

**THE CONSTITUTION AND CANONS
OF THE
DIOCESE OF SOUTHWEST FLORIDA**

AS ADOPTED IN CONVENTIONS THROUGH 2002



ORGANIZING CONVENTION OCTOBER 16, 1969

**RECOGNIZED BY THE NATIONAL CHURCH
NOVEMBER 4, 1969**

**FIRST ANNUAL CONVENTION
NOVEMBER 18, 1969**

**INCORPORATED BY THE STATE OF FLORIDA
DECEMBER 12, 1969**

OPERATIVE DATE JANUARY 1, 1970

The Constitution

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PREAMBLE

The Protestant Episcopal Church in the United States of America, otherwise known as The Episcopal Church, within the area hereafter described does hereby adopt this Constitution as and for its Articles of Incorporation of a corporation not for profit under the laws of the State of Florida. The corporation shall be known as a "Diocese" in accordance with the Constitution and Canons of the Protestant Episcopal Church in the United States of America.

ARTICLE I

Of Acceding to the General Convention

The Diocese acknowledges its allegiance to be due to the One, Holy, Catholic and Apostolic Church and recognizing the body known as The Episcopal Church in the United States of America to be a true branch of said Church, having a rightful spiritual jurisdiction in this country, hereby declares its adhesion to the same and accedes to its Constitutions and Canons.

ARTICLE II

Of the Name and Boundaries of the Diocese

The name of the Diocese shall be Diocese of Southwest Florida, Incorporated.

The boundaries of the Diocese shall include all 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.

ARTICLE III

Of the Annual Diocesan Convention

The members of the Diocese shall be all congregations in union with the Episcopal Church in the above-described area and shall be represented solely by the delegates to the Annual Convention of the Diocese.

The Convention of the Church of this Diocese shall assemble annually at such time and place as shall have been appointed by the preceding Annual Convention; but, for sufficient cause, the Ecclesiastical Authority of the Diocese shall have power to change the time or place, or both, as emergency may require; provided, however, that at least ten days' notice of such change shall be given to every Vestry and Bishop's Committee, and to the Minister in charge of every Congregation, and to every member of the Clergy canonically resident in the Diocese.

ARTICLE IV
Of Special Meetings of the Convention

The Ecclesiastical Authority shall have power to call a special meeting of the Convention at such time and place as it shall determine. The notice of a special meeting of the Convention shall be issued, in writing, to every member of the Clergy and to every Vestry and Bishop's Committee in the Diocese, at least thirty days before the time appointed for the meeting, and shall state the business for which the Convention is called, and no business shall be transacted at such special meeting beyond that which has been stated in the notice, except with the unanimous consent of the members present.

ARTICLE V
Of the Members of the Convention

Section 1. The Convention shall be composed of the Bishops, together with the other members of the Clergy, and Lay Persons of the Diocese, as provided for in the following sections of this Article.

Section 2. All members of the Clergy in regular standing in this Diocese, shall be entitled to a seat and vote in the Convention; provided, that they shall have been admitted, and at the time of the Convention shall be actually settled as Rector, or Assistant Minister of some Congregation in union with the Convention of this Diocese, or shall be a Canon, Archdeacon, Vicar, Missionary, Chaplain or Church Army Officer in charge of a congregation under the direction of the Bishop, or shall be engaged as an instructor of youth in some institution of learning under the control of the Church, within the Diocese, or shall be a Chaplain on active duty in the Armed Forces of the United States of America. All other members of the Clergy canonically resident in this Diocese shall be entitled to a seat and voice but without a vote.

Section 3. Every Parish in union with the Convention of this Diocese shall be entitled as provided by Canon to be represented by three Lay Delegates.

Section 4. Every canonically organized Mission of the Diocese shall be entitled as provided by Canon to be represented by two Lay Delegates.

Section 5. Lay Delegates shall be chosen by the Vestry or Bishop's Committee of each Congregation in the Diocese. If the respective Vestry or Bishop's Committee fails to act, then election shall be by such Congregation duly convened. Delegates shall be canonical electors of the Congregation which they severally represent; but no candidate for Holy Orders shall be elected as a Lay Delegate to any Convention.

ARTICLE VI
Of the Affairs of the Diocese

Section 1. 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 Archdeacons to assist in the administration of the affairs of the Diocese.

Section 2. The temporal work and mission of the Diocese shall be established by the Convention.

Section 3. The development and prosecution of the mission, work of the Church, ownership of property, and management of all temporal affairs of the Diocese shall be under the supervision and management of the Diocesan Council of the Diocese.

The Diocesan Council shall be composed of the Diocesan Bishop, and members of the Clergy and Laity chosen in a manner prescribed by Canon.

Coadjutor and Suffragan Bishops, the President of the Standing Committee, and the Chancellor shall be *ex officio* members of the Diocesan Council, without vote.

The Diocesan Council shall have power to create subordinate boards and, with the prior permission of the Convention, legal entities for the accomplishment of its responsibilities.

The Diocesan Bishop shall be the President of the Corporation, Chairman of the Diocesan Council, and Presiding Officer of any Diocesan Convention. Other officers of the Diocese shall be elected by the Council or appointed by the Bishop pursuant to Canon. A quorum shall consist of one more than one-half of the qualified voting members of the Council.

Terms of office of members of Council shall be fixed by Canon.

Section 4. Deaneries within the Diocese shall be established as provided by Canon.

Section 5. This Diocese specifically recognizes the continuation of the Trustees of the Diocese of South Florida, the Endowment Fund Corporation of South Florida; and the William Crane Gray Inn for Older People solely for the purpose of the operation of such entities and the orderly liquidation of this Diocese's interest therein. Representation from this Diocese to such entities shall be provided by action of the Diocesan Council.

Section 6. The calendar year shall be the fiscal year of the Diocese.

Section 7. The Church Pension Fund, a corporation created by Chapter 97 of the Laws of the State of New York as subsequently amended, is accepted and acknowledged as the authorized and approved pension system for the Clergy of this Diocese and for their dependents.

