



THE EPISCOPAL DIOCESE OF VIRGINIA

# Constitution and Canons

of the Diocese of Virginia

2021 revision

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## Contents

### The Constitution of the Diocese of Virginia

	The Preamble.
Article I.	Order, Government and Discipline.
Article II.	Meetings of Convention.
Article III.	Composition of the Convention.
Article IV.	Quorum of the Convention.
Article V.	Methods of Voting in the Convention.
Article VI.	The Bishops, Officers and Committees of the Diocese.
Article VII.	Election of a Bishop.
Article VIII.	The Bishop as President of the Convention.
Article IX.	Vacancy in the Office of the Bishop.
Article X.	Reserved for Future Use.
Article XI.	The Secretary of the Diocese.
Article XII.	The Treasurer of the Diocese.
Article XIII.	The Chancellor of the Diocese.
Article XIV.	The Registrar of the Diocese.
Article XV.	The Standing Committee of the Diocese.
Article XVI.	The Missionary Society.
Article XVII.	Parishes to be Bound by this Constitution.
Article XVIII.	Transitional Provision.
Article XIX.	Amendments to the Constitution.
Article XX.	Gender of Pronouns.

### The Canons in their order

Canon 1.	Official List of the Clergy of the Diocese.
Canon 2.	Lay Representation in Convention.
Canon 3.	Deputies to Provincial Synod.
Canon 4.	Deputies to the General Convention.
Canon 5.	The Church Pension Fund.
Canon 6.	Archdeacons and Deans.
Canon 7.	The Executive Board.
Canon 8.	Regions and Regional Councils.
Canon 9.	Boundaries.
Canon 10.	Churches.
Canon 11.	Election and Organization of Vestries, and Call of Congregational Meetings.
Canon 12.	Duties of Vestries, Wardens and Parish Officers.
Canon 13.	Business Methods in Church Affairs.
Canon 14.	Creation of Church Debt.
Canon 15.	Church Property.
Canon 16.	Parish Registers and Parochial Reports.
Canon 17.	Related Organizations.
Canon 18.	The Secretary of the Diocese.
Canon 19.	The Treasurer of the Diocese.
Canon 20.	The Registrar of the Diocese.
Canon 21.	The Standing Committee of the Diocese.

Canon 22.	The Commission on Ministry.
Canon 23.	Meetings.
Canon 24.	Reserved for future use.
Canon 25.	Finance Committees.
Canon 26.	Appeal of a Lay Person after Repulsion from the Holy Communion.
Canon 27.	Ecclesiastical Discipline.
Canon 28.	Relationships Among Clergy and Congregations
Canon 29.	Gender of Pronouns.
Canon 30.	Amendment of Canons.
Canon 31.	Health Insurance.

# **Constitution of the Diocese of Virginia, formerly and otherwise known as Protestant Episcopal Church in the Diocese of Virginia**

Whereas, the civil government in the Virginia Colony from time to time established within the bounds of the Colony parishes of the Established Church of England in Virginia, which parishes continued as such until the Church was disestablished by the several acts of the General Assembly of Virginia in 1784; and

Whereas, the Diocese of Virginia, formerly and otherwise known as Protestant Episcopal Church in the Diocese of Virginia, was organized in May, 1785, by a union of all the parishes of the disestablished Church of England within the bounds of the Commonwealth of Virginia and took part in the organization of the union of all the Protestant Episcopal Churches of the several States and, by its own formal ratification of the plan of union, became the Diocese of Virginia of the Protestant Episcopal Church in the United States of America; and

Whereas, the original Diocese of Virginia, embracing the entire State, has since been divided into several Dioceses, one of which remains established as the Diocese of Virginia;

Now, Therefore, the Diocese of Virginia acknowledges the authority and power of the General Convention of the Protestant Episcopal Church in the United States of America, as set forth in the Constitution and Canons adopted thereby, and, in the exercise of its own powers and authority, doth amend and revise the Constitution of this Diocese so that the same shall read as follows:

# **The Constitution of the Diocese of Virginia, formerly and otherwise known as Protestant Episcopal Church in the Diocese of Virginia**

## **Article I.**

### **Order, Government and Discipline.**

The order, government, and discipline of the Diocese of Virginia, formerly and otherwise known as Protestant Episcopal Church in the Diocese of Virginia, shall be vested in the Bishop, and in the Convention of the Diocese, constituted as provided in Article III hereof, which shall have power to adopt Canons, and take any other action for the conduct of its affairs not in conflict with this Constitution.

## **Article II.**

### **Meetings of Convention.**

The Convention shall hold on a weekend, upon the date designated by the Ecclesiastical Authority of the Diocese, a regular annual meeting at the place designated by the preceding regular meeting of the Convention. The Ecclesiastical Authority of the Diocese may, for any cause deemed by it to be sufficient, change the time, or the place, or both, for any regular meeting of the Convention. At meetings of the Convention, the Rules of Order of the previous meeting shall be in force until they are amended or repealed by the Convention.

## **Article III.**

### **Composition of the Convention.**

#### **Section 1**

- (a) The Convention shall be composed of the Clerical order and the Lay order.
- (b) The Clerical order shall consist of the Bishop or Bishops and all other ministers canonically resident in the Diocese of Virginia. No member of the Clerical order under ecclesiastical censure shall be entitled to a seat in the Convention.
- (c) The Lay order shall consist of two classes, namely: (1) the Lay Delegates from the church and (2) the Lay members ex officio.
- (d) There shall be only one Lay Delegate from each church, to be chosen by its Vestry. But from every church having more than three hundred confirmed communicants in good standing reported to the Diocesan authorities in the last annual report, there shall be an additional Lay Delegate for each three hundred confirmed communicants in good standing, or major fraction thereof, above the first three hundred.
- (e) The Lay members of the Standing Committee, the Lay members of the Executive Board, the Chancellor, the Presidents of the Regions, the President of the Episcopal Church Women of the Diocese, one Youth Delegate (not over 21 years of age) elected by each Regional Council on or before May 1, and five lay persons, not over 25 years of age at the time of election who are participants in an Episcopal higher education ministry in the Diocese, to be elected by the Standing Committee on or before May 1 as Collegiate Delegates shall be members of Convention ex officio.
- (f) Each elected Delegate and ex officio member shall have one vote.

**Section 2.** The Lay Delegates shall serve for the regular meeting for which they are chosen, and, unless other delegates be chosen, for any special meeting held prior to the next regular meeting of the Convention.

**Section 3.** All Lay members of the Convention shall be adult confirmed communicants in good standing, as defined in the General Convention Canon I.17., of the Episcopal Church, in the Diocese of Virginia.

## **Article IV.**

### **Quorum of the Convention.**

One-third of the members of the Clerical order and one-half of the members of the Lay order shall constitute a quorum for the transaction of business at any regular or special meeting of the Convention, but a smaller number may adjourn any such meeting.

## **Article V.**

### **Methods of Voting in the Convention.**

In all matters that may come before any meeting of the Convention the clergy and laity shall deliberate in one body and a majority of those voting shall be necessary for a decision, except where the vote is by orders, in which case there must be a concurrence of majorities in each order; but, before a vote is taken upon any matter, five members may, by request, require the vote to be taken by orders. In a vote by orders each Clerical Delegate and each Lay Delegate shall be entitled to one vote.

## **Article VI.**

### **The Bishops, Officers and Committees of the Diocese.**

In addition to the Bishop of the Diocese, there may be a Bishop Coadjutor, Bishops Suffragan, Assistant Bishops, or any combination thereof, upon the conditions and pursuant to the authority contained in the Canons of the General Convention.

In addition to the Bishop, or Bishops, the officers of the Diocese shall consist of a Secretary, Treasurer, Chancellor, and a Registrar.

For the conduct of the affairs of the Diocese, there shall be a Standing Committee and an Executive Board, together with such other officers, committees, departments, and boards as the Convention may deem desirable.

## **Article VII.**

### **Election of a Bishop.**

The election of a Bishop shall be made at a regular meeting of the Convention, or at a special meeting of the Convention called for that purpose. The vote shall be by ballot and by orders and a concurrent majority of the votes cast by each order shall be necessary to a choice.

## **Article VIII.**

### **The Bishop as President of the Convention.**

**Section 1.** The Bishop shall preside at all meetings of the Convention and exercise all the ordinary duties of a presiding officer. He may call a special meeting of the Convention at whatever time and place he may think necessary; and whenever requested by the Standing Committee, it shall be his duty to call a special meeting to be held at the time and place selected by the Standing Committee.

**Section 2.** The Bishop Coadjutor, if there be one, shall preside at any meeting of the Convention from which the Bishop is absent, or whenever the Bishop may request him to preside.

**Section 3.** The ranking active Suffragan Bishop, if there be one, shall preside at any meeting of the Convention if he is requested to do so by the Bishop, or in the absence of the Bishop, by the Bishop Coadjutor; or if declared or serving as the Ecclesiastical Authority pursuant to Article IX of the Constitution.

**Section 4.** A retired Bishop or an Assistant Bishop of this Diocese may preside at any meeting of the Convention at the request of the presiding officer.

## **Article IX.**

### **Vacancy in the Office of the Bishop.**

**Section 1.** Upon the death of the Bishop and if there is no Bishop Coadjutor, then the ranking active Suffragan Bishop shall be in charge of this Diocese and shall be temporarily the Ecclesiastical Authority of this Diocese until such time as a new Bishop shall be chosen and consecrated; or, if the Standing Committee declare the disability or absence of the Bishop and there is no Bishop Coadjutor able and present, then the ranking active Suffragan Bishop shall be in charge of this Diocese until such time as the Standing Committee shall declare the ability and presence of the Bishop.

**Section 2.** In case of a vacancy, or anticipated vacancy, in the Office of the Bishop, a special meeting of the Convention shall be called by the Ecclesiastical Authority. That special Convention, immediately upon assembling, if there be no Bishop, Bishop Coadjutor, Suffragan Bishop, or Assistant Bishop present, shall elect by ballot a President from among the order of Presbyters present, who shall remain in office until the election and consecration of the Bishop. The President so elected shall perform all the duties and possess all the privileges of a presiding officer. He shall not have the power to call a special meeting of the Convention except when requested so to do by the Standing Committee, in which case the special meeting shall be at the time and place requested.

