

THE DIOCESE OF THE CAROLINAS OF THE ANGLICAN CHURCH IN NORTH AMERICA

CANONS

Preamble

Pursuant to the Constitution of the Anglican Church in North America (the “Province”) and the Canons thereof (“Provincial Canons”); and the Constitution of the Diocese of The Carolinas (“Diocese”), the Diocese, by its Synod, hereby adopts these canons for the purpose of establishing and maintaining its own governance.

TITLE I

Organization and Administration of the Diocese and Congregations

Canon 1

Order, Governance, and Discipline of the Diocese

The order and governance of, and discipline within, the Diocese shall be vested in the Bishop, the Synod, the Ecclesiastical Trial Court and the Standing Committee as provided in the Provincial Constitution and Canons and in the Constitution and Canons of the Diocese.

Section 1. *Ecclesiastical Authority*

The Ecclesiastical Authority of the Diocese shall be vested in the Bishop, except as provided in Section 4 of this Canon.

Section 2. *Legislative and Non-ecclesiastical Executive Authority*

The legislative authority and, except as provided in Section 4 of this Canon, the non-ecclesiastical executive authority, of the Diocese shall be vested in the Synod.

Section 3. *Judicial Authority*

The judicial authority of the Diocese shall be vested in the Ecclesiastical Trial Court.

Section 4. *The Standing Committee*

The Standing Committee shall (i) be a council of advice to the Bishop, (ii) be the ecclesiastical authority of the Diocese in the absence of a Bishop authorized to act, (iii) exercise the non-ecclesiastical executive authority of the Diocese between meetings of the Synod, and (iv) have such other authority and responsibility as the Synod of the Diocese may determine by canon or resolution.

*Canon 2
Of the Synod*

Section 1. *Powers, Duties and Composition*

The Synod as the legislative body of the Diocese has the power to adopt and amend the Diocesan Constitution and Canons; approve budgets; establish and oversee the program of the Diocese; confirm Standing Committee admissions of Congregations and Missions into the Diocese; and elect Bishops of the Diocese, members of the Standing Committee, members of the Committee on Nominations for Bishop and Diocesan representatives to the Provincial Assembly and Provincial Council. The Synod shall be composed of the Lay Order and the Clerical Order, consisting of those Lay Delegates and members of the Clergy describes in Sections 2 and 3 below.

Section 2. *The Lay Order*

a. The Lay Order shall consist of all delegates to the Synod who are not ordained clergy. Each Congregation and Mission of the Diocese shall be entitled to designate two Lay Delegates to the Synod. In addition, each Congregation or Mission having in excess of 200 Eligible Voters shall be entitled to designate one additional Lay Delegate for each 200 Eligible Voters or fraction thereof above the first 200, except that the total number of Lay Delegates from any one Congregation or Mission shall not exceed seven. The number of Eligible Voters of a Congregation or Mission shall be based upon the most recent Annual Report prepared and filed in accordance with Title I, Canon 6, Section 8 of the Provincial Canons and these canons.

b. Each Congregation and Mission of the Diocese shall select its delegates according to its respective governing rules with no more than one alternate for each delegate so chosen, and shall report its selection no later than ninety (90) days before the ensuing meeting of the Synod on a form prepared by the Registrar of the Diocese, provided that if (i) a special meeting of the Synod is called on not more than 120 days notice, and (ii) a Congregation or Mission does not submit a report of its selection of delegates to such Synod within the ninety (90) day period described above, then the most recent report of a Congregation or Mission filed with the Registrar of the Diocese shall be accepted by the Registrar as the report of such Congregation or Mission. An alternate shall qualify with the Synod Credentials Committee in order to be able to vote at a Synod meeting in the place of an absent delegate.

c. A list of all duly elected, appointed and ex officio Lay Delegates shall be compiled and maintained and kept current by the Registrar. The list shall contain the address and other contact information of each Lay Delegate and shall be published at least 30 days in advance of any meeting of the Synod. Any Lay Delegate whose name is not on the list who wishes to vote at the Synod shall bring the omission to the attention of the Registrar.

