishop.

Mentors. (g) The Bishop or the Bishop's designee, in consultation with the Commission, shall assign each newly ordained Deacon a mentor Deacon where a suitable mentor Deacon is available. The mentor and Deacon shall meet regularly for at least one year to provide guidance, information, and a sustained dialogue about diaconal ministry.

Sec. 5. The Bishop and Commission shall require and provide for the continuing education of Deacons and keep a record of such education. Continuing education.

Sec. 6 (a) A Deacon may not serve as Deacon for more than two months in any Diocese other than the Diocese in which the Deacon is canonically resident unless the Bishop of the other Diocese shall have granted a license to the Deacon to serve in that Diocese. License to serve in another Diocese.

(b) (1) A Deacon desiring to become canonically resident within a Diocese shall request a testimonial from the Ecclesiastical Authority of the Diocese in which the Deacon is canonically resident to present to the receiving Diocese, which testimonial, if granted, shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese to which transfer is proposed. The testimonial shall be in the following words: Letters Dimissory.

I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of _____, is a Deacon of _____ in good standing, and has not, so far as I know or believe, been justly liable to evil report for error in religion or for viciousness of life, for the last three years.

(Date) _____ (Signed) _____

- (2) Such testimonial shall be called Letters Dimissory. If the Ecclesiastical Authority accepts the Letters Dimissory, the canonical residence of the Deacon so transferred shall date from the acceptance of the Letters Dimissory, of which prompt notice shall be given both to the applicant and to the Ecclesiastical Authority from which it came.
- (3) Letters Dimissory not presented within six months from the date of transmission to the applicant shall become void.
- (4) A statement of the record of payments to The Church Pension Fund by or on behalf of the Deacon concerned shall accompany Letters Dimissory.

Sec. 7. On reaching the age of seventy-two years, a Deacon shall resign from all positions of active service in this Church, and the resignation shall be accepted. The Bishop may, with the consent of the Deacon, assign a resigned Deacon to any congregation, other community of faith or ministry in another setting, for a term not to exceed twelve months, and this term may be renewed. Resignation.

Sec. 8. If any Deacon of this Church shall declare, in writing, to the Bishop of the Diocese in which such Deacon is canonically resident, Renunciation of the Diaconate.

a renunciation of the ordained Ministry of this Church, and a desire to be removed therefrom, it shall be the duty of the Bishop to record the declaration and request so made. The Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, assigned or known, which do not affect the Deacon's moral character, shall lay the matter before the clerical members of the Standing Committee, and with the advice and consent of a majority of such members the Bishop may pronounce that such renunciation is accepted, and that the Deacon is released from the obligations of the Ministerial office, and is deprived of the right to exercise the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordination. The Bishop shall also declare in pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, if desired, give a certificate to this effect to the person so removed from the ordained Ministry.

Renunciation
in disciplinary
cases.

Sec. 9. If a Deacon making the aforesaid declaration of renunciation of the ordained Ministry be under Presentment for any Offense, or shall have been placed on Trial for the same, the Ecclesiastical Authority to whom such declaration is made shall not consider or act upon such declaration until after the said Presentment shall have been dismissed or the said Trial shall have been concluded and the Deacon judged not to have committed an Offense.

Declaration of
removal.

Sec. 10. In the case of the renunciation of the ordained Ministry by a Deacon as provided in this Canon, a declaration of removal shall be pronounced by the Bishop in the presence of two or more Members of the Clergy, and shall be entered in the official records of the Diocese in which the Deacon being removed is canonically resident. The Bishop who pronounces the declaration of removal as provided in this Canon shall give notice thereof in writing to every Member of the Clergy, each Vestry, the Secretary of the Convention and the Standing Committee of the Diocese in which the Deacon was canonically resident; and to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Presiding Bishop, the Recorder of Ordinations, the Secretary of the House of Bishops, the Secretary of the House of Deputies, The Church Pension Fund, and the Board for Church Deployment.

CANON 8: Of the Ordination of Priests

Sec. 1. Selection

Selection and
nomination to
the Priesthood.

The Bishop, in consultation with the Commission, shall establish procedures to identify and select persons with evident gifts and fitness for ordination to the Priesthood.

Sec. 2. Nomination

A confirmed adult communicant in good standing may be nominated for ordination to the Priesthood by the person's congregation or other community of faith.

(a) The Nomination shall be in writing and shall include a letter of support by the Nominee's congregation or other community of faith committing the community to:

Application for admission to Postulancy.

- (1) pledge to contribute financially to that preparation, and
- (2) involve itself in the Nominee's preparation for ordination to the Priesthood.

If it be a congregation, the letter shall be signed by two-thirds of the Vestry or comparable body, and by the Member of the Clergy or leader exercising oversight.

(b) The Nominee, if agreeing, shall accept the nomination in writing, and shall provide the following to the Bishop:

- (1) Full name and date of birth.
- (2) The length of time resident in the Diocese.
- (3) Evidence of Baptism and Confirmation.
- (4) Whether an application has been made previously for Postulancy or the person has been nominated in any Diocese.
- (5) A description of the process of discernment by which the Nominee has been identified for ordination to the Priesthood.
- (6) The level of education attained and, if any, the degrees earned and areas of specialization, together with copies of official transcripts.

Sec. 3. Postulancy

Postulancy is the time between nomination and candidacy and may initiate the formal preparation for ordination. Postulancy involves continued exploration of and decision about the Postulant's call to the Priesthood.

Postulancy for the Priesthood.

(a) Before granting admission as a Postulant, the Bishop shall

- (1) determine that the person is a confirmed adult communicant in good standing.
- (2) confer in person with the Nominee.
- (3) shall consult with the Nominee regarding financial resources which will be available for the support of the Postulant throughout preparation for ordination. During Postulancy and later Candidacy, the Bishop or someone appointed by the Bishop shall review periodically the financial condition and plans of the Postulant.

(b) If the Bishop approves proceeding, the Commission, or a committee of the Commission, shall meet with the Nominee to review the application and prepare an evaluation of the Nominee's qualifications to pursue a program of preparation for ordination to the Priesthood. The Commission shall present its evaluation and recommendations to the Bishop.

Commission to review the application.

(c) No Bishop shall consider accepting as a Postulant any person who has been refused admission as a Candidate for ordination to the Priesthood in any other Diocese, or who, having been admitted, has afterwards ceased to be a Candidate, until receipt of a letter from the

Previous removal or cessation.

- Bishop of the Diocese refusing admission, or in which the person has been a Candidate, declaring the cause of refusal or of cessation.
- Admission to Postulancy.** (d) The Bishop may admit the Nominee as a Postulant for ordination to the Priesthood. The Bishop shall record the Postulant's name and date of admission in a Register kept for that purpose. The Bishop shall inform the Postulant, the Member of the Clergy or other leader exercising oversight of the Postulant's congregation or other community of faith, the Commission, the Standing Committee, and the Dean of the seminary the Postulant may be attending or proposes to attend, or the director of Postulant's program of preparation, of the fact and date of such admission.
- Ember Weeks.** (e) Each Postulant for ordination to the Priesthood shall communicate with the Bishop in person or by letter, four times a year, in the Ember Weeks, reflecting on the Postulant's academic experience and personal and spiritual development.
- Removal.** (f) Any Postulant may be removed as a Postulant at the sole discretion of the Bishop. The Bishop shall give written notice of the removal to the Postulant and the Member of the Clergy or other leader exercising oversight of the Postulant's congregation or other community of faith, the Commission, the Standing Committee, and the director of the program of preparation.
- Sec. 4. Candidacy**
- Definition of Candidacy.** Candidacy is a time of education and formation in preparation for ordination to the Priesthood, established by a formal commitment by the Candidate, the Bishop, the Commission, the Standing Committee, and the congregation or other community of faith.
- Application for Candidacy.** (a) A person desiring to be considered as a Candidate for ordination to the Priesthood shall apply to the Bishop. Such application shall include the following:
- (1) the Postulant's date of admission to Postulancy, and
 - (2) a letter of support by the Postulant's congregation or other community of faith. If it be a congregation, the letter shall be signed and dated by at least two-thirds of the Vestry or comparable body and by the Member of the Clergy or other leader exercising oversight.
- Admission to Candidacy.** (b) Upon compliance with these requirements, and receipt of a statement from the Commission attesting to the continuing formation of the Postulant, and having received approval in writing of the Standing Committee who shall have interviewed the Postulant and who shall have had an opportunity to review the documentation relating to the application of the Postulant, the Bishop may admit the Postulant as a Candidate for ordination to the Priesthood. The Bishop shall record the Candidate's name and date of admission in a Register kept for that purpose. The Bishop shall inform the Candidate, the Member of the Clergy or leader exercising oversight of the Candidate's congregation or other community of faith, the Commission, the Standing Committee, and the Dean of the

seminary the Candidate may be attending or proposes to attend, or the director of the Candidate's program of preparation, of the fact and date of such admission.

(c) A Candidate must remain in canonical relationship with the Diocese in which admission has been granted until ordination to the Diaconate under this Canon, except, for reasons acceptable to the Bishop, the Candidate may be transferred to another Diocese upon request, provided that the Bishop of the receiving Diocese is willing to accept the Candidate.

Transfer to another Diocese.

(d) Any Candidate may be removed as a Candidate at the sole discretion of the Bishop. The Bishop shall give written notice of the removal to the Candidate and the Member of the Clergy or other leader exercising oversight of the Candidate's congregation or other community of faith, the Commission, the Standing Committee, and the Dean of the seminary the Candidate may be attending or the director of the program of preparation.

Candidate may be removed.

(e) If a Bishop has removed the Candidate's name from the list of Candidates, except by transfer, or the Candidate's application for ordination has been rejected, no other Bishop may ordain the person without readmission to Candidacy for a period of at least twelve months.

Sec. 5. Preparation for Ordination

(a) The Bishop and the Commission shall work with the Postulant or Candidate to develop and monitor a program of preparation for ordination to the Priesthood and to ensure that pastoral guidance is provided throughout the period of preparation.

(b) If the Postulant or Candidate has not previously obtained a baccalaureate degree, the Commission, Bishop, and Postulant or Candidate shall design a program of such additional academic work as may be necessary to prepare the Postulant or Candidate to undertake a program of theological education.

Pre-theological education.

(c) Formation shall take into account the local culture and each Postulant or Candidate's background, age, occupation, and ministry.

Formation.

(d) Prior education and learning from life experience may be considered as part of the formation required for the Priesthood.

(e) Whenever possible, formation for the Priesthood shall take place in community, including other persons in preparation for the Priesthood, or others preparing for ministry.

(f) Formation shall include theological training, practical experience, emotional development, and spiritual formation.

(g) Subject areas for study during this program of preparation shall include:

Theological education.

- (1) The Holy Scriptures.
- (2) Church History, including the Ecumenical Movement.
- (3) Christian Theology, including Missionary Theology and Missiology.
- (4) Christian Ethics and Moral Theology.

- (5) Studies in contemporary society, including the historical and contemporary experience of racial and minority groups, and cross-cultural ministry skills. Cross-cultural ministry skills may include the ability to communicate in a contemporary language other than one's first language.
- (6) Liturgics and Church Music; Christian Worship and Music according to the contents and use of the Book of Common Prayer and the Hymnal, and authorized supplemental texts.
- (7) Theory and practice of ministry, including leadership, and the ministries of evangelism and stewardship.
- Training. (h) Preparation for ordination shall include training regarding
- (1) prevention of sexual misconduct.
 - (2) civil requirements for reporting and pastoral opportunities for responding to evidence of abuse.
 - (3) the Constitution and Canons of the Episcopal Church, particularly Title IV thereof.
 - (4) the Church's teaching on racism.
- Ember Weeks. (i) Each Postulant or Candidate for ordination to the Priesthood shall communicate with the Bishop in person or by letter, four times a year, in the Ember Weeks, reflecting on the Candidate's academic experience and personal and spiritual development.
- Evaluation of progress. (j) The seminary or other formation program shall provide for, monitor, and report on the academic performance and personal qualifications of the Postulant or Candidate for ordination. These reports will be made upon request of the Bishop and Commission, but at least once per year.
- Examinations and evaluations. (k) Within thirty-six months prior to ordination as a Deacon under this Canon, the following must be accomplished
- (1) a background check, according to criteria established by the Bishop and Standing Committee.
 - (2) medical and psychological evaluation by professionals approved by the Bishop, using forms prepared for the purpose by The Church Pension Fund, and if desired or necessary, psychiatric referral.
- (l) Reports of all investigations and examinations shall be kept permanently on file by the Bishop and remain a part of the permanent diocesan record.
- Sec. 6. Ordination to the Diaconate for those called to the Priesthood
- Ordination of Deacons with a call to the Priesthood. (a) A Candidate must first be ordained Deacon before being ordained Priest.
- (b) To be ordained Deacon under this Canon, a person must be at least twenty-four years of age.
- Ordination papers. (c) The Bishop shall obtain in writing and provide to the Standing Committee:
- (1) an application from the Candidate requesting ordination as a Deacon under this Canon.

- (2) a letter of support from the Candidate's congregation or other community of faith, signed and dated by at least two-thirds of the Vestry and the Member of the Clergy or other leader exercising oversight.
- (3) written evidence of admission of the Candidate to Postulancy and Candidacy, giving the date of admission.
- (4) a certificate from the seminary or other program of preparation showing the Candidate's scholastic record in the subjects required by the Canons, and giving an evaluation with recommendation as to the Candidate's other personal qualifications for ordination together with a recommendation regarding ordination to the Diaconate under this Canon.
- (5) a certificate from the Commission giving a recommendation regarding ordination to the Diaconate under this Canon.

(d) On the receipt of such certificates, the Standing Committee, a majority of all the members consenting, shall certify that the canonical requirements for ordination to the Diaconate under this Canon have been met and there is no sufficient objection on medical, psychological, moral, or spiritual grounds and that they recommend ordination, by a testimonial addressed to the Bishop in the form specified below and signed by the consenting members of the Standing Committee.

Standing Committee to consent and certify candidates for Diaconate.

To the Right Reverend _____, Bishop of _____ We, the Standing Committee of _____, having been duly convened at _____ at _____, do testify that A.B., desiring to be ordained to the Diaconate and Priesthood under Canon III.8 has presented to us the certificates as required by the Canons indicating A.B.'s preparedness for ordination to the Diaconate under Canon III.8; and we certify that all canonical requirements for ordination to the Diaconate under Canon III.8 have been met; and we find no sufficient objection to ordination. Therefore, we recommend A.B. for ordination. In witness whereof, we have hereunto set our hands this _____ day of _____, in the year of our Lord _____.

(Signed) _____

(e) The testimonial having been presented to the Bishop, and there being no sufficient objection on medical, psychological, moral, or spiritual grounds, the Bishop may ordain the Candidate to the Diaconate under this Canon; and at the time of ordination the Candidate shall subscribe publicly and make, in the presence of the Bishop, the declaration required in Article VIII of the Constitution.

Declaration of conformity.

Sec. 7. Ordination to the Priesthood

(a) A person may be ordained Priest:

- (1) after at least six months since ordination as a Deacon under this Canon and eighteen months from the time of

Ordination requisites.

acceptance of nomination by the Nominee as provided in III.8.2(b), and

- (2) upon attainment of at least twenty-four years of age, and
- (3) if the medical evaluation, psychological evaluation, and background check have taken place or been updated within thirty-six months prior to ordination as a Priest.

Ordination papers.

(b) The Bishop shall obtain in writing and provide to the Standing Committee:

- (1) an application from the Deacon requesting ordination as a Priest, including the Deacon's dates of admission to Postulancy and Candidacy and ordination as a Deacon under this Canon,
- (2) a letter of support from the Deacon's congregation or other community of faith, signed by at least two-thirds of the Vestry and the Member of the Clergy or other leader exercising oversight,
- (3) evidence of admission to Postulancy and Candidacy, including dates of admission, and ordination to the Diaconate,
- (4) a certificate from the seminary or other program of preparation, written at the completion of the program of preparation, showing the Deacon's scholastic record in the subjects required by the Canons, and giving an evaluation with recommendation as to the Deacon's other personal qualifications for ordination together with a recommendation regarding ordination to the Priesthood, and
- (5) a statement from the Commission attesting to the successful completion of the program of formation designed during Postulancy under Canon III.8.5, and proficiency in the required areas of study, and recommending the Deacon for ordination to the Priesthood.

Standing Committee to consent and certify for ordination to Priesthood.

(c) On the receipt of such certificates, the Standing Committee, a majority of all the members consenting, shall certify that the canonical requirements for ordination to the Priesthood have been met and there is no sufficient objection on medical, psychological, moral, or spiritual grounds and that they recommend ordination, by a testimonial addressed to the Bishop in the form specified below and signed by the consenting members of the Standing Committee.

To the Right Reverend _____, Bishop of _____ We, the Standing Committee of _____, having been duly convened at _____, do testify that A.B., desiring to be ordained to the Priesthood, has presented to us the certificates as required by the Canons indicating A.B.'s preparedness for ordination to the Priesthood have been met; and we certify that all canonical requirements for ordination to

the Priesthood have been met, and we find no sufficient objection to ordination. Therefore, we recommend A.B. for ordination. In witness whereof, we have hereunto set our hands this ____ day of _____, in the year of our Lord

(Signed) _____

(d) The testimonial having been presented to the Bishop, and there being no sufficient objection on medical, psychological, moral, or spiritual grounds, the Bishop may ordain the Deacon to the Priesthood; and at the time of ordination the Deacon shall subscribe publicly and make, in the presence of the Bishop, the declaration required in Article VIII of the Constitution. Declaration of conformity.

(e) No Deacon shall be ordained to the Priesthood until having been appointed to serve in a Parochial Cure within the jurisdiction of this Church, or as a Missionary under the Ecclesiastical Authority of a Diocese, or as an officer of a Missionary Society recognized by the General Convention, or as a Chaplain of the Armed Services of the United States, or as a Chaplain in a recognized hospital or other welfare institution, or as a Chaplain or instructor in a school, college, or other seminary, or with other opportunity for the exercise of the office of Priest within the Church judged appropriate by the Bishop. Exercise of office before ordination.

(f) A person ordained to the Diaconate under Canon III.6 who is subsequently called to the Priesthood shall fulfill the Postulancy and Candidacy requirements set forth in this Canon. Upon completion of these requirements, the Deacon may be ordained to the Priesthood. Deacons called to the Priesthood.

CANON 9: Of the Life and Work of Priests

Sec. 1. The Bishop and Commission shall require and provide for the continuing education of Priests and keep a record of such education. Continuing education.

Sec. 2. Mentoring for Newly Ordained Priests

Each newly ordained Priest, whether employed or not, shall be assigned a mentor Priest by the Bishop in consultation with the Commission on Ministry. The mentor and new Priest shall meet regularly for at least a year to provide guidance, information, and a sustained dialogue about priestly ministry. Mentors.

Sec. 3. The Appointment of Priests

(a) Rectors.

(1) When a Parish is without a Rector, the Wardens or other officers shall promptly notify the Ecclesiastical Authority in writing. If the Parish shall for thirty days fail to provide services of public worship, the Ecclesiastical Authority shall make provision for such worship. Parish without a Rector.

(2) No Parish may elect a Rector until the names of the proposed nominees have been forwarded to the Ecclesiastical Authority and a time, not exceeding sixty Election of a Rector.

- days, given to the Ecclesiastical Authority to communicate with the Vestry, nor until any such communication has been considered by the Vestry at a meeting duly called and held for that purpose.
- Written notice to Ecclesiastical Authority. (3) Written notice of the election of a Rector, signed by the Wardens, shall be forwarded to the Ecclesiastical Authority. If the Ecclesiastical Authority is satisfied that the person so elected is a duly qualified Priest and that such Priest has accepted the office to which elected, the notice shall be sent to the Secretary of the Convention, who shall record it. Race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities or age, except as otherwise specified by these Canons, shall not be a factor in the determination of the Ecclesiastical Authority as to whether such person is a duly qualified Priest. The recorded notice shall be sufficient evidence of the relationship between the Priest and the Parish.
- Agreement. (4) Rectors may have a letter of agreement with the Parish setting forth mutual responsibilities, subject to the Bishop's approval.
- Priests-in-Charge. (b) Priests-in-Charge. After consultation with the Vestry, the Bishop may appoint a Priest to serve as Priest-in-Charge of any congregation in which there is no Rector. In such congregations, the Priest-in-Charge shall exercise the duties of Rector outlined in Canon III.9.5 subject to the authority of the Bishop.
- Rector to select assistants. (c) Assistants. A Priest serving as an assistant in a Parish, by whatever title designated, shall be selected by the Rector, and when required by the Canons of the Diocese, subject to the approval of the Vestry, and shall serve under the authority and direction of the Rector. Before the selection of an assistant the name of the Priest proposed for selection shall be made known to the Bishop and a time, not exceeding sixty days, given for the Bishop to communicate with the Rector and Vestry on the proposed selection. Upon resignation by the Rector, death of the Rector, or in the event of the dissolution of a pastoral relationship between the Rector and the Vestry, an assistant may continue in the service of the Parish if requested to do so by the Vestry under such conditions as the Bishop and Vestry shall determine. An assistant may continue to serve at the request of a new Rector. Assistants may have a letter of agreement with the Rector and the Vestry setting forth mutual responsibilities and containing a clearly articulated dissolution clause, subject to the Bishop's approval.
- In case of new Rector. (d) Chaplains. (1) A Priest may be given ecclesiastical endorsement for service as a Chaplain in the Armed Services of the United
- Endorsement of Chaplains.

States of America or as a Chaplain for the Veterans' Administration, or in any Federal Correctional Institution, by the Office of the Bishop Suffragan for the Armed Forces subject to the approval of the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident.

- (2) Any Priest serving on active duty with the Armed Services shall retain the Priest's canonical residence and shall be subject to the ecclesiastical supervision of the Bishop of the Diocese of which the Priest is canonically resident, even though the Priest's work as a Chaplain shall be subject to the general supervision of the Office of the Bishop Suffragan for the Armed Forces, or such other Bishop as the Presiding Bishop may designate. Active duty Chaplains.
- (3) Any Priest serving on a military installation or at a Veterans' Administration facility or Federal Correctional Institution shall not be subject to Canons III.9.3.(e)(1) or III.9.4.(a). When serving other than on a military installation or at a Veterans' Administration facility, or Federal Correctional Institution, a Chaplain shall be subject to these Sections. Areas of service.
- (e) Employment of Priests in Other Settings.
- (1) Any Priest who has left a position in this Church without having received a call to a new ecclesiastical position and who desires to continue the exercise of the office of Priest shall notify the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident and shall advise the Bishop that reasonable opportunities for the exercise of the office of Priest exist and that use will be made of such opportunities. After having determined that the person will have and use opportunities for the exercise of the office of Priest, the Bishop, with the advice and consent of the Standing Committee, may approve the Priest's continued exercise of the office on condition that the Priest report annually in writing, in a manner prescribed by the Bishop, as provided in Canon I.6.2. Non-parochial Priests.
- (2) (a) A Priest not in parochial employment moving to another jurisdiction shall report to the Bishop of that jurisdiction within sixty days of such move. Moving to another jurisdiction.
- (b) The Priest:
- (i) May officiate or preach in that jurisdiction only under the terms of Canon III.9.5.(a).
- (ii) Shall provide notice of such move, in writing and within sixty days, to the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident.

(iii) Shall forward a copy of the report required by Canon I.6.2 to the Ecclesiastical Authority to whose jurisdiction the Priest has moved.

(c) Upon receipt of the notice required by Canon III.9.3.(e)(2)(b)(ii), the Ecclesiastical Authority shall provide written notice thereof to the Ecclesiastical Authority into whose jurisdiction the person has moved.

Failure to comply.

(3) If the Priest fails to comply with the provisions of this Canon, such failure may be considered a breach of Canon IV.4.1(h)(3) occurring in the Diocese in which the Priest is canonically resident.

Sec. 4. Letters Dimissory

Testimonial for transfer.

(a) A Priest desiring to become canonically resident within a Diocese shall present to the Ecclesiastical Authority a testimonial from the Ecclesiastical Authority of the Diocese of current canonical residence, which testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese to which transfer is proposed. The testimonial shall be accompanied by a statement of the record of payments to The Church Pension Fund by or on behalf of the Priest concerned and may include a portfolio of training, continuing education and exercise of ministries. The testimonial shall be in the following form:

I hereby certify that A.B., who has signified to me the desire to be transferred to the Ecclesiastical Authority of _____, is a Priest of _____ in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for the last three years.

(Date) _____ (Signed) _____

Acceptance of Letters Dimissory.

(b) Such a testimonial shall be called Letters Dimissory. If the Ecclesiastical Authority accepts the Letters Dimissory, the canonical residence of the Priest transferred shall date from such acceptance, and prompt notice of acceptance shall be given to the applicant and to the Ecclesiastical Authority issuing the Letters Dimissory.

Voided letters and grounds for nonacceptance.

(c) Letters Dimissory not presented within six months of their date of receipt by the applicant shall become void.