## **Article X.**

Reserved for future use.

## **Article XI.**

### **The Secretary of the Diocese.**

A Secretary of the Diocese shall be appointed by the Ecclesiastical Authority with the advice and consent of the Standing Committee. He shall, upon qualification, continue in office at the pleasure of the Ecclesiastical Authority. If the Secretary is a Priest, he shall hold no other Clerical preferment. He shall also serve as Secretary of the Convention, take minutes of its proceedings and attest to the public acts of the body. The Secretary shall perform such other duties as may be prescribed by Canon.

## **Article XII.**

### **The Treasurer of the Diocese.**

A Treasurer of the Diocese shall be appointed by the Ecclesiastical Authority with the advice and consent of the Standing Committee or by the Standing Committee if it is at the time the Ecclesiastical Authority. He, or she, shall, upon qualification, remain in office at the pleasure of the Ecclesiastical Authority or until removed as hereinafter provided. He shall receive and keep safely all money and other property confided to his custody; and he shall disburse and dispose of the same as may be provided by Canon. He shall report annually to the Convention an account showing all money and other property received by him, and the manner in which he has disbursed or disposed of the same. The Treasurer shall give bond in an amount to be fixed by the Standing Committee, with corporate surety approved by the Standing Committee, which bond shall be conditioned upon the faithful performance of the duties of his office. At the close of each fiscal year, accounts of the Treasurer shall be audited by a certified public accountant selected by the Standing Committee. In case of the misconduct of the Treasurer, or of his incapacity, refusal or failure to discharge the duties of his office, the Standing Committee shall remove him and a new appointment shall be made in the manner aforesaid.

## **Article XIII.**

### **The Chancellor of the Diocese.**

**Section 1.** A Chancellor of the Diocese shall be appointed by the Ecclesiastical Authority. The Chancellor shall, upon qualification, continue in office at the pleasure of the Ecclesiastical Authority. The Chancellor shall be a confirmed adult communicant in good standing, as defined in General Convention Canon I. 17. of the Episcopal Church in the Diocese of Virginia, and a member of the Virginia State Bar. The Chancellor shall be the legal advisor of the Ecclesiastical Authority of the Diocese, the Convention of the Diocese, and to the Executive Board of the Diocese.

**Section 2.** The Ecclesiastical Authority may, in consultation with the Chancellor, also appoint one or more Vice Chancellors, who shall continue in office at the pleasure of the Ecclesiastical Authority. Vice Chancellors shall be confirmed adult communicants in good standing, as defined in General Convention Canon I. 17. of the Episcopal Church in the Diocese of Virginia, and members of the Virginia State Bar. Vice Chancellors shall serve at the direction of the Chancellor and shall assist the Chancellor in the performance of the Chancellor's duties. Vice Chancellors shall have seat and voice at the Annual Convention, but shall not have a vote unless the Chancellor does not attend a meeting of the Annual Convention and certifies to the Secretary of the Diocese that a Vice Chancellor will attend the meeting of Annual Convention in the place and stead of the Chancellor, in which case, the certified Vice Chancellor shall have a vote.

## **Article XIV.**

### **The Registrar of the Diocese.**

A Registrar of the Diocese shall be appointed by the Ecclesiastical Authority with the advice and consent of the Standing Committee or by the Standing Committee if it is at the time the Ecclesiastical Authority. The Registrar shall, upon qualification, continue in office at the pleasure of the Ecclesiastical Authority and shall perform such duties as may be prescribed in the Diocesan Canons.

## **Article XV.**

### **The Standing Committee of the Diocese.**

The Standing Committee of the Diocese shall consist of twelve members, six of the Clerical order, and six of the Lay order, each of whom shall be a confirmed communicant in good standing as defined in General Convention Canon I. 17. of the Church of this Diocese and eighteen (18) years of age or over.

At each regular meeting the Convention shall elect two members of each order for a term of three years. Each member of the Committee shall hold office for the term for which he was elected and until his successor is elected or appointed. No member shall be eligible to succeed himself.

In case of a vacancy in the Episcopal office, or in case neither the Bishop, Bishop Coadjutor nor Bishop Suffragan be capable of performing the administrative duties of the Bishop, and in any case when the Bishop shall authorize it to act, the Standing Committee shall be the Ecclesiastical Authority of the Diocese.

The Standing Committee at every regular meeting of the Convention shall submit a report of its proceedings. When required by the Convention it shall also lay before the Convention any document which may have come into its possession. It shall perform such other duties as may be prescribed by Canon.

In case of a vacancy in the Standing Committee, the Executive Board shall fill the vacancy from the same order. The appointee shall serve until the next regular meeting of the Convention, at which meeting the Convention shall fill the vacancy.

## **Article XVI.**

### **The Missionary Society.**

All baptized members of the Protestant Episcopal Church residing in this Diocese shall, as heretofore, constitute a missionary society known as the Missionary Society of the Protestant Episcopal Church in the Diocese of Virginia.

The direction and activities of the Society be identical with those of the Executive Board and shall be directed solely by it.

## **Article XVII.**

### **Parishes to be Bound by this Constitution.**

Every Congregation within the Diocese of Virginia, however called, shall be bound by the Constitution and the Canons adopted in pursuance hereof.

## **Article XVIII.**

### **Transitional Provision.**

Every member of a committee heretofore established and continued under this Constitution, and every officer heretofore chosen, shall hold office during the term for which he was chosen.



## **Article XIX.**

### **Amendments to the Constitution.**

This Constitution may be amended in the following manner only, namely: At any regular meeting of the Convention a proposed amendment shall be referred to the appropriate committee, and report thereon shall be presented by that committee and the amendment shall be considered by the Convention. If approved by the Convention, it shall be again considered at the next regular meeting of the Convention and, if again approved, shall become effective immediately upon its adoption unless otherwise provided therein.

## **Article XX.**

### **Gender of Pronouns.**

The masculine pronoun whenever used in this Constitution shall be deemed to include the feminine pronoun.

# **Canons of the Protestant Episcopal Church in the Diocese of Virginia**

## **CANON 1.**

### **Official List of the Clergy of the Diocese.**

Section 1. A list of all the ordained Ministers of the Episcopal Church, canonically resident or licensed to work in this Diocese, with their respective post office addresses, cures, stations and positions, shall be prepared by the Ecclesiastical Authority and kept, corrected up to date, on file at the headquarters of the Diocese. The Ecclesiastical Authority shall keep the Church Pension Fund informed of the employment of any parish, congregation, diocesan related institution or other ecclesiastical organization in this Diocese of clergy canonically resident in this Diocese and of non-resident clergy officiating in this Diocese.

Section 2. The right of any clergyman to vote in the Convention shall, if challenged, be determined by the Convention itself according to the provisions of the Constitution and Canons, whether his name be inserted in, or omitted from, the list.

Section 3. The official list of the clergy of the Diocese with the names of those entitled to vote in the Convention designated thereon, shall be laid before the Convention on the first day of its meeting, and the roll of the Clerical Delegates entitled to vote shall be determined from it. The list of the clergy submitted to the Convention shall be appended to the Journal and be transmitted to the Secretary of the General Convention.

Section 4. Every clergyman canonically resident in the Diocese shall attend every meeting of the Convention; or, if unable to attend, shall send to the President of the Convention a written statement of the reasons for his absence.

## **CANON 2.**

### **Lay Representation in Convention.**

Section 1. The Churches of this Diocese entitled to Lay representation in the Convention are those which were recorded by the Secretary of the Convention as Parish Churches or Separate Congregations on the effective date of this Canon, together with Churches thereafter constituted in accordance with Canon and received into union by act of the Convention.

Section 2. The Missions of this Diocese entitled to Lay representation in the Convention are those which were recorded by the Secretary of the Convention as such on the effective date of this Canon, together with those Missions thereafter constituted in accordance with Canon and reported as such to the Secretary of the Convention.

Section 3. A list of the Churches and Missions entitled to representation in the Convention shall be appended to the Journal of each regular Convention.

Section 4. The Vestry of a Church, or the Vestry Committee of a Mission, shall elect not later than April 1 the Lay Delegates from that Church to the Convention, and shall also elect one Lay Alternate for each Lay Delegate elected. For Churches entitled to multiple Lay Delegates, the Vestry may designate the order in which the Lay Alternates are to serve in the event Lay Delegates are absent. In the event a Lay Delegate is absent and no Lay Alternate is available, the Vestry, or if the Vestry is unavailable, the Rector or Vicar, in consultation with the Wardens, shall appoint a person qualified to serve as a Lay Delegate and so advise the Credentials Committee.

Section 5. The election of adult confirmed communicants in good standing as Lay Delegates and Lay Alternates to Convention shall be certified by the Rector, Vicar, Register, Priest-in-Charge, or one of the Wardens of the proper Church, in duplicate, which certificate shall be in a form to be supplied by the Secretary of the Diocese. One copy of this certificate shall be sent to the Secretary of the Diocese no later than April 15, and a copy shall be given to each Delegate and each Alternate named therein.

Section 6. Lay Delegates of Churches, or in their absence, their Alternates, shall be entitled to one vote each on all questions coming before the Convention. Alternates shall not be entitled to voice and vote in the meetings of the Convention except when serving in the absence of a Lay Delegate.

**Section 7.** The Secretary of the Diocese shall make a roll of the Lay Delegates and Alternates certified to him as duly elected with their respective Churches. The President of the Convention shall appoint a Committee on Credentials, to be composed of one Clergyman and two Lay Delegates, to which shall be referred the credentials of all Lay Delegates. The Committee shall make its report to the Convention promptly. Until this report be received, the roll as made by the Secretary shall, unless objection be made, be accepted as the authentic roll of Lay Delegates and Alternates.

Should doubt arise as to the right of any Lay Delegate or Alternate to his seat, the Committee on Credentials shall hear the evidence presented and report its judgment. Upon this report the Convention shall determine the matter unless by a vote of two-thirds of the members present the Convention decides to hear the whole case de novo.

