

**PROPOSED AMENDMENTS TO THE CANONS  
OF THE DIOCESE OF SOUTHWEST FLORIDA  
August 2008**

**WHAT'S IN THE LATEST REDRAFT: A CANON-BY-CANON DESCRIPTION**

<b>CANON I</b>	<b>MEMBERS OF DIOCESAN CONVENTION</b> .....	1
+ Defines who the Ecclesiastical Authority is, who the clergy and lay members of Convention are and their eligibility and credentials. All the provisions regarding the proceedings of the Convention were moved to Canon II.		
<b>CANON II</b>	<b>PROCEEDINGS OF THE CONVENTION</b> .....	3
+ Concerns how the meetings of the Convention are to be conducted, including voting, effective date, and the duties of various Convention Committees. Most of the provisions regarding lay delegates were moved to Canon I. Congregational reporting requirements were moved to Canon VIII.		
<b>CANON III</b>	<b>SECRETARY OF THE CONVENTION</b> .....	10
+ Clarifies language setting forth the duties of the Secretary, including preparing and distributing the Journal of the Convention.		
<b>CANON IV</b>	<b>STANDING COMMITTEE</b> .....	11
+ Clarifies language regarding elections to the Standing Committee, adds provisions on recusal in some situations, and consolidates provisions regarding the authority of the Standing Committee taken from other Canons.		
<b>CANON V</b>	<b>DIOCESAN COUNCIL</b> .....	13
+ Clarifies membership on the Diocesan Council, adds provisions on recusal in some situations, adds provisions on filling vacancies and making other appointments, and provides for the appointment of people to the new Convention Committees.		
<b>CANON VI</b>	<b>CLERGY</b> .....	18
+ This is significantly different from previous drafts. Adopting some of the terminology from the national canons, this Canon sets forth the different kinds of clergy in charge of various types of congregations, and specifies their eligibility, titles and duties, and requires a written agreement with the Congregation.		
<b>CANON VII</b>	<b>CONGREGATIONAL GOVERNANCE</b> .....	22
+ Provides who may vote at congregational meetings, gives clear expectations regarding the lay leadership of the Congregations, and the minimum requirements that must be included in a Congregation's bylaws.		
<b>CANON VIII</b>	<b>CONGREGATIONAL REGISTERS AND REPORTS</b> .....	26
+ Consolidates all the Canonical provisions regarding reports, registers and other documents a Congregation must maintain, and advises the Congregation of its affirmative duty to advise the Diocese of certain problems facing it.		
<b>CANON IX</b>	<b>CONGREGATIONS</b> .....	29
+ This is significantly different from previous drafts. The Canon reinstates the distinction between parishes and missions, provides more flexible criteria for moving from mission to parish status. There are also provisions regarding becoming a "supervised congregation," which are congregations that need special support from the Diocese.		
<b>CANON X</b>	<b>ASSOCIATED WORSHIPPING COMMUNITIES</b> .....	36
+ Provides flexible procedures for planting new worshiping communities.		
<b>CANON XI</b>	<b>DEANERIES</b> .....	38
+ Provides for deans and deaneries. Changes were made to bring the Canon in line with current practices.		

<b>CANON XII</b>	<b>ECCLESIASTICAL COURT</b> .....	39
	+ Clarifies that all proceedings must comply with the provisions of the Canons of the Episcopal Church.	
<b>CANON XIII</b>	<b>COMMITTEE ON CONSTITUTION AND CANONS</b> .....	40
	+ Clarifies the language on the membership and duties of this committee.	
<b>CANON XIV</b>	<b>BUSINESS METHODS AND PRACTICES</b> .....	41
	+ Provides for minimum standards regarding how Congregations conduct their business affairs, tightens up language concerning the annual audit and other reports to the Diocese.	
<b>CANON XV</b>	<b>COMMISSION ON MINISTRY</b> .....	43
	+ Clarifies the language regarding the Commission's duties.	
<b>CANON XVI</b>	<b>SCHOOLS</b> .....	44
	+ Clarifies the language regarding schools run by Congregations or other entities associated with the Diocese or a Congregation	
<b>CANON XVII</b>	<b>COUNCIL ON DEACONS</b> .....	45
	+ This is a new Canon (though included in all previous drafts). The old Canon regarding amendments to the Diocesan Canons was moved to Canon XIV. The new canon establishes the Council on Deacons in a manner consistent with the Canons of the Episcopal Church.	
<b>CANON XVIII</b>	<b>RESOLUTIONS</b> .....	46
	+ Specifies who may introduce resolutions for consideration by the Convention and the basic requirements for a resolution to be submitted, including content, deadlines, and consideration of emergency resolutions.	
<b>CANON XIX</b>	<b>RELATED ORGANIZATIONS</b> .....	48
	+ Tightens up the definition of corporations, associations and other legal entities formed by the Diocese or a Congregation, and clarifies the status, duties and reporting requirements of such organizations.	
<b>CANON XX</b>	<b>COMMITTEE FOR CONGREGATIONAL DEVELOPMENT</b> .....	49
	+ Sets forth the basic formation and duties of this Committee. Many of the responsibilities of the Committee are now explained in conjunction with the provisions in Canon IX regarding the formation, status and support of Congregations.	
<b>CANON XXI</b>	<b>EPISCOPAL ELECTION COMMITTEE</b> .....	50
	+ This is substantially different from previous drafts. The Standing Committee requested the Canon be overhauled based on some of the experiences and issues that came up during our recent election of a bishop. The Canon clarifies the number of members, duties, timelines, and method of filling vacancies.	
<b>CANON XXII</b>	<b>DIOCESAN REVIEW COMMITTEE</b> .....	53
	+ Clarifies that all proceedings must comply with the provisions of the Canons of the Episcopal Church.	

1 **CANON I**

2  
3 **Members of Diocesan Convention**

4  
5 **Section 1. a.** The Bishop of the Diocese is the Ecclesiastical Authority of the Diocese and the  
6 presiding officer of the convention. If there is no Bishop Diocesan, or if the Bishop Diocesan is  
7 temporarily unable to serve, the Bishop Coadjutor is the Ecclesiastical Authority. If there is no  
8 Bishop Diocesan or Coadjutor, the Standing Committee is the Ecclesiastical Authority. When  
9 the Bishop Coadjutor, Bishop Suffragan or Standing Committee is acting as the Ecclesiastical  
10 Authority, they shall have all of the authority and responsibilities granted and assigned to the  
11 Bishop by these Canons.

12  
13 **b.** Clergy Members of Convention are those persons who are duly licensed and ordained as  
14 presbyters and deacons pursuant to the provisions of the Constitution and Canons of the  
15 General Convention of the Episcopal Church, are in good standing in the Episcopal Church,  
16 and are canonically resident in the Diocese of Southwest Florida.

17  
18 **c.** Clergy, as defined in Section 1.b. above, who are presbyters that have been called, subject  
19 to the provisions of Diocesan Canon VI, to serve a Congregation that is a member of this  
20 Diocese, who are serving pursuant to a written agreement with that Congregation, and who are  
21 not retired from active service, are Members of Convention with the right to seat, voice and  
22 vote.

23  
24 **d.** Clergy, as defined in Section 1.b. above, who are presbyters that have been called, subject  
25 to the provisions of Diocesan Canon VI, to serve a Congregation that is a member of this  
26 Diocese, who are serving pursuant to a written agreement with that Congregation, and who are  
27 retired from active service but pursuant to the provisions of Canon III.9.7 of the Episcopal  
28 Church, as amended, are Members of Convention with the right to seat, voice and vote.

29  
30 **e.** Clergy, as defined in Section 1.b. above, who are presbyters and who serve by appointment  
31 of the Bishop as a Canon, Archdeacon, missionary, chaplain, or Church Army Officer in charge  
32 of a Congregation under the direction of the Bishop, as a member of the clergy in charge of an

33 Associated Worshiping Community, or as an instructor of youth in an institution of learning  
34 governed by Diocesan Canon XVI, or as a chaplain on active duty in the Armed Forces of the  
35 United States of America, are Members of Convention, with seat, voice and vote.

36  
37 **f.** Clergy, as defined in Section 1.b. above, who have retired from active service, and all  
38 deacons, are Members of Convention with the right to seat and voice.

39  
40 **g.** The Bishop of the Florida-Bahamas Synod of the Evangelical Lutheran Church in America is  
41 an honorary Member of Convention with the right to seat and voice.

42  
43 **h.** A member of the clergy who is an ordained presbyter in good standing with a denomination  
44 with which the Episcopal Church has an agreement for the exchange of clergy, who has been  
45 called, subject to the provisions of Diocesan Canon VI, to serve a Congregation that is a  
46 member of this Diocese, and who is serving pursuant to a written agreement with that  
47 Congregation, shall be granted the right to seat, voice and vote at the Convention provided  
48 there is no Clergy Member of Convention, as that term is defined in section 1.c., 1.d., or 1.e. of  
49 this Canon, serving the Congregation.

50  
51 **Section 2. a.** Lay Members of Convention are those persons who have been duly selected as  
52 Lay Delegates and Alternate Delegates to Convention, and those who are entitled to  
53 membership in Convention under specific provisions in these Canons.

54  
55 **b.** Lay Delegates to Convention are Members of Convention with the right to seat, voice and  
56 vote.

57  
58 **c.** Alternate Delegates to Convention are Members of Convention with the right to seat. In the  
59 event a Lay Delegate from a Congregation is unable to attend all or part of a meeting of the  
60 Convention, an Alternate Delegate from that Congregation shall serve and shall have seat,  
61 voice and vote.

62  
63 **d.** Those entitled to membership in Convention under specific provisions in these Canons shall  
64 have the rights as stated in the relevant Canon.

65

66 **Section 3. Convention Roster and Credentials. a.** Not later than eighty (80) days prior to the  
67 scheduled date of any annual meeting of the Convention, and not less than fifteen (15) days  
68 prior to the scheduled date of a special meeting of the Convention, the Bishop shall provide for  
69 the preparation of a preliminary roster of the Members of Convention. This roster shall include  
70 the names of the Lay Delegates and Alternate Delegates selected pursuant to Canons II and  
71 VIII, the clergy entitled to a seat, and all other persons entitled to a seat pursuant to the  
72 Constitution and Canons of the Diocese. The roster shall state the level of participation to  
73 which the Member is entitled. The roster shall be distributed to each Congregation, each  
74 member of the clergy, and the elected and appointed officeholders of the Diocese. Any  
75 corrections, additions or replacements, with any required supporting documentation, shall be  
76 provided to the Bishop not later than thirty (30) days prior to the scheduled date of any annual  
77 meeting of the Convention, and not less than seven (7) days prior the scheduled date of a  
78 special meeting of the Convention.

79  
80 **b.** If the Bishop does not agree with a requested correction, addition or replacement, the  
81 person and Congregation involved shall be notified of the dispute not later than fifteen (15)  
82 days prior to the scheduled date of any annual meeting of the Convention, and not less than  
83 three (3) business days prior the scheduled date of a special meeting of the convention, and  
84 the person and Congregation shall have forty-eight (48) hours to respond with any additional  
85 information for the Bishop to consider. The Bishop shall then determine the matter and the  
86 decision shall be final and non appealable.

87  
88 **c.** Not less than one (1) week prior to the scheduled opening of any Annual meeting of the  
89 Convention, and one (1) day prior the scheduled opening of any special meeting of the  
90 Convention, the Bishop shall provide for the preparation of a final roster of the clergy and lay  
91 Members of Convention, which shall be delivered to the Credentials Committee. This roster  
92 shall state the level of participation to which each Member is entitled. The Credentials  
93 Committee shall utilize this roster to register all of the Members of Convention attending the  
94 Convention. At the opening session of the Convention, The Credentials Committee shall report  
95 on whether a quorum has been established, stating the total number of Members of  
96 Convention, by orders, and the total number of the Members of Convention in attendance, by  
97 orders.