ARTICLE VII Of Divine Service at Meetings of the Convention

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.

ARTICLE VIII
Of the President of the Convention

Section 1. The Bishop of the Diocese shall be Presiding Officer of the Convention, with full ecclesiastical authority. In case of the absence of the Bishop of the Diocese and in the absence of a Bishop Coadjutor and Suffragan Bishop, the President or Senior Clerical Member of the Standing Committee shall call the Convention to order, and, if a quorum be present, a presiding officer shall be chosen *pro tempore*, from among the Presbyters in attendance. The Bishop may appoint a Presbyter to preside any time the chair is vacant.

Section 2. The Presiding Officer shall be entitled to vote only in case of a tie.

ARTICLE IX
Of Quorum and Methods of Voting in the Convention

Section 1. One-half of the Clergy entitled to vote in the Convention and Lay Delegates from one-half of the Congregations entitled to representation, when duly assembled, shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

Section 2. The Clergy and Laity shall deliberate in one body. Every member shall be entitled to one vote, and, except when herein otherwise expressly provided, a majority of all the votes cast shall determine any question submitted to the Convention.

Section 3. If any ten members of the Convention, representing no fewer than six Congregations, or any ten Clerical Members shall call for a vote by yeas and nays, the Secretary shall call the roll of the Convention, and the members shall thereupon announce their votes as their names are called by the Secretary. The votes so cast shall be recorded in the Journal, and no member shall be excused from voting, unless by unanimous consent.

Section 4. If any ten members of the Convention, representing no fewer than six Congregations, or any ten Clerical Members, shall demand a vote by Orders prior to the call for a vote, the vote of the Clergy and Lay Delegates shall be taken separately, and a majority of the votes of each Order shall be necessary for an affirmative decision.

ARTICLE X
Of the Secretary of the Convention

Section 1. For each Annual Convention the Bishop shall appoint a Secretary of the Convention, whose duties shall be defined by Canon.

Section 2. At any time in the interval between Annual Conventions the Diocesan Council may, for sufficient cause, of which its members shall be the judges, remove the Secretary and appoint an interim Secretary to act until the next Annual Convention.

ARTICLE XI
Of the Chancellor and Vice Chancellors of the Diocese

At each Annual Convention the Bishop shall appoint a Chancellor learned in law, who is a member in good standing of The Florida Bar and who shall be legal advisor of the Diocese. He or she shall be an Elector of the church in this Diocese and shall be entitled, *ex officio*, to a seat and voice, without vote, in the Convention. At the same time, the Bishop shall also appoint one or more Diocesan Vice Chancellors with the same qualifications as the Chancellor, who, as directed by the Bishop in the absence or inability of the Chancellor, shall perform the duties of that office, and shall perform such other duties as may be designated by the Bishop or the Chancellor. The Bishop shall also appoint a Vice Chancellor in each Deanery, with the same qualifications as the Chancellor, who shall be entitled, *ex officio*, to a seat in the Convention with all the privileges of membership except the right to vote, unless he or she is a Delegate to the Convention. The Deanery Vice Chancellors shall serve as legal advisors to the parishes and missions in their respective deaneries.

ARTICLE XII
Of the Registrar of the Diocese

The Bishop shall appoint a Registrar of the Diocese. It shall be the duty of the Registrar to preserve copies of the Convention Journal and all other publications and documents and records, relating to the History of the Church in this Diocese. The Registrar shall have charge of the Library and all books belonging to the Diocese and shall keep a record of these and all other historical documents presented with the name of the donor.

ARTICLE XIII
Of the Deputies to the General Convention

Section 1. At the Annual Convention in the second year preceding that of the regular meeting of the General Convention, Clerical and Lay Deputies and Clerical and Lay Alternate Deputies shall be elected to the General Convention, in the maximum number and for the term specified by the Constitution and Canons of the General Convention.

Section 2. If any Deputy elected is unable to attend the General Convention, the Ecclesiastical Authority shall be immediately notified of such inability. It shall be the duty of such authority to fill a vacancy from this, or any other cause, up to the time of the meeting of the General Convention, from the list of Alternate Deputies.

Section 3. Any vacancy in a deputation to any General Convention existing at the time of its meeting, or occurring during its session, or at any special session, may be supplied by the concurrent votes of the remaining Deputies from the list of Alternate Deputies, if practicable; if not, then from any other qualified members of the Diocese.

**ARTICLE XIV
Of the Standing Committee**

The Convention annually shall elect members of a Standing Committee, as provided by Canon.

**ARTICLE XV
Of the Election of Officers**

The Election of all officers provided for in this Constitution and Canons shall be by secret ballot, except in the event there be only one nominee for the office, and, in the event of failure or neglect to elect at any Convention, the person or persons already in office shall hold over until their successors shall have been regularly elected and qualified. A majority of votes shall be necessary to elect.

**ARTICLE XVI
Of Admission to or Suspension from Membership**

Provision shall be made by Canon for admission of Congregations into union with the Convention of the Diocese and for the suspension or the dissolution of the relationship with the Convention of a Congregation provided that any such suspension or dissolution shall require an affirmative vote of two-thirds of the Convention.

**ARTICLE XVII
Of the Forfeiture of Parochial Privileges**

Any Congregation may, for causes specified by Canon, be suspended from representation in the Convention or its connection with the Convention wholly dissolved, by a vote of two-thirds of those present. A suspension aforesaid shall not absolve the Congregation from its obligations to the Convention or the Diocese.

**ARTICLE XVIII
Of the Election of a Bishop**

The election of a Bishop shall be made in an Annual Convention, or in a Special Convention called for that purpose. The vote, by secret ballot, of a majority of the Clergy and of the Lay Members of the Convention, voting separately and concurrently shall be necessary for the election of a Bishop.

**ARTICLE XIX
Of Canons**

The Convention of the Diocese shall have power to adopt appropriate Canons for the government and function of the Diocese.