Section 3. *The Clergy Order*

a. The Clergy Order shall consist of the Bishop or Bishops and all duly ordained Presbyters and Deacons under the authority of the Bishop. Presbyters and Deacons under the authority of the Bishop include Presbyters and Deacons licensed in this Diocese pursuant to Title III of these Canons and Presbyters and Deacons canonically resident in this Diocese. A Presbyter or Deacon is canonically resident in this Diocese if he is licensed in another Diocese but has letters dimissory lodged in this Diocese. An official list of all such Presbyters and Deacons shall be maintained by the Ecclesiastical Authority and kept current by the Registrar and on file in the central

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office of the Diocese. The list shall contain the addresses and positions of the clergy and shall be published at least 30 days in advance of any meeting of the Synod. Any member of the clergy whose name is not on the list who wishes to vote at the Synod shall bring the omission to the attention of the Registrar.

b. Every Presbyter and Deacon under the authority of the Bishop shall attend every meeting of the Synod unless excused by the Ecclesiastical Authority.

Section 4. *Meetings of the Synod*

a. The Synod of the Diocese shall meet regularly once a year and may also have special meetings called for a specific purpose by the Bishop or the Standing Committee.

b. The Bishop with the advice of the Standing Committee shall determine the date, time and place of all meetings of the Synod. The Secretary of the Diocese shall give notice of regular meetings at least 180 days in advance and no less than 30 days prior to any special meeting. The notice shall be given to the Vestry of each Congregation, to the vicar or governing body of each Mission and to each Presbyter and Deacon under the authority of the Bishop.

c. The agenda for any Synod meeting and all proposed resolutions, including the proposed rules of order and any proposed amendments to the Constitution or Canons, shall be distributed to Synod delegates no fewer than 30 days prior to the meeting. No business shall be transacted at the meeting other than that stated in the agenda. Notwithstanding the foregoing, at any regular meeting of the Synod, two-thirds of those present and voting at the meeting may authorize the transaction of business not stated on the agenda of the meeting, except for an amendment to the Constitution.

Section 5. *Committees of the Synod*

In addition to those committees expressly required or authorized by these canons, there may be Synod Committees on Resolutions, Nominations, and such other committees as the Bishop or the Synod may deem necessary. All Synod committee members shall be appointed by the Bishop, and a majority of the members of any Synod committee shall be current members of the Synod.

Section 6. *The Synod Credentials Committee*

A Synod Credentials Committee, appointed by the Presiding Officer of the Synod, shall consist of two Clergy and two Lay Delegates who shall determine the presence of a quorum in accordance with the Constitution and hear and resolve any disputes over proper representation in the Synod.

Section 7. *Rules of Order*

The Bishop with the advice of the Chancellor shall propose Rules of Order, not inconsistent with the Constitution and Canons of the Diocese, for adoption by the Synod at the outset of each meeting.

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Section 8. *Parliamentarian*

The Bishop may appoint a Parliamentarian to advise the Bishop and the Synod on parliamentary issues. The ruling of the Bishop or the Presiding Officer on any parliamentary matter may be overridden by a vote of 2/3 of those present and voting at the Synod.

Section 9. *Diocesan Delegates to the Provincial Assembly and Provincial Council*

The Synod of the Diocese shall elect the delegates to the Provincial Council and the Assembly from a list of nominees provided by the Bishop with the advice and consent of the Standing Committee. Nominations from the floor shall be allowed.

Canon 3 Of the Diocesan Standing Committee

Section 1. *Standing Committee Established*

The Standing Committee of the Diocese shall be comprised of six clergy and six laity elected by the Synod for staggered three-year terms. Lay members of the Standing Committee must be Members of a Congregation or Mission of the Diocese. These elected members may serve for two consecutive full terms and retiring elected members are ineligible for reelection for three years. Lay members of the Standing Committee shall be non-voting members of the Synod ex officio.

Section 2. *Voice, Vote and Quorum*

Each member of the Standing Committee elected pursuant to Section 1 of this Canon shall have voice and vote. The Bishop and officers of the Diocese may be invited by the Bishop to attend meetings of the Standing Committee but shall not be entitled to vote. Fifty percent of the members of the Standing Committee shall constitute a quorum for the transaction of business.

Section 3. *Powers and Duties*

Except as otherwise provided in the Constitution and Canons of the Diocese, the Standing Committee of the Diocese shall have the following powers and duties:

- a. Serve as a council of advice to the Bishop;
- b. Serve as the Ecclesiastical Authority of the Diocese in the absence of a Bishop authorized to act;
- c. Together with the Bishop and subject to confirmation by the Synod, act to accept or deny an application for admission of a Congregation or Mission into the Diocese;
- d. Serve as nominating committee for all offices filled by the Synod except for offices nominees for which are to be made by another committee pursuant to these Canons or resolution of the Synod unless such committee has not been established;
- e. Together with the Bishop, approve the Diocesan Clergy Credentialing Guide for ordination to Holy Orders, and approve any alterations to the same, pursuant to Title III, Canon 1;

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- f. Appoint persons to fill vacancies on any committee of the Diocese, including the Standing Committee, that occur between meetings of the Synod, to hold office until the next meeting of the Synod;
- g. Interpret the Constitution and Canons with the advice of the Chancellor or the Committee on Constitution and Canons; and
- h. Perform such other duties and responsibilities as may be assigned by the Bishop.