98

99 d. For purposes of this section, proper distribution and response shall include any means  
100 reasonably calculated to give actual notice to the person and Congregation involved, including  
101 electronic mail or media, telephone, facsimile, and correspondence.  
102

103 **Section 4. a.** It is the duty of every Member of the Convention to attend every meeting of the  
104 Convention.  
105

106 b. Lay Delegates and Alternate Delegates shall serve at all meetings of the Convention until  
107 the delegate resigns or until the delegate's successor takes office in accordance with these  
108 Canons. Notice of the identity of the new delegate shall be provided to the Bishop in  
109 accordance with Canons II and VIII.  
110

111 c. Lay Delegates and Alternate Delegates who cannot attend a scheduled meeting of the  
112 Convention immediately shall inform the member of the clergy in charge of the Congregation,  
113 and wardens of the Congregation, so that a replacement may be selected.  
114

115 d. Clergy canonically resident in this Diocese who cannot attend a scheduled meeting of the  
116 Convention immediately shall inform the Bishop and provide the reason for the absence.  
117

118 e. Clergy canonically resident in this Diocese but who have retired from active service are not  
119 required to be present at the meetings of the Convention.  
120

121 **Section 5. a.** The selection of Lay Delegates and Alternate Delegates to serve as members of  
122 the Convention shall be made by the Congregation, unless otherwise specified by the bylaws  
123 of the Congregation. If the Congregation's bylaws specify that selection is to be made by  
124 Congregational election, the electors must have the qualifications as set forth in Canon VII.  
125

126 b. A Lay Delegate or Alternate Delegate must be a qualified elector of a Congregation as set  
127 forth in Diocesan Canon VII.  
128

129 c. If a Lay Delegate or Alternate Delegate resigns or gives notice that he or she is unable to  
130 attend a meeting of the Convention, the vacancy shall be filled in accordance with the bylaws  
131 of the Congregation. If the bylaws do not specify the manner for filling a vacancy, the member

132 of the clergy in charge of the Congregation, or if there is no member of the clergy in charge of  
133 the Congregation available, the wardens, shall appoint a replacement. The identity of the  
134 replacement immediately shall be provided in writing to the bishop in a document signed by the  
135 member of the clergy in charge of the Congregation, if available, or the wardens if not, and the  
136 secretary of the governing board.

1 **CANON II**

2  
3 **Proceedings of the Convention**

4  
5 **Section 1. Rules of Order.** The proceedings of the Convention shall be governed by the  
6 Constitution and Canons of the Diocese and by Rules of Order for the Convention approved by  
7 Diocesan Council and adopted by the Convention. The Rules of Order for the Convention shall  
8 be adopted by resolution as the first order of business and shall continue in force for any  
9 subsequent meeting of the Convention except as amended by resolution. In all matters not  
10 specifically covered by the Constitution and Canons and Rules of Order for the Convention,  
11 the functioning and dispatch of business at any Convention shall be governed by Robert's  
12 Rules of Order, using the most current and revised edition immediately available to the  
13 Convention.

14  
15 **Section 2. Voting. a.** Each Member of Convention entitled to vote shall comply with the  
16 following provisions regarding voting:

17  
18 **1.** On ballots regarding all matters except elections, the Member shall be entitled to cast one  
19 (1) vote during each vote taken.

20  
21 **2.** On a ballot to elect a person to fill an office or position, each Member is entitled to cast one  
22 (1) vote for each vacancy. If more than one vacancy for a position is to be filled on the same  
23 ballot, the Member may cast one (1) vote for each vacancy, but may not cast more than one  
24 (1) vote for a single person standing for election to that position.

25

26 **b.** The Presiding Officer of the Convention shall appoint tellers to count the votes taken at a  
27 meeting of the Convention. The tellers shall count only the valid votes cast to determine the  
28 number of votes cast.

29  
30 **c.** The vote required to pass any resolution or take other action shall be a simple majority of  
31 the votes cast unless the Constitution, Canons, or any applicable Rules of Order require a  
32 higher percentage for a particular action.

33  
34 **d. 1.** The vote required to elect a person to any office or position shall be by the highest  
35 number of votes cast for each office, provided that a candidate receives at least a majority of  
36 the votes cast.

37  
38 **2.** When a particular office has more than one position to be filled by election, those candidates  
39 receiving the highest number of votes in excess of fifty percent (50%) of the votes cast shall be  
40 deemed elected. Unless otherwise specified in the nomination, if the length of the term of  
41 service for the vacant positions are not the same, the person with the highest number of votes  
42 over fifty percent (50%) shall be elected to the position with the longest term, the person with  
43 the next highest number of votes over fifty percent (50%) shall be elected to the position with  
44 the next longest term, and so on until all of the positions are filled. Once a position is filled by  
45 election, the number of votes on subsequent ballots for remaining positions shall not affect the  
46 results of the previous ballots.

47  
48 **3.** If after the second ballot or subsequent ballots there remain one or more open positions for  
49 a particular office because the candidates have not received at least a majority of the votes  
50 cast, the positions still vacant may be filled by a plurality vote when authorized prior to the next  
51 round of balloting by two-thirds (2/3) of the Members of the Convention present and voting.

52  
53 **4.** The Convention may conduct other business while the votes for election to offices or  
54 positions are being counted; however, balloting may interrupt any other business until all  
55 offices or positions are filled. Voting shall continue until all of the offices and positions for which  
56 there are nominees are filled.

57  
58 **5.** This Canon shall not apply to the election of a bishop.

59

60 **Section 3. Effective Date. a.** Persons elected to office by the Convention shall take office  
61 immediately upon the adjournment of the meeting of the Convention.

62

63 **b.** A resolution, including an amendment to the Canons or any other action approved by the  
64 Convention, shall be effective immediately unless the language of the resolution, amendment  
65 or other action specifies a later time.

66

67 **Section 4. Convention Committees.** Subject to the provisions of Diocesan Canon V,  
68 Diocesan Council shall appoint the following committees to ensure the orderly transaction of  
69 the annual meeting of the Convention, and may appoint one or more of these committees for  
70 any special meeting of the Convention:

71

72 **a.** A Program Committee that is charged with preparing for the efficient conduct of the  
73 business of the Convention. Subject to review and approval by Diocesan Council, the Program  
74 Committee shall have the responsibility of proposing Rules of Order for the Convention, a  
75 preliminary agenda, and developing efficient balloting procedures. The Program Committee  
76 members shall include, at a minimum, the Presiding Officer of the Convention or a person  
77 appointed by the Presiding Officer to serve as a surrogate, the Secretary of the Convention, a  
78 member of the Committee on Constitution and Canons, a member of the Commission on  
79 Liturgy and Music, and the person designated by the Bishop to coordinate the events and  
80 facilities attendant to the meeting of the Convention. Diocesan Council may appoint such other  
81 people to the Program Committee as it deems appropriate.

82

83 **b.** A Nominating Committee that is charged with developing a slate of candidates for the  
84 various elections that may be held at a meeting of the Convention. The Committee shall be  
85 charged with nominating candidates representative of the Diocese. The Committee shall  
86 consist of seven (7) persons, one (1) from each deanery, plus the chair, who shall be a clergy  
87 Member of Convention or a Elector, and who shall be named by Diocesan Council.

88

89 **1.** No later than seven (7) months prior to the scheduled date of the annual meeting of the  
90 Convention, the Committee shall circulate a request to all Congregations and Deaneries for  
91 names of persons to be nominated to positions to be filled by Convention.

92

93 **2.** The Committee shall review the information about the persons identified by the Committee  
94 as potential candidates, including all whose names are submitted to the Committee at least  
95 ninety (90) days prior to the scheduled date of the annual meeting of the Convention, to  
96 determine whether the person has the canonical qualifications to serve. If the person has the  
97 canonical qualifications, and has agreed to stand for election, the person shall become a  
98 candidate.

99

100 **3.** The committee shall report the names of all candidates to the Secretary of the Convention  
101 not later than sixty (60) days prior to the scheduled date of the annual meeting of the  
102 Convention. In this report the Committee shall include information about the candidates to  
103 facilitate an informed choice by the Convention, but shall not make any recommendations or  
104 endorsements of the candidates.

105

106 **4.** Nothing in this Canon shall be construed to prevent candidates from being nominated in  
107 other ways as permitted in the Constitution and Canons of this Diocese.

108

109 **5.** If one or more elections will be held at a special meeting of the Convention called pursuant  
110 to Article IV of the Diocesan Constitution, the Diocesan Council shall establish an appropriate  
111 schedule for the Committee to complete the duties described in this Section. This schedule  
112 need not comply with the time limits set forth in this Section.

113

114 **c.** A Resolutions Committee that is charged with ensuring that proposed resolutions coming  
115 before the Convention comply with the requirements of the Constitutions and Canons of the  
116 Episcopal Church and this Diocese, are not redundant, and are stated in clear and consistent  
117 language. The Committee shall consist of four (4) persons plus the chair, who shall be named  
118 by Diocesan Council. The Committee shall consider all proposed resolutions properly coming  
119 before the Convention that have been submitted in a timely manner under these Canons and  
120 that are not within the responsibility of the Committee on Constitution and Canons. It shall be  
121 the duty of the Committee:

122

123 **1.** to resolve duplicative or substantially similar proposed resolutions into a single proposed  
124 resolution, doing so in consultation with the resolutions' sponsors;

125

126 **2.** to make such editorial or stylistic corrections as do not affect the substance of proposed  
127 resolutions, doing so in consultation with the resolutions' sponsors to ensure that no distortion  
128 of the intended meaning has occurred; and

129

130 **3.** to report on proposed resolutions that have been validly submitted to Convention. The report  
131 may include the following recommendations:

132

133 **(a)** a recommendation that a proposed resolution be passed; in which case the Committee  
134 shall state its reasons;

135

136 **(b)** a recommendation that a proposed resolution be defeated, in which case the Committee  
137 shall state its reasons;

138

139 **(c)** a statement that a proposed resolution will be reported to the floor without comment by the  
140 Committee.

141

142 **d.** A Credentials Committee, consisting of not fewer than four (4) people, that is responsible for  
143 registering all persons attending any meeting of the Convention, assisting the Bishop in  
144 determining the applicable level of credentials held by an individual, and making the reports to  
145 Convention required in Diocesan Canon I. Members of the Credentials Committee shall be  
146 named by Diocesan Council and may include any person deemed suitable by the Council,  
147 including employees of the Diocese.

148

149 **Section 5. Severability.** Should any of the Canons of this Diocese be found or declared to be  
150 invalid or ineffective for any reason, only the provisions specifically found or declared to be  
151 invalid or ineffective shall cease to be operative, and the remaining terms and provisions of the  
152 Canons shall continue in full force and effect.

1 **CANON III**

2  
3 **Secretary of the Convention**

4  
5 **Section 1.** The duties of the Secretary shall be to take minutes of the proceedings of the  
6 Convention; prepare and distribute the Journal of any meeting of the Convention; preserve the  
7 Convention's Journals and records; attest the public acts of the body; and faithfully deliver into  
8 the hands of a successor all property, moneys, books, and papers relative or belonging to the  
9 Diocese, which may be in the Secretary's possession. The Secretary shall distribute a copy of  
10 the Journal of the Convention to each officer of the Diocese, each chair of a committee of the  
11 Convention, the Diocesan Chancellor and Vice Chancellors, each member of the clergy of the  
12 Diocese, each Congregation of the Diocese, and to others who request one in advance. The  
13 Journal may be distributed in any format approved by Diocesan Council, including electronic  
14 mail or media, and conventional publication.

15  
16 **Section 2.** The Secretary shall transmit to the proper officers a certificate of the election of  
17 Deputies to the General Convention, and to the Provincial Synod.

18  
19 **Section 3.** The Secretary shall be responsible for ensuring that each Congregation and each  
20 Member of Convention receive at least thirty (30) days' prior notice of the time and place  
21 appointed for any meeting of the Convention.

22  
23 **Section 4.** The Secretary shall perform such other duties as may be incumbent on the office or  
24 as may be provided for by the Convention and shall receive such compensation for services as  
25 Diocesan Council may determine.

26  
27 **Section 5.** The Secretary may, with the approval of the Bishop, appoint one or more persons  
28 to serve as an Assistant Secretary.

1 **CANON IV**

2  
3 **Standing Committee**

4  
5 **Section 1.** The Convention annually shall elect to the Standing Committee the number of  
6 members as set forth in this Canon.

7  
8 **Section 2.** The Standing Committee shall consist of five (5) presbyters and four (4) lay  
9 persons, the term of office of each to be three (3) years. No member, either clergy or lay, shall  
10 serve more than two (2) consecutive three (3) year terms. Members' terms of office shall be  
11 staggered so that the Convention shall elect annually three (3) members of the Standing  
12 Committee. Of those three (3), at least one (1) shall be a member of the clergy and at least  
13 one (1) shall be a member of the laity.

14  
15 **Section 3. Qualifications for Office. a.** Clergy members must be Members of Convention  
16 with the right to seat, voice and vote pursuant to Diocesan Canon I, Section 1.