ARTICLE XX
Of Amendments to this Constitution

This Constitution may be amended, in whole or in part, by any Annual Convention, upon two-thirds majority of the votes of both the Clerical and Lay Delegates voting separately and concurrently, provided, the proposed amendment shall have been submitted to and approved by the previous Annual Convention, upon a majority of the votes of both the Clerical and Lay Delegates, voting separately and concurrently.

ARTICLE XXI
Of Organizing Governments

The Constitution shall become effective upon the adoption thereof by the organizing Convention of the Diocese. The organizing Convention shall have the power to adopt specific rules for its conduct in general conformity with the intent and purpose of this Constitution solely for the purpose of implementing the organizing of this Diocese under this Constitution.

ARTICLE XXII
Miscellaneous

(Statutory requirements for charter of original not reproduced)

THE CANONS

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CANON I

Of the Diocesan Convention

Section 1. At or immediately prior to the opening of each Convention a list of the Clergy entitled to seats therein, prepared by the Ecclesiastical Authority of the Diocese, shall be delivered to the Committee on Credentials, which Committee shall ascertain the number present and report to the Convention. No member of the Clergy shall take a seat until all Canonical Reports required shall have been made on or before the time specified by Canon, unless sufficient reason be given for the failure, acceptable to the Ecclesiastical Authority.

Section 2. It is declared to be the duty of every member of the Clergy and Lay Person entitled to a seat in the Convention to attend every meeting thereof, and any member of the Clergy failing to attend the Convention shall be required to give reasons for the absence to the Ecclesiastical Authority.

Section 3. Canonically resident non-parochial Clergy, not in active service, are not required to be present at the meetings of the Convention.

Section 4. With respect to any election authorized upon these Canons or the Constitution of this Diocese, the Clergy and Lay Persons entitled to vote at the Convention shall cast one vote for each vacancy to be filled by such election.

- a.** Election shall be by the highest majority of the ballot votes cast for each office. The delegates shall have one vote on each ballot for each position to be filled.
- b.** When there is one position to be filled, the nominee receiving the majority of votes shall be deemed elected.
- c.** When more than one position is to be filled, those nominees receiving the highest number of votes in excess of fifty percent (50%) shall be deemed elected.
- d.** If after the second ballot the election is not complete, the number of nominees shall be reduced to the number of positions remaining to be filled times 2. The nominees on such ballot shall be the nominees receiving the highest number of votes cast on the preceding ballot, not to exceed twice the number of the positions to be filled; except in the case of a tie vote and the last remaining position on the next ballot, in which case all candidates receiving the tie vote shall be included on the next ballot.
- e.** Voting shall continue as set forth above until all of the offices/positions are filled.
- f.** When elections are for different terms of office, the nominee first elected shall be the one elected for the longest term; or if two or more are elected on the same ballot, the candidate(s) receiving the highest number of votes shall be the one(s) elected for the longest term(s).

- g.** This procedure shall not apply to the election of a Bishop.
- h.** The Convention may proceed to the conduct of other business during the counting of votes, however, balloting may interrupt any other business until all offices/positions are filled.
- i.** At or immediately prior to the opening of each Convention, the Presiding Officer shall present a Resolution or Resolutions to assist in the orderly functioning and dispatch of business during the Convention. Unless otherwise provided by appropriate Resolution or by the Constitution or Canons, the functioning and dispatch of business at any Convention shall be governed by Robert's Rules of Order (most current and revised edition) and the vote on any Resolution shall be by simple majority of all of the valid votes cast.

Section 5. Any congregation in arrears on any prior year's apportionment shall, in all events, be granted seat and voice at Convention.

CANON II

Of Evidence of Lay Membership in the Convention

Section 1. The election of Lay Delegates and Lay Alternates to the Convention, if by the Vestry or Bishop's Committee, shall be made at a regular meeting, or at one called especially to elect Lay Delegates and Alternates.

If such election be made by the Congregation, the Electors must have the same qualifications, and the election be conducted in like manner, as is or shall be described by Canon for the election of Vestry Members. Any vacancies that occur in Lay Delegations may be filled by the Rector or Priest-in-Charge of a Mission or, if there be no Rector or Priest-in-Charge, by the Wardens. A Lay Delegate shall have the same qualifications as an Elector in a Congregation.

Section 2. No later than March 1st of each year, the following Certificate shall be filed with the Bishop's office:

"This is to certify that at a meeting of the Rector, Wardens, and Vestry, (or Vicar, Wardens, and Bishop's Committee) of the Congregation of _____, held on the _____ day of _____, the following events have taken place in the manner required by these Canons:

- a.** The following persons were elected to represent this Congregation as Lay Delegates and Lay Alternates at the Convention of the Diocese to be held on the _____ day of _____, and that the named Delegates are qualified electors of this Congregation: [the Delegates names shall follow];
- b.** The premiums for the preceding fiscal year to the Church Pension Fund on account of the Clergy of the congregation have been fully paid;

- c. The Annual Parochial Report has been filed in the manner provided by the Bishop's Office; and
- d. The Diocesan Apportionment(s) for the preceding calendar year have been fully paid.

The above Certificate shall be signed by the Rector, Vicar, and by the Senior Warden or Secretary of the Vestry or Bishop's Committee of the Congregation. 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. The Committee shall recommend to Convention whether the Congregation shall be granted vote at Convention. Regardless of the failure to file the Certificate, Congregations shall be entitled to vote for election of a Bishop.

Section 3. The Committee on Credentials shall determine the number of Clergy and Lay Delegates attending the Convention and report the totals at the opening session of the Convention.

Section 4. The Delegates elected to the preceding Diocesan Convention shall be Delegates at Special Meetings of Diocesan Convention, except when other Delegates shall have been chosen in the meantime by any Congregation.