### **CANON 3.**

#### **Deputies to Provincial Synod.**

At the Annual Convention preceding the meeting of the Provincial Synod, there shall be elected by ballot one member of the Clergy and two Lay persons to be Deputies to the Provincial Synod and one member of the Clergy and one Lay person to be Alternate Deputies to the Provincial Synod to serve as a Deputy if a Deputy is unavailable for a meeting of the Provincial Synod, all of whom shall serve until their successors are elected. A report shall be made to the Annual Convention following each meeting of the Synod. Qualifications for election as a Deputy or Alternate Deputy to the Provincial Synod shall be the same as for election as a Deputy to the General Convention

### **CANON 4.**

#### **Deputies to the General Convention.**

**Section 1.** At the regular Convention held during the calendar year next preceding each regular meeting of the General Convention there shall be elected by ballot the full number of Clerical and Lay Deputies to the General Convention to which this Diocese is entitled and a majority of all votes cast shall be necessary to a choice. Following the election of the full number of Clergy and Lay Deputies, a ballot shall be taken for a like number of Clergy and Lay Alternate Deputies; and the proper number receiving the highest vote shall be declared Alternates in the order of preference of that ballot.

The Clerical Deputies shall be Presbyters or Deacons canonically resident in this Diocese, and the Lay Deputies shall be persons eligible for election to the Vestry of a Church in this Diocese.

The Deputies so elected shall serve for the regular meeting for which they are chosen and for any special meeting held prior to the next regular meeting of the General Convention unless other Deputies be elected by the Convention.

**Section 2.** Each of the Deputies shall signify to the Secretary of the Convention within thirty days after his election whether or not he accepts the election. If he accepts, the Secretary shall issue to him a certificate of election. Should any Deputy elected decline or fail to signify his acceptance, or fail to meet the requirements for election, or should a vacancy occur otherwise, the Secretary of the Convention shall issue the certificate of election to the Alternate Deputy of the same order in which the vacancy occurs, who was first elected, or, if more than one were elected on the same ballot, who received the highest votes; and if there be more than one vacancy the others shall be filled successively in like manner.

### **CANON 5.**

#### **The Church Pension Fund.**

**Section 1.** The Diocese of Virginia hereby ratifies and confirms its adoption of the system of the Church Pension Fund.

**Section 2.** In furtherance of the Church Pension Fund:

- (a) The Secretary of the Diocese shall keep the Clergy and laity of the Diocese advised of the benefits of the Church Pension Fund for Clergy and qualified lay employees and shall procure prompt payment of the amounts due the Church Pension Fund, or such other comparable pension fund as may be selected by this Diocese, a Church, Mission or Related Organization, from this Diocese and the several Churches, Missions and Related

Organizations in the Diocese.

- (b) The Secretary of the Diocese shall keep the Church Pension Fund informed of the Clergy canonically resident in this Diocese and the qualified lay employees of this Diocese and the Churches, Missions and Related Organizations in this Diocese, and their beneficiaries who may be entitled to receive pensions from the Church Pension Fund.
- (c) The Secretary of the Diocese shall report to the Executive Board which Churches, Missions or Related Organizations have failed to pay in full their assessments by the Church Pension Fund and such other matters in regard to the operation of the Church Pension Fund as may be appropriate.

## **CANON 6.**

### **Archdeacons and Deans.**

#### Section 1.

- (a) The Bishop, with the consent of the Standing Committee, may appoint not more than three Archdeacons to serve at the Bishop's discretion.
- (b) Archdeacons shall be Vocational Deacons and have functional titles. They will assist the Bishop in oversight of Deacons, diaconal formation and diaconal assignments.
- (c) An Archdeacon may function in other diaconal ministries while being Archdeacon in dialogue with and at the discretion of the Bishop.

#### Section 2.

- (a) The Bishop shall appoint, with the advice and consent of the Standing Committee, one Priest in each Region as the Dean thereof. A Dean shall serve at the pleasure of the Bishop, but in no event for more than four consecutive years, and shall be the official representative of the Bishop to the Region.
- (b) A Priest may serve as Dean without resigning the Dean's cure.
- (c) The Bishop may appoint an Archdean, with the advice and consent of the Standing Committee.
- (d) The Archdean serves at the pleasure of the Bishop and shall assist the Bishop in the oversight of the Deans and carry out such other functions as may be assigned.
- (e) The Archdean may continue to be a regional Dean or may be another priest appointed especially for that purpose. An Archdean may serve for a maximum of four consecutive years.

## **CANON 7.**

### **The Executive Board.**

#### Section 1. The Executive Board shall be composed as follows:

- (a) One member elected by each Regional Council or in the absence of the member, an alternate member elected by each Regional Council.
- (b) The Bishop, the Bishop Coadjutor if there be one, and the Suffragan Bishops if there be such.
- (c) To provide for wider diversity and equity that may not always be represented, the Bishop may appoint, with the advice and consent of the Standing Committee, no more than three at-large members (whether lay or clerical) for a one-year term, with the option of reappointment for each at-large member for no more than two additional one-year terms. The appointed at-large members shall be Clergy who are on the Official List of the Clergy of the Diocese (Canon 1) or Lay persons eligible for election to the Vestry of a Church in the Diocese, and may not be the Dean or President of a Region or a member of the Standing Committee.

Section 2. Terms of elected members and alternate members shall expire at the conclusion of the end of the appropriate calendar year.

Section 3. Any two members of the Executive Board may call for a vote by orders on any motion or in any election; the vote of a Bishop shall be counted among the Clerical order. A motion or an election so dealt with must succeed concurrently in both orders to be effective.

Section 4. The President of the Executive Board shall be the Bishop. The Executive Board shall elect a Lay member as its Vice President, and may elect a Secretary, who may be of either order and who need not be a member of the Board. It may elect such other officers as it may desire not in conflict with these Canons. With the exception of the President, all terms of office shall be one year.

Section 5. The Executive Board shall prepare and recommend Diocesan programs, and the proposed funding of such programs, to the Convention for approval. The Executive Board shall be responsible for the execution of all approved programs except as the Convention may specify and between meetings of the Convention shall be

responsible for the work of the Church in the Diocese. The Executive Board may adopt such by-laws as it may desire, not in conflict with these Canons.

**Section 6.** The Executive Board shall meet regularly, at such times and places as it may determine. Special meetings may be called by the President, or by any three members. Written notice of the time and place of any special meeting shall be mailed or otherwise delivered to each member at least seven days in advance of such meeting.

**Section 7.** The Bishop may appoint, subject to the approval of the Executive Board, a person to serve as the coordinator of the Board. Such person will function as the Bishop may direct.

**Section 8.** In the event of the absence of the President, and of the Vice President, the meeting shall be presided over by a member present selected by the members present.

**Section 9.** One-half of the members of the Clerical and one-half of the members of the Lay order constitute a quorum for the transaction of business at any regular or special meeting of the Executive Board, but a smaller number may adjourn.

## **CANON 8.**

### **Regions and Regional Councils.**

**Section 1.** The Diocese of Virginia shall be divided into Regions in such a way that every point of the Diocese is in a Region, and every Church shall be a member unit of some Region. Assignment to a Region shall be by majority vote of all members of the Standing Committee, which may create as many Regions as it wishes, but not less than nine nor more than twenty, each containing at least two or more geographically contiguous Churches.

**Section 2.** The Vestry or Vestry Committee of any Church which desires to change to another Region shall petition the Standing Committee for such change, stating reasons, and including with the petition the views of both Regional Councils affected by the change. The Standing Committee shall decide the change by majority vote of all its members.

**Section 3.** The Standing Committee shall notify the Bishop, the Bishop Coadjutor, if there be one, and the Suffragan Bishops, if there be such, the Executive Board, and the Secretary of the Diocese promptly of any change in the number or compositions of Regions, and shall provide annually to the Convention a list of the Regions and their member Churches, which shall be published in the Journal of the Convention.

**Section 4.** In each Region there shall be a Regional Council, subject to the following provisions:

- (a) Each church of the Region shall be represented by its active Clergy and as many Lay persons, elected by its Vestry or Vestry Committee, as it has Lay Delegates to the Council of the Diocese. Qualifications for election to Regional Councils shall be the same as for election to a Vestry.
- (b) The Dean shall call the first meeting of a Regional Council, which shall then organize itself, electing Lay Members as President and Vice-President, respectively. Each Council shall elect such other officers as it desires and shall establish a schedule of regular meetings. Special meetings may be called by any Bishop, by the Dean, by the President, or at the request of the representatives of any two constituent Churches.
- (c) All terms of office shall be determined by each Regional Council, and shall expire at the conclusion of the regular meeting of the Convention of the Diocese in the appropriate year. Notice, and the results, of any election shall be forwarded to the Secretary of the Diocese at the conclusion of Convention.
- (d) Each Regional Council shall elect one member and one alternate member of the Executive Board. That member and alternate member must be a Lay person eligible for election to the Vestry of a Church in the Region or members of its active Clergy, and may not be the Dean of the Region or a member of the Standing Committee. Such member and alternate member shall be elected for a term of three years and shall both be of the same order. The positions shall alternate between Lay and Clerical incumbents. The rotation of members shall be established by the Standing Committee from time to time so that as nearly as possible one-third thereof shall be elected each year. Vacancies shall be filled by the appropriate Regional Council for the unexpired term, with due regard as to order, except that, when the unexpired term is for three months or less, the replacement member may be of either order. Regional Council representatives on the Executive Board shall become ex-officio members of their own Regional Council.
- (e) A Regional Council shall be governed by the Rules of Order of the next preceding regular meeting of the Convention of the Diocese, unless the Regional Council shall decide otherwise.

#### Section 5.

- (a) Each Regional Council shall be responsible for seeing that the ministrations of The Episcopal Church are made available to every person living within the boundaries of such Region and shall exercise authority for the Region as a whole in safeguarding the interests and extending the ministrations of the Church throughout its borders, so that the Region may function as a unit in matters of common concern and responsibility. A Regional Council may, for these and other purposes, and subject to the approval of the Executive Board, adopt and administer a budget.
- (b) Any proposal to begin missionary work or to found a Church must have the approval of the Regional Council of the Region in which such work or Church is to be established.
- (c) In any case when a Church is aggrieved by an action of its Regional Council, its Rector or Vicar, with the advice and consent of its Vestry or Vestry Committee, may appeal the matter to the Standing Committee, the decision of which shall be final.
- (d) In any case when a Regional Council, upon request to the Dean of the Region by the Ecclesiastical Authority, fails to meet and act within sixty days of such request, the Executive Board of the Diocese shall exercise the authority of the Regional Council with respect to the matter under consideration, subject to the right of appeal set forth in Section 5(c) of this Canon. Any such exercise of authority by the Executive Board shall be reported within one month of its exercise to the Standing Committee, and shall also be reported in full to the next meeting of the Convention of the Diocese.

