



# Constitution And Canons

As in effect after the November 4, 2022 Synod

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# THE CONSTITUTION OF THE ANGLICAN DIOCESE OF THE SOUTH

## Preamble

**IN THE NAME OF GOD, the Father, the Son, and the Holy Spirit,**  
**Amen.** This Diocese comprises Anglicans in the States of Georgia, North Carolina, South Carolina, Tennessee and Alabama, and other states where the mission may take the Diocese, united by a common faith in the Lord Jesus Christ and committed to the trustworthiness of the Holy Scriptures. As Anglicans, we believe and confess Jesus Christ to be the Way, the Truth, and the Life. No one comes to the Father but by Him. John 14:6.

The Diocese has been formed by its constituent Congregations and Missions to be a member of the Anglican Church in North America (sometimes referred to as “the Church”), a participant in the worldwide Anglican Communion, a Fellowship within the One, Holy, Catholic and Apostolic Church. The purpose of the Diocese is to carry out diocesan ministry consistent with the Constitution and Canons of the Church, upholding and propagating the historic Faith and Order as set forth in the 1662 Book of Common Prayer. The Diocese consists of those Congregations and Missions listed in Article XV of this Constitution and those additional Congregations and Missions which may be added from time to time in the manner provided by canon.

## **Article I: Fundamental Declarations and Governing Principles of The Diocese**

We affirm certain governing principles of our life as a part of the Body of Christ, including:

***Submission to the Church.*** The Diocese hereby subscribes without reservation to the Fundamental Declarations of the Church as set forth in its Constitution. The Diocese acknowledges the authority and powers expressly granted to the Church as set forth in the Constitution and Canons adopted thereby as in effect on the date hereof and adopts this Constitution to be in conformance therewith. All powers not so granted to the Church are reserved to the Diocese and its member Congregations and Missions.

***The Historic Godly Episcopate.*** We confess the Godly historic Episcopate through Apostolic Succession as an inherent part of the apostolic Faith and Order, and therefore as integral to the holiness and unity of the Body of Christ.

***The Bishop Evangelist.*** From the beginning our vision is of a diocese, minimal in structure, whose Bishop is to concentrate on five main things: defending the Faith, upholding the authority of the Holy Scriptures, the due exercise of episcopal ministry to the clergy and laity, doing the work of an evangelist, and supporting and overseeing the planting of churches.

***The Congregation as the Fundamental Agency of Mission.*** We affirm the local congregations and missions, acting within and with the support of the diocese, as the fundamental agencies of the mission of the Church.

***Subsidiarity.*** Wisely has the Church chosen the governance principle of

subsidiarity; namely, that whatever can wisely be left to the dioceses should be left to the dioceses, and whatever the dioceses can wisely leave to the local congregations should be left to the local congregations. This Diocese exists to serve and to coordinate the work of its Congregations and Missions; it must never be a usurper of their Godly mission and work.

***The Mission and Work of the Diocese.*** The mission of this Diocese is to support the Congregations in extending the Kingdom of God by so presenting Jesus Christ in the power of the Holy Spirit that people will come to put their trust in God through Him, know Him as Savior, and serve Him as Lord in the fellowship of the Church. A principal work of the Diocese is to plant new congregations, to encourage and assist the Congregations in planting new congregations, and to strengthen newly planted congregations to become self-sustaining member Congregations.

***Lay Participation.*** The effective ministry of the Diocese is the responsibility of the laity no less than it is the responsibility of the Bishop and clergy. The laity shall participate in the governance of the Diocese on an equal basis with the ordained ministers.

***A Servant Community.*** We pray the Holy Spirit to lead us into fullness as a servant community of mutual respect, support and cooperation, that we may fulfill all righteousness in our mission, our work, and our communal life together as disciples of our Lord Jesus Christ. For even the Son of Man did not come to be served, but to serve, and to give his life as a ransom for many. (Mark 10:45)

***The Sanctity of Life, the Sanctity of Marriage, and the Gift of Family.***  
We commit ourselves and our ministries to upholding the Sanctity of Life, the Sanctity

of Christian Marriage, and the Gift of Family, for in these things are they blessed who fear the Lord.

- God, and not man, is the creator of human life. The unjustified taking of life is sinful; therefore, we are called to promote and respect the sanctity of every human life from conception until natural death. (Exodus 20:13)

- We affirm our Lord's teaching that the Sacrament of Holy Matrimony is in its nature a union permanent and lifelong of one man and one woman in which the two become one flesh. It is both an ordinance of Creation, affirmed as such by our Lord, and commended by Saint Paul as a sign of the mystical union between Christ and His Church. We are called to promote and protect healthy marriages. (Genesis 2:24; Ephesians 5:32). Similarly, we affirm with St. Paul that it is also good and acceptable for people who are called to celibacy to lead a chaste unmarried life. (1 Corinthians 7:7,8)

- We affirm the family to be one of the greatest blessings God gives us, providing acceptance, sustenance, and nurture and admonition, from the Lord. We are called to promote and protect healthy family life, and to embrace those who are without family in the fellowship of the Church. (Psalms 127, 128; James 1:27) We are determined with God's help to hold and maintain, as the Anglican Way has received them, the doctrine, discipline and worship of Christ and to transmit the same, unimpaired, to our posterity and for the Glory of God.

## **Article II: Mission and Worship**

The mission of the Diocese shall be that of the Church. In addition, The Anglican Diocese of the South exists to equip clergy and congregations to fulfill the Great



Commandment, and the Great Commission (Mark 12:29-31; Matthew 28:19-20) by leading people into a growing relationship with Jesus Christ through personal discipleship, evangelism, and the nurturing and planting of congregations. The worship of Almighty God shall be according to Anglican faith and order and shall be conducted in accord with the standards provided in the Constitution and Canons of the Church.