CANON III ***Of the Secretary of the Convention***

Section 1. The duties of the Secretary shall be to take minutes of the proceedings of the Convention; prepare and have printed and distributed the Annual Journal of the Convention; to preserve its Journals and records; to attest the public acts of the body; and faithfully deliver into the hands of a successor all property, moneys, books, and papers relative or belonging to the Diocese, which may be in the Secretary's possession. It shall also be the Secretary's duty to give thirty days' notice to each Congregation of the time and place appointed for the meeting of the succeeding or any special Convention. The Secretary shall prepare the roll of the Lay Delegates entitled to seats in the Convention, before the opening of the Convention. The Secretary shall transmit to each officer and to each member of the Clergy of the Diocese, and to each Congregation of the Diocese, and others, upon advance request, a copy of the Journal of the Convention.

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

Section 3. Immediately upon the close of each Convention, the Secretary shall transmit to every officer or Committee of the Convention a certified copy of all the acts of the Convention bearing upon the duties of such officer or Committee as may have been enacted.

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

Section 5. The Secretary shall have power, with the approval of the Ecclesiastical Authority, to appoint and employ an Assistant Secretary.

CANON IV Of the Actuary

Section 1. The Bishop shall appoint annually, subject to confirmation by the Diocesan Council, an Actuary, who may be also the Diocesan Administrator. The Actuary shall be entitled, *ex officio*, to all the privileges of membership in the Convention except the right to vote, unless the Actuary be also an elected Delegate.

Section 2. All deeds, mortgages, insurance policies, and other documents pertaining to the property vested in the name of the Diocese shall be in custody of the Actuary, who shall faithfully keep and deliver the same to any successor.

The Actuary shall make available at all times for the Diocesan Council and the Convention complete records on all the properties so vested.

The Actuary shall be charged with the responsibility of ascertaining the imposition of any taxes, paving assessments, and improvement liens levied against the property of the Diocese, and the expiration of any insurance policies, and shall report the same to the Diocesan Council and to the Annual Convention.

CANON V Of the Standing Committee

Section 1. The Convention shall elect to the Standing Committee annually, the number of members as set forth herewith.

Section 2. The Standing Committee shall consist of five Presbyters and four Lay Persons, the term of office of each to be three years. No member, either Clergy or Lay, shall serve more than two consecutive three-year terms. Members' terms of office shall be staggered so that the Convention shall elect annually three members of the Standing Committee. Of those three, one shall be a member of the Clergy or the Laity and not more than two shall be members of either the Clergy or Laity.

Section 3. The Clerical members of the Standing Committee shall be eligible for full membership in the Convention of the Diocese; Lay Members, who must be Electors of the Church domiciled in the Diocese, shall have all the privileges of membership in the Convention except the right to vote, unless they be also elected Delegates.

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

Section 5. The Committee, at its first meeting after each Annual Convention, shall choose a President from among its members. From among either the Clerical or the Lay Members it shall choose a Secretary, who shall keep a full record of all transactions of the Committee. Records of the Standing Committee, and all papers officially in its possession, shall be subject at all times to the examination by the Bishop and the Convention. Five members of the Committee shall constitute a quorum for the transaction of business after due notice of a meeting is given all members.

Section 6. The Standing Committee shall be a council of advice to the Bishop, to be summoned by the Bishop whenever its advice is desired; it may of its own accord advise the Bishop when it considers it needful to do so. All proceedings of the Standing Committee when it is acting as a council of advice to the Bishop shall be strictly confidential unless the Bishop and the Committee shall determine otherwise.

CANON VI Of the Diocesan Council

Section 1. The Diocesan Council, as hereinafter constituted, subject to the provisions of the Constitution and Canons of the Diocese and the direction of the Convention, shall have oversight of the work of the Diocese, and of such other work as may be submitted to it by the Convention of the Diocese, and shall administer and carry on the same. The Bishop shall be executive head of all such work, and the Council shall assist the Bishop in the administration thereof.

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

Section 3. The Council shall be composed of the Bishop; one Presbyter, one Lay Man, and one Lay Woman to be elected by the Convention; and one Presbyter and One Lay Person from each Deanery of the Diocese, whose selection by the several Deaneries shall be confirmed by the Convention. The Bishop Coadjutor, the Suffragan Bishops, the President of the Standing Committee, and the Chancellor shall be *ex officio* members of the Council. The elected or confirmed members of the Council shall be entitled to all privileges of the Convention except the right to vote, unless they be otherwise accredited to vote in the Convention.

Section 4. The Officers of the Diocese shall be the Bishop as President, and the Coadjutor, the Suffragans, and the President of the Standing Committee as Vice-Presidents. All other officers of the corporation shall be elected by the Council. Any Secretary or Treasurer may be, but need not be, a member of the Council. In the absence of the President and Vice-Presidents, the Council shall elect one of its members to preside *ex tempore*. Any and all actions shall be by

majority vote of a quorum, which shall consist of one more than one-half of the qualified voting members of the Council.

Section 5. Each Deanery and the Diocesan Convention shall each year elect a successor to the member whose term of office has expired. The term of office of elected Council members shall be two years. An elected member may serve no more than three consecutive terms. Any election to fill an unexpired term shall, for calculation to fill an additional term, be counted as a full term. The Council shall have power to fill any vacancy of members elected by the Convention until the next Annual Convention of the Diocese. A vacancy, if of a Deanery elected member, shall be filled by the Convocation affected, to be confirmed by the next Annual Convention.

Provision for the initial terms of Council members elected from any new Deanery hereafter constituted shall be prescribed by the Ecclesiastical Authority at the time of the Deanery's creation, in such manner as to provide for the appropriate staggering of terms.

Section 6. At the first meeting of the Diocesan Council following the Annual Convention of the Diocese, the Council shall meet to organize, to elect necessary officers, and to appoint all necessary committees or agencies to implement the work of the Convention of the Diocese, and to fulfill any special mandates or commissions of the Convention. The Council shall meet thereafter at least quarterly. Special meetings may be called by the Ecclesiastical Authority or shall be called upon the request of any seven members. No elected members of the Council may serve at the same time on either the Standing Committee or the Committee for Congregational Development.

