

I: A Guide to the Constitution and Canons and Other Standards of the Diocese

This guide is intended assist to the reader by organizing the Constitution and Canons and other standards of the Diocese into user-friendly categories. For ease of reading, citations of the Canons are listed as footnotes. It is not intended to be an exhaustive resource and the reader is encouraged to consult the Canons directly for more detailed requirements. National Canons are cited as ECUSA, while those of the Diocese are listed as SWFLA.

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The Episcopal Diocese of Southwest Florida¹

The Diocese is one of 100 dioceses of the Episcopal Church.² As such, the diocese is subject to the Constitutions and Canons of the Episcopal Church, and to the acts of the General Convention, which is held every three years.

The diocese was formed in 1969 as a result of the division of the then Diocese of South Florida. It is comprised of that part of the State of Florida lying in the counties of Hernando, Pasco, Hillsborough, Pinellas, Manatee, Sarasota, Charlotte, DeSoto, Lee, Collier, Glades, and that portion of Hendry County lying west of the center line of Range 32 East of the Prime Meridian at Tallahassee, Florida as the same existed under the laws of Florida on October 15, 1969.

The diocese is divided geographically into seven deaneries: Tampa, Clearwater, St. Petersburg, Sarasota, Venice, Fort Myers and Naples.³

The Convention of the diocese has seventy-nine member congregations whose total average Sunday attendance is between seventeen- and eighteen-thousand.

Diocesan Convention

The members of the diocese are all the congregations in union with the Episcopal Church.⁴ The government of this diocese is the Diocesan Convention, governed by the Constitution and Canons of the Diocese. The Convention normally meets annually in October. Delegates are certain canonically-resident clergy⁵, and three lay persons from each parish, and two from each organized mission.

The Convention adopts the annual budget; elects people to various Committees, and acts on such other matters as may come before it. The Convention (or a special one called for that purpose) also elects the Diocesan Bishop, or a Bishop Coadjutor, or Suffragan, when the occasion arises.

Diocesan Council⁶

The Diocesan Council is the Board of Directors for the corporation of the Diocese and serves as an “interim body” between Conventions. It is responsible for the oversight of the work of the Diocese including finance, property issues, diocesan policy, DaySpring, schools and other matters concerning the “fabric” of the Diocesan community.

Council usually meets the third Saturday of the month, about six times a year. Currently, Council is being convened for a Leadership Retreat Weekend meeting (required), and business sessions in January, March, May and August. There is an October meeting that

¹ Incorporated as “The Diocese of Southwest Florida.”

² There are 100 domestic dioceses including Navajoland Area mission and 8 overseas dioceses, for a total of 108 dioceses. Source: Verlyn Hinds, Secretary, Office of General Convention.

³ SWFLA Art. VI, Sec 4 (2002) Deaneries are not defined geographically.

⁴ SWFLA Art.III (2002)

⁵ SWFLA Art. V, Sec 2 (2002). The bishop has also required that deacons ordained after October 1999 do not vote at Convention.

⁶ SWFLA, Art. VI (2002)

precedes Convention. The Bishop, President of the Corporation chairs the meetings. Council representatives are elected at the Fall Deanery Convocations, where each Deanery elects either one Clergy or one Lay Representative. These elections are ratified at Convention.

“At large” positions are elected at Convention. On the even-numbered years of Convention, Convention elects one Presbyter “at-large” member. On the odd-numbered years of Convention two Lay “at-large” members are elected -one must be male, one must be female.

Council Representatives serve two-year terms and may not serve longer than six consecutive years. An election to fill an unexpired term is counted as a full term. One must rotate off Council for at least one year before being eligible for reelection.

A quorum is one more than half of the qualified voting members.⁷

Standing Committee

The Standing Committee acts as a confidential council of advice to the bishop. It acts either at the Bishop’s call or on its own initiative. The Committee is required, by canon, to consider and approve requests for the ordination of bishops in other dioceses, and of clergy within the Diocese. It becomes the Ecclesiastical Authority of the Diocese in case of the death, incapacity, or prolonged absence of the bishop.

Membership consists of five Presbyters and four Lay Persons, each of whom serve a three-year term. Each member may serve no more than two consecutive terms.