(d) If a Priest has been called to a Cure in a congregation in another Diocese, the Priest shall present Letters Dimissory. The Ecclesiastical Authority of the Diocese shall accept Letters Dimissory within three months of their receipt unless the Bishop or Standing Committee has received credible information concerning the character or behavior of the Priest concerned which would form grounds for canonical inquiry and presentment. In such a case, the Ecclesiastical Authority shall notify the Ecclesiastical Authority of

the Diocese in which the Priest is canonically resident and need not accept the Letters Dimissory unless and until the Priest shall be exculpated. The Ecclesiastical Authority shall not refuse to accept Letters Dimissory based on the applicant's race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities, or age.

(e) A Priest shall not be in charge of any congregation in the Diocese to which the person moves until obtaining from the Ecclesiastical Authority of that Diocese a certificate in the following form: Certificate of transfer.

I hereby certify that A.B. has been canonically transferred to my jurisdiction and is a Priest in good standing.

(Date) _____ (Signed) _____

(f) No person who has been refused ordination or reception as a Candidate in any Diocese, and is thereafter ordained in another Diocese, shall be transferred to the Diocese in which such refusal has occurred without the consent of its Ecclesiastical Authority. In case of previous refusal.

Sec. 5. Rectors and Priests-in-Charge and Their Duties

- (a)
 - (1) The Rector or Priest-in-Charge shall have full authority and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of this Church, and the pastoral direction of the Bishop. Authority and responsibility.
 - (2) For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Rector or Priest-in-Charge shall at all times be entitled to the use and control of the Church and Parish buildings together with all appurtenances and furniture, and to access to all records and registers maintained by or on behalf of the congregation. Control of buildings.
- (b)
 - (1) It shall be the duty of the Rector or Priest-in-Charge to ensure all persons in their charge receive Instruction in the Holy Scriptures; in the subjects contained in An Outline of the Faith, commonly called the Catechism; in the doctrine, discipline, and worship of this Church; and in the exercise of their ministry as baptized persons. Instruction in faith and ministry.
 - (2) It shall be the duty of Rectors or Priests-in-Charge to ensure that all persons in their charge are instructed concerning Christian stewardship, including: Christian stewardship.
 - (i) reverence for the creation and the right use of God's gifts;
 - (ii) generous and consistent offering of time, talent, and treasure for the mission and ministry of the Church at home and abroad;

- (iii) the biblical standard of the tithe for financial stewardship; and
- (iv) the responsibility of all persons to make a will as prescribed in the Book of Common Prayer.
- Preparing persons for Baptism.
- (3) It shall be the duty of Rectors or Priests-in-Charge to ensure that persons be prepared for Baptism. Before baptizing infants or children, Rectors or Priests-in-Charge shall ensure that sponsors be prepared by instructing both the parents and the Godparents concerning the significance of Holy Baptism, the responsibilities of parents and Godparents for the Christian training of the baptized child, and how these obligations may properly be discharged.
- Confirmation, Reception, and Reaffirmation.
- (4) It shall be the duty of Rectors or Priests-in-Charge to encourage and ensure the preparation of persons for Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and to be ready to present them to the Bishop with a list of their names.
- Duty to announce and inform the Bishop.
- (5) On notice being received of the Bishop's intention to visit any congregation, the Rector or Priest-in-Charge shall announce the fact to the congregation. At every visitation it shall be the duty of the Rector or Priest-in-Charge and the Wardens, Vestry or other officers, to exhibit to the Bishop the Parish Register and to give information as to the state of the congregation, spiritual and temporal, in such categories as the Bishop shall have previously requested in writing.
- Alms and offerings.
- (6) The Alms and Contributions, not otherwise specifically designated, at the Administration of the Holy Communion on one Sunday in each calendar month, and other offerings for the poor, shall be deposited with the Rector or Priest-in-Charge or with such Church officer as the Rector or Priest-in-Charge shall appoint to be applied to such pious and charitable uses as the Rector or Priest-in-Charge shall determine. When a Parish is without a Rector or Priest-in-Charge, the Vestry shall designate a member of the Parish to fulfill this function.
- Duty to read Pastoral Letters and Position Papers.
- (7) Whenever the House of Bishops shall publish a Pastoral Letter, it shall be the duty of the Rector or Priest-in-Charge to read it to the congregation on some occasion of public worship on a Lord's Day, or to cause copies of the same to be distributed to the members of the congregation, not later than thirty days after receipt.
- (8) Whenever the House of Bishops shall adopt a Position Paper, and require communication of the content of the Paper to the membership of the Church, the Rector or

Priest-in-Charge shall so communicate the Paper in the manner set forth in the preceding section of this Canon.

- (c)
 - (1) It shall be the duty of the Rector or Priest-in-Charge to record in the Parish Register all Baptisms, Confirmations (including the canonical equivalents in Canon I.17.1(d)), Marriages and Burials. The Parish Register.
 - (2) The registry of each Baptism shall be signed by the officiating Member of the Clergy.
 - (3) The Rector or Priest-in-Charge shall record in the Parish Register all persons who have received Holy Baptism, all communicants, all persons who have received Confirmation (including the canonical equivalents in Canon I.17.1(d), all persons who have died, and all persons who have been received or removed by letter of transfer. The Rector or Priest-in-Charge shall also designate in the Parish Register the names of (1) those persons whose domicile is unknown, (2) those persons whose domicile is known but are inactive, and (3) those families and persons who are active within the congregation. The Parish Register shall remain with the congregation at all times. Records to be entered in the Register.

Sec. 6. Licenses

(a) No Priest shall preach, minister the Sacraments, or hold any public service, within the limits of any Diocese other than the Diocese in which the Priest is canonically resident for more than two months without a license from the Ecclesiastical Authority of the Diocese in which the Priest desires to so officiate. No Priest shall be denied such a license on account of the Priest's race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities, or age, except as otherwise provided in these Canons. Upon expiration or withdrawal of a license, a priest shall cease immediately to officiate. License to officiate in a Diocese.

(b) No Priest shall preach, read prayers in public worship, or perform any similar function, in a congregation without the consent of the Rector or Priest-in-Charge of that congregation, except as follows: Consent of Rector.

- (1) In the absence or impairment of the Rector or Priest-in-Charge, and if provision has not been made for the stated services of the congregation or other community of faith, a Warden may give such consent. Exceptions.
- (2) If there be two or more congregations or Churches in one Cure, as provided by Canon I.13.3(b), consent may be given by the majority of the Priests-in-Charge of such congregations, or by the Bishop; *Provided*, that nothing in this Section shall prevent any Member of the Clergy of this Church from officiating, with the consent of the

Rector or Priest-in-Charge, in the Church or place of public worship used by the congregation of the consenting Rector or Priest-in-Charge, or in private for members of the congregation; or in the absence of the Rector or Priest-in-Charge, with the consent of the Wardens or Trustees of the congregation; *Provided further*, that the license of the Ecclesiastical Authority provided in Canon III.9.5(a), if required, be obtained.

- (3) This Canon shall not apply to any Church, Chapel, or Oratory, which is part of the premises of an incorporated institution created by legislative authority, *Provided* that such place of worship is designated and set apart for the convenience and use of such institution, and not as a place for public or parochial worship.

Evidence
required to
officiate.

Proviso.

(c) No Rector or Priest-in-Charge of any congregation of this Church, or if there be none, no Wardens, Members of the Vestry, or Trustees of any congregation, shall permit any person to officiate in the congregation without sufficient evidence that such person is duly licensed and ordained and in good standing in this Church; *Provided*, nothing in these Canons shall prevent:

Bishop may
authorize other
officiants.

- (1) The General Convention, by Canon or otherwise, from authorizing persons to officiate in congregations in accordance with such terms as it deems appropriate; or
- (2) The Bishop of any Diocese from giving permission
 - (i) To a Member of the Clergy of this Church, to invite Clergy of another Church to assist in the Book of Common Prayer Offices of Holy Matrimony or of the Burial of the Dead, or to read Morning or Evening Prayer, in the manner specified in Canon III.9.5; or
 - (ii) To Clergy of any other Church to preach the Gospel, or in ecumenical settings to assist in the administration of the sacraments; or
 - (iii) To godly persons who are not Clergy of this Church to address the Church on special occasions.
 - (iv) To the Member of the Clergy or Priest-in-Charge of a congregation or if there be none, to the Wardens, to invite Clergy ordained in another Church in communion with this Church to officiate on an occasional basis, provided that such clergy are instructed to teach and act in a manner consistent with the Doctrine, Discipline, and Worship of this Church.

Neglect of
services or
refusal to
officiate.

(d) If any Member of the Clergy or Priest-in-Charge, as a result of impairment or any other cause, shall neglect to perform regular services in the congregation, and refuse, without good cause, to consent to any other duly qualified Member of the Clergy to

perform such services, the Wardens, Vestry, or Trustees of the congregation shall, upon providing evidence to the Ecclesiastical Authority of the Diocese of such neglect or refusal and with the written consent of the Ecclesiastical Authority, have the authority to permit any duly qualified Member of the Clergy to officiate.

(e) Any Priest desiring to officiate temporarily outside the jurisdiction of this Church but in a Church in communion with this Church, shall obtain from the Ecclesiastical Authority of the Diocese in which the person is canonically resident, a testimonial which shall set forth the person's official standing, and which may be in the following form:

Officiating outside the Church's jurisdiction.

I hereby certify that A.B., who has signified to me the desire to be permitted to officiate temporarily in churches not under the jurisdiction of The Episcopal Church, yet in communion with this Church, is a Priest of _____ in good standing, and as such is entitled to the rights and privileges of that Order.

(Date) _____ (Signed) _____

Such testimonial shall be valid for one year and shall be returned to the Ecclesiastical Authority at the end of that period. The Ecclesiastical Authority giving such testimonial shall record its issuance, the name of the Priest to whom issued, its date and the date of its return.

Sec. 7. Resignation

On reaching the age of seventy-two years, a Priest shall resign from all positions of in this Church, and the resignation shall be accepted. Thereafter, the Priest may accept any position in this Church, including, with the permission of the Ecclesiastical Authority, the position or positions from which resignation pursuant to this Section has occurred; *Provided,*

Mandatory at age seventy-two.

Proviso.

(a) tenure in the position shall be for a term of not more than twelve months, which term may be renewed from time to time,

(b) service in the position shall have the express approval of the Bishop of the Diocese in which the service is to be performed, acting in consultation with the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident.

(c) Anything in this Canon to the contrary notwithstanding, a Priest who has served in a non-stipendiary capacity in a position before resignation may, at the Bishop's request, serve in the same position for a term not to exceed twelve months thereafter, and this term may be renewed.

Sec. 8. Renunciation of the Ordained Ministry

If any Priest of this Church shall declare, in writing, to the Bishop of the Diocese in which such Priest is canonically resident, a renunciation of the ordained Ministry of this Church, and a desire to be removed therefrom, it shall be the duty of the Bishop to record the declaration and request so made. The Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, assigned

Notice of Renunciation from the Priesthood.

or known, which do not affect the Priest's moral character, shall lay the matter before the clerical members of the Standing Committee, and with the advice and consent of a majority of such members the Bishop may pronounce that such renunciation is accepted, and that the Priest is released from the obligations of the Ministerial office, and is deprived of the right to exercise the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordination. The Bishop shall also declare in pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, if desired, give a certificate to this effect to the person so removed from the ordained Ministry.

Request for release.

Sec. 9. A Priest who would be permitted under this Canon to renounce the exercise of ordained office, who desires to enter into other than ecclesiastical employment, may declare in writing to the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident a desire to be released from the obligations of the office and a desire to be released from the exercise of the office of Priest. Upon receipt of such declaration, the Ecclesiastical Authority shall proceed in the same manner as if the declaration was one of renunciation of the ordained Priesthood under this Canon.

In cases of disciplinary proceedings.

Sec. 10. If a Priest making the aforesaid declaration of renunciation of the ordained Ministry be under Presentment for any Offense, or shall have been placed on Trial for the same, the Ecclesiastical Authority to whom such declaration is made shall not consider or act upon such declaration until after the said Presentment shall have been dismissed or the said Trial shall have been concluded and the Priest judged not to have committed an Offense.

Declaration of removal.

Sec. 11. In the case of the renunciation of the ordained Ministry by a Priest as provided in this Canon, a declaration of removal shall be pronounced by the Bishop in the presence of two or more Priests, and shall be entered in the official records of the Diocese in which the Priest being removed is canonically resident. The Bishop who pronounces the declaration of removal as provided in this Canon shall give notice thereof in writing to every Member of the Clergy, each Vestry, the Secretary of the Convention and the Standing Committee of the Diocese in which the Priest was canonically resident; and to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Presiding Bishop, the Recorder of Ordinations, the Secretary of the House of Bishops, the Secretary of the House of Deputies, the Church Pension Fund, and the Board for Church Deployment.

Sec. 12. Reconciliation of Disagreements Affecting the Pastoral Relation

Petitions to reconcile the pastoral relationship.

When the pastoral relationship in a parish between a Rector and the Vestry or Congregation is imperiled by disagreement or dissension, and the issues are deemed serious by a majority vote of the Vestry or the Rector, either party may petition the Ecclesiastical

Authority, in writing, to intervene and assist the parties in their efforts to resolve the disagreement. The written petition shall include sufficient information to inform the Ecclesiastical Authority and the parties involved of the nature, causes, and specifics of the disagreements or dissension imperiling the pastoral relationship. The Ecclesiastical Authority shall initiate such proceedings as are deemed appropriate under the circumstances for that purpose by the Ecclesiastical Authority, which may include the appointment of a consultant or licensed mediator. The parties to the disagreement, following the recommendations of the Ecclesiastical Authority, shall labor in good faith that the parties may be reconciled. Whenever the Standing Committee is the Ecclesiastical Authority, it shall request the Bishop of a neighboring Diocese to perform the duties of the Ecclesiastical Authority under this Canon.

Sec. 13. Dissolution of the Pastoral Relation

(a) Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed there from by the Vestry against the Rector's will, except as hereinafter provided.

Resignation or removal of a Rector.

(b) If for any urgent reason a Rector or majority of Vestry based on a vote in a duly-called meeting, desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese with a copy available to the Rector or Vestry. Such notice shall include sufficient information to inform the Ecclesiastical Authority and all parties involved of the nature, causes, and specifics requiring the dissolution of the pastoral relationship. If the parties have participated in mediation or consultation processes under III.9.12, a separate report from the mediator or consultant will be submitted to the Ecclesiastical Authority with copies available to the Rector and Vestry. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon.

Notice to Ecclesiastical Authority.

(c) Within sixty days of receipt of the written notice, the Bishop Diocesan or the Bishop exercising authority under this canon may initiate further mediation and reconciliation processes between Rector and Vestry in every way which the Bishop deems proper. The Bishop may appoint a committee of at least one Presbyter and one Lay Person, none of whom may be members of or related to the Parish involved, to interview the Rector and Vestry and report to the Bishop on the cooperation and responsiveness of the parties involved in the processes required by the Bishop. A copy of this report shall be available to the Vestry and Rector.

Bishop to mediate.

(d) If the differences between the parties are not resolved after completion of mediation or other reconciliation efforts or actions prescribed by the Bishop, the Bishop shall proceed as follows:

Procedures for settling differences.

- (1) The Bishop shall give written notice to the Rector and Vestry that a godly judgment will be rendered in the

matter after consultation with the Standing Committee and that either party has the right within ten days to request in writing an opportunity to confer with the Standing Committee before it consults with the Bishop. The Bishop's written notification shall inform the Standing Committee and the parties involved of the nature, causes, and specifics of the unresolved disagreements or dissension imperiling the pastoral relationship.

- (2) If a timely request is made, the President of the Standing Committee shall set a date for the conference, which shall be held within thirty days.
- (3) At the conference, each party shall be entitled to attend, be represented, and present its position fully.
- (4) Within thirty days after the conference or after the Bishop's notice if no conference is requested, the Bishop shall confer with and receive the recommendation of the Standing Committee; thereafter the Bishop, as final arbiter and judge, shall render a written godly judgment.
- (5) Upon the request of either party, the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties. Either party may request the explanation be in writing.
- (6) If the pastoral relation is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Rector and the Vestry.
- (7) If the relation is to be dissolved:
 - (i) The Bishop shall direct the Secretary of the Convention to record the dissolution.
 - (ii) The judgment shall include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate.
- (8) In either event, the Bishop shall offer appropriate supportive services to the Priest and the Parish.

Failure or refusal to comply with judgment.

(e) In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set forth in the Constitution and Canons of the Diocese; and in default of any provisions for such penalties therein, the Bishop may act as follows:

- (1) In the case of a Rector, suspend the Rector from the exercise of the priestly office until the Priest shall comply with the judgment.
- (2) In the case of a Vestry, invoke any available sanctions including recommending to the Convention of the Diocese that the Parish be placed under the supervision

of the Bishop as a Mission until it has complied with the judgment.

(f) For cause, the Bishop may extend the time periods specified in this Canon, provided that all be done to expedite these proceedings. All parties shall be notified in writing of the length of any extension.

(g)

(1) Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Title IV provided that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.

Statements not discoverable or admissible in disciplinary cases.

(2) In the course of proceedings under this Canon, if allegations of misconduct are made by the Vestry against the Rector that could constitute an Offense under Title IV, all proceedings under this Canon with respect to such allegations shall be suspended until the allegations have been resolved or withdrawn.

(h) Sections 12 or 13 of this Canon shall not apply in any Diocese whose Canons are otherwise consistent with Canon III.9.

Diocesan Canons apply.

CANON 10: Of Reception of Clergy from other Churches

Sec. 1. Prior to reception or ordination, the following must be provided

(a) a background check, according to criteria established by the Bishop and Standing Committee, and

(b) medical and psychological evaluation by professionals approved by the Bishop, using forms prepared for the purpose by The Church Pension Fund, and if desired or necessary, psychiatric referral. If the medical examination, psychological examination, or background check have taken place more than thirty-six months prior to reception or ordination they must be updated.

Examinations and evaluations.

(c) evidence of training regarding

Evidence of training.

(1) prevention of sexual misconduct.

(2) civil requirements for reporting and pastoral opportunities for responding to evidence of abuse.

(3) the Constitution and Canons of the Episcopal Church, particularly Title IV thereof.

(4) training regarding the Church's teaching on racism.

(d) Reports of all investigations and examinations shall be kept permanently on file by the Bishop and remain a part of the permanent diocesan record.

Diocesan records.

(e) Prior to reception or ordination each clergy person shall be assigned a mentor Priest by the Bishop in consultation with the Commission on Ministry. The mentor and clergy person shall meet regularly to provide the clergy person an opportunity for guidance, information, and a sustained dialogue about ministry in the Episcopal Church.

Mentors.

Sec. 2. Clergy Ordained by Bishops of Churches in Communion with This Church

Certificate
required to
officiate.

(a)

(1) A Member of the Clergy, ordained by a Bishop of another Church in communion with this Church, or by a Bishop consecrated for a foreign land by Bishops of this Church under Article III of the Constitution, shall, before being permitted to officiate in any Congregation of this Church, exhibit to the Member of the Clergy in charge, or, if there be no Member of the Clergy in charge, to the Vestry thereof, a certificate of recent date, signed by the Ecclesiastical Authority of the Diocese that the person's letters of Holy Orders and other credentials are valid and authentic, and given by a Bishop in communion with this Church, and whose authority is acknowledged by this Church; and also that the person has exhibited to the Ecclesiastical Authority satisfactory evidence of (i) moral and godly character and of (ii) theological qualifications.

Letters
Dimissory or
equivalent
credentials.

(2) Before being permitted to take charge of any Congregation, or being received into any Diocese of this Church as a Member of its Clergy, the Ecclesiastical Authority shall receive Letters Dimissory or equivalent credentials under the hand and seal of the Bishop with whose Diocese the person has been last connected, which letters or credentials shall be delivered within six months from the date thereof. Before receiving the Member of the Clergy the Bishop shall require a promise in writing to submit in all things to the Discipline of this Church, without recourse to any foreign jurisdiction, civil or ecclesiastical; and shall further require the person to subscribe and make in the Bishop's presence, and in the presence of two or more Presbyters, the declaration required in Article VIII of the Constitution. The Bishop and at least one Presbyter shall examine the person as to knowledge of the history of this Church, its worship and government. The Bishop also being satisfied of the person's theological qualifications, may then receive the person into the Diocese as a Member of the Clergy of this Church.

Churches in full
communion.

(3) The provisions of this Section 1 shall be fully applicable to all Members of the Clergy ordained in any Church in the process of entering the historic episcopal succession with which The Episcopal Church is in full communion as specified in Canon I.20, subject to the covenant of the two Churches as adopted by the General Convention.

- (i) those duly constituted Dioceses, Provinces, and regional Churches in communion with the See of Canterbury,
- (ii) the Old Catholic Churches of the Union of Utrecht,
- (iii) the Philippine Independent Church, and
- (iv) the Mar Thoma Syrian Church of Malabar
- (v) the Evangelical Lutheran Church in America.

(b) A Member of the Clergy who is a Deacon shall not be ordered Priest until having resided within the jurisdiction of this Church at least one year and all the requirements for ordination to the Priesthood as required by Canon III.8 have been satisfied. Deacons.

(c) Following reception each clergy person shall be assigned a mentor Priest by the Bishop in consultation with the Commission on Ministry. The mentor and clergy person shall meet regularly to provide the clergy person an opportunity for guidance, information, and a sustained dialogue about ministry in the Episcopal Church. Mentors.

Sec. 3. Clergy Ordained by Bishops in Churches in the Historic Succession but Not in Communion with This Church

(a) When a Priest or Deacon ordained in a Church by a Bishop in the Historic Succession but not in communion with this Church, the regularity of whose ordination is approved by the Presiding Bishop as permitted by I.16.3, desires to be received as a Member of the Clergy in this Church, the person shall apply in writing to a Bishop, attaching the following: Procedures for making application.

- (1) Evidence that the person is a confirmed adult communicant in good standing in a Congregation of this Church.
- (2) Evidence of previous Ministry and that all other credentials are valid and authentic.
- (3) Evidence of moral and godly character; and that the person is free from any vows or other engagements inconsistent with the exercise of Holy Orders in this Church.
- (4) Transcripts of all academic and theological studies.
- (5) A certificate from at least two Presbyters of this Church stating that, from personal examination or from satisfactory evidence presented to them, they believe that the departure of the person from the Communion to which the person has belonged has not arisen from any circumstance unfavorable to moral or religious character, or on account of which it may not be expedient to admit the person to Holy Orders in this Church.
- (6) Certificates in the forms provided in Canon III.8.6 and III.8.7 from the Rector or Member of the Clergy in charge and Vestry of a Parish of this Church.

- (7) A statement of the reasons for seeking to enter Holy Orders in this Church.
- (b) The provisions of Canon III.8.5(a) shall be applicable.
- Evidence of proficiency. (c) If the person has exercised a ministry in the previous Church with good repute and success and if the person furnishes evidence of satisfactory theological training in the previous Church, then the applicant shall be examined by the Commission and show proficiency in the following subjects:
- (1) Church History: the history of the Anglican Communion and the Episcopal Church.
 - (2) Doctrine: the Church's teaching as set forth in the Creeds and in An Outline of the Faith, commonly called the Catechism.
 - (3) Liturgics: the principles and history of Anglican worship; the contents of the Book of Common Prayer.
 - (4) Practical Theology:
 - (i) The office and work of a Deacon and Priest in this Church.
 - (ii) The conduct of public worship.
 - (iii) The Constitution and Canons of the Episcopal Church and of the Diocese in which the applicant is resident.
 - (iv) The use of voice in reading and speaking.
 - (5) The points of Doctrine, Discipline, Polity, and Worship in which the Church from which the applicant has come differ from this Church. This portion of the examinations shall be conducted, in part at least, by written questions and answers, and the replies kept on file for at least three years.
- (d) The Commission may, with the consent of the Bishop, and with notice to the applicant, examine the latter in any other subject required by Canon III.6.5(f) and (g) or III.8.5(g) and (h).
- Candidate to receive endorsements. (e) Prior to being examined pursuant to Sec. 3(c) of this Canon, the applicant shall have received certificates from the Bishop and from the Standing Committee that the applicant is acceptable as a Member of the Clergy of this Church, subject to the successful completion of the examination.
- Declaration of conformity. (f) Before the person may be ordained or received into Holy Orders in this Church, the Bishop shall require a promise in writing to submit in all things, to the Discipline of this Church without recourse to any other ecclesiastical jurisdiction or foreign civil jurisdiction, and shall further require the person to subscribe and make in the presence of the Bishop and two or more Presbyters the declaration required in Article VIII of the Constitution.
- Reception, confirmation, or ordination. (g) Thereafter the Bishop, being satisfied of the person's theological qualifications and successful completion of the examination specified in Sec.3(c) of this Canon and soundness in the faith, shall:

- (1) Receive, with the advice and consent of the Standing Committee, the person into this Church in the Orders to which already ordained by a Bishop in the historic succession; or
- (2) Confirm and make the person a Deacon and, no sooner than four months thereafter, ordain as Priest, if the person has not received such ordination; or
- (3) Ordain as a Deacon and no sooner than six months thereafter, ordain the person a Priest conditionally (having baptized and confirmed the person conditionally if necessary) if ordained by a Bishop whose authority to convey such orders has not been recognized by this Church.