Canon 4 ***Officers of the Diocese***

Section 1. *The Bishop*

The Bishop shall serve as the Ecclesiastical Authority of the Diocese and the presiding officer of the Standing Committee and the Synod with the authority and responsibility as set forth in the Constitution of the Diocese and those additional express authorities set forth in the Constitution and Canons of the Province and the Diocese.

Section 2. *The Bishop Coadjutor*

The Synod may elect a Bishop Coadjutor, who is intended to succeed the Bishop upon the Bishop's retirement, death or removal. The Bishop shall prescribe the duties and responsibilities of the Bishop Coadjutor.

Section 3. *The Bishop Suffragan*

The Synod may elect one or more Bishops Suffragan whose duties shall be prescribed by the Bishop.

Section 4. *The Chancellor*

The Chancellor of the Diocese, appointed by the Bishop, shall be learned in the law and licensed to practice law in one of the jurisdictions encompassed by the Diocese. The Chancellor shall have responsibility for the legal affairs of the Diocese and shall serve as counsel to the Bishop and the Standing Committee. The Bishop may appoint assistant chancellors as necessary.

Section 5. *The Secretary*

The Secretary of the Diocese, appointed by the Bishop, shall keep the minutes of the meetings of the Standing Committee and shall submit such reports as the Bishop may request. The Bishop may appoint assistant secretaries as necessary.

Section 6. *The Treasurer*

The Treasurer of the Diocese, elected by the Standing Committee, shall be the custodian for all of the funds of the Diocese. The Treasurer shall be bonded in such amount as the Standing Committee from time to time shall deem appropriate, shall prepare the annual diocesan budget and

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shall file an annual report to the Synod on the financial status of the Diocese, including reports of account for all funds under his or her custody or control, profit and loss statements, and balance sheets. The Treasurer shall also be responsible for the preparation of such periodic financial reports as may be required by the Standing Committee.

Section 7. *The Registrar*

The Registrar, appointed by the Bishop, shall be the custodian of official records of the Diocese and shall issue such certification as may be directed by the Bishop or the Standing Committee.

Section 8. *Terms of Office and Synod Representation*

The Chancellor, the Secretary, the Registrar and the Treasurer shall serve at the pleasure of the Bishop. All Officers of the Diocese shall serve as non-voting members ex officio of the Synod.

Canon 5 Committees of the Diocese

Section 1. *Finance Committee*

There shall be a Finance Committee, appointed by the Bishop with the advice and consent of the Standing Committee, with at least one representative ex officio from the Standing Committee. The Finance Committee shall assist the Treasurer in preparing the annual Budget of the Diocese and shall issue guidelines for audits and investment management. The Finance Committee shall oversee the insurance and benefits programs for the Diocese, its clergy and lay personnel. The Finance Committee shall cause the records and accounts of the Treasurer to be audited by independent auditors on an annual basis. The Finance Committee shall issue periodic reports to the Bishop and the Standing Committee on the financial condition of the Diocese.

Section 2. *Committee on Constitution and Canons*

There shall be a Committee on Constitution and Canons, appointed by the Bishop with the advice of the Standing Committee. The Chancellor shall be a member of the Committee ex officio. The Committee shall be responsible for ensuring the conformity of the Diocesan Constitution and Canons with those of the Province. All proposed amendments to the Diocesan Constitution or Canons shall be submitted to the Committee not fewer than 60 days prior to the next Synod meeting at which such proposed amendment is first considered. No amendment to either the Constitution or Canons of the Diocese shall be considered by the Synod until the Committee shall have reviewed and reported its recommendation to the Synod no fewer than thirty (30) days prior to the next Synod meeting.