The president of the Standing Committee is Vice President of Council and presides at Council and Convention sessions in the absence of the Bishop.

Commissions and Committees

The Commission on Ministry and the Ecclesiastical Court are canonical bodies which function separately under the administration of the Bishop, Archdeacon, Chancellor or other officers of the Diocese.

(see Commissions, b2 1996 manual)

Finance

The Council shall establish committees, including a Finance Committee, as deemed necessary for the execution of its responsibilities. It may enlist the aid of persons not members of the Council.⁸

In the event the congregation fails to affirmatively provide in the Certificate that the Treasurer’s portion of the Parochial Report, premiums for the Church Pension Fund and Diocesan Apportionment have been completed or paid as of March 1, the Congregation if wishing to vote at Convention shall apply to the Committee for Congregational Development on or before May 1, for vote at Convention.⁹

⁷ 7-art. IV, sec. 3 (2002)

⁸ SWFLA Cannon VI, Sec 9 (2002)

⁹ SWFLA Cannon II, sec. 2 (2002)

Diocesan CANON XV of Business Methods

Section 1. It shall be the duty of all Diocesan and Parochial custodians of trusts and permanent funds for Church purposes to deposit the same in trust with some trust company or bank with trust powers or with the Diocese. A full and detailed statement of each fund shall be annually reported to the Diocesan Convention, or the annual meeting of the Vestry or Bishop's Committee.

Section 2. All accounts of Congregations and other institutions shall be audited annually by a certified public accountant or such audit committee as may be authorized by the Finance Committee of the Diocese.

a. All reports of such audits, including any memoranda issued by the auditor or audit committee regarding internal control, allocation and accounting for receipts and disbursements or other accounting matters, together with a summary of action taken or proposed to be taken to correct deficiencies or implement recommendations contained in such memoranda, shall be filed by the auditor or committee with the Bishop or Diocesan Council not later than thirty days following the date of such report, and in no event later than September 1 of each year, covering activity of the previous calendar year. Said reports shall be made in accordance with a format formulated by the Diocesan Council to aid in determining whether the accounts fairly reflect the performance of duties and obligations of the entity audited.

b. Failure to file within the time prescribed shall be reported to the Committee for Congregational Development and the Committee, or a designated member, will meet with the organization affected to determine remedial action; and if not resolved, the Committee will recommend to the Bishop and the Diocesan Convention appropriate action. Any matters disclosed by said reports which are not resolved to the satisfaction of the Diocesan Council shall also be referred to the Committee for Congregational Development for appropriate action.

Section 3. All Church buildings and personal property contained therein shall be insured in a reliable insurance company for an amount to be determined by the Vestry or Bishop's Committee or other governing body having ownership or supervision of the property. Compliance with this Canon shall be reported in the annual report made by each Congregation.

Section 4. The Diocese shall have power to call for reports and financial statements from every Parish, Mission, School, Orphanage, Home and other Institutions and Corporations of the Church within the Diocese.

Section 5. Treasurers and custodians, other than banking institutions, shall be adequately bonded; or except treasurers of funds that do not exceed \$500 at any one time during the fiscal year.

Section 6. All deeds, mortgages, hypothecations, assignments or other documents executed on behalf of this Corporation shall be signed by the President, or, in the President's absence, by another corporate officer as designated by the President.

Diocesan Council actions on financial matters¹⁰

Budgeted funds which are not spent within the budget year may not be carried over to the following year's budget.¹¹

Issuance of debentures, by a parish or other organization affiliated with the diocese, is subject to prior approval by the Finance Committee and the Diocesan Council. Such debentures must be backed by specific collateral.¹²

Support of campus ministries at community colleges and university branches, which serve primarily a local community, is the responsibility of the deanery embracing that community. The ministry at the University of South Florida in Tampa serves a much broader area and therefore may receive support from the diocesan budget.¹³

No entity may submit a request for a grant or other funding from any agency or other source, such grant or funding requiring the approval, endorsement or participation of the Diocese or for which the Diocese is in any way accountable, without first obtaining the consent of the ecclesiastical authority. Consent of the Diocesan Council may be required if the grant or funding creates a liability, contingent or otherwise, on behalf of the Diocese or if in the discretion of the Ecclesiastical Authority there is significant impact on the program of the diocese.¹⁴