### **CANON 9. Boundaries.**

Section 1. The Parishes of the Diocese, and their boundaries, are fixed as of January 23, 1972, and shall not be changed henceforth.

Section 2. In every Region, the Rector and Vestry of each Church and the Vicar and the Vestry Committee of each Mission shall have and exercise concurrent jurisdiction within the boundaries of the Region, and equal responsibility for the extension and welfare of the Church and ministration to needy people within the Region.

Section 3. The authority of an inactive Church is assigned to the Executive Board, which may delegate this authority in specific cases to a sub-committee composed entirely of members of the Executive Board. An inactive Church is defined as one in which there is no functioning Vestry or Vestry Committee.

### **CANON 10. Churches.**

Section 1. A group of people (1) which acknowledge the jurisdiction of the Bishop or Ecclesiastical Authority of the Diocese of Virginia, (2) among whom there is a regular program of identifiable Episcopal services (including regular celebration of the Holy Communion) at a designated place or places of worship, (3) which as a group shares in the support of the Episcopate of the Diocese, (4) which makes provision for the pastoral administrations of the church to its members, and (5) which functions under the supervision of a Priest or Deacon, shall be called a Church. A list of all Churches shall be published annually in the Journal of the Convention. All congregations designated as Parish Churches, Parishes or Separate Congregations on the effective date of this Canon shall be classified as Churches.

Section 2. A group of people seeking such status must signify its desire to a regular meeting of the Convention of the Diocese of Virginia by petitioning for Church status. Such petition must contain the proposed name for the Church, a certification that the requirements of Section 1 of this Canon are complied with, the name and address of the supervising Priest, the address or addresses of the place or places of worship, and a copy of the current budget. The petition shall be accompanied by certificates of endorsement from the Regional Council of the Region in which such group provides a place of worship and from the Executive Board, it being the responsibility of the group to obtain such certificate.

Section 3. Each Church shall have a Vestry in conformity with Canon 11.

Section 4. The Vestry of a Church shall elect, from among those persons eligible to serve as Vestry members of that Church, representatives to the Regional Council and Convention of the Diocese in the number provided by Canon.

**Section 5.** The Rector and Vestry of a Church as herein defined are expressly designated as the “Rector and Vestry of a Parish” for purposes of the Constitution and Canons of The Episcopal Church.

**Section 6.** A group of persons who desire to organize a congregation, but who are unable to meet all of the requirements of Section 1 of this Canon, may be constituted by the Bishop or Ecclesiastical Authority, with the advice and consent of the Standing Committee, or the Standing Committee itself if it be the Ecclesiastical Authority, a Mission. Application for such status shall be accompanied by a certificate of endorsement of the Regional Council of the Region in which such group proposes to worship, it being the responsibility of the group to obtain such certificate. A list of all Missions shall be published annually in the Journal of the Convention of the Diocese. Upon the request of any Church, or the failure of any Church to meet all the requirements of Section 1 of this Canon, or upon request by a Church for direct aid from the Diocesan Budget, the Bishop or Ecclesiastical Authority, with the advice and consent of the Standing Committee, or the Standing Committee itself if it be the Ecclesiastical Authority, may change the status of such Church to that of a Mission. Any action taken under this section shall be reported in the Journal of the next succeeding Convention as one of the official acts of the official taking the action.

**Section 7.** The minister in charge of a Mission shall be called the Vicar.

**Section 8.**

- (a) Any Church may, with the consent of the Ecclesiastical Authority and the Regional Council of the Region in which the Mission is to be located, establish within the boundaries of such Region one or more Missions of a Founding Church. The minister in charge of such Mission shall be appointed by the Rector of the Founding Church with the concurrence of the Ecclesiastical Authority. The Vestry of the Founding Church shall appoint or shall allow to be elected a Vestry Committee which shall be composed as provided in Canon 11.14. It shall be charged with transacting the temporal business of the Mission, except that the Founding Church may retain to itself such temporal functions as it deems proper and in any event shall be ultimately responsible for the temporal obligations of the Mission.
- (b) The Rector and Vestry of the Founding Church may at any time agree with the Bishop to designate such “Mission of a Founding Church” as a “Mission,” and upon such designation becoming effective, the provisions of this section shall no longer apply to such a Mission. Any Mission functioning under this section shall be so marked in the annual list of Missions.
- (c) A Mission shall be entitled to Lay and Clerical representation in the Diocesan Convention and Regional Council as is afforded other Churches.

**Section 9.**

- (a) An Episcopal theological seminary located within the bounds of the diocese may with the consent of the Ecclesiastical Authority and the Regional Council of the Region in which the Mission is to be located, establish within the boundaries of such Region one or more Missions of a Theological Seminary. The minister in charge of such Mission shall be appointed by the Dean and President of the theological seminary with the concurrence of the Ecclesiastical Authority. The Dean and President shall also appoint or allow to be elected a Vestry Committee which shall be composed as provided in Canon 11.14. It shall be charged with transacting the temporal business of the Mission, except that the theological seminary may retain to itself such temporal functions as it deems proper and in any event shall be ultimately responsible for the temporal obligations of the Mission.
- (b) The Dean and President of the theological seminary may at any time agree with the Bishop to designate such “Mission of a Theological Seminary” as a “Mission,” and upon such designation becoming effective, the provisions of this section shall no longer apply to such a Mission. Any Mission functioning under this section shall be so marked in the annual list of Missions.
- (c) A Mission of a Theological Seminary shall be entitled to lay and clerical representation in the Diocesan Convention and Regional Council as is afforded other Churches.

## **CANON 11.**

### **Election and Organization of Vestries, and Call of Congregational Meetings.**

**Section 1.** In this Canon, the term “Rector” implies “Rector or Vicar,” and the term “Vestry” denotes “Vestry or Vestry Committee,” unless specifically noted to the contrary.

**Section 2.** A Church shall have a Vestry which shall consist of not fewer than three or more than twelve members, except that in any Church having more than one hundred confirmed communicants in good standing one additional member may be elected to its Vestry for each additional one hundred confirmed communicants in good standing, or major fraction thereof, provided that the total number of elected Vestry members shall not exceed eighteen.

**Section 3.** The election of Vestry members shall be held annually at such time and place as shall be designated by the Vestry, or in the event the Vestry does not act then by the Rector, or, if there be no Rector by the Wardens. If the time and place be not so fixed then the election shall be held on Easter Monday in the church or regular place of worship. At least three days notice of the time and place of each election of Vestry members shall be given in the church on an occasion of public worship or by other adequate means.

Notwithstanding the foregoing provision, if any Church so authorize, Vestry members may be elected for terms not to exceed four years, the congregation to determine the length of terms, the beginning of the term, and the number of Vestry members to be elected for such terms. The Vestry members elected and qualified under this Canon shall serve until their successors are elected and have qualified.

At all meetings of the congregation, the Rector shall preside, except that at the request of the Rector or if the Church is without a Rector, the meeting shall be presided over by one of the Wardens or, in their absence, by a Vestry member selected by the Vestry.

**Section 4.** Only Lay persons, who are confirmed adult communicants in good standing of the church, as defined in General Convention Canon I.17., shall be eligible for election as Vestry members of such church. However, regardless of eligibility of a person for election, no person shall be elected at duly convened congregational meetings to consecutive full terms on a congregation's Vestry or Vestry Committee.

**Section 5.** All adult communicants in good standing, registered in the particular Church in which they offer to vote, shall be entitled to vote at the election of Vestry members. The voting shall be by ballot in person and, unless otherwise provided by the meeting, a majority of the votes cast shall be necessary to a choice. There shall be no voting by proxy. But no election shall be valid unless the participating qualified votes number at least ten per cent of the number of active communicants qualified to vote reported for the previous year.

**Section 6.** The Vestry may appoint three persons to act as judges at the Vestry elections, whose duties shall be to determine the qualifications of the voters and the eligibility of persons for nomination as Vestry members.

**Section 7.** As soon as may be after their election, the persons chosen as Vestry members shall assemble and organize at such time and place as the Rector shall appoint, or, if no time or place be appointed by him within a reasonable time, then at such time and place as shall be designated by any two Vestry members elect, the Rector and each Vestry member elect being notified. The newly organized Vestry takes office at a time previously established by the congregation in a duly called meeting. The proceedings at this and every meeting of the Vestry shall be opened with one or more collects and the Lord's Prayer by the Rector, or other person appointed by the Rector.

**Section 8.** Every person chosen a Vestry member shall qualify by subscribing 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 to salvation; and I do yield my hearty assent and approbation to the doctrines, worship and discipline of The Episcopal Church; and I promise that I will faithfully execute the office of Vestry member of \_\_\_\_\_ Church, in Region \_\_\_\_\_, in the County (or City) of \_\_\_\_\_, according to my best knowledge and skill." No person shall act as a Vestry member until this declaration and promise have been subscribed to.

**Section 9.** The Vestry shall elect a Senior and a Junior Warden, a Register and a Treasurer, who shall continue in office until their successors are elected and qualified. The Wardens shall be members of the Vestry.

**Section 10.** The Rector shall preside at all meetings of the Vestry. In the absence of the Rector, or at his request when present, the Rector may request the Vestry to elect a substitute presiding officer, in which case the Rector will continue to have seat, voice and vote. If the church is without a Rector, meetings of the Vestry shall be presided over by one of the Wardens or, in their absence, by a Vestry member selected by the Vestry. All Vestry meetings shall be subject to the Rector's call; but in case he fails to call a meeting when requested to do so by two Vestry members, such Vestry members may themselves call a meeting, giving at least three days notice of the time and place to the Rector and to



each Vestry member. A majority of the Vestry members who have qualified, exclusive of the Rector, shall constitute a quorum; but any Vestry may by resolution fix a smaller number to act as a quorum at future meetings. The Vestry may adopt by-laws not inconsistent with Diocesan or National Canons.