Section 3. *Committee on Nominations for Bishops*

a. *Composition and Duties*

A Committee on Nominations, consisting of three Clergy and four Lay Delegates chosen from among the delegates to the Synod, may be elected annually by the Synod. The Committee on

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Nominations shall be responsible for receiving, considering and publishing all accepted nominations for Bishop, Bishop Coadjutor, and Bishop Suffragan. If a Committee on Nominations is not established, its functions shall be performed by the Standing Committee.

b. *Sources and Contents of Nominations*

Nominations for Bishops received from any Vestry shall be submitted to the Committee on Nominations, in a form specified by that Committee, not less than 210 days prior to the electing Synod. All such nominations must include a written acceptance by the nominee of the nomination, an acknowledgment by the nominee of publication of the nomination by the Committee on Nominations, and written support of the nomination by the Vestry of any Congregation or Mission in which the nominee is serving. Nominations from other sources may be submitted to the Committee, in a form specified by the Committee, not less than 180 days prior to the electing Synod.

c. *Screening of Nominations*

The Committee on Nominations shall screen all names duly placed in nomination to determine whether they meet the criteria established by the Provincial and Diocesan Constitution and Canons. Through a prayerful process of discernment, the Committee shall arrive at a slate consisting of no more than three names. The slate of names shall be published to the Synod delegates at least 90 days prior to the electing Synod.

Canon 6 ***Congregations and Missions***

Section 1. *Congregation and Mission Defined*

A Congregation is any group of the faithful meeting together in regular worship with an Average Sunday Attendance of at least fifty (50), and with a demonstrated ability to fund its own operations without the support of the Diocese or another Congregation, provided that a group of the faithful not meeting these minimum specifications may be recognized as a Congregation by the Standing Committee as provided in this Canon. A Mission is any group of the faithful not meeting these minimum specifications and not recognized as a Congregation by the Standing Committee as provided in this Canon. A Congregation or Mission may become united with the Diocese as provided in this Canon.

Section 2. *Application Procedure*

Any group of the faithful seeking to be received into this Diocese as a Congregation or Mission shall submit an application to the Standing Committee on forms and in accordance with standards prescribed by the Standing Committee. The Congregation or Mission may be received into the Diocese upon a vote of the next Synod, provided that the Standing Committee, with the approval of the Bishop, may receive the Congregation or Mission into the Diocese on a provisional basis subject to confirmation by a vote of the next Synod. A Congregation or Mission joining the Diocese shall agree in writing to become subject to the Constitution and Canons of the Province and the Diocese. If the Congregation or Mission is attached to another Diocese or network of the Province, it may be received into this Diocese only with the consent of the Standing Committee and the Bishop of the Diocese or network to which it is attached. If the Congregation or Mission is attached to

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another denomination it may be received into this Diocese only after first being admitted to the Province in accordance with the Provincial Constitution and Canons.

Section 3. *Governance of Congregations*

a. *Self-governance*

Each member Congregation and Mission has the right to establish and maintain its own governance not inconsistent with the provisions of the Provincial and Diocesan Constitution and Canons.

b. *The Vestry and the Rector*

A Congregation shall be governed by its Rector and Vestry. The Vestry of a Congregation shall be elected by the Congregation under rules established for that purpose, provided that the Rector and Vestry shall be responsible for establishing the slate of candidates to stand for Vestry election, and each such candidate shall meet the eligibility criteria set forth in this Canon. The Rector shall be elected by the Vestry, with the consent of the Bishop. A Rector may only be removed from office as provided by these Canons. The Rector or his designee shall preside at all meetings of the Vestry. If the office of Rector is vacant, the Senior Warden shall preside at all meetings of the Vestry.

c. *Governing Documents*

Each congregation shall adopt governing documents in conformity with the Constitution and Canons of the Province and the Diocese and shall operate in accordance with the same.

d. *Vestry Members*

Only those Eligible Voters of the Congregation (as defined by Title I, Canon 6, Section 3.g. and 3.h.) who are at least 18 years of age and have also been confirmed or received by a Bishop of a Province of the Anglican Communion shall be eligible to serve on a Vestry. Unless permitted by written waiver of the Standing Committee, the following are ineligible to serve as voting members of the Congregation's Vestry: (1) spouses and other immediate family members of current Vestry members; (2) paid staff of the Congregation and their spouses and other immediate family members; and (3) those ordained to Holy Orders. Qualification for Vestry membership should be based on Titus 1:6-9. A candidate should aspire to: (i) be a mature Christian; (ii) maintain an active prayer life; (iii) keep his life in order; (iv) be known and respected among the Congregation; (v) be active in ministry; (vi) be known as a cheerful giver, not only of money but of time; and (vii) understand, count the cost of, and commit to fulfilling the responsibilities and duties of a Vestry member.

e. *Vestry Elections*

Every Congregation shall have an annual meeting in keeping with its governing documents at which meeting new Vestry members shall be elected by the Eligible Voters of the Congregation. In the event of a vacancy in the Vestry, the remaining members may fill that vacancy with a qualified member of the Congregation who shall serve until the next annual meeting of the Congregation.