The Finance Committees' recommendation for Debt Guidelines is adopted as policy.¹⁵

That the entire Outreach Budget be uncategorized in the 2004 and 2005 budgets. The outreach budget would increase each year based on the increase in apportionments and all outreach funds would be available by request for appropriate projects.¹⁶

That the last Sunday before Thanksgiving and the last Sunday in March (except when this Sunday is Palm Sunday or Easter Sunday, when it would immediately precede) be designated as "DaySpring Sundays" with all loose collections being given to the DaySpring Annual Fund.¹⁷

That the congregations in The Diocese set aside a Sunday each year to learn more about the mission and ministry of Episcopal Relief Development and to provide funding for this global ministry.¹⁸

¹⁰ Note: Council has passed more than 1,800 resolutions since 1969. This list is not exhaustive.

¹¹ Diocesan Council meeting #103, 11/11/1981

¹² Diocesan Council meeting #127, 11/17/1984

¹³ Diocesan Council meeting #138, 5/17/1986

¹⁴ Diocesan Council meeting #204, 11/20/1992

¹⁵ Diocesan Council resolution #3 11/19/1999. Policy is printed in detail in the "Financial Policy" section.

¹⁶ Diocesan Council resolution #283-4, 8/18/2002

¹⁷ Diocesan Council resolution #283-10, 8/18/2002

¹⁸ Diocesan Council resolution #287-8, 3/15/2003

That a supply priest shall receive:

- One Service - \$125 or higher
- Two Services - \$150 or higher
- Three Services - \$200 or higher
- Mileage shall be reimbursed at the current IRS rate per mile.
- All reasonable hotel and meal costs shall be reimbursed.¹⁹

Congregational Life

The members of the Diocese are all congregations in union with the Episcopal Church.²⁰

Congregations may choose Lay Delegates to Convention if the Vestry fails to do so.²¹

Each congregation shall adopt a plan that provides for rotation of members of the Vestry or Bishop's Committee²²

No established Congregation may move from one location to another until due notice has been given to any affected Congregation and consent obtained from the Ecclesiastical Authority and Diocesan Council.²³

Any congregation failing in its self support or its financial and/or Canonical obligations to the Diocese for a period of three (3) months, or under extraordinary circumstances as determined by the Bishop, shall receive assistance as deemed necessary by the Bishop with the concurrence of two-thirds (2/3rds) of the Diocesan Standing Committee. Any financial assistance shall require approval by Diocesan Council.²⁴

All accounts of Congregations and other institutions shall be audited annually by a certified public accountant or such audit committee as may be authorized by the Finance Committee of the Diocese.²⁵

Congregational Leadership

Electors

Only communicant members of a Congregation who

- are eighteen years of age and over,
- whose names are duly enrolled as such in the Register of the said Congregation, and
- who are regular in their attendance upon its services and
- make stated contributions of record to its general support,

shall be a qualified Elector's entitled to vote at the annual election of the Vestry or Bishop's Committee thereof, except that sixteen and seventeen year old persons shall have seat, voice and vote in annual Parish elections, provided they shall have satisfied the other requirements of an Elector, except as to age.

The vote of no person shall be questioned unless his or her right to vote shall be first

¹⁹ Diocesan Council resolution #288-8, 5/15/2003

²⁰ SWFLA, Art. III, (2002)

²¹ SWFLA, Art.v, sec. 5 (2002)

²² SWFLA Canon VII, sec. 9 (2002)

²³ SWFLA Canon VIII, Sec. 4 (2002)

²⁴ SWFLA Canon VII, Sec. 5 (2002)

²⁵ SWFLA Canon XV, Sec. 2 (2002)

challenged by a qualified Elector.²⁶

Vestries

In a Parish it shall be the duty of the Vestry to elect and with the approval of the Bishop, call a Rector. It is also the duty of the Vestry to provide for the maintenance of the Rector.²⁷

Vestries choose Lay Delegates to Convention. Failing to do so, Lay Delegates may be **chosen** at a Congregational meeting²⁸

The Rector or Priest-In-Charge of the Congregation presides *ex officio*.²⁹

— In the absence of the Rector or Vicar, the Senior Warden shall preside.