### **Article III: Order, Governance and Discipline**

The fundamental agency of mission is the local congregation, acting within and with the support of the Diocese. The order, governance and discipline of the Diocese shall be vested in the Bishops, the Standing Committee, the Synod and the Ecclesiastical Courts of the Diocese in conformity with this Constitution and the Canons. Neither the Bishops nor any governing body of the Diocese shall make any edict or take any action that is contrary to the Scriptures as they have been received by the Church.

### **Article IV: Authority, Composition, and Organization of the Synod**

#### **Section 1 Authority**

There shall be a Synod which shall serve as the governing body of the Diocese. Each Congregation and Mission shall be represented in the Synod as provided by Canon. The laity and the clergy shall participate in the governance of the Diocese on an equal basis. The Synod shall function as a unicameral body. The Synod shall have authority to adopt Canons and rules of order and discipline,

approve resolutions and budgets, and take any other specific action for the conduct of the affairs of the Diocese not in conflict with this Constitution or the Constitution and Canons of the Anglican Church in North America.

## **Section 2 Composition**

(a) The Synod shall be composed of the Bishop or Bishops and the lay and clerical delegates from the member Congregations and Missions of the Diocese.

(b) The clerical delegates to the Synod shall consist of the Bishop or Bishops of the Diocese and all of the presbyters and deacons canonically resident in the Diocese and attached to member Congregations or Missions. No clerical member under ecclesiastical discipline of this Church shall be entitled to a seat in the Synod.

(c) The lay delegates to the Synod shall consist of the lay delegates from the member Congregations and Missions, authorized by Canon, as well as those ex officio members authorized by Canon.

(d) Lay members of the Standing Committee, the Chancellor, the Treasurer, the Secretary of the Diocese and four youth delegates between the ages of 16 and 22 chosen by the Standing Committee by majority vote of its members, shall be delegates to the Synod ex officio.

(e) Each elected lay delegate and each clerical delegate shall have voice and vote at the Synod. Each ex officio delegate shall have voice but no vote. Proxies shall not be used to vote at meetings of the Synod.

### **Section 3 Meetings**

There shall be an annual meeting of the Synod, and special meetings of the Synod, as provided by Canon. The lay delegates shall serve for the annual meeting of the Synod for which they are chosen and for any special meeting held prior to the next annual meeting, unless other delegates are chosen in the interim by the member Congregation or Mission. The Synod may not act by consent, but may only act in meeting.

### **Section 4 Quorum for the transaction of business at Synod**

One half of the elected lay delegates and one half of the clerical delegates shall constitute a quorum for the transaction of business at an annual or special meeting of the Synod, but a smaller number constituting a majority of those present may adjourn any such meeting.

### **Section 5 Presiding Officer of the Synod**

The Bishop shall preside at all meetings of the Synod and he may assign the role of presiding officer. In his absence the Standing Committee shall appoint a presiding officer.

### **Section 6 Voting**

The Synod shall deliberate and vote as one body and a majority of those voting, all together or by orders, shall be necessary for a decision, except as otherwise provided in this Constitution or the Canons. There may be a vote by orders if requested by five delegates to the Synod in which case a majority of those voting in each order shall be necessary for a decision.

## **Article V: The Office of Bishop**

### **Section 1 A Bishop's Calling**

A Bishop is called by God and the Church to be a shepherd who feeds the flock entrusted to his care. A Bishop is an overseer of the flock and as such is called to propagate, to teach, and to uphold and defend the Faith and Order of the Church, willingly and as God wants him to - not greedy for money, but eager to serve; not lording it over those entrusted to his care, but being a wholesome example to the entire flock of Christ. By the tradition of Christ's One, Holy, Catholic, and Apostolic Church, Bishops are consecrated for the whole Church and are successors of the Apostles through the grace of the Holy Spirit given to them. They are chief missionaries and chief pastors, guardians and teachers of doctrine, and administrators of godly discipline and governance.

### **Section 2 Concerning Criteria for the Episcopate**

To be a suitable candidate for the episcopate, a person must:

- Be a person of prayer and strong faith;
- Be pious, have good morals and exhibit Godly character;
- Have a zeal for souls;
- Have demonstrated evidence of the fruit of the Holy Spirit;
- Possess the knowledge and gifts which equip him to fulfill the office;
- Be held in good esteem by the faithful;
- Be a male Presbyter at least 35 years old;
- Have demonstrated the ability to lead and grow the Church.

### **Section 3 Concerning the Election of Bishops**

Bishops shall be chosen by the Diocese in conformance with the Constitution and Canons of the Diocese and consistent with the Constitution and Canons of the Church. With the consent of the College of Bishops, the Diocese may commence the process of election of a bishop, the election of the Bishop of the Diocese or a Suffragan Bishop or Bishop Coadjutor, or the selection of two to three nominees for Bishop of the Diocese or a Suffragan Bishop or Bishop Coadjutor, shall take place at the annual meeting or at any special meeting of the Synod called for that purpose. The vote shall be by secret ballot and by orders. A majority of the votes cast by lay and clerical delegates voting by orders on the same ballot shall be necessary to a choice, whether for election as a Bishop or selection as a nominee. If nominees are being chosen, each delegate may vote for as many as there are nominees to be chosen from a slate which may number more than the nominees to be chosen. The Secretary of the Diocese shall promptly certify the election of a Bishop for consent by the College of Bishops of the Church, or certify two or three nominees from which the College of Bishops may select one for the Diocese, as the case may be. The Standing Committee by majority vote of its members shall determine which procedure shall be employed and, in the event the nominee procedure is employed, shall determine the exact number of nominees to be selected. If the Synod shall find only one suitable candidate for the office of Bishop, the name will be submitted for consideration by the College of Bishops with the permission of the Archbishop of the Church. In the event that the Bishop-elect or the nominees are rejected by the College of

Bishops, another election meeting of the Synod shall promptly be called by the Bishop or the Standing Committee. Upon the consent or choice of a Bishop-elect by the College of Bishops, the Archbishop shall take order for the consecration and/or installation of such Bishop in accordance with the Constitution and Canons of the Church.