Section 7. The Council shall present to all the Clergy entitled to vote in Convention, as described in Article V, Section 2, of the Constitution, and to the Secretary of the Vestry or Bishop's Committee of the several Congregations a report of its activities for the preceding year, together with the financial statements of the Diocese; and as soon as it can be compiled, an analysis of the annual reports of the Congregations as made on the form required by the General Convention of the Episcopal Church in the United States.

Section 8. At least ten days prior to the Diocesan Convention, the Council shall submit to the Ecclesiastical Authority, to the Secretary of the Convention, to every member of the Clergy canonically resident, and to the Secretary of every Vestry and Bishop's Committee of every Congregation:

- a. an audited financial statement of the affairs of the Diocese for the past year; and
- b. a proposed budget for the Diocese; and
- c. a schedule showing the apportionment against each congregation to meet the cost of the proposed budget.

Section 9. 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. The power of any committee or functionary shall be subject to and limited to the authority of the Council. With the approval of the Diocesan Convention, the Council may form legal entities to assist the Council in its work and to manage funds, properties - both real and personal, trusts and other responsibilities for which the Council is accountable, such entities to have only managerial powers with all actions subject to the formal approval of the Council. 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; written consent and approval of the Bishop and Diocesan Council are required; and any encumbrance or alienation of any real property designed or used for regular services of worship, whether having been consecrated or not, shall also require the previous consent of the Bishop acting with the advice and consent of the Standing Committee of the Diocese.

Section 10. Only the Council, acting upon recommendation by the Committee for Congregational Development, shall have the power to amend, modify, or suspend any apportionments placed on Parishes or Missions.

Section 11. The Registrar, to be appointed by the Bishop, may be an Assistant Secretary of the Council, without vote. In addition to the duties required by the Constitution, the Registrar shall keep the Diocesan Register of Clergy canonically resident, those received and transferred, the Register of Ordinations, those suspended or deposed; and keep the Diocesan Journal of persons confirmed or received from other Communions; and keep a record of marital judgments and of persons readmitted to the Sacraments in accordance with the provision of the Constitution and Canons of the General Convention.

Section 12. The Council is empowered to elect representatives of the Diocese, who shall be parochial Clergy canonically resident, or qualified Electors of a congregation in the Diocese, to:

- a. The Synod of Province IV; and
- b. The Trustees of the Diocese of South Florida; and
- c. The Board of Managers of the Endowment Fund Corporation of the Diocese of South Florida; and
- d. Any other corporation, institution, organization, or other body with whom the convention of the Diocese recognizes an official relationship calling for representation from this Diocese.

The Convention annually shall elect Diocesan representatives, who are canonically resident or qualified Electors in number, for the terms required by the Constitution(s), Canons or By-laws of Bishop Gray Inns f/k/a William Crane Gray Inn for Older People and the Trustees of the University of the South (Sewanee).

Section 13. The administration of the affairs of The Church Pension Fund in this Diocese shall be in the hands of the Diocesan Council, which shall perform all necessary duties in accordance with the rules of The Church Pension Fund.

CANON VII Of Rectors and Other Ministers

Section 1. Subject only to the Bishop of the Diocese, the Rector or Priest-in-Charge of the Congregation has exclusive charge, under the Constitution and Canons, of all things affecting the spiritual interests of the Congregation. The Rector or Priest-in-Charge shall at all times be entitled to the use and control of the Church and all Parish or Mission buildings with the appurtenances and furniture thereof. The Rector or Priest-in-Charge shall at all times be entitled to access to the church, to open the same for public worship, for catechetical, or other religious instruction, marriages, baptisms, burials, and all other offices authorized by the Church. The Rector or Priest-in-Charge shall have full charge of all services in the church and spiritual direction and control of all Church Schools, Parish Schools, and all other associations connected with the Congregation.

Section 2. It is the duty of the Rector or Priest-in-Charge to give directions concerning the worship of the Church, together with all that appertains thereto. The Rector or Priest-in-Charge may from time to time appoint fit persons to perform, under supervision and direction, such duties relative to the service and decoration of the Church as may properly be done by Lay Persons.

Section 3. The Rector or Priest-in-Charge of any Congregation is, *ex officio*, President of the Vestry or Bishop's Committee and of the Congregation and has the right to vote at all times.

Section 4. No member of the Clergy may be called as Rector by any parish without approval of the Bishop.

Section 5. No member of the Clergy may be called as Assistant Minister by any parish without the approval of the Bishop.

Section 6. Every member of the Clergy temporarily vacating their cure shall arrange in advance with the Vestry or Bishop's Committee for the supply of services and the care of the Congregation during the absence. If the member of the Clergy be paid wholly or in part by the Diocese, the approval of the Ecclesiastical Authority shall be received in advance of such absence.

CANON VIII Of Wardens, Vestries, Bishop's Committees and Electors

Section 1. In every Parish and organized Mission in this Diocese there shall be an annual meeting of the congregation, within one hundred twenty days before or on the twenty-eighth day of February, and at said meeting an election by ballot, of a Vestry or Bishop's Committee,

consisting of no fewer than five persons as may be fixed by the Congregation's Charter, and who shall continue in office until their successors are elected and qualified. In such election a majority of votes shall decide the choice, provided, however, that in the case of an Organized Mission, the names of those chosen shall be submitted to the Bishop for his approval and appointment. As to a Parish, of the persons so chosen, one shall be appointed Senior Warden by the Rector and one shall be designated and elected Junior Warden by the Vestry. As to a Mission, of the persons so chosen, the Vicar or Priest-in-Charge shall nominate a Senior Warden and the Bishop's Committee shall nominate a Junior Warden and other officers. The names of all Mission Officers so nominated shall be submitted to the Bishop for his approval and appointment. Nothing herein contained shall prevent a Congregation from establishing terms of office more than one year, provided the term of one or more members of the Vestry or Bishop's Committee shall expire each year.