**Section 11.** In case of a vacancy in the Vestry, the remaining members may elect a qualified member of the congregation to fill the vacancy until the next annual congregational meeting, at which time such vacancy shall be filled. The following actions of any Vestry member may, after due warning, be deemed to create a vacancy which shall be declared by resolution of the Vestry:

- a. Failure to qualify within 60 days of election; or
- b. Failure to continue as a communicant in good standing; or
- c. Continued failure to attend the meetings of the Vestry without adequate excuse; or
- d. Neglect to perform faithfully and diligently the duties of Vestry members enumerated in the Canons or by the by-laws of the congregation.

**Section 12.** Any Church having two or more congregations in different communities may apportion to each congregation the number of Vestry members to be chosen as its representation upon the Church Vestry. A separate election shall be held by and for each congregation, at which the number of Vestry members allotted to that congregation shall be chosen in accordance with the procedure presented in the preceding provisions of this Canon.

The Vestry members so chosen, together with the Rector, if there be one, shall constitute the Rector and Vestry of the Church. The Vestry members chosen by each congregation, together with the Rector, shall be a committee of the Church Vestry to have the care and control of the property and to transact the local business of the congregation from which elected. Each Vestry committee may appoint one Warden for its congregation, a Treasurer and a Clerk. If Wardens have been chosen for particular congregations by Committees of the Vestry, the Senior and Junior Wardens of the Church shall be chosen from among such Wardens.

The Church Vestry shall meet as a whole at least quarterly. Any matter concurred in by a majority of the committees of the Vestry, recorded by their respective Clerks and by the Register of the Vestry, shall be the act of the Vestry of the Church unless the Rector, or if there be none, the Senior Warden, deem it proper that such matter should be acted upon in a meeting of the Church Vestry as a whole.

**Section 13.** In addition to the annual meeting of the congregation for the election of Vestry members, other meetings of the congregation may be called by the Vestry or, if they decline to do so, by ten qualified voters of the congregation after at least three days notice of the time, place and object of the meeting have been given either on an occasion of public worship or by other adequate means to the minister, each Vestry member and the congregation. At such meetings only those persons shall be entitled to vote who are qualified to vote for Vestry members and such meetings shall be conducted in the same manner as meetings held for the election of Vestries, except that voting by ballot need not be required.

**Section 14.** The Bishop or the Ecclesiastical Authority of the Diocese shall appoint, or else allow a Mission which is not a Mission of a Founding Church to elect, a Committee of not fewer than three nor more than twelve Lay persons, who are confirmed adult communicants in good standing of that Mission, as defined in General Convention Canon I.17, to be called the Vestry Committee.

## **CANON 12.**

### **Duties of Vestries, Wardens and Parish Officers.**

**Section 1.** The Rector of a Church shall be elected by its Vestry, with the advice of the Bishop and in compliance with General Convention Canon III.9.3(a). The Vestry Committee of every Mission shall elect a Vicar upon nomination by the Bishop, such Vicar to serve at the pleasure of the Bishop. In accordance with General Convention Canon III.9.3(b), after consultation with the Vestry, a Priest-in-Charge may be appointed by the Bishop for any congregation in which there is no Rector. Any assistant ministers of a Church, by whatever name they may be designated, shall be selected by the Rector subject to the approval of the Vestry and in accordance with General Convention Canon III.9.3(c).

**Section 2.** Each Vestry shall cooperate with the Rector or Vicar in promoting the spiritual welfare of his cure and assist him in his duties as defined in General Convention Canon III.9.6.

**Section 3.** Each Vestry member shall support the programs of the Church through a commitment to service and biblically-based standard of proportional giving. Each vestry member shall also continuously encourage the members of the congregation to support the programs of the Church and to give generously towards the support of those programs; and each Vestry member shall extend personally a hearty welcome to newly baptized, confirmed, received, or transferred members of the congregation.

**Section 4.** Each Vestry shall see that the Rector or Vicar is properly supported, that his salary is paid in full and with regularity, together with the pension premiums and other obligations due from the Church; annually review the compensation of its Rector or Vicar in keeping with the published guidelines of the Diocese; and make all necessary provision for Church music, with the advice and consent of the Rector or Vicar, and subject to his control.

**Section 5.** Each Vestry shall commit to the Virginia Plan for Covenantal Giving and remit the resultant sum to the Treasurer of the Diocese in regular monthly installments. It shall be the joint duty of the Rector or Vicar and Vestry to submit to the Bishop by the first of March of each year a parochial report for the year ending December 31<sup>st</sup> preceding.

**Section 6.** Each Vestry, as the constituted agents of the Church, shall transact all its temporal business, e.g.: (a) providing for the appointment of Trustees pursuant to the laws of the Commonwealth of Virginia to hold title to the property of the Church; (b) making and executing all contracts for erecting, furnishing, and preserving the Church edifice and other property; (c) regulating the use of any graveyard or columbarium; (d) establishing a Finance Committee as required by Canon 25 (Finance Committees); and, (e) observing Canon 13 (Business Methods in Church Affairs).

**Section 7.** With the assistance of the other members of the Vestry and congregation, the Wardens shall have the following duties:

- (a) To oversee the operation and maintenance of the Church property;
- (b) To see that the Church is duly prepared for every occasion of public worship, attend to the accommodations of the congregation with seats, and maintain order and decorum at the time of public worship;
- (c) To collect the offerings of the people;
- (d) To provide out of Church funds, under the direction of the Vestry, a sufficient supply of vestments and books to be used in public worship and also the elements for each celebration of the Holy Eucharist;
- (e) To see that the sexton and other employees properly discharge their duties; and,
- (f) To possess a copy of the current General Convention and Diocesan Constitutions and Canons for the information and guidance of the Rector, Vestry and congregation.

**Section 8.** It shall be the duty of the Register of the Vestry to take charge of all records except the Parish Register and keep correct entries of all proceedings of the Vestry in a well-bound book to be provided for that purpose and to deliver the records and minute books to the Rector, Vicar, or Wardens, when the Register's term of office expires.

**Section 9.** The Treasurer shall take charge of all funds except Communion Alms as provided for in General Convention Canon III.9.5.(b)(6), and disburse the same under the direction of the Vestry, maintaining his accounts in accordance with the canonical requirements for the conduct of business in Church affairs, rendering reports to the Vestry and to the Convention as may be required. At the end of his term of office, he shall deliver all books and records pertaining to his office to the Wardens.

**Section 10.** The provision of this Canon shall also be applicable to Vestry Committees to the extent not in conflict with other Canons.

## **CANON 13.**

### **Business Methods in Church Affairs.**

**Section 1.** In every Church, Mission, and Institution connected with the Diocese, business methods shall be observed as contained in General Convention Canon I.7 and as supplemented herein.

**Section 2.** All trust, endowment and other permanent funds and all securities of whatsoever kind for which a Treasurer is responsible represented by physical evidence of ownership or indebtedness shall be deposited or invested with due regard for the social responsibility of the church and the social implications of the Christian faith. These funds shall be (i) deposited in one or more accounts properly earmarked, with one or more national or state banks or trust companies, or one or more savings and loan associations, the accounts of which are insured by an

instrumentality of the United States, or with a Diocesan Corporation; or (ii) invested in such a manner as is permitted by Title 64.2, Subtitle III, Chapter 7, (Sections 64.2-780 through 64.2-791) of the Code of Virginia (1950) as it may be amended from time to time; or (iii) invested in such manner as approved by the Finance Committee of the Diocese. Such accounts shall be approved in writing by the Vestry or its governing body.

This section shall not be deemed to prohibit investments in securities issued in book entry form or other manner that dispenses with delivery of a certificate evidencing the ownership of the securities or the indebtedness of the issuer.

**Section 3.** The Treasurer shall be bonded in such sum and with such surety as the Vestry or governing body may from time to time determine.

**Section 4.** The Vestry or governing body shall annually cause to be audited the accounts of its Treasurer and all other custodians of funds or securities. Such audit will be in compliance with Section 1 above and with such instructions as may be promulgated by the Diocesan Finance Committee. The audit shall include all accounts which exceed five hundred dollars at any one time during the fiscal year.

**Section 5.** The Vestry or other governing body of every Church, Mission and Related Organization shall provide for the following insurance with such insurers as may be determined by the Vestry or other governing body:

- (a) Fire and casualty insurance for buildings and tangible personal property of the Church, Mission or Related Organization in amounts not less than their replacement cost or depreciated value, as appropriate.
- (b) Adequate comprehensive liability insurance, naming the Diocese of Virginia as an additional insured, with coverage of not less than One Million Dollars per occurrence, for property damage or personal injury occurring (1) on the property of the Church, Mission or Related Organization, (2) as a result of the operation of motor vehicles owned or leased by the Church, Mission or Related Organization, (3) as a result of acts or omissions of the clergy or other employees with respect to their duties as such, or (4) as a result of acts or omissions of members or volunteers performing activities on behalf of or at the direction of the Church, Mission or Related Organization.
- (c) Workers' compensation insurance for all employees.

## **CANON 14.**

### **Creation of Church Debt.**

**Section 1.** No indebtedness, shall be incurred by a Church or Institution without the written approval of the Bishop and of the Standing Committee:

- (a) Except where proposed indebtedness for permanent improvements, replacements, or additions to real estate or equipment, plus indebtedness of every kind already existing does not exceed one hundred and fifty percent (150%) of the average annual receipts of such Church or Institution during the previous three fiscal years; and
- (b) Except where proposed indebtedness for current expenses, plus all indebtedness theretofore incurred for current expenses and still existing, does not exceed twenty percent (20%) of the total current receipts of such Church or Institution during the preceding fiscal year.

**Section 2.** In computing receipts under subsections (a) and (b) of Section 1 of this Canon, there shall be excluded amounts from or for endowments or from or by bequests, except income therefrom not specifically designated to be used for other purposes, and receipts specially designated for expenditures other than parochial.