#### **Section 4 Concerning the Required Declaration at Consecration**

No candidate shall be consecrated a Bishop in the Diocese until he shall have subscribed to the following declaration, which, after subscription, shall be provided to the Archbishop, the Secretary and to each member of the Standing Committee:

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

*“And I do swear by Almighty God that I will pay true and canonical obedience in all things lawful and honest to the Archbishop of this Church, and to his successors; so help me God.”*

#### **Section 5 Further Provisions**

Further provisions consistent with this Constitution regarding the qualifications for the office of Bishop, the manner of electing Bishops, and the powers and responsibilities of Bishops may be set forth in the Canons.

## **Article VI: Vacancy in the Office of the Bishop**

### **Section 1 Upon the Death of the Bishop**

Upon the death of the Bishop, if there be no Bishop Coadjutor or Bishop Suffragan, the Standing Committee shall be the Ecclesiastical Authority of the Diocese. Upon the request of the Standing Committee, the College of Bishops may appoint an Acting Bishop to be in charge of the Diocese until a Bishop can be elected.

### **Section 2 Upon the Disability or Absence of the Bishop**

If the Standing Committee upon careful deliberation determines that the Bishop is under a disability, or has absented himself from the Diocese or failed or refused to perform his duties for more than 60 days without permission of the Standing Committee, it may with the consent of the Archbishop declare the Office of the Bishop vacant. In such case, the Bishop Suffragan or Bishop Coadjutor shall take charge until the Standing Committee declares the Bishop restored. If there be none, the Standing Committee shall serve as the Ecclesiastical Authority of the Diocese until a new bishop is consecrated and/or installed by the Archbishop.

### **Section 3 Elevation of Bishop Suffragan or Bishop Coadjutor**

A Bishop Suffragan may not become the Bishop of the Diocese unless he is so elected at a general meeting of the Synod or a special meeting called for that purpose, and in either event his election shall be subject to the consent of the College of Bishops as provided in Article IV above. A Bishop Coadjutor shall

become the Bishop upon the death, retirement or removal of the Bishop.

## **Article VII: The Officers of The Diocese**

In addition to the Bishop, and the Bishop Suffragan or the Bishop Coadjutor, if there be such, the officers of the Diocese shall be the President, the Secretary, the Treasurer, the Chancellor and the Registrar, whose selection and duties shall be described by Canon. The Canons may also provide for such other officers as are authorized by the Synod. Further provisions consistent with this Constitution regarding the qualifications for the office of such officers, the manner of their appointment or election, and the powers and responsibilities of such officers shall be set forth in the Canons.

## **Article VIII: Provision for a Standing Committee**

There shall be a Standing Committee of the Diocese which shall perform those duties required by the Constitution and Canons of the Church and of the Diocese. The Standing Committee shall be twelve (12) members, composed of half clergy and half laity. At no time may there be more than two (2) members of the Standing Committee from the same Congregation or Mission of the Diocese. The members of the Standing Committee shall be elected by the Synod to staggered terms as provided by Canon. The chairman of the Standing Committee shall be elected annually by majority vote of the members. In the event the Standing Committee is deadlocked as to any matter the Chairman shall have another casting vote to break the tie. The Bishop shall be given notice of all meetings of the Standing Committee and shall have voice, but not vote, at such meetings. The members of the Standing Committee shall not be entitled to



compensation nor to reimbursement of expenses for service as a member of the Standing Committee, except as may be provided elsewhere with respect to indemnification, and except as the Synod may, but need not, provide by annual vote.

### **Article IX: Provision for Other Committees**

The Synod may establish, by the affirmative vote of two-thirds (2/3rds) of all of the delegates eligible to vote at a meeting of the members of the Synod, such other committees it deems necessary, The Canons applicable to the Standing Committee or the Synod as to meetings, action without meetings, notice and waiver of notice, quorum and voting requirements shall apply to such committees, as appropriate. The Bishop, with the advice and consent of at least two thirds (2/3rds) of the members of the Standing Committee, may appoint *ad hoc* committees to study and report on particular matters assigned by the Bishop. Committees so established by the Bishop shall establish their own rules of procedure. The Standing Committee shall have no authority to establish a committee. No committee created under this article shall exist for a term of more than one year, and at the expiration of its term, it shall cease to exist unless reestablished by the same vote and procedure as was required for its original establishment. The members of committees established pursuant to this article shall not be entitled to compensation nor to reimbursement of expenses for service as a member of a committee, except as may be provided elsewhere with respect to indemnification, and except as the Synod may, but need not, provide by annual vote.

## **Article X: Ecclesiastical Courts**

There shall be Ecclesiastical Courts of the Diocese for the application of Church discipline and the proper administration and interpretation of the Constitution and Canons of the Diocese. The Ecclesiastical Courts shall conform to the standards established in the Canons of the Church. The membership of the Ecclesiastical Courts, their jurisdiction, procedures and terms of office shall be established by Canon.

## **Article XI: On Ordination of Women to the Priesthood**

This diocese shall ordain only male candidates to the priesthood.

## **Article XII: Reserved Rights of Congregations and Missions**

All property, real, personal, tangible and intangible, owned or held by or on behalf of a Congregation or Mission which is a member of this Diocese, now and in the future, is and shall be solely and exclusively owned by the Congregation or Mission, free of any trust, right of assessment, or other claim in favor of the Diocese or the Church. Each Congregation and Mission reserves the right to withdraw from the Diocese at any time with the consent of a majority of the members of the Congregation or Mission eligible to vote at an annual meeting of the Congregation or Mission, by a vote taken at a meeting of the members of the Congregation or Mission called for that purpose. A withdrawing Congregation or Mission shall give notice of its withdrawal to the Ecclesiastical Authority, including the date thereof, and shall retain all property, real, personal, tangible and intangible, owned or held by or on behalf of the Congregation or

Mission.