(h) In the case of an ordination under this Canon, the Bishop shall, at the time of such ordination, read this preface to the Service: Special prefaces authorized.

The Ecclesiastical Authority of this Diocese is satisfied that A.B. accepts the Doctrine, Discipline, and Worship of this Church and now desires to be ordained a Deacon (or ordained a Priest) in this Church. We are about to confer upon A.B. the grace and authority of Holy Orders as this Church has received them and requires them for the exercise of the ministry of a Deacon (or a Priest).

The certificates of ordination in such cases shall contain the words:

Acknowledging the ministry which A.B. has already received and hereby adding to that commission the grace and authority of Holy Orders as understood and required by this Church for the exercise of the ministry of a Deacon (or a Priest).

(i) In the case of a conditional ordination pursuant to this Canon, the Bishop shall at the time of such ordination, read this preface to the service: Conditional ordination.

The Ecclesiastical Authority of this Diocese has been satisfied that A.B., who has been ordained by a Bishop whose authority has not been recognized by this Church, accepts the Doctrine, Discipline, and Worship of this Church, and now desires conditional ordination. By this service of ordination, we propose to establish that A.B. is qualified to exercise the ministry of a Deacon (or a Priest).

(j) No one shall be ordained or received as a Deacon or Priest until age twenty-four. Limitations.

(k) A Deacon received under this Canon, desiring to be ordained to the Priesthood must satisfy all the requirements for ordination as set forth in Canon III.8.

(l) No one shall be received or ordained under this Canon less than twelve months from the date of having become a confirmed communicant of this Church.

Mentors.

(m) Following reception or ordination each clergy person shall be assigned a mentor Priest by the Bishop in consultation with the Commission on Ministry. The mentor and clergy person shall meet regularly to provide guidance, information, and a sustained dialogue about ministry in the Episcopal Church.

Sec. 4. Clergy Ordained in Churches Not in the Historic Succession

(a) If a person ordained or licensed by other than a Bishop in the Historic Succession to minister in a Church not in communion with this Church desires to be ordained,

Procedures for making application.

- (1) The person must first be a confirmed adult communicant in good standing in a Congregation of this Church;
- (2) The Commission shall examine the applicant and report to the Bishop with respect to:
 - (i) Whether the applicant has served in the previous Church with diligence and good reputation and has stated the causes which have impelled the applicant to leave the body and seek ordination in this Church,
 - (ii) The nature and extent of the applicant's education and theological training,
 - (iii) The preparations necessary for ordination to the Order(s) to which the applicant feels called;

Exceptions to canonical requirements.

- (3) The provisions of Canon III.5,6, and 8 shall be followed except that the minimum period of Candidacy need not apply, if the Bishop and the Standing Committee at the recommendation of the Commission judge the Candidate to be ready for ordination to the Diaconate earlier than twelve months; the applicant shall be examined by the Commission and show proficiency in the following subjects:

Proficiencies.

- (i) Church History: the history of the Anglican Church and the Episcopal Church in the United States of America,
- (ii) Doctrine: the Church's teaching as set forth in the Creeds and in An Outline of the Faith, commonly called the Catechism;
- (iii) Liturgics: the principles and history of Anglican worship; the contents of the Book of Common Prayer;
- (iv) Practical Theology:
 - (a) The office and work of a Deacon and Priest in this Church,
 - (b) The conduct of public worship,
 - (c) The Constitution and Canons of the General Convention, and of the Diocese in which the applicant is resident,
 - (d) The use of voice in reading and speaking;

- (v) The points of Doctrine, Discipline, Polity, and Worship in which the Church from which the applicant has come differs from this Church. This portion of the examinations shall be conducted, in part at least, by written questions and answers, and the replies kept on file for at least three years.
- (4) If all the requirements of this Canon have been fulfilled, the Bishop may ordain the Candidate a Deacon, but may do so no sooner than twelve months after the Candidate became a confirmed communicant of this Church. No sooner than six months thereafter, the Candidate may be ordained a Priest at the Bishop's discretion. At the time of such ordination the Bishop shall read this preface following the signing of the declaration of conformity:

Special prefaces authorized.

The Ecclesiastical Authority of this Diocese is satisfied that A.B. accepts the Doctrine, Discipline, and Worship of this Church and now desires to be ordained a Deacon (or ordained a Priest) in this Church. We are about to confer upon A.B. the grace and authority of Holy Orders as this Church has received them and requires them for the exercise of the ministry of a Deacon (or a Priest).

In such cases, the ordination certificate shall contain the words:

Acknowledging the ministry which A.B. has already received and hereby adding to that commission the grace and authority of Holy Orders as understood and required by this Church for the exercise of the ministry of a Deacon (or a Priest).

- (5) Following reception or ordination each clergy person shall be assigned a mentor Priest by the Bishop in consultation with the Commission on Ministry. The mentor and clergy person shall meet regularly to provide the clergy person an opportunity for guidance, information, and a sustained dialogue about ministry in the Episcopal Church.

Mentors.

CANON 11: Of the Ordination of Bishops

Sec. 1.

- (a) Discernment of vocation to be a Bishop occurs through a process of election in accordance with the rules prescribed by the Convention of the Diocese and pursuant to the provisions of the Constitution and Canons of this Church. With respect to the

Discernment and election rules.

- election of a Bishop Suffragan, the Diocese shall establish a nominating process either by Canon or by the adoption of rules and procedure for the election of the Bishop Suffragan at a regular or special Diocesan Convention with sufficient time preceding the election of the Bishop Suffragan.
- Other provisions for election. (b) In lieu of electing a Bishop, the Convention of a Diocese may request that an election be made on its behalf by the House of Bishops of the Province of which the Diocese is a part, subject to confirmation by the Provincial Synod, or it may request that an election be made on its behalf by the House of Bishops of the Episcopal Church.
- Nomination process. (1) If either option in Sec. 1(b) is chosen, a special Joint Nominating Committee shall be appointed unless the Diocesan Convention has otherwise provided for the nominating process. The Committee shall be composed of three persons from the Diocese, appointed by its Standing Committee, and three members of the electoral body, appointed by the President of that body. The Joint Nominating Committee shall elect its own officers and shall nominate three persons whose names it shall communicate to the Presiding Officer of the electoral body. The Presiding Officer shall communicate the names of the nominees to the electoral body at least three weeks before the election when the names shall be formally placed in nomination. Opportunity shall be given for nominations from the floor or by petition, in either case with provision for adequate background checks.
- Certificate and testimonial. (2) If either option in Sec. 1(b) is chosen, the evidence of the election shall be a certificate signed by the Presiding Officer of the electoral body and by its Secretary, with a testimonial signed by a constitutional majority of the body, in the form required in Canon III.11.3, which shall be sent to the Standing Committee of the Diocese on whose behalf the election was held. The Standing Committee shall thereupon proceed as set forth in Canon III.11.3 or 4.
- Notification of election. (c) The Secretary of the body electing a Bishop Diocesan, Bishop Coadjutor, or Bishop Suffragan, shall inform the Presiding Bishop promptly of the name of the person elected. It shall be the duty of the Bishop-elect to notify the Presiding Bishop of acceptance or declination of the election, at the same time as the Bishop-elect notifies the electing Diocese.
- (d) No Diocese shall elect a Bishop within thirty days before a meeting of the General Convention.
- Special meeting of Diocesan Convention. Sec. 2. It shall be lawful, within six months prior to the effective date of the resignation of a Diocesan Bishop, for the Bishop, with the advice and consent of the Standing Committee, to call a special

meeting of the Convention of the Diocese to elect a successor; *Provided*, that if the Convention is to meet in regular session meanwhile, it may hold the election during the regular session. The proceedings incident to reparation for the ordination of the successor shall be as provided in this Canon; but the Presiding Bishop shall not take order for the ordination to be on any date prior to that upon which the resignation is to become effective.

Sec. 3.

(a) When a Diocese desires the ordination of a Bishop-elect, if the date of the election occurs within one hundred twenty days before a meeting of the General Convention, the Standing Committee of the Diocese shall, by its President, or by some person or persons specially appointed, forward to the Secretary of the House of Deputies evidence of the election of the Bishop-elect by the Convention of the Diocese, together with evidence that the Bishop-elect has been duly ordered Deacon and Priest, evidence of acceptance of election, and a testimonial signed by a constitutional majority of the Convention, and a summary of biographical information relating to the Bishop-elect; in the following words:

If election is within 120 days of Convention.

We, whose names are hereunder written, fully sensible of how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A.B. ought not to be ordained to that Holy Office. We do, moreover, jointly and severally declare that we believe the Reverend A.B. to have been duly and lawfully elected and to be of such sufficiency in learning, of such soundness in the Faith, and of such godly character as to be able to exercise the Office of a Bishop to the honor of God and the edifying of the Church, and to be a wholesome example to the flock of Christ.
 (Date) _____ (Signed) _____

Testimonial of election.

The Secretary of the Convention shall certify upon this testimonial that it has been signed by a constitutional majority of the Convention.

(b) The Standing Committee shall also forward to the Secretary of the General Convention, with the testimonial and other documents, certificates from a licensed medical doctor and licensed psychiatrist, appointed by the Ecclesiastical Authority with the approval of the Presiding Bishop, that they have thoroughly examined the Bishop-elect as to that person's medical, psychological and psychiatric condition and have not discovered any reason why the person would not be fit to undertake the work for which the person has been chosen. Forms and procedures agreed to by the Presiding Bishop and The Church Pension Fund shall be used for this purpose.

Documents to be transmitted.

(c) The Secretary of the House of Deputies shall present the testimonials to the House, and if the House consents to the

Consent of both Houses.

ordination of the Bishop-elect, notice of its consent, certified by the President and the Secretary of the House, together with the testimonials, shall be sent to the House of Bishops.

(d) If a majority of the Bishops of this Church exercising jurisdiction consent to the ordination, the Presiding Bishop shall, without delay, notify the Standing Committee of the Diocese electing and the Bishop-elect of the consent.

Sec. 4.

If election is more than 120 days before Convention.

(a) If the date of the election of a Bishop occurs more than one hundred and twenty days before the meeting of the General Convention, The Standing Committee of the Diocese for which the Bishop has been elected shall by its President, or by some person or persons specially appointed, immediately send to the Presiding Bishop and to the Standing Committees of the several Dioceses a certificate of the election by the Secretary of Convention of the Diocese, bearing a statement that evidence of the Bishop-elect's having been duly ordered Deacon and Priest as to the Bishop-elect's medical, psychological and psychiatric examination required in Sec. 3(b) of this Canon have been received and that a testimonial signed by a constitutional majority of the Convention must also be delivered in the following form:

Testimonial of election.

We, whose names are hereunder written, fully sensible of how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A.B. ought not to be ordained to that Holy Office. We do, moreover, jointly and severally declare that we believe the Reverend A.B. to have been duly and lawfully elected and to be of such sufficiency in learning, of such soundness in the Faith, and of such godly character as to be able to exercise the Office of a Bishop to the honor of God and the edifying of the Church, and to be a wholesome example to the flock of Christ.
 (Date) _____ (Signed) _____

Consent process.

The Presiding Bishop, without delay, shall notify every Bishop of this Church exercising jurisdiction of the Presiding Bishop's receipt of the certificates mentioned in this Section and request a statement of consent or withholding of consent. Each Standing Committee, in not more than one hundred and twenty days after the sending by the electing body of the certificate of the election, shall respond by sending the Standing Committee of the Diocese for which the Bishop is elected either the testimonial of consent in the form set out in paragraph (b) of this Section or written notice of its refusal to give consent. If a majority of the Standing Committees of all the Dioceses consents to the ordination of the Bishop-elect, the Standing Committee of the Diocese for which the Bishop is elected shall then forward the evidence of the consent, with the other

necessary documents described in Sec. 3(a) of this Canon, to the Presiding Bishop. If the Presiding Bishop receives sufficient statements to indicate a majority of those Bishops consents to the ordination, the Presiding Bishop shall, without delay, notify the Standing Committee of the Diocese for which the Bishop is elected and the Bishop-elect of the consent.

(b) Evidence of the consent of each Standing Committee shall be a testimonial in the following words, signed by a majority of all the members of the Committee: Testimonials of Standing Committees.

We, being a majority of all the members of the Standing Committee of _____, and having been duly convened at _____, fully sensible how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality, do, in the presence of Almighty God, testify that we know of no impediment on account of which the Reverend A.B. ought not to be ordained to that Holy Order. In witness whereof, we have hereunto set our hands this ____ day of _____ in the year of our Lord _____.
(Signed) _____

Sec. 5. In case a majority of all the Standing Committees of the Dioceses do not consent to the ordination of the Bishop-elect within one hundred and twenty days from the date of the notification of the election by the Standing Committee of the Diocese for which the Bishop was elected, or in case a majority of all the Bishops exercising jurisdiction do not consent within one hundred and twenty days from the date of notification to them by the Presiding Bishop of the election, the Presiding Bishop shall declare the election null and void and shall give notice to the Standing Committee of the Diocese for which the Bishop was elected and to the Bishop-elect. The Convention of the Diocese may then proceed to a new election. In cases of nonconsent.

Sec. 6. Upon receipt of the consents and assurance of the acceptance of the election by the Bishop-elect, the Presiding Bishop shall take order for the ordination of the Bishop-elect either by the Presiding Bishop or the President of the House of Bishops of the Province of which the Diocese for which the Bishop was elected is part, and two other Bishops of this Church, or by any three Bishops to whom the Presiding Bishop may communicate the testimonials. Presiding Bishop to take order for ordination.

Sec. 7. In all particulars the service at the ordination of a Bishop shall be under the direction of the Bishop presiding at the ordination. Ordination service.

Sec. 8. No person shall be ordained Bishop unless the person shall at the time, and in the presence of the ordaining Bishops and congregation, subscribe to and make the declaration required in Article VIII of the Constitution. Declaration of conformity.

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| <p>Objections to election process.</p> | <p>Sec. 9. (a) Within ten days after the election of a Bishop Diocesan, a Bishop Coadjutor, or a Bishop Suffragan by a Diocesan Convention, delegates constituting no less than ten percent of the number of delegates casting votes on the final ballot may file with the Secretary of the Convention written objections to the election process, setting forth in detail all alleged irregularities. Within ten days after receipt thereof, the Secretary of the Convention shall forward copies of the same to the Bishop Diocesan, the Chancellor and Standing Committee of the Diocese, and to the Presiding Bishop, who shall request the Court of Review of the Province in which the Diocese is located to investigate the complaint. The Court of Review may invite response by the Bishop Diocesan, the Chancellor, the Standing Committee and any other persons within the Diocese for which the Bishop was elected. Within thirty days after receipt of the request, the Court of Review shall send a written report of its findings to the Presiding Bishop, a copy of which report the Presiding Bishop, within fifteen days, shall cause to be sent to the Bishop Diocesan, the Chancellor, the Standing Committee and the Secretary of the Convention of the electing Diocese. The Secretary shall send a copy of the report to each of the delegates who filed objection to the election process.</p> |
| <p>Report of the Court of Review.</p> | <p>(b) If the election has taken place within one hundred and twenty days before a meeting of the General Convention, the report shall be sent with the evidence of election and testimonials as provided in Section 3(a) of this Canon. (c) If the election has taken place more than one hundred and twenty days before the meeting of the General Convention, the report of the Court of Review shall be sent to the Standing Committees of the several Dioceses, with the Certificate of the Secretary of the electing Convention relating to consent to ordain. Likewise, the Presiding Bishop shall include the report in the communication to the Bishops exercising jurisdiction.</p> |
| <p>Bishop Coadjutor.</p> | <p>Sec. 10. Other Bishops (a) Bishops Coadjutor (1) If a Diocese discerns a need for another Bishop in order to provide for orderly transition, the Diocese may elect a Bishop Coadjutor who shall have the right of succession. The consent of a majority of the Bishops exercising jurisdiction and of the several Standing Committees must be obtained. The election will be in accordance with this Canon.</p> |
| <p>Consents and duties.</p> | <p>(2) Before an election of a Bishop Coadjutor, the Bishop Diocesan shall read, or cause to be read, to the Convention the Bishop's written consent to the election. The consent shall state the duties to be assigned to the Bishop Coadjutor when ordained. The consent shall form part of the proceedings of the Convention. The</p> |

- duties assigned by the Diocesan Bishop to the Bishop Coadjutor may be enlarged by mutual consent.
- (3) In the case of the inability of the Bishop Diocesan to issue the required consent, the Standing Committee of the Diocese may request the Convention to act without the consent. The request shall be accompanied by a certificate by at least two licensed medical doctors, psychologists or psychiatrists as to the inability of the Diocesan Bishop to issue the written consent. In cases of incapacity.
 - (4) When a Diocese desires the ordination of a Bishop Coadjutor, the Standing Committee shall forward to the Presiding Bishop, in addition to the evidence and testimonials required by Canon III.10, a certificate of the Presiding Officer and Secretary of the Convention that every requirement of this Section has been complied with. Required notices.
 - (5) There shall be only one Bishop Coadjutor in any Diocese.
- (b) Bishops Suffragan
- (1) If a Diocese discerns a need for another Bishop due to the extent of diocesan work, the Diocese may elect a Bishop Suffragan in accordance with this Canon. Bishop Suffragan.
 - (2) Before the election of a Bishop Suffragan in a Diocese, the consent of a majority of the Bishops exercising jurisdiction and of the several Standing Committees must be obtained. Consents and duties.
 - (3)
 - (i) A Bishop Suffragan shall act as an assistant to and under the direction of the Bishop Diocesan.
 - (ii) Before the election of a Bishop Suffragan in a Diocese, the Bishop Diocesan shall submit a consent with a description of the role and the duties of the Bishop Suffragan to the Convention of the Diocese.
 - (4) The tenure of office of a Bishop Suffragan shall not be determined by the tenure of office of the Bishop Diocesan. Tenure of office.
 - (5) No Bishop Suffragan, while acting as such, shall be Rector or Member of the Clergy in charge of a Parish or Congregation.
- (c) Missionary Bishops
- (1) The election of a person to be a Bishop in a Missionary Diocese shall be held in accordance with the procedures set forth in the Constitution and Canons of this Church. Constitution and Canons.
 - (2) The Convention of a Missionary Diocese may, in lieu of electing a Bishop, request that such election be made on its behalf by the Synod of the Province, or the House of Bishops of the Province subject to confirmation of the Provincial election.

Provincial Council, or the Regional Council of Churches in communion with this Church of which the Diocese is a member. A Certificate of the Election, signed by the presiding officer and the Secretary of the Synod or Provincial House of Bishops, or Regional Council, and a testimonial in the form required in Canon III.11 signed by a constitutional majority of the Synod, Provincial House of Bishops or Regional Council, shall be transmitted by its presiding officer to the Standing Committee of the Missionary Diocese on whose behalf such election was made. The Standing Committee shall thereupon proceed as set forth in Canon III.11, the above Certification of Election and Testimonial serving in lieu of evidence of election and testimonial therein required.

Election by
House of
Bishops.

- (3) The Convention of a Missionary Diocese may, in lieu of electing a Bishop, request that such election may be made on its behalf by the House of Bishops. Such choice shall be subject to confirmation by a majority of the Standing Committees of the several Dioceses. The medical certificate as required in Canon III.11 shall also be required of Missionary Bishops-elect.

Nominations.

- (i) When the House of Bishops is to elect a Bishop for a Missionary Diocese within a given Province, the President of the Province may convene the Synod of the Province prior to the meeting of the House of Bishops at which a Bishop for such Missionary Diocese is to be elected. The Synod of the Province may thereupon nominate not exceeding three persons to the House of Bishops for that office. It shall be the duty of the President of the Province to transmit such nominations, if any be made, to the Presiding Officer of the House of Bishops, communicate the same to the Bishops, along with other nominations that have been made, in accordance with the Rules of Order of the House. Each Province containing a Missionary Diocese shall, by Ordinance, provide the manner of convening the Synod and making such nomination.
- (ii) The evidence of such choice shall be a certificate signed by the Bishop presiding in the House of Bishops and by its Secretary, with a testimonial, or certified copy thereof, signed by a majority of the Bishops of the House, in the form required in Canon III.11, which shall be sent to the Presiding Officer of the House of Deputies, or

the Standing Committees of the several Dioceses.

- (iii) When the Presiding Bishop shall have received a certificate signed by the Presidents and Secretaries of a majority of the Standing Committees, that the election has been approved, and shall have received notice of the acceptance by the Bishop-elect of the election, the Presiding Bishop shall take order for the consecration of the said Bishop-elect either by the Presiding Bishop and two other Bishops of this Church, or by three Bishops of this Church to whom the Presiding Bishop may communicate the certificates and testimonial. Presiding Bishop to take order for ordination.

- (4) When a Diocese, entitled to the choice of a Bishop, shall elect as its Bishop Diocesan, or as its Bishop Coadjutor, or as a Bishop Suffragan; a Missionary Bishop of this Church, if such election shall have taken place within one hundred and twenty days before a meeting of the General Convention, evidence thereof shall be laid before each House of the General Convention, and the concurrence of each House, and its express consent, shall be necessary to the validity of said election, and shall complete the same, so that the Bishop thus elected shall be thereafter the Bishop of the Diocese which has elected such Bishop. Election of a Missionary Bishop by another Diocese.

- (5) If the election of the Missionary Bishop has taken place more than one hundred and twenty days before a meeting of the General Convention, the report shall be sent with the evidence of election and testimonials as provided in Section 3(a) of this Canon. Evidence of election and testimonials.

- (6) If the election of the Missionary Bishop has taken place more than one hundred twenty days before a meeting of the General Convention, the Standing Committee of the Diocese electing shall give duly certified evidence of the election to every Bishop of this Church having jurisdiction, and to the Standing Committee of every Diocese. On receiving notice of the concurrence of a majority of such Bishops and of the Standing Committees in the election, and their express consent thereto, the Standing Committee of the Diocese electing shall transmit notice thereof to the Ecclesiastical Authority of every Diocese within the United States. This notice shall state what Bishops and which Standing Committees have consented to the election. On receiving this notice the Presiding Bishop shall certify to the Consents required.

Secretary of the House of Bishops the altered status and style of the Bishop so elected.

Notices of election. The Standing Committee of such Diocese shall transmit to every Congregation thereof, to be publicly read therein, a notice of the election thus completed, and also cause public notice thereof to be given in such other way as they may think proper.

(7) In the event of a vacancy in the episcopate of a Missionary Diocese, on account of death, resignation, or other cause, the Standing Committee shall become the Ecclesiastical Authority thereof until the vacancy is filled.

CANON 12: Of the Life and Work of a Bishop

Sec. 1. Formation

Formation and mentors. Following election and continuing for three years following ordination, new Bishops shall pursue the process of formation authorized by the House of Bishops. This process of formation shall provide a mentor for each newly ordained Bishop.

Sec. 2. Continuing Education

Continuing education. The House of Bishops shall require and provide for the continuing education of Bishops and shall keep a record of such education.

Sec. 3. Duties

Bishop to visit congregations every three years. (a) A Bishop Diocesan, Bishop Coadjutor, Bishop Suffragan, or Assistant Bishop of the Diocese shall visit the Congregations within the Diocese at least once in three years. Interim visits may be delegated to another Bishop of this Church.

(1) At every such visitation the visiting Bishop shall preside at the Holy Eucharist and at the Initiatory Rites, as required, preach the Word, examine the records of the Congregation required by Canon III.9.5(c), and examine the life and ministry of the Clergy and Congregation according to Canon III.9.5.

Council of Conciliation. (2) If no visitation has occurred in a congregation for three years, the Bishop Diocesan or the Member of the Clergy in charge and Vestry or comparable body may apply to the Presiding Bishop to appoint five Bishops Diocesan who live nearest to the Diocese in which such Congregation is situated as a Council of Conciliation. The Council shall determine all matters of difference between the parties, and each party shall conform to the decision of the Council. *Provided*, that, in case of any subsequent trial of either party for failure to conform to the decision, any right of the Accused under the Constitutions and Canons of this Church or the Diocese holding the trial may be pleaded and established as a sufficient defense, notwithstanding the former decision;

and *Provided, further*, that, in any case, the Bishop may at any time apply for such Council of Conciliation.

(b) The Bishop Diocesan may deliver, from time to time, a Charge to the Clergy of the Diocese and a Pastoral Letter to the people of the Diocese on points of doctrine, discipline, or worship. The Bishop may require the Clergy to read the Pastoral Letter to their Congregations. Charges and Pastoral Letters.

(c) Each Bishop shall keep a record of all official acts, which record shall be the property of the Diocese and shall be transmitted to the Bishop's successor. Record of official acts.

(d) At each Annual Meeting of the Diocesan Convention the Bishop Diocesan shall make a report of the State of the Diocese since the last Annual Meeting of the Convention; including the names of the Congregations visited; the number of persons confirmed and received; the names of those who have been admitted as Postulants and Candidates for Holy Orders, of those ordained, and of those suspended or deposed from Holy Orders; the changes by death, removal, or otherwise, which have taken place among the Clergy; and other matters the Bishop desires to present to the Convention; which statement shall be inserted in the Journal. Bishop to make annual report.