17  
18 **b.** Lay members must be electors of a Congregation and domiciled in the Diocese. A lay  
19 member of the Standing Committee is a Member of Convention *ex officio*, without vote.  
20 Provided, however, that a lay member who also serves a Congregation as one of its Lay  
21 Delegates is entitled to vote at Convention.

22  
23 **c.** If the formation of an Episcopal Election Committee has been assented to by the  
24 Convention pursuant to Diocesan Canon XXI, and a member of the Standing Committee, or a  
25 member's spouse, parent or child, permits his or her name to be submitted to the Episcopal  
26 Election Committee for consideration as a candidate for bishop as either a nominee or a  
27 candidate by petition, the member shall recuse and absent himself or herself from any  
28 discussion, deliberation or vote on any matter coming before the Standing Committee that  
29 relates to the Episcopal Election Committee or the Convention to Elect a Bishop until the  
30 member, or the member's spouse, parent or child, is no longer a possible candidate, or until  
31 the duties of the Episcopal Election Committee have ended, whichever occurs first.

33 **Section 4.** Vacancies in the Committee's membership, occurring by death or otherwise, may  
34 be filled by the Committee until the next Annual Convention, when the vacancy for the  
35 remainder of the term shall be filled by election of the Convention, in addition to the elections  
36 required under Section 2 of this Canon.

37  
38 **Section 5.** The Committee, at its first meeting after the annual meeting of the Convention,  
39 shall choose a President, Secretary, and other officers from among its members. The  
40 Secretary shall keep a full record of all transactions of the Committee and shall maintain all  
41 documents submitted to the Committee in the performance of its official duties. Five (5)  
42 members of the Committee shall constitute a quorum for the transaction of business after due  
43 notice of a meeting is given all members.

44  
45 **Section 6. 1.** The Standing Committee shall be a council of advice to the Bishop, to be  
46 summoned by the Bishop whenever its advice is desired; it may of its own accord advise the  
47 Bishop when it considers it needful to do so.

48  
49 **2.** The records of transactions of the Committee kept by the Secretary, and the documents  
50 submitted to the Committee in the performance of its official duties, shall be subject at all times  
51 to the examination by the Bishop and the Convention. All other proceedings of the Committee  
52 shall be strictly confidential unless the Bishop and the Committee shall determine otherwise.

53  
54 **3.** The prior written consent and approval of the Bishop and the Committee are required prior  
55 to the conveyance, transfer or encumbrance, in whole or in part, of any interest in any real  
56 property that has been designed or used for regular services of worship, whether or not  
57 consecrated, and that is owned or controlled by the Diocese, or a Congregation, or a Related  
58 Organization.

1 **CANON V**

2  
3 **Diocesan Council**

4  
5 **Section 1.** The Diocesan Council, subject to the provisions of the Constitutions and Canons of  
6 the Episcopal Church and this Diocese and the direction of the Convention, shall have  
7 oversight of the work of the Diocese, and of such other work as may be submitted to it by the  
8 Convention of the Diocese. The Bishop shall be executive head of all such work, and the  
9 Council shall assist the Bishop in fulfilling the duties and responsibilities of that office. A lay  
10 member of Diocesan Council is a Member of Convention *ex officio*, without vote. Provided,  
11 however, that a lay member who also serves a Congregation as one of its Lay Delegates is  
12 entitled to vote at Convention.

13  
14 **Section 2.** The Diocesan Council, hereinafter called the Council, shall be the Board of  
15 Directors of the Corporation of the Diocese.

16  
17 **Section 3.** The Council shall be composed of the following:

18  
19 **a.** The Bishop;

20  
21 **b.** Any Bishop Coadjutor, any Bishop Suffragan, the President of the Standing Committee, and  
22 the Chancellor of the Diocese, *ex officio*;

23  
24 **c.** One (1) presbyter and two (2) laypersons, each elected by the Convention for a two (2) year  
25 term. The terms shall be staggered so that the presbyter and laypersons are elected on  
26 alternate years at the annual meeting of the Convention; and

27  
28 **d. 1.** One (1) presbyter and one (1) lay person from each Deanery of the Diocese, who shall be  
29 elected at a Deanery convocation for a two (2) year term and confirmed by the Convention.  
30 The terms shall be staggered so that the Deanery elects one (1) person each year.

32 2. If a new Deanery is established, a Deanery Convocation shall be held within one (1) month  
33 to elect members of the Council. The initial term of the presbyter shall expire at the next annual  
34 meeting of the Convention. The election of the lay person shall be confirmed at the next annual  
35 meeting of the Convention, and the term shall expire at the subsequent annual meeting of the  
36 Convention.

37  
38 e. If the formation of an Episcopal Election Committee has been assented to by the  
39 Convention pursuant to Diocesan Canon XXI, and a member of the Diocesan Council, or a  
40 member's spouse, parent or child, permits his or her name to be submitted to the Episcopal  
41 Election Committee for consideration as a candidate for bishop as either a nominee or a  
42 candidate by petition, the member shall recuse and absent himself or herself from any  
43 discussion, deliberation or vote on any matter coming before the Council that relates to the  
44 Episcopal Election Committee or the Convention to Elect a Bishop until the member, or the  
45 member's spouse, parent or child, is no longer a possible candidate, or until the duties of the  
46 Episcopal Election Committee have ended, whichever occurs first.

47  
48 **Section 4. a.** The Officers of the Diocese shall be the Bishop as President, with any Bishop  
49 Coadjutor, any Bishop Suffragan, and the President of the Standing Committee as Vice-  
50 Presidents. All other officers of the corporation shall be elected by the Council. In the absence  
51 of the President and Vice-Presidents, the Council shall elect one of its members to preside *pro*  
52 *tempore*. Any and all actions shall be by majority vote of a quorum, which shall consist of one  
53 (1) more than one-half (1/2) of the qualified voting members of the Council.

54  
55 b. At its first meeting after the annual meeting of the Convention, Council shall choose a  
56 Secretary who may be, but need not be, a member of the Council. The Secretary is  
57 responsible for maintaining all of the documents submitted to or generated by the Council, and  
58 shall keep a full record of all transactions of the Council and its committees. The records of the  
59 Council, and all papers officially in its possession, shall be subject at all times to the  
60 examination by the Bishop and the Convention.

61  
62 **Section 5.** Each year each of the Deaneries and the Convention shall elect a successor to the  
63 Council member whose term of office has expired. An elected member may serve no more  
64 than three (3) consecutive terms. Any election to fill an unexpired term shall, for calculation to

65 fill an additional term, be counted as a full term. The Council shall fill any vacancy of members  
66 elected by the Convention until the next annual meeting of the Convention, unless the seat  
67 becomes vacant fewer than six (6) months prior scheduled date of the annual meeting of the  
68 Convention of the year in which the term expires, in which case Council may, but is not  
69 required to, fill the vacancy. A Deanery shall hold a convocation to elect a person to fill any  
70 vacancy of a member elected by the Deanery, unless the seat becomes vacant fewer than six  
71 (6) months prior scheduled date of the annual meeting of the Convention of the year in which  
72 the term expires, in which case the Deanery Convocation may, but is not required to, fill the  
73 vacancy. Any vacancy filled by a Deanery Convocation shall be confirmed at the next annual  
74 meeting of the Convention.

75  
76 **Section 6.** At the first meeting of the Council following the annual meeting of the Convention,  
77 the Council shall meet to organize, elect necessary officers, appoint all necessary committees  
78 or agencies to implement the work of the Convention of the Diocese, and fulfill any special  
79 mandates or commissions of the Convention. The Council shall meet thereafter at least  
80 quarterly. Special meetings may be called by the Bishop or shall be called upon the request of  
81 any seven (7) members of the Council. No elected members of the Council may serve at the  
82 same time on either the Standing Committee or the Committee for Congregational  
83 Development.

84  
85 **Section 7. Reports to the Convention. a.** At least ten (10) days prior to the scheduled date of  
86 the annual meeting of the Convention, the Council shall submit the following reports to the  
87 Bishop, the Secretary of the Convention, every clergy Member of Convention, and the  
88 secretaries of the governing boards of every Congregation:

- 89  
90 1. an audited financial statement of the affairs of the Diocese for the past year; and  
91  
92 2. a proposed budget for the Diocese; and  
93  
94 3. a schedule showing the proposed apportionment against each Congregation to meet the  
95 cost of the proposed budget, and  
96  
97 4. a report of the activities of the Council for the preceding year, and

98

99 5. an analysis of the annual reports of the Congregations as made on the form required by the  
100 General Convention of the Episcopal Church.

101

102 **Section 8. Committees of the Council. a.** The Council shall establish committees as deemed  
103 necessary for the execution of its responsibilities. It may enlist the aid of persons not members  
104 of the Council to serve on any committee or assist in the performance of any function of the  
105 Council. The power of any committee or functionary shall be subject to and limited to the  
106 authority of the Council. With the approval of the Convention, the Council may form legal  
107 entities to assist the Council in its work and to manage funds, real property, personal property,  
108 intangible property, trusts, and to perform any other responsibilities for which the Council is  
109 accountable, such entities to have only managerial powers with all actions subject to the formal  
110 approval of the Council.

111

112 **b.** The Council shall form the following committees:

113

114 1. A Diocesan Finance Committee, which shall be charged with monitoring the fiscal  
115 operations of the Diocese, and reporting on them to the Council with any recommendations the  
116 Committee deems advisable. The Council may choose a Treasurer, who may be, but need not  
117 be, a member of the Council, to serve on the Diocesan Finance Committee and perform such  
118 other duties for the Diocese as assigned by the Council, and

119

120 2. The Convention committees as provided in Diocesan Canon I.

121

122 **Section 9.** Only the Council, acting upon recommendation by the Committee for  
123 Congregational Development, shall have the authority to amend, modify, or suspend any  
124 apportionments placed on Congregations.

125

126 **Section 10.** The prior written consent and approval of the Bishop and Diocesan Council are  
127 required prior to the conveyance, transfer or encumbrance, in whole or in part, of any interest  
128 in any real property owned or controlled by the Diocese, a Congregation, or a Related  
129 Organization.

130

131 **Section 11.** A Registrar shall be appointed by the Bishop and shall serve as an Assistant  
132 Secretary of the Council, without vote. In addition to the duties required by the Constitution, the  
133 Registrar shall keep the following information, which shall be made available to the Council  
134 upon request:

135  
136 **a.** A register listing the clergy who are canonically resident in the Diocese, those received and  
137 transferred, those ordained, and those suspended or deposed;

138  
139 **b.** A register of persons confirmed or received from other Communions;

140  
141 **c.** A record of marital judgments and of persons readmitted to the Sacraments in accordance  
142 with the provisions of the Constitution and Canons of the General Convention of the Episcopal  
143 Church.

144  
145 **Section 12.** The Council shall elect representatives of the Diocese, who shall be clergy  
146 Members of Convention in active service, or electors of a Congregation, to:

147  
148 **a.** The Synod of Province IV; and  
149  
150 **b.** Any other corporation, institution, organization, or other body with whom the convention of  
151 the Diocese recognizes an official relationship calling for representation from this Diocese,  
152 unless election by Convention is required by the Constitution or Canons.

153  
154 **Section 13.** The administration of the affairs of The Church Pension Fund in this Diocese shall  
155 be the responsibility of Diocesan Council, which shall ensure the performance of all necessary  
156 duties in accordance with the rules of The Church Pension Fund.

157  
158 **SECTION 14.** Subject to the approval of the Diocesan Council, the Bishop may appoint such  
159 Canons, Archdeacons, fiscal officers, assistants, aides, secretaries and other diocesan staff as  
160 may be needed to tend to the administration of the Diocese.

1 **CANON VI**

2  
3 **Clergy**

4  
5 **Section 1. a.** The Member of the clergy in charge of a Congregation in the Diocese shall be  
6 either:

7  
8 1. duly licensed and ordained as a presbyter pursuant to the provisions of the Constitution and  
9 Canons of the General Convention of the Episcopal Church, and be in good standing in the  
10 Episcopal Church; or

11  
12 2. a member of the clergy who is an ordained presbyter in good standing with a denomination  
13 with which the Episcopal Church has an agreement for the exchange of clergy.