### **Article XIII: Reserved Rights of the Diocese**

Diocesan property shall not be subject to any trust, right of assessment or other claim by the Church. The Diocese reserves the right to withdraw from the Church at any time with the consent of a majority of the delegates entitled to vote at a meeting of the Synod called for that purpose. Upon any withdrawal, the Diocese shall give notice to the Church, including the date thereof, and shall retain all property, real, personal, tangible and intangible, owned or held by or on behalf of the Diocese.

### **Article XIV: Incorporation; Operation; Guarantees; Derivatives**

The Diocese shall be incorporated in accordance with the laws of the State of Georgia, which is the state where a majority of its Congregations and Missions are located. The Bishop shall be the President of the corporation and the Standing Committee its Board of Directors. Operation of the corporation shall be as provided by this Constitution, the Canons and applicable state laws. The Diocese shall not guarantee, directly or indirectly, any loan or other commitment for the benefit of a Congregation, Mission or any other person, nor may the Diocese enter into any investment or contract commonly referred to as a "derivative".

## **Article XV: Congregations and Missions of The Diocese**

The following Congregations and Missions are the founding entities of the Diocese and shall hereafter be deemed Congregations of the Diocese:

All Saints Anglican Church, *Atlanta, GA*

All Saints Anglican Church, *Peachtree City, GA*

Anglican Church of the Holy Trinity, *Flowery Branch, GA*

Christ Anglican Church, *Highlands, NC*

Church of the Trinity, *Hiram, GA*

Christ Anglican Fellowship, *Hoover, AL*

Christ Anglican Church, *Marietta, GA*

Christ Church Atlanta, *Atlanta, GA*

Christ the King Anglican Church, *Winchester, TN*

Church of the Resurrection Anglican Communion, *Riverdale, GA*

Church of the Advent, *Atlanta, GA*

Church of the Holy Trinity, *N. Augusta, SC*

Church of the Redeemer, *Chattanooga, TN*

Holy Cross Anglican Church, *Loganville, GA*

Light of Christ Anglican Church, *Marietta, GA*

New Life in Christ Fellowship, *Newnan, GA*

St Joseph's Anglican Church, *Trussville, AL*

St. Patrick's Anglican Church, *Smyrna, TN*

St Peter's Place, *Roswell, GA*

Trinity Anglican Church, *Douglasville, GA*

Additional Congregations and Missions may be added as provided by Canon. Subject to their prior right of withdrawal, a Congregation or Mission may be removed from membership as provided by Canon.

**Article XVI: Amendment**

This Constitution may be amended by the Synod by a two-thirds (2/3rds) majority of the entire number of delegates eligible to vote at any annual meeting of the Synod. If approved by a two-thirds (2/3rds) majority vote of the Synod, the amendment shall lie over to the next annual meeting of the Synod, and if again approved by a two-thirds (2/3rds) majority vote, the Constitution shall then stand altered or amended as proposed.

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**We certify that the foregoing is the text of the Constitution of the Anglican Diocese of the South adopted by the delegates to the organizational Synod of the Anglican Diocese of the South meeting at Holy Cross Anglican Church, Loganville, Georgia, on the 30th day of April in the Year of our Lord 2010, and ratified by the Provincial Council of the Anglican Church in North America upon the admission of the Diocese to the Anglican Church in North America on the 8<sup>th</sup> day of June in the Year of our Lord 2010, and as amended by Synod of the Anglican Diocese of the South meeting at Holy Cross Anglican Church, Loganville, Georgia, on the 7<sup>th</sup> day of November in the Year of our Lord 2015, and on the 5<sup>th</sup> day of November in the Year of our Lord 2016 (two consecutive votes of approval at Synod being required to make an amendment to this Constitution effective).**

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E. John Whelchel  
Chair of the Committee on  
Constitution and Canons  
The Anglican Diocese of the South

Mr. Brian Nash  
Chancellor  
The Anglican Diocese of the South

Kim LaPlante  
Secretary and Registrar (2015)  
The Anglican Diocese of the South

Jess Sasser  
Secretary and Registrar (2016)  
The Anglican Diocese of the South

# ANGLICAN DIOCESE OF THE SOUTH: THE CANONS OF THE DIOCESE

## TITLE I: ORGANIZATION AND ADMINISTRATION OF THE DIOCESE

### **Canon 1 Official List of the Clergy of the Diocese**

Section 1. A list of all duly ordained presbyters and deacons who are canonically resident or licensed to work in the Diocese shall be maintained by the Ecclesiastical Authority and kept current by the Registrar and on file in the central office of the Diocese. The list shall contain the addresses and licensed positions of the clergy and shall be made available to members and their delegates at least 30 days in advance of any meeting of the Synod. Any member of the clergy eligible to vote whose name is not on the list and wishing to vote at the Synod may bring the omission to the attention of the Registrar. The Bishop or Bishops of the Diocese and all members of the clergy canonically resident in the diocese shall be entitled to vote at a meeting of the Synod; licensed clergy who are not canonically resident shall have seat and voice but shall not be entitled to vote at a meeting of the Synod. Clergy resident in the Diocese but not licensed to work in the Diocese and clergy under ecclesiastical discipline of the Church shall have no seat, voice or vote at a meeting of the Synod nor be counted in determining the presence of a quorum. A member of the clergy

shall be considered under ecclesiastical discipline if any bishop of the Church has inhibited or suspended the clergy member, any bishop of the Church has authorized a presentment against the clergy member, or any ecclesiastical court of the Church has convicted the clergy member, provided, however, a clergy member who has been merely admonished by a bishop, whether or not following a presentment, shall not be considered under ecclesiastical discipline.

Section 2. The official list shall be available to the Synod on the first day of its meeting and shall be the basis for determining a quorum as provided in Article IV Section 4 of the Constitution.