Section 2. 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 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 challenged by a qualified Elector. In the event of such challenge, the right of such person shall be passed upon by a committee of three previously nominated by the Rector or Vicar, or in the event there shall be no Rector or Vicar, then by the Senior Warden and confirmed by the Vestry or Bishop's Committee, and the findings of such committee shall be final and binding.

Section 3. No person shall be eligible as a Warden or Vestry Member or Bishop's Committee Member who is not a qualified Elector in the Congregation.

Section 4. 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. In the absence of the Rector or Vicar, the Senior Warden shall preside at the meetings of the Vestry or Bishop's Committee. In the absence of both, the Junior Warden shall preside.

Section 5. 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.

Section 6. 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.

Section 7. 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 Committee may direct. The offices of Secretary and Treasurer may both be held by the same person.

Section 8. 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 may be provided for at regular times; or be called by the Rector or Vicar; or, in the absence of the Rector or Vicar, by the Senior Warden, 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.

Section 9. All Lay Officers of a Congregation shall hold their respective offices until the election and qualifications of their successors. Each congregation shall adopt a plan that provides for rotation of members of the Vestry or Bishop's Committee. 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.

CANON IX

Of Parochial Registers and Reports

Section 1. In every Congregation the Church Wardens 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; and, if a child, the names of its parents and sponsors; the names of all persons married or buried, and the dates of such marriages and burials; together with a list of all the Communicants in the Congregation, with the date of every event recorded, all of which shall be under the signature of the person performing the office or service. From this Register there shall be presented annually to the office of the Bishop, in the manner provided, an accurate statement of the affairs of the Congregation.

Section 2. In every Congregation the Church Wardens 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, which record shall show the date, time, place, and kind of service held, the number of persons present, and if the service be that of the Holy Communion, the number making their communion.

CANON X

Of the Formation of a Parish

Section 1. When a Mission shall give evidence of its ability to fulfill its obligations as a Parish in union with the Convention of the Diocese, it shall make application to the Ecclesiastical Authority at least sixty days before the Convention, that application noting:

- a.** That it accedes to the Doctrine, Discipline, and Worship of this Church, to the Constitution and Canons set forth by General Convention, and to the Constitution and Canons of this Diocese.
- b.** That it will pay for the support of its Rector such an amount as may be approved by the Ecclesiastical Authority and Diocesan Council, its apportioned share of funding the Program and Budget as agreed at the Convention of the Diocese, the pension premium on the stipend of the Rector, and such other expenses as may be normally encountered in the operation of a Parish. The applicant shall show also that it has been able to meet such requirements for not less than one calendar year prior to applying for Parish status, and it shall provide evidence that it can continue to do so.
- c.** That it possesses a place of corporate worship adequate to the needs of its Congregation, the location and tenure of which is established and continued possession of which is reasonably assured.
- d.** That it represents one hundred households of membership, one hundred average Sunday attendance and annual income at least equal to twice its clergy costs.

Section 2. Together with the aforesaid application there shall be submitted to the Ecclesiastical Authority the proposed Charter of the Parish.

Section 3. Once the application and Charter have been approved by the Ecclesiastical Authority and Diocesan Council, the application shall be submitted to the Convention for final action; or if the approbation of the Ecclesiastical Authority or the Diocesan Council is withheld, it shall be reported in the Convention the reason for the disapproval. Upon approval of such application, the Mission shall forthwith file for record the Charter as required by the laws of the State of Florida.

Section 4. 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.

Section 5. 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.

Section 6. A Parish admitted and thereafter failing in its self-support or in its financial and/or Canonical obligation shall become an Organized Mission by a two-thirds vote of the Diocesan Convention. A Parish that finds itself in financial distress between Diocesan Conventions may, at the discretion of the Bishop and with the concurrence of the Council, be considered eligible for financial assistance as an Organized Mission until its status can be determined by the next Diocesan Convention.

Section 7. A Parish having an average Sunday attendance under 75 persons for two consecutive years, shall become an Organized Mission upon 2/3 majority of Diocesan Convention.

CANON XI

Of the Organization of a Mission

Section 1. Not fewer than fifty households with a projected attendance of fifty persons may associate themselves together as an Organized Mission. They must be residents in proximity of the proposed location. They shall first obtain the consent of the Bishop. They shall declare their conformity to the Doctrine, Discipline and Worship of this Church; choose the name by which they shall be known; declare their submission to the authority of the Diocese and the Canons thereof; and make application to the Ecclesiastical Authority to organize and constitute a Mission.

Section 2. Every such application to organize a new Mission must be accompanied by a certificate showing the approval or disapproval of the Rector and Vestry of each Parish, and of the Vicar and Bishop's Committee of each Mission, within a radius of ten miles of the proposed location, or evidence that such certificate was not obtainable.

Section 3. If it is deemed expedient to act, the Bishop shall appoint a Senior Warden and a Junior Warden, a Secretary, a Treasurer, and a Bishop's Committee, such appointments to be renewed annually before the Diocesan Convention. The Canons concerning Parishes shall be applicable to Missions except where otherwise provided.

Section 4. The Bishop shall report to the Convention the Missions which have been organized and are in good standing, and they, thereupon, shall be admitted, and shall report to the Convention. Missions shall be assessed equitably for the support of the Diocese.

Section 5. Should the average Sunday attendance fall below twenty-five, such Mission shall cease to be an Organized Mission.

Section 6. 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.

CANON XII Of Deaneries

Section 1. The Diocese shall be divided into Deaneries, the number and boundaries of which shall be determined by the Ecclesiastical Authority with the advice of the Diocesan Council. The presiding officer of each Deanery shall be a Dean appointed by the Ecclesiastical Authority annually. The Deanery Convocation shall be composed of all active Clergy canonically resident in the Deanery, the Deanery Chairperson of the Episcopal Churchmen, Episcopal Churchwomen, Episcopal Young Churchmen, and five Lay Persons selected by the Vestry or Bishop's Committee of each Congregation, or, upon the failure of either to act, by the Congregation in annual or special meeting. Of each Lay Delegation, at least two members must be Delegates to the Diocesan Convention.