(e) No Bishop shall perform episcopal acts or officiate by preaching, ministering the Sacraments, or holding any public service in a Diocese other than that in which the Bishop is canonically resident, without permission or a license to perform occasional public services from the Ecclesiastical Authority of the Diocese in which the Bishop desires to officiate or perform episcopal acts. License to officiate required of visiting Bishop.

Sec. 4. Residency

(a) Each Bishop serving in a Diocese shall reside in that Diocese. Bishop to reside in jurisdiction.

(b) The Bishop Diocesan shall not be absent from the Diocese for a period of more than three consecutive months without the consent of the Convention or the Standing Committee of the Diocese.

(c) A Bishop Diocesan, whenever leaving the Diocese for six consecutive months, shall authorize in writing, under hand and seal, the Bishop Coadjutor, the Bishop Suffragan if the Constitution and Canons of the Diocese so provide, or, should there be none, the Standing Committee of the Diocese, to act as the Ecclesiastical Authority thereof during the absence. The Bishop Coadjutor, or the Bishop Suffragan if the Constitution and Canons of the Diocese so provide, or, should there be none, the Standing Committee may at any time become the Ecclesiastical Authority upon the written request of the Bishop and continue to act as such until the request is revoked by the Bishop Diocesan in writing.

Sec. 5. Assistant Bishops

(a) When a Diocese, in the opinion of its Bishop, requires additional episcopal services, the Bishop may, with the consent of Assistant Bishop.

the Standing Committee of the Diocese, ask the Convention of the Diocese to approve the creation of the position of Assistant Bishop and to authorize the Bishop to appoint a Bishop for the position, with the consent of the Standing Committee of the Diocese, and under such conditions as the Bishop may determine.

Eligibility.

(b) An Assistant Bishop may be appointed from among the following:

- (1) Bishops Diocesan, Bishops Coadjutor, or Bishops Suffragan, who under the Constitution and Canons of this Church would be eligible for election in that Diocese; *Provided*, that at the time of accepting any such appointment a Bishop Diocesan, Bishop Coadjutor or Bishop Suffragan shall resign that office;
- (2) Bishops of this Church who, having resigned their previous responsibilities, are qualified to perform episcopal acts in this Church; and
- (3) Bishops of a Church in communion with this Church, in good standing therein, if they:
 - (i) have previously resigned their former responsibilities;
 - (ii) have received approval, by a competent authority within the Church of their ordination of their appointment to the position of Assistant Bishop;
 - (iii) have exhibited satisfactory evidence of moral and godly character and having met theological requirements;
 - (iv) have promised in a writing submitted to the Bishop making the appointment to submit in all things to the Doctrine, Discipline and Worship of this Church; and thorough examination covering their medical,
 - (v) have submitted to and satisfactorily passed a psychological and psychiatric condition by recognized and licensed professionals appointed by the Ecclesiastical Authority of the Diocese with the approval of the Presiding Bishop. The forms for medical, psychological and psychiatric reports prepared by The Church Pension Fund shall be used for these purposes.

Consents.

- (4) Before the appointment of a Bishop who is not otherwise a member of the House of Bishops as an Assistant Bishop under the provisions of Secs. 5(b)(2) or 5(b)(3) of this Canon, the consent of the House of Bishops or, if the appointment is to be made more than three months prior to a meeting of the House of Bishops, the consent of a majority of Bishops exercising jurisdiction must be obtained.

(c) Before an Assistant Bishop so appointed begins service in this position, the Bishop of the Diocese shall give certified evidence of the appointment to the Secretary of the House of Bishops and shall transmit notice of the appointment to the Presiding Bishop and to the Ecclesiastical Authority of every Diocese. Evidence of appointment.

(d) An Assistant Bishop shall serve at the discretion, and under the control and direction of, the Bishop Diocesan.

(e) No person may serve as an Assistant Bishop beyond the termination of the jurisdiction of the appointing Bishop or after attaining the age of seventy-two years. Age limit.

Sec. 6. Missionary Bishops

(a) Any Bishop or Bishops elected and consecrated as a Missionary Bishop shall be entitled to a seat, voice and vote in the House of Bishops, and shall be eligible for election to the office of Bishop or Bishop Coadjutor or Bishop Suffragan in any organized Diocese within the United States; *Provided*, that such Bishop shall not be so eligible within five years from the date of consecration, except to the office of Bishop of Diocese formed in whole or in part out of such Missionary Diocese. As member of House of Bishops. Eligibility for other episcopal office.

(b) In the case of the permanent impairment of the Bishop of a Missionary Diocese, where the said Bishop shall not have submitted a resignation of jurisdiction, the Presiding Bishop shall, upon certification of the said permanent impairment by at least three reputable physicians, declare the jurisdiction vacant. In cases of incapacity.

(c) When the Bishop of a Missionary Diocese is unable, by reason of age or other permanent cause of impairment, fully to discharge the duties of office, a Bishop Coadjutor may be elected by the said Diocese, subject to the provisions of Canon III.11.10.

Sec. 7. Renunciation of the Ordained Ministry

(a) If any Bishop of this Church shall declare, in writing, to the Presiding Bishop a renunciation of the ordained Ministry of this Church, and a desire to be removed therefrom, it shall be the duty of the Presiding Bishop to record the declaration and request so made. The Presiding Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, assigned or known, which do not affect the person's moral character, shall lay the matter before the Advisory Council to the Presiding Bishop, and with the advice and consent of a majority of the members of the Advisory Council the Presiding Bishop may pronounce that such renunciation is accepted, and that the Bishop is released from the obligations of all Ministerial offices, and is deprived of the right to exercise the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordinations. The Presiding Bishop shall also declare in pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, if desired, give a certificate to this effect to the person so removed. Renunciation of ordained ministry by a Bishop.

(b) If a Bishop making the aforesaid declaration of the renunciation of the ordained Ministry be under Presentment for any Disciplinary proceedings.

canonical Offense, or shall have been placed on Trial for the same, the Presiding Bishop shall not consider or act upon such declaration until after the Presentment shall have been dismissed or the said Trial shall have been concluded and the Bishop judged not to have committed an Offense.

Declaration of removal.

(c) In the case of such renunciation by a Bishop as provided in this Canon, a declaration of removal shall be pronounced by the Presiding Bishop in the presence of two or more Bishops, and shall be entered in the official records of the House of Bishops and of the Diocese in which the Bishop being removed is canonically resident. The Presiding Bishop shall give notice thereof in writing to the Secretary of the Convention and the Ecclesiastical Authority and the Standing Committee of the Diocese in which the Bishop was canonically resident, to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Recorder, the Secretary of the House of Bishops, the Secretary of the General Convention, The Church Pension Fund, and the Church Deployment Board.

Sec. 8. The Resignation or Incapacity of Bishops

Resignation at age seventy-two.

(a) Each Bishop, upon attaining the age of seventy-two years, shall resign as required by Article II, Sec. 9 of the Constitution. The resignation shall be sent to the Presiding Bishop, who shall immediately communicate it to every Bishop of this Church exercising jurisdiction and shall declare the resignation accepted, effective at a designated date not later than three months from the date the resignation was tendered.

Certification.

(b) The Presiding Bishop shall communicate to the resigning Bishop the acceptance of the resignation effective as of the date fixed. In the case of a Bishop Diocesan or Bishop Coadjutor, the Presiding Bishop shall certify the resignation to the Standing Committee of the Diocese concerned, and in the case of other Bishops, to the Ecclesiastical Authority of the Diocese concerned. The Presiding Bishop shall also order the Secretary of the House of Bishops to record the resignation, effective as of the date fixed, to be incorporated in the Journal of the House.

Failure to resign.

(c) If any Bishop, for any reason, fails to resign upon attaining the age of seventy-two years, as provided in Sec. 8 of this Canon, the Presiding Bishop shall certify that fact to the House of Bishops. The House of Bishops shall then declare the Bishop's position terminated, effective at a date not later than three months from the date of declaration; and shall order the Presiding Bishop's certificate and its own declaration and action to be recorded in its Journal. The Presiding Bishop shall then pronounce the position terminated, effective as of the date fixed, and shall communicate the fact to the Bishop Diocesan and Standing Committee of each Diocese.

Resignation procedure.

(d) Any Bishop who desires to resign shall send the resignation with the reasons therefore in writing to the Presiding Bishop at least thirty days before the date set for a meeting of the House of Bishops. The Presiding Bishop shall notify without delay every

Bishop of this Church, and the Standing Committee of the Diocese of the Bishop desiring to resign, in order that the Standing Committee may be heard on behalf of the Diocese, either in person or by correspondence, upon the subject. The House during its session shall accept or refuse the resignation by a majority of those present.

(e) If a resignation has been tendered more than three months before a meeting of the House of Bishops, the Presiding Bishop shall communicate it, together with any statement from the Standing Committee of the Diocese concerned, to every Bishop of this Church. If a majority of the Bishops consents to the resignation, the Presiding Bishop, without delay, shall notify the resigning Bishop and the Standing Committee of the Diocese concerned of the acceptance of the resignation, effective as of the date fixed. The Presiding Bishop shall also order the Secretary of the House of Bishops to record the resignation, effective as of the date fixed, to be incorporated in the Journal of the House.

(f) At each meeting of the General Convention, the Presiding Bishop shall communicate to the House of Deputies, when in session, a list of the resignations which have been accepted since the preceding meeting of the General Convention.

(g) A resigned Bishop shall be subject in all matters to the Constitution and Canons of this Church and to the authority of the General Convention.

(h) A resigned Bishop may only perform any episcopal act at the request of or with the permission of the Bishop Diocesan within that Bishop's Diocese. A resigned Bishop may, by vote of the Convention of any Diocese and with the consent of the Bishop of that Diocese, be given an honorary seat in the Convention, with voice but without vote, or be given an honorary seat in the Cathedral of any Diocese, by and subject to the authority competent to grant such seat. The resigned Bishop shall report all official acts to the Bishop Diocesan and to the Diocese in which the acts are performed. These provisions shall also be applicable to a resigned Bishop of another Church in communion with this Church, subject to the approval of competent authority within the other Church, where such approval may be required.

(i) A resigned Bishop may, at the discretion of the Bishop of the Diocese in which the resigned Bishop resides, and upon presentation of Letters Dimissory from the Ecclesiastical Authority of the Diocese in which the resigned Bishop has had canonical residence most recently, be enrolled among the Clergy of the new Diocese, and become subject to its Constitution and Canons including being given a seat and vote in the Diocesan Convention, in accordance with its canonical provisions for qualification of clergy members.

(j) When a resigned Bishop accepts a pastoral charge or other ministerial post within a Diocese, the Bishop Diocesan shall process the Letters Dimissory, and the resigned Bishop shall be enrolled

Resigned Bishops subject to Canons.

Official acts of resigned Bishops.

May be enrolled in Diocesan Clergy.

Letters Dimissory.

among the Clergy of the Diocese and be given seat and vote in the Diocesan Convention in accordance with the canonical provisions of the Diocese for qualification of clergy members, and subject to the provisions of paragraph (o) of this section.

May accept pastoral charge or other assignments.

(k) A resigned Bishop may, with the approval of the Bishop of the Diocese in which the resigned Bishop resides, accept a pastoral charge in that Diocese, and, subject to the Diocese's canonical provisions for the filling of vacancies, may accept election as the Rector of a Parish therein.

(l) A resigned Bishop may, with the approval of the Bishop of the Diocese in which the resigned Bishop resides, accept any position created under the authority of the Diocesan Convention, including that of Assistant Bishop and may, at the same time, occupy a pastoral charge.

(m) A resigned Bishop over the age of seventy-two may accept an appointment by a Bishop Diocesan for a term not to exceed twelve months, and this term may be renewed.

(n) Enrollment among the Clergy of, or acceptance of any position within, a Diocese shall not deprive a resigned Bishop of the seat and vote in the House of Bishops to which the Bishop may be entitled under Article I, Sec. 2 of the Constitution.

Retains rights in House of Bishops.

(o) The provisions of this section shall be applicable to a resigned Bishop who continues to reside within the limits of the resigned Bishop's former Diocese, except that the resigned Bishop shall not have the right to vote in the Diocesan Convention, unless the Canons of the Diocese specifically so provide.

Incapacity of the Bishop Diocesan.

(p) When it is certified to the Presiding Bishop, by at least two licensed medical doctors, psychologists or psychiatrists, who have examined the case, that a Bishop Diocesan is incapable of authorizing the Bishop Coadjutor, if there is one, or a Bishop Suffragan, if there is one, or the Standing Committee to act as the Ecclesiastical Authority, then, upon the advice of five Bishops of neighboring Dioceses selected by the Presiding Bishop, the Presiding Bishop shall declare the Bishop Coadjutor, or a Bishop Suffragan, if the Constitution and Canons of the Diocese so provide, or the Standing Committee to be the Ecclesiastical Authority for all purposes set forth in these Canons and to retain such canonical authority until the Presiding Bishop, acting upon a like certificate, declares the Bishop Diocesan competent to resume official duties.

Incapacity of the Bishop Coadjutor.

(q) If it is certified to the Ecclesiastical Authority of a Diocese by two licensed medical doctors, psychologists or psychiatrists, selected by the Ecclesiastical Authority, that the Bishop Coadjutor in the Diocese is permanently unable, by reason of medical, psychological or psychiatric condition, to carry out the duties of Bishop Coadjutor, the Ecclesiastical Authority, upon the advice of three Bishops of three neighboring Dioceses, may declare that the right of succession of the Bishop Coadjutor is terminated and a new Bishop Coadjutor may then be elected as provided in Canon III.11.10.

CANON 13: Of Dioceses without Bishops

Sec. 1. A Diocese without a Bishop may, by an act of its Convention, and in consultation with the Presiding Bishop, be placed under the provisional charge and authority of a Bishop of another Diocese or of a resigned Bishop, who shall by that act be authorized to exercise all the duties and offices of the Bishop of the Diocese until a Bishop is elected and ordained for that Diocese or until the act of the Convention is revoked. Dioceses under provisional charge.

Sec. 2. Any Bishop may, on the invitation of the Convention or of the Standing Committee of any Diocese where there is no Bishop, visit and exercise episcopal offices in that Diocese or any part of it. This invitation may include a letter of agreement, shall be for a stated period and may be revoked at any time.

Sec. 3. A Diocese, while under the provisional charge of a Bishop, shall not invite any other Bishop to visit and exercise episcopal acts or authority without the consent of the Bishop in charge.

CANON 14: Of Religious Orders and Other Christian Communities

Sec. 1 (a) A Religious Order of this Church is a society of Christians (in communion with the See of Canterbury) who voluntarily commit themselves for life, or a term of years: to holding their possessions in common or in trust; to a celibate life in community; and obedience to their Rule and Constitution. Religious Order defined.

(b) To be officially recognized, a Religious Order must have at least six professed members, and must be approved by the Standing Committee on Religious Communities of the House of Bishops and be registered with the Committee. Official recognition.

(c) Each Order shall have a Bishop Visitor or Protector, who need not be the Bishop of the Diocese in which the Order is established. If, however, the Bishop Visitor or Protector is not the Bishop of the Diocese in which the Mother House of the Order is situated, the Bishop Visitor or Protector shall not accept election without the consent of the Bishop of that Diocese. The Bishop Visitor or Protector shall be the guardian of the Constitution of the Order, and shall serve as an arbiter in matters which the Order or its members cannot resolve through its normal processes. Bishop Visitor or Protector.

(d) Any person under vows in a Religious Order, having exhausted the normal processes of the Order, may petition the Bishop Visitor or Protector for dispensation from those vows. In the event the petitioner is not satisfied with the ruling of the Bishop Visitor or Protector on such petition, the person may file a petition with the Presiding Bishop, who shall appoint a Board of three Bishops to review the petition and the decision thereon, and to make recommendation to the Presiding Bishop, who shall have the highest dispensing power for Religious Orders, and whose ruling on the petition shall be final. Dispensation from vows.

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| Permission to establish a house. | (e) A Religious Order may establish a house in a Diocese only with the permission of the Bishop of the Diocese. This permission once granted shall not be withdrawn by the Bishop or any succeeding Bishop. |
| Legal ownership of property. | (f) The Constitution of every Religious Order shall make provision for the legal ownership and administration of the temporal possessions of the Order, and in the event of dissolution of the Order, or should it otherwise cease to exist, shall provide for the disposition of its assets according to the laws governing non-profit (religious) organizations in the State wherein the Order is incorporated. |
| Not regarded as a Parish or Institution. | (g) It is recognized that a Religious Order is not a Parish, Mission, Congregation or Institution of the Diocese within the meaning of Canon I.7.3, and its provisions shall not apply to Religious Orders. |
| Christian Community defined. | Sec. 2 (a) A Christian Community of this Church under this Canon is a society of Christians (in communion with the See of Canterbury) who voluntarily commit themselves for life, or a term of years, in obedience to their Rule and Constitution. |
| Official recognition. | (b) To be officially recognized such a Christian Community must have at least six full members in accordance with their Rule and Constitution, and must be approved by the Standing Committee on Religious Communities of the House of Bishops and be registered with the Committee. |
| Bishop Visitor or Protector. | (c) Each such Christian Community of this Church shall have a Bishop Visitor or Protector, who need not be the Bishop of the Diocese in which the community is established. If, however, the Bishop Visitor or Protector is not the Bishop of the Diocese in which the Mother House of the Community is situated, the Bishop Visitor or Protector shall not accept election without the consent of the Bishop of that Diocese. The Bishop Visitor or Protector shall be the guardian of the Constitution of the Community, and shall serve as an arbiter in matters which the Community or its members cannot resolve through its normal processes. |
| Dispensation from commitment. | (d) Any person under full commitment in such a Christian Community, having exhausted the normal processes of the Community, may petition the Bishop Visitor or Protector for dispensation from that full commitment. In the event the petitioner is not satisfied with the ruling of the Bishop Visitor or Protector on such petition, the person may file a petition with the Presiding Bishop of the Church, who shall appoint a Board of three Bishops to review the petition and the decision thereon, and to make recommendation to the Presiding Bishop, who shall have the highest dispensing power for Christian Communities, and whose ruling on the petition shall be final. |
| Permission to establish a house. | (e) Each such Christian Community may establish a house in a Diocese only with the permission of the Bishop of the Diocese. This permission once granted shall not be withdrawn by the Bishop or any succeeding Bishop. |

(f) The Constitution of each Christian Community shall make provision for the legal ownership and administration of the temporal possessions of the Community, and in the event of dissolution of the Community, or should it otherwise cease to exist, shall provide for the disposition of its assets according to the laws governing non-profit (religious) organizations in the State wherein the Community is incorporated.

Provision for legal ownership of property.

(g) It is recognized that a Christian Community is not a Parish, Mission, Congregation or Institution of the Diocese within the meaning of Canon I.7.3, and its provisions shall not apply to such Christian Communities.

Not regarded as a Parish or Institution.

Sec. 3. Any Bishop receiving vows of an individual not a member of a Religious Order or other Christian Community, using the form for "Setting Apart for a Special Vocation" in the *Book of Occasional Services*, or a similar rite, shall record the following information with the Standing Committee on Religious Communities of the House of Bishops: the name of the person making vows; the date of the service; the nature and contents of the vows made, whether temporary or permanent; and any other pastoral considerations as shall be deemed necessary.

Record to be kept of special vocational vows.

CANON 15: Of the General Board of Examining Chaplains

Sec. 1. There shall be a General Board of Examining Chaplains, consisting of four Bishops, six Priests with pastoral cures or in specialized ministries, six members of accredited Seminary faculties or of other educational institutions, and six Lay Persons. The members of the Board shall be elected by the House of Bishops and confirmed by the House of Deputies, one-half of the members in each of the foregoing categories being elected and confirmed at each regular meeting of the General Convention for a term of two Convention periods. They shall take office at the adjournment of the meeting of the General Convention at which their elections are confirmed, and shall serve until the adjournment of the second regular meeting thereafter. No member shall serve more than 12 years consecutively. Additionally, the Presiding Bishop, in consultation with the Chair of the Board, may appoint up to four other members for a term. The House of Bishops, at any special meeting that may be held prior to the next meeting of the General Convention, shall fill for the unexpired portion of the term any vacancy that may have arisen in the interim. The Board shall elect its own Chair and Secretary, and shall have the power to constitute committees necessary for the carrying on of its work.

Membership.

To elect officers.

Sec. 2 (a) The General Board of Examining Chaplains, with professional assistance, shall prepare at least annually a General Ordination Examination covering the subject matter set forth in Canon III.8.5(g), and shall conduct, administer, and evaluate it in respect to those Candidates for Holy Orders who have been identified to the Board by their several Bishops.

General Ordination Examination.

(b) Whenever a Candidate has not demonstrated proficiency in any one or more of the canonical areas covered by the General Ordination Examination, the General Board of Examining Chaplains shall recommend to the Commission on Ministry, and through the Commission to the Board of Examining Chaplains, if one exists, of the Diocese to which the Candidate belongs, how the proficiencies might be attained.

May prepare guidelines.

Sec. 3. The General Board of Examining Chaplains may prepare, in each Convention period, guidelines based upon the subjects contained in Canon III.8.4(e), which guidelines shall be available to all persons concerned.

Board to make report on examinations.

Sec. 4. The General Board of Examining Chaplains shall promptly report, in writing, to the Candidate, to the Candidate's Bishop and to the Dean of the Seminary the Candidate is attending, the results of all examinations held by them, together with the examinations themselves, whether satisfactory or unsatisfactory, making separate reports upon each person examined. The Bishop shall transmit these reports to the Standing Committee and to the Commission. Notwithstanding the results of the examinations, in no case shall the Standing Committee recommend a Candidate for Ordination under Canon III.8 until the Standing Committee has received from the Commission on Ministry a certificate to the effect that the Candidate has demonstrated a proficiency in all subjects required by Canon III.8.5(g) and (h).

The report of the Board shall be made in the following form:

Form of Report.

To _____ (Candidate), the Right Reverend _____, Bishop of _____ (or in the absence of the Bishop the Standing Committee of) _____: (Place) _____ (Date) ____ To the Dean of (Place) _____ (Date) ____ We, having been assigned as examiners of A.B., hereby testify that we have examined A.B. upon the subject matter prescribed in Canon III.7. Sensible of our responsibility, we give our judgment as follows: (Here specify the proficiency of A.B. in the subject matter appointed, or any deficiency therein, as made apparent by the examination. (Signed) _____

Shall report also to Convention.

Sec. 5. The General Board of Examining Chaplains shall make a report concerning its work to each regular meeting of the General Convention, and in years between meetings of the General Convention shall make a report to the House of Bishops.

Membership.

CANON 16: Of the Board for Transition Ministry

Sec. 1 (a) There shall be a Board for Transition Ministry of the General Convention consisting of twelve members, four of whom shall be Bishops, four of whom shall be Presbyters or Deacons, and four of whom shall be Lay Persons.

(b) The Bishops shall be appointed by the Presiding Bishop. The Priests or Deacons and Lay Members shall be appointed by the President of the House of Deputies. All appointments to the Board shall be subject to the confirmation of the General Convention.

Apportionment.

(c) The Members shall serve terms beginning with the adjournment of the meeting of the General Convention at which their appointments are confirmed, and ending with the adjournment of the second regular meeting thereafter. The members shall not serve successive terms.

Terms.

(d) At each regular meeting of the General Convention one-half of the membership shall be appointed to serve full terms.

(e) Vacancies shall be filled by appointment by the Presiding Bishop or by the President of the House of Deputies, as appropriate. Such appointments shall be for the remaining unexpired portion of the members' terms, and, if a regular meeting of the General Convention intervenes, appointments for terms extending beyond such meetings shall be subject to confirmation of the General Convention. Members appointed to fill the vacancies shall not thereby be disqualified from appointment to full terms thereafter.

Vacancies.

Sec. 2. The duties of the Board shall be:

Duties.

- (a) To oversee the Office for Transition Ministry.
- (b) To provide support for the training of bishops and diocesan personnel in the transition ministry processes.
- (c) To study the transition ministry needs and trends in the Episcopal Church and in other Christian bodies.
- (d) To issue and distribute such reports and information concerning transition ministry as it deems helpful to the Church.
- (e) To cooperate with the Centers for Mission and the other Boards, Commissions, and Agencies which are concerned with transition ministry, and particularly with the Executive Council.
- (f) To report on its work and the work of the Office for Transition Ministry at each regular meeting of the General Convention.
- (g) To report to the Executive Council annually as a part of its accountability to the Council for the funding which the Office for Transition Ministry receives.
- (h) To work in cooperation with the Church Center Staff.
- (i) To fulfill other responsibilities assigned to it by the General Convention.

**TITLE IV
ECCLESIASTICAL DISCIPLINE**

CANON 1: Of Accountability and Ecclesiastical Discipline

By virtue of Baptism, all members of the Church are called to holiness of life and accountability to one another. The Church and each Diocese shall support their members in their life in Christ and seek to resolve conflicts by promoting healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among all involved or affected. This Title applies to Members of the Clergy, who have by their vows at ordination accepted additional responsibilities and accountabilities for doctrine, discipline, worship and obedience. Accountability.

CANON 2: Of Terminology Used in This Title

Except as otherwise expressly provided or unless the context otherwise requires, as used in this Title the following terms and phrases shall have the following meanings: Definition of terms.

Accord shall mean a written resolution, which is negotiated and agreed among the parties resulting from an agreement for discipline under Canon IV.9, conciliation under Canon IV.10 or a Conference Panel proceeding under Canon IV.12. All Accords shall meet the requirements of Canon IV.14.

Administrative Leave shall mean a restriction on ministry in which the exercise of the Respondent's ministry is suspended in its entirety during the period of the Administrative Leave and may include suspension from any ecclesiastical and related secular office.

Advisor shall mean a person designated to support, assist, consult with and advise a Complainant or Respondent in any matter of discipline under this Title as provided in Canon IV.19.10.

Church Attorney shall mean one or more attorneys selected pursuant to Diocesan Canons to represent the Church in proceedings as provided in this Title. The Diocesan Canons may provide a process for the removal of a Church Attorney for cause. A Church Attorney shall perform all functions on behalf of the Church necessary to advance proceedings under this Title and shall have the following powers, in addition to the powers and duties otherwise provided in this Title: (a) to receive and review the Intake Officer's report; (b) to conduct investigations and oversee the Investigator and, in connection with such investigations; to have access to the personnel, books and records of the Diocese and its constituent parts; and to receive and review the reports of the Investigator; (c) to determine, in the exercise of the Church Attorney's discretion, whether the reported information, if true, would be grounds for discipline; and (d) to exercise discretion consistent with this Title and the interests of the Church by declining to advance proceedings or by referring

any matter back to the Intake Officer or the Bishop Diocesan for pastoral response in lieu of disciplinary action. In representing the Church, a Church Attorney may consult with the Conference Panel.

Clear and Convincing shall mean proof sufficient to convince ordinarily prudent people that there is a high probability that what is claimed actually happened. More than a preponderance of the evidence is required but not proof beyond a reasonable doubt.

Community shall mean that part of the Church in which a Member of the Clergy performs his or her ministry, such as a Diocese, Parish, Mission, school, seminary, hospital, camp or any similar institution.

Complainant shall mean (a) the person or persons from whom the Intake Officer receives information concerning an Offense or (b) any Injured Person designated by the Bishop Diocesan who, in the Bishop Diocesan's discretion, should be afforded the status of a Complainant, provided, however, that any Injured Person so designated may decline such designation.

Conciliator shall mean a person appointed to seek the resolution of a matter under Canon IV.10.

Conduct Unbecoming a Member of the Clergy shall mean any disorder or neglect that prejudices the reputation, good order and discipline of the Church, or any conduct of a nature to bring material discredit upon the Church or the Holy Orders conferred by the Church.

Conference Panel shall mean a panel of one, two or three members of the Disciplinary Board selected by the president of the board, unless some other manner of selection is provided by Diocesan Canon, to serve as the body before which an informal conference is held as provided in Canon IV.12, provided, however, that no such member may serve as a member of the Hearing Panel in the same case.

Disciplinary Board shall mean the body provided for in Canon IV.5.1.

Discipline of the Church shall be found in the Constitution, the Canons and the Rubrics and the Ordinal of the Book of Common Prayer.

Doctrine shall mean the basic and essential teachings of the Church and is to be found in the Canon of Holy Scripture as understood in the Apostles and Nicene Creeds and in the sacramental rites, the Ordinal and Catechism of the Book of Common Prayer.

Hearing Panel shall mean a panel of three members of the Disciplinary Board selected by the president of the Board, unless some other manner of selection is provided by Diocesan Canon, to serve as the body before which a hearing is held as provided in Canon IV.13, provided, however, that no such member may serve as a member of the Conference Panel in the same case.

Injured Person shall mean a person, group or Community who has been, is or may be affected by an Offense.

Intake Officer shall mean one or more persons designated by the Bishop Diocesan after consultation with the Disciplinary Board, unless otherwise selected pursuant to diocesan canons, to whom information regarding Offenses is reported.

Investigator shall mean a person having (a) sufficient knowledge, skill, experience and training to conduct investigations under this Title and (b) familiarity with the provisions and objectives of this Title. Investigators shall be appointed by the Bishop Diocesan in consultation with the president of the Disciplinary Board.

Member of the Clergy shall mean Bishops, Priests and Deacons of the Church.

Offense shall mean any act or omission for which a Member of the Clergy may be held accountable under Canons IV.3 or IV.4.

Order shall mean a written decision of a Conference Panel or a Hearing Panel which is issued with or without the Respondent's consent. All Orders shall meet the requirements of Canon IV.14.

Pastoral Direction shall mean a written direction given by a Bishop to a Member of the Clergy which meets the requirements of Canon IV.7.

Pastoral Relationship shall mean any relationship between a Member of the Clergy and any person to whom the Member of the Clergy provides or has provided counseling, pastoral care, spiritual direction or spiritual guidance, or from whom such Member of the Clergy has received information within the Rite of Reconciliation of a Penitent.

Privileged Communication shall mean any communication or disclosure made in confidence and with an expectation of privacy (a) within the Rite of Reconciliation of a Penitent; (b) between a client and the client's attorney; (c) between a Respondent and an Advisor or a Complainant and an Advisor; (d) between persons in a relationship in which communications are protected by secular law or Diocesan Canons; or (e) between and among a Conciliator and participants in a conciliation under Canon IV.10.

Provincial Court of Review shall mean a court organized and existing as provided in Canon IV.5.4 to serve as the body which performs the duties prescribed in Canon IV.15.

Reference Panel shall mean a panel composed of the Intake Officer, the Bishop Diocesan and the president of the Disciplinary Board to serve as the body which performs the duties prescribed in Canons IV.6 and IV.11.

Respondent shall mean any Member of the Clergy (a) who is the subject of a matter referred for conciliation or to the Conference Panel or to the Hearing Panel; (b) whose ministry has been restricted; (c) who has been placed on Administrative Leave; (d) who is the subject of an investigation and is asked by an investigator or the Bishop Diocesan to provide information or to

make a statement; or (e) who agreed with the Bishop Diocesan regarding terms of discipline pursuant to Canon IV.9.

Sentence shall mean the pronouncement of discipline of a Member of the Clergy pursuant to an Accord or Order in the form of (a) admonition, in which the conduct of such Member of the Clergy is publicly and formally censured or reprimanded, or (b) suspension, in which such Member of the Clergy is required to refrain temporarily from the exercise of the gifts of ministry conferred by ordination, or (c) deposition, in which such Member of the Clergy is deprived of the right to exercise the gifts and spiritual authority of God's word and sacraments conferred at ordination.

Sexual Abuse shall mean any Sexual Behavior at the request of, acquiesced to or by a person eighteen years of age or older and a person under eighteen years of age, in high school or legally incompetent.

Sexual Behavior shall mean any physical contact, bodily movement, speech, communication or other activity sexual in nature or that is intended to arouse or gratify erotic interest or sexual desires.

Sexual Misconduct shall mean (a) Sexual Abuse or (b) Sexual Behavior at the request of, acquiesced to or by a Member of the Clergy with an employee, volunteer, student or counselee of that Member of the Clergy or in the same congregation as the Member of the Clergy, or a person with whom the Member of the Clergy has a Pastoral Relationship.

CANON 3: Of Accountability

Causes for proceedings.

Sec. 1. A Member of the Clergy shall be subject to proceedings under this Title for:

- (a) knowingly violating or attempting to violate, directly or through the acts of another person, the Constitution or Canons of the Church or of any Diocese;
- (b) failing without good cause to cooperate with any investigation or proceeding conducted under authority of this Title; or
- (c) intentionally and maliciously bringing a false accusation or knowingly providing false testimony or false evidence in any investigation or proceeding under this Title.

Sec. 2. A Member of the Clergy shall be accountable for any breach of the Standards of Conduct set forth in Canon IV.4.

Sec. 3. In order for any conduct or condition to be the subject of the provisions of this Title, the Offense complained of must violate applicable provisions of Canon IV.3 or IV.4 and must be material and substantial or of clear and weighty importance to the ministry of the Church.

CANON 4: Of Standards of Conduct

Sec. 1. In exercising his or her ministry, a Member of the Clergy shall:

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| (a) respect and preserve confidences of others except that pastoral, legal or moral obligations of ministry may require disclosure of those confidences other than Privileged Communications; | Confidences. |
| (b) conform to the Rubrics of the Book of Common Prayer; | Rubrics. |
| (c) abide by the promises and vows made when ordained; | Vows. |
| (d) abide by the requirements of any applicable Accord or Order, or any applicable Pastoral Direction, restriction on ministry, or placement on Administrative Leave issued under Canon IV.7; | Accords or Orders. |
| (e) safeguard the property and funds of the Church and Community; | Property. |
| (f) report to the Intake Officer all matters which may constitute an Offense as defined in Canon IV.2 meeting the standards of Canon IV.3.3, except for matters disclosed to the Member of Clergy as confessor within the Rite of Reconciliation of a Penitent; | Reporting Offenses. |
| (g) exercise his or her ministry in accordance with applicable provisions of the Constitution and Canons of the Church and of the Diocese, ecclesiastical licensure or commission and Community rule or bylaws; | Faithful exercise of Ministry. |
| (h) refrain from: | Restraint in conduct. |
| (1) any act of Sexual Misconduct; | |
| (2) holding and teaching publicly or privately, and advisedly, any Doctrine contrary to that held by the Church; | |
| (3) engaging in any secular employment, calling or business without the consent of the Bishop of the Diocese in which the Member of the Clergy is canonically resident; | |
| (4) being absent from the Diocese in which the Member of the Clergy is canonically resident, except as provided in Canon III.9.3(e) for more than two years without the consent of the Bishop Diocesan; | |
| (5) any criminal act that reflects adversely on the Member of the Clergy's honesty, trustworthiness or fitness as a minister of the Church; | |
| (6) conduct involving dishonesty, fraud, deceit or misrepresentation; or | |
| (7) habitual neglect of the exercise of the ministerial office without cause; or habitual neglect of public worship, and of the Holy Communion, according to the order and use of the Church; and | |
| (8) any Conduct Unbecoming a Member of the Clergy. | |

CANON 5: Of Disciplinary StructuresDisciplinary
Board as Court.

Sec. 1. Each Diocese shall, by Canon, create a court to be known as the Disciplinary Board as described in this Canon. Each such Board shall consist of not fewer than seven persons to be selected as determined by Diocesan Canon. The membership of each Board shall include lay persons and Priests or Deacons, and the majority of the Board members shall be Priests or Deacons, but by no more than one. Within sixty days following each Diocesan convention, the Board shall convene to elect a president for the following year, unless another method for selection of the president is provided by Diocesan Canon.

Sec. 2. The provisions of Canon IV.19 shall apply to all Disciplinary Boards.

Rules of
operation.

Sec. 3. The following rules shall govern the operations of all Disciplinary Boards:

- (a) In the event of any Board member's death, resignation or declination to serve, or disability rendering the member unable to act, the president shall declare a vacancy on the Board.
- (b) Notices of resignation or declination to serve shall be communicated in writing to the president.
- (c) No person serving in a Diocese as Chancellor, Vice Chancellor, Advisor, Conciliator, Church Attorney, Intake Officer or Investigator may serve on the Disciplinary Board of that Diocese, and no member of a Disciplinary Board may be selected to serve in one of those positions in the same Diocese. A member of the Standing Committee of a Diocese may serve on the Disciplinary Board if the Canons of the Diocese so provide. If any Priest elected to the Board is elected a Bishop, or any lay member is ordained prior to the commencement of a proceeding under this Title, that person shall immediately cease to be a member of the Board. If a proceeding has been commenced, that person may continue to serve on the Board for all proceedings in that matter through final disposition. A lay person ceasing to be a member under this subsection by reason of ordination may be appointed to fill a vacancy in the clergy members of the Board.
- (d) Each Diocese shall provide by Canon for the filling of vacancies on the Board. In the event there be no such canonical provision by the Diocese, any vacancy occurring on the Board shall be filled by appointment of the Bishop Diocesan and the appointee shall be of the same order as the Board member being replaced.
- (e) Proceedings of the Panels of the Disciplinary Board shall be conducted within the rules provided in this Title. The Board may adopt, alter or rescind supplemental rules of procedure

not inconsistent with the Constitution and Canons of the Church.

- (f) The rules of evidence for proceedings are as provided in Canon IV.13.6. Evidence.
- (g) The Disciplinary Board shall appoint a clerk who may be a member of the Board, who shall be custodian of all records and files of the Disciplinary Board and who shall provide administrative services as needed for the functioning of the Board.
- (h) The Disciplinary Board shall keep a record of all proceedings before its Hearing Panels in a format that can be reduced to a transcript if necessary. The record of each proceeding shall be certified by the president of the Panel. If the record cannot be certified by the president by reason of the president's death, disability or absence, the record shall be certified by another member of the Panel selected by a majority of the remaining members of the Panel. Records.
- (i) Any Diocese may agree with one or more other Dioceses to develop and share resources necessary to implement this Title, including members of Disciplinary Boards, Church Attorneys, Intake Officers, Advisors, Investigators, Conciliators and administrative and financial support for proceedings under this Title.
- (j) Church Attorneys, Intake Officers, Advisors, Investigators and Conciliators need not reside in or be members of the Diocese proceeding under this Title. Members of Disciplinary Boards shall be members of the Diocese in which they serve unless such Diocese has entered into an agreement for the sharing of resources as provided in Canon IV.5.3(i).

Sec. 4. In each Province there shall be a court to be known as the Provincial Court of Review, with jurisdiction to receive and determine appeals from Hearing Panels of Dioceses within the Province as provided in Canon IV.15 and to determine venue issues as provided in Canon IV.19.5. Provincial Court of Review.

(a) The Provincial Court of Review shall consist of: (i) one Bishop of the Province; two Priests, or one Priest and one Deacon; and two lay persons; and (ii) one Bishop, one Priest or Deacon, and one lay person to serve as alternates as hereinafter provided. Each Priest or Deacon, whether a member or alternate, shall be canonically resident in a Diocese of the Province different from any other Priest or Deacon, and each lay person, whether a member or alternate, shall reside in a Diocese of the Province different from any other lay person. The Priests, Deacons and lay persons shall be members of the Disciplinary Boards of their respective Dioceses. Members.

(b) The members and alternates of the Provincial Court of Review shall be appointed annually by the president of the Province. The President.

Provincial Court of Review shall select a president from among its members.

(c) The persons appointed to the Provincial Court of Review shall continue to serve until their respective successors have been appointed, except in case of death, resignation or declination to serve.

(d) No member of the Provincial Court of Review may serve in any matter originating from the Diocese in which such member serves on the Disciplinary Board. In such event, the alternate shall serve.

Alternates. (e) In the event that any member of the Provincial Court of Review is excused pursuant to the provisions of Canon IV.5.3(c), or, upon objection made by either party to the appeal is deemed by the other members of the Provincial Court of Review to be disqualified, such member's alternate shall serve.

Vacancy. (f) In the event of any Provincial Court of Review member's death, resignation or declination to serve, or disability rendering the member unable to act or is ineligible to serve under Canons IV.5.4(d) or (e), and in the further event that there is no alternate available to serve, the president of the Provincial Court of Review shall declare a vacancy on the Provincial Court of Review. Notices of resignation or declination to serve shall be communicated in writing to the president of the Provincial Court of Review.

(g) Vacancies on the Provincial Court of Review shall be filled by appointment by the president of the Province of persons qualified as provided in Canon IV.5.4(a).

Clerk. (h) The Provincial Court of Review shall appoint a clerk who may be a member of the Court, who shall be custodian of all records and files of the Provincial Court of Review and who shall provide administrative services as needed for the functioning of the Court.

Appeals. (i) The rules of procedure for appeals to the Provincial Court of Review are as provided in Canon IV.15, but the Provincial Court of Review may adopt, alter or rescind supplemental rules of procedure not inconsistent with the Constitution and Canons of the Church.

CANON 6: Of Intake and Referral of Information Concerning Offenses

Reporting Offenses. Sec. 1. Each Diocese shall provide for and publicize methods and means of reporting information concerning Offenses.

Intake Officer. Sec. 2. Information concerning Offenses may be submitted to the Intake Officer in any manner and in any form.

Sec. 3. Any person other than the Intake Officer who receives information regarding an Offense shall promptly forward the information to the Intake Officer. A Bishop Diocesan may forward information to the Intake Officer whenever the Bishop Diocesan believes that the information may indicate conduct constituting one or more Offenses.

Sec. 4. Upon receipt of such information, the Intake Officer may make such preliminary investigation as he or she deems necessary, and shall incorporate the information into a written intake report, including as much specificity as possible. The Intake Officer shall provide copies of the intake report to the other members of the Reference Panel and to the Church Attorney.

Investigation.

Sec. 5. If the Intake Officer determines that the information, if true, would not constitute an Offense, the Intake Officer shall inform the Bishop Diocesan of an intention to dismiss the matter. If the Bishop Diocesan does not object, the Intake Officer shall dismiss the matter. The Intake Officer shall provide written notice to the Complainant and the Bishop Diocesan of the decision of dismissal, the reasons therefor, and the Complainant's right to appeal the decision within thirty days of the date of the notice and shall send a copy of that notice and the written intake report to the president of the Disciplinary Board. If the Complainant wishes to appeal the dismissal, the Intake Officer shall assist the Complainant in preparing and signing a written statement of the acts complained of, which statement shall be sent to the president of the Disciplinary Board along with a statement that the Complainant appeals the dismissal. The intake report and any related information, in the case of a dismissal, may be retained by the Intake Officer and considered in connection with any additional information that may come to the Intake Officer thereafter concerning the subject Member of the Clergy.

Dismissal.

Sec. 6. In the event of an appeal of a dismissal, the president of the Disciplinary Board shall, within thirty days of the receipt of the appeal, review the intake report and either affirm or overrule the dismissal. The president shall promptly notify the Complainant, the Intake Officer, and the Bishop Diocesan of the decision. If the decision is to overrule the dismissal, the president shall refer the intake report to the Reference Panel.

Appeal of dismissal.

Sec. 7. If the Intake Officer determines that the information, if true, would constitute an Offense, the Intake Officer shall promptly forward the intake report to the Reference Panel. The president shall promptly select from the Disciplinary Board, by lot or by other random means, a Conference Panel and a Hearing Panel, and shall designate a president of each Panel. A Conference Panel may consist of one or more persons. A Hearing Panel shall consist of not less than three persons and shall include both clergy and lay members. The president shall be ineligible to serve on either Panel.

Impanelment.

Sec. 8. The Reference Panel shall meet as soon as possible after receiving the intake report to determine how to refer the report. Referral options are (a) no action required other than appropriate pastoral response pursuant to Canon IV.8; (b) conciliation pursuant to Canon IV.10; (c) investigation pursuant to Canon IV.11 or (d) referral for possible agreement with the Bishop Diocesan regarding

Reference Panel.

terms of discipline pursuant to Canon IV.9. Referral decisions shall require the approval of a majority of the Reference Panel.

- Determinations.** **Sec. 9.** If the determination of the Reference Panel is to take no action other than an appropriate pastoral response, the Panel shall notify the Complainant and the subject Member of the Clergy of the determination and the basis for the determination to take no action other than an appropriate pastoral response. If the referral is to conciliation, the provisions of Canon IV.10 shall apply. If the referral is to investigation, the provisions of Canon IV.11 shall apply.
- Confidentiality.** **Sec. 10.** All communications and deliberations during the intake and referral stages shall be confidential except as the Bishop Diocesan deems to be pastorally appropriate or as required by law.

CANON 7: Of Pastoral Direction, Restricted Ministry and Administrative Leave

- Pastoral Direction.** **Sec. 1.** At any time the Bishop Diocesan may issue a Pastoral Direction to a Member of the Clergy, canonically resident, actually resident, or licensed in the Diocese.
- Conditions.** **Sec. 2.** A Pastoral Direction must (a) be made in writing; (b) set forth clearly the reasons for the Pastoral Direction; (c) set forth clearly what is required of the Member of the Clergy; (d) be issued in the Bishop Diocesan's capacity as the pastor, teacher and overseer of the Member of the Clergy; (e) be neither capricious nor arbitrary in nature nor in any way contrary to the Constitution and Canons of the General Convention or the Diocese; and (f) be directed to some matter which concerns the Doctrine, Discipline or Worship of the Church or the manner of life and behavior of the Member of the Clergy concerned; and (g) be promptly served upon the Member of the Clergy.
- Precautionary measures.** **Sec. 3.** If at any time the Bishop Diocesan determines that a Member of the Clergy may have committed any Offense, or that the good order, welfare or safety of the Church or any person or Community may be threatened by that member of the Clergy, the Bishop Diocesan may, without prior notice or hearing, (a) place restrictions upon the exercise of the ministry of such Member of the Clergy or (b) place such Member of the Clergy on Administrative Leave.
- Notice of restrictions and Leaves.** **Sec. 4.** Any restriction on ministry imposed pursuant to Canon IV. 7.3(a) or placement on Administrative Leave pursuant to Canon IV. 7.3(b) must (a) be made in writing; (b) set forth clearly the reasons for which it is issued; (c) set forth clearly the limitations and conditions imposed and the duration thereof; (d) be neither capricious nor arbitrary in nature nor in any way contrary to the Constitution and Canons of the General Convention or the Diocese; (e) be promptly served upon the Member of the Clergy; and (f)

advise the Member of the Clergy of his or her right to be heard in the matter as provided in this Canon. A copy of such writing shall be promptly provided to the Church Attorney.

Sec. 5. The duration of restriction on ministry or Administrative Leave may be for a stated period or to continue until the occurrence of a specified event or the satisfaction of a specified condition. Duration.

Sec. 6. Pastoral Directions, restrictions on ministry and Administrative Leaves (a) may be issued and imposed in any chronological order; (b) may be issued and imposed concurrently; and (c) may be modified at any time by the issuing Bishop or that Bishop's successor, provided that the Pastoral Direction, restriction on ministry or Administrative leave, as modified, meets the requirements of this Canon. Bishop may modify.

Sec. 7. Any Pastoral Direction, restriction on ministry or Administrative Leave under this Canon shall be effective upon service of the writing setting it forth on the subject Member of the Clergy as provided in Canon IV.19.20.

Sec. 8. If imposition of restriction on ministry or placement on Administrative Leave occurs prior to the receipt of information by the Intake Officer, as provided in Canon IV.6, then the Bishop may forward a copy of the writing setting forth the restriction or Administrative Leave to the Intake Officer, who shall receive such information as a report of an Offense and proceed as provided in Canon IV.6.

Sec. 9. The Bishop Diocesan may disclose such information concerning any Pastoral Direction, restriction on ministry or Administrative Leave as the Bishop Diocesan deems pastorally appropriate or as necessary to seek or obtain Diocesan authority for resolution of the matter or any part thereof. Disclosure.

Sec. 10. Every imposition of restriction on ministry or placement on Administrative Leave shall be subject to review upon the request of the Member of the Clergy at any time in the duration thereof. A request for review must be in writing and addressed to the president of the Disciplinary Board and the Church Attorney, with a copy to the Bishop Diocesan. A Member of the Clergy who requests review shall become a Respondent under this Title. Reviews shall be conducted within fifteen days of the delivery of the request for review to the president of the Disciplinary Board, unless extended by consent of the Respondent. If a restriction on ministry or placement on Administrative Leave has been reviewed once, a second request for review may be made only if there has been a substantial change of circumstances from the time of the first request or if there has been a modification of the restriction on ministry or placement on Administrative Leave. Clergy request for review.

Sec. 11. If a request for review of restriction on ministry or Administrative Leave is made prior to referral to the Conference Conduct of review.

Panel, then the review shall be conducted by the Conference Panel. If a request for review of restriction on ministry or Administrative Leave is made subsequent to referral to the Conference Panel but prior to referral to the Hearing Panel, the review shall be conducted by the Conference Panel. If a request for review of restriction on ministry or Administrative Leave is made subsequent to referral to the Hearing Panel, the review shall be conducted by the Hearing Panel. The question before a Panel reviewing a restriction on ministry or Administrative Leave is whether, at the time of the review and based upon information then available to the Panel, the restrictions on ministry or Administrative Leave and the terms and conditions thereof are warranted. The review may be conducted either personally or telephonically. The Intake Officer, the Respondent or the Respondent's Advisor or both, the Bishop Diocesan, the Chancellor and the Church Attorney shall each be afforded the opportunity to be present, either personally or telephonically, at the review, and any such person present shall be heard by the Panel if such person desires to be heard. The Panel may hear from other persons at the Panel's discretion.

Panel to make determination.

Sec. 12. After conducting the review and hearing from the persons designated in Canon IV.7.11 who desire to be heard, the Panel shall confer privately and make a determination to (a) dissolve the restriction on ministry or Administrative Leave; (b) affirm the restriction on ministry or Administrative Leave and the terms and conditions thereof; or (c) affirm the restriction on ministry or Administrative Leave, but with modification of the terms and conditions thereof. The Panel's determination shall be in writing and shall be delivered to the Respondent, the Church Attorney, the Bishop Diocesan and the Intake Officer, and shall be binding in the same manner as provided in Canon IV.7.7. In the event of the dissolution of the restriction on ministry or Administrative Leave, the Bishop Diocesan may give notice thereof to such persons and Communities having notice of the restriction on ministry or Administrative Leave as the Bishop Diocesan deems appropriate.

Sec. 13. Any Accord or Order resulting from Canons IV.9, IV.10, IV.12 or IV.13, unless otherwise specified, shall supersede any restriction on ministry or Administrative Leave then in effect.

CANON 8: Of Pastoral Response

Sec. 1. The Bishop Diocesan shall provide for appropriate pastoral response whenever any report is made to the Intake Officer. Such pastoral response shall embody respect, care, and concern for affected persons and Communities. The response shall be designed so as to promote healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among all involved or affected.

Available to all affected.

Sec. 2. In each pastoral response the Bishop Diocesan shall consider offering pastoral care to all those affected by the Offense or

allegations thereof. Pastoral care shall be considered for the Complainant, the Complainant's family, the Respondent, the Respondent's family, Injured Persons, Injured Persons' families, any affected Community, witnesses, and the Disciplinary Board.

Sec. 3. In every case, and notwithstanding any other provision of this Title to the contrary, the Bishop Diocesan may disclose such information concerning any Offense or allegations thereof or concerning any Accord or Order as the Bishop Diocesan deems pastorally appropriate. Disclosure.

Sec. 4. The Bishop Diocesan shall give consideration to the respective privacy interests and pastoral needs of all affected persons. Privacy interests.

Sec. 5. The Bishop Diocesan may designate a person to be responsible for the implementation of the pastoral response. Such person may be the Intake Officer. The duties of such person may include coordination of pastoral care and coordination of communications between the Bishop Diocesan and Advisors.

CANON 9: Of Agreements Between Bishops Diocesan and Respondents for Discipline

Sec. 1. At any time before an Order becomes effective, the Respondent or any Member of the Clergy who has not yet become a Respondent but who is alleged to have committed an Offense may propose terms of discipline to the Bishop Diocesan, or the Bishop Diocesan may propose terms of discipline to the Respondent or such Member of the Clergy. Before reaching agreement, the Bishop Diocesan shall consult with the Injured Persons, if any, the President of the Disciplinary Board and the Church Attorney with respect to the proposed terms of discipline. If the Respondent or such Member of the Clergy and the Bishop Diocesan reach agreement regarding terms of discipline, such terms shall be set forth in a proposed Accord. A Member of the Clergy becomes a Respondent by reaching agreement with the Bishop Diocesan regarding terms of discipline. Clergy may propose terms of discipline.

Sec. 2. An Accord under this Canon may be entered into if (a) the Respondent is aware of the discipline to be imposed and the effect thereof; (b) the Respondent has had adequate opportunity to consult and seek advice from, or has in fact consulted and received advice from, counsel of the Respondent's choosing; and (c) the Accord adequately considers and, where possible, provides for healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among the Complainant, Respondent, affected Community and other persons and is otherwise an appropriate resolution of the matter. Accord with Respondent.

Sec. 3. An Accord under this Canon may be withdrawn by the Priest or Deacon within three days of execution thereof by the Priest or

Deacon and if not withdrawn shall be effective and irrevocable thereafter.

CANON 10: Of Conciliation

Sec. 1. Conciliation shall seek a resolution which promotes healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among the Complainant, Respondent, affected Community, other persons and the Church.

Conciliator. **Sec. 2.** Where a matter is referred for conciliation, the Bishop Diocesan shall appoint a Conciliator to assist the Complainant, Respondent, other affected persons and the Church in reconciling. The Bishop Diocesan or a representative appointed by the Bishop Diocesan may participate in the conciliation.

Sec. 3. If the conciliation is successful in reaching agreement among the parties on a suitable resolution of all issues, an Accord will be prepared as provided in Canon IV.14. If conciliation cannot be achieved within a reasonable time, the Conciliator will report such to the Bishop Diocesan, and the matter will be referred back to the Reference Panel.

Qualifications. **Sec. 4.** A Conciliator shall be a person skilled in dispute resolution techniques and without conflict of interest in the matter. All communications between the Complainant and the Conciliator, the Respondent and the Conciliator and other participants in the conciliation and the Conciliator shall be confidential except as the Conciliator may have the permission of the respective person to disclose the information to the other participants in the conciliation in order to promote efforts towards conciliation.

CANON 11: Of Investigations

Investigators. **Sec. 1.** In each Diocese there shall be one or more Investigators.

Sec. 2. Upon referral of an intake report, the Investigator shall investigate all facts pertinent to the factual claims of the intake report. The Investigator shall use appropriate investigative means, with due consideration to pastoral sensitivities, and shall complete the investigation as expeditiously as possible.

Report to Reference Panel. **Sec. 3.** The Investigator shall present the findings of the investigation in writing to the Reference Panel. The Reference Panel may meet with the Investigator and shall consider the report to determine whether to (a) take no action other than appropriate pastoral responses pursuant to Canon IV.8; (b) refer the matter to the Bishop Diocesan for consideration of proceedings under Canon IV.9; (c) refer the matter to conciliation pursuant to Canon IV.10; (d) require further investigation; or (e) refer the matter to the Conference Panel pursuant to Canon IV.12. The determination shall be approved by a majority vote of the Reference Panel.

Sec. 4. If the determination is to refer for further investigation, the Investigator shall make such further investigation as the Reference Panel directs and shall submit a supplemental report of findings to the Reference Panel. The Reference Panel shall then reconvene and proceed as provided in Canon IV.11.3.

Sec. 5. All investigations shall be confidential except as may be utilized by the Church Attorney, the Bishop Diocesan or the Panels upon the consent of the person interviewed or as the Bishop Diocesan deems pastorally necessary, and all persons interviewed by the Investigator shall be advised of the confidential nature of the investigation.

CANON 12: Of Conference Panels

Sec. 1. Upon referral of a matter to a Conference Panel, the president of the Disciplinary Board shall forward to the Church Attorney the intake report, all of the Investigator's reports and any other writings or other file materials created or collected by the Disciplinary Board or any panel thereof during the intake, investigative or referral process. From this material the Church Attorney shall prepare a written statement, describing each alleged Offense separately, with reasonable particularity sufficient to apprise the Respondent of the acts, omissions or conditions which are the subject of the proceedings. The Church Attorney shall then forward the materials received from the president of the Disciplinary Board, together with the written statement, to the Conference Panel.

Referral to
Conference
Panel.

Sec. 2. The Conference Panel shall review the materials provided to determine who, in addition to those listed in Canon IV.12.3, should be directed to participate in the proceeding before the Conference Panel in order to promote the purposes of this Title. Such may include, for example, the Investigator, family members, representatives of the affected Community, or other affected persons.

Sec. 3. The Conference Panel shall issue a notice to the Respondent, the Respondent's Advisor, the Complainant, the Complainant's Advisor, the Investigator and such other persons, if any, as the Conference Panel in its discretion may determine. The notice shall describe the nature and purpose of the proceeding, contain a copy of the written statement prepared by the Church Attorney, shall disclose the names of all persons to whom the notice is sent, and shall establish a date, time and place for a conference at which the Respondent is to appear before the Conference Panel.

Notices issued.

Sec. 4. The Respondent shall attend the conference.

Attendance.

Sec. 5. The Church Attorney shall attend the conference, shall represent the Church and shall be heard by the Conference Panel.

- Sec. 6. The Complainant may attend the conference but may not be required to do so. The Complainant's Advisor may attend the conference regardless of whether the Complainant attends.
- Proceedings. Sec. 7. The proceedings of the Conference Panel shall be informal and conversational. The Conference Panel shall describe the alleged Offense to the Respondent. The Conference Panel shall hear from the Complainant or the Complainant's Advisor or both, if either or both are present, and from the Respondent or the Respondent's Advisor or both. At its discretion, the Conference Panel may hear from the Investigator or any other persons present, and may direct the Investigator to conduct additional investigation and suspend its proceedings to allow such investigation to be completed. At its discretion, the Conference Panel may confer with any participants outside the presence of the other participants.
- Closed conference. Sec. 8. No witnesses shall be called to testify at the proceedings before the Conference Panel. No record of the proceedings of the Conference Panel shall be made. The conference shall be closed to all except the members of the Conference Panel, and invited participants. Proceedings before the Conference Panel shall be confidential except as may be provided in an Order or Accord or as provided elsewhere in this Title.
- Determination. Sec. 9. An Accord may be entered into at a proceeding before the Conference Panel. If an Accord is not entered into, the Conference Panel shall confer privately to reach a determination of the matter, which may include (a) dismissal of the matter; (b) referral for conciliation; (c) referral to the Hearing Panel; or (d) issuance of an Order.
- Order of dismissal. Sec. 10. If the determination is to dismiss the matter, the Conference Panel shall issue an Order which shall include the reasons for dismissal and which may contain findings exonerating the Respondent. A copy of the Order shall be provided to the Bishop Diocesan, the Respondent, the Respondent's Advisor, the Complainant, the Complainant's Advisor and the Church Attorney.
- Accord or other Order. Sec. 11. If the resolution is the entry of an Accord or the issuance of an Order other than an Order of dismissal, the provisions of Canon IV.14 shall apply.
- Refusal. Sec. 12. The Respondent or the Church Attorney may refuse an Order issued by the Conference Panel by giving written notice of the refusal to the president of the Conference Panel within fifteen days following the effective date of the Order as defined in Canon IV.14.10. Upon receipt of the notice of refusal, the president of the Conference Panel shall notify the president of the Disciplinary Board of the refusal and the matter will proceed as provided in Canon IV.14.11.

CANON 13: Of Hearing Panels

Sec. 1. If a matter is referred to the Hearing Panel, the president of the Conference Panel shall promptly notify the president of the Disciplinary Board of the referral. Referral to Hearing Panel.

Sec. 2. Upon receipt of a referral for Hearing Panel proceedings, the Church Attorney shall review all information acquired as of the time of such referral and, if necessary, shall revise or update the written statement of the Offense and shall provide the same to the Hearing Panel. The Hearing Panel shall issue a notice to the Respondent, to the Respondent's Advisor and to the Church Attorney. Statement of Offense and notice.

(a) The notice shall describe the nature and purpose of the proceeding, contain a copy of the written statement prepared by the Church Attorney, disclose the names of all persons to whom the notice is sent, advise the Respondent that a written response to the notice must be filed by the Respondent with the Hearing Panel within thirty days of the mailing date of the notice and advise the Respondent that failure to attend or participate in a scheduled or noticed hearing may result in a finding of default.

(b) A copy of the notice shall be sent to the Complainant and to the Complainant's Advisor.

(c) Unless additional time is approved by the Hearing Panel, the Respondent shall file with the Hearing Panel a written response signed by the Respondent within thirty days of the mailing date of the notice. The president of the Hearing Panel shall forward a copy of the response to the Church Attorney. Respondent's response.

Sec. 3. In all proceedings before the Hearing Panel, the Church Attorney shall appear on behalf of the Diocese, which shall then be considered the party on one side and the Respondent the party on the other. Each Complainant shall be entitled to be present throughout and observe the Hearing and each may be accompanied by another person of his or her own choosing in addition to his or her Advisor. Attendance at hearing.

Sec. 4. All proceedings before the Hearing Panel, except its private deliberations, shall be public, provided, however, that the Hearing Panel may close any part of the proceedings at its discretion to protect the privacy of any person. A record of the hearing shall be made by such means as to enable the creation of a written transcript of the hearing. Public proceedings.

Sec. 5. The Church Attorney and the Respondent shall each be afforded reasonable time and opportunity to prepare evidence for the hearing as follows: Evidence and discovery.

(a) Within thirty days after the filing of the response by the Respondent, the Church Attorney and the Respondent's counsel shall meet and confer regarding the nature and basis of the allegations against the Respondent and the defenses thereto and to make or arrange for initial disclosures as described in Canon IV.13.5(b), and to develop a proposed

plan of discovery forms and schedule for approval by the Hearing Panel. A report of the proposed plan shall be filed with the president of the Hearing Panel within fifteen days after the conference.

- (b) Within fifteen days after the conference described in Canon IV.13.5(a), the Church Attorney and the Respondent's counsel shall each provide to the other initial disclosure of (1) the name and, if known, the address and telephone number of each individual likely to have direct knowledge of information which may be used to support the allegations against the Respondent or the defenses thereto, together with a detailed summary of the expected testimony of the person, if called to testify; and (2) a copy of, or a description by category and location of, all documents and tangible things that may be used to support the allegations against the Respondent or the defenses thereto, except as such disclosure would involve Privileged Communications.
- (c) If the discovery plan has been mutually agreed upon by the Church Attorney and counsel for the Respondent, the president of the Hearing Panel may approve the plan and incorporate it in a discovery order and scheduling order governing all discovery procedures and establishing a date for hearing of the matter. If the Church Attorney and Respondent's counsel do not agree on all elements of the discovery plan, the president of the Hearing Panel shall allow each to be heard with respect to the elements in dispute, make a determination of appropriate discovery procedures and issue a discovery order and scheduling order within thirty days of the receipt of the discovery planning report.
- (d) Discovery procedures may include oral or written deposition testimony of any person having knowledge pertaining to the Offense or any defenses thereto, requests for production of documents or tangible objects and requests for admissions of fact.
- (e) In addition to the disclosures required by this section and the discovery obtained pursuant to the discovery plan, the Church Attorney and Respondent's counsel shall each provide to the other and to the Hearing Panel at least thirty days before the hearing final pre-hearing disclosures including (1) the name, address and telephone number of each witness expected to be called to testify at the hearing; (2) identification of each document or other tangible object expected to be used as an exhibit in the hearing; and (3) requests, if any, to have all or portions of the hearing closed to the public.
- (f) Notwithstanding any provision of this section, in approving or determining the discovery plan, the president of the Hearing Panel shall take reasonable steps to assure that the

discovery process will not unduly burden any person from whom information is sought or unduly adversely affect any pastoral response being offered to any such person. The Hearing Panel may impose, after reasonable notice and opportunity to be heard, reasonable sanctions on any party for failure to comply with any discovery or scheduling order.

Sec. 6. In all proceedings of the Hearing Panel the testimony of witnesses shall be taken orally and personally or by such other means as provided by order of the Hearing Panel. All testimony shall be given under oath or solemn affirmation and be subject to cross-examination. The Hearing Panel shall determine the credibility, reliability and weight to be given to all testimony and other evidence. The proceedings shall be conducted as follows:

- (a) The president shall regulate the course of the hearing so as to promote full disclosure of relevant facts.
- (b) The president:
 - (1) may exclude evidence that is irrelevant, immaterial or unduly repetitious;
 - (2) shall exclude privileged evidence;
 - (3) may receive documentary evidence in the form of a copy or excerpt if the copy or excerpt contains all pertinent portions of the original document;
 - (4) may take official notice of any facts that could be judicially noticed, including records of other proceedings and of technical or scientific facts within the Hearing Panel's specialized knowledge;
 - (5) may not exclude evidence solely because it is hearsay;
 - (6) shall afford to the Church Attorney and to the Respondent reasonable opportunity to present evidence, argue and respond to argument, conduct cross-examination and submit rebuttal evidence; and
 - (7) may, at the discretion of the Hearing Panel, give persons other than the Church Attorney and the Respondent opportunity to present oral or written statements at the hearing.
- (c) Nothing in this section shall preclude the exercise of discretion by the president in taking measures appropriate to preserve the integrity of the hearing.

Sec. 7. Following the conclusion of the hearing, the Hearing Panel shall confer privately to reach a determination of the matter by (a) dismissal of the matter or (b) issuance of an Order.

Sec. 8. If the determination is to dismiss the matter, the Hearing Panel shall issue an Order which shall include the reasons for dismissal and which may contain findings exonerating the Respondent. A copy of the Order shall be provided to the Bishop

Diocesan, the Respondent, the Respondent's Advisor, the Complainant, the Complainant's Advisor, and the Church Attorney.

Sec. 9. If the resolution is the issuance of an Order other than an Order of dismissal, the provisions of Canon IV.14 shall apply.

CANON 14: Of Accords and Orders

Accords.

Sec. 1. An Accord may (a) provide any terms which promote healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among the Complainant, Respondent, affected Community and other persons; (b) place restrictions on the Respondent's exercise of ministry; (c) place the Respondent on probation; (d) recommend to the Bishop Diocesan that the Respondent be admonished, suspended or deposed from ministry; (e) limit the involvement, attendance or participation of the Respondent in the Community; or (f) any combination of the foregoing. An Accord may be conditioned on the Bishop Diocesan imposing any recommended admonition, suspension, deposition or conditions for restoration to ministry. An Accord providing for suspension from ministry shall specify on what terms or conditions and at what time the suspension shall cease. Any Accord providing for limitation upon the involvement, attendance or participation of the Respondent in the Community shall also provide conditions for restoration.

From conciliation.

Sec. 2. If an Accord results from a Conciliation, the Accord shall be signed by the Complainant, the Respondent and the Conciliator, provided that the Conciliator shall sign last.

Complainant to be heard.

Sec. 3. If an Accord results from proceedings before a Conference Panel, the Complainant and the Complainant's Advisor shall have first been afforded an opportunity to be heard by the Panel regarding the proposed terms of the Accord. The Accord shall be signed by the Respondent, the Church Attorney and the president of the Panel, provided that the president shall sign last.

Distribution of Accord.

Sec. 4. A copy of the Accord shall be sent to the Complainant, the Complainant's Advisor, the Respondent, the Respondent's Advisor, the Church Attorney and the Bishop Diocesan by the Conciliator or the president of the Conference Panel or Hearing Panel (whichever the matter was before when the Accord was reached) on the date that the Conciliator or president of the Panel signs the Accord.

Pronounce Sentence or other terms of Accord.

Sec. 5. The Bishop Diocesan shall have thirty days from the date on which the Accord is sent to the Bishop Diocesan in which to advise in writing the Respondent, the Respondent's Advisor, the Complainant, the Complainant's Advisor, the Church Attorney and the Conciliator or the president of the Conference Panel or Hearing Panel whether the Bishop Diocesan will pronounce the Sentence or accept the other terms of the Accord as recommended. The Bishop Diocesan shall advise that he or she will (a) pronounce the Sentence

as recommended or (b) pronounce a lesser Sentence than that recommended and/or (c) reduce the burden on the Respondent of any of the other terms of the Accord. The Bishop Diocesan shall pronounce Sentence not sooner than forty days following the date on which the Accord is sent to the Bishop Diocesan and not later than sixty days following such date. The Bishop Diocesan's pronouncement of a lesser Sentence than that recommended or other modification shall not affect the validity or enforceability of the remainder of the Accord.

Sec. 6. An Order issued by a Conference Panel or Hearing Panel may (a) provide any terms which promote healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among the Complainant, Respondent, affected Community and other persons; (b) place restrictions on the Respondent's exercise of ministry; (c) recommend to the Bishop Diocesan that the Respondent be admonished, suspended or deposed from ministry; (d) limit the involvement, attendance or participation of the Respondent in the Community; or (e) any combination of the foregoing. An Order providing for suspension from Ministry shall specify on what terms or conditions and at what time the suspension shall cease. Any Order providing for limitation upon the involvement, attendance or participation of the Respondent in the Community shall also provide conditions for restoration.

Order issued
by Panels.

Sec. 7. Prior to the issuance of an Order by a Conference Panel or a Hearing Panel, the issuing Panel shall afford the Bishop Diocesan and the Complainant each with an opportunity to be heard on the proposed terms of the Order.

Sec. 8. The Bishop Diocesan shall have thirty days from the date of the issuance of the Order in which to advise in writing the Respondent, the Respondent's Advisor, the Complainant, the Complainant's Advisor, the Church Attorney, and the president of the Conference Panel or Hearing Panel (whichever Panel issued the Order) whether the Bishop Diocesan will pronounce the Sentence or accept the other terms of the Order as recommended. The Bishop Diocesan shall advise that he or she will (a) pronounce the Sentence as recommended or (b) pronounce a lesser Sentence than that recommended and/or (c) reduce the burden on the Respondent of any of the other terms of the Order. The Bishop Diocesan shall pronounce Sentence not sooner than forty days following the issuance of the Order and not later than sixty days following the issuance of the Order. Notwithstanding anything in this section to the contrary, no Sentence shall be pronounced while an appeal of the matter is pending. However, the Bishop Diocesan may, while an appeal is pending, place restrictions upon the exercise of the Respondent's ministry, or place the Respondent on Administrative Leave, or continue any such restriction or Administrative Leave as was in effect at the time of the issuance of the Order. The Bishop Diocesan's pronouncement of a lesser Sentence than that

Pronounce
Sentence or
other terms
of Order.

recommended or other modification shall not affect the validity or enforceability of the remainder of the Order.

Provisions of
Accords and
Orders.

Sec. 9. An Accord or Order shall include, in addition to such terms and provisions as are consistent with Canons IV.14.1 and IV.14.6, (a) the name of the Respondent; (b) a reference to the Canon(s), section(s) and subsection(s) specifying the Offense; and (c) general information regarding the Offense sufficient to afford protection from proceedings which are barred under Canon IV.19.13.

Sec. 10. An Accord under Canon IV.9 shall be effective as provided in Canon IV.9.3. An Accord under Canon IV.10 or IV.12 shall be effective thirty days following the date on which the Accord is signed by the Conciliator or the president of the Panel. An Order is effective thirty days following the date on which the Order is issued.

Refusal of
Order.

Sec. 11. If the Order is issued by a Conference Panel, the Respondent may refuse the Order as provided in Canon IV.12.12 and the matter shall be referred to a Hearing Panel for hearing as provided in Canon IV.13.

Notice of
Accords and
Orders.

Sec. 12. Notice of Accords and Orders which shall have become effective and are not subject to refusal by the Respondent shall be given without delay as follows:

- (a) In the case of any Accord or Order pertaining to a Priest or Deacon, the Bishop Diocesan shall give notice of the Accord or Order to every Member of the Clergy in the Diocese, each Vestry in the Diocese, the Secretary of Convention, and the Standing Committee of the Diocese, which shall be added to the official records of the Diocese; to the Presiding Bishop, to all other Bishops of the Church, and where there is no Bishop, to the Ecclesiastical Authority of each Diocese of the Church; to the Recorder of ordinations; to the Church Deployment Office; and to the Secretary of the House of Bishops and the Secretary of the House of Deputies.
- (b) In the case of any Accord or Order pertaining to a Bishop, the Presiding Bishop shall give notice of the Accord or Order to the Ecclesiastical Authority of every Diocese of the Church, to the Recorder of ordinations, to the Church Deployment Office, and to the Secretary of the House of Bishops, and to all Archbishops and Metropolitans, and to all Presiding Bishops of Churches in communion with the Church.
- (c) All notices given pursuant to this Canon shall reference the Canon(s), section(s) and subsection(s) specifying the Offense which is the subject of the Accord or Order.
- (d) Similar notice shall be given whenever there is any modification or remission of any Order for which notice has previously been given pursuant to this Canon.

CANON 15: Of Review

Sec. 1. In the event that proceedings before the Hearing Panel are unreasonably delayed or suspended, and are not resumed within sixty days following a written request for resumption of proceedings from the Church Attorney or the Respondent, the Church Attorney or the Respondent may file a written request with the Provincial Court of Review for an order directing the Hearing Panel to resume the proceedings. The Court of Review shall consider the request as follows:

Delay of proceedings.

- (a) The person filing the request shall provide copies of the request to the presidents of the Hearing Panel and of the Disciplinary Board. The request shall include a statement of the status of the proceedings and the reason, if known, for the delay or suspension of proceedings, and a description of all actions taken by the person filing the request or by any other person to resolve any impediment to the proceedings or other cause for the delay.
- (b) Within fifteen days of receipt of the copy of the request, the president of the Hearing Panel shall file a response to the request with the Provincial Court of Review, with a copy to the Church Attorney, the Respondent and the president of the Board.
- (c) The Provincial Court of Review shall convene, either personally or telephonically, to consider the request and the response, if any, from the Hearing Panel. The Court shall then either issue an order directing resumption of the proceedings or an order declining to direct resumption with an explanation of the reasons therefor. The order issued by the Provincial Court of Review shall be binding upon the Hearing Panel.
- (d) In the event a Hearing Panel, having been ordered to resume proceedings, either refuses to do so or is unable to do so, the Church Attorney or the Respondent may request that the Provincial Court of Review order the transfer of the proceedings to a Hearing Panel of another Diocese within the same Province, including an order to the Board of the originating Diocese to transmit the complete record of the proceedings to the successor Hearing Panel.

Provincial Court of Review.

Sec. 2. Within forty days after issuance of an Order by a Hearing Panel, the Respondent or the Church Attorney may appeal to the Provincial Court of Review, by serving written notice of the appeal upon the Bishop Diocesan, with copies of the notice to the presidents of the Hearing Panel and the Province. The notice of appeal shall be signed by the Respondent's counsel or the Church Attorney and shall include a copy of the Order from which the appeal is taken and shall state the grounds of the appeal.

Appeal of Orders.

Sec. 3. Any Order from a Hearing Panel finding that a Respondent did not commit an Offense involving a question of the Doctrine,

Bishop may appeal.

Faith or Worship of the Church may be appealed by the Bishop Diocesan upon the written request of at least two Bishops Diocesan of other Dioceses within the Province who are not members of the Provincial Court of Review. Such an appeal shall be taken on the question of the Church's Doctrine, Faith and Worship only, and may not seek to reverse the finding of the Hearing Panel of non-commission of other Offenses. An appeal under this section may be taken by service of a notice of appeal by the Bishop Diocesan upon the Respondent, the Church Attorney and the presidents of the Hearing Panel and the Province within forty days after the Order of the Hearing Panel is received by the Bishop Diocesan.

Non-Provincial
appeals.

Sec. 4. If an appeal is taken from a Hearing Panel of a Diocese which is non-provincial, the appeal shall be taken before the Provincial Court of Review geographically closest to that Diocese.

Record on
appeal.

Sec. 5. An appeal shall be heard on the record of the Hearing Panel. The record on appeal may be corrected, if defective, but no new evidence shall be taken by the Provincial Court of Review.

Standards for
appeal.

Sec. 6. The standards for and conditions of appeal to the Provincial Court of Review shall be as follows:

- (a) Where an Order is issued against a Respondent who fails to appear before the Hearing Panel or who otherwise fails to participate in proceedings before the Hearing Panel, such Order shall be upheld unless a review of the record on appeal shows the Hearing Panel made a clear error in issuing such Order. The Provincial Court of Review shall review the facts and record in the light most favorable to the Respondent.
- (b) In all other appeals, the Provincial Court of Review shall grant relief to the appealing party only if, on the basis of the record on appeal, it determines that the party seeking review has been substantially prejudiced by any of the following:
 - (1) The action taken below violates the Constitution and Canons of the Church or the Diocese;
 - (2) The Hearing Panel has exceeded the jurisdiction conferred by this Title;
 - (3) The Hearing Panel has not decided all of the issues requiring resolution;
 - (4) The Hearing Panel has erroneously interpreted or applied the Constitutions or Canons of the Church;
 - (5) The Hearing Panel has committed a procedural error or engaged in a decision-making process contrary to this Title; and/or
 - (6) The factual determinations of the Hearing Panel are not supported by substantial evidence when viewed in the whole light of the record on appeal.

Appeal record.

Sec. 7. It shall be the duty of the Hearing Panel to produce the record on appeal, consisting of a transcript of the proceedings

before the Hearing Panel together with documentary and tangible evidence received by the Hearing Panel. The record shall be printed or otherwise reproduced as authorized by the president of the Provincial Court of Review. Within thirty days after receiving the record on appeal from the Hearing Panel, the party appealing shall serve two copies of the record on appeal, the notice of appeal and the appealing party's brief, if any, upon the opposite party and shall deliver five copies to the president of the Provincial Court of Review. Within thirty days after receiving a copy of the record on appeal, the party opposing the appeal shall serve the brief in opposition, if any, upon the appealing party, with five copies to the president of the Provincial Court of Review. Any reply brief of the appealing party shall be served likewise within fifteen days following service of the brief in opposition.

Sec. 8. All members and alternates of the Provincial Court of Review serving for an appeal shall be present for any oral proceedings of the appeal. Attendance.

Sec. 9. The Provincial Court of Review shall keep a record of all proceedings. The Provincial Court of Review shall appoint a reporter who shall provide for the recording of the proceedings and who shall serve at the pleasure of the Provincial Court of Review. Proceedings.

Sec. 10. At the hearing of the appeal, the Provincial Court of Review shall afford the Respondent and the Church Attorney the opportunity to be heard. The Provincial Court of Review may regulate the number of counsel to be heard.

Sec. 11. No Order or determination of a Hearing Panel shall be overturned solely for technical or harmless error.

Sec. 12. If, after a notice of appeal has been filed, the appealing party fails to pursue the appeal as provided in this Canon, the Provincial Court of Review may dismiss the appeal.

Sec. 13. Following a hearing of the appeal and private deliberation, the Provincial Court of Review may (a) dismiss the appeal; (b) reverse or affirm in whole or in part the Order of the Hearing Panel; or (c) grant a new hearing before the Hearing Panel. Determination.

Sec. 14. The concurrence of a majority of the Provincial Court of Review shall be required to decide an appeal. The Provincial Court of Review shall issue its decision in writing, signed by the members concurring therein, stating its decision and the reasons for the decision. The decision shall be attached to the record. If there is not a concurrence by a majority of the Provincial Court of Review, the Order of the Hearing Panel shall stand as affirmed except for any part of the Order for which there is concurrence. Decisions of the Court.

Sec. 15. Upon determination of the appeal, the president of the Provincial Court of Review shall give notice of the determination in writing to the appealing party, the party in opposition and to the

Bishop Diocesan and Church Attorney. The appeal record shall be certified by the clerk of the Provincial Court of Review and the president, and shall be delivered to the Bishop Diocesan along with a copy of the record on appeal from the Hearing Panel.

CANON 16: Of Abandonment of The Episcopal Church

(A) By a Bishop

Certification of abandonment.

Sec. 1. If a Bishop abandons The Episcopal Church (i) by an open renunciation of the Doctrine, Discipline or Worship of the Church; or (ii) by formal admission into any religious body not in communion with the same; or (iii) by exercising Episcopal acts in and for a religious body other than the Church or another church in communion with the Church, so as to extend to such body Holy Orders as the Church holds them, or to administer on behalf of such religious body Confirmation without the express consent and commission of the proper authority in the Church, it shall be the duty of the Disciplinary Board for Bishops, by a majority vote of all of its members, to certify the fact to the Presiding Bishop and with the certificate to send a statement of the acts or declarations which show such abandonment, which certificate and statement shall be recorded by the Presiding Bishop. The Presiding Bishop shall then place a restriction on the exercise of ministry of said Bishop until such time as the House of Bishops shall investigate the matter and act thereon. During the period of such restriction, the Bishop shall not perform any Episcopal, ministerial or canonical acts.

Liable to Deposition.

Sec. 2. The Presiding Bishop, or the presiding officer, shall forthwith give notice to the Bishop of the certification and restriction on ministry. Unless the restricted Bishop, within sixty days, makes declaration by a verified written statement to the Presiding Bishop, that the facts alleged in the certificate are false or utilizes the provisions of Canon III.12.7, the Bishop will be liable to Deposition. If the Presiding Bishop is reasonably satisfied that the statement constitutes (i) a good faith retraction of the declarations or acts relied upon in the certification to the Presiding Bishop or (ii) a good faith denial that the Bishop made the declarations or committed the acts relied upon in the certificate, the Presiding Bishop, with the advice and consent of the Disciplinary Board for Bishops, shall terminate the restriction. Otherwise, it shall be the duty of the Presiding Bishop to present the matter to the House of Bishops at the next regular or special meeting of the House. If the House, by a majority of the whole number of Bishops entitled to vote, shall give its consent, the Presiding Bishop shall depose the Bishop from the ministry, and pronounce and record in the presence of two or more Bishops that the Bishop has been so deposed.

(B) By a Priest or Deacon

Determination of Offense.

Sec. 3. If it is reported to the Standing Committee of the Diocese in which a Priest or Deacon is canonically resident that the Priest or

Deacon, without using the provisions of Canon III.7.8-10 or III.9.8-11, has abandoned The Episcopal Church, then the Standing Committee shall ascertain and consider the facts, and if it shall determine by a vote of three-fourths of all the members that the Priest or Deacon has abandoned The Episcopal Church by an open renunciation of the Doctrine, Discipline or worship of the Church, or by the formal admission into any religious body not in communion with the Church, or in any other way, it shall be the duty of the Standing Committee of the Diocese to transmit in writing to the Bishop Diocesan, or if there be no such Bishop, to the Bishop Diocesan of an adjacent Diocese, its determination, together with a statement setting out in reasonable detail the acts or declarations relied upon in making its determination. If the Bishop Diocesan affirms the determination, the Bishop Diocesan shall place a restriction on the exercise of ministry by that Priest or Deacon for sixty days and shall send to the Priest or Deacon a copy of the determination and statement, together with a notice that the Priest or Deacon has the rights specified in Section 2 and at the end of the sixty day period the Bishop Diocesan will consider deposing the Priest or Deacon in accordance with the provisions of Section 4.

Sec. 4. Prior to the expiration of the sixty day period of restriction, the Bishop Diocesan may permit the Priest or Deacon to utilize the provisions of Canon III.7.8-10 or III.9.8-11, as applicable. If within such sixty day period the Priest or Deacon shall transmit to the Bishop Diocesan a statement in writing signed by the Priest or Deacon, which the Bishop Diocesan is reasonably satisfied constitutes a good faith retraction of such declarations or acts relied upon in the determination or a good faith denial that the Priest or Deacon committed the acts or made the declarations relied upon in the determination, the Bishop Diocesan shall withdraw the notice and the restriction on ministry shall expire. If, however, within the sixty day period, the Bishop Diocesan does not pronounce acceptance of the renunciation of the Priest or Deacon in accordance with Canon III.7.8-10 and III.9.8-11, as applicable, or the Priest or Deacon does not make retraction or denial as provided above, then it shall be the duty of the Bishop Diocesan either (i) to depose the Priest or Deacon or (ii) if the Bishop Diocesan is satisfied that no previous irregularity or misconduct is involved, with the advice and consent of the Standing Committee, to pronounce and record in the presence of two or more Priests that the Priest or Deacon is released from the obligations of Priest or Deacon and (for causes which do not affect the person's moral character) is deprived of the right to exercise the gifts and spiritual authority conferred in Ordination.

Retraction or
Deposition.

CANON 17: Of Proceedings for Bishops

Sec. 1. Except as otherwise provided in this Canon, the provisions of this Title shall apply to all matters in which a Member of the Clergy who is subject to proceedings is a Bishop.

Definition of terms.

Sec. 2. In all matters in which the Member of the Clergy who is subject to proceedings is a Bishop, the following terms used in Canons IV.5 through IV.16 and Canons IV.18 and IV.19 shall have the following respective meanings:

- (a) Disciplinary Board shall mean the Disciplinary Board for Bishops as provided in Canon IV.17.3.
- (b) Intake Officer shall mean a person appointed by the Presiding Bishop.
- (c) Bishop Diocesan shall mean the Presiding Bishop, unless the Member of the Clergy who is subject to proceedings is the Presiding Bishop, in which case Bishop shall mean the Bishop authorized by Canon IV.19.24.
- (d) Church Attorney shall mean a person appointed by the Disciplinary Board for Bishops to serve as the Church Attorney.
- (e) Investigator shall mean any person who is qualified to serve as an Investigator under this Title, selected by the Disciplinary Board for Bishops.
- (f) Provincial Court of Review shall mean the Court of Review for Bishops as provided in Canon IV.17.8.

Disciplinary Board for Bishops.

Sec. 3. The Disciplinary Board for Bishops is hereby established as a court of the Church to have original jurisdiction over matters of discipline of Bishops, to hear Bishops' appeals from imposition of restriction on ministry or placement on Administrative Leave and to determine venue issues as provided in Canon IV.19.5. The Disciplinary Board for Bishops shall consist of ten Bishops elected at any regularly scheduled meeting of the House of Bishops, and four Priests or Deacons and four lay persons initially appointed by the President of the House of Deputies with the advice and consent of the lay and clergy members of the Executive Council and thereafter elected by the House of Deputies. All lay persons appointed to serve shall be confirmed adult communicants in good standing. Members of the Board shall serve staggered terms of six years, with terms of one half of the Bishops and one half of the lay persons, Priests and Deacons collectively expiring every three years, with the first expirations occurring at the end of the year 2012.

Elect president.

Sec. 4. Within sixty days following each General Convention, the Board shall convene to elect a president for the following triennium. The president shall be a Bishop. If there is no president, the Bishop who is senior by consecration shall perform the duties of the president.

Sec. 5. The Conference Panel shall consist of three Bishops, one Priest or Deacon and one lay person. The Hearing Panel shall consist of three Bishops, one Priest or Deacon and one lay person, except that the Hearing Panel for the Offense specified in Canon IV.4.1(h)(2) pertaining to Doctrine Offenses shall consist of five Bishops only.

Membership.

Sec. 6. The provisions of Canons IV.14.1(d) and IV.14.6(c) pertaining to recommendations that a Respondent be suspended or deposed from ministry shall not apply where the Respondent is a Bishop. Where the Respondent is a Bishop, an Accord or Order may provide for the suspension or deposition of the Respondent. In such event, the Sentence of suspension or deposition shall be pronounced by the president of the Disciplinary Board for Bishops. The president shall have no discretion to decline to pronounce the Sentence or to pronounce a lesser Sentence. Where an Accord provides for the suspension or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence within thirty days after the date on which the Conciliator or the president signs the Accord. Where an Order provides for the suspension or deposition of a Respondent who is a Bishop, the president shall pronounce Sentence not sooner than forty days following the issuance of the Order and not later than sixty days following the issuance of the Order. Notwithstanding anything in this section to the contrary, no Sentence shall be pronounced while an appeal of the matter is pending. However, the president may, while an appeal is pending, place restrictions upon the exercise of the Respondent's ministry, or place the Respondent on Administrative Leave, or continue any such restriction or Administrative Leave as was in effect at the time of the issuance of the Order.

Sentencing of a Bishop.

Sec. 7. Notwithstanding any provision of this Title to the contrary, no proceeding shall be brought under this Title against a Bishop in which the Offense alleged is violation of Canon IV.4.1(h)(2) for holding and teaching, or having held and taught, publicly or privately, and advisedly, any Doctrine contrary to that held by the Church unless a statement of disassociation shall have first been issued by the House of Bishops as provided in Canon IV.17.7 (a) and thereafter the consent of one-third of the Bishops qualified to vote in the House of Bishops has been received to initiate proceedings under this Title as provided in Canon IV.17.7 (b).

Statement of disassociation.

(a) Any ten Bishops Diocesan in the Church may file with the Presiding Bishop a written request, signed by such Bishops, that the House of Bishops issue a statement of disassociation. Such request shall include a statement of the Doctrine alleged to be contrary to that held by the Church, the name or names of the Bishop or Bishops alleged to have held and taught publicly or privately, and advisedly, such Doctrine, and a concise statement of the facts upon which the request for the statement of disassociation is based. Contemporaneously with the filing of the request, there shall be filed

with the Presiding Bishop a proposed statement of disassociation and a brief in support thereof. The Presiding Bishop shall thereupon serve a copy of the request for a statement of disassociation upon each Bishop who is the subject thereof, together with the proposed statement of disassociation and a copy of the supporting brief. The Presiding Bishop shall fix a date for the filing of a response and brief in support thereof, which date shall be not less than ninety days from the date of service, and may extend the time for responding for not more than sixty additional days. Upon the filing of a response and supporting brief, if any, or upon the expiration of the time fixed for a response, if none be filed, the Presiding Bishop shall forthwith transmit copies of the request for a statement of disassociation, proposed statement of disassociation, response, and briefs to each member of the House of Bishops. The request for a statement of disassociation shall be considered by the House of Bishops at its first regularly scheduled meeting held at least one month after copies of the request for a statement of disassociation, proposed statement of disassociation, response, and briefs are transmitted to each member of the House of Bishops. The House of Bishops may amend the proposed statement of disassociation. If a statement of disassociation is not issued by the conclusion of the meeting, there shall be no further proceedings under this Title against any Bishop who is the subject thereof for holding and teaching the Doctrine alleged in the request for a statement of disassociation.

Offenses of
Doctrine by
a Bishop.

(b) Not later than ninety days following the issuance of a statement of disassociation by the House of Bishops as provided in Canon IV.17.7(a), any ten Bishops Diocesan may file with the Presiding Bishop a written request, signed by such Bishops, that the House of Bishops initiate proceedings under this Title against any Bishop who is the subject of such statement of disassociation for violation of Canon IV.4.1(h)(2) with regard to the same Doctrine as was alleged in the request for the statement of disassociation. Such request for initiation of proceedings under this Title shall include an explanation why the issuance of the statement of disassociation was not a sufficient response to the matters alleged in the request for statement of disassociation and shall be accompanied by a brief in support of the request for initiation of proceedings. The Presiding Bishop shall fix a date for the filing of a response, which shall include an explanation why the issuance of the statement of disassociation was a sufficient response to the matters alleged in the request for statement of disassociation, and brief in support thereof, which date shall be not less than ninety days from the date of service, and may extend the time for responding for not more than sixty additional days. Upon the filing of a response and supporting brief, if any, or upon the expiration of the time fixed for a response, if none be filed, the Presiding Bishop shall forthwith transmit copies of the request for initiation of proceedings under this Title, response, and briefs to each member of the House of Bishops. No proceeding under this Title for violation of Canon IV.4.1(h)(2) shall

be initiated unless the written consent of one-third of the Bishops qualified to vote in the House of Bishops shall be received by the Presiding Bishop within sixty days of the date on which the copies of the request for initiation of proceedings under this Title, response, and briefs were sent to them. In case the Presiding Bishop does not receive the written consent of one-third of all the Bishops eligible to vote within sixty days of such date, the Presiding Bishop shall declare the matter dismissed and no further proceedings may be had thereon. If the Presiding Bishop receives the necessary written consents within sixty days as specified above, the Presiding Bishop shall forthwith notify the President of the Disciplinary Board for Bishops. The President shall promptly select from the Disciplinary Board for Bishops, by lot or by other random means, a Hearing Panel consisting of nine Bishops and shall designate a president of the Hearing Panel. The President of the Disciplinary Board for Bishops shall promptly forward to the president of the Hearing Panel and to the Church Attorney copies of the request for initiation of proceedings under this Title, response, and briefs, and the matter shall proceed under this Title as a matter which has been referred to a Hearing Panel.

Sec. 8. The Court of Review for Bishops is hereby established as a court of the Church to have jurisdiction to hear appeals from Hearing Panels of the Disciplinary Board for Bishops. Court of Review for Bishops.

(a) The Court of Review for Bishops shall consist of nine members, all of whom shall be Bishops. Three Bishops shall be elected by the House of Bishops at any regularly scheduled meeting of the House of Bishops, to serve until the adjournment of the third succeeding regular meeting of General Convention and until their successors are elected and qualify; however, there shall be no change in the composition of the Court with respect to a particular Respondent following any hearing in the matter and while it is pending unresolved before the Court.

(b) From among their number, the members of the Court of Review for Bishops shall elect a president. President.

(c) The reasonable and necessary expenses of the Court of Review for Bishops, including fees, costs, disbursements and expenses of the members, clerks, reporters and Church Attorneys shall be charged upon the General Convention and paid by the Treasurer of the General Convention upon Order of the president of the Court of Review. The Court of Review for Bishops shall have the authority to contract for and bind the General Convention to payment of these expenses. Expenses.

Sec. 9. An Accord between the Presiding Bishop and a Bishop resulting from an agreement for discipline pursuant to Canon IV.9 shall be (a) subject to the right of withdrawal provided in Canon IV.9.3 and (b) submitted by the Presiding Bishop to the Disciplinary Board for Bishops for approval promptly after it is signed by the Presiding Bishop and the respondent. Unless withdrawn under Agreement for discipline by a Bishop.

Canon IV.9.3, it shall be effective upon approval of the Disciplinary Board for Bishops and not subject to appeal.

CANON 18: Of Modification and Remission of Orders

Application.

Sec. 1. Any Member of the Clergy who is the subject of an Order which has become effective may apply to the Bishop Diocesan of the Diocese from which the Order issued, or the Presiding Bishop in the case of a Bishop, for modification or remission of the Order. If the Bishop is satisfied that sufficient reasons exist for granting the modification or remission sought, in whole or in part, the procedures provided in this Canon for modification or remission shall apply.

Consent of Board.

Sec. 2. In the case of an Order pertaining to a Priest or Deacon, any provision of any Order other than a provision recommending deposition of the Priest or Deacon may be modified or remitted by the Bishop Diocesan of the Diocese from which the Order issued with the advice and consent of two-thirds of the members of the Disciplinary Board.

Conditions.

Sec. 3. In the case of a deposition of a Priest or Deacon pursuant to an Order, such deposition may be remitted and terminated by the Bishop Diocesan of the Diocese from which the Order issued only upon the following conditions: (a) the remission shall be done with the advice and consent of two-thirds of the members of the Disciplinary Board of the Diocese from which the Order issued; (b) the proposed remission, with the reasons therefor, shall be submitted to the judgment of five of the Bishops Diocesan whose Dioceses are nearest to the Diocese from which the Order issued, and the Bishop Diocesan shall receive in writing from at least four of those Bishops their approval of the remission and their consent thereto; (c) if the person deposed maintains legal residence or canonical residence in a Diocese other than the Diocese from which the Order issued, the proposed remission, with the reasons therefor, shall be submitted to the judgment of the Bishop(s) Diocesan of the Diocese(s) of legal and canonical residence and such Bishop(s) shall give his or her (or their) written approval of the remission and consent thereto; and (d) before such remission, the Bishop Diocesan shall require the person deposed, who desires to be restored to the ordained ministry, to subscribe to the declaration required in Article VIII of the Constitution.

In case of a Bishop.

Sec. 4. In the case of an Order pertaining to a Bishop, any provision of the Order may be modified or remitted by the president of the Disciplinary Board for Bishops with the advice and consent of a majority of the members of the Board and the Bishops who are then serving on any Provincial Court of Review.

In case of abandonment.

Sec. 5. In the case of any Order deposing a Member of the Clergy for abandoning the Church, no application for remission shall be received by the Bishop Diocesan until the deposed person has lived

in lay communion with the Church for not less than one year next preceding application for the remission.

Sec. 6. No Order may be modified or remitted unless the Member of the Clergy, the Church Attorney and each Complainant have been afforded sufficient opportunity to be heard by the Disciplinary Board, or the Disciplinary Board together with the Bishops who are then serving on any Provincial Court of Review, as the case may be, as to why the proposed modification or remission should or should not be permitted.

Opportunity to be heard.

CANON 19: Of General Provisions

Sec. 1. Proceedings under this Title are neither civil nor criminal but ecclesiastical in nature. These proceedings represent the responsibility of the Church to determine who shall serve as Members of the Clergy of the Church, reflecting the polity and order of this hierarchical church. Members of the Clergy have voluntarily sought and accepted positions in the Church and have thereby given their consent to subject themselves to the Discipline of the Church. They may not claim in proceedings under this Title constitutional guarantees otherwise associated with secular court proceedings.

Discipline of the Church.

Sec. 2. No member of the Church, whether lay or ordained, may seek to have the Constitution and Canons of the Church interpreted by a secular court, or resort to a secular court to address a dispute arising under the Constitution and Canons, or for any purpose of delay, hindrance, review or otherwise affecting any proceeding under this Title.

Secular courts.

Sec. 3. No secular court shall have authority to review, annul, reverse, restrain or otherwise delay any proceeding under this Title. No action shall be brought in any secular court to enforce the terms or provisions of any Accord or Order unless otherwise expressly provided therein.

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:

Limitation on proceedings.

- (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) 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.

(d) 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) 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.

Jurisdiction and venue.

Sec. 5. Jurisdiction and venue for proceedings under this Title shall be as follows:

(a) A Member of the Clergy shall be subject to proceedings under this Title for the alleged commission of an Offense in the Diocese in which the Member of the Clergy is canonically resident or in any Diocese in which an Offense is alleged to have occurred.

(b) Whenever a referral of a matter is to be made by an Intake Officer regarding a Member of the Clergy who is not canonically resident in the Intake Officer's Diocese, the Bishop Diocesan of the Intake Officer's Diocese shall promptly notify the Bishop Diocesan of the Diocese where the Member of the Clergy is canonically resident that the Intake Officer's Diocese intends to conduct proceedings under this Title regarding the matter. The Bishop Diocesan of the Diocese of canonical residence shall have thirty days following the receipt of such notice within which to object to assumption of jurisdiction over the matter by the Intake Officer's Diocese. Such objection shall be made in writing to the Bishop Diocesan of the Intake Officer's Diocese. If the Bishop Diocesan of the Diocese of canonical residence fails to so object within the time provided, it shall be deemed that

the Bishop Diocesan of the Diocese of canonical residence has agreed to assumption of jurisdiction over the matter by the Intake Officer's Diocese.

- (c) If objection is made by the Bishop Diocesan of the Diocese of canonical residence as provided in Canon IV.19.5(b), the Bishop Diocesan of the Diocese of canonical residence and the Bishop Diocesan of the Intake Officer's Diocese shall promptly agree as to which Diocese will assume jurisdiction over the matter and conduct proceedings. If the two Bishops cannot promptly agree, the disagreement will be resolved as follows:
- (1) If they are in the same Province, either may promptly request the president of the Provincial Court of Review to decide which Diocese shall conduct the proceedings. If they are in different Provinces, either may promptly request the president of the Disciplinary Board for Bishops to decide which Diocese shall conduct the proceedings.
 - (2) The requesting Bishop shall provide a copy of the request to the other Bishop. A reply to the request may be made by the non-requesting Bishop within fifteen days of service of the request.
 - (3) The president shall have the discretion to hear from the Bishops Diocesan or the Church Attorneys for the respective Dioceses, either personally or telephonically, concerning the request and any reply. The president shall have the discretion to request additional submissions from the Bishops Diocesan or the Church Attorneys.
 - (4) The president shall decide which Diocese shall conduct the proceedings within thirty days of service of the request.

Sec. 6. In any proceeding under this Title in which the Respondent fails to appear before the Conference Panel as required by Canon IV.12.4 or to timely file with the Hearing Panel the written response required by Canon IV.13.2(c), such Panel may proceed in the absence of the Respondent and may accept as true the matters described in the notice issued to the Respondent pursuant to Canons IV.12.3 or IV.13.2.

Failure to appear.

Sec. 7. Unless otherwise expressly provided in writing in the restriction on ministry or Sentence of suspension, a Member of the Clergy under a restriction on Ministry or Sentence of suspension shall not exercise any authority of his or her office over the real or personal property or temporal affairs of the Church except such matters as may not be exercised by a person other than the holder of the office, and may exercise authority in those matters only with the advice and consent of the Vestry or Bishops Committee, in the case of congregational property or affairs, or the Standing Committee, in

Sentence of suspension or restriction on Ministry.

the case of Diocesan property or affairs. The Sentence of suspension of a Rector shall terminate the pastoral relation between the Rector and the Vestry or Congregation unless (i) the Vestry by two-thirds vote requests of the Ecclesiastical Authority within thirty days that the relation continue and (ii) the Ecclesiastical Authority approves such request. If the pastoral relation has not been terminated, religious services and sacramental ministrations shall be provided for that Parish as though a vacancy exists in the office of the Rector. This Section shall not prohibit the application of Canon III.9.13.

Sec. 8. In computing any period of time for proceedings described in this Title, the day of the act or event from which the designated time period begins to run shall not be included. The last day of the time period shall be included, unless it is a Saturday, Sunday or legal holiday in that jurisdiction, in which event the period runs until the end of the next day which is not a Saturday, Sunday or legal holiday in that jurisdiction. Whenever a party has the right or is required to do an act within a prescribed period after the service of notice or other paper, if the service is by mail, five days shall be added to the prescribed period. Whenever it is provided in this Title that an act be done promptly or without delay, such act shall be done as quickly as is reasonably possible under the circumstances.

Sec. 9. In all cases in this Title where an action is performed or power exercised by a canonical body consisting of several members, including Reference Panels, Conference Panels, Hearing Panels and Courts of Review, and the full membership has been notified to convene, a majority of the members of the body shall be a quorum; and a majority of the members present when a quorum exists shall be competent to act.

Advisors.

Sec. 10. Each Diocese shall make provision for Advisors to be available to Respondents and Complainants as provided in this Canon for the purposes of support, assistance, consultation and advice regarding the process provided in this Title and the rights, responsibilities, consequences and alternatives pertaining thereto.

(a) The Bishop Diocesan shall make an Advisor available to the Respondent not later than the earliest of (1) reference for conciliation, to the Conference Panel or to the Hearing Panel, (2) the imposition of restriction on ministry or placement on Administrative Leave or (3) any interrogation or request for a statement or other information from the Respondent.

(b) The Bishop Diocesan shall make an Advisor available to the Complainant not later than the earliest of (1) the forwarding of the intake report to the Reference Panel, (2) the Complainant's appeal of a dismissal under Canon IV.6.5 or (3) the Bishop's designation of an Injured Person as a Complainant.

(c) The following shall be disqualified from serving as an Advisor: the Bishop Diocesan, the Church Attorney, any member of the Disciplinary Board, the Intake Officer, any Investigator, any person

who is likely to be a witness in any pertinent proceeding and the Chancellor or any Vice Chancellor of the Diocese.

(d) No Respondent or Complainant shall be required to accept the services of any Advisor made available by the Bishop Diocesan. Any Respondent or Complainant may use the services of any Advisor of his or her choice after designating that person as Advisor in writing to the Intake Officer.

(e) All communications between the Respondent and his or her Advisor or attorney and between the Complainant and his or her Advisor or attorney shall be privileged.

(f) The reasonable costs and expenses of providing Advisors made available by the Bishop Diocesan shall be the obligation of the Diocese in which the matter of Discipline is proceeding unless otherwise provided in an Accord or Order. The reasonable costs and expenses of providing Advisors chosen by the Respondent or Complainant and not made available by the Bishop Diocesan shall be the obligation of such Respondent or Complainant unless otherwise provided in an Accord or Order.

(g) In all proceedings under this Title at which the Respondent or the Complainant has the right to be present, their Advisors shall also have the right to be present.

Sec. 11. No person subject to the authority of the Church may attempt to coerce or improperly influence, directly or indirectly, the actions of any body performing functions under this Title, or any member of such body or any other person involved in such proceedings. Improper influence.

Sec. 12. In all proceedings under this Title whenever a Respondent or a Complainant is required or permitted to appear or to participate or to be heard or to be present, they each shall have the right to be accompanied by and to be represented by counsel of their choice. Whenever any notice or other document is provided to or served upon a Respondent or a Complainant under this Title, such shall also simultaneously be provided to or served upon their respective counsel, if Respondent or Complainant, as the case may be, has notified the Bishop of the identity and contact information for such counsel. Nothing in this Title shall be construed as requiring any Respondent to be represented by counsel. Anything in this Title required or permitted to be done by the Respondent's counsel may be done by the Respondent personally. Right to counsel.

Sec. 13. Proceedings under this Title, other than pastoral responses, shall be barred to the extent that the specific Offense has been the subject of any prior proceeding under this Title against the same Member of the Clergy which resulted in an Order or Accord. Additionally, in the case of a Member of the Clergy who has been the subject of proceedings under any predecessor to this Title, proceedings under this Title, other than pastoral responses, shall be barred to the extent that the specific Offense was previously included in a presentment against the Member of the Clergy or was Liability for retrial barred.

expressly set forth in the Member of the Clergy's waiver and voluntary submission to discipline upon which a Sentence has been pronounced or in the report of a conciliator.

Concerning
impartiality.

Sec. 14. Impartiality of officials and bodies described in this Title shall be addressed as follows:

- (a) Any Bishop Diocesan exercising authority under this Title shall disqualify herself or himself in any proceeding in which the Bishop's impartiality may reasonably be questioned. The Bishop shall also disqualify himself or herself when the Bishop, the Bishop's spouse, or a person within the third degree of relationship to either of them, or the spouse of such person, is the Respondent, Complainant or an Injured Person.
- (b) Any member of any Panel provided for in this Title shall disqualify himself or herself in any proceeding in which the member's impartiality may reasonably be questioned. The member shall also disqualify himself or herself when the member, the member's spouse, any person within the third degree of relationship to either of them, or the spouse of such person, (1) is the Respondent, Complainant or an Injured Person, (2) is likely to be a witness in the proceeding, (3) has a personal bias or prejudice concerning the Respondent, Complainant or any Injured Person, (4) has personal knowledge of disputed evidentiary facts concerning the proceeding, (5) has a personal financial interest in the outcome of the proceeding or in the Respondent, Complainant, any Injured Person or any other interest that could be substantially affected by the outcome or (6) is a member of the same congregation or otherwise has a close personal or professional relationship with the Respondent, the Complainant, any Injured Person or any witness in the matter.
- (c) Any member of any Panel provided for in this Title who has not disqualified himself or herself as provided in this section may be subject to challenge by the Church Attorney or the Respondent on grounds described in this section. The Complainant or the Complainant's Advisor may inform the Church Attorney of any such grounds. The challenge shall be investigated by the remaining members of the Panel who shall determine whether the challenged member of the Panel should be disqualified and replaced according to the procedures of this Title for filling vacancies.
- (d) No Bishop Diocesan or Panel shall accept from the Church Attorney or from the Respondent any waiver of any ground for disqualification enumerated in this section unless preceded by full disclosure of the basis for the disqualification, on the record.

Integrity of
Board.

Sec. 15. In addition to any challenge permitted under Canon IV. 19.14, the integrity of the Disciplinary Board shall be preserved by a

system of challenge as to the membership of any Panel of the Board appointed for a proceeding. Each Diocese shall provide by Canon for a system of challenge. If the Canons of the Diocese make no provision for challenging a member of the Board, any member of a Panel appointed for a proceeding may be challenged by the Church Attorney or the Respondent on grounds of conflict of interest or undue bias. The remaining members of the Board shall determine whether the challenge is relevant and factually supported and shall determine whether the challenged member shall be excused from that proceeding. If the member is excused, another member of the Board shall be appointed to the Panel to fill the vacancy created by the challenge, maintaining the appropriate balance of lay and ordained members.

Sec. 16. There shall be a presumption that the Respondent did not commit the Offense. The standard of proof required for a Hearing Panel to find an Offense by a Respondent shall be that of clear and convincing evidence. Presumption of innocence.

Sec. 17. In all matters under this Title, it shall be the burden of the Church through the Church Attorney to establish an Offense by any Respondent. Burden of proof.

Sec. 18. Except as otherwise provided in this Title, or except for good cause shown as determined by the Hearing Panel, it shall be the duty of all members of the Church to appear and testify or respond when duly served with a notice to do so from any Panel in any matter arising under this Title. Duty of Church members.

Sec. 19. No Chancellor or Vice Chancellor of a Diocese shall serve as Church Attorney in that Diocese. No Chancellor or Vice Chancellor of any Province shall serve as Church Attorney in any Diocese of that Province or any provincial proceeding. Neither the Presiding Bishop's Chancellor nor the Chancellor to the President of the House of Deputies shall serve as Church Attorney in any proceeding. The Church Attorney in any proceeding shall not be from the same law firm as any Chancellor or Vice Chancellor otherwise disqualified under this section. Church Attorney.

Sec. 20. Notices or other papers to be served according to procedures of this Title shall be deemed to have been duly served if a copy is delivered to the person to be served, is left with an adult resident of the abode of the person to be served or is mailed by certified mail to the person's usual place of abode. Notice by publication shall be made in a newspaper of general circulation in the jurisdiction of the person's usual place of abode. Acceptance of service renders unnecessary any further process. Notices duly served.

Sec. 21. A reference in this Title to a Bishop Diocesan shall include a Bishop Coadjutor if specific jurisdiction for matters contemplated by this Title has been assigned to the Bishop Coadjutor pursuant to Canon III.11.10(a)(2), and a Bishop Suffragan or Assistant Bishop if Bishop with jurisdiction.

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| | specific responsibilities for matters contemplated by this Title have been expressly assigned to the Bishop Suffragan or Assistant Bishop by the Bishop Diocesan. |
| Legal counsel. | Sec. 22. A Hearing Panel or Court of Review may in its discretion obtain legal counsel to give it opinions on any questions of law, procedure or evidence. Such legal counsel, if any, shall have no vote in any proceeding before the Hearing Panel or Court of Review. |
| Expenses. | Sec. 23. Except as expressly provided in this Title, applicable Diocesan Canon, or in any Accord or Order, all costs, expenses and fees, if any, shall be the obligation of the party, person or entity incurring them. (a) The necessary costs, expenses and fees of the Investigator, the Church Attorney, the Conference Panel, the Hearing Panel and any pastoral response shall be the expense of the Diocese. (b) The necessary costs and expenses of the Provincial Court of Review shall be the expense of the Province. (c) The necessary costs and expenses of the Disciplinary Board for Bishops and the Court of Review for Bishops shall be the expense of the General Convention. (d) Nothing in this Title precludes the voluntary payment of a Respondent's costs, expenses and fees by any other party or person, including a Diocese. |
| If Presiding Bishop is unavailable. | Sec. 24. If the Presiding Bishop is unavailable to act by virtue of absence, disability or other disqualification, actions to be performed by the Presiding Bishop in this Title shall be performed by that Bishop who would be the Presiding Officer of the House of Bishops as provided by Article I, Section 3, of the Constitution in the event of the resignation, infirmity, disability or death of the Presiding Bishop. |
| Diocese to arrange for a Bishop. | Sec. 25. If there is neither a Bishop Diocesan nor a Bishop Coadjutor nor a Bishop Suffragan nor an Assistant Bishop expressly assigned the administration of clergy discipline in a Diocese and not under a restriction on ministry or Sentence of suspension, the Diocese shall, by agreement pursuant to Canon III.13.2, arrange for a Bishop to perform the duties of the Bishop Diocesan under this Title before commencing or continuing with any proceedings under this Title. |
| Confidential communication. | Sec. 26. Wherever in this Title it is provided that any communication, deliberation, investigation or proceeding shall be confidential, no person having knowledge or possession of confidential information derived from any such communication, deliberation, investigation or proceeding shall disclose the same except as provided in this Title, in any Accord or Order, or as required by any applicable law. |
| Privileged Communication. | Sec. 27. Privileged Communication shall not be disclosed, nor shall any negative inference be drawn respecting the claim of the |

privilege, unless the privilege is waived by the person to whom the privilege belongs. Waiver of a privilege may occur by (a) voluntary disclosure; (b) failure to timely object to use of a Privileged Communication; or (c) placing the Privileged Communication at issue. Notwithstanding any provision of this section to the contrary, no waiver by a penitent of the privilege which attaches to communications or disclosures made within the Rite of Reconciliation of a Penitent shall work to require any confessor to divulge anything pertaining to any such communications or disclosures, the secrecy of the confession being morally absolute as provided in the Book of Common Prayer.

Sec. 28. Noncompliance with any procedural requirements set forth in this Title shall not be grounds for the dismissal of any proceeding unless the non-compliance shall cause material and substantial injustice to be done or seriously prejudice the rights of a Respondent as determined by the Panel or Court before which the proceeding is pending on motion and hearing.

Sec. 29. Solely for the purposes of the application of these Canons to persons who have received the pronouncement of the former Sentence of removal, the former Sentence of removal shall be deemed to have been a Sentence of deposition. Removal.

Sec. 30. Records of proceedings shall be preserved as follows:

- (a) Each Hearing Panel and Provincial Court of Review shall keep a complete and accurate record of its proceedings by any means from which a written transcript can be produced. When all proceedings have been concluded, the president of the Panel or Court shall certify the record. If the president did not participate in the proceeding for any reason, the Panel or Court shall elect another member of the Panel or Court to certify the record.
- (b) The Panel or Court shall make provision for the preservation and storage of a copy of the record of each proceeding in the Diocese in which the proceeding originated.
- (c) The Panel or Court shall promptly deliver the original certified record of its proceedings to the Archives of The Episcopal Church.
- (d) The Bishop Diocesan shall (i) promptly deliver to the Archives of The Episcopal Church a copy of any Accord or Order which has become effective and a record of any action of remission or modification of any Order and (ii) provide for the permanent preservation of copies of all Accords and Orders by means which permit the identification and location of each such copy by the name of the Member of the Clergy who is the subject thereof.

Records and
Church
Archives.

Sec. 31. Any Member of the Clergy canonically resident in the Diocese who deems himself or herself to be under imputation, by Imputation.

rumor or otherwise, of any Offense for which proceedings could be had under this Title, may on his or her own behalf request the Bishop Diocesan to conduct an inquiry with regard to such imputation. Upon receipt of such request by a Member of the Clergy, it shall be the duty of the Bishop Diocesan to cause the matter to be investigated and to report the result to the Member of the Clergy.

Sec. 32. No Member of the Clergy shall be accountable for any Offense if the act or omission constituting the Offense shall have occurred only prior to the effective date of this Title, unless such act or omission would have constituted an offense under the predecessor to this Title.

CANON 20: Of Transitional Provisions and Conforming Amendments to Other Canons

Transition to
Title IV
revision.

Sec. 1. Capitalized terms used in this Canon and which are not otherwise defined in this Title shall have the meanings provided in the predecessor to this Title.

Sec. 2. The effective date of this Title shall be July 1, 2011. Except as otherwise provided in this Canon, the predecessor to this Title shall stand repealed on the effective date of this Title.

Sec. 3. Matters which are pending under the predecessor to this Title on the effective date of this Title shall proceed as follows:

- (a) A Temporary Inhibition shall continue in accordance with its terms until it expires in accordance with Canon 1.2(f) of the predecessor to this Title. A Temporary Inhibition which is effective prior to the effective date of this Title and which expires by reason of the lapse of time as provided in Canon 1.2(f)(vi) of the predecessor to this Title may be extended and reviewed (1) as provided in the predecessor to this Title in the case of any matter proceeding in accordance with the predecessor to this Title as provided in this section or (2) in the case of any other matter, through the issuance of a restriction on ministry or the placement of the subject Member of the Clergy on Administrative Leave or both in accordance with the provisions of this Title.
- (b) A Charge against a Priest or Deacon which is pending on the effective date of this Title, and upon which the Diocesan Review Committee has neither issued a Presentment nor voted not to issue a Presentment, shall be referred to the Reference Panel and the matter shall proceed in accordance with the provisions of this Title.
- (c) A Charge against a Bishop, which is pending on the effective date of this Title, and upon which the Review Committee has neither issued a Presentment nor voted not to issue a Presentment, shall be referred to the Reference Panel and the

- matter shall proceed in accordance with the provisions of this Title.
- (d) A request for a statement of disassociation which is pending on the effective date of this Title shall proceed in accordance with Canon IV.17.7(a), and the matter shall thereafter further proceed, if at all, in accordance with the provisions of this Title.
 - (e) A Presentment against a Bishop under Canon 3.21(c) of the predecessor to this Title which is pending on the effective date of this Title shall proceed in accordance with Canon IV.17.7, and the matter shall thereafter further proceed, if at all, in accordance with the provisions of this Title.
 - (f) A case in which a Presentment against any Member of the Clergy is issued prior to the effective date of this Title, and in which the Respondent's answer or other response is not made or does not become due until after the effective date of this Title, shall be referred to the Conference Panel and the matter shall proceed in accordance with the provisions of this Title.
 - (g) A case which is pending before any Ecclesiastical Trial Court of any Diocese, and in which the Respondent's answer or other response is made or becomes due prior to the effective date of this Title, and in which no Trial has been had, shall proceed in accordance with the provisions of the predecessor to this Title unless the Church Attorney, the Respondent and the president of the Disciplinary Board shall agree in writing that the case shall proceed under the provisions of this Title, in which event the matter shall be referred to the Hearing Panel and the matter shall proceed in accordance with the provisions of this Title.
 - (h) An appeal from any Judgment rendered by any Ecclesiastical Trial Court of any Diocese after the effective date of this Title shall proceed in accordance with the provisions of this Title.
 - (i) A case which is pending before any Court of Review of the Trial of a Priest or Deacon shall proceed in accordance with the predecessor to this Title unless the Church Attorney, the Respondent and the president of the Provincial Court of Review shall agree in writing that the case shall proceed under the provisions of this Title, in which event the matter shall be referred to the Provincial Court of Review and the matter, including any grant of a new hearing, shall proceed in accordance with the provisions of this Title.
 - (j) A case which is pending before the Court for the Trial of a Bishop, and in which the Respondent's answer or other response is made or becomes due prior to the effective date of this Title, and in which no Trial has been had, shall proceed in accordance with the provisions of the predecessor to this Title unless the Church Attorney, the Respondent and the

president of the Disciplinary Board for Bishops shall agree in writing that the case shall proceed under the provisions of this Title, in which event the matter shall be referred to the Hearing Panel and the matter shall proceed in accordance with the provisions of this Title.

- (k) A case which is pending before the Court of Review of the Trial of a Bishop shall proceed in accordance with the predecessor to this Title unless the Church Attorney, the Respondent and the president of the Court of Review for Bishops shall agree in writing that the case shall proceed under the provisions of this Title, in which event the matter shall be referred to the Court of Review for Bishops and the matter, including any grant of a new hearing, shall proceed in accordance with the provisions of this Title.

**TITLE V
GENERAL PROVISIONS**

CANON 1: Of Enactment, Amendment, and Repeal

Sec. 1. No new Canon shall be enacted, or existing Canon be amended or repealed, except by concurrent Resolution of the two Houses of the General Convention. Such Resolution may be introduced first in either House, and shall be referred in each House to the Committee on Canons thereof, for consideration, report, and recommendation, before adoption by the House; *Provided*, that in either House the foregoing requirement of reference may be dispensed with by a three-fourths vote of the members present.

Procedure required.

Sec. 2. Whenever a Canon is amended, enacted, or repealed in different respects by two or more independent enactments at the same General Convention, including the enactment of an entire Title, the separate enactments shall be considered as one enactment containing all of the amendments or enactments, whether or not repealed, to the extent that the change made in separate amendments or enactments, are not in conflict with each other. The two members of the Committee on Canons from each House of General Convention appointed pursuant to Canon V.1.5(a) shall make the determination whether or not there is a conflict and certify the text of the single enactment to the Secretary.

Separate enactments affecting the same Canon.

Sec. 3. Whenever a Canon which repealed another Canon, or part thereof, shall itself be repealed, such previous Canon or part thereof shall not thereby be revived or reenacted, without express words to that effect.

Sec. 4. If a Canon or Section of a Canon or Clause of a Section of a Canon is to be amended or added, the enactment shall be in substantially one of the following forms: "Canon . . . (Canon, Section or Clause designated as provided in Canon V.2.3) . . . is hereby amended to read as follows: (here insert the new reading)"; or "Canon . . . (Canon or Section designated as provided in Canon V.2.3) . . . is hereby amended by adding a Section (or Clause) reading as follows: (here insert the text of the new Section or Clause)." If amendments are to be made at one meeting of the General Convention to more than one-half of the Canons in a single Title of the Canons, the enactment may be in the following form: "Title . . . of the Canons is hereby amended to read as follows: (here insert the new reading of all Canons in the Title whether or not the individual Canon is amended)." In the event of insertion of a new Canon, or a new Section or Clause in a Canon, or of the repeal of an existing Canon, or of a Section or Clause, the numbering of the Canons, or of a division of a Canon, which follow shall be changed accordingly without the necessity of enacting an amendment or amendments to that effect.

Form of amendment.

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| Certification of changes. | <p>Sec. 5 (a) The Committee on Canons of each House of the General Convention shall, at the close of each regular meeting of the General Convention, appoint two of its members to certify the changes, if any, made in the Canons, including a correction of the references made in any Canon to another, and to report the same, with the proper arrangement thereof, to the Secretary, who shall publish them in the Journal.</p> <p>(b) The Committee on Constitution of each House of the General Convention shall, at the close of each regular meeting of the General Convention, appoint a similar committee of two of its members to certify in like manner the changes, if any, made in the Constitution, or proposed to be made therein under the provisions of Article XII of the Constitution, and to report the same to the Secretary, who shall publish them in the Journal. The committee shall also have and exercise the power of renumbering of, and correction of references to, Articles, Sections and Clauses of the Constitution required by the adoption of amendments to the Constitution at a meeting of the General Convention in the same manner as provided with respect to the Canons in the foregoing Sections 4 and 5(a) of this Canon.</p> |
| When Canons take effect. | <p>Sec. 6. All Canons enacted during the General Convention of 1943, and thereafter, and all amendments and repeals of Canons then or thereafter made, unless otherwise expressly ordered, shall take effect on the first day of January following the adjournment of the General Convention at which they were enacted or made.</p> |
| Use of the term Diocese. | <p>CANON 2: Of Terminology Used in These Canons</p> <p>Sec. 1. Whenever the term "Diocese" is used without qualification in these Canons, it shall be understood to refer both to "Dioceses" and to "Missionary Dioceses," as these terms are used in the Constitution, and also, whenever applicable, to the "Convocation of the American Churches in Europe."</p> |
| Use of the term Canon. | <p>Sec. 2. Whenever in these Canons a reference is made to a Canon or a Section of a Canon or a Clause of a Section of a Canon, the word "Canon" shall be set out, followed in order by the numerical or alphabetical designation of the Title, the Canon, the Section and the Clause, in each case separated by a period.</p> <p>CANON 3: Of a Quorum</p> <p>Sec. 1. Except where the Constitution or Canons of the General Convention provide to the contrary, a quorum of any body of the General Convention consisting of several members, the whole having been duly cited to meet, shall be a majority of said members; and a majority of the quorum so convened shall be competent to act.</p> |

CANON 4: Of Vacancies on Canonical Bodies

Sec. 1 (a) Except where the Constitution or Canons of the General Convention provide to the contrary, the term of a member in any body of the General Convention consisting of several members shall become vacant as follows: Causes for removal.

- (1) upon absence from two regularly scheduled meetings of the body between successive regular meetings of the General Convention unless excused by the body;
- (2) upon Inhibition, Admonition, Suspension, or Deposition of a Member of the Clergy then serving on the body;
- (3) upon the renunciation of the ministry of this Church by a Member of the Clergy;
- (4) upon the certification to the Presiding Bishop by the Disciplinary Board for Bishops as to the abandonment of the Church by a Bishop pursuant to Canon IV.16;
- (5) upon the certification by the Standing Committee as to the abandonment of the Church by a Priest or Deacon pursuant to Canon IV.16; or
- (6) for cause deemed sufficient by a two-thirds vote of all the members of the body.

(b) The term of any member specified to be filled by a Priest or Deacon shall become vacant upon that member's ordination to the episcopacy. Vacancies due to change in status.

(c) The term of any Member of the Clergy specified to be filled by virtue of a provincial or diocesan canonical residence shall become vacant upon the change of canonical residence to another diocese or to a diocese in a different province, as the case may be.

(d) The term of any Lay Person specified to be filled by virtue of a provincial or diocesan residence shall become vacant upon the change of residence to another diocese or to a diocese in a different province, as the case may be.

Sec. 2 (a) The position of a lay member becomes vacant upon loss of status as a communicant in good standing.

(b) The position of any member specified to be filled by a lay person shall become vacant upon that member's ordination.