**Section 3.** The approval required under this Canon shall not be granted until there is submitted to, and approved by the Bishop and the Standing Committee, a plan of payment of the indebtedness.

## **CANON 15.**

### **Church Property.**

**Section 1.** All real and personal property held by or for the benefit of any Church or Mission within this Diocese is held in trust for The Episcopal Church and the Diocese of Virginia. The Vestry of every Church and, when authorized by the Bishop, the Vestry Committee of a Mission, shall elect Trustees for appointment pursuant to law to hold title to such property.

**Section 2.** No part of the real property of a Church, except abandoned property, shall be alienated, sold, exchanged, encumbered or otherwise transferred for any purpose without the consent of the congregation in a meeting called for that purpose pursuant to the provisions of Section 13 of Canon 11 and approval of the appropriate court, if required by law and, in the case of consecrated property, or any Church or Chapel which has been used solely for divine services, the further consent of the Bishop, acting with the advice and the consent of the Standing Committee of the Diocese. No part of the real property of a Mission under Supervision shall be alienated without the further consent of the Bishop.

**Section 3.** The Executive Board shall take such steps as may be necessary to recover or secure any property, real or personal, belonging to any Church or bodies heretofore known as a Parish, Separate Congregation, Mission Church or Mission within this Diocese, the legal title to which is not vested in duly constituted Trustees; and whenever any property, real or personal, formerly owned or used by any congregation of the Episcopal Church in the Diocese of Virginia for any purpose for which religious congregations are authorized to hold property under the provisions of the Code of Virginia or any amendment thereof, has ceased to be so occupied or used by such congregation, so that the same may be regarded as abandoned property by the Executive Board, which shall have the authority to declare such property abandoned and shall have the authority to take charge and custody thereof, the Executive Board shall take such steps as may be necessary to transfer the property to the Bishop or the Ecclesiastical Authority; or to sell it.

**Section 4.** The Bishop, or Ecclesiastical Authority, is hereby authorized to acquire by deed, devise, gift, purchase or otherwise, any real property for use or benefit of the Diocese. Property so acquired shall be held and transferred by the Bishop or the Ecclesiastical Authority of the Diocese in accordance with the provisions of Section 57-16 of the Code of Virginia (1950), as from time to time amended, provided that no such real property shall be alienated, sold, exchanged, encumbered or otherwise transferred for any purpose by the Bishop or the Ecclesiastical Authority without the advice and consent of the Standing Committee of the Diocese of Virginia, unless prohibited by the instrument by which title to such property is acquired. The Executive Board shall have the care of the Episcopal Residence and other property held by the Bishop or the Ecclesiastical Authority of the Diocese for which no other custodians are provided and the Bishop or the Ecclesiastical Authority of the Diocese may delegate all authority with respect to such property, save and except the right to hold, transfer or encumber title to real property, to the Executive Board.

**Section 5.** The Executive Board is hereby constituted the proper authority of the Church and may apply to the appropriate court of the State for the appointment of Trustees to hold title to real property belonging to the Diocese when it may be necessary. No part of such real estate, except abandoned real property, shall be alienated, sold, encumbered or otherwise transferred for any purpose without the consent of the Executive Board.

**Section 6.** A list of all real property to which the Bishop and Trustees of the Diocese hold title and of all inactive or abandoned real property shall be maintained by the Secretary of the Diocese and published annually in the Convention Journal.

**Section 7.** Trustees appointed pursuant to this Canon shall be indemnified by the Church or Mission electing them, or, in the case of Trustees designated by the Executive Board, by the Diocese, to the fullest extent as if the Church, Mission, or Diocese were a "Corporation" and such Trustees were "Directors" within the meaning of, and as set forth in, Article 9 of the Virginia Nonstock Corporation Act, as the same may be from time to time amended.

## **CANON 16.**

### **Parish Registers and Parochial Reports.**

**Section 1.** Every Rector and Vicar shall maintain a register of official acts and make the required entries in the Parish Register as required by General Convention Canon I.6.1. These records shall be made in suitable books to constitute collectively the Parish Register, to be provided by the Vestry for that purpose and to remain in the property of the Vestry. When a congregation is without a Rector or Vicar, one of the Wardens shall take charge of the Parish Register and shall make, or cause to be made, all needful entries until the vacancy is filled.

**Section 2.** Every Rector or Vicar shall send to the Bishop, or if there be no Bishop, to the Secretary of the Diocese, or the President of the Convention, on or before the first day of March of each year, the report required by General Convention Canon I.6.1 for the year ending the thirty-first day of December preceding, in such form as shall be prescribed by the Bishop or the Convention. If any congregation is without a Rector or Vicar, the report shall be sent by the Wardens. The Bishop shall compile a list of those Churches and Clergy whose reports are not sent by the first day of March and, with the advice and consent of the Standing Committee, take appropriate action.

## **CANON 17.**

### **Related Organizations.**

Section 1. Organizations related to the Diocese of Virginia shall be those whose charters or statements of purpose have been reviewed and approved by the Executive Board and whose status as a related organization shall have been approved by the Convention of the Diocese.

Section 2. Every related organization shall operate in conformity with the doctrine, discipline and worship of The Episcopal Church in the Diocese of Virginia.

Section 3. Every related organization shall conform with the applicable provisions of the Canon on Business Methods in Church Affairs; provided, however, that nothing in this Canon shall be construed as acceptance by the Diocese of Virginia of the financial or other obligations of any related organization.

Section 4. The Secretary of the Diocese shall keep a current list of all active related organizations which shall be published in the Convention Journal.

Section 5. Every related organization shall furnish an annual report of its activities to the Secretary of Convention.

Section 6. The Convention of the Diocese, and the Executive Board between Conventions, shall have the authority, for proper cause, to terminate the status of a related organization.

## **CANON 18.**

### **The Secretary of the Diocese.**

The Secretary of the Diocese shall perform such duties as may otherwise be prescribed by the Constitution and Canons and such other duties as may be prescribed by the Ecclesiastical Authority, in the performance of which he shall have such authority as may be delegated to him by the Ecclesiastical Authority.

## **CANON 19.**

### **The Treasurer of the Diocese.**

Section 1.

- (a) All trust and permanent funds belonging to the Diocese or over which the Diocese has control, and all other funds for which the Treasurer is responsible, shall be kept in one or more accounts in the Diocese of Virginia, properly earmarked, with one or more national or state banks or trust companies, or one or more building or savings and loan associations, the accounts of which are insured by an instrumentality of the United States, or with a Diocesan Corporation, approved in writing by the Executive Board, and shall not be withdrawn in whole or in part except upon the signature of two designated persons.
- (b) All securities of whatsoever kind belonging to the Diocese or over which the Diocese has control shall be kept with a Diocesan Corporation or some other agency, approved in writing by the Executive Board and shall not be withdrawn except upon the signature of two designated persons.
- (c) The Treasurer shall be bonded in such sum and with such surety as the Standing Committee may from time to time determine.
- (d) Such books of account shall be kept as, in the judgment of the Executive Board, may be necessary.
- (e) The Executive Board shall annually cause to be audited by certified public accountants the accounts of the Treasurer of the Diocese and the accounts of the Treasurer of every trust and permanent Diocesan fund.
- (f) A condensed report of the audit shall be made under the direction of the Executive Board, which shall make its report to each regular meeting of the Convention and to any special meeting of the Convention when requested.
- (g) All buildings and tangible personal property, over which the Diocese has control, shall be kept adequately insured in such amount and with such insurers as the Executive Board may determine.
- (h) The Executive Board shall supervise all financial affairs of the Diocese and the methods prescribed for the conduct of Diocesan business affairs.

Section 2. Pending the adoption of an annual budget by the Convention of the Diocese, the Executive Board shall prepare and furnish to the Treasurer of the Diocese a schedule of payments for the ensuing fiscal year, which schedule of payments shall first provide for fixed obligations and then for other objects in the program of the Diocese, within the amount of estimated receipts. This schedule of payments shall be the warrant of the Treasurer of the Diocese for disbursement of the amounts specified therein. Upon adoption by the Convention of an annual budget, such budget shall become the warrant of the Treasurer to make the expenditures provided therein.

## **CANON 20.**

### **The Registrar of the Diocese.**

Section 1. The Registrar shall be responsible to the Bishop and the Convention for the preservation of the official records of the Diocese of Virginia, which shall include the Journals of the Conventions, and the official records of the Bishops. He shall procure, receive, catalogue and preserve books, papers and other documents bearing upon the history of the Church in the Diocese of Virginia.

Section 2. The Registrar of the Diocese shall, with the advice of the Bishop and the Secretary of the Diocese, issue guidelines to committees and officials of the Diocese of Virginia concerning such documents as shall be considered worthy of historic preservation; such as the Journals of General Convention, the Episcopal Church Annuals, Diocesan ECW Yearbooks. He shall offer advice to parishes regarding the preservation of historic materials. He shall further make proper disposition of acquisitions to the archives of the Episcopal Church, or to such other repositories as may be appropriate.

## **CANON 21.**

### **The Standing Committee of the Diocese.**

Section 1. The Standing Committee shall annually elect a President and a Secretary from among its members.

Section 2. In addition to its other constitutional and canonical duties, the Standing Committee shall (a) serve as a Council of Advice to the Bishop, and (b) annually address Convention on such matters concerning the mission, life or program of the Diocese as the Standing Committee shall deem timely.

Section 3. No member of the Standing Committee chosen by the Executive Board or the Convention to fill a vacancy on that Committee as provided by the Constitution shall be ineligible to be elected to a full term, but a member of the Standing Committee who has completed within two years a full term shall not be eligible to be chosen by the Executive Board or the Convention to fill a vacancy, nor be eligible to be elected to a full term on that Committee.

## **CANON 22.**

### **The Commission on Ministry.**

Section 1. Membership.