Section 2. Each Deanery Convocation shall meet at the call of the Dean or of the Ecclesiastical Authority.

Section 3. The purpose of each Deanery shall be to afford opportunity for the Clergy and Laity to come together for conferences, to initiate works and activities at the Deanery and Congregational levels, to promote the work and Mission of the Church, and to prosecute the work of the Diocese within the Deanery.

CANON XIII Of the Ecclesiastical Court

Section 1. There is hereby established an Ecclesiastical Trial Court in and for the Diocese of Southwest Florida.

Section 2.

- a.** The Ecclesiastical Trial Court shall consist of five (5) Members of the Clergy and four (4) Lay Persons. All members of the Court must be persons canonically resident within the Diocese and Lay Members must be Electors of the Church.
- b.** At the Diocesan Convention wherein this Canon is approved, the Convention shall elect the first Ecclesiastical Trial Court and shall stagger their terms to allow for three persons to be elected at each Annual Diocesan Convention to serve on the Ecclesiastical Trial Court for a term of three years. Persons elected shall be from each order as required to maintain the required make up of the Ecclesiastical Trial Court.
- c.** Vacancies occurring within the membership of the Ecclesiastical Trial Court shall be filled by majority vote of the remaining members of the Court. Persons elected to fill a vacancy must be from the same order as the person they replace. Vacancies must be filled within three months of notification of the vacancy unless sooner required by other provisions of National or Diocesan Canons.

- d. Within two months following each Annual Diocesan Convention the members of the Ecclesiastical Trial Court shall elect from among themselves by majority vote one person to serve as Presiding Judge for a one year term.
- e. Within three months following each Annual Diocesan Convention the members of the Ecclesiastical Trial Court shall appoint a duly licensed attorney to serve as Church Attorney for a one year term.
- f. All persons elected or appointed under this section are eligible to be re-elected or re-appointed upon the expiration of their terms.
- g. If the Ecclesiastical Trial Court is in session at the time of the Diocesan 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.

- a. Charges for which a Member of the Clergy may be made to stand trial are contained in the Canons of the Episcopal Church.
- b. The mode and manner of making charges, securing Presentments, and of conducting trials shall be as established in the Canons of the Episcopal Church.

Section 4. The powers, duties and procedures of the Ecclesiastical Trial Court and the definitions used herein shall be governed by the National Canons as revised from time to time.

CANON XIV Of the Committee on Constitution and Canons

Section 1. At each third annual session of the Convention, commencing with the Primary Convention, there shall be appointed by the Bishop, subject to confirmation by the Convention, a committee of not less than seven, consisting of four active and canonically resident members of the Clergy and three Lay Persons who shall be Electors of a Congregation in this Diocese. Such committee shall hold office for three years with power to sit between sessions of the Convention. Vacancies in the Committee, occurring by death or otherwise, may be filled by the Bishop, subject to confirmation by the Diocesan Council, until the next annual convention, at which time the replacement can be confirmed.

Section 2. All matters relating to the Constitution and Canons shall be referred to this Committee for consideration. The Committee, meeting prior to the Diocesan Convention, will by majority vote recommend either approval or disapproval of the change as proposed and submitted in writing by the sponsor. The Committee may, provided a majority concurs, and believing the

proposed change as submitted has merit but should be reworded and otherwise made to conform to the Constitution and Canons, draft a substitute change to the Constitution or Canons for submission in writing to the Convention.

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.

CANON XVI Of the Commission on Ministry

Section 1. The Commission on Ministry of this Diocese shall consist of twelve voting members, of whom six shall be Presbyters, two shall be Deacons, and four shall be Lay Persons. Members shall be appointed by the Bishop, and confirmed by Convention. Terms shall be for a period of three years. Terms shall be staggered with one-third of the members being appointed annually. In the event of a vacancy, the Bishop shall appoint a replacement to fill the unexpired term. A person may serve two consecutive terms. He or she will then be eligible for reappointment after a period of one year. In addition, one member of the Standing Committee shall serve as liaison to the Commission on Ministry with seat and voice. This person shall be appointed by the Standing Committee.

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

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

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

CANON XVII Of Schools

Section 1. No school providing secular education for young people equivalent to that provided by kindergartens or any of the first twelve grades of the public school system and claiming to be with or under the control, auspices or approval of this Church shall be established by any Parish, Mission or other institution in this Diocese without first obtaining the consent and approval of the Bishop and Diocesan Council nor shall any such school be operated or maintained by any Parish, Mission or other institution in this Diocese without the continued approval of the Bishop and Diocesan Council.

Section 2. The Bishop and the Diocesan Council are hereby authorized to make and provide minimum standards and requirements for the establishment, the approval, and the recognition of such schools including reasonable probationary periods. If any school fails to meet

such minimum standards, the approval of the Bishop and the Diocesan Council will cease immediately.

Section 3. The Bishop and the Diocesan Council may require reports from all such schools and specify the information to be disclosed by such reports and shall have the right to inspect, or cause to be inspected, such schools at any time. If any school fails to meet such minimum standards, the approval of the Bishop and the Diocesan Council will cease immediately.

CANON XVIII Of Amendments

Proposed amendments or additions to the Canons shall be submitted in writing to the Diocesan Council and to the Committee on Constitution and Canons not less than sixty days before any meeting of the Convention and a copy thereof shall be sent to the Clergy and Delegates at least thirty days before the Convention. Provided, however; that any Convention, by a two-thirds majority vote of those present and voting, may consider any Canon not submitted in the time required by this Canon.

CANON XIX Of Resolutions

Any resolution duly adopted by a Deanery Convocation for presentation to the Convention, together with any resolution duly proposed and passed by appropriate committees of the Diocese and Convention in the discharge of their responsibilities shall be considered by the Convention at the appropriate time on the agenda as determined by the Bishop. All other resolutions shall be submitted to the Bishop at least sixty days prior to the Convention; and a copy thereof shall be sent to the clergy and delegates at least thirty days before Convention.