14  
15 **b.** The member of the clergy in charge of a Congregation has the primary responsibility, duties  
16 and rights regarding all matters specified in Title III of the Canons of the Episcopal Church, as  
17 amended. Specifically, the member of the clergy in charge has full authority and responsibility  
18 for:

19 1. pastoral care;

20 2. worship and music,

21 3. Congregational programs;

22 4. charring meetings of the Congregation and the governing board;

23 5. supervising, hiring and dismissing staff;

24 6. the spiritual direction and control of all church schools, parish schools, and all other  
25 associations and Related Organizations connected with the Congregation;

26 7. ensuring compliance with the requirements regarding licensed ministries, as provided in the  
27 Canons of the Episcopal Church; and

28 8. decoration of the Congregation's property and facilities.

29  
30 **c.** During any planned absence of the member of the clergy in charge, it is the responsibility of  
31 the member of the clergy in charge to arrange for coverage of the Congregation's regularly-  
32 scheduled services and other needs for pastoral care. If the member of the clergy in charge is

33 paid wholly or in part by the Diocese, the approval of the Bishop must be received in advance  
34 of any absences that are in addition to, or longer than, those specified in any contract or letter  
35 of agreement entered into with the member of the clergy in charge.

36  
37 **d.** The member of the clergy in charge shall be subject to the rubrics of the Book of Common  
38 Prayer, the Constitutions and Canons of the Episcopal Church and the Diocese, the pastoral  
39 direction of the Bishop, and the laws of the State of Florida.

40  
41 **e.** The member of the clergy in charge shall have a written agreement with the Congregation  
42 governing the relationship between the clergyperson and Congregation. The written agreement  
43 shall specifically indicate the title and status of the member of the clergy in charge, in  
44 accordance with Section 2 of this Canon.

45  
46 **Section 2.** The written agreement and relationship between a Congregation and member of  
47 the clergy in charge shall specify the title of the member of the clergy in charge, in accordance  
48 with the following:

49  
50 **a. Rector of a parish:** a presbyter who is elected by the governing board of a parish in  
51 accordance with this Canon. A rector shall serve on a permanent basis; any termination of the  
52 pastoral relationship must be in accordance with the provisions of Title III of the Canons of the  
53 Episcopal Church, as amended.

54  
55 **b. Vicar of a mission:** a presbyter who is appointed by the Bishop with charge and  
56 responsibility for a mission. A vicar is eligible to become the rector when the mission becomes  
57 a parish.

58  
59 **c. Pastor of a parish:** a presbyter who enters an agreement between the governing board of a  
60 parish and the Bishop. A pastor is elected by the governing board to serve for a specified  
61 period of time, which may be renewed upon mutual agreement of all three parties for another  
62 specified period of time. The pastoral relationship may be terminated prior to the end of the  
63 specified period of time only with the consent of two out of the three parties. A pastor is eligible  
64 to become the rector.

65

66 **d. Priest-in-charge:** a presbyter who may be either of the following:

67  
68 1. A person appointed temporarily by the Bishop under the provisions of Diocesan Canon IX.  
69 An appointment under Canon IX shall be for up to one (1) year, and the person appointed is  
70 eligible to become a priest-in-charge by agreement as specified in the next paragraph.

71  
72 2. A person who enters a written agreement between the governing board of a parish and the  
73 Bishop to serve as a long-term interim, with a contract of one to three years, which may be  
74 renewed upon mutual agreement of all three parties for another specified period of time. A  
75 priest-in-charge is eligible to become the pastor or rector only if such a provision is agreed  
76 upon in the initial written agreement with the Congregation.

77  
78 **e. Interim pastor:** a presbyter who is trained for interim ministry who enters a contract with the  
79 governing board of a parish to serve for one (1) year, which may be renewed upon mutual  
80 agreement for another year while a search is being conducted. An interim pastor shall have a  
81 written agreement specifying the person's roles and responsibilities. With the Bishop's  
82 approval, the interim pastor may become the priest-in-charge, but under no circumstances can  
83 the interim pastor become the pastor or rector of that Congregation.

84  
85 **Section 3. Consociate Clergy.** In a Joint Congregation, formed in accordance with these  
86 Canons, the Congregation may call a person to serve as consociate clergy, who may be a  
87 bishop or presbyter in good standing with the Episcopal Church or a denomination with which  
88 the Episcopal Church has an agreement for the exchange of clergy. Consociate clergy shall be  
89 called and appointed utilizing the same search process used for a rector, and shall serve  
90 independently, on a permanent basis, and shall be considered to be the member of the clergy  
91 in charge as that term is used in the Constitution and Canons of the Diocese with regard to  
92 those rights, duties and responsibilities of the joint congregation that relate to the Diocese or  
93 the Episcopal Church, and shall not be considered an assistant pursuant to the Canons of the  
94 Episcopal Church, as amended. Consociate clergy are subject only to the Bishop or the  
95 equivalent judicatory authority of the denomination which ordained and supervises the  
96 consociate. Consociate clergy shall have the same rights and duties as set forth in Section 1 of  
97 this Canon.

98

99 **Section 4. a.** The member of the clergy in charge of any Congregation is, *ex officio*, a member  
100 of the Congregation's governing board and has the right to vote at all meetings of the  
101 governing board. The member of the clergy in charge, or another member of the  
102 Congregation's governing board designated by the member of the clergy in charge, shall  
103 preside at all the meetings of the Congregation's governing board and at the annual meeting  
104 and special meetings of the Congregation.

105  
106 **b.** Clergy Members of Convention, as defined in Diocesan Canon I, have the right to attend  
107 and vote at all meetings of the Congregation which they serve.

108  
109 **Section 5. a.** In accordance with the Constitution and Canons of the Episcopal Church, the  
110 member of the clergy in charge of a Congregation may appoint one or more assistant clergy.  
111 Assistant clergy may be bishops, presbyters, deacons, diaconal ministers, or other members of  
112 the clergy in good standing with the Episcopal Church or a denomination with which the  
113 Episcopal Church has an agreement for the exchange of clergy. Assistant clergy shall serve at  
114 the pleasure of the member of the clergy in charge, who shall be responsible for their  
115 supervision.

116  
117 **b.** The member of the clergy in charge of a Congregation may appoint one or more persons in  
118 good standing with any nationally recognized Christian denomination, whether in active service  
119 or retired, to serve a Congregation to provide assistance with specific, limited ministries such  
120 as visitation, education, counseling or other support of the duties of the clergy. Ministerial  
121 clergy may serve with or without remuneration or reimbursement of expenses, and shall serve  
122 at the pleasure of the member of the clergy in charge, who shall be responsible for their  
123 supervision. Ministerial clergy who are not ordained and licensed as a bishop, presbyter or  
124 deacon, or diaconal minister, or other member of the clergy in the Episcopal Church or in a  
125 denomination with which the Episcopal Church has an agreement for the exchange of clergy  
126 must be licensed by the Bishop prior to undertaking any of the functions or ministries specified  
127 in the Constitution and Canons of the Episcopal Church as requiring licensure.

128  
129 **c.** Clergy who are on the supply lists of the Diocese may be engaged to provide pastoral  
130 services on an occasional basis. With the prior approval of the Diocese, a Congregation may

131 engage the services of clergy on supply lists maintained by a denomination with which the  
132 Episcopal Church has an agreement for the exchange of clergy.

133  
134 **Section 6. a.** No person may serve a Congregation as clergy of any kind without the prior  
135 approval of the Bishop in accordance with the Constitutions and Canons of the Episcopal  
136 Church and of this Diocese.

137  
138 **b.** In the event a Congregation desires to call a rector, pastor, interim or consociate clergy, the  
139 Congregation's governing board shall notify the Bishop and comply with the requirements of  
140 the Constitutions and Canons of the Episcopal Church and this Diocese. The Congregation's  
141 governing board and the Diocese shall develop a mutually acceptable plan for calling a person  
142 to the position.

143  
144 **c.** In the event a Joint Congregation desires to call a rector, pastor or consociate clergy, the  
145 Congregation shall notify the Bishop and the equivalent judicatory authority of the other  
146 denomination, and comply with the requirements of the Constitutions and Canons of the  
147 Episcopal Church and this Diocese, and the governing provisions of the other denomination.  
148 The Joint Congregation, the Diocese, and the equivalent authority of the other denomination  
149 shall develop a mutually acceptable plan for calling a person to the position.

1 **CANON VII**

2  
3 **Congregational Governance**

4  
5 **Section 1. Annual Meeting.** A Congregation shall hold an annual meeting every year. Unless  
6 otherwise specified in the Congregation's bylaws, the annual meeting of the Congregation  
7 shall be within one hundred twenty (120) days before or on the twenty-eighth (28<sup>th</sup>) day of  
8 February.

9  
10 **Section 2. Bylaws. a.** A Congregation may adopt bylaws for the governance of the affairs of  
11 the Congregation. Bylaws that conflict with the provisions of the Constitution or Canons of the  
12 Episcopal Church shall be void. Unless these Canons grant specific authority to the

13 Congregation to adopt an alternative provision, bylaws that conflict with the provisions of the  
14 Constitution or Canons of this Diocese shall be void. Should any of the bylaws of a  
15 Congregation be found or declared to be invalid or ineffective for any reason, only the  
16 provisions specifically found or declared to be invalid or ineffective shall cease to be operative,  
17 and the remaining terms and provisions of the bylaws shall continue in full force and effect.

18  
19 **b.** A two-thirds (2/3) majority vote of the members of the Congregation present at a properly  
20 called and convened congregational meeting is necessary to adopt, amend or repeal any  
21 congregational bylaw, unless the bylaws of the Congregation impose a different requirement,  
22 in which case the bylaws of the Congregation shall govern.

23  
24 **c.** Unless and until a Congregation adopts bylaws in accordance with this Canon, the  
25 provisions of these Canons shall govern the affairs of the Congregation.

26  
27 **Section 3. Electors. a.** A lay communicant member of a Congregation who is sixteen (16)  
28 years of age or over, whose name is duly enrolled as such in the Register of the Congregation,  
29 who is regular in attendance at divine services, and who makes stated contributions of record  
30 to the general support of the Congregation, shall be a qualified elector entitled to vote in all  
31 congregational elections and regarding all matters that come before the Congregation for a  
32 vote.

33  
34 **b.** The vote of no person shall be questioned unless his or her right to vote shall be first  
35 challenged by a qualified elector. The bylaws of the Congregation shall provide that, in the  
36 event of such challenge, the right of such person shall be passed upon by an independent  
37 Qualifications Committee. If the Congregation's bylaws do not otherwise specify, the  
38 Qualifications Committee shall consist of three (3) electors appointed by the member of the  
39 clergy in charge, or in the event there is no member of the clergy in charge, by the governing  
40 board, and the findings of the Qualifications Committee shall be final and binding.

41  
42 **Section 4. Governing Board. a.** Each Congregation shall have a governing board, which may  
43 be called a vestry or board of trustees or similar name, according to the choice of the  
44 Congregation. To be qualified to serve on the governing board, a person must be an elector of  
45 the Congregation and eighteen (18) years of age or older.

46

47 **b.** The Congregation's bylaws shall specify the number of persons serving on the governing  
48 board, which must consist of at least five (5) electors. A majority of the members of the  
49 governing board must be selected by the Congregation.

50

51 **c.** The Congregation's bylaws shall specify the manner the Congregation will use to select  
52 persons to serve on the governing board and as Lay Members of Convention. Unless  
53 otherwise provided in the bylaws, selection shall be by election by a majority vote of the  
54 members of the Congregation present at a properly called and convened congregational  
55 meeting.

56

57 **d.** The Congregation's bylaws shall provide for the orderly succession of persons serving on  
58 the governing board. The bylaws shall provide that those elected to the governing board shall  
59 continue in office until their successors are elected and qualified. The bylaws shall provide for  
60 staggered terms of service so that approximately the same number of terms on the governing  
61 board are filled each year in rotation, and that no one person shall remain a member of the  
62 governing board for more than six (6) consecutive years. If a person has served on the  
63 governing board for any portion of six (6) of the previous seven (7) years, the person is not  
64 eligible to serve as a member of the governing board for two (2) years.

65

66 **e. Wardens.** The Congregation's bylaws shall provide for the selection of wardens of the  
67 Congregation. The Congregation's bylaws shall provide that the term of office for the wardens  
68 is one (1) year, and that a person may not serve as a warden for more than three (3)  
69 consecutive terms. Unless otherwise provided in the bylaws, the selection of wardens shall  
70 take place at the first meeting of the governing board after a congregation's annual meeting, as  
71 follows:

72

73 **1.** The member of the clergy in charge shall appoint one (1) member of the governing board to  
74 serve as the Senior Warden. If the Congregation does not have a member of the clergy in  
75 charge, the members of the governing board shall select the senior warden in the same  
76 manner as it selects the junior warden.