- (a) The Convention shall elect six (6) persons, three (3) clerical and three (3) lay, to the Commission on Ministry; one in each order to be elected annually to serve for a term of three (3) years. No one so elected shall be eligible for re-election after having served two consecutive terms until after the expiration of one year, providing that nothing herein shall prevent the Bishop from nominating one or more such persons under the provisions of Section 1(b) of this Canon. Such persons shall be adult communicants in good standing of a Church in the Diocese.
- (b) The Bishop may annually appoint not more than ten (10) additional members for a term of one year each. Such appointments shall be subject to confirmation by Convention. Such appointments shall be communicants in good standing.
- (c) In the case of a vacancy in the elected members [Section 1(a)], the Executive Board shall fill the vacancy from the same order and that member shall serve for the balance of that term. In the case of a vacancy in the appointed members [Section 1(b)], the Bishop may appoint a member to complete that one-year term.

**Section 2.** The duties of the Commission on Ministry shall be those prescribed in the Canons of the Episcopal Church, including, but not limited to, advising and assisting the Bishop (a) in the determination of present and future opportunities and needs for the ministry of all baptized persons and (b) in the design and oversight of the ongoing process for recruitment, discernment, formation for ministry and assessment of readiness therefore. The Commission may establish committees consisting of members and other persons to report to the Commission or to act on its behalf.

**Section 3.** The Commission on Ministry shall annually report to the Convention of the Diocese.

**Section 4.** As a transition following adoption of amendments to this Canon at the 212<sup>th</sup> Annual Council, for the purpose of changing the number and the rotation specified in Section 1(a), the previously elected members of the Commission on Ministry with remaining terms of office of one, two, and three years shall remain in office for the duration of their respective terms of office. This section of the Canon shall lapse upon the establishment of the terms of office so inaugurated.

## **CANON 23.**

### **Meetings.**

Meetings of congregations, vestries, vestry committees, regional councils, the Executive Board, the Standing Committee, and Convention, including elections to offices in these bodies and votes concerning the disposition or encumbrance of property, may be conducted by electronic means (including where appropriate, telephonic means), provided that the following standards are met:

- (a) adequate notice (as defined in these canons) is provided
- (b) the presence of a quorum is verified
- (c) each member entitled to vote can hear clearly and can be heard by the other attendees
- (d) reasonable means are provided for each member in attendance to review the written terms of matters on which the body is voting before voting occurs
- (e) in advance of voting, the names of members in attendance and eligible to vote is verified
- (f) the results of votes are promptly made available to voting members.

Adoption of this canon shall not be construed to invalidate prior actions of these constitutional and canonical bodies.

## **CANON 24.**

Reserved for future use.

## **CANON 25.**

### **Finance Committees.**

**Section 1.** There shall be a Finance Committee of the Diocese as required by General Convention Canon I.7, appointed by the Bishop and including representation from the Executive Board, which committee shall, from time to time and at least annually:

- (a) Advise the Executive Board of the conformity of the Diocese, the Churches, the Missions and Institutions connected with the Diocese with the provisions of Canon 13.
- (b) Issue periodic guidelines for audits and investment management.
- (c) Provide information to Church and other Finance Committees as requested.
- (d) Perform such other functions as required by Canon or as directed by the Executive Board.

**Section 2.** Each Church and Mission shall establish a Finance Committee of not less than three persons to provide assistance in financial matters to the Rector, Vicar, Vestry and Treasurer in the implementation of these Canons.

**Section 3.** All reports of audits required by Canon 13 shall be made to the Vestry or governing body not later than August 2<sup>nd</sup> of each year. Such reports, including recommendations, shall be filed with the Bishop as required by National Canon; reports for Missions shall be made to the Bishop designated by the Diocesan who shall submit a consolidated report to the Diocesan. The Bishop shall refer all audit reports to the Finance Committee of the Diocese for their information and recommendations.

## **CANON 26.**

### **Appeal of a Lay Person after Repulsion from the Holy Communion.**

If any person repelled from the Holy Communion shall allege to the Bishop that injustice has been done, or if, notwithstanding that, he shall have professed himself ready and willing, in truth and sincerity, to comply with the requisitions expressed in the Rubric in order to be restored to the Holy Communion, and his repulsion shall be continued, he may present his application in writing to the Bishop, setting forth the grounds thereof and requesting to be restored to the Communion. Thereupon the Bishop, after consideration of the reasons given by the Priest and the Lay person shall adjudge the case and shall communicate his judgment in writing to the Priest and the Lay Person and the judgment shall be final and conclusive.

## **CANON 27.**

### **Ecclesiastical Discipline.**

**Section 1. Adoption of Title IV of the Canons of the General Convention.** Those provisions of Title IV of the Canons of the General Convention that are applicable to the Diocese are hereby incorporated as part of this Canon. To the extent, if any, that any of the provisions of this Canon are inconsistent with provisions of Title IV, the provisions of Title IV shall govern.

**Section 2. Disciplinary Board.** The Disciplinary Board shall consist of eleven (11) persons, six (6) of whom are priests or deacons and five (5) of whom are lay persons. Members of the Standing Committee shall be eligible to serve as members of the Disciplinary Board.

- (a) Priests or Deacons. The priests or deacons who are members of the Disciplinary Board shall be canonically resident in this Diocese.
- (b) Lay Members. The lay members of the Disciplinary Board shall be persons eligible under the Canons for election as Lay Delegates to Convention.
- (c) Election of Members. The members of the Disciplinary Board shall be nominated by the Standing Committee and elected by Convention to serve for terms of three years. Member's terms shall be staggered into three classes of two clerical and two lay members each, provided that one such class shall have only one lay member. A Disciplinary Board member who has served two complete three-year terms shall be ineligible to serve again until one year has elapsed.
- (d) Vacancies. Vacancies on the Disciplinary Board shall be filled as follows:
  - (i) Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop of the vacancy and request appointment of a replacement member.
  - (ii) The Bishop shall appoint a replacement Disciplinary Board member in consultation with the Standing Committee.
  - (iii) With respect to a vacancy created for any reason other than pursuant to a disqualification as provided in Section 3 below, the term of any person selected as a replacement Disciplinary Board member shall expire at the conclusion of the next regular meeting of Convention, at which Annual Convention a person of the same order as the person whose position was vacated shall be elected to serve for the remainder of the unexpired term. With respect to a vacancy resulting from a challenge, the replacement Disciplinary Board member shall serve only for the proceeding for which the regularly elected Disciplinary Board member is not serving as a result of the challenge.
- (e) President. Within sixty (60) days following the annual Convention, the Disciplinary Board shall convene to elect a President to serve until the next Annual Convention.

**Section 3. Preserving Impartiality.** In any proceeding under this Canon, if any member of a Conference Panel or Hearing Panel of the Disciplinary Board shall become aware of a conflict of interest or undue bias, that member shall immediately disqualify himself or herself and notify the President of the Disciplinary Board and request appointment of a replacement member of the Panel. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subject of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that proceeding.

**Section 4. Intake Officers.** The Intake Officers shall be appointed from time to time by the Bishop after consultation with the Disciplinary Board. The Bishop shall appoint at least two Intake Officers according to the needs of the Diocese,



with at least one male and one female. The Bishop shall publish the names and contact information of the Intake Officers throughout the Diocese.

**Section 5. Investigator.** The Bishop shall appoint one or more Investigators as needed in consultation with the President of the Disciplinary Board. Every Investigator shall be required to maintain confidentiality subject to Canon IV.11(5).

**Section 6. Church Attorney.** Within sixty (60) days following each annual Convention, the Disciplinary Board shall appoint a Church Attorney, and one or more Assistant Church Attorneys, if deemed appropriate by the Disciplinary Board, who shall be duly licensed attorneys, and who will perform the functions as described in Canon IV.2. Attorneys appointed to serve as Church Attorney shall serve until their successors are appointed. Persons selected to serve as Church Attorneys shall be persons eligible under the Canons for election as Lay Delegates to Convention, but need not reside within the Diocese. The Church Attorney may be removed by the Bishop, in consultation with the Standing Committee, for cause. If none of the Church Attorney or Assistant Church Attorneys are able to act on a specific matter due to a conflict of interest, undue bias or unavailability, the Disciplinary Board shall appoint a duly licensed attorney who is eligible under the Canons for election as a Lay Delegate to Convention to act as Church Attorney for such matter.

**Section 7. Pastoral Response Coordinator.** The Bishop may appoint a Pastoral Response Coordinator, to serve at the will of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Canon IV.8. The Pastoral Response Coordinator may be an Intake Officer but shall not be a person serving in any other appointed or elected capacity under this Canon.

**Section 8. Advisors.** In each proceeding under this Canon, the Bishop shall appoint an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Canon, and shall not include the Chancellor or Vice Chancellors of this Diocese or any person likely to be called as a witness in this proceeding or otherwise involved in the proceeding.

**Section 9. Clerk.** The Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk may be a member of the Board.

**Section 10. Lay Assessor.** The Disciplinary Board may appoint a duly licensed attorney for advice on matters of law, procedure and evidence affecting proceedings before the Conference and Hearing Panels. The Lay Assessor need not reside in, or be a member, of the Diocese.

**Section 11. Costs and Expenses.** The reasonable costs and expenses of the Disciplinary Board, the Intake Officer, the Investigator, the Church Attorney, the Disciplinary Board Clerk, the Pastoral Response Coordinator and the Lay Assessor, if any, shall be the obligation of the Diocese of Virginia, subject to budgetary constraints as may be established by the Executive Board.

**Section 12. Records.**

- (a) Records of Active Proceedings. Records of active proceedings before the Disciplinary Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Clerk.
- (b) Permanent Records. The Bishop shall make provision for the permanent storage of records of all proceedings under this Canon at the offices of the Diocese and the Archives of the Episcopal Church, as prescribed in Title IV of the Canons of the General Convention.

**Section 13. Transitional Provisions.** The amendments to this section adopted by the Council at its regular meeting in 2011 shall be effective July 1, 2011. The provisions of this Canon in effect prior to the Council's regular meeting in 2011 shall remain in effect until July 1, 2011, and thereafter solely with regard to matters then pending before the Ecclesiastical Trial Court, until such matters are finally disposed. At the 2011 regular meeting of Council, the Council shall elect an Ecclesiastical Trial Court pursuant to those provisions, and also shall elect members of the Disciplinary Board to be effective July 1, 2011. The initial members of the Disciplinary Board shall be elected to terms expiring in equal number in 2012, 2013 and 2014, provided that only one Lay Person's term shall expire in 2012; succeeding members shall be elected to three-year terms. The meeting of the Disciplinary Board to elect its initial President shall take place within sixty days of July 1, 2011. The provisions of this amendment related to the election of a Disciplinary Board at the 216th Annual Council shall be effective as of the approval of this amendment by two-thirds of the members present.