— In the absence of both, the Junior Warden shall preside.³⁰

Vestry members are elected by ballot at the Annual Parish Meeting. Minimum number of members is five. Their terms are to continue until they are elected and qualified.³¹

Vestry members must have same qualifications as an Elector.³²

It shall be the duty of the Vestry or Bishop's Committee to take charge of the properties of the Parish or Mission and keep the same fully insured, to prepare a budget providing for the necessary requirements and expenditures of the Congregation, to regulate all its temporal concerns, to keep order in the church during the celebration of Divine worship, and, in general, to act as helpers in whatever is appropriate to Lay Persons for the furtherance of the Church's welfare.³³

In a Parish it shall be the duty of the Vestry to elect, and, with the approval of the Bishop, call a Rector. It is also the duty of the Vestry to provide for the maintenance of the Rector. In the event of any vacancy in the Rectorship of any Parish, it shall be the duty of the Wardens or other officers of such Parish to give immediate notice of the same to the Bishop, and until provision be made for the supply of the same, the Bishop may cause it to be supplied, by missionary services or otherwise.³⁴

The Vestry or Bishop's Committee shall annually select a Secretary, whose duty it shall be to take and record the minutes of their proceedings, attest the public acts of the Vestry or Bishop's Committee, preserve all records and papers belonging to the Congregation, perform such other duties as shall be legally assigned, and faithfully deliver into the hands of a successor all books and documents of the Congregation that may be in the Secretary's possession. The Vestry or Bishop's Committee shall also annually select a Treasurer to perform the duties incumbent upon that office, who shall furnish a bond of suitable amount; the books and accounts shall be audited annually and at any other time the Vestry or Bishop's

²⁶ SWFLA Canon VIII, sec. 2 (2002)

²⁷ SWFLA Canon VIII, Sec. 6 (2002)

²⁸ SWFLA Art. V, sec. 5 (2002)

²⁹ SWFLA Canon VII, Sec. 3 (2002)

³⁰ SWFLA Canon VII, Sec. 4 (2002)

³¹ SWFLA Canon VII, Sec. 1 (2002)

³² SWFLA Canon VIII, Sec. 3 (2002)

³³ SWFLA Canon VIII, Sec. 5 (2002)

³⁴ SWFLA Canon VIII, Sec. 6 (2002)

Committee may direct. The offices of Secretary and Treasurer may both be held by the same person.³⁵

Meetings of the Vestry or Bishop's Committee shall be held annually to receive reports of officers and committees, pass on the same, and turn over the affairs of the Congregation to the newly selected Vestry or Bishop's Committee.

Other meetings of the Vestry

- may be provided for at regular times; or
- be called by the Rector or Vicar
- By the Senior Warden in the absence of the Rector or Vicar, or
- at the request of two Vestry members or Bishop's Committee members and
- the Bishop may call a meeting of the Vestry or Bishop's Committee of any Congregation and preside at such meeting.³⁶

The Vestry or Bishop's Committee shall be composed such that no one member shall remain a member for more than six (6) consecutive years.³⁷

Senior Warden

(Or Vestry Secretary) must sign the certificate accompanying the Parochial report.³⁸

(In a Parish) is selected as such by the Rector from among those elected to the Vestry at the Annual Meeting.

(In a Mission) is appointed by the Bishop from a list from among those nominated to the Bishop's Committee.³⁹

(In the absence of a Rector or Vicar) nominates the Challenge Committee" for the Annual meeting⁴⁰

Must have the same qualifications as an Elector.⁴¹

Presides at Vestry meetings in the Rectors absence (see above).