CANON XX Of Related Organizations

Section 1. 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.

Section 2. No organization shall use the name of this Diocese or any Congregation of this Diocese, or claim to be a Church-related organization, without first having obtained the approval of the Bishop and the Diocesan Council and being chartered as a Corporation under the laws of the State of Florida, the charter of which shall provide:

- a.** Any amendment of said charter shall be subject to the approval of the Bishop and the Diocesan Council.
- b.** No real property, the title to which is held by or for the use of the Corporation, shall be encumbered, sold, alienated, transferred or conveyed without the prior consent and approval of the Bishop and the Diocesan Council. No approval given hereunder

shall imply any authority on the part of the Corporation to incur any liability of any kind against the Diocese.

- c. A stated purpose of the Corporation shall be to promote the moral and spiritual values of the Christian tradition as professed by the doctrines of the Protestant Episcopal Church in the United States of America.
- d. The Bishop shall have the right to approve the selection of the chief executive officer of such Corporation.

CANON XXI

Of the Committee for Congregational Development

The Bishop shall appoint a Committee for Congregational Development. It shall consist of one clergy and one lay representative from each of the Deaneries and each member shall serve for a term of three years. The President of the Standing Committee shall be a member of the Committee ex officio.

The Committee shall report to the Diocesan Council and the Convention at least annually. It shall have the power to study the records of any congregation and institution of, or related to, the Diocese. The Committee shall meet with the Bishop and provide background related to congregations in default in their apportionment. The Committee shall also be empowered to review any petitions by a congregation for a change in status (Parish, Organized Mission, Unorganized Mission), and to provide counsel to the Bishop, Bishop's Staff and Diocesan Council related to such matters. The Committee is required to make recommendations to the Ecclesiastical Authority, Convention and Council regarding any changes in the status of any congregation that falls below the households of membership, average attendance or income as indicated in Canon X, section 1d, and Canon XI, sections 1 and 5.

The Committee shall organize its labor under three sub-committees:

The Sub-Committee on Apportionments shall act as a resource to the Bishop, to Diocesan Council and to congregations having difficulties meeting their financial obligations to the Diocesan community. It shall also meet with the Bishop regarding Congregations with defaulted apportionments as required in Canon II, Section 2.

The Sub-Committee on Assisted Congregations shall act as a resource to the Bishop, to Diocesan Council and to congregations that have not met the requirements for Parish status as listed in Canon X.

The Sub-Committee on Church Planting shall act as a resource to the Bishop, and Diocesan Council regarding the work of planting congregations throughout the Diocese.

CANON XXII

Of a Nominating Committee for Episcopal Elections

Section 1. Whenever the Ecclesiastical Authority of the Diocese requests the election of a Bishop Coadjutor or a Bishop Suffragan, and the Convention of the Diocese assents thereto,

a Nominating Committee representative of the Laity and the Clergy shall be constituted under the authority of the Convention. That Committee shall be charged with responsibility for conducting a self-study of the Diocese and a process for the screening and selection of candidates in order to present to the Diocesan Convention a qualified slate of nominees from which a Bishop may be chosen. Presentation of a slate selected by the Nominating Committee shall not preclude nominations from the Convention floor.

Section 2. Reflecting the composition of the Diocesan Convention, two-thirds of the membership of the Nominating Committee shall be of the Laity and one-third shall be of the Clergy, the selection process to assure representation from each of the several Deaneries.

Section 3. Provision shall be made by Convention for election by the Laity and Clergy of the Diocese of no less than two-thirds of the membership of the Nominating Committee, the election procedure to assure representation from each of the several Deaneries.

Section 4. The Ecclesiastical Authority, in consultation with the Standing Committee should the Ecclesiastical Authority at that time be the Diocesan Bishop, shall appoint the remaining members of the Nominating Committee, those appointments to give representation on the Committee to each of the several deaneries. The Nominating Committee shall select its officers from among its own members.

Section 5. The method of operation, as well as an operating budget, shall be adopted by the Committee when formed, subject to approval of both the Standing Committee and the Diocesan Council.

Section 6. If the Diocese should be without a Bishop, the above provisions shall be followed, insofar as applicable, for the nominating process for a Diocesan Bishop.

CANON XXIII Of the Diocesan Review Committee

Section 1. Establishment

There shall be in this Diocese a Diocesan Review committee (the ‘DRC’) to act for the Diocese in disciplinary proceedings under Title IV of the Canons of General Convention.

Section 2. Members

The DRC shall consist of two Priests and one Deacon and two lay persons. The Diocesan Council shall elect one Priest or Deacon to a three-year term, one Priest or Deacon to a two year term, one Priest or Deacon to a one year term, one lay person to a three term, and one lay person to a two- year term. Thereafter, the members of the DRC shall be elected by the Diocesan Convention for three year terms. No member shall serve more than two consecutive terms. Neither a current member of the Ecclesiastical Trial Court, nor a current member of the Standing Committee, shall be eligible for membership on the DRC.

Section 3. President

Each year the DRC shall elect from its members a President who may be a member of the Clergy or a lay person. The election shall be held within two months after Diocesan Convention.

Section 4. Challenges

In any particular case, any member of the DRC may be challenged for cause, either by the Church Attorney or by a Respondent. The members of the DRC who are not challenged for cause shall determine the relevance and validity of such challenges, and their determination shall be final and non-appealable.

Section 5. Vacancies

If a vacancy occurs in the DRC, the Diocesan Council shall name a person to fill the vacancy until the next Diocesan Convention, when an election shall be held to fill the unexpired term. The person chosen to fill the vacancy shall be selected from a list of candidates otherwise qualified for election to the DRC, which list shall be prepared by the Diocesan Council, or a sub-committee formed by the Diocesan Council for such purpose. Vacancies shall be filled from persons of the same order as the person whose absence created the vacancy.