



**DIOCESE** *of*  
**CHRIST** *our* **HOPE**

**CONSTITUTION & CANONS**

**Ratified by the inaugural annual Synod  
on November 5, 2016**

**Amended at Synod, November 9, 2019**

# THE CONSTITUTION OF THE ANGLICAN DIOCESE OF CHRIST OUR HOPE

## *Preamble*

The Diocese of Christ our Hope (the “Diocese”), a member of the Anglican Church in North America (the “Province”) and thereby a member of the One, Holy, Catholic and Apostolic Church (the “Church”), ordains and establishes this Constitution. At its institution, the Diocese is an affinity-based Diocese serving the work of the Gospel in North Carolina, Virginia, the District of Columbia, Maryland, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, and Maine.

## *Article I*

### *Fundamental Declarations of the Diocese*

The Diocese of Christ our Hope, being part of the One, Holy, Catholic and Apostolic Church of Jesus Christ, believes and confesses Jesus Christ as Lord. He is the Way, the Truth and the Life: none comes to the Father but by Him.

The Diocese hereby adopts the Fundamental Declarations of the Province (Appendix A) as set forth in Article I of the Provincial Constitution. Furthermore, we receive and affirm the Global Anglican Future Conference (GAFCON) Statement and the Jerusalem Declaration issued June 29, 2008 (Appendix B). In particular, this Diocese confesses and upholds:

1. The Holy Scriptures of the Old and New Testaments to be God’s Word written, containing all that is necessary for salvation;
2. The orthodox Christian creeds, namely the Apostles’ Creed, the Nicene Creed and the Athanasian Creed together with the Chalcedonian Definition;
3. The Thirty-nine Articles as containing the true doctrine of the Church agreeing with God’s Word and as authoritative for Anglicans today;
4. Anglican sacramental and liturgical heritage as an expression of the gospel, and the 1662 Book of Common Prayer as a true and authoritative standard of worship and prayer, to be translated and locally adapted for each culture.

The Diocese acknowledges the authority and powers of the Province as set forth in the Provincial Constitution and Canons adopted thereby, and adopts this Constitution to be in conformance therewith. All powers not granted to the Province are reserved to the Diocese. In the event of a conflict between the Constitution and/or Canons of the Diocese and the Constitution and/or Canons of the ACNA, the Constitution and Canons of the ACNA shall govern this Diocese.

**Article II**  
**Order, Governance and Discipline**

The fundamental agency of mission is the local congregation gathered in union with the Diocese. The order, governance and discipline of the Diocese shall be vested in the Bishop as the Ecclesiastical Authority, the Diocesan Council, the Synod, and the Ecclesiastical Trial Court of the Diocese in conformity with this Constitution.

**Article III**  
**Authority, Composition, and Organization of the Synod**

**Section 1. Authority**

The Synod, as the legislative body of the Diocese, shall have authority to adopt canons, approve resolutions and budgets and take any other specific action for the conduct of the affairs of the Diocese not in conflict with this Constitution or that of the Province. The Synod shall be composed of both lay and clergy delegates to be elected as set forth in the Canons.

**Section 2. The Diocesan Council, Diocesan Committees, and Ad Hoc Synod Committees**

The Synod shall provide by canon for the appointment or election of a Diocesan Council, with duties therein provided, to serve as the Standing Committee of the Synod between annual Synod meetings and to execute the policies, programs, and business of the Synod, and such other duties as the Synod shall assign it on behalf of the Synod. The Diocesan Council shall submit a written report of its meetings and actions to the Synod annually.

The Synod may establish such other committees as it deems necessary, and the Bishop Ordinary (hereafter normatively, “the Bishop.”), with the advice of the Diocesan Council, may appoint *ad hoc* committees to study and report on particular matters assigned by the Bishop.

**Article IV**  
**Office of the Bishop**

**The Calling to the Episcopate – 1 Timothy 3**

The order, governance, and discipline of the Diocese shall be vested in the Bishop Ordinary as the Ecclesiastical Authority and personal instrument of unity. The Bishop is called by God and the Church to be a shepherd who feeds the flock entrusted to his care. The Bishop is an overseer of the flock and as such is called to propagate, to teach, and to uphold and defend the Faith and Order of the Church, willingly and as God directs. He must not be greedy for money but be eager to serve, not lording the authority of his office or position over those entrusted to his care. He must be a humble, wholesome example to the entire flock of Christ. By the tradition of Christ's One, Holy, Catholic, and Apostolic Church, Bishops are consecrated for the whole Church and are successors of the Apostles through the grace of the Holy Spirit given to them. They are chief missionaries and chief pastors, guardians and teachers of doctrine, and administrators of godly discipline and governance.

Other episcopal ministries and positions may be identified through proper processes outlined in the Provincial and Diocesan canons, to assist and share the Bishop Ordinary in his ministry:

Bishop Coadjutor, Suffragan Bishop, and Assistant Bishop. The fundamental spiritual calling and qualifications expected of the Bishop Ordinary shall be expected of and applied to all who hold any episcopal office within the Diocese.

**Article V**  
**Diocesan Committee on Constitution and Canons**  
**and Other Committees of the Diocese**

There shall be a Diocesan Committee on Constitution and Canons that shall be responsible for ensuring the conformity of the Diocesan Constitution and Canons with those of the Province. This Committee shall review and report its recommendation to the Synod regarding any proposed amendment to the Constitution or Canons. The Synod may establish other committees of the Diocese.

**Article VI**  
**The Officers of the Diocese**

In addition to the Bishop, and, if there be such, the Bishop Coadjutor, Suffragan Bishop(s), and Assistant Bishop(s), the officers of the Diocese shall be the Vice Chair, Secretary, the Treasurer, the Chancellor, and the Registrar. The selection and duties of the Officers of the Diocese shall be prescribed by canon.

**Article VII**  
**Mission and Worship**

**Section 1. The Mission of the Diocese**

The mission of the Diocese shall be the mission of the Province. The fundamental agency of mission in the Province and the Diocese is the local congregation. The chief agents of this mission to extend the Kingdom of God are the people of God.

**Section 2. Worship in the Diocese**

The worship of Almighty God in the Diocese shall be according to Anglican faith and order and shall be conducted in accord with the Constitution and Canons of the Province and of the Diocese.

**Article VIII**  
**Ecclesiastical Discipline**

**Section 1. Ecclesiastical Trial Court Established**

There shall be an Ecclesiastical Trial Court of the Diocese for the application of Church discipline in accordance with the Constitution and Canons of the Province and of the Diocese.

**Section 2. Jurisdiction, Composition, Terms of Office and Procedures**

The jurisdiction, composition, terms of office and procedures of the Ecclesiastical Trial Court shall be established by canon.

**Article IX**  
**Concerning Property of Congregations and Missions**

All property, real and personal, owned or held by or on behalf of a Congregation or Mission of the Diocese is and shall be owned by the Congregation or Mission, free of any trust or other claim in favor of the Diocese or the Province. A Congregation or Mission may not alienate or encumber its real property except with the consent of a majority of the Congregation or Mission by vote taken at a meeting called for that purpose with adequate advance notice.

**Article X**  
**Concerning Men and Women in Ordained Ministry**

Within the Anglican Church in North America there is a diversity of understanding regarding the role of ordination for women, and therefore the roles women may serve within the sacramental ministry of the Church. This Diocese upholds the biblical teaching that both men and women are created in God's image, are redeemed in Christ to be equal heirs of the grace of God, and are freely called and fully gifted for Kingdom ministry according to his sovereign will. Therefore, this Diocese is committed to promoting and honoring the ministry of women alongside men, both within and outside the church. Nevertheless, this Diocese believes that a biblical balance between equality of gifting, freedom for ministry, and the embodiment of spiritual order within the Church is best expressed by distinguishing the ordained roles available to men and women. This Diocese ordains called and gifted women as vocational deacons. We ordain called and gifted men as vocational deacons, transitional deacons, and presbyters. In all this, we gratefully receive the service of both men and women as vocational deacons, and men as transitional deacons, in a broad variety of ministries according to God's gifts and callings in each person's life. At the same time we express our commitment to order within the Church by reserving sacramental ministry to presbyters.

**\*As voted and approved at the 2016 Synod, the following sentence of Article X remains bracketed until reviewed by the Committee on Constitution and Canons. Said committee will submit to the Synod for adoption any recommended changes to this sentence no later than 60 days prior to the 2017 Synod.**

[The bishop may give specific permission for a deacon to preside at the celebration of a marriage, to preside at baptisms, or to preside at a service in which the reserved sacrament is administered.]

**Article XI**  
**Concerning the Sanctity of Marriage**

In view of the teaching of Holy Scripture (Genesis 1:26-29; 2:18-25; Mark 10:1-9; Ephesians 5:28-33), the Lambeth Conference of 1998 (Lambeth resolution 1.1.0), the Jerusalem Declaration, and in accordance with Title II, Canon 7, Section 1, of the Canons of the Anglican Church in North America, and the June, 2015 Provincial College of Bishops Statement “From the Beginning” and “Bearing Witness to Holy Matrimony”, the Diocese defines marriage as the exclusive covenantal union of one man and one woman for life. A civil government’s sanction of a union will be recognized as a legitimate marriage by the Church only to the extent that it is consistent with this definition of marriage. Therefore, this Diocese cannot sanction or recognize polygamous or same-sex unions as legitimate marriages. We further believe that sexual activity is to be rightly received and practiced only within covenant marriage between one man and one woman, and that abstinence is God’s call for those who are not living within marriage as so defined. Therefore, this Diocese will teach, disciple and strengthen the Church to follow the vocation of sexual purity both within and outside marriage as so defined. In addition, this Diocese cannot ordain persons who engage in sexual activity outside the definition of marriage we have received. We understand that many people experience sexual activity outside of this boundary, and to that end we commit to ministries of healing, deliverance, reconciliation, and discipleship on their behalf. We also understand that God allows divorce, and remarriage, in certain circumstances due to the sinfulness and brokenness of humanity. Therefore, provision is made for consideration and counsel in matters of divorce and remarriage by local clergy in collaboration with the Bishop.

**Article XII**  
**Concerning Diocesan Property**

Any property, both real and personal, owned by the Diocese now and in the future is not and shall not be subject to any trust interest in favor of the Province or any other claim of ownership arising out of the canon law of the Province.

**Article XIII**  
**Incorporation**

The Diocese may incorporate in accordance with the laws of the State where located or the State where any of its Congregations or Missions is located. The Bishop shall be the President of the corporation and the Diocesan Council its Board of Directors. Operation of the corporation shall be as provided by canon and applicable state law.

**Article XIV**  
**Amendment**

Amendments to the Constitution must first be noticed to and reviewed by the Constitution and Canons Committee and the Bishop, who may submit their recommendations to the Bishop and Synod or the Diocesan Council. The Bishop shall send notice of the proposed Amendment, the reasons for the amendment, and any recommendations to all delegates of Synod on or before 120th day prior to the meeting of Synod. This Constitution may be amended by a two-thirds majority vote at any regular meeting of the Synod. If approved by a two-thirds majority vote of the Synod, the amendment shall lie over to the next annual meeting of the Synod, and, if again approved in the same form by a two-thirds majority vote, the Constitution shall then stand amended as proposed, after the completion of a 90-day waiting period after the amendment has been finally passed.

**APPENDIX A**  
**FUNDAMENTAL DECLARATIONS OF THE PROVINCE OF THE ANGLICAN CHURCH IN NORTH AMERICA**

As the Anglican Church in North America (the Province), being a part of the One, Holy, Catholic, and Apostolic Church of Christ, we believe and confess Jesus Christ to be the Way, the Truth, and the Life: no one comes to the Father but by Him. Therefore, we identify the following seven elements as characteristic of the Anglican Way, and essential for membership:

1. We confess the canonical books of the Old and New Testaments to be the inspired Word of God, containing all things necessary for salvation, and to be the final authority and unchangeable standard for Christian faith and life.
2. We confess Baptism and the Supper of the Lord to be Sacraments ordained by Christ Himself in the Gospel, and thus to be ministered with un failing use of His words of institution and of the elements ordained by Him.
3. We confess the godly historic Episcopate as an inherent part of the apostolic faith and practice, and therefore as integral to the fullness and unity of the Body of Christ.
4. We confess as proved by most certain warrants of Holy Scripture the historic faith of the undivided church as declared in the three Catholic Creeds: the Apostles', the Nicene, and the Athanasian.
5. Concerning the seven Councils of the undivided Church, we affirm the teaching of the first four Councils and the Christological clarifications of the fifth, sixth and seventh Councils, in so far as they are agreeable to the Holy Scriptures.
6. We receive The Book of Common Prayer as set forth by the Church of England in 1662, together with the Ordinal attached to the same, as a standard for Anglican doctrine and discipline, and, with the Books which preceded it, as the standard for the Anglican tradition of worship.
7. We receive the Thirty-Nine Articles of Religion of 1571, taken in their literal and grammatical sense, as expressing the Anglican response to certain doctrinal issues controverted at that time, and as expressing fundamental principles of authentic Anglican belief.

In all these things, the Anglican Church in North America is determined by the help of God to hold and maintain, as the Anglican Way has received them, the doctrine, discipline and worship of Christ and to transmit the same, unimpaired, to our posterity.

We seek to be and remain in full communion with all Anglican Churches, Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacraments and Discipline of the One, Holy, Catholic, and Apostolic Church.



## APPENDIX B

### THE JERUSALEM DECLARATION

June 29, 2008

In the name of God the Father, God the Son and God the Holy Spirit:

We, the participants in the Global Anglican Future Conference, have met in the land of Jesus' birth. We express our loyalty as disciples to the King of kings, the Lord Jesus. We joyfully embrace his command to proclaim the reality of his kingdom which he first announced in this land. The gospel of the kingdom is the good news of salvation, liberation and transformation for all. In light of the above, we agree to chart a way forward together that promotes and protects the biblical gospel and mission to the world, solemnly declaring the following tenets of orthodoxy which underpin our Anglican identity.

1. We rejoice in the gospel of God through which we have been saved by grace through faith in Jesus Christ by the power of the Holy Spirit. Because God first loved us, we love him and as believers bring forth fruits of love, ongoing repentance, lively hope and thanksgiving to God in all things.

2. We believe the Holy Scriptures of the Old and New Testaments to be the Word of God written and to contain all things necessary for salvation. The Bible is to be translated, read, preached, taught and obeyed in its plain and canonical sense, respectful of the church's historic and consensual reading.

3. We uphold the four Ecumenical Councils and the three historic Creeds as expressing the rule of faith of the one holy catholic and apostolic Church.

4. We uphold the Thirty-nine Articles as containing the true doctrine of the Church agreeing with God's Word and as authoritative for Anglicans today.

5. We gladly proclaim and submit to the unique and universal Lordship of Jesus Christ, the Son of God, humanity's only Saviour from sin, judgement and hell, who lived the life we could not live and died the death that we deserve. By his atoning death and glorious resurrection, he secured the redemption of all who come to him in repentance and faith.

6. We rejoice in our Anglican sacramental and liturgical heritage as an expression of the gospel, and we uphold the 1662 Book of Common Prayer as a true and authoritative standard of worship and prayer, to be translated and locally adapted for each culture.

7. We recognise that God has called and gifted bishops, priests and deacons in historic succession to

equip all the people of God for their ministry in the world. We uphold the classic Anglican Ordinal as an authoritative standard of clerical orders.

8. We acknowledge God's creation of humankind as male and female and the unchangeable standard of Christian marriage between one man and one woman as the proper place for sexual intimacy and the basis of the family. We repent of our failures to maintain this standard and call for a renewed commitment to lifelong fidelity in marriage and abstinence for those who are not married.

9. We gladly accept the Great Commission of the risen Lord to make disciples of all nations, to seek those who do not know Christ and to baptise, teach and bring new believers to maturity.

10. We are mindful of our responsibility to be good stewards of God's creation, to uphold and advocate justice in society, and to seek relief and empowerment of the poor and needy.

11. We are committed to the unity of all those who know and love Christ and to building authentic ecumenical relationships. We recognise the orders and jurisdiction of those Anglicans who uphold orthodox faith and practice, and we encourage them to join us in this declaration.

12. We celebrate the God-given diversity among us which enriches our global fellowship, and we acknowledge freedom in secondary matters. We pledge to work together to seek the mind of Christ on issues that divide us.

13. We reject the authority of those churches and leaders who have denied the orthodox faith in word or deed. We pray for them and call on them to repent and return to the Lord.

14. We rejoice at the prospect of Jesus' coming again in glory, and while we await this final event of history, we praise him for the way he builds up his church through his Spirit by miraculously changing lives



# THE CANONS OF THE ANGLICAN DIOCESE OF CHRIST OUR HOPE

## *Preamble*

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

The Diocese acknowledges the authority and powers of the Province as set forth in the Provincial Constitution and Canons adopted thereby, and adopts these Canons to be in conformance therewith. All powers not granted to the Province are reserved to the Diocese. In the event of a conflict between the Constitution or Canons of the Diocese and the Constitution or Canons of the ACNA, the Constitution and Canons of the ACNA shall govern this Diocese.

## TITLE I

### **Organization and Administration of the Diocese and Congregations**

---

#### *Canon 1*

#### ***Order, Governance, and Discipline of the Diocese***

The order and governance of, and discipline within, the Diocese shall be vested in the Bishop Ordinary (hereafter normatively, “the Bishop”), the Diocesan Council, the Synod, and the Ecclesiastical Trial Court as provided in the Provincial Constitution and Canons and in the Constitution and Canons of the Diocese. The distribution of the authority for order and governance of, and discipline within, the Diocese shall be as follows:

1. The fundamental agencies of mission in the Diocese are its Congregations and the Missions. The chief agents of this mission to extend the Kingdom of God are the people of God.
2. When it shall appear to the Bishop that it would advance the administration and mission of the Diocese, the Bishop, with the advice and consent of the Diocesan Council, may organize the Diocese into two or more regional groupings of Congregations and Missions. In addition, Congregations and Missions may join together for common mission within the Diocese.
3. Member Congregations and Missions shall be represented in the Provincial Assembly as provided by Article VI, Paragraph 3 of the Provincial Constitution [ref. 2014] and by these canons.
4. The Diocese shall be represented in the Provincial Council as provided by Article IV and Article VII of the Provincial Constitution and by these canons.

5. The Ecclesiastical Authority of the Diocese shall be vested in the Bishop and, in the absence of the Bishop, in the Diocesan Council as provided by Article IV, Paragraph 2 of the Provincial Constitution, and Title I, Canon 5, Sections 1 and 3 of the Provincial Canons, and by these canons.
6. Ordained ministry in the Diocese shall be exercised only by Bishops, Presbyters, and Deacons duly ordained by or under the authority of the Bishop of the Diocese.
7. The legislative and non-ecclesiastical executive authority of the Diocese shall be vested in the Synod, and in the time between meetings of the Synod, in the Diocesan Council, as provided by these canons.
8. The judicial authority of the Diocese shall be vested in the Ecclesiastical Trial Court as provided by Article XI of the Provincial Constitution and by these canons.
9. The Diocesan Constitution and these canons recognize the right of each member Congregation and Mission to establish and maintain its own governance not inconsistent with the provisions of the Provincial and Diocesan Constitution and Canons.

## ***Canon 2*** ***Of the Synod***

### **Section 1. Membership**

The Synod shall be composed of the Lay Order and the Clerical Order.

The Clerical Order shall be composed of the Clergy Delegates, comprising the Bishop or Bishops, Presbyters, and Deacons under the authority of the Bishop in the Diocese. No member of the Clerical Order while under ecclesiastical discipline will be entitled to a seat in the Synod.

1. All clergy canonically domiciled in the Diocese, as defined in Provincial Canon III.1.3, shall have seat, voice, and vote in the Synod.
2. All other clergy canonically domiciled elsewhere but licensed in the Diocese shall have seat and voice but no vote in the Synod.

The Lay Order shall be composed of the Lay Delegates elected by the member Congregations and Missions, and, as authorized by canon, appointed and *ex officio* members.

Each elected Lay Delegate, each Clergy Delegate and, except as provided by canon, each appointed and *ex officio* member shall have voice and vote.

Each Lay Delegate must be an active participant and member in good standing in a parish resident in the Diocese and must affirm the Doctrine as set forth in the Fundamental Declarations of the Diocese as stated in Article I of the Constitution of the Diocese.

### **Section 2. Powers and Duties**

The Synod as the legislative body of the Diocese has the responsibility and authority to adopt and amend the Diocesan Constitution and Canons; approve budgets; establish and oversee the program of the Diocese; confirm the Diocesan Council's admissions of Congregations and Missions into the Diocese; and elect Bishops of the Diocese, members of the Diocesan Council,

members of the Committee on Nominations for Bishop, and Diocesan representatives to the Provincial Assembly and Provincial Council.

### **Section 3. Membership Lists and Mode of Election of Delegates**

#### ***1. Clergy Delegates***

An official list of all duly ordained Presbyters and Deacons under the authority of the Bishop shall be maintained by the Ecclesiastical Authority and kept current by the Registrar and on file in the central office of the Diocese. The list shall contain the addresses, phone numbers, and positions of the clergy and shall be published at least 30 days in advance of any meeting of the Synod. Any member of the clergy whose name is not on the list who wishes to vote at the Synod shall bring the omission to the attention of the Registrar.

The official list shall be available to the Synod on the first day of its meeting and shall be the basis for determining a quorum as provided by these canons.

Every member of the clergy under the authority of the Bishop shall attend every meeting of the Synod unless excused by the Ecclesiastical Authority.

#### ***2. Elected Lay Delegates***

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

Each Congregation and Mission, as defined in Title I, Canon 6, Section 1 of these Canons of the Diocese shall be entitled to two Lay Delegates. In addition, each Congregation or Mission having in excess of 200 average Sunday attendance (ASA) as reported in the current Provincial Annual Report (filed in accordance with Title I, Canon 6, Section 8 of the Provincial Canons, and Title I, Canon 6, Section 5.11 of these canons) shall be entitled to one additional Lay Delegate for each 200 or fraction thereof above the first 200, except that the total number of Lay Delegates from any one Congregation or Mission shall not exceed seven.

Each Congregation and Mission of the Diocese shall select its delegates according to its respective governing rules with no more than one alternate for each delegate so chosen, and shall report its selection no later than 90 days before the ensuing meeting of the Synod on a form prepared by the Registrar of the Diocese. An alternate should qualify with the Synod Credentials Committee in order to be able to vote at a Synod meeting in the place of an absent delegate.

### **3. Appointed Youth Delegates**

There may be up to one Youth Delegate under the age of 21 drawn from each Congregation and Mission of the Diocese for participation in the Synod through a normative process of selection by each local congregation.

### **Section 4. Meetings of the Synod**

There shall be an annual meeting of the Synod. As provided by canon, the Synod may also hold special meetings. The elected Lay Delegates shall serve only for the annual meeting of the Synod for which chosen and for any special meeting held prior to the next annual meeting, unless other delegates are chosen specifically for such special meeting.

The Bishop, with the advice of the Diocesan Council shall determine the date, time and place of all meetings of the Synod. The Secretary of the Diocese shall give notice of regular meetings at least 180 days in advance, except for good cause as determined by the Bishop and the Diocesan Council, and no less than 15 days prior to any special meeting.

In order to achieve a quorum for the transaction of Synod business at an annual or special meeting, one-half of the Congregations and Missions must be represented; one half of the delegates of the Lay Order must be represented; and one half of the delegates of the Clerical Order must be represented. A meeting may be adjourned by a majority of those delegates present at adjournment.

The Bishop shall preside at all meetings of the Synod unless he assigns the role of presiding officer to a member the Synod. In the Bishop's absence, the Diocesan Council will assign the role of presiding officer to a member of the Synod.

The agenda for any Synod meeting and all proposed resolutions, including the proposed rules of order, shall be distributed to Synod delegates no fewer than 15 days prior to the meeting. No business shall be transacted at the meeting other than that stated in the agenda, unless two-thirds of those present and voting at the meeting authorize the transaction of such other business.

The Synod shall deliberate and vote as one body and, unless otherwise provided by this Constitution or by canon, a majority of those voting shall be necessary for a decision. A vote by orders may be authorized by canon.

### **Section 5. Diocesan Council**

In between meetings of the Synod, the Diocesan Council shall perform the duties of the Synod.

### **Section 6. Committees of the Synod**

There may be a Synod Committee on Resolutions, Nominations, and such other committees as the Bishop or the Synod may deem necessary. All Synod committee members shall be appointed by the Bishop and a majority of the committee members shall be current members of the Synod.

### **Section 7. The Synod Credentials Committee**

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

### **Section 8. Rules of Order**

The Bishop with the advice of the Chancellor shall propose Rules of Order for adoption by the Synod at the outset of each meeting.

### **Section 9. Parliamentarian**

The Bishop may appoint a Parliamentarian to advise the Bishop and the Synod on parliamentary issues. The ruling of the Bishop on any parliamentary matter may be overridden by a vote of two-thirds of those present and voting at the Synod.

### **Section 10. Diocesan Delegates to the Provincial Assembly and Provincial Council**

The Synod of the Diocese shall elect the delegates and alternates to the Provincial Council and the Assembly from a list of nominees provided by the Diocesan Council and the Bishop. Nominations from the floor shall be allowed. The number of alternates shall be decided by the Diocesan Council and the Bishop. Vacancies shall be filled by elected alternates in descending order, according to number of votes received. The Diocesan Council may fill any remaining vacancies in the event that an insufficient number of elected alternates are able to serve.

## ***Canon 3 Of the Diocesan Council***

### **Section 1. Diocesan Council Established**

#### ***1. Composition***

The Diocesan Council shall be composed of a minimum of ten members and maximum of fifteen members, consisting of the Bishop Ordinary, the Bishop Coadjutor, if there be one, and representative members of the laity and clergy from the Diocese. Each of these members shall have voice and vote on the Diocesan Council. The Suffragan and Assistant Bishops, if there be any, and the Diocesan Staff will be members *ex officio* of the Diocesan Council.

A two-to-one ratio of laity and clergy members of the Diocese, respectively, will be chosen by the Synod, ensuring a full and fair representation from an even geographic distribution of the entire Diocese, and will be presented for election to the Synod. The specific number of nominees presented to the Synod will accord with the number necessary to maintain a full number of Diocesan Council members serving staggered three-year terms.

#### ***2. Officers of the Diocesan Council***

The Bishop shall serve as the Chair of the Diocesan Council. He shall establish the agenda of business for the meetings of the Diocesan Council.

In addition, a layperson shall be elected annually for a one-year term as the Vice-Chair from within the Diocesan Council, and may serve no more two consecutive terms as Vice-Chair.

## **Section 2. Nomination and Selection**

The number and order of lay people and clergy needed for the ensuing year's Diocesan Council will be announced to the congregations of the Diocese six months prior to Synod. Nominations will be received by the Secretary of the Diocese for three months, after which an examination of the qualifications, suitability, and availability of each nominee will be conducted by the existing Diocesan Council. A slate of nominees that insures proper geographic distribution of qualified and available candidates will be presented to the Synod one month prior to Synod for the consideration of the candidates by the members of Synod. The election of the Diocesan Council will be conducted during the business meeting of the Synod, and a three-quarters majority is required for election of each nominee on the slate.

The initial election of the Diocesan Council will be for staggered three-year terms, after which an appropriate number and composition of nominees will be presented each ensuing year to maintain the required rotation of membership.

## **Section 3. Terms**

### **1. Terms**

Apart from election of staggered terms for the initial constitution of the Diocesan Council, each Council member serves a three-year term. Elected members of the Council may serve for two consecutive terms. Retiring members are ineligible for reelection for two years.

### **2. Voice, Vote and Quorum**

The Bishop, Bishop Coadjutor, if there be one, and each member of the Diocesan Council elected or appointed pursuant to Section 2 of this Canon shall have voice and vote. All *ex officio* members of the Diocesan Council shall have only voice. Fifty percent of the voting members of the Diocesan Council shall constitute a quorum for the transaction of business.

## **Section 4. Powers and Duties**

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

1. Serve as a council of advice to the Bishop;
2. Serve as the Ecclesiastical Authority of the Diocese in the absence of a Bishop authorized to act;
3. Together with the Bishop and subject to confirmation by the Synod, act to accept or deny an application for admission of a Congregation or Mission into the Diocese;
4. Serve as nominating committee for all offices filled by the Synod except for nominations by the Committee on Nominations for Bishop unless such committee has not been established, as referenced in Canon 6 of these Canons;
5. Approve Recommend Diocesan budget.

6. To fill vacancies in its own membership, with such appointments to run until the next annual Synod;
7. Create policies not inconsistent with the Doctrine, the Constitution and Canons of the Diocese and the Constitution and Canons of the Province that are binding upon the clergy and congregations of this Diocese.
8. Perform such other duties and responsibilities as may be assigned by the Bishop.

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

**Section 1. Of Bishops**

**1. Bishop Ordinary**

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

**2. Bishop Coadjutor**

The Bishop Coadjutor serves coterminous with the Bishop Ordinary until the retirement (or semi-retirement) of the Bishop, at which time he assumes the duties of the Bishop Ordinary.

**3. Suffragan Bishop**

A Suffragan Bishop is elected to assist the Bishop Ordinary in the oversight and care of the Diocese. His role as Suffragan continues after the death or retirement of the Bishop Ordinary. At any time, with due process, a Bishop Suffragan may be elected as either the Bishop Ordinary or the Bishop Coadjutor by the Synod.

**4. Assistant Bishop**

With approval of the Synod, or the Diocesan Council, the Bishop Ordinary may request permission from the College of Bishops of the Province to appoint an Assistant Bishop, or receive a duly consecrated, qualified Bishop from within the Province or from a sister Province, as Assistant Bishop. An Assistant Bishop assists in the oversight and care of the Diocese in ways determined by the Bishop Ordinary in consultation with the Assistant Bishop and the Diocesan Council.

No more than three Suffragan or Assistant Bishops may serve at any given time in the Diocese.

**Section 2. Concerning Criteria for Bishops**

To be a suitable candidate for Bishop, a person must:

- Be a person of prayer and strong faith;
- Be pious, have exemplary morals and exhibit Godly character;
- Have a zeal for souls;
- Have demonstrated evidence of the fruit of the Holy Spirit;

- Possess the knowledge and gifts that equip him to fulfill the office;
- Be held in high esteem by the faithful;
- Be a male Presbyter at least 45-years-old;
- Have the time and capacity to fulfill the responsibilities of the office;
- Have served as Rector of a congregation; and
- Have demonstrated the ability to lead and grow the Church.

### **Section 3. Election of Bishops**

#### ***1. Bishop Ordinary***

At the request of a two-thirds majority of the Synod, the College of Bishops of the Province may approve the establishing of a process for the election of a new Bishop Ordinary of the Diocese. The election of the Bishop of the Diocese, shall take place at the annual meeting or any special meeting of the Synod called for that purpose. The vote shall be by ballot and by orders. A majority of the votes cast by each order on the same ballot shall be necessary for election of any individual to the office of Bishop. The Secretary of the Diocese shall immediately forward the name of the Presbyter so elected to the College of Bishops of the Province for its review and approval as provided in Title III, Canon 8, Section 4 of the Provincial Canons. In the event that the elected Bishop is not received by the College of Bishops, the Bishop or the Diocesan Council shall promptly call another meeting of the Synod for the purpose of electing a different person for the position of Bishop.

As much as possible the election of a new Bishop Ordinary shall take place in Synod in a timely, anticipatory manner so that the final approval by the Provincial College of Bishops will provide proper transition and seamless episcopal oversight for the Diocese. This anticipatory process shall take into account the prospective time of retirement (or semi-retirement) of the Bishop Ordinary.

#### ***2. Bishop Coadjutor***

The Bishop Ordinary may initiate the election of a Bishop Coadjutor for the Diocese. At the request of a two-thirds majority of the Synod or a three-fourths majority of the Diocesan Council, the College of Bishops of the Province may approve the establishing of a process for the election of a Bishop Coadjutor of the Diocese.

Once the election of a Bishop Coadjutor is approved, the Committee on Nominations for Bishop (Title I, Canon 5, Section 3) will follow the normative process for receiving and examining nominations, with the addition that the specific responsibilities of the Bishop Coadjutor will be included in order to determine the qualification and availability of each nominee considered.

The election of a Bishop Coadjutor of the Diocese, shall take place at the annual meeting or any special meeting of the Synod called for that purpose. The vote shall be by ballot and by orders. A majority of the votes cast by each order on the same ballot shall be necessary for election of any individual to the office of Bishop Coadjutor. The Secretary of the Diocese shall immediately forward the name of the Presbyter so elected to the College of Bishops of the Province for its

review and approval as provided in Title III, Canon 8, Section 4 of the Provincial Canons. In the event that the elected Bishop Coadjutor is not received by the College of Bishops, the Bishop or the Diocesan Council shall promptly determine the advisability of calling another meeting of the Synod for the purpose of electing a different person for the position of Bishop Coadjutor.

As much as possible the election of a Bishop Coadjutor will take place in Synod in a timely, anticipatory manner so that the final approval by the Provincial College of Bishops will provide proper transition and seamless episcopal oversight for the Diocese. This anticipatory process will take into account the prospective time of retirement (or semi-retirement) of the Bishop Ordinary.

### ***3. Suffragan Bishop***

A Suffragan Bishop(s) is required when there is clear necessity for the expansion of episcopal ministry beyond the capacity of the current Bishop Ordinary as determined by the Diocesan Council. The determination of the need for a Suffragan requires a three-quarters majority vote of the Diocesan Council. The College of Bishops of the Province must receive and may approve the establishing of a process for the election of a Suffragan Bishop of the Diocese.

Once it is determined that a Suffragan is needed, the Committee on Nominations for Bishop (Title I, Canon 5, Section 3) will follow the normative process for receiving and examining nominations, with the addition that the specific responsibilities of the Suffragan Bishop will be included in order to determine the qualification and availability of each nominee considered.

### ***4. Assistant Bishop***

In addition, with a three-quarters approval of the Diocesan Council and the permission of the Provincial College of Bishops, the Bishop may appoint one or more Assistant Bishops to assist in the ministry of the Diocese. Assistant Bishops will not retain episcopal authority beyond the active episcopal ministry of the Bishop appointing them, until (or unless) subsequently elected or appointed by normative means.

## **Section 4: Vacancy in the Office of Bishop**

### ***1. Retirement of Bishops***

No absolute upper age limit for retirement is required of active Bishops serving the Diocese, but rather an assumption that each Bishop of the Diocese will be able to continue to effectively fulfill his episcopal ministry without hindrance of physical, psychological, emotional, or spiritual infirmity, or family demands. Past the age of sixty-five years, there will be a bi-annual meeting of the Diocesan Council for open conversation, review, and mutual confirmation of the advisability of the Bishop's continuing service. A senior lay leader will be appointed by the Diocesan Council from its membership to lead this review process. The Diocesan Staff and the Bishop's family may be invited to participate in these bi-annual reviews. Included in this conversation will be consideration of the advisability of revised roles and responsibilities or staged levels of retirement appropriate to the continuing capacities and interests of the Bishop. As appropriate, the Diocesan Council will include the Bishop's family and the Diocesan Staff in these discussions.

## **2. Death or Removal of the Bishop**

Upon the death, retirement or removal of the Bishop, the Bishop Coadjutor shall be the Ecclesiastical Authority within the Diocese. If there be no Bishop Coadjutor, the Diocesan Council shall be the Ecclesiastical Authority of the Diocese. Upon the written request of the Diocesan Council, the College of Bishops of the Province may appoint an Acting Bishop to be the Ecclesiastical Authority of the Diocese until a Bishop can be elected.

## **3. Disability or Impermissible Absence of the Bishop**

If the Diocesan Council should determine upon careful deliberation that the Bishop is under a disability, or has absented himself without permission from or consultation with the Diocese for more than two months, it may, with the consent of the Archbishop declare the Office of the Bishop vacant. In such case, if there be a Bishop Coadjutor, he shall assume the function and duties of the Bishop until the Diocesan Council, with the consent of the Archbishop, declares the Bishop restored. If there be no Bishop Coadjutor the Diocesan Council shall serve as the Ecclesiastical Authority of the Diocese until the Diocesan Council, with the consent of the Archbishop, declares the Bishop restored.

In the case of Disability or Impermissible Absence of the Bishop, upon the written request of the Diocesan Council, the College of Bishops of the Province may appoint an Acting Bishop to be the Ecclesiastical Authority of the Diocese. The Acting Bishop shall serve until the Diocesan Council, with the consent of the Archbishop, declares the Bishop restored, or until a new Bishop Ordinary is elected according to Title I, Canon 4, Section 3 of the Canons of the Diocese.

## **Section 5. The Chancellor**

The Chancellor of the Diocese is appointed by the Bishop and approved by the Diocesan Council. He or she shall be and remain a communicant in good standing and a member of a congregation or mission of this Diocese. He or she shall be learned in the law and licensed to practice law in one of the jurisdictions encompassed by the Diocese. The Chancellor shall have responsibility for the legal affairs of the Diocese and shall serve as counsel to the Bishop and the Diocesan Council. The Diocesan Council, with the advice of the Chancellor, may appoint assistant chancellors as necessary. The Chancellor and the assistant chancellors, if any, shall be entitled to such compensation as the Diocesan Council may approve.

## **Section 6. The Secretary**

There shall be a Secretary of the Diocesan Council appointed by the Bishop. He or she shall be and must remain a communicant in good standing and a member of a congregation or mission of this Diocese. He or she shall keep the minutes of the meetings of the Diocesan Council and shall submit such reports as the Bishop may request. The Secretary of the Diocese will serve in other such duties as outlined in the Canons or requested by the Bishop.

The Bishop may appoint assistant secretaries as necessary.

The Secretary and the assistant secretaries, if any, will be entitled to such compensation as the Diocesan Council may approve.

### **Section 7. The Treasurer**

The Treasurer of the Diocese, elected by the Diocesan Council, shall be and remain a communicant in good standing and a member of a congregation or mission of this Diocese. He or she shall be the custodian for all of the funds of the Diocese. The Treasurer shall be bonded and insured, if eligible, in such amount as the Diocesan Council from time to time shall deem appropriate, shall prepare the annual diocesan budget and shall file an annual report to the Synod on the financial status of the Diocese, including reports of account for all funds under his or her custody or control, profit and loss statements, and balance sheets. The Treasurer will also be responsible for the preparation of such periodic financial reports as may be required by the Diocesan Council.

The Treasurer shall serve a three-year term, and may serve a maximum of two consecutive terms.

The Treasurer shall have full access to the services and support of the Diocesan administrative staff in the fulfillment of his or her duties as Treasurer.

The Treasurer will be entitled to such compensation as the Diocesan Council may approve.

### **Section 8. The Registrar**

The Registrar, appointed by the Bishop, shall be and remain a communicant in good standing and a member of a congregation or mission of this Diocese. He or she shall be the custodian of official records of the Diocese and shall issue such certification as may be directed by the Bishop or the Diocesan Council. The Secretary may serve concurrently as the Registrar.

The Registrar shall have full access to the services and support of the Diocesan administrative staff in the fulfillment of his or her duties as Registrar.

### **Section 9. Terms of Office and Synod Representation**

The Chancellor, the Secretary, and the Registrar will serve at the pleasure of the Bishop. The Treasurer will serve at the pleasure of the Diocesan Council. All Officers of the Diocese shall serve as voting members of the Synod and likewise as voting members of their respective committees. All Officers of the Diocese shall serve as *ex officio* members of the Diocesan Council.

**Canon 5**  
**Committees of the Diocese**

**Section 1. Finance Committee**

**1. Establishment**

There shall be a Finance Committee of the Diocese, appointed by the Bishop in consultation with the Treasurer, and approved by the Diocesan Council. There will be three to five Finance Committee members, in addition to the Treasurer and one representative *ex officio* from the Diocesan Council. In addition, the Chancellor shall serve as an *ex officio* member of the Finance Committee. The Treasurer shall be a voting member of the Finance Committee and shall serve as the Chairman of the Finance Committee. The members of the Finance Committee other than the Treasurer shall serve staggered terms of three years, and the initial Finance Committee shall be divided into appropriate groups of different terms to give effect to this provision. Each member of the Finance Committee shall be and remain while serving a clergy or lay communicant in good standing of a Congregation or Mission of this Diocese.

**2. Duties**

The Finance Committee will assist the Treasurer in preparing the annual Budget of the Diocese and shall issue requirements for annual reviews, audits, and ongoing investment management of the diocesan finances. The Finance Committee will oversee the insurance and benefits programs for the Diocese, its clergy, and its lay personnel.

**3. Reporting and Audits**

The Finance Committee shall cause the records and accounts of the Diocese to be reviewed or audited by independent auditors (chosen by the Diocesan Council) on an annual basis. The Finance Committee will issue periodic reports to the Bishop and the Diocesan Council on the financial condition of the Diocese.

**4. Frequency of Meeting**

The Finance Committee shall meet no less than twice annually.

**Section 2. Committee on Constitution and Canons**

**1. Establishment**

There shall be a Committee on Constitution and Canons, which shall consist of eight members: four clergy and four lay. In addition, the Bishop and the Chancellor shall serve as *ex officio* members of this Committee with voice but no vote. The Bishop shall appoint two members of the Committee on Constitution and Canons. The remaining six members shall be elected by the Synod for staggered three-year terms. The Diocesan Council shall fill vacancies which may arise between meetings of the Synod, with such appointments to serve until the next annual Synod. Each member of the Committee on Constitution and Canons shall be and remain while serving a communicant in good standing of a Congregation or Mission of this Diocese.

## **2. Duties**

The Committee on Constitution and Canons shall make an annual report to the Synod. The Committee shall be responsible for ensuring the conformity of the Diocesan Constitution and Canons with those of the Province. All proposed amendments to the Diocesan Constitution or Canons shall be submitted to the Committee not fewer than 120 days prior to the next Synod meeting. The Committee shall review and report its recommendation to the Synod regarding any proposed amendment no fewer than 60 days prior to the next Synod meeting.

## **Section 3. Committee on Nominations for Bishop, Bishop Coadjutor, and Bishop Suffragan**

### **1. Composition and Duties**

A Committee on Nominations, consisting of three Clergy and four Lay Delegates chosen from among the delegates to the Synod, may be elected annually by the Synod. The Committee on Nominations shall be responsible for receiving, considering, and publishing all accepted nominations for Bishop and Assistant Bishop as provided by these canons. Each member of the Committee on Nominations for Bishop, Bishop Coadjutor, and Bishop Suffragan shall be and remain while serving a communicant in good standing of a Congregation or Mission of this Diocese.

### **2. Sources and Contents of Nominations**

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

### **3. Screening of Nominations**

The Committee on Nominations shall screen all names placed in nomination to determine whether they meet the criteria established by the Provincial and Diocesan Constitution and Canons. Through a prayerful process of discernment, including due diligence, the Committee shall arrive at a slate consisting of no more than three names, each of whom must have communicated to the Committee written acceptance of the nomination and acknowledgement of publication of the nomination by the Committee. The slate of names shall be published to the Synod delegates no less than 30 days prior to the electing Synod.

### **4. Other**

If a Committee on Nominations for Bishops is not established, its functions shall be performed by the Diocesan Council.

**Canon 6**  
***Congregations and Missions***

**Section 1. Congregation and Mission Defined**

At its institution, the Diocese is an affinity-based Diocese serving the work of the Gospel in North Carolina, Virginia, the District of Columbia, Maryland, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, and Maine. Additionally, for reasons found satisfactory by any Synod (or the Diocesan Council acting in its stead), and in collaboration and agreement with any other Bishop of this Province with overlapping geographical jurisdiction, parishes and missions outside the boundaries of the aforementioned states will be considered for admission.

Any group may seek to affiliate with the Diocese as a Congregation as provided in this Canon. A Congregation is a discipling community of worshippers that meets the following criteria:

1. Has a Rector or priest in charge at least half-time who is under the authority of the Bishop;
2. Has at least 50 members as defined by the charter or bylaws of the Congregation, and which comply with the definition of membership as defined in Title I, Canon 6, Section 3.9.a of the Canons of this Diocese
3. Maintains an ASA of at least 50;
4. Conducts weekly worship in a public space in accordance with the doctrine and forms of worship, including the Book of Common Prayer, which comply with the Constitution and Canons of the Province and this Diocese;
5. Has enabled ministries for prayer, evangelism, discipleship, service, fellowship, and Bible study;
6. Has a demonstrated ability to fund its own operations without the support of the Diocese or another Congregation; and
7. Is organized in accordance with Section 3 of this Canon.

Any group not meeting the above seven requirements that wishes to be recognized as a Congregation may apply to the Diocesan Council for a waiver of one or more of these requirements.

Any group or church plant affiliated with the Diocese will be considered a Mission of the Diocese until it meets the criteria of a Congregation.

**Section 2. Application Procedure**

Any group of the faithful seeking to affiliate as a Congregation or Mission shall submit its application to the Diocesan Council and in accordance with standards prescribed by the Diocesan Council. A Congregation or Mission seeking to join the Diocese shall agree in writing to become subject to the Constitution and Canons of the Province and the Diocese. The Diocesan Council, with the approval of the Bishop, may issue provisional membership in the Diocese subject to affirmation by acclamation by the next Synod. Upon affirmation by the Synod, the Bishop shall receive the Congregation or Mission into the Diocese.

A Congregation or Mission attached to another Diocese or Network of the Province, desiring to become a member of this Diocese, shall make application to the Bishop and, with the consent of the Bishop of the jurisdiction to which that Congregation or Mission is currently attached, may be received into this Diocese upon its proper accession to the Constitution and Canons of this Diocese.

A Congregation or Mission of another denomination desiring to become attached to this Diocese shall apply to the Bishop for admission as a member of the Diocese. The Bishop shall, after thorough review and initial approval, present the application to the Diocesan Council for consideration. A process for entry into the Diocese, including appropriate and necessary catechesis, ordination of clergy, and reorientation of the congregation shall be devised and agreed upon with the applicant. Eventual reception of the congregation shall follow normative process as outlined in Sections a. and b. of this Canon. After complying with all requirements of the Province and the Diocese, the Bishop shall receive the Congregation or Mission, its members, and clergy into this Diocese upon its written accession to the Constitution and Canons of this Diocese.

### **Section 3. Governance of Congregations**

#### ***1. Governing Body of Congregation Defined and How Elected***

The Rector and Vestry (or “equivalent local governing council,” hereinafter referred to collectively as the Vestry) shall be the governing body of the Congregation. Every Congregation shall have a Vestry elected by the Congregation under rules established for that purpose within its bylaws or operating charter, and each such candidate shall meet the eligibility criteria set forth in Subsections 3.a and 3.b of this Section. The Rector shall be elected by the Vestry in collaboration with the Bishop, approved by the Bishop, and called by the Vestry. No Rector may be removed from office without the consent of the Bishop and then only as provided by these canons. The Vestry shall apprise the Bishop of the Diocese in a timely manner if there is serious concern that the Rector is unable to faithfully perform the duties pertaining to that office in a godly manner as described in Title I, Canon 7, Section 1.2.

#### ***2. Governing Documents and Structure***

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

The governing documents of the Congregation shall provide that:

1. the Senior Warden shall be selected by either the Rector or the Vestry from among the members of the Vestry;
2. the Junior Warden shall be selected by the Vestry from among its members; and
3. the Rector shall preside at all meetings of the Vestry and, in the Rector’s absence, one of the Wardens shall preside.

Congregations may incorporate under the laws of the jurisdiction where located. Should the Congregation elect to incorporate, the Vestry will constitute the Board of Directors, its officers

shall be elected by the Vestry, and the Vestry or the Congregation shall establish the bylaws of the Congregation. In addition, to the Rector, the Senior Warden, Junior Warden, and Treasurer may serve as officers of the corporation.

Should the Congregation elect not to incorporate, the Congregation shall adopt bylaws to govern the operations of the Congregation.

### ***3. Vestry Member Eligibility, Qualifications, Duties, Oath and Vacancies***

#### **a. Eligibility**

Only those Eligible Voters of the Congregation who are over 21 years of age and have also been confirmed or received by a Bishop of the Province or another Province of the Anglican Communion shall be eligible to serve on Vestry. At the time that the Diocese is constituted by the Province, twenty-four months or more shall be allowed for all current Vestry members serving congregations or missions of the Diocese to come into compliance with this provision.

Congregations entering the Diocese at its constitution, or entering the Diocese at a later date, that do not have a confirmation process in place are encouraged to develop a process of catechesis (discipleship) that would lead to confirmation. The Bishop and the Diocesan Staff are available to assist in helping develop a catechetical process appropriate to the discipleship ministry and mission of each local church.

Unless permitted by written waiver of the Bishop Ordinary or the Diocesan Council: (1) spouses and other immediate family members of Vestry members; and (2) paid staff of the Congregation, excepting the Rector, and their spouses and other immediate family members are ineligible to serve on Vestry.

#### **b. Aspirational Vestry Qualifications**

Qualification for Vestry membership should be based on Titus 1:6-9. Candidates should aspire to have the following characteristics:

- A mature Christian;
- One who maintains an active prayer life;
- One whose life is in order in his / her home, business, etc;
- One who maintains biblical sexual morality, practices, and personal holiness;
- One who has good reputation within the local community;
- One who is known and respected among the Congregation;
- One who is currently active in service within the ministry and mission of the local church;
- One who is known as a cheerful giver, not only of money but also of time;
- One who understands, has counted the cost of, and is committed to fulfilling the responsibilities and duties of a vestry member; and
- One who unreservedly holds to the Doctrine of the Church as set forth in this Province, and this Diocese and their Constitution and Canons.

At the time the Diocese is constituted by the Province, all congregations or missions of the Diocese shall be allowed twenty-four months or more to come into compliance with the qualifications for Vestry members.

### **c. Duties**

The Vestry shall at a minimum have the following duties:

1. Provide for the financial support of the Rector and staff, including proper benefits of health, disability, and liability insurance, and retirement;
2. Support the Rector in all aspects of the Rector's ministry, including ensuring the Christian formation, biblical literacy and spiritual maturity of the members of the Congregation;
3. Under the direction of the Rector, maintain congregational bylaws in accordance with Diocesan Constitution and Canons.
4. Provide an adequate place for regular worship;
5. Provide for the elements necessary for the celebration of Sacraments and public worship, including music, hymnals, prayer books, and Bibles as needed for use by the Congregation;
6. Provide for the compensation of staff members, including (where appropriate) proper benefits of health, disability, and liability insurance, and retirement;
7. Establish an adequate insurance program for the Congregation that includes, at a minimum, property damage, liability, personal injury, and errors and omissions;
8. Be familiar with the Constitution and Canons of the Province and of the Diocese and provide for compliance therewith;
9. Establish a biblically-based program of financial giving by members of the Congregation;
10. Conform, as much as possible, with the financial askings of the Diocese; and
11. Strive for unity and adopt the principles found in Matthew 18 as the standard for resolving conflict that may develop within the Vestry, the Congregation, the Diocese, and the Province.

### **d. Vestry Oath**

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

*"I do believe the Holy Scriptures of the Old and New Testament to be the Word of God and to contain all things necessary for salvation through our Lord Jesus Christ and I do yield my consent to the doctrine set forth in the Constitution of the Anglican Church in North America, and to the discipline and forms of worship of the same as practiced within the Diocese of Christ our Hope. I promise that I will faithfully execute the duties of the office of Vestry member of this Congregation to the best of my ability."*

### **e. Vestry Elections**

Every Congregation shall have an Annual Meeting in keeping with its governing documents at which meeting new Vestry members shall be elected. Unless overriding pastoral or local reasons as agreed upon by the Bishop in consultation with the Rector and senior lay leader

dictate otherwise, it is required that a Congregation establish staggered terms for its Vestry members.

There may be adequate reasons for delaying the implementation of the provision of staggered terms within the first three (or more) years of the establishment of a new mission or church. A planting pastor or senior lay leader may request such an exception from the Bishop. In this case, a written plan for the appropriate time frame for implementing this provision can be developed between the planting pastor and the Bishop.

The practice of a rotating Vestry is normative Anglican Polity, and therefore it will be the practice of this Diocese for Vestry members to serve limited terms and to limit consecutive terms. No vestry member may serve more than six consecutive years without a period of inactivity for at least one year. For reasons vital to the mission and health of the congregation, the Rector and/or Vestry of a Congregation may petition the Bishop in writing to operate outside this practice, and the Bishop may grant such exceptions in writing.

#### **f. Officers of the Vestry**

Upon election, the Vestry shall elect from within its members at least three officers. These officers may be named the Senior Warden, the Junior Warden, and the Treasurer. These officers may be given equivalent titles. Duties shall be duties assigned that correspond to those titles.

#### **g. Filling Interim Vestry Vacancies**

In the event of a vacancy in the Vestry, the remaining members may fill that vacancy with a qualified member of the Congregation in a manner proscribed in its governing documents. An interim vestry member shall serve until the next annual meeting of the Congregation.

#### ***4. Finance Committee***

The Vestry of each Congregation shall provide for a Finance Committee, which shall prepare a balanced budget where revenues and undesignated fund balance are equal to expenses for adoption by the Vestry. No Congregation may operate on a deficit budget without undesignated fund balance to cover such deficit without permission of the Bishop and the Finance Committee of the Diocese.

#### ***5. Treasurer***

Each Congregation shall have a Treasurer, elected by Vestry, who shall chair its Finance Committee and be bonded, and insured, if eligible, in such sum and with such surety as the Vestry from time to time shall determine. The Treasurer shall be the custodian of the funds of the Congregation and shall perform such other duties as required by the Vestry. The Treasurer may be a voting member of the Vestry.

#### ***6. Officers of the Congregation***

In addition to the Rector, the Senior and Junior Wardens and the Treasurer, a Congregation may have such other officers as allowed by its governing documents.

## **7. Investments**

All investments of Congregation funds shall be under the oversight of the Vestry and shall be made with due regard to applicable state law for fiduciaries. The Vestry may consult with the Diocese for guidance with regard to investments. Investment funds shall be deposited in banks or other financial institutions where such deposits are adequately insured, unless such requirement be waived in writing by the Vestry in accordance with generally accepted investment standards.

## **8. Audits and Reviews**

The Vestry has the fiduciary responsibility for the money that flows through the local church and therefore shall call for an annual audit or review of its financial accounts and all other funds or securities. The Vestry should discuss the level of service best suited to their circumstances with the Diocesan Finance Committee or with an independent, external accounting firm.

Vestries shall use the following as a guideline:

1. Churches or parishes with total revenues (all funds combined) of \$1,000,000 or more shall have an independent, external financial review or full audit in accordance with Generally Accepted Auditing Standards no less frequently than every third year but should perform "Agreed Upon Procedures" (see Title I, Canon 6, Section 3.8) in the intervening years. At any time, the Vestry may call for a full financial audit.
2. Churches or parishes with total revenues (all funds combined) between \$500,000 and \$999,999 shall have an outside firm perform "Agreed Upon Procedures" (see Title I, Canon 6, Section 3.8) every year. At any time, the Vestry may call for a full financial audit.
3. Churches or parishes with total revenues (all funds combined) between \$10,000 and \$499,999 shall have an outside firm perform "Agreed Upon Procedures" (see Title I, Canon 6, Section 3.8) no less frequently than every third year but should minimally perform a financial inspection by a committee (independent of the Church Treasurer) in the intervening years. The Vestry may seek the Diocesan Finance Committee for the provision of an independent team for this financial inspection. At any time, the Vestry may call for a full financial audit.

The Diocesan Finance Committee shall develop a minimum listing of Agreed Upon Procedures to be performed. The major objectives of such procedures are to ascertain:

1. That the various transactions during the year are proper and are documented appropriately (*i.e.*, authorized, complete, and accurate) and are recorded in the proper amounts and in the proper accounts;
2. That the various assets, liabilities, fund balances, income, and expenses are shown in the proper amounts and proper accounts in the financial records;
3. That adequate internal control procedures were and continue to be in effect;
4. That the financial statements prepared for year-end from the underlying accounting records have been traced to substantiating documents to give the Vestry and the Diocese some measure regarding the accuracy of the financial statements.

## ***9. Members of the Congregation***

The minimum standards for the definition of “Member” are as follows:

### **a. Members**

Other than clergy under the authority of the Bishop, members comprise all persons who: have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit; who yield consent to the doctrine of this Diocese as set forth in its Constitution and Canons, along with the doctrine of the Anglican Church in North America; and who also fulfill the specific requirements for membership established in the governing documents of the Congregation.

### **b. Eligible Voters**

Only those Members of the Congregation who are at least 18 years of age are eligible to vote for Vestry and other matters requiring the vote of the Congregation. Prior to each annual Vestry election, the list of eligible voters shall be established by the local congregation in accordance with its bylaws and practices, and this list shall be confirmed by the Vestry of the local church to insure that voting requirements are met.

The Rector and Wardens shall maintain a current list of the Members and the eligible voters of the Congregation. Any person who believes he or she is entitled to be included on the list of eligible voters may appeal to the Vestry for its determination.

## ***10. Sacramental Registers and Vestry Minutes***

Beginning with the official constitution of the Diocese, the Vestry shall begin and maintain a register of official acts such as worship services, baptisms, confirmations, weddings, funerals, and visitations of bishops. Minutes of all meetings of the Vestry shall be kept in permanent form.

## ***11. Annual Report***

The Rector and Wardens shall submit an Annual Report on a form to be prescribed by the Diocesan Council. If there is an annual report required by the Province from each parish, this may also serve as the report given by parishes to the Diocese. The data thus reported should be drawn from Registers of the Congregation, and the list of Members and Eligible Voters required to be maintained by this Canon. The Bishop, with the advice and consent of the Diocesan Council, may take appropriate action should any Congregation fail to comply with the requirement of this canon.

## **Section 4. Governance of Missions**

The Bishop shall be the governing authority of a Mission, except as he may delegate such authority, for the purpose of appointing a Vicar for a Mission. A Mission may have a governing board to assist in the administration of its affairs. The Vicar of a Mission shall be in charge of the Mission, subject to the authority of the Bishop, and shall preside over all meetings of the governing board.

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

**Section 1. The Pastoral Relationship Defined**

The Rector is the spiritual leader and authority within the local congregation, under the authority of the Lord Jesus Christ through the Bishop of the Diocese. He is the presiding leader of the Vestry. The Rector is accountable to the Bishop of the Diocese for his ministry in the local congregation. The Vestry will apprise the Bishop of the Diocese in a timely manner if there is serious concern that the Rector is unable to faithfully perform the duties pertaining to that office in a godly manner as described in Title I, Canon 7, Section 1.2.

The Rector represents the Bishop and the Diocese to the Vestry and Congregation.

The relationship between the Rector and the Congregation is one of mutual trust and dependence in carrying out the ministry of the Congregation. In particular, the Rector requires the full trust, cooperation, and support of the Vestry. If the Rector's relationship with either the Congregation or its Vestry is impeded, this must be a matter of urgent resolution through full efforts of Christian charity, patience, understanding and prayer in consultation with the Bishop of the Diocese.

***1. Qualifications of the Rector***

The Rector shall be called by God, qualified according to Scripture, ordained as a presbyter in Anglican orders and domiciled in this diocese, willing to fulfill this leadership responsibility, and support the vision and mission of the church. The Rector shall be recognized and honored by the Vestry and the Congregation.

***2. Duties of the Rector***

- a. The Rector will serve as the shepherd of the Congregation by giving his faithful diligence always so to minister the doctrine, sacraments, and discipline of Christ, as the Lord has commanded, and as this Church has received the same, by seeing that the Word is duly preached, by providing pastoral care to all members, and by directing the vision of the church.
- b. The Rector shall manage the affairs and activities of the church, except to the extent delegated to the Vestry as set forth in these Canons.
- c. The Rector is also responsible for the oversight of the Congregation by:
  1. Overseeing and/or delegating the management of all ministries,
  2. Overseeing personnel issues, including hiring, development, supervision, and dismissal of church staff, in consultation with the Vestry.
    - i. All assistant clergy and lay employees of the congregation shall serve under the direction of and at the pleasure of the Rector except as may be otherwise provided under local law.
  3. Presiding over Vestry meetings and partnering with the Vestry to advance the mission of the church.

## **Section 2. The Calling of a Rector**

No Rector may be called to or dismissed from a congregation without the consent of the Bishop. Additionally, no other ordained clergy may be called or dismissed from a congregation without consultation with the Bishop.

In the case of a vacancy in the position of Rector, the Vestry must contact the Bishop and establish a process for calling a new Rector. A prayerful process of discernment, including the establishing of a Search Committee, which may include members of the Vestry, will be developed in coordination with the Bishop. This process will include all details and steps necessary to fulfill due diligence with the end being that no person may be elected and called as Rector without the full approval of both the Bishop and the Vestry of the Congregation. Prior to issuing a call to the Rector, the clear expectations for his ministry as well as the financial and other benefits to be offered will be approved by the Bishop.

## **Section 3. Restrictions upon Rector's Resignation and Removal**

Except for reasons required by infirmity, a Rector may not resign as Rector without the consent of the Vestry and the Bishop. A Rector may not be removed against his will except as hereinafter provided.

## **Section 4. Procedure When Pastoral Relationship Imperiled or Hindered**

1. Whenever a Rector or a majority of the Vestry believe the pastoral relationship between the Rector and the Congregation to be imperiled or hindered for any reason, either or both shall present the matter to the Bishop.
2. Upon notification of such imperilment or hindrance, the Bishop shall promptly seek reconciliation by whatever means he believes appropriate that is not inconsistent with Holy Scripture. Both the Rector and the Vestry shall participate cooperatively in the process. The Bishop may issue such interim directives appropriate to the cause before issuing a final judgment. Prior to issuing a final judgment, the Bishop shall consult with the Diocesan Council and the Chancellor of the Diocese. The Diocesan Council may schedule a conference with the Vestry and the Rector before rendering its advice to the Bishop. At such conference, the parties may be heard and be represented by a person or persons of their choice.
3. The judgment of the Bishop may include a leave of absence with pay for the Rector, a refusal to dissolve the pastoral relationship, or a judgment of dissolution.
4. If the relationship is to be dissolved, the judgment may include terms and conditions for compliance by both parties and must include a financial settlement to be determined at the discretion of the Bishop. The Bishop shall in all cases render pastoral support to the Rector. Upon issuing such judgment, the Bishop shall direct the Registrar of the Diocese to record the Dissolution.
5. If at the time of a need for episcopal intervention in the relationship between a Rector and a Congregation there be no Bishop, or the Bishop refuses to act within a reasonable time period, the Diocesan Council, Vestry, or Rector may appeal to the Archbishop for action.

6. If for any reason either the Vestry or the Rector shall refuse to comply with the judgment of the Bishop, the Bishop may suspend the Rector from the exercise of the ministry of a Presbyter until the Rector complies with the judgment. If there is no positive resolution of the issue, the Bishop may find it necessary to establish a process of formal Ecclesiastical Discipline as outlined in Title IV.
7. In the case of the Vestry, the Bishop may call a congregational meeting for the purpose of notifying the Congregation of the Vestry's noncompliance with the judgment. If there is no satisfactory resolution of this matter, the Bishop may request the Synod of the Diocese to remove the Congregation from the Diocese in the event of continued noncompliance by the Vestry.

***\*As voted and approved at the 2016 Synod, the following Canon 8 remains bracketed until reviewed by the Committee on Constitution and Canons. Said committee will submit to the Synod for adoption any recommended changes to this Canon no later than 60 days prior to the 2017 Synod.***

## **Canon 8** **Creation of Congregational Debt**

### **Section 1. Standard Governing Creation of Indebtedness**

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

### **Section 2. Reports to the Bishop, Diocesan Council and Finance Committee of the Diocese Regarding Certain Indebtedness**

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

### **Section 3. Limits on Indebtedness**

The governing documents of a Congregation may provide for limits on borrowing without the affirmative vote of a majority of the Congregation at a meeting called for that purpose.

**Canon 9**  
***Congregation, Mission, and Diocesan Property***

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

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

**Section 2. Ownership of Mission Property**

A Mission may own real and personal property either before or after it becomes a Congregation.

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

Each Congregation's and Mission's governing documents shall specify the process by which the Congregation's or Mission's real property or any part thereof may be alienated, sold, exchanged, encumbered or otherwise transferred, and any such conveyance or encumbrance shall comply with the laws of the State where the property is located and the Diocesan Constitution. Prior to the sale of consecrated property, and in accordance with such encumbrances and the laws of the State where the property is located, the Vestry shall first offer the property to the Diocesan Council which, unless such right to purchase is waived, shall have 60 days to elect to pursue its acquisition for purposes of the Diocese.

**Section 4. Diocese Empowered to Own Its Own Property**

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

**TITLE II**  
**Worship and the Administration of Sacraments**

---

**Canon 1**  
***Conformity with Provincial Canons***

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

**Canon 2**  
***Of Authorized Translations of the Bible***

The Lessons used in services of public worship shall be read from translations of the Holy Scriptures as authorized by the Bishop of the Diocese.

**Canon 3**  
***Of Authorized Forms of Public Worship and***  
***Authorized Editions of the Book of Common Prayer***

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

**Canon 4**  
***Of Christian Marriage***

**Section 1. Marriage, Divorce, and Remarriage in the Diocese**

In view of the teaching of Holy Scripture (Genesis 1:26-29; 2:18-25; Mark 10:1-9; Ephesians 5:28-33), the Lambeth Conference of 1998 (Lambeth resolution 1.1.0), the Jerusalem Declaration, and in accordance with Title II, Canon 7, Section 1, of the Canons of the Anglican Church in North America, and the June, 2015 Provincial College of Bishops Statement “From the Beginning” and “Bearing Witness to Holy Matrimony”, the Diocese defines marriage as the exclusive covenantal union of one man and one woman for life. A civil government’s sanction of a union will be recognized as a legitimate marriage by the Church only to the extent that it is consistent with this definition of marriage. Therefore, this Diocese cannot sanction or recognize polygamous or same-sex unions as legitimate marriages. We further believe that sexual activity is to be rightly received and practiced only within covenant marriage between one man and one woman, and that abstinence is God’s call for those who are not living within marriage as so defined. Therefore, this Diocese will teach, support, and strengthen the Church to follow the vocation of sexual purity. In addition, this Diocese cannot ordain persons who engage in sexual activity outside the definition of marriage we have received.

We understand that many people experience sexual activity outside of this boundary, and to that end we commit to ministries of healing, deliverance, reconciliation, and discipleship on their behalf. We also understand that God allows divorce, and remarriage, in certain circumstances due to the sinfulness and brokenness of humanity. Therefore, provision is made for consideration and counsel in matters of divorce and remarriage by local clergy in collaboration with the Bishop.

In addition, God through Jesus Christ extends his grace, forgiveness, and healing power to all people regardless of the personal, relational, marital, sexual, and psychological brokenness we bear as we come to Christ. Therefore, as fellow sinners saved by amazing grace, we welcome all who come to Christ regardless of the state in which they come. Nevertheless, confession, contrition, repentance, and an earnest, enduring effort to walk in newness of life are the only right and true responses to the free gift of salvation won for us through the death of Jesus Christ on the Cross.

**Section 2. Procedure for Divorced Person to Seek Permission to Be Married in the Diocese**

The following procedure is required by Title II, Canon 7, Section 4 of the Provincial Canons and is adopted by this Diocese: Should a man and a woman, one or both of whom have been

divorced, wish to be married to one another in this Diocese, the couple must first secure the Bishop's consent. This will include a written letter of recommendation by the Rector intending to perform the remarriage, with explanation for his recommendation, and an application for remarriage by the couple on a form prescribed by the Bishop for such purpose. Within 30 days from the date of receipt of the application signed by the couple and the proposed officiating clergy, the Bishop shall communicate in writing his determination of the application.

## ***Canon 5*** ***Of Standards of Morality and Ethics***

### **Section 1. Exemplary Morality**

Clergy and laity of this Diocese are called to be exemplary in all spheres of morality. This is a condition of being appointed to or remaining in a position or office of leadership.

### **Section 2. Sexual Morality**

The moral standards concerning sexuality taught and supported within this Diocese are described in Title II, Canon 4, Section 1, *Marriage, Divorce, and Remarriage in the Diocese*.

### **Section 3. Sanctity of Life**

God, and not man, is the creator of human life. The unjustified taking of life, including unborn children from their beginning; those newly born; persons with disabilities; older people; and other vulnerable people, especially those who cannot defend themselves, is sinful. Therefore, all clergy and laity are called to promote, protect and defend the sanctity of every human life from conception to natural death.

### **Section 4. Pastoral Ministry**

Clergy and laity are called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent and receive forgiveness, and offering the ministry of healing to all who suffer physically or emotionally as a result of such sin.

### **Section 5. Protection of Children**

Clergy and laity are stewards responsible for the nurturing and care of children and young people who participate in the life of the congregation. There is no tolerance for engaging in or remaining silent about inappropriate sexual language, advances toward, or abuse of children or young people.

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

---

***Canon 1***  
***Of Holy Orders in the Diocese***

**Section 1. Concerning the Historic Three-fold Pattern for Holy Orders**

This Diocese affirms what Anglicanism has always held in common, namely the normality of the threefold pastoral ministry of Bishop, Presbyter and Deacon as described in Holy Scripture. Persons shall be admitted to the office of Bishop, Presbyter or Deacon in this Church, and allowed to exercise any of these offices, who have been called, examined, and ordained according to an authorized ordinal of this Church, or ordained in some church whose orders are recognized and accepted by this Church.

**Section 2. Concerning Doctrinal Affirmations**

As set forth in Article I of the Diocesan Constitution, the Diocese affirms the Fundamental Declarations of the Province as set forth in Article I of the Provincial Constitution. Furthermore, we receive and affirm the Global Anglican Future Conference (GAFCON) Statement and the Jerusalem Declaration issued June 29, 2008. Each member of the clergy of this Diocese shall affirm these declarations, and provision shall be made for regular reaffirmation.

**Section 3. Concerning Canonical Obedience to Those in Authority**

Any person who has received authority to be a Presbyter or Deacon in this Church owes canonical obedience in all things lawful and honest to the Bishop having jurisdiction, and the Bishop of this Diocese owes canonical obedience in all things lawful and honest to the Archbishop of the Church as he communicates and embodies the will of God for his Church as determined by its College of Bishops under the guidance of the Holy Spirit. In the absence of a Bishop, a Presbyter or Deacon owes such obedience to the Ecclesiastical Authority of the Diocese.

**Section 4. Concerning Qualifications for Holy Orders**

The qualifications for persons seeking ordination into Holy Orders in this Diocese shall, except as provided herein, conform to the standards of ordination for clergy that have already been established in the Constitution and Canons of the Province.

***Canon 2***  
***Of the Requirements for Ordination***

**Section 1. Concerning General Requirements**

The Bishop of this Diocese shall take care that he admit no person into Holy Orders but such as he knows either by himself, or by sufficient testimony and due investigation, to have been baptized and confirmed in the name of the Father, the Son, and the Holy Spirit, to be

sufficiently instructed in Holy Scripture and in the doctrine, discipline and worship of this Church, to be empowered by the Holy Spirit and to be a wholesome example and pattern in thought, word, and deed to the entire flock of Christ according to the qualifications of a presbyter as expressed in 1 Timothy 3: 1-13 and Titus 1:6-9.

### **Section 2. Concerning Requirements for Deacon According to Holy Scripture**

In accordance with Holy Scripture, a Deacon must be a man or woman worthy of respect, sincere, not indulging in much wine, not pursuing dishonest gain, and one who holds the deep truths of the Christian faith with a clear conscience. They must first be tested, and if there be found nothing against them, let them serve as Deacons (1 Timothy 3:8-13.)

### **Section 3. Concerning Requirements for Presbyter According to Holy Scripture**

In addition to the qualifications above, and in accordance with Holy Scriptures, a Presbyter in this Diocese must be a man who is above reproach, not self-pleasing but self-controlled, upright, holy, disciplined, temperate, hospitable, not given to drunkenness, not violent but gentle, not quarrelsome, not a lover of money, not a recent convert, one who loves what is good and one who has a good reputation with outsiders. A Presbyter must be able to preach and teach, holding firmly to the trustworthy message as it has been handed down from the apostles and traditionally understood by the faithful Catholic Church, in order to encourage others by sound doctrine and to refute those who oppose it (1 Timothy 3:1-7; 5:17; Titus 1:6-9.)

### **Section 4. Concerning Requirements for Married Candidates With and Without Children**

In the case of persons who are or have been married, or have children, every Bishop shall take care that such persons manage their own family well, for as Holy Scripture attests, "If anyone does not know how to manage his own family, how can he take care of God's church?" (1 Timothy 3:4-5, 12; Titus 1:6.)

### **Section 5. Concerning Upholding the Sanctity of Marriage Especially for Those to Be Ordained**

Marriage as a lifelong covenant between one man and one woman, where the two become one flesh, is both an ordinance of Creation, affirmed as such by our Lord, and commended by Saint Paul as a sign of the mystical union between Christ and his Church (Matthew 19:3-9; Ephesians 5:22-32). As wholesome examples and patterns to the entire flock of Christ, all married persons to be admitted to Holy Orders shall remain married to their spouse for life, and in accordance with the vows they exchanged in Holy Matrimony. Furthermore, it must be ascertained through prayerful personal knowledge by the Bishop that each person admitted to Holy Orders must earnestly and diligently seek to be fully devoted to his or her spouse in fidelity, love, purity, and honor. Subject to Section 6 of this Canon, no person shall be admitted into Holy Orders who has divorced and remarried.

### **Section 6. Concerning Pastoral Exceptions to Section 5**

The Bishop of this Diocese, on an application made to him by the sponsor of a person who by reason of Section 5 of this Canon could not otherwise be admitted into Holy Orders may, upon a showing of good cause and particularly in light of the exceptions in Matthew 19 and 1

Corinthians 7, make application to the Archbishop of the Church to remove the impediment imposed by section 5 of this canon. Only the Archbishop may remove the impediment in accordance with Title III, Canon 2, Section 6 of the Provincial Canons.

### **Section 7. Concerning Theological Training Requirements**

No person shall be admitted into Holy Orders who has not been properly trained in Holy Scripture, and the Doctrine, Discipline and Worship of this Church.

## **Canon 3 Of Deacons and Their Ordination**

### **Section 1. Concerning Prerequisites for Ordination**

No person shall be ordained a Deacon in this Diocese until that person shall have been affirmed in this calling by the Church, trained in ministry and doctrine, passed a satisfactory examination conducted by those appointed by the Bishop for this purpose, demonstrated vitality and consistency in spiritual life and growth, and shall have demonstrated sufficient knowledge of Holy Scripture, the Doctrine, Discipline and Worship of this Church, and any other topics the Bishop shall deem necessary for the office and ministry of Deacons.

### **Section 2. Concerning the Required Declarations of Ordinands**

No person shall be ordained a Deacon in the Church until such person shall have subscribed without reservation to the following declarations, as set forth in the Ordinal:

#### Oath of Conformity

*"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation; and therefore I hold myself bound to conform my life and ministry thereto, and do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them. "*

#### Oath of Canonical Obedience

*"I do swear by Almighty God that I will pay true and canonical obedience in all things lawful and honest to the Bishop of this Diocese, and his successors: So help me God."*

### **Section 3. Concerning Length of Diaconate**

We recognize the importance of the Vocational Diaconate as an essential and historic ministry of the Church.

A Transitional Deacon shall not be ordained to the office of Presbyter for at least one year, unless the Bishop shall find good cause for the contrary, so that the Deacon's manner of life and ministry may be tested and observed before admission to the order of Presbyter.

## **Canon 4** **Of Presbyters and Their Ordination**

### **Section 1. Concerning Ordination Following Period of Diaconate**

No person shall be ordained a Presbyter in this Diocese until that person shall have been ordained a Deacon.

### **Section 2. Concerning Examination of Ordinands**

No person shall be ordained a Presbyter in this Diocese until that person shall have passed a satisfactory examination conducted by those appointed by the Bishop for this purpose, and shall have demonstrated sufficient knowledge of Holy Scripture and the Doctrine, Discipline and Worship of this Church by examination in the following subjects, and any other qualities that the Bishop deems necessary for the office of Presbyter:

1. *Holy Scripture*: the Bible, its contents and historical background and interpretive methods;
2. *Church History*;
3. *Anglican Church History*;
4. *Doctrine*: the Church's teaching set forth in the Creeds and the Offices of Instruction;
5. *Liturgics*: The contents and use of the Book of Common Prayer, and knowledge of the proper use of church music;
6. *Moral Theology and Ethics*;
7. *Ascetical Theology*: with an emphasis on the prayer life and spirituality of the minister, including the use of the Daily Office;
8. *Practical Theology*: The office and work of a Presbyter; the conduct of public worship; principles of sermon composition and delivery; principles and methods of Christian education in the parish; Constitution and Canons of the Church and this Diocese; and the use of the voice in reading and speaking;
9. *The Missionary Work of the Church*: How the Gospel has been passed from one language, tribe and nation to another; basic principles of cross-cultural communication; mission strategies; and personal relational evangelism and apologetics.

### **Section 3. Concerning the Required Declarations of Ordinands**

No Deacon shall be ordained a Presbyter in the Church until such Deacon shall have subscribed without reservation to the following declarations, as set forth in the Ordinal:

#### Oath of Conformity

*"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation; and therefore I hold myself bound to conform my life and ministry thereto, and do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them. "*

#### Oath of Canonical Obedience

*"I do swear by Almighty God that I will pay true and canonical obedience in all things lawful and honest to the Bishop of this Diocese, and his successors: So help me God."*

**Canon 5**  
**Concerning Reception and Transfer**

**Section 1. Concerning the Overall Reception and Transfer Process**

Ministers from other jurisdictions who seek to be received into this Diocese, shall apply in writing to the Bishop or those to whom the Bishop delegates such authority. Applicants shall be provided a copy of this Canon 5 and, should they wish to continue seeking reception, they shall follow the process established by the Bishop and/or those to whom the Bishop delegates such authority and in accordance with these canons. The reception process shall include an independent background check (“Background Check”) covering at least the following: reference checks for all previous employers for the previous 10 years, credit reports, records checks from Departments of Motor Vehicles, and a complete criminal records check, including the Sexual Predators Directory.

**Section 2. Concerning Ministers Ordained in Jurisdictions in the Historic Succession**

Prior to receiving a clergy person from another jurisdiction purported to be in the Historic Succession, if there be any question of the claim, the Bishop, or those whom he appoints to this task, shall consult with the Admissions Committee of the Province in order to confirm the reliability of the claim to ordination within Historic Succession. Those who have been ordained in Historic Succession will be considered for transfer into the Diocese and the transferring bishop will be engaged in the transfer process.

Having satisfied that the clergy person has been ordained in the Historic Succession, the following process is established: Subject to the examinations prescribed by Title III, Canons 3 and 4 of these Canons, and other means by which to satisfy himself concerning the soundness of faith of the clergy, the Bishop may accept by letter of transfer a deacon or presbyter who is in good standing in any other jurisdiction of the Church. The Bishop shall inquire of the transferring bishop concerning any past or existing disciplinary matter or other impediment affecting the ministry of the transferring clergy person. The letter of transfer which must be presented within six months from its date of issue shall be to the following effect:

*“We hereby certify that the Reverend A.B. who has signified desire to be transferred to the ecclesiastical authority of the Diocese of Christ our Hope of the Anglican Church in North America is a Presbyter (or Deacon) of (Name of Jurisdiction) in good standing.” (Signed by the transferring bishop.)*

A Minister received into this Diocese shall not function or be recognized by the Bishop until he or she has been canonically transferred to this Diocese, nor may such person perform any of the rites or ceremonies of the church, except with the special permission of the Bishop, until he or she has been canonically transferred.

### **Section 3. Concerning Ministers Ordained in Jurisdictions Not in the Historic Succession**

Ministers ordained in a jurisdiction not ordered in the Historic Succession who desire to be accepted into this Diocese shall furnish evidence satisfactory to the Bishop of eligibility for ordination pursuant to Title III, Canons 3 and 4 of these Diocesan Canons, as well as Title III, Canons 2 through 4 of the Provincial Canons. Such ministers shall be examined as provided in Title III, Canons 3 and 4 hereof, and also on the points of doctrine, discipline, polity and worship in which the jurisdiction from which they come differs from the Anglican Church in North America, and any other subjects the Bishop deems appropriate. The Bishop, and those to whom he delegates authority within this process, shall determine when, whether, and how said persons may be ordained to Holy Orders within this Church.

### **Section 4. Concerning the Required Declarations**

No person shall be received as clergy in this Diocese until such person shall have subscribed in writing and without reservation to the following declarations, as set forth in the Ordinal:

#### Oath of Conformity

*"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation; and therefore I hold myself bound to conform my life and ministry thereto, and do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them. "*

#### Oath of Canonical Obedience

*"I do swear by Almighty God that I will pay true and canonical obedience in all things lawful and honest to the Bishop of this Diocese, and his successors: So help me God."*

### **Section 5. Concerning Clergy Background Checks**

Each member of the clergy of this Diocese, deacon, presbyter and bishop alike, shall undergo the independent Background Check described in Section 1 of this Canon 5 every 5 years as a condition of remaining in office.

### **Section 6. Concerning Clergy Domiciled in Other Jurisdictions**

Under special circumstances, a clergy person may be permitted to serve as clergy within the Diocese and remain domiciled in another jurisdiction that is within Historic Succession.

In order to serve as a Presbyter or Deacon one must be under the active episcopal authority of the Bishop of a Diocese in the Historic Succession (that Diocese being one's "Domicile"). On behalf of the Clergy seeking to serve within this Diocese, the Bishop of the originating Diocese will write a letter of request on his or her behalf to the Bishop of the Diocese of Christ our Hope, requesting permission for service by the Clergy. The Bishop shall determine willingness and advisability of granting permission. Such permission to serve may be granted upon fully satisfying all of the requirements for transfer of clergy from a Diocese in Historic Succession as described in Title III, Canon 5, Section 2.

Any person who has been given permission to serve as a Presbyter or Deacon in this Diocese owes canonical obedience in all things lawful and honest to the Bishop of this Diocese. For the duration of his / her ministry within the Diocese, such person shall come under the doctrinal and disciplinary oversight of this Diocese in every way as if he or she were domiciled in the Diocese.

Permission to serve within the Diocese is limited to a specific cure. Permission to serve in another cure within the Diocese must be granted in writing by the Bishop.

Clergy domiciled in other jurisdictions have seat and voice in the Synod, but do not have vote. They may not serve on a Committee of the Diocese without written permission from the Bishop.

### **Section 7. Concerning Reception upon Diocesan Formation**

All full-time and part-time clergy who serve in a Congregation or Mission at the time that this Diocese is formed, or who serve in a Congregation or Mission upon its joining the Diocese, shall be considered received into this Diocese unless otherwise requested by the Bishop where the clergy person is domiciled on behalf of that clergy person. In that case, determination will be made by the Bishop of this Diocese to grant permission to serve as clergy in the Diocese. Such permission shall be given in writing.

### **Section 8. Concerning Transfer to Another Christian Denomination or Jurisdiction**

Any Deacon or Presbyter of this Diocese in good standing may, at their own request, be released from the obligations of the ministry of this Church to unite with any other Christian denomination or jurisdiction by a commendatory letter, signed by the Bishop, and attested by one other person having ecclesiastical standing within the Diocese. Upon the approval of the Diocesan Council, the Bishop may remove the Deacon or Presbyter from the roll of clergy of the diocese.

### **Section 9. Concerning Voluntary Resignation from the Ordained Ministry**

Any Deacon or Presbyter in good standing may resign from the Ordained Ministry of this Church by sending a resignation in writing to the Bishop. The Bishop shall record the declaration and request so made, and shall determine that the Deacon or Presbyter is not under discipline as defined in Title IV of these canons, and that the resignation is not occasioned by misconduct or irregularity, but is voluntary and for causes which do not affect the moral character of the Deacon or Presbyter. Upon making this determination, the Bishop shall defer formal action upon the declaration for two months, and meanwhile shall lay the matter before the Diocesan Council for advice and consent. With its advice and consent, the Bishop may pronounce that such resignation is accepted and that the Deacon or Presbyter is released from the obligations of the Ministerial office, and that the Deacon or Presbyter relinquishes the right to exercise in this Church the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in ordination.

The Bishop's declaration shall state that the resignation was for causes which do not affect the Deacon or Presbyter's moral character, and shall, if requested, give a certificate to this effect to the person so removed from the ministry of this Church. In all other cases of resignation or renunciation of the ordained ministry, where there may be a question of misconduct or irregularity, the Bishop shall follow the procedures outlined in Title IV, Canon 11.

**Canon 6**  
***Of Licensed Lay Orders***

The Diocese recognizes that the ministry of the laity is indispensable to the work of the Diocese and that this ministry originates within each Congregation and Mission. All clergy, Congregations, and Missions of the Diocese are strongly encouraged to equip the laity for ministries in their communities. To this end, Rectors and clergy overseeing Congregations and Missions may license members such as Lay Evangelists, Lay Pastors, Lay Preachers, Lay Readers, and Lay Eucharistic Ministers for ministry with the local Congregation or Mission as seems helpful in bearing fruit for the Kingdom of God. Those exercising these ministries need to be spiritually mature, of sound character, have received adequate training, and have regular oversight. At the request of the Rector, the Bishop may license or commission Lay Ministers in a liturgical service of worship designed for that purpose, or within any service of worship that occurs during a Bishop's regular visit to the parish.

This Diocese also recognizes the ministry of laity in expanding the mission of the Church, and to that end recognizes the office of Lay Catechist and Lay Church Planter. Those who are recognized and called by the local church for these specialized ministries of mission expansion and potential church planting are required to be examined in collaboration with the local church by those the Bishop designates for this purpose, in accordance with the spirit of Title III, Canons 2, 3, 4 and 5. After successful examination, the Bishop will license Lay Catechists and Church Planters for the work of the Gospel.

**TITLE IV**  
**Ecclesiastical Discipline**

---

**Canon 1**  
***Of the Nature of Discipline in the Church***

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

The Church has its own inherent right to discipline the faithful who commit offenses. Penalties are established only insofar as they are essential for repentance, reformation, and ecclesiastical discipline and order.

**Canon 2**  
***Of Charges against Presbyters, or Deacons***

The following are the charges or accusations on which a Presbyter or a Deacon in this Church may be presented:

1. Apostasy from the Christian Faith;
2. Heresy, false doctrine, or schism;
3. Violation of ordination vows;
4. Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power or financial malfeasance not otherwise actionable;
5. A conviction by a court of competent jurisdiction for felony or other serious offenses;
6. Sexual immorality;
7. Acceptance of membership in a religious jurisdiction with purpose contrary to that of this Church;
8. Violation of any provision of the Constitution of this Church;
9. Disobedience, or willful contravention of the Canons of the Province or of the constitution or canons of the Diocese;
10. Habitual neglect of the duties of his Office;
11. Habitual neglect of public worship, and the Holy Communion, according to the order and use of this Church;
12. Willful refusal to follow a lawful Godly Admonition.

A Godly Admonition is a written directive from the Bishop to a member of the Clergy under his jurisdiction. Such admonition shall not be issued until the Bishop shall have met personally with the member of the Clergy – unless for valid reason the Bishop shall have delegated such meeting to another Bishop – and the issues have been clearly and fairly discussed. The written admonition shall be specific concerning the matter complained of and the canonical or theological basis for the complaint, and shall provide a reasonable time for the required action to be taken.

**Canon 3**  
***Of Presentments of Presbyters and Deacons***

**Section 1. Concerning Accusations**

An accusation of conduct believed by the accuser(s) to be in violation of Title IV, Canon 2 may be brought against a Presbyter or Deacon. The accusation(s) shall be in a writing that contains the facts supporting the allegations of wrongdoing and shall be signed and sworn to by the accuser(s) and delivered to the Bishop. If the Bishop deems the accusation(s) not to be frivolous, he shall cause an investigation to be made by a canonical investigator. During the pendency of the investigation, the details of the accusation(s) and the investigation shall be maintained in appropriate confidence.

## **Section 2. Concerning Voluntary Submission to Discipline**

At any time after the receipt of an accusation(s), the accused may confess to the truth of the allegation(s) and submit to the discipline of the Church.

## **Section 3. Concerning Canonical Investigation**

The Diocesan Council shall appoint a canonical investigator to ascertain the merit of the accusations and make a recommendation to the Diocesan Council as to whether further juridical process should be pursued.

No presentment shall be made or conviction had for any offense under Title IV, Canon 2 unless the offense shall have been committed within five years immediately preceding the time of the presentment. Such time may be extended by written permission of the Archbishop of the Anglican Church in North America.

For any offense covered by Title IV, Canon 2.5, a presentment may also be made at any time within one year after such conviction.

The accused shall be entitled to notice of an ongoing investigation and to have the aid of counsel or an agent and may submit his defense in writing. The presenters also may be aided by counsel, and be represented by any agent they may appoint.

If it is determined by the Diocesan Council that a trial should occur, then a presentment shall be prepared and procedures followed according to the norms of ecclesiastical law.

The Bishop shall appoint a person (lay or ordained) for the drafting of presentments and the presentation of the same before the ecclesiastical trial court of the Diocese.

The Bishop shall appoint an advisor to assist the Presbyter or Deacon who is the subject of an accusation and his or her counsel or agent. The advisor shall be knowledgeable in canon law and shall be available to advise the Presbyter or Deacon and his or her counsel or agent on issues relating thereto. All such advice as shall be given shall be confidential to the accused and his or her counsel or agent.

## **Section 4. Concerning Requirements for Presentment**

When, after investigation of an accusation, the Bishop has determined that the matter should proceed forward, Articles of Presentment shall be prepared and personally served upon the Presbyter or Deacon against whom the accusation has been made.

The Articles of Presentment shall be made in a writing signed by a representative of the Bishop, wherein shall be specified all particulars of time, place, and circumstances alleged.

**Canon 4**  
***The Rights of the Respondent***

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

**Canon 5**  
***The Ecclesiastical Trial Court of the Diocese***

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

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

**Section 2. Court Advisor**

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

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

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

**Section 4. Quorum and Composition of Court**

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

**Section 5. Judgment of the Court**

An affirmative vote of 75 percent of the members of a panel of the Court shall be required for any judgment.

**Section 6. Effect of Judicial Decisions of the Trial Court**

The Court shall sit as an arbitral panel and its judgments shall have the legal effect of an arbitral award under federal and applicable state law. The Court may order such interim relief as it may deem fit in any particular case. Judgment upon an arbitration decision may be entered in any court otherwise having jurisdiction. The decisions of the Court shall be subject to review only in accordance with the Constitution and Canons of the Anglican Church in North America and only by the reviewing bodies of the Anglican Church in North America. The decisions of the Court or any reviewing body of the Anglican Church in North America shall not be subject to review in any federal or state court. The law that shall govern any dispute brought before the Court shall

be the Constitution and Canons of this Diocese and the Constitution and Canons of the Anglican Church in North America. The Court may consider, in its sole discretion, any other law or authorities it determines should be applied to the particular case before it, including the arbitration rules of any other body. This Title IV shall be the sole remedy with regard to any controversy or claim arising out of the Articles of Incorporation and the Constitution and Canons of the Diocese of Christ our Hope. Any person subject to this Title shall have no right to file a lawsuit in any civil court with regard to such disputes, except to enforce an arbitration decision.

### **Section 7. Disqualification of Members of the Trial Court**

On motion of any party, any individual having been asked to serve on an arbitration panel in an active case should disqualify himself or herself in a proceeding in which their impartiality may reasonably be questioned, including but not limited to instances where:

1. The panel member has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceedings;
2. The panel member has an interest that could be substantially affected by the outcome of the proceeding;
3. The panel member is likely to be a material witness in the proceeding.

Nothing in this Canon shall preclude a panel member from disqualifying him or herself from participating in any proceeding upon their own initiative. Also, a panel member potentially disqualified by the terms of this Canon may, instead of withdrawing from the proceeding, disclose on the record the basis of his or her potential disqualification. If, based on such disclosure, the parties and lawyers, on behalf of their clients and independently of the panel member's participation, all agree in writing that the panel member's basis for potential disqualification is immaterial or insubstantial, the panel member is no longer disqualified, and may participate in the proceeding. The agreement, signed by all lawyers, shall be incorporated in the record of the proceeding. For purposes of this section, pro se parties shall be considered lawyers.

### ***Canon 6 The Trial Attorney***

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

### ***Canon 7 Attorney for the Respondent***

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

**Canon 8**  
**Court Rules and Procedures**

The rules governing proceedings in the Court are set forth in Appendix A of these Diocesan Canons.