Warden

It shall be the duty of the Wardens to protect the properties of the Parish or Mission and to see that all things needed for the orderly worship of God and for the administration of the Sacraments and Ordinances of the Church be provided.⁴²

— fill vacancies for Lay Delegates to Diocesan Convention in the absence of a Rector or Vicar.⁴³

³⁵ SWFLA Canon VIII, Sec. 7 (2002)

³⁶ SWFLA Canon VIII, Sec. 8 (2002)

³⁷ SWFLA Canon VIII, Sec. 9 (2002)

³⁸ SWFLA Canon II, Sec.2 (2002)

³⁹ SWFLA Canon VIII, Sec. 1 (2002)

⁴⁰ SWFLA Canon VII, Sec. 2 (2002)

⁴¹ SWFLA Canon VIII, Sec. 3 (2002)

⁴² SWFLA Canon VIII, Sec. 4 (2002)

⁴³ SWFLA Canon II, Sec.1 (2002)

- give immediate notice a vacancy in the Rectorship of the parish to the Bishop, and until provision be made for the supply of the same...
- shall provide a Register, in which the Minister, or, if there be none, one of the Wardens, shall record the name and date of birth of each person baptized....
- shall provide a proper book in which the Clergy, or, if there be none, one of the Wardens, shall record all services held in the Congregation...⁴⁴

Vestry (or Bishop’s Committee) Secretary

The Vestry or Bishop’s Committee shall annually select a Secretary, whose duty it shall be

- to take and record the minutes of their proceedings,
- attest the public acts of the Vestry or Bishop’s Committee,
- preserve all records and papers belonging to the Congregation,
- perform such other duties as shall be legally assigned, and
- faithfully deliver into the hands of a successor all books and documents of the Congregation that may be in the Secretary’s possession.

Vestry (or Bishop’s Committee) Treasurer

The Vestry or Bishop’s Committee shall also annually select a Treasurer to perform the duties incumbent upon that office, who shall furnish a bond of suitable amount; the books and accounts, shall be audited annually.

The offices of Secretary and Treasurer may both be held by the same person.⁴⁵

Lay Persons

May stand for election as

- Lay Delegate at Diocesan Convention.⁴⁶
- Lay Deputy to the General Convention.⁴⁷
- Lay Member of the Standing Committee.⁴⁸
- Lay Representative to Diocesan Council.⁴⁹
- Lay Member of the Ecclesiastical Trial Court.⁵⁰

May be appointed

To do such duties relative to the service and decoration of the Church as may properly be done by Lay Persons.⁵¹

(By the Bishop) to serve as a Missionary Lay Minister in a Mission congregation.⁵²

(By the Vestry) to represent the congregation at Deanery Convocation.⁵³

(By the Bishop) as Lay Member of the Commission on Ministry. (Such appointment is confirmed by Convention).⁵⁴

⁴⁴ SWFLA Canon IX, Sec. 1,2 (2002)

⁴⁵ SWFLA Canon VIII, Sec. 7 (2002)

⁴⁶ SWFLA Art. V (2002)

⁴⁷ SWFLA Srt. XIII (2002)

⁴⁸ SWFLA Canon V, Sec. 2 (2002)

⁴⁹ SWFLA Canon VI, Sec. 2 (2002)

⁵⁰ SWFLA Canon XIII, Sec. 2a (2002)

⁵¹ SWFLA Canon VIII, Sec. 2 (2002)

⁵² SWFLA Canon XI, Sec. 6 (2002)

⁵³ SWFLA Canon XII, Sec. 1 (2002)

⁵⁴ SWFLA Canon XVI, sec. 1 (2002)

(By the Bishop) as lay representative of the Committee for Congregational Development.⁵⁵

NOTE: Diocesan canons say nothing about Lay Eucharistic Ministers, Lay Eucharistic Visitors, or Lay Readers.

Diocesan Life

Bishop, Diocesan

Bishop's Authority to preside:

All spiritual affairs of the Diocese shall be the exclusive charge of the Diocesan Bishop, who may, subject to the consent of the Diocesan Council, appoint one or more Canons to assist in the administration of the affairs of the Diocese.⁵⁶

Is a member of Diocesan Council (and) shall be the President of the Corporation, Chairman of the Diocesan Council, and Presiding Officer of any Diocesan Convention.⁵⁷

The direction of Divine Service during the sessions of the Convention shall rest with the Bishop alone. In the absence of the Bishops, all such services shall be in the charge of the President of the Standing Committee.⁵⁸