## **CANON 28.**

### **Relationships Among Clergy and Congregations.**

**Section 1.** Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a church without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a church be removed therefrom by the Vestry against the Rector's will, except as hereinafter provided.

**Section 2.** When a Rector or a majority of any Vestry believe the pastoral relation between the Rector and the congregation is imperiled by dissension, it shall be the duty of either or both, before contemplating dissolution of the pastoral relation, to lay the matter before the Bishop.

**Section 3.** If for any urgent reason a Rector or Vestry 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. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Suffragan Bishop, if there be one; or the Assistant Bishop, if there be one; and if neither office is filled, then the Bishop of another Diocese, to perform the duties of the Bishop under this Canon.

**Section 4.** Whenever a Rector or a Vestry notifies the Bishop under the terms of this Canon, the Bishop shall labor for a reconciliation of the Rector and the congregation, either directly or through the Bishop's designees, or both. The Bishop may require one or more meetings with the Vestry and the Rector, either together or separately, and may require such meetings to be held with the Bishop, with the Bishop's designees, or both. No later than 90 days after receiving the original notification for consultation under the provisions of this Canon, the Bishop shall issue a Pastoral Direction in writing to the Rector and the Vestry shall outline a course of action to unify the congregation.

**Section 5.** If, in the judgment of the Bishop, the Rector, or the Vestry, the terms of the Pastoral Direction issued by the Bishop as specified in Section 4 above have not been met, or that the purposes for the Pastoral Direction have not been achieved, and 90 days have passed since the issuance of the Pastoral Direction, then the Rector or the Vestry may request a final judgment on the pastoral relation from the Bishop as follows or the Bishop may proceed on his own initiative as follows:

- (a) The Bishop shall give 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.
- (b) 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.
- (c) At the conference each party shall be entitled to representation and to present its position fully.
- (d) 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 godly judgment.
- (e) 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.
- (f) 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.
- (g) If the relation is to be dissolved:
  - (1) The Bishop shall direct the Secretary of the Convention to record the dissolution.
  - (2) The judgment shall include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate.
- (h) In either event the Bishop shall offer appropriate supportive services to the Priest and the church.

**Section 6.** In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may act as follows:

- (a) In the case of a Rector, suspend the Rector from the exercise of the priestly office until the Priest shall comply with the judgment.
- (b) In the case of a Vestry, recommend to the Convention of the Diocese that the Church be placed under the supervision of the Bishop as a Mission until it has complied with the judgment.

**Section 7.** 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.

Section 8. Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Title IV of the General Convention Canons or Diocesan Canon 27 provided that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.

Section 9. In the course of proceedings under this Canon, if a complaint is made by the Vestry against the Rector under General Convention Canon IV.1. or Diocesan Canon 27, all proceedings under this Canon shall be suspended until the complaint has been resolved or withdrawn.

## **CANON 29.**

### **Gender of Pronouns.**

The masculine pronoun whenever used in these Canons shall be deemed to include the feminine pronoun.

## **CANON 30.**

### **Amendment of Canons.**

Section 1. The Canons of this Diocese may be amended by the Convention; but no proposed amendment shall be considered by the Convention unless at least one day's notice be given in open Convention, nor until such amendment shall have been referred to and reported upon by a Committee of at least two Presbyters and two Laymen. Nor shall such amendments be adopted during the same Convention unless two-thirds of the members present concur therein; but if the majority be less than two-thirds, it shall lie over for consideration at the next regular meeting of the Convention. Unless otherwise provided by the Convention, all amendments shall become effective upon the adjournment of the meeting of the Convention at which final action was taken.

Section 2. Whenever a Canon is amended, enacted, or repealed in different respects by two or more independent enactments at the same Convention, including the enactment of an entire Canon, 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 changes made in separate amendments or enactments are not in conflict with each other, the Chancellor and the Chairman of the Committee on Constitution and Canons shall make the determination whether or not there is a conflict and certify the text of the single enactment to the Secretary of the Convention.

Section 3. At the conclusion of each regular meeting of General Convention, the Chancellor and the Chairman of the Committee on Constitution and Canons of this Diocese shall be empowered to correct numbering references in the Constitution and Canons of this Diocese to the Constitution and Canons of the General Convention, which corrections shall be reported to the Secretary of the Diocese.

## **CANON 31.**

### **Health Insurance.**

Section 1. Any and all health insurance coverage provided or paid for by the Diocese, Churches, Diocesan Missions or Missions of a Founding Church located within the Diocese for active and retired ordained persons or lay employees shall be provided through the diocesan health insurance plans established by the Executive Board.

Section 2. The Executive Board shall establish forms and processes for receiving applications for exception or exemption from the mandate of paragraph 1 hereof, and for reviewing and reaching a decision regarding each application. The Executive Board may designate an appropriately constituted body and delegate to it the necessary authorities to receive, review and make recommendations to the Executive Board. A description of these forms and processes shall be furnished to the entities identified in paragraph 1 hereof, made available by the Diocese upon request, and published in the annual guidelines offered by the Diocesan Compensation Commission as approved by the Executive Board.

Section 3. The Executive Board may grant such exemptions or exceptions from the mandate of paragraph 1 hereof as it deems appropriate. Each decision of the Executive Board shall be communicated to the applicant in writing together with a description of any process that the Executive Board may establish for appealing its decisions.

**Section 4.** In deciding on each application, the Executive Board shall be guided by the following considerations (among such others as it may deem appropriate):

- (a) consistency;
- (b) fairness;
- (c) hardship;
- (d) coverage available through spousal, military or other plans;
- (e) the effect that the exemption or exception requested, if granted, would have on the plan as a whole;
- (f) the precedential effect of the exemption or exception requested, if granted.

# Index to the Constitution and Canons

- References to the Diocesan Constitution are by Roman numerals.
- References to the Diocesan Canons are by Canon and appropriate section in Arabic numerals; e.g., 6.1.

## Amendments

To Constitution.....XIX

To Canons ..... 30

Archdeacons..... 6.1

Archdeans .....6.2

Audits ..... 13.4

## Bishops

Election.....VII

Vacancy in office ..... IX

Bonding of Treasurers..... 13.3

Boundaries..... 9

## Business Methods in Church Affairs

General ..... 13

Audits ..... 13.4

Deposit of Funds ..... 13.2

Insurance..... 13.5

Funds, trust and permanent ..... 13.2

Chancellor, Diocesan ..... XIII

Church Pension Fund..... 5

## Churches

Debt..... 14

Defined ..... 10

Parochial Reports..... 16.2

Property..... 15

Registers, Parish ..... 16.1

Under Supervision..... 10.6-8

Vestries (See: Vestries)

## Clergy

Official list..... 1

## Assistant Clergy

Rector, Election of ..... 12.1

## Communicants

Repulsion from Holy Communion..... 26

Congregational Meetings ..... 11

## Convention

Composition ..... III; 1.2-4; 2

### Committees

Credentials ..... 2.7

### Lay Delegates

Alternates ..... 2.4-7

Election of..... 2.4-5; 10.4

Meetings ..... II

Methods of Voting ..... V

President..... VIII

Quorum.....IV

Secretary .....	XI
Deans .....	6.1(c); 6.2
Deputies, election of	
General Convention.....	4
Provincial Synod .....	3
Diocesan Finance Committee .....	25
Ecclesiastical Disciple .....	27
Executive Board .....	7
Election of Members & Alternates.....	7.1(a)
Inactive Church Authority .....	9.3
Finance Committees.....	25
Financial Reports (See: Business Methods)	
Founding Church.....	10.8
Funds (See: Business Methods)	
Gender .....	XX; 29
General Convention, Deputies .....	4
Health Insurance .....	31
Holy Communion	
Repulsion from.....	26
Meetings.....	23
Ministry, Commission on.....	22
Missionary Society .....	XVI
Offerings and Alms .....	12.7;12.9
Officers, Diocesan.....	VI
Organizations, Related.....	
Annual Report.....	17.5
Approved by Convention.....	17.1
Business Methods .....	17.3; 13
Relationship, Authority to terminate .....	17.6
Parish Registers .....	16.2
Parishes, bound by Constitution .....	XVII
Parochial Reports.....	16.1
Pastoral Relationships.....	28
Pension Fund (See: Church Pension Fund)	
Property (See: Churches)	
Provincial Synod, Deputies.....	3
Rector (See: Clergy)	
Regional Council .....	8.4-5
Regions .....	8; 9.2
Registrar, Diocesan .....	XIV; 20
Regulations Respecting Laity (See: Laity)	
Secretary, Diocesan .....	XI; 5.2; 18
Duties.....	18
Maintain Lists	
Real Property .....	15.6
Related Organizations .....	17.4
Standing Committee .....	VI; XV; 21
Church Indebtedness, Approval of .....	14
Officers .....	21.1

Treasurer, Diocesan .....	XII; 19
Trusts (See: Business Methods)	
Trustees, Parish .....	12.6(a); 15.1
Vacancies	
Vestry .....	11.11
Vestry Committee .....	11.1
Vestry	
Declaration .....	11.8
Election .....	11.3-5
Eligibility	
For Vestry .....	11.4
To vote .....	11.5
Judges .....	11.6
Meetings, Call of .....	11.10
Meetings, Prayer before .....	11.7
Organization .....	11.7
Rector to preside .....	11.10
Size .....	11.2
Vacancy .....	11.11
Vestry, duties .....	12
Clergy compensation .....	12.4
Income sharing .....	12.5
Parochial Reports .....	12.5
Spiritual Welfare of Parish .....	12.2
Temporal Business	
Business Methods .....	12.6(e)
Contracts .....	12.6(b)
Finance Committee .....	12.6(d)
Graveyard/Columbarium .....	12.6(c)
Trustees .....	12.6(a)
Vestry, officers	
Election of .....	11.9
Duties of	
Register .....	12.8
Treasurer .....	12.9
Wardens .....	12.7
Vicar .....	10.7
Wardens, duties .....	12.7