**Canon 9**  
**Concerning the Court of Extraordinary Jurisdiction**

There shall be a Court of Extraordinary Jurisdiction, whose jurisdiction shall be limited to proceedings either:

1. referred by Bishops of this Church who have oversight of Clergy canonically attached to other Anglican Provinces or Dioceses in those cases where such Provinces or Dioceses have waived their jurisdiction in favor of the Court of Extraordinary Jurisdiction; or
2. in which a member of the Clergy who is amenable to presentment under these canons is attached to a Diocese not possessed of a trial court. Cases may be referred to the Court of Extraordinary Jurisdiction by the Bishop under whose authority the accused serves.

The members of this Court shall be four Presbyters and three adult, confirmed lay persons in good standing, elected by the Synod of the Diocese upon nomination of the Diocesan Council. The President of the Court shall be elected by the members of the Court. The Bishop shall also appoint a legal advisor to the Court who shall be trained in canon law, and a prosecutor, also trained in canon law, to bring and prosecute presentments when necessary. The term of each member of the Court shall be three years or until a successor is elected and qualified. No member may serve more than two consecutive terms. Staggered terms may be provided. The Diocesan Council shall fill vacancies that arise between Synods.

All Clergy who wish to remain domiciled in another Diocese or Province while being licensed in this Diocese shall submit a waiver of ecclesiastical discipline to the Bishop of this Diocese, signed and approved by the Bishop of the other Diocese, transferring ecclesiastical disciplinary authority to the Bishop of this Diocese and all such officers and courts of this Diocese as prescribed in this Canon, and granting permission to this Diocese to conduct presentments, if there be any, for the clergy person in question within this Diocese and according to these Canons. The Bishop may, at his discretion, and upon written request, grant special permission to clergy that are domiciled elsewhere to remain under the ecclesiastical disciplinary authority of the jurisdiction to which they belong.

**Canon 10**  
**Of a Member of the Clergy in Another Diocese Chargeable with Offense in this Diocese**

If a member of the Clergy belonging to any Diocese shall have conducted himself in this Diocese in such a manner as to be liable to presentment under the provisions of Title IV, Canon 2, the Diocesan Council shall give notice of the same to the Ecclesiastical Authority where the member

of the Clergy is canonically domiciled, exhibiting, with the information given, reasonable ground for proceeding. If the Ecclesiastical Authority of the alleged offender, after due notice given, shall omit, for the space of three months, to proceed against the offending member of the Clergy, or shall request the Diocesan Council to proceed against him, it shall be within the power of the Diocesan Council to institute proceedings as provided by the canons of this Diocese.

**Canon 11**  
***Of Renunciation of Ministry***

If a member of the Clergy making a declaration of resignation or renunciation of the ministry under Title III, Canon 5.9, be under accusation or presentment for any canonical offense, or if they shall have been placed on trial for the same, the Diocesan Council shall not consider or act upon such declaration until after the accusation or presentment shall have been dismissed, or the trial shall have been concluded and sentence, if any, pronounced. If the Diocesan Council shall have ground to suppose that the member of the Clergy making the same is liable to presentment for any canonical offense, such member of the Clergy may, in the discretion of the Diocesan Council, be placed on trial for such offense, notwithstanding such declaration of resignation or renunciation of the ministry.

**Canon 12**  
***Of Sentences***

**Section 1. Concerning the Role of the Bishop in Sentencing**

The Bishop alone has the authority to pronounce sentence on a Presbyter or Deacon convicted as indicated in these canons. If there is no Bishop, the Archbishop or another Bishop designated by the Archbishop shall pronounce sentence.

In case of conviction by the Trial Court, the Bishop shall not proceed to sentence the accused before the expiration of 30 days after he shall have been served with notice of the decision of the court, nor in case an appeal is taken shall sentence be pronounced pending the hearing and determination thereof.

**Section 2. Concerning Range of Sentencing**

Sentence shall be:

1. Censure or admonishment;
2. Suspension, for a definite period, not to exceed five years;
3. Suspension for life; or
4. Deposition from the sacred ministry.

In addition, other measures for restoration of the accused may be required.

### **Section 3. Concerning Length of Sentences**

Upon a showing of good cause, a sentence of suspension of a Presbyter or Deacon may be terminated or shortened by the Bishop with the advice and consent of the Archbishop, in consultation with the Executive Committee;

#### ***Canon 13 Of Inhibitions***

A Bishop may temporarily inhibit a Presbyter or Deacon from the exercise of ministry when the Bishop believes, upon reasonable grounds, that the Presbyter or Deacon has engaged in conduct upon which a Presbyter or Deacon in this Church may be presented. With the advice and consent of the Diocesan Council, such inhibition may be extended until such charge is dropped or action taken by a Trial Court. Upon application by a Presbyter or a Deacon who has been temporarily inhibited under this Canon and upon a showing of good cause, the Archbishop or his designate may modify or revoke the temporary inhibition. Such decision shall be rendered within thirty (30) days.

#### ***Canon 14 Of Notification of Disciplinary Action Taken***

The Bishop shall, within 30 days after the sentence becomes final and not subject to appeal, notify the Office of the Archbishop, who shall notify all Bishops with jurisdiction and shall maintain a permanent record of the action. Such notice shall be limited to the sentence pronounced. Should a sentence be amended or terminated, notification of such amendment or termination shall also be reported to the Office of the Archbishop who shall promptly give notice to all Bishops with jurisdiction and record the amendment or termination in the permanent record.

**TITLE V**  
**Enactment, Amendment, and Repeal of Canons**

---

***Canon 1***  
***Amendments***

The Canons of the Diocese, including its appendices, may be amended by a two-thirds majority vote of the Synod at any regular meeting or any Special Meeting called for that purpose. No amendment to these Canons, including its appendices, may be adopted until it has been first noticed to and reviewed by the Constitution and Canons Committee and the Bishop Ordinary, and its recommendations given to the Synod. All proposed amendments to the Canons shall be submitted to the Committee no fewer than 120 days prior to the next Synod meeting. The Committee shall review and report its recommendation to the Synod regarding any proposed amendment no fewer than 60 days prior to the next Synod meeting. If approved by a two-thirds majority vote of the Synod, the amendment shall lie over to the next annual meeting of the Synod, and, if again approved in the same form by a two-thirds majority vote, the Canons shall then stand amended as proposed, after the completion of a 90-day waiting period after the amendment has been finally passed.

**APPENDIX A**  
**Ecclesiastical Trial Court Rules of Procedure**

---

**Rule 1: Application and Scope of Rules**

These Rules govern procedure in the Ecclesiastical Trial Court (the “Court”) in all presentment actions. They shall be construed and administered to secure the just, speedy, and inexpensive determination of every such action. Nothing in these Rules of Procedure are meant to preclude the Diocesan Council with the advice and counsel of the Chancellor from promulgating additional procedural rules consistent with these Canons.

**Rule 2: Institution of Presentment Action**

**a. Form**

A presentment proceeding authorized by the Court shall be instituted by the service of a Summons, together with a copy of the Articles of Presentment. The Summons and Articles of Presentment shall be signed by the President of the Court, identify the Court and all the parties to the proceeding, be directed to the Respondent and state the name and address of the Trial Attorney representing the Diocese. It shall state the time within which the Respondent must file with the Court an Answer to the Articles of Presentment, and notify the Respondent that failure to do so may result in a Judgment that an Offense was committed by the Respondent and place the Respondent at risk for a Sentence to be pronounced at a later date. The Court may allow the Summons to be amended.

**b. Service**

The service of the Summons and Articles of Presentment shall be made either by hand or certified mail with return receipt. The Respondent may waive personal service in writing.

**c. Proof of Service**

The person effecting service of the Summons and Articles of Presentment shall make proof of service by affidavit or sworn statement to the Court. If service is waived, the written waiver of service shall be filed with the Court.

**Rule 3: Service and Filing of Pleadings and Other Papers**

Except as otherwise expressly provided in these Rules, every pleading, paper, motion and notice subsequent to the Summons and Articles of Presentment required to be served on a party shall be served upon either the party or the attorney that enters an appearance for the party, unless otherwise ordered by the Court. Service shall be made by hand delivering a copy to the party or the party’s attorney or by mailing it to the party’s or the attorney’s last known address. Service by mail is complete upon mailing. The filing of papers with the Court shall be made by filing them with the President of the Court unless otherwise directed by the Court. The parties may by agreement approved by the Court also provide for service by other means such as electronic mail or facsimile transmission.

#### **Rule 4: General Rules of Pleading**

##### **a. Articles of Presentment**

The Articles of Presentment shall contain a short and plain statement of each Offense with express reference to applicable provisions of Title IV, Canon 2 of the Provincial Canons, and a plain and concise statement of the facts upon which each such allegation is made.

##### **b. Answer**

The Answer shall state in short and plain terms the Respondent's response to each allegation of the Articles of Presentment, including any defense thereto, and shall admit or deny the factual allegations of the Articles of Presentment. If the Respondent is without knowledge or information sufficient to form a belief as to the truth of any factual allegation, the Respondent shall so state and this has the effect of a denial. Denials may also be made in part or with qualification.

##### **c. Style**

Pleadings are to be plain and concise. No technical forms of pleadings or motions are required.

##### **d. Construction**

All pleadings shall be so construed as to do substantial justice.

##### **e. Form of Pleadings**

Every pleading shall identify the name of the Court, name of the Respondent, and file number, if any. All allegations in the Articles of Presentment and the Answer thereto shall be made in separately numbered paragraphs. Exhibits may be attached and identified by reference within the pleading.

##### **f. Signature**

All pleadings shall be signed by the attorney for the party on whose behalf it has been prepared, or the party if not represented by an attorney. Each paper shall state the signer's address and telephone number.

#### **Rule 5: Defenses and Objections.**

##### **a. When Presented**

Unless a different time period is prescribed, a Respondent shall serve an Answer to the Articles of Presentment upon the Trial Attorney and file it with the Court within 30 days after being served with a Summons and Articles of Presentment.

##### **b. How Presented**

The following defenses may be asserted either in the Answer or by motion: (1) insufficiency of service or process; (2) lack of jurisdiction; (3) failure to state the factual basis of an Offense; and (4) expiration of the applicable period of limitations as stated in Title IV, Canon 3 of the Provincial Canons. The Respondent may also move for a more definite statement

before filing an Answer if the Articles of Presentment are so vague or ambiguous that Respondent cannot reasonably be required to frame a responsive pleading.

**Rule 6: Amended and Supplemental Pleadings**

The Court may, in the interest of justice, permit the filing of amended and supplemental pleadings.

**Rule 7: Voluntary Disclosures, Discovery**

**a. Voluntary Disclosures**

The parties shall provide to each other and the Court not later than sixty days prior to trial a list of all the witnesses expected to testify at trial, including the name and address of each witness; and copies of all documents and exhibits intended for use at trial.

**b. Discovery**

The parties may conduct discovery through written or oral depositions or written interrogatories.

The Court may limit the number, length and scope of depositions or interrogatories.

The Respondent shall not be required to make any statement or admission against himself or herself in any discovery procedure.

**Rule 8: Taking of Testimony**

In all Court proceedings, the testimony of witnesses shall be taken orally in open Court by the Recorder of proceedings, unless otherwise provided by the Court. Such testimony shall be given under oath or solemn affirmation.

**Rule 9: Summary Judgment of Offense**

**a. How Made**

If the Respondent fails or refuses to Answer the Articles of Presentment or otherwise respond by motion, except for reasonable cause to be allowed by the Court, the Trial Attorney may, no sooner than 30 days after the Answer is due, move with or without supporting affidavits for Summary Judgment. A Respondent may also move, with or without supporting affidavits, for Summary Judgment on part or all of the allegations of the Articles of Presentment.

**b. Opposing Affidavits**

Prior to the day of any hearing set by the Court on a Motion for Summary Judgment, the Respondent may submit affidavits in support of his or her response to the Motion.

**c. Proceedings Thereon**

The court shall convene a hearing to consider any Motion for Summary Judgment and may, in the Court's discretion, receive oral testimony at any such hearing. If the Articles of Presentment, together with affidavits, if any, and any oral testimony or other admissible

evidence presented to the Court show that there is no genuine issue as to any fact material to a determination that the Respondent committed an Offense, the Court shall render Summary Judgment as sought by the Motion for Summary Judgment.

**d. Form of Affidavits**

Supporting and opposing affidavits, and any oral testimony, shall be made on the basis of personal knowledge, shall state such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify as to the matters stated. Copies of papers referred to in an affidavit shall be attached to and served with the affidavit.

**e. Defense Required**

When a motion is made and supported as provided in this rule, the opposing party may not rest upon mere allegations or denials of the adverse party's pleading but must, by affidavits or otherwise provided in this rule, set forth specific facts to show that there is a genuine issue for trial.

**Rule 10: Trials**

Each Respondent is entitled to a speedy and just trial of the allegations set forth in the Articles of Presentment. Each Respondent is entitled to confront the evidence against him. The facts alleged in the Articles of Presentment must be proved by clear and convincing evidence and the Diocese bears the burden of going forward and of proof as to each and every allegation in the Articles of Presentment. Trials shall be governed by the Federal Rules of Evidence and, where applicable under those rules, the rules of evidence of the state in which the Diocese has its principal office.

**Rule 11: Judgment**

The Court shall render its Judgment no later than 60 days after the date of the conclusion of the hearing upon a Motion for Summary Judgment or trial.