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Every person elected a Vestry member shall attest, by signing a book kept for that purpose, the following declaration and promise:

“I do believe the Holy Scriptures of the Old and New Testament to be the Word of God and to contain all things necessary for salvation through Our Lord Jesus Christ and I do yield my hearty consent to the fundamental declarations set forth in Article I of the Constitution, and to the discipline and forms of worship of the Anglican Church in North America. I promise that I will faithfully execute the duties of the office of Vestry member of this Congregation to the best of my ability.”

f. Vestry Duties

The Vestry shall have the following duties: (i) provide for the financial support of the Rector and the Rector’s family; (ii) support the Rector in all aspects of the Rector’s ministry, including ensuring the Christian formation, biblical literacy and spiritual maturity of the members of the Congregation; (iii) provide an adequate place for regular worship; (iv) provide for the elements necessary for the celebration of sacraments, music, hymnals, prayer books, and Bibles as needed for use by the Congregation; (v) provide for the compensation of staff members; (vi) establish an adequate insurance program for the Congregation; (vii) be familiar with the Constitution and Canons of the Province and of the Diocese and provide for compliance therewith; (viii) establish a biblically-based program of financial giving by members of the Congregation; (ix) conform (as nearly as possible) with the financial askings of the Diocese; and (x) strive for unity and adopt the principles found in Matthew 18 as the standard for resolving conflict that may develop within the Vestry, the Congregation, the Diocese, and the Province.

g. Members

The “Members” of a Congregation are all persons, other than clergy under the authority of the Bishop, 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 and who publicly affirm the Fundamental Declarations set forth in Article I of the Constitution of the Province.

h. Eligible Voters

The “Eligible Voters” of a Congregation are those Members of the Congregation who are at least 16 years of age and who are recognized by the Rector as regular worshippers and by the Wardens as regular contributors. The Rector and Wardens shall maintain a current list of the Members and Eligible Voters of the Congregation. Any person who believes he or she is entitled to be included on the list of Eligible Voters may appeal to the Vestry for its determination.

i. Annual Report

On or before the first day of March of each year, the Rector and Wardens shall submit to the Secretary of the Diocese an Annual Report on a form to be prescribed by the Standing Committee including the number of Members and Eligible Voters in the Congregation and such other information as the Standing Committee shall direct.

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Section 4. *Governance of Missions*

The Bishop shall be the governing authority of a Mission, except as he may delegate such authority to a Vicar and governing board.

Canon 7 ***The Rector and The Pastoral Relationship***

Section 1. *The Pastoral Relationship Defined*

A Rector shall be called by the Vestry after prayerful discernment, and no person may be elected and called as a Rector without the approval of the Bishop. The relationship between the Rector and the Congregation is one of mutual trust and dependence in carrying out the ministry of the Congregation. As the spiritual leader of the Congregation, the Rector requires the full cooperation and support of the Vestry. The Rector shall select all assistant or associate clergy, and all other members of staff, who shall serve at the pleasure of the Rector, provided that the creation of any compensated position must first be approved by the Vestry.

Section 2. *Restrictions upon Rector's Resignation and Removal*

Except for reasons required by age or infirmity, a Rector may not resign as Rector without the consent of the Vestry. A Rector may not be removed against his will except as hereinafter provided. If for any reason the office of Rector becomes vacant, the Vestry must immediately provide written notice to the Bishop, or when there is no Bishop, to the Standing Committee.

Section 3. *Procedure When Pastoral Relationship Imperiled or Hindered*

a. Whenever a Rector or a majority of the Vestry believe the pastoral relationship between the Rector and the Congregation to be imperiled or hindered by reason of dissension, either or both shall present the matter to the Bishop.

b. Upon notification of such imperilment or hindrance, the Bishop shall promptly seek reconciliation by whatever means he believes appropriate that is not inconsistent with Holy Scripture. Both the Rector and the Vestry shall participate cooperatively in the process. The Bishop may issue interim directives appropriate to the cause before issuing a final judgment. Prior to issuing a final judgment, the Bishop shall consult with the Standing Committee and the Chancellor of the Diocese. The Standing Committee may schedule a conference with the Vestry and the Rector before rendering its advice to the Bishop. At such conference, the parties may be heard and be represented by a person or persons of their choice.

c. The judgment of the Bishop may include a leave of absence with pay for the Rector, a refusal to dissolve the pastoral relationship or a judgment of dissolution.

d. If the relationship is to be dissolved, the judgment may include terms and conditions for compliance by both parties and must include a financial settlement that is equitable, just and compassionate. The Bishop shall in all cases render pastoral support to the Rector. Upon issuing such judgment, the Bishop shall direct the Secretary or the Registrar of the Diocese to record the dissolution.