77

78 **2.** The members of the governing board shall select one (1) member of the governing board to  
79 serve as the Junior Warden. Unless otherwise provided in the bylaws, the selection of the  
80 junior warden shall be by majority vote of the members of the governing board.

81  
82 **f. Officers. 1.** The governing board shall annually select a secretary, who need not be a  
83 member of the Congregation. The secretary shall ensure that the minutes of governing board's  
84 proceedings are taken and reported, attest to the public acts of the governing board, preserve  
85 all records and papers belonging to the Congregation, perform such other duties as shall be  
86 legally assigned, and faithfully deliver into the hands of a successor all books and documents  
87 of the Congregation that may be in the secretary's possession.

88  
89 **2.** The governing board shall annually select a treasurer, who need not be a member of the  
90 Congregation, to perform the duties incumbent upon that office. The treasurer shall furnish a  
91 bond of suitable amount. The books and accounts shall be audited annually and at any other  
92 time the governing board may direct. The offices of secretary and treasurer may both be held  
93 by the same person.

94  
95 **g.** The governing board shall hold an annual meeting every year. Unless otherwise specified in  
96 the Congregation's bylaws, the annual meeting of the governing board shall be held within two  
97 (2) weeks after the annual meeting of the Congregation. In accordance with the  
98 Congregation's bylaws and this Canon, at its annual meeting the governing board shall turn  
99 over the affairs of the Congregation to the newly selected members of the governing board.

100  
101 **h.** The governing board may hold other meetings at the times specified in the Congregation's  
102 bylaws. In all cases, a meeting may be called by the member of the clergy in charge or the  
103 senior warden. Unless a different number is specified in the Congregation's bylaws, a meeting  
104 of the governing board may also be called at the joint request of two (2) or 25 percent (25%) of  
105 the governing board's members, whichever is the greater number. In the case of a Joint  
106 Congregation, consociate clergy may also call a meeting of the governing board. In the sole  
107 discretion of the Bishop, the Bishop may at any time call a meeting of the governing board of  
108 any Congregation and preside at such meeting.

109

110 **Section 5. Responsibilities of the governing board. a.** It shall be the duty of the wardens  
111 and governing board to protect the properties of the Congregation and to see that all things  
112 needed for the orderly worship of God and for the administration of the Sacraments and  
113 Ordinances of the Church be provided. Unless otherwise provided in the Congregation's  
114 bylaws, in the absence of the member of the clergy in charge, or at the request of the member  
115 of the clergy in charge, the senior warden shall preside at the meetings of the governing board,  
116 and in the absence of both, the junior warden shall preside.

117  
118 **b.** It shall be the duty of the governing board to take charge of the real and personal properties  
119 of the Congregation and keep the same fully insured, to provide for the remuneration and  
120 reimbursement of the clergy and other ministers and employees serving the Congregation, to  
121 prepare a budget providing for the necessary requirements and expenditures of the  
122 Congregation, to regulate all its temporal concerns, to keep order in the church during the  
123 celebration of Divine worship, and, in general, to act as helpers in whatever is appropriate to  
124 lay persons for the furtherance of the Church's welfare.

*t*

## CANON VIII

### Congregational Registers and Reports

1  
2  
3  
4  
5 **Section 1.** Every Congregation shall maintain a register in which the member of the clergy in  
6 charge of the Congregation, or, if there be none, one of the wardens, shall cause to be  
7 recorded:

8  
9 **a.** Any baptism administered in the Congregation, including the name and date of birth of each  
10 person baptized; and, if a child, the names of the child's parents and sponsors.

11  
12 **b.** Any celebration and blessing of a marriage, and any blessing of a civil marriage, performed  
13 in the Congregation, including the date, names and addresses of the persons being married or  
14 whose civil marriage is being blessed, and the names and addresses of the witnesses to the  
15 marriage.

16

17 c. Any funeral or memorial service conducted in the Congregation or for a member of the  
18 Congregation, including the date and place of the service and, if known, the date and place of  
19 the burial.

20  
21 d. The person performing each of the offices or services listed above shall sign the register  
22 entry recording the event.

23  
24 **Section 2.** Every Congregation shall maintain a record of the following, which may be  
25 maintained in electronic form:

26  
27 a. All services held in the Congregation, which record shall show the date, time, place, and  
28 kind of service held, and the number of persons present, and the name or names of those  
29 officiating or preaching at the service.

30  
31 b. A list of all Communicants in the Congregation.

32  
33 **Section 3.** No later than March 1 of each year, the Congregation shall file an annual report  
34 with the Diocese that is signed by the member of the clergy in charge, if any, the secretary of  
35 the governing board, the senior warden, the junior warden, and the treasurer of the  
36 Congregation. The Congregation's annual report to the Diocese shall include the information  
37 as indicated below:

38  
39 a. A copy of the parochial report filed pursuant to Title I.6 of the Canons of the Episcopal  
40 Church, as amended; and

41  
42 b. A statement as to whether the premiums for the preceding fiscal year to The Church  
43 Pension Fund on account of the clergy of the Congregation have been fully paid; and

44  
45 c. A list of the persons selected to serve on the governing board for the following year,  
46 indicating the names of the persons selected to serve as senior warden, junior warden,  
47 secretary, treasurer or member of the governing board, together with a list of the persons  
48 selected to serve as Lay Delegates and Alternate Delegates to the Convention; and

49

- 50 **d.** A statement as to whether the diocesan apportionment(s) for the preceding calendar year  
51 have been fully paid; and  
52
- 53 **e.** A statement as to the amount of insurance coverage the Congregation has on its real and  
54 personal property, and the name of the insurance carrier; and  
55
- 56 **f.** Any other information requested by the Bishop, Diocesan Council, Standing Committee or  
57 Committee on Congregational Development, if the information is requested on or before  
58 January 15<sup>th</sup> of the year the annual report to the Diocese is to be filed, and  
59
- 60 **g.** If available, the annual audit for the previous year required by Diocesan Canon XIV; and  
61
- 62 **h.** For the purpose of enabling the Diocese to provide appropriate assistance to  
63 Congregations, an explanation of any problems, irregularities or delays the Congregation has  
64 experienced in complying with its canonical obligations.  
65
- 66 **Section 4.** A Congregation has the affirmative duty of notifying the Diocese of any problems,  
67 irregularities or delays the Congregation is experiencing that are not of a temporary nature,  
68 including, but not limited to, any time the Congregation, for a period of three (3) consecutive  
69 months:  
70
- 71 **a.** Is unable to meet its financial obligations, including provision for its clergy or other ministers  
72 or employees, or payment to The Church Pension Fund; or  
73
- 74 **b.** Is unable to pay its apportionment to the diocese; or  
75
- 76 **c.** Has a mid-cycle turnover in leadership of more than forty percent (40%) of the persons  
77 serving on the governing board of the Congregation; or  
78
- 79 **d.** Is unable to complete an audit that complies with the requirements of Diocesan Canon XIV.

1 **CANON IX**

2  
3 **Congregations**

4  
5 **Section 1. Definition of a Congregation.** As used in these Canons, a Congregation is a  
6 community of faith that:

7  
8 **a.** accedes to the Doctrine, Discipline, and Worship of the Episcopal Church, to the  
9 Constitution and Canons set forth by General Convention without exception, amendment,  
10 proviso or addition, and to the Constitution and Canons of this Diocese without exception,  
11 amendment, proviso or addition; and

12  
13 **b.** acknowledges and undertakes the responsibility of providing for the remuneration and  
14 reimbursement of its clergy, other ministers, and employees; its apportioned share of funding  
15 the Program and Budget as agreed at the Convention of the Diocese; the pension premiums  
16 for its clergy, and such other expenses as may be normally encountered in the operation of a  
17 Congregation; and

18  
19 **c.** has been accepted as a Member of the Diocese by the Members of Convention pursuant to  
20 the Constitution and Canons of the Diocese.

21  
22 **Section 2. a. Parishes and missions.** As used in the Constitution and Canons of this  
23 Diocese, the types of Congregations are as follows:

24  
25 **1.** A parish is a Congregation that is financially stable and self-sustaining and able to comply  
26 with the provisions of Section 1, paragraph b, of this Canon, and that has an average Sunday  
27 attendance of at least fifty (50) people. Subject to the provisions of Section 1, paragraph a. of  
28 this Canon, a parish has the right to govern its own affairs and call a rector to serve the  
29 Congregation.

30  
31 **2.** A mission is a Congregation that has an average Sunday attendance of at least fifty (50)  
32 people and that is under the direct authority of the Bishop.

34 **b.** A mission that desires to become a parish shall make application to the Committee for  
35 Congregational Development that includes the following:

36  
37 **1.** a resolution passed by the governing board of the mission approving the submission of the  
38 application; and

39  
40 **2.** an income statement, balance sheet, cash flow analysis, and any other financial information  
41 requested by the Committee, Diocesan Council or the Bishop that demonstrates the ability of  
42 the mission to be financially stable and self-sustaining and able to comply with the provisions  
43 of Section 1, paragraph b, of this Canon; and

44  
45 **3.** a narrative history of the worshipping community, including information on the lay leadership  
46 and average Sunday attendance, as well as any other information requested by the  
47 Committee, Diocesan Council or the Bishop.

48  
49 **4.** The Committee for Congregational Development shall review the application and undertake  
50 any investigation it deems advisable. The Committee shall make a recommendation on the  
51 application to Diocesan Council and the Bishop, stating the reasons for the recommendation.

52  
53 **5.** If the application is approved by both Diocesan Council and the Bishop at least thirty (30)  
54 days prior to the next scheduled meeting of the Convention, the application shall be  
55 considered for approval at that meeting of the Convention. Otherwise, the application shall be  
56 considered at the next meeting of the Convention.

57  
58 **c.** A Congregation's status may be changed from that of a parish to that of a mission only in  
59 accordance with Section 6 of this Canon.

60  
61 **Section 3. Application to become a Congregation. a.** A worshipping community that desires  
62 to become a Congregation shall submit an application to the Committee for Congregational  
63 Development that includes the following:

64

65 1. a resolution passed by the people affiliated with the worshipping community undertaking the  
66 affirmations in Section 1, paragraphs a and b; and stating whether the application is to become  
67 a parish or a mission; and

68  
69 2. an income statement, balance sheet, cash flow analysis, and any other financial information  
70 requested by the Committee, Diocesan Council, or the Bishop; and

71  
72 3. a narrative history of the worshipping community, including information on the leadership and  
73 average Sunday attendance, as well as any other information requested by the Committee,  
74 Diocesan Council or the Bishop; and

75  
76 4. a draft of the corporate charter to be filed with the State of Florida, or, if an existing  
77 corporate entity will be used, a copy of its charter and any other incorporation documents,  
78 including any amendments, which have been filed with the State of Florida, and any proposed  
79 amendments to the corporate filings.

80  
81 **b.** The Committee for Congregational Development shall review the application and undertake  
82 any investigation it deems advisable, including consultation with any Congregations of this  
83 Diocese near the applicant. The Committee shall make a recommendation on the application  
84 and charter to Diocesan Council and the Bishop. If the application and charter are approved by  
85 Diocesan Council and the Bishop, the application shall be submitted to the Convention for  
86 approval. If the Convention votes to approve the application and accept the applicant as a  
87 member of the Diocese, within fifteen (15) days the new Congregation shall file, with the State  
88 of Florida, its corporate charter or any proposed amendments to an existing corporate charter.

89  
90 **Section 4.** If a Congregation believes its mission would be better served by moving to a new  
91 location or operating an additional facility in a new location, the Congregation shall submit a  
92 proposal to the Committee for Congregational Development. The committee shall consult with  
93 the Congregation to ensure the proposal is fiscally and programmatically sound, and that any  
94 other Congregations of this Diocese within ten (10) miles have been given adequate  
95 opportunity to comment on the proposal. The Committee shall make a recommendation  
96 regarding the proposal to Diocesan Council and the Bishop, which shall have final authority

97 over whether to approve the proposal. This provision does not require a Congregation to  
98 obtain prior approval for temporary or occasional use of facilities.

99  
100 **Section 5. Joint Congregations. a.** With the prior approval of the Bishop and the Diocesan  
101 Council, a Congregation may enter into an agreement for joint ministry with a worshipping  
102 community affiliated with a denomination with which the Episcopal Church is in full  
103 communion. The agreement for joint ministry may range from routine sharing of facilities to full  
104 corporate merger. Each proposal for joint ministry shall be negotiated separately in accordance  
105 with the Constitution and Canons of the Episcopal Church and the governing provisions of the  
106 denomination of the other worshipping community.

107  
108 **b.** A Congregation that has entered into an agreement for joint ministry pursuant to this Canon  
109 shall retain its membership in the convention with all of the same rights, privileges,  
110 responsibilities and duties.

111  
112 **c.** A worshipping community that desires to become a Member of the Diocese as a joint  
113 congregation also affiliated with another denomination with which the Episcopal Church is in  
114 full communion shall simultaneously comply with Sections 2 and 4 of this Canon.

115  
116 **Section 6. Congregational support. a.** The Bishop and Diocesan Council are responsible for  
117 monitoring the general state of affairs of the Congregations of the Diocese and to provide  
118 appropriate resources, assistance, guidance, oversight and support to all Congregations. This  
119 may be of any type approved by the Bishop, including, but not limited to, consultation,  
120 mediation, financial assistance provided in accordance with this Canon, deployment of  
121 deacons, temporary assignment of clergy or a lay minister, and, in the case of a mission, the  
122 removal or replacement of one or more members of the governing board.

123  
124 **b.** The Bishop, with the concurrence of two-thirds (2/3) of Diocesan Council, shall make a  
125 referral to the Committee for Congregational Development for appropriate analysis,  
126 recommendation and advice when the Bishop becomes aware that a Congregation may need  
127 extraordinary assistance, guidance or support, based on:

128

- 129 1. information received in an annual or special report received pursuant to Diocesan Canon  
130 VIII, or  
131  
132 2. information received in a statement from the member of the clergy in charge, warden, or  
133 governing board of the Congregation, whether written, oral, electronic, or other form; or  
134  
135 3. a failure to file required reports with, or failure to pay its apportionment to, the Diocese in a  
136 timely manner; or  
137  
138 4. a failure or refusal to comply with the terms of a judgment rendered according to the  
139 provisions of Title III of the Canons of the Episcopal Church, as amended, relating to the  
140 pastoral relationship between the member of the clergy in charge and the Congregation or  
141 governing board; or  
142  
143 5. under exceptional circumstances as determined by the Bishop.  
144  
145 c. Any congregation that fails to file an annual audit by the deadline specified in Diocesan  
146 Canon XIV, or pay its full year's apportionment within thirty (30) days after the final annual due  
147 date, shall be referred by the Bishop to the Committee for Congregational Development  
148 without the concurrence of Diocesan Council.  
149  
150 d. Upon receiving a referral, the Committee for Congregational Development shall undertake  
151 an inquiry to determine the condition of the congregation, the background and causes for its  
152 current situation. The Committee shall make a report to the Bishop and Diocesan Council  
153 regarding its analysis and recommendations to resolve the issues facing the Congregation.  
154  
155 e. If the recommendation of the Committee for Congregational Development is that a referred  
156 Congregation receive financial assistance or extraordinary supervision from the Diocese in  
157 order to continue operating in accordance with the Constitution and Canons of the Episcopal  
158 Church or of this Diocese, and the Bishop and Diocesan Council both approve the  
159 recommendation, the Congregation, whether a parish or a mission, shall be considered a  
160 Supervised Congregation until Diocesan Council removes the designation.  
161

162 1. A Supervised Congregation shall be under the guidance of the Committee for  
163 Congregational Development and the Bishop on a year-by-year basis, as determined and  
164 approved by Diocesan Council. During this period, the Committee shall consult with and guide  
165 the Supervised Congregation in all facets of its mission, including its leadership and fiscal  
166 stability, and any other considerations, with the mutual goal of enabling the Supervised  
167 Congregation to become financially stable, self-supporting, and able to operate in accordance  
168 with the Constitution and Canons of the Episcopal Church and of this Diocese. During this  
169 period, a Supervised Congregation receiving financial assistance from the Diocese is not to be  
170 assessed an apportionment share, although the discipline of tithing to the Diocese is to be  
171 encouraged.

172  
173 2. The Bishop shall have the primary responsibility for oversight over all Supervised  
174 Congregations. If the Supervised Congregation does not have a member of the clergy in  
175 charge of it, the Bishop shall have the authority to appoint a priest-in-charge or a lay minister to  
176 serve the Congregation temporarily and, in the Bishop's sole discretion, to remove any  
177 appointed person.

178  
179 3. With the prior approval of the Bishop and Diocesan Council, a Supervised Congregation, in  
180 consultation with the Committee for Congregational Development, may call a person to serve  
181 as the member of the clergy to be in charge of the Congregation, using the usual Diocesan call  
182 process. The stipend and other compensation of a member of the clergy or a lay minister  
183 appointed or called to serve a Supervised Congregation, as well as any other financial  
184 assistance deemed advisable, shall be established by the Bishop and approved by Diocesan  
185 Council in consultation with the Committee for Congregational Development.

186  
187 4. The term Financial Assistance, as used in this Canon, does not include any diocesan or  
188 other funds awarded, granted or otherwise given to a Congregation, that were not part of the  
189 analysis and recommendation of the Committee for Congregational Development made  
190 pursuant to this Canon.

191  
192 5. A Supervised Congregation may be removed from that status upon the recommendation of  
193 the Committee for Congregational Development and the approval of Diocesan Council and the  
194 Bishop.

195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227

f. Upon approval of Diocesan Council and the Bishop, the status of a parish may be changed to that of a mission if the parish has been a Supervised Congregation for at least the three (3) prior consecutive years and the Committee for Congregational Development reports that it is not likely that within the next six (6) months the Congregation will become financially stable, self-supporting, and able to operate in accordance with the Constitution and Canons of the Episcopal Church and of this Diocese. An affirmative vote of two-thirds (2/3) of the Members of Convention voting at a meeting of the Convention shall be necessary to change the status of the parish to a mission.

**Section 7. Suspension or dissolution of a Congregation.** a. A Congregation may be suspended from membership in the Convention, or its membership in the Convention may be terminated and dissolved, only upon an affirmative vote by two-thirds (2/3) of the members of Diocesan Council and ratified by an affirmative vote by two-thirds (2/3) of the Members of Convention voting at a meeting of the Convention, and based only on grounds provided in this Canon.

b. Grounds for suspension or termination of membership in the Convention are:

1. a Congregation requests suspension or termination of membership in the Convention by a vote of two-thirds (2/3) of the members of record of the Congregation in a properly called and convened congregational meeting; or

2. the Committee for Congregational Development recommends suspension or termination of a Supervised Congregation's membership in the Convention because that Congregation is unable to become stable and self-sustaining, or because it is unable to operate in accordance with the Constitution and Canons of the Episcopal Church and of this Diocese, and that suspending or terminating the congregation's membership is in the best interests of the mission of the Diocese; or

3. a Congregation, in a duly called and convened congregational meeting, votes to rescind its accession to the Doctrine, Discipline, and Worship of the Episcopal Church, or to the Constitution and Canons set forth by General Convention without exception, amendment,

228 proviso or addition, or to the Constitution and Canons of this Diocese without exception,  
229 amendment, proviso or addition.  
230  
231 **c.** The title to all real and personal property of a Congregation whose membership in the  
232 Convention has been suspended, or terminated and dissolved, shall immediately vest in the  
233 Diocese.

1 **CANON X**

2  
3 **Associated Worshiping Communities**

4  
5 **Section 1.** To encourage new church plantings and the creation of innovative fellowships to  
6 engage in the mission and ministry of the Church, any group of at least twelve (12) persons  
7 may apply to the Committee for Congregational Development to form an Associated  
8 Worshiping Community.

9  
10 **Section 2.** In the application to the Committee for Congregational Development, the persons  
11 forming the Associated Worshiping Community shall affirm that: they accede to the doctrine,  
12 discipline and worship of the Episcopal Church; to the Constitution and Canons set forth by  
13 General Convention without exception, amendment, proviso or addition; and they submit to the  
14 authority of the Diocese and its Constitution and Canons without exception, amendment,  
15 proviso or addition.

16  
17 **Section 3.** Prior to providing its consent and support, the Committee for Congregational  
18 Development shall consult with at least one (1) Congregation geographically close to the  
19 applicant, and must consult with any Congregations of the Diocese located within ten (10)  
20 miles of the applicant's proposed primary location for worship. This consultation shall be for the  
21 purposes of determining the ways that an existing Congregation might support the Associated  
22 Worshiping Community with prayer, resources and fellowship. The application of the  
23 Associated Worshiping Community shall be approved provided it receives the positive  
24 recommendation of the Committee for Congregational Development, and the approval of the  
25 Bishop, Diocesan Council, and at least one (1) of the Congregations with which the Committee  
26 for Congregational Development consulted during the application process.

27

28 **Section 4.** The Bishop shall report to the annual meeting of the Convention regarding the  
29 Associated Worshiping Communities that have been formed during the previous year, and the  
30 nature of the ministry of each.

31

32 **Section 5. a.** An Associated Worshiping Community shall be under the direction of the  
33 Committee for Congregational Development and the Bishop for five (5) years. During this  
34 period, the Committee for Congregational Development shall consult with and guide the  
35 Associated Worshiping Community in its mission and ministry, including the choice of a name,  
36 formation of a governing board, fiscal stability, and any other considerations, with the mutual  
37 goal of enabling the associated worshiping community to become a Congregation. During the  
38 five (5) year period, the Associated Worshiping Community is not to be assessed an  
39 apportionment share, although the discipline of tithing to the Diocese is to be encouraged.

40

41 **b.** If the Associated Worshiping Community has not become a Congregation at the end of five  
42 (5) years, the Committee on Congregational Development shall make a recommendation to  
43 the Bishop and Diocesan Council as to whether the Associated Worshiping Community should  
44 remain in that status on a year-to-year basis, become an aided congregation, or should have  
45 its relationship with the Diocese terminated. The determination as to the status of the  
46 Associated Worshiping Community shall then be made by the Bishop with the approval of  
47 Diocesan Council.

48

49 **Section 6.** The Bishop shall be in charge of and have the primary responsibility for oversight  
50 over all Associated Worshiping Communities, with authority to appoint a member of the clergy  
51 or a lay minister to serve them and, in the Bishop's sole discretion, to remove any appointed  
52 person. The stipends and other compensations of a person appointed to serve an Associated  
53 Worshiping Community, as well as any other financial assistance deemed advisable, shall be  
54 established by the Bishop and approved by Diocesan Council in consultation with the  
55 Committee for Congregational Development.

56

57 **Section 7.** Except for membership in Convention, which is limited to electors belonging to  
58 Congregations, all of the rights, duties and responsibilities of these Canons are equally

59 applicable lay persons affiliated with an Associated Worshipping Community including, but not  
60 limited to, eligibility to serve in the various diocesan offices and positions.

61

1

## CANON XI

2

3

### Deaneries

4

5 **Section 1.** The Diocese shall be divided into Deaneries, the number and boundaries of which  
6 shall be determined by the Bishop with the advice of Diocesan Council. The presiding officer of  
7 each Deanery shall be a Dean appointed by the Bishop for a term of three (3) years. The  
8 Deanery Convocation shall be composed of:

9

10 **a.** All clergy Members of Convention, as defined in Diocesan Canon I, who are located in the  
11 Deanery. Clergy who reside in one deanery but serve a Congregation in another deanery are  
12 members of the deanery in which the Congregation is located; and

13

14 **b.** The Lay Members of Convention from each Congregation located in the Deanery; and

15

16 **c.** One (1) additional lay person selected by the governing board of each Congregation located  
17 in the Deanery.

18

19 **Section 2.** Each Deanery Convocation shall meet at least thirty (30) days, and not more than  
20 one hundred twenty (120) days, prior to the scheduled date of the annual meeting of the  
21 Convention, and may also meet any other time at the call of the Dean or of the Bishop.

22

23 **Section 3.** The purpose of each Deanery shall be to afford opportunity for the clergy and laity  
24 to come together for conferences, to initiate works and activities at the Deanery and  
25 Congregational levels, to promote the work and Mission of the Church, to identify nominees for  
26 the various diocesan offices and positions, to consider resolutions and other matters coming  
27 before a meeting of the Convention, and to carry out the work of the Diocese within the  
28 Deanery.

1 **CANON XII**

2  
3 **Ecclesiastical Court**

4  
5 **Section 1. Governance.** All proceedings of the Ecclesiastical Trial Court in and for the  
6 Diocese of Southwest Florida shall be conducted according to the Canons governing  
7 ecclesiastical discipline adopted by the General Convention of the Episcopal Church, as from  
8 time to time amended, which are incorporated by reference.

9  
10 **Section 2. Members and Organization. a.** The Ecclesiastical Trial Court shall consist of five  
11 (5) clergy Members of Convention and four (4) lay electors of Congregations.

12  
13 **b.** At each annual meeting of the Convention, three (3) persons shall be elected to serve on  
14 the Ecclesiastical Trial Court for a term of three (3) years. Persons elected shall be from each  
15 order as required to maintain the required make up of the Ecclesiastical Trial Court.

16  
17 **c.** Vacancies occurring within the membership of the Ecclesiastical Trial Court, whether  
18 permanent or temporary as the result of a successful challenge, shall be filled by majority vote  
19 of the remaining members of the court. A person elected to fill a vacancy must be from the  
20 same order as the person being replaced. Vacancies must be filled within three (3) months of  
21 notification of the vacancy unless sooner required by other provisions of the Canons of the  
22 Episcopal Church and this Diocese.

23  
24 **d.** Within two (2) months following the annual meeting of the Convention the members of the  
25 Ecclesiastical Trial Court shall elect from among themselves by majority vote one (1) person to  
26 serve as Presiding Judge for a one (1) year term.

27  
28 **e.** Within three (3) months following the annual meeting of the Convention the members of the  
29 Ecclesiastical Trial Court shall appoint an attorney licensed to practice in the state of Florida to  
30 serve as Church Attorney for a one (1) year term.

31  
32 **f.** All persons elected or appointed under this section are eligible to be re-elected or re-  
33 appointed upon the expiration of their terms.

34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
  
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

**g.** If the Ecclesiastical Trial Court is in session at the time of the annual meeting of the Convention, any new members elected to the Court shall not take office until the Court has concluded any trial then pending. Until the new members have taken office, the time requirements of subsections (d) and (e) shall be suspended.

**Section 3. Canons of the Episcopal Church.** The mode and manner of making charges, securing presentments, and of conducting trials shall be as prescribed by the Canons governing ecclesiastical discipline adopted by the General Convention of the Episcopal Church, as from time to time amended, which are incorporated by reference.

### **CANON XIII**

#### **Committee on Constitution and Canons**

**Section 1.** The Bishop shall appoint a Committee on Constitution and Canons, subject to confirmation by Diocesan Council. The purpose of the Committee is to make and review proposed amendments to the Constitution and Canons of the Diocese. The Committee shall consist of not less than six (6) and not more than nine (9) people who shall serve in staggered three (3) year terms. At least three (3) of the Committee members shall be clergy Members of Convention as defined in Diocesan Canon I, and at least three (3) shall be lay persons who are electors of a Congregation. The Bishop may appoint persons to serve any unexpired terms that become vacant, subject to confirmation by Diocesan Council.

**Section 2.** All matters relating to the Constitution and Canons of this Diocese, including any proposed changes, shall be referred to this Committee for consideration.

**a.** The Committee on Constitution and Canons is authorized to sponsor a resolution to adopt one or more proposed amendments to the Constitution and Canons. All such resolutions shall comply with the procedures in Diocesan Canon XVIII.

21 **b.** If the Committee determines that a proposed amendment to the Constitution or Canons  
22 should be reworded or made to conform to the constitution and canons, the Committee may  
23 work with the proponent of the proposed change to draft a mutually acceptable substitute  
24 proposed amendment. If a mutually acceptable substitute cannot be agreed upon and the  
25 proponent submits the proposed amendment in a resolution to the Convention, the Committee  
26 may submit an alternative proposed amendment, and both proposals shall be considered by  
27 the Convention.

## 1 **CANON XIV**

### 2 **Business Methods and Practices**

3  
4  
5 **Section 1.** It shall be the duty of all custodians of trusts and permanent funds maintained by  
6 the Diocese, a Congregation, or a Related Organization, to deposit the same in trust with a  
7 trust company or bank with trust powers, or with the Diocese. Diocesan custodians shall  
8 provide a full and detailed report on each fund at the annual meeting of the Convention, and  
9 custodians for Congregations and Related Organizations shall provide a full and detailed  
10 report of each fund at the annual meeting of that entity's governing board.

11  
12 **Section 2. Audits. a.** The fiscal records of every Congregation and every Related  
13 Organization shall be audited annually by a certified public accountant or an audit committee  
14 approved by the Congregation's governing board for the purpose of determining whether the  
15 accounts fairly reflect the performance of the duties and obligations of the entity audited. If a  
16 Congregation or Related Organization uses an approved audit committee, the committee shall  
17 be formed in compliance with guidelines established by the Diocesan Finance Committee and  
18 approved by Diocesan Council. Every auditor or approved audit committee performing their  
19 duties pursuant to this Canon shall prepare an audit report that shall be made in accordance  
20 with the format and guidelines established by the Diocesan Finance Committee and approved  
21 by Diocesan Council.

22  
23 **b.** Every auditor or approved audit committee performing their duties pursuant to this Canon  
24 shall file the annual audit report with the Bishop not later than thirty (30) days following the

25 date of the report, but in no event later than September 1 of each year. The report filed with the  
26 Bishop shall include any memoranda issued by the auditor or approved audit committee  
27 regarding internal control, allocation and accounting for receipts and disbursements or other  
28 accounting matters, together with a summary of action taken or proposed to be taken to  
29 correct deficiencies or implement recommendations contained in such memoranda.

30  
31 **Section 3.** All buildings and personal property owned by the Diocese, a Congregation, or a  
32 Related Organization, shall be insured with a reliable insurance company for an amount that  
33 complies with guidelines established by the Diocesan Finance Committee and approved by  
34 Diocesan Council. If appropriate insurance for real property cannot be secured within three (3)  
35 months of the date the property was acquired or the previous insurance policy ended, an  
36 application for an exemption from this requirement may be made to Diocesan Council. Any  
37 exemption granted shall expire one (1) year from the date Diocesan Council granted the  
38 request. Upon application, Diocesan Council may, in its discretion, renew the exemption.

39  
40 **Section 4.** The Bishop and Diocesan Council shall have authority to call for reports, including  
41 financial reports, from every Congregation or Related Organization.

42  
43 **Section 5.** Treasurers, congregational employees and custodians, other than banking  
44 institutions, who have custody of funds that exceed \$500 during a fiscal year, shall be  
45 adequately bonded.

46  
47 **Section 6.** All deeds, mortgages, hypothecations, assignments or other documents executed  
48 on behalf of the Congregation shall be signed by the member of the clergy in charge and the  
49 senior warden. If there is no member of the clergy in charge, the junior warden and the  
50 secretary of the governing board shall sign.

51  
52 **Section 7. a.** Congregations that maintain a columbarium, cemetery or memorial garden shall  
53 establish written policies regarding remains interred or maintained on the Congregation's  
54 property. These policies must be given, in writing, to all people at the time they arrange for the  
55 use of the Congregation's columbarium, cemetery or memorial garden. At a minimum, the  
56 policy must address the following:

57

58 1. In the case of a columbarium, the policy shall state the Congregation's expectations  
59 regarding refunds should the remains be removed by a representative of the deceased, or if  
60 the Congregation ceases to maintain the columbarium and intends to return the remains to a  
61 representative of the deceased.

62  
63 2. In the case of a memorial garden, the policy shall state that cremated remains placed in the  
64 ground in a memorial garden, whether or not the remains are placed in a container, are  
65 presumed to be unrecoverable in the future. The policy shall require people, at the time they  
66 arrange for the use of a memorial garden, to acknowledge, in writing, the non-recoverability of  
67 the remains, and to release the Congregation from any responsibility for attempting to locate or  
68 remove the remains in the future.

69  
70 b. If a Congregation intends to cease maintaining a columbarium, cemetery or memorial  
71 garden, it shall immediately notify the Bishop.

## CANON XV

### Commission on Ministry

1  
2  
3  
4  
5 **Section 1.** The Commission on Ministry of this Diocese shall consist of twelve (12) voting  
6 members, of whom six (6) shall be presbyters, two (2) shall be deacons, and four (4) shall be  
7 lay persons. Members shall be appointed by the Bishop, and confirmed by Convention. Terms  
8 shall be for a period of three (3) years. Terms shall be staggered with one-third (1/3) of the  
9 members being appointed annually. In the event of a vacancy, the Bishop shall appoint a  
10 replacement to fill the unexpired term. A person may serve two consecutive terms. He or she  
11 will then be eligible for reappointment after a period of one (1) year. In addition, one (1)  
12 member of the Standing Committee shall serve as liaison to the Commission on Ministry with  
13 seat and voice but without vote. This person shall be appointed by the Standing Committee.

14  
15 **Section 2.** The duties of the Commission on Ministry shall be those prescribed in the Canons  
16 of the Episcopal Church, as amended; and such other duties relating to the ministry of this  
17 Diocese as shall be assigned by the Bishop.

18

19 **Section 3.** The Commission on Ministry shall make a written report of its activities for the past  
20 year available at the annual meeting of the Convention.

21  
22 **Section 4.** No voting member of this Commission may serve on the Standing Committee  
23 during his or her term of office.

## 1 **CANON XVI**

### 2 **Schools**

3  
4  
5 **Section 1.** No school providing secular education for young people equivalent to that provided  
6 by kindergartens or any of the first twelve grades of the public school system and claiming to  
7 be with or under the control, auspices or approval of this Church shall be established by any  
8 Congregation or Related Organization without first obtaining the consent and approval of the  
9 Bishop and Diocesan Council. No school shall be operated or maintained by any Congregation  
10 or Related Organization without the continued approval of the Bishop and Diocesan Council.

11  
12 **Section 2.** The Bishop and Diocesan Council are authorized to make and provide minimum  
13 standards and requirements for the establishment, the approval, and the recognition of schools  
14 established and operated under the authority of this Canon, including reasonable probationary  
15 periods. If any school fails to meet the standards and requirements, the approval of the Bishop  
16 and Diocesan Council shall cease immediately.

17  
18 **Section 3.** The Bishop and Diocesan Council may require reports from all schools established  
19 and operated under the authority of this Canon and specify the information to be disclosed by  
20 such reports, and shall have the right to inspect, or cause to be inspected, such schools at any  
21 time.

1 **CANON XVII**

2  
3 **Council on Deacons**

4  
5 **Section 1.** The Bishop shall appoint a Council on Deacons for the Diocese to serve as an  
6 advisory body to the Bishop to oversee, study, and promote the life, work and ministry of the  
7 diaconate.

8  
9 **a.** Subject to the approval of the Bishop, the Council shall oversee the Diocese's program  
10 concerning the diaconate. This shall include study and recommendations regarding the  
11 discernment of a vocation to the diaconate, formation of deacons, letters of agreement  
12 between deacons and Congregations, general issues and policies concerning diaconal  
13 deployment, and education of clergy and Congregations on the appropriate role and scope of  
14 activity of deacons serving in a Congregation.

15  
16 **b.** The Council may make recommendations to the Commission on Ministry regarding  
17 recruitment, discernment and formation of people as deacons.

18  
19 **Section 2.** The Council on Deacons shall consist of the following: **a.** Nine (9) members who  
20 are appointed by the Bishop and confirmed by the Convention. Three (3) members shall be  
21 clergy Members of Convention who are presbyters in active service; three (3) clergy Members  
22 of Convention who are deacons; two (2) lay electors of a Congregation; and one (1) lay  
23 member of the Commission on Ministry. Members of the Council appointed pursuant to this  
24 provision shall serve a three (3) year staggered term, with one (1) presbyter, one (1) deacon  
25 and one (1) lay person beginning a term each year. Vacancies between annual meetings of  
26 the Convention shall be filled by the Bishop for the unexpired term; and

27  
28 **b.** the Archdeacon, who shall serve *ex officio* with the right to vote; and

29  
30 **c.** up to two (2) additional deacons, who shall be appointed by the Bishop to a one (1) year  
31 term, which may be renewed.

33 **Section 3. a.** At the first meeting of the Council after the annual meeting of the Convention, the  
34 members of the Council shall elect a convener from among the members confirmed by  
35 Convention. A person may not serve as convener for more than one (1) year, nor more than  
36 once.

37  
38 **b.** The duties of the convener shall be to call regular meetings of the Council and give notice of  
39 the meetings to the members. In addition, the convener is responsible, in consultation with the  
40 Bishop and the Commission on Ministry, for identifying the issues and matters that need to be  
41 considered by the Council, and reporting back to them the actions and recommendations of  
42 the Council.

1 **CANON XVIII**

2  
3 **Resolutions**

4  
5 **Section 1.** A resolution shall be considered at a meeting of the Convention on the agenda as  
6 determined by the Bishop, provided the proposed resolution is:

7  
8 **a.** Sponsored by a Member of Convention, or a Deanery Convocation; or a committee,  
9 commission, or council established under the authority of these Canons; and

10  
11 **b.** Consistent with the provisions of the Constitutions and Canons of the Episcopal Church and  
12 of this Diocese; and

13  
14 **c.** Submitted in writing to the Diocese's primary office; and

15  
16 **d.** Received at the Diocese's office at least sixty (60) days prior to the scheduled opening of  
17 any annual or special meeting of the Convention; and

18  
19 **e.** Provided by the Diocese to the Members of Convention at least thirty (30) days before the  
20 scheduled opening of any annual or special meeting of the Convention.

21

22 f. For purposes of this section, the sponsor or Diocese may provide the text of a proposed  
23 resolution by any means reasonably calculated to give actual notice to the intended recipient,  
24 including electronic mail or media, facsimile, printed material, and correspondence. Except as  
25 provided in Section 2 below, no resolution shall be considered by the Convention if the  
26 requirements of this Section have not been met.

27  
28 **Section 2. a.** A proposed resolution that does not comply with Section 1.c or 1.d of this Canon  
29 nonetheless may be considered by the Convention if, at a meeting of the Convention, a motion  
30 to consider the proposed resolution is approved by an affirmative vote by two-thirds (2/3) of  
31 both the clergy and lay Members of Convention, voting separately.

32  
33 **b.** A proposed resolution that does not comply with Section 1.c, 1.d, or 1.e of this Canon, and  
34 which arises from any business properly before a meeting of the Convention, including the  
35 Bishop's address, may be considered as an Emergency Resolution. A motion to consider an  
36 Emergency Resolution at the current meeting of the Convention must be approved by an  
37 affirmative vote by two-thirds (2/3) of both the clergy and lay Members of Convention, voting  
38 separately. If the motion to consider an Emergency Resolution fails, pursuant to Article IV of  
39 the Diocesan Constitution, the Bishop may call a special meeting of the Convention to consider  
40 the Emergency Resolution, in which case the provisions of Section 1.c and 1.d of this Canon  
41 shall not apply.

42  
43 **Section 3.** All proposed amendments to the Constitution and Canons of this Diocese shall be  
44 put in the form of a resolution and shall be considered only in accordance with these Canons,  
45 including Diocesan Canon XIII.

1 **CANON XIX**

2  
3 **Related Organizations**

4  
5 **Section 1. a.** No organization associated with the Diocese or a Congregation, including, but  
6 not limited to, a school, orphanage, home or other institution, corporation, or any other legal  
7 entity in which the Diocese or Congregation has any interest, shall be formed until it first shall  
8 have obtained the consent of the Bishop and Diocesan Council. Any entity formed under the  
9 authority of this Canon is a "Related Organization" as that term is used in these Canons. This  
10 provision does not apply to normal investment activities in the public financial market.

11  
12 **b.** The chief executive officer of any Related Organization formed by the Diocese shall be  
13 selected only with the prior approval of the Bishop.

14  
15 **Section 2.** No natural or legal entity shall use the name of this Diocese or any Congregation of  
16 this Diocese, or claim to be a Related Organization, without first having obtained the approval  
17 of the Bishop and Diocesan Council and being organized in accordance with the laws of the  
18 State of Florida. The following provisions shall be included in the charter or other documents  
19 forming and governing the Related Organization:

20  
21 **a.** any amendment of the Related Organization's charter, Articles of Incorporation, bylaws or  
22 other organizing or governing documents shall be subject to the approval of the Bishop and  
23 Diocesan Council.

24  
25 **b.** no real property, the title to which is held by or for the use of the Related Organization, shall  
26 be encumbered, sold, alienated, transferred or conveyed without the prior consent and  
27 approval of the Bishop and Diocesan Council. No approval given hereunder shall imply any  
28 authority on the part of the Related Organization to incur any liability of any kind against the  
29 Diocese.

30  
31 **c.** a stated purpose of a Related Organization shall be to promote the moral and spiritual  
32 values of the Christian tradition as professed by the doctrines of the Episcopal Church.

34 **Section 3.** The Convention annually shall elect persons who are clergy Members of  
35 Convention, or lay electors of a Congregation, for the following:

36  
37 **a.** Any open terms or offices to be filled by representatives from this Diocese as specified by  
38 the charter or by-laws of Bishop Gray Inns, also known as the William Crane Gray Inn for  
39 Older People.

40  
41 **b.** Any open terms or offices to be filled by representatives from this Diocese as specified by  
42 the charter or by-laws of the University of the South (Sewanee) to serve as trustees of that  
43 institution.

1 **CANON XX**

2  
3 **Committee for Congregational Development**

4  
5 **Section 1.** The Bishop shall appoint a Committee for Congregational Development, subject to  
6 confirmation by Diocesan Council. The Committee shall consist of one (1) clergy Member of  
7 Convention from each Deanery and one (1) lay person from each Deanery who is an elector of  
8 a Congregation located in that Deanery. Members of the Committee shall serve in staggered  
9 terms of three (3) years. The President of the Standing Committee shall be a member of the  
10 Committee *ex officio*, without vote.

11  
12 **Section 2.** The Committee is charged with assisting the Bishop in guiding, supporting, advising  
13 and strengthening Congregations and Associated Worshipping Communities. The Committee  
14 has the authority to perform all actions necessary to fulfill the responsibilities and duties  
15 assigned to it by these Canons. To enable the Committee to fulfill its responsibilities and  
16 duties, every Congregation, Associated Worshipping Community and Related Organization shall  
17 cooperate with the Committee in every way possible and permit the Committee to inspect and  
18 copy its records.

19  
20 **Section 3.** The Committee shall meet with the Bishop and provide background, assistance,  
21 recommendations and advice related to its duties and responsibilities, and provide information

22 and recommendations to the Bishop, diocesan staff, Chancellor, Standing Committee, and  
23 Diocesan Council related to anything that comes to the attention of the Committee while  
24 undertaking its responsibilities under these Canons.

25  
26 **Section 4.** The Committee shall report to Diocesan Council and the Convention at least  
27 annually.

28  
29 **Section 5.** At the first meeting of the Committee following the annual meeting of the  
30 Convention, the Committee shall organize, elect necessary officers, and appoint all  
31 subcommittees necessary to implement the work of the Committee.

1 **CANON XXI**

2  
3 **Episcopal Election Committee**

4  
5 **Section 1.** Whenever the Bishop Diocesan requests the election of a Bishop Coadjutor or a  
6 Bishop Suffragan, and the Convention assents, an Episcopal Election Committee shall be  
7 formed under the authority of the Convention.

8  
9 **Section 2.** Members of the Committee shall be constituted as follows:

10  
11 **a.** Each Deanery shall meet in convocation to elect one (1) clergy Member of Convention who  
12 is a presbyter, and one (1) layperson who is an elector of a Congregation located in that  
13 Deanery. In addition, one (1) alternate for each position shall be elected; the alternates shall  
14 hold the same qualifications as the elected member. Should an alternate die or resign prior to  
15 beginning service on the Episcopal Election Committee, the Deanery shall meet in convocation  
16 to elect a replacement with the same qualifications.

17  
18 **b.** The Bishop shall appoint seven (7) additional people, who must be clergy Members of  
19 Convention, either presbyters or deacons, or electors of a Congregation. The Bishop shall also  
20 appoint at the same time a first, a second and a third alternate, any of whom may hold any of  
21 the permissible qualifications.

22  
23 **Section 3.** The Committee shall be responsible for the entire episcopal election process,  
24 including:  
25  
26 a. conducting a self-study of the Diocese;  
27  
28 b. developing a process for screening and selecting candidates in order to ensure that all  
29 persons to be considered by the Convention to Elect a Bishop are qualified to hold the  
30 position;  
31  
32 c. developing procedures for receiving names for consideration;  
33  
34 d. interviewing potential nominees;  
35  
36 e. presenting to the Convention a slate of qualified nominees from which a Bishop may be  
37 elected;  
38  
39 f. developing procedures for receiving Names to appear on the ballot by petition after the  
40 Committee's slate has been finalized;  
41  
42 g. completing background checks for all candidates whose names will appear on the ballot,  
43 whether by nomination or petition;  
44  
45 h. organizing the introduction of all of the candidates whose names will appear on the ballot,  
46 whether by nomination or petition, to the diocesan community; and  
47  
48 i. with the advice and consent of the Standing Committee, establishing the procedures to be  
49 used at the Convention to Elect a Bishop pursuant to Article XVIII of the Constitution of the  
50 Diocese.  
51  
52 **Section 4.** At its first meeting, the Committee shall elect one (1) presbyter and one (1) lay  
53 person to serve as co-chairs of the Committee. The Committee may elect other members to  
54 serve in various capacities as it deems appropriate. Within two (2) months of its first meeting,

55 the Committee shall develop a proposed budget, which shall be given to the Diocesan Council  
56 for approval or modification.

57

58 **Section 5. a.** A member of the Committee must resign immediately in the following situations:

59

60 **1.** upon permitting his or her name to be submitted for consideration as a candidate for Bishop  
61 in this Diocese, whether by nomination or petition;

62

63 **2.** upon the member's spouse, parent or child permitting his or her name to be submitted for  
64 consideration as a candidate for Bishop in this Diocese, whether by nomination or petition.

65

66 **b.** If a member of the Committee dies, or resigns for any reason, the alternate for that person's  
67 position shall immediately begin service. Alternates appointed by the Bishop shall serve in the  
68 order of their appointment. If an alternate from one of the deaneries begins service on the  
69 Committee and then dies or resigns, no additional alternate for that position is provided for in  
70 these Canons.

71

72 **Section 6.** If the Diocese should be without a Bishop Diocesan, the above provisions shall be  
73 followed, insofar as applicable, for the nominating process for a Bishop Diocesan, under the  
74 direction of the Ecclesiastical Authority.

75

76 **Section 7. a.** The duties of the Committee shall end when the meeting of the Convention to  
77 Elect a Bishop at which the election for a bishop was held is adjourned. If that election is for  
78 any reason invalid, a new Episcopal Election Committee shall be formed by the Convention of  
79 the Diocese at its next meeting.

80

81 **b.** No member of an Episcopal Election Committee shall be eligible to serve on a subsequent  
82 Episcopal Election Committee unless at least five (5) years have passed since the date the  
83 previous Convention to Elect a Bishop was convened pursuant to Article XVIII of the  
84 Constitution of this Diocese.

85

1 **CANON XXII**

2  
3 **Diocesan Review Committee**

4  
5 **Section 1. Establishment.** The Diocesan Review Committee in and for the Diocese of  
6 Southwest Florida shall perform the duties and responsibilities specified for such committees  
7 by the Canons governing ecclesiastical discipline adopted by the General Convention of the  
8 Episcopal Church, as from time to time amended, which are incorporated by reference, and all  
9 proceedings of the Diocesan Review Committee shall be undertaken in conformity with those  
10 Canons.

11  
12 **Section 2. Members.** Members of the Diocesan Review Committee shall be elected at the  
13 annual meeting of the Convention. The Committee shall consist of two (2) clergy Members of  
14 Convention who are presbyters, one (1) clergy Member of Convention who is a deacon, and  
15 two (2) lay electors of Congregations. All terms shall be three years and staggered among the  
16 orders as equally as possible. No member shall serve more than two (2) consecutive terms.  
17 Neither a current member of the Ecclesiastical Trial Court, nor a current member of the  
18 Standing Committee, shall be eligible for membership on the Diocesan Review Committee.

19  
20 **Section 3. President.** The Committee shall elect a President from among any of its members  
21 to serve a one (1) year term, which is renewable. The election shall be held within two (2)  
22 months after the annual meeting of the Convention.

23  
24 **Section 4. Challenges.** In any particular case, any member of the Committee may be  
25 challenged for cause, either by the Church Attorney or by a Respondent. The members of the  
26 Committee who are not challenged for cause shall determine the relevance and validity of such  
27 challenges, and their determination shall be final and non-appealable. If the challenge is  
28 granted, or if a member of the Committee voluntarily asks to be excused from consideration of  
29 a particular case, Diocesan Council shall name a person from the same order to fill the  
30 vacancy for the consideration of that case only.

32 **Section 5. Vacancies.** If a person permanently resigns from the Committee, the Diocesan  
33 Council shall name a qualified person from the same order to fill the vacancy until the next  
34 annual meeting of the Convention, when an election shall be held to fill the unexpired term.