The Bishop of the Diocese shall be Presiding Officer of the Convention, with full ecclesiastical authority.⁵⁹

The Bishop may call a meeting of the Vestry or Bishop's Committee of any Congregation and preside at such meeting.⁶⁰

Bishop's Authority to appoint:

—Secretary of the Convention, whose duties shall be defined by Canon.⁶¹

—Lay Member of the Commission on Ministry. (confirmed by Convention).⁶²

—Chancellor (at each annual Convention).⁶³

—Registrar of the Diocese.⁶⁴

— Actuary, who may be also the Diocesan Administrator (annually, subject to confirmation by the Diocesan Council).⁶⁵

— The Bishop shall have jurisdiction over all Mission Congregations with power to appoint or remove any Missionary, either Clergy or Lay Minister, for any cause. The stipends and other compensations of Missionaries shall be established by the Ecclesiastical Authority and approved by Diocesan Council.⁶⁶

⁵⁵ SWFLA Canon XXI, sec. 1 (2002)

⁵⁶ SWFLA Art.VI, sec. 1 (2002) NOTE: Actual wording is "Archdeacons to assist..."

⁵⁷ SWFLA Art.VI, Sec. 3 (2002)

⁵⁸ SWFLA Art. VII (2002)

⁵⁹ SWFLA Art. VIII, Sec. 1 (2002)

⁶⁰ SWFLA Canon VIII, Sec. 8 (2002)

⁶¹ SWFLA Art. X, sec.1 (2002)

⁶² SWFLA Canon XVI, Sec. 1 (2002)

⁶³ SWFLA Art. XI (2002)

⁶⁴ SWFLA Art. XII

⁶⁵ SWFLA Canon IV, Sec. 1 (2002)

⁶⁶ SWFLA Canon XI, Sec. 6 (2002)

Bishop's Authority to approve:

- Written consent and approval of the Bishop (and Diocesan Council) are required;
Prior to the encumbrance or alienation of any real property owned or controlled by the Diocese, or
any Congregation in the Diocese, or
any corporation, or institution, or organization under the control of the Diocese;⁶⁷
- In the case of an Organized Mission, the names of those chosen (to the Bishop's Committee) shall be submitted to the Bishop for his approval and appointment.⁶⁸
- No member of the Clergy may be called as Rector by any parish without approval of the Bishop.⁶⁹
- No member of the Clergy may be called as Assistant Minister by any parish without the approval of the Bishop.⁷⁰
- The names of all Mission Officers shall be submitted to the Bishop for his approval and appointment.⁷¹
(With Diocesan Council) approves the establishment of Episcopal Schools.⁷²

Bishop's Other authority:

- May summon the Standing Committee whenever its advice is desired.⁷³
- (In the case of a Parish without a rector) the Bishop may cause it to be supplied, by missionary services or otherwise.⁷⁴
- No organization, Parochial or Diocesan, shall be incorporated under the laws of the State until it first shall have obtained the consent of the Bishop and the Diocesan Council.⁷⁵

Bishop, Coadjutor, Suffragan

- Shall be *ex officio* member of the Diocesan Council, without vote.⁷⁶
- Shall call the Convention to order, in the absence of the Bishop of the Diocese.⁷⁷
- Is a Vice President of Council.⁷⁸

⁶⁷ SWFLA Canon VI, Sec. 9 (2002)

⁶⁸ SWFLA Canon VII, Sec. 1 (2002)

⁶⁹ SWFLA Canon VII, Sec. 4 (2002)

⁷⁰ SWFLA Canon VII, Sec. 5 (2002)

⁷¹ SWFLA Canon VIII, Sec. 1 (2002)

⁷² SWFLA Canon XVII, Sec. 1 (2002)

⁷³ SWFLA Canon V, Sec. 6 (2002)

⁷⁴ SWFLA Canon VII, Sec. 6 (2002)

⁷⁵ SWFLA Canon XX (2002)

⁷⁶ SWFLA Art VI, sec. 3 (2002)

⁷⁷ SWFLA Srt.VIII, Sec. 1 (2002)

⁷⁸ SWFLA Canon VI, Sec. 4 (2002)