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e. If a Rector or a majority of the Vestry believes the pastoral relationship between the Rector and the Congregation to be imperiled or hindered by reason of dissension at a time when there is no Bishop or, after presentation of the matter to the Bishop, the Bishop refuses to act within a reasonable time period, the Standing Committee or Vestry may appeal to the Archbishop for action.

f. If for any reason either the Vestry or the Rector shall refuse to comply with the judgment of the Bishop, the Bishop may suspend the Rector from the exercise of the ministry of a Presbyterian until the Rector complies with the judgment or, in the case of the Vestry, the Bishop may call a congregational meeting for the purpose of notifying the Congregation of the Vestry's noncompliance with the judgment. The Bishop may request the Synod of the Diocese to remove the Congregation from the Diocese or convert the Congregation to Mission status under the supervision of the Bishop in the event of continued noncompliance by the Vestry.

Section 4. *The Duties of the Rector*

As the spiritual head of the congregation, the Rector's duties shall include: (i) overseeing the worship of the congregation, ensuring that such worship utilizes only authorized liturgical forms, and conforms to all pertinent rubrics, canons, and the direction of the Bishop; (ii) presiding or designating a presider at all meetings of the Vestry; (iii) preaching and teaching the Holy Scriptures; (iv) having care of souls, and providing pastoral care when necessary; (v) cultivating in his own life a rule of prayer and devotion, as modeled through the daily offices of Morning and Evening Prayer; (vi) living as a godly example to the faithful; (vii) hiring, managing, and when necessary, terminating the employment of members of staff; and (viii) having at all times the use and control of the church properties, ensuring that all activities taking place on church properties are consistent with the worship and mission of the church and local needs of the congregation.

Canon 8 ***Business Affairs in Congregations***

Section 1. *Finance Committee*

The Vestry of each Congregation shall provide for a finance committee, which shall prepare a budget for adoption by the Vestry. No Congregation may operate on a deficit budget without adequate reserves to cover such deficit.

Section 2. *Treasurer*

Each Congregation shall have a treasurer, elected by Vestry, who shall be bonded in such sum and with such surety as the Vestry from time to time shall determine. The treasurer shall be the custodian of the funds of the Congregation and shall perform such other duties as required by the Vestry.

Section 3. *Investments*

All investments of congregational funds shall be under the oversight of the Vestry and shall be made with due regard to applicable state law for fiduciaries. The Vestry may consult with the

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Diocese for guidance with regard to investments. Investment funds shall be deposited in banks or other financial institutions where such deposits are adequately insured.

Section 4. *Audits*

The Vestry shall annually cause to be audited the accounts of its treasurer and all other custodians of funds or securities. Audits are to be conducted with such instructions as may be promulgated by the Diocese. A certified copy of each annual audit shall be filed with the Diocese.

Canon 9 Creation of Congregational Debt

Section 1. *Standard Governing Creation of Indebtedness*

The creation of congregational debt shall be undertaken with caution and due regard for the fiduciary responsibilities of the Vestry.

Section 2. *Reports to the Diocese Regarding Certain Indebtedness*

Congregations and Missions shall inform the Bishop, Standing Committee and Finance Committee of the Diocese if their plans for indebtedness would result in annual debt service payments in excess of 33% of a Congregation's or Mission's average annual income over the previous three years. The report should include information regarding the Congregation's or Mission's plan for debt repayment. Congregations and Missions reporting such indebtedness shall provide annual updates to the Bishop, Standing Committee and Finance Committee of the Diocese regarding the status of such indebtedness for so long as the indebtedness continues at the level originally reported.

Section 3. *Limits on Indebtedness*

Total indebtedness of a Congregation may not exceed 400% of its average annual income over the previous three years, provided that the Standing Committee may waive this limit. The governing documents of a Congregation may provide for limits on borrowing without the affirmative vote of a majority of the Congregation at a meeting called for that purpose.

Canon 10 Congregation, Mission and Diocesan Property

Section 1. *No Denominational or Diocesan Trust in Congregation Property*

All real and personal property owned by or held for the benefit of a Congregation shall belong exclusively to that Congregation, free of any trust or other claim by the Diocese or the Province.

Section 2. *Ownership of Mission Property*

A Mission may own real and personal property. Upon a Mission's becoming a Congregation of this Diocese, the Mission shall have the right to purchase from the Diocese any real or personal

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property owned by the Diocese for use by the Mission upon such terms and conditions as the Mission and the Diocese shall agree.

Section 3. Restriction on Right to Alienate, Sell, Exchange, Encumber or Transfer Real Property of Congregations and Missions

No material Congregational real property or part thereof may be alienated, sold, exchanged, encumbered or otherwise transferred without the consent of the Vestry in a meeting called for that purpose. Prior to the sale of consecrated property, the Vestry shall first offer the property to the Standing Committee of the Diocese, which, unless waived, shall have sixty (60) days to accept the offer.

Section 4. Diocese Empowered to Own Its Own Property

The Diocese may own its own property to be held in whatever form determined by the Standing Committee, and any such property shall be free of any claim of trust or ownership by the Province.

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TITLE II Worship and Administration of the Sacraments

Canon 1 Conformity with Provincial Canons

Worship and the Administration of the Sacraments in this Diocese shall be in conformity with Title II of the Provincial Canons.

Canon 2 Of Authorized Forms of Public Worship and Authorized Editions of the Book of Common Prayer

The Bishop shall ensure that the forms used in Public Worship and the Administration of the Sacraments be in accordance with Anglican Faith and Order and that nothing be established that is contrary to the Word of God as revealed in the Holy Scriptures.

Canon 3 Of Procedure for Divorced Persons to Seek Permission to Be Married in the Diocese

Should a man and a woman, one or both of whom have been divorced, wish to be married to one another in this Diocese, the couple must first secure the Bishop's consent by submitting an application on a form prescribed by the Bishop for such purpose. Within 30 days from the date of receipt of the application signed by the couple and the proposed officiating clergy, the Bishop shall communicate in writing his determination of the application.

TITLE III
Of Ministers, Their Recruitment, Preparation,
Ordination, Office, Practice and Transfer

Canon 1
Of the Clergy Credentialing Guide and Examining Chaplains

The Standing Committee and the Bishop shall approve a Diocesan Clergy Credentialing Guide to determine the process by which applicants for ordination to Holy Orders are identified, selected, examined, interviewed, screened, and admitted as postulants and as candidates. The Bishop shall appoint Examining Chaplains from among Presbyters of the Diocese for the purpose of assisting the Bishop with examination of postulants for ordination. The Examining Chaplains, with the approval of the Bishop, shall prescribe an examination, which must be satisfied before any transitional Deacon may be ordained a Presbyter in this Diocese, and before any person may be ordained as a vocational Deacon.

Canon 2
Of Aspirants for Holy Orders

Any member of this Province who believes that he or she might be called to the ordained ministry should identify himself or herself to the Rector of a Congregation in this Diocese. No person may begin the ordination process unless he or she has been a member of a single Congregation in this Diocese for at least one year.

Canon 3
Qualifications of Candidates for Holy Orders

No person shall be admitted as a candidate for Holy Orders unless the Bishop is satisfied that he or she has met the following requirements, according to the process described in the Clergy Credentialing Guide: (a) he or she has been baptized, and confirmed by a bishop in this tradition, or if confirmed by a bishop of a different tradition in historic succession, he or she has been received into this Province; (b) he or she is judged to be spiritually, morally, physically, and psychologically fit for ministry, and meets the qualifications set forth in Title III, Canon 2 of the Provincial Canons; (c) he or she has proven competency in those subjects set forth in Title III, Canon 4, Section 2 of the Provincial Canons; (d) he or she is at least 23 years old if a candidate for the diaconate, and at least 24 years old if a candidate for the presbyterate. The Bishop shall not accept as a candidate for ordination any person who has been refused admission as a candidate for Holy Orders in any other Diocese or Network of this Province, without first consulting with the Bishop who refused to admit that person to candidacy for the purpose of determining whether sufficient reasons continue to exist to warrant denial of the application.

Canon 4
Of the Licensing of Priests and Deacons

No priest or deacon who is canonically resident in another diocese may officiate for more than one month by preaching, administering the sacrament, or holding any public service without first obtaining a license from the Bishop. The Bishop shall grant, limit, or revoke licenses at his discretion.

TITLE III

Canon 5 Of the Age Limit for the Office of Rector

Any Rector who reaches the age of 72 must retire or resign from the office of Rector. The Bishop, at his discretion, may choose to issue an annual continuance granting the Rector permission to continue beyond the retirement age. There is no limit to the number of times this continuance may be granted. This age limit applies only to the office of Rector, and does not apply to other ecclesiastical offices.

Canon 6 Of Licensed Lay Orders

The Diocese recognizes that the ministry of the laity is fundamental to the work of the Diocese and that this ministry originates within each Congregation and Mission. All clergy, Congregations and Missions of the Diocese are strongly encouraged to equip the laity for ministries in their communities. To this end, Rectors and clergy overseeing Congregations and Missions may license members as Lay Church Planters, Lay Evangelists, Lay Pastors, Lay Preachers, Lay Catechists, Lay Readers, and Lay Eucharistic Ministers for ministry in the local Congregation or Mission. The Standing Committee shall establish minimum standards for training and licensing such Lay ministers.

TITLE IV
Ecclesiastical Discipline

Canon 1
Ecclesiastical Discipline

All clergy under the authority of the Bishop who exercise ministry in the Diocese shall be subject to the disciplinary provisions of Title IV of the Provincial Canons and to the provisions of these Diocesan Canons.

Canon 2
The Rights of the Respondent

Any member of the clergy against whom disciplinary measures are initiated shall be presumed innocent until he or she has been determined guilty according to the provisions and procedures described herein. All disciplinary procedures shall be undertaken speedily in a manner consistent with principles of fairness, due process, and natural justice.

Canon 3
The Canonical Investigator

The Standing Committee of the Diocese shall appoint a canonical investigator to ascertain the merit of any accusations made against clergy of the Diocese and to make a recommendation to the Standing Committee as to whether further juridical process should be pursued.

Canon 4
The Ecclesiastical Trial Court of the Diocese

Section 1. ***Ecclesiastical Trial Court Established, Composition, Number of Members, Mode of Election and Term of Office***

There shall be an Ecclesiastical Trial Court (“Court”) of the Diocese consisting of nine members elected by the Synod of the Diocese upon the nomination of the Standing Committee for a term of three years. Four members shall be chosen from the laity and five from the clergy. No member may serve more than two consecutive terms. Staggered terms may be provided.

Section 2. ***Court Advisor***

The Bishop may appoint an attorney at law to advise the Court as to its procedures.

Section 3. ***Court Officers and Recorder of Proceedings***

The Court shall elect its President and Secretary from its members, and shall appoint a recorder of proceedings, which recorder may be a court reporting agency not affiliated with the Diocese.

TITLE IV

Section 4. *Quorum and Composition of Court*

A panel of no fewer than five members of the Court shall be necessary for the conduct of a trial or for a judgment. Any panel of the Court shall comprise an odd number of members with one more clergy than laity.

Section 5. *Judgment of the Court*

An affirmative vote of sixty percent of the members of a panel of the Court shall be required for any judgment.

Canon 5 The Trial Attorney

The Bishop shall appoint a Trial Attorney who shall have the responsibility of preparing all presentments and presenting the evidence to the Court.

Canon 6 Attorney for the Respondent

The Respondent shall have the right to an attorney. The Standing Committee may, in its discretion, authorize the payment in whole or in part of the legal fees incurred by a Respondent.

Canon 7 Court Rules and Procedures

The Court may establish its own rules and procedures consistent with these Canons and the Provincial Canons.

Canon 8 Clergy Under Authority in Another Jurisdiction

Whenever it is believed that any member of the clergy who is licensed in this Diocese but canonically resident in another Diocese may have committed a canonical offense in this Diocese, the same shall be reported by the Bishop to the other bishop or Archbishop with jurisdiction. If jurisdiction is waived in favor of this Diocese or if no action or response is made to such report within 90 days thereof, the Bishop of this Diocese may assume jurisdiction in accordance with these Canons.

Canon 9 Of Sentences

Upon any conviction, the Bishop shall pronounce sentence as outlined in Title IV, Canon 8 of the Provincial Canons, which shall include the implied authority of the Bishop to prohibit the convicted member of the clergy from serving in the Diocese.

TITLE V

TITLE V
Enactment, Amendment, and Repeal of Canons

Canon 1
Amendments

The Canons of the Diocese may be amended by action of the Synod in conformity with Title I, Canon 2 of these Canons, provided that no amendment may be adopted until it has been reviewed by the Constitution and Canons Committee and its recommendations given to the Synod.