Section 3. Every member of the clergy canonically resident in the Diocese shall attend every meeting of the Synod unless excused by the Ecclesiastical Authority.

Section 4. The Bishop shall be the Ecclesiastical Authority of the Diocese. During any vacancy in the office of Bishop, the Bishop Coadjutor or, if there be none, the Bishop Suffragan shall be the Ecclesiastical Authority of the Diocese. If there be no Bishop, Bishop Coadjutor, or Bishop Suffragan, the Standing Committee shall be the Ecclesiastical Authority of the Diocese.

## **Canon 2 Lay Representation in Synod**

Section 1. A list of all duly elected lay delegates of Congregations and Missions of the Diocese shall be compiled and maintained and kept current by the Registrar. The list shall contain the addresses and other appropriate contact information of the lay delegates. Upon any request from a member



or delegate, the Registrar shall promptly provide the list to members and their delegates in advance of any meeting of the Synod. Any lay delegate whose name is not on the list and wishing to vote at the Synod shall bring the omission to the attention of the Registrar. Each Lay delegate shall be a confirmed communicant in good standing and a member of the Congregation or Mission of the Diocese he or she represents. Members of the clergy ordained in the Anglican Communion may not serve as lay delegates.

Section 2. Each Congregation and Mission shall be entitled to one lay delegate. In addition, each Congregation or Mission whose average Sunday attendance (ASA) exceeds 100 shall be entitled to one additional lay delegate for each 100 or fraction thereof above the first 100, except that the total number of lay delegates from any Congregation or Mission shall not exceed seven (7). “ASA” means the Average Sunday Attendance of a Congregation or Mission or the Diocese for the previous calendar year, including clergy, members, visitors and children. ASA may include regular Saturday worship, and shall be based upon the most recent annual report of each Congregation or Mission to the Diocese.

Section 3. The Vestry or other governing authority (Vestry) of each Congregation shall select its delegates according to its respective rules with no more than one alternate for each lay delegate so chosen. Each mission shall select its lay delegates according to its respective rules with no more than one alternate for each lay delegate so chosen. Each Congregation and Mission

shall report its selection no later than ninety (90) days before the ensuing meeting of the Synod on a form prepared by the Registrar of the Diocese. An alternate shall qualify with the Registrar in order to be able to vote in the place of an absent lay delegate.

**Canon 3    Congregations and Missions Subject to Other Jurisdictions**

Those congregations and missions within the boundaries of the Anglican Diocese of the South who are in canonical relationship with the Anglican Church in North America but are under other jurisdictions (e.g., the Anglican Mission in America, Anglican Province of America, Reformed Episcopal Church, Convocation of Anglicans in North America) will be welcomed into affiliation with this Diocese after written request from their Rector or Vicar (made after an affirmative vote approving such request by a majority of the members of the congregation or mission) to the Bishop or Ecclesiastical Authority already having jurisdiction and after the Bishop of the Diocese approves their affiliation. After affiliation, they shall be accorded seat and voice (but not vote) at Synod. They may determine their representation to the Synod up to the limits prescribed by the Canons for Congregations and Missions, and shall annually advise the Registrar of their determination no later than ninety (90) days prior to the Annual Meeting of the Synod.

#### **Canon 4 Inspectors of Election**

Inspectors of election, if appointed by the Registrar, shall consist of two clerical delegates and two lay delegates who shall assist the Registrar to determine the presence of a quorum and hear and resolve any disputes over proper representation in the Synod. The Registrar shall preliminarily determine whether a delegate is entitled to be seated, to be heard, or to vote in the Synod, but the final decision may be made by the Synod by a majority vote of the delegates present and entitled to vote.

#### **Canon 5 Meetings of the Synod**

Section 1. The Synod shall have annual meetings and may also have special meetings called for a specific purpose.

Section 2. The Bishop with the advice and consent of the Standing Committee shall determine the date, time and place of meetings of the Synod. Twenty-five (25) percent of the delegates eligible to vote at a meeting of the Synod may call a special meeting of the Synod. The Secretary of the Diocese shall give notice no less than sixty days prior to any annual meeting and no less than fifteen days prior to any special meeting. Notice shall be given in writing by mail, by hand, by email, or by telecopy, or any combination thereof. No other business shall be transacted than that stated in the notice calling the special meeting, unless a majority of those entitled to vote at the meeting authorize the transaction of such other business.

Section 3. The Bishop with the advice of the Chancellor shall propose Rules of Order for adoption by the Synod at the outset of each meeting. The Chancellor

shall act as parliamentarian to advise the Bishop and the Synod on parliamentary issues. The ruling of the Bishop or the Presiding Officer on any matter may be overridden by a vote of a majority of those present and voting at the Synod.

**Canon 6 Delegates of the Diocese to the Provincial Council and Assembly of the Anglican Church in North America**

The Synod of the Diocese shall elect the delegates to the Provincial Council and the Assembly of the Church from a list of nominees provided by the Standing Committee and the Bishop. Nominations from the floor shall be allowed. Provincial Council delegates shall hold office for five years. A Provincial Council delegate may serve a second consecutive term, but not a third consecutive term. The Standing Committee may provide that the Provincial delegates shall serve staggered terms, and may divide the Provincial Council delegates into appropriate groups of different terms to give effect to this provision. Each Provincial Council delegate shall be and remain while serving a communicant in good standing and a clergy or lay member of a Congregation or Mission of this Diocese. The Diocese shall make application to the Executive Committee of the Council of the Church for certification of the allowable number of its delegates to the Assembly. The Diocese shall report the names and contact information of its delegates, and such alternates as it deems prudent to name, not less than sixty (60) days prior to a meeting at the Assembly.

**Canon 7      Subdivision of the Diocese into Regions or Districts**

When it shall appear to the Ecclesiastical Authority, with the advice and consent of the Standing Committee, that it would advance the administration of the Diocese, the Ecclesiastical Authority may recommend to the Synod a canonical amendment to authorize the organization of two or more regions or districts within the Diocese to be administered as provided by such canon.

**Canon 8      The Standing Committee of the Diocese**

The Diocese shall have a Standing Committee chosen agreeably to the Constitution of the Diocese and the Constitution and Canons of the Church with such authority as therein provided and such other authority and responsibility as the Synod may determine by canon or resolution. The Standing Committee shall determine the program of the Diocese for adoption by the Synod. The members of the Standing Committee shall serve staggered terms of three years. Members of the committee who have served a full term must take one year off before being eligible for reelection. Members of the Standing Committee may not be removed without cause. Each member of the Standing Committee shall be and remain while serving a confirmed communicant in good standing and a member of a Congregation or Mission of this Diocese. The Secretary of the Diocese at the call of the Bishop or the chairman of the Standing Committee shall give notice of regular meetings at least thirty days in advance and no less than two days prior to any special meeting. No other

business shall be transacted than that stated in the notice calling a special meeting, unless a majority of those present and voting at the meeting authorize the transaction of such other business. A quorum of the Standing Committee shall be seven voting members. All decisions of the Standing Committee shall be taken by a majority of those present and entitled to vote, unless otherwise provided by law or in the Articles of Incorporation, Constitution, or these Canons. The Standing Committee may act by consent, but only by unanimous consent.

**Canon 9    The Chancellor**

The Chancellor of the Diocese, appointed by the Standing Committee, shall be and remain a communicant in good standing and a member of a Congregation or Mission of this Diocese. He or she shall be learned in the law and licensed to practice in the state of incorporation of the Diocese and in the state in which the principal office of the Diocese is located, if different. The Chancellor shall have responsibility for the legal affairs of the Diocese and shall serve as counsel to the Bishop and the Standing Committee. The Standing Committee, with the advice of the Chancellor, may appoint assistant chancellors as necessary. The Chancellor and the assistant chancellors, if any, shall be entitled to such compensation as the Synod may, but need not, approve.

**Canon 10 The Secretary**

The Secretary of the Diocese, appointed by the Standing Committee, shall keep the minutes of the meetings of the Synod and shall submit such reports as the Bishop may request. The Standing Committee may appoint assistant secretaries as necessary. The Secretary and the assistant secretaries, if any, shall be entitled to such compensation as the Synod may, but need not, approve.

**Canon 11 The Treasurer**

The Treasurer of the Diocese, appointed by the Standing Committee, shall be the custodian for all of the funds of the Diocese. The Treasurer shall be bonded or insured in such amount or in such manner as the Standing Committee from time to time shall deem appropriate and shall file an annual report to the Synod on the financial status of the Diocese as well as periodic reports of account for all funds under his custody or control. The Standing Committee may appoint assistant treasurers as necessary. The Treasurer and the assistant treasurers, if any, shall be entitled to such compensation as the Synod may, but need not, approve.

**Canon 12 The Registrar**

The Registrar shall be the custodian of official records of the Diocese and shall issue such certification as may be directed by the Bishop or the Standing Committee. The Standing Committee may appoint assistant registrars as necessary. The Secretary may serve concurrently as the

Registrar.

**Canon 13 Terms of Office; Vacancies**

The Chancellor, the Secretary, the Registrar and the Treasurer shall serve for a term of one year and until their successors are elected or appointed. They each may be reelected or reappointed. No person may hold more than one office, unless the holding of more than one office is expressly authorized by these Canons. A member of the clergy who is resident in the Diocese but is not licensed to work in the Diocese shall not hold any office in the Diocese. In the event of a vacancy on the Standing Committee, or any committee the members of which are elected by Synod, or in the offices of the Chancellor, the Secretary, the Registrar or the Treasurer (or of any of their assistant officers), the Standing Committee may fill the vacancy.

**Canon 14 Finance Committee**

Section 1. If established by the Synod, there shall be a Finance Committee of the Diocese which, under the direction of the Synod, and when the Synod is not in session, the Standing Committee, shall work with the Treasurer in preparing the annual budget of the Diocese and shall issue requirements for audits and investment management and any other financial matters of the Diocese that the Finance Committee may deem appropriate. The Treasurer shall be an *ex officio* member and shall serve as the Chairman of the Finance Committee. The members of the Finance Committee other



than the Treasurer shall serve staggered terms of three years. Each member of the Finance Committee shall be and remain while serving a communicant in good standing and a clergy or lay member of a Congregation or Mission of this Diocese. The records and accounts of the Diocese shall be subject to audit by independent auditors on a regular basis as determined by the Standing Committee, provided that once the annual revenue of the Diocese exceeds \$300,000 audits shall be done annually. The Finance Committee shall issue periodic reports to the Bishop and the Standing Committee on the financial condition of the Diocese. If a Finance Committee is not established, its functions shall be performed by the Standing Committee.

Section 2. With whatever assistance it may require, the Finance Committee shall oversee the insurance and benefits programs for the clergy of the Diocese and its personnel.

**Canon 15 Committee on Constitution and Canons of the Diocese**

The Synod may establish a Committee on Constitution and Canons, with the Chancellor as an *ex officio* member. The members of the Committee on Constitution and Canons other than the Chancellor shall serve staggered terms of three years. Each member of the Committee on Constitution and Canons shall be and remain while serving a confirmed communicant in good standing and a clergy or member of a Congregation or Mission of this Diocese. The Committee shall be responsible for ensuring the conformity of the Diocesan Constitution and Canons with

those of the Church. All proposed amendments to the Constitution and Canons shall be submitted to the Committee not less than 120 days prior to the next Synod meeting. No amendment to either the Constitution or Canons of the Diocese shall be considered by the Synod until the Committee shall have reviewed and reported its recommendation to the Standing Committee no less than 60 days prior to the next Synod meeting. If a Committee on Constitution and Canons is not established, its functions shall be performed by the Chancellor and the Standing Committee.

**Canon 16 Committee on Nominations for Bishop**

Section 1. A Committee on Nominations, consisting of three clerical and three lay delegates from the delegates to the Synod, may be elected annually by the Synod. The Committee on Nominations shall be responsible for receiving and publishing all nominations for nominees for Bishop, Bishop Coadjutor, and Bishop Suffragan.

Section 2. Vestries shall submit nominations to the Committee on Nominations not less than 30 days prior to the electing Synod. All nominations must include an acceptance of the nomination in writing by the nominee, and support of the nomination in writing by the Vestry of the church in which the nominee is serving.

Section 3. The Committee on Nominations shall screen all names placed in nomination to determine whether they meet the criteria established by the Church. Through a prayerful process of discernment, the Committee shall

arrive at a slate consisting of no more than five names. These names shall be published to the delegates at the Synod.

Section 4. The Committee on Nominations may create an opportunity for candidates to visit Churches and Missions and make presentations, for the benefit of the delegates, as the Committee determines. At the electing Synod, the candidates and their families shall be excused from the room for the purpose of open and constructive conversation by the delegates.

Section 5. If a Committee on Nominations is not established, its functions shall be performed by the Standing Committee.

#### **Canon 17 Nominating Committee for Positions Other Than Bishop**

Section 1. There shall be established by the Synod a Nominating Committee of the Diocese to nominate, or to suggest to the Standing Committee, or to the Standing Committee and the Bishop (if required by the Constitution or the Canons), candidates to serve in any and all offices to be voted upon at any meeting of the Synod or at any substantially contemporaneous meeting of the Standing Committee. The members of the Nominating Committee shall serve staggered terms of three years, and the initial Nominating Committee shall be divided into appropriate groups of different terms to give effect to this provision. Each member of the Nominating Committee shall be and remain while serving a communicant in good standing and a clergy or lay member of a Congregation or Mission of this Diocese. The Nominating Committee may adopt rules, procedures, and qualifications for office not inconsistent with the Constitution and the Canons of the Diocese and of the Anglican Church in North America with

respect to the nomination of candidates.

**Canon 18 Appointment of Certain Officers and Committee Chairs**

The Standing Committee shall appoint the Chancellor, Secretary, Treasurer and Registrar of the Diocese and Chairs of the Committees established and as elected under this Title at the first meeting of the Standing Committee after the annual Synod.

**TITLE II: ORGANIZATION AND ADMINISTRATION OF  
CONGREGATIONS AND MISSIONS**

**Canon 1 Membership in the Diocese; Governing Authority of Churches  
and Missions**

Section 1. The founding Congregations of the Diocese are set forth in the Constitution. Any other group of the faithful may seek to affiliate as a Congregation or Mission as provided in this Canon. A Congregation or Mission in this Diocese is a gathered group of Christians who have organized and function in accordance with the canons of the Church and Diocese and under the oversight of the Bishop. For purposes of organization, administration, and governance, congregations as defined in the canons of the Church (Title I, Canon 6, Section 2) are of two types in the Diocese: Congregations and Missions. A Congregation shall consist of a group of the faithful meeting together in regular worship, with an Average Sunday Attendance of at least fifty (50), and with a demonstrated

ability to fund its own operations without the support of the Diocese or another Congregation. Any group meeting these minimum specifications may apply to be recognized as a Congregation. Any group *not* meeting these minimum specifications may apply to be recognized as a Mission, at the discretion of the Standing Committee. Unless the context otherwise requires, the term “Congregation” or the term “Mission” as used in the Constitution and Canons of this Diocese means a congregation or mission that is a member of this Diocese, and the term “congregation” or “mission” shall mean a congregation or mission of any jurisdiction or denomination, including, but not limited to, a congregation or mission that is a member of this Diocese.

Section 2. Any group of the faithful seeking to affiliate as a Congregation or Mission shall submit its application to the Standing Committee on forms provided by the Standing Committee. The Standing Committee, with the approval of the Ecclesiastical Authority, may issue provisional membership in the Diocese subject to confirmation by majority vote of the next Synod. Upon confirmation by the Synod, the Bishop shall then take orders to receive the individual members of the group into the Church. A Congregation or Mission joining or transferring into the Diocese shall agree in writing to become subject to the Constitution and Canons of the Diocese, provided, however, that, as an exception to the foregoing in this sentence, the Standing Committee may, in rare cases and when necessary and appropriate, exempt a joining or transferring Congregation or Mission

from those provisions of the Canons of the Diocese that would otherwise be an impediment to affiliation. In such cases, the Standing Committee shall report to the Synod the exemptions so granted, and the Synod in confirming the affiliation shall also be confirming the exemptions.

Section 3. The Vestry of a Congregation, together with the Rector, shall be the governing authority of a Congregation.

Section 4. The Bishop shall be the governing authority of a Mission that is sponsored by the Diocese, except as he may delegate such authority. The Vestry of the sponsoring Congregation shall be the governing authority of a Mission that is sponsored by a Congregation, except as the Vestry may delegate such authority. A Mission may have a Committee or Council to assist in the administration of its affairs. The Vicar of a Mission, appointed as such by the Bishop or the sponsoring Congregation, as applicable, shall be in charge of the Mission, subject to the authority of the Bishop or the sponsoring Congregation, and shall preside over all meetings of the Committee or Council.

Section 5. A congregation or mission attached to another diocese of the Church, after consultation with its Bishop or other Ecclesiastical Authority, may make application to the Bishop to become a member of this Diocese. The congregation or mission may be received into this Diocese upon approval by the Standing Committee. Any such congregation or mission shall agree in writing to become subject to the Constitution and Canons of the Diocese.

Section 6. Any congregation or other organized group of the faithful of another denomination desiring to become a member of this Diocese shall first apply to the Executive Committee of the Church for admission to the Church. Upon being so admitted, after complying with all requirements, the Bishop shall take order to receive the members and clergy thereof into the Church and into this Diocese. Any such congregation or other organized group of the faithful of another denomination joining the Diocese shall agree in writing to become subject to the Constitution and Canons of the Diocese.

Section 7. Any Congregation, Mission or other organized group of the faithful that has been admitted to the Diocese shall financially contribute to the work and mission of the Diocese as stated in the Canons of the Church (Title 1, Canon 9, Sec.1). Participation in the shared life and ministry of the Diocese requires weekly public worship, communication with the Diocese and conformity to the Constitution and Canons of the Diocese. Failure to meet these obligations can result in dismissal from the Diocese after the following steps are completed:

- a. The Bishop shall send a written notice of non-compliance and request to remedy to the Rector of the Congregation or Vicar of the Mission. This communication shall be specific as to the deficiency and offer the opportunity for the Rector and Vestry or Vicar and members of the governing Committee or Council to meet with the Bishop. The Bishop will provide assistance and support as necessary. The Congregation or

Mission shall have 90 days to comply with the request to remedy.

- b. If 90 days have passed and the Congregation or Mission has not complied with the request, the Bishop shall report the situation to the Standing Committee. If the Standing Committee votes to pursue, they shall appoint one clergy member of the Standing Committee to join the Bishop in a formal visit to the Congregation or Mission. The Standing Committee shall then notify the Rector and Vestry or Mission and Committee or Council of the intent to pursue the request to remedy. This notice shall be in writing and shall include notice to the Rector or Vicar of the clergy appointed for the visit. The Rector shall have one right of refusal as to the appointed clergy to accompany the Bishop. If the Rector so requests, an alternate clergy member of the Standing Committee shall be appointed. The Congregation or Mission shall have 90 days to comply once written notice is received.
- c. Once the 90 days has expired, the Bishop and clergy shall make a second report to the Standing Committee. The Congregation or Mission shall be notified of this meeting to allow them the opportunity to appear before the Standing Committee. If the Congregation or Mission are still deemed to be non-compliant, the Standing Committee shall take up the vote to remove the Congregation or Mission from the Diocese. The Congregation or Mission shall be notified in writing of the outcome of such a vote.
- d. The Congregation or Mission has 30 days to appeal the Standing



Committee vote to the Ecclesiastical Court of the Diocese.

- e. If no appeal or the appeal does not result in an overturn of the Standing Committee vote, the removal of the Congregation or Mission shall be announced at the next Synod.
- f. Service of any written notice to the Rector and the Vestry or the Mission and Committee or Council shall be by certified mail with confirmation of receipt requested. All deadlines for response are to be calculated using calendar days with 3 additional days for notices sent by mail

## **Canon 2 Clergy and The Pastoral Relationship**

Section 1. The Rector of a Congregation shall be called by the Vestry and affirmed by the Bishop. The Rector, with the approval of the Vestry, shall select all assistant clergy who shall serve at the pleasure of the Rector. A prayerful process shall be undertaken in the calling of a Rector to a Congregation, and the Vestry shall consult with the Bishop before extending an offer to a candidate. The relationship between the Rector and the Congregation is one of mutual trust and dependence in carrying out the ministry of the church. As the spiritual leader of the Congregation, the Rector should have the full cooperation and support of the Vestry. The Vestry in turn should expect the Rector to model the servant leadership required of all in the fundamental declarations and governing principles of the Constitutions of the Diocese and the Church (Mark 10:45). In all matters the Rector and the Vestry shall observe the principles of mutual

submission called for by the Apostle Paul in Philippians 2.3 and Ephesians 5.22. Upon the Bishop's annual or more frequent visitation, the Bishop and the Vestry shall meet, without the Rector present or the assisting clergy, if any, to discuss the conduct of the Rector and the assisting clergy, if any, in the performance of their spiritual duties since the last visitation of the Bishop. Likewise, the Bishop and the Rector shall meet, without the Vestry present, to discuss the performance of the Vestry's spiritual and temporal duties. Whenever matters of disagreement develop, it is incumbent on all parties to approach one another with all Christian charity, in accordance with the principles of Matthew 18, to avoid having the relationship imperiled or hindered.

Section 2. Except for reason of age or disability, a Rector may not resign as Rector without giving the Vestry such notice as it may require. A Rector may not be removed against his will except as hereinafter provided or as provided in Canon 3.

Section 3. Whenever a Rector or a majority of the Vestry believe the pastoral relationship between the Rector and the Congregation to be imperiled or hindered by reason of dissension, either or both may present the matter to the Bishop.

Section 4. Upon notification of such imperilment or hindrance, the Bishop shall promptly seek reconciliation by whatever means he believes appropriate. The Bishop shall hold conferences with the Rector and the Vestry, who shall participate cooperatively in the process. The Bishop may issue such

interim recommendations appropriate to the cause before issuing a final judgment. Prior to issuing a final judgment, the Bishop shall consult with the Standing Committee and the Chancellor of the Diocese. The Standing Committee may hold conferences with the Vestry and the Rector before rendering its advice to the Bishop. At such conferences the parties may be heard and be represented by a person or persons of their choice.

Section 5. The final judgment shall be made by the Bishop, after praying over the matter and taking the recommendations of the Vestry and the Standing Committee into consideration. The recommendations of the Vestry and the Standing Committee may include a leave of absence with pay for the Rector, a continuation of the pastoral relationship on a provisional basis, or dissolution of the pastoral relationship.

Section 6. If the relationship is to be dissolved, the terms of judgment may include terms and conditions for compliance by both parties and may include an equitable financial settlement which is just and compassionate. The Rector or the Vestry may petition the Standing Committee for a review and modification of the financial terms of the judgment. The Bishop shall in all cases render pastoral support to the Rector. Upon the Bishop's judgment of dissolution, the Bishop shall direct the Secretary of the Diocese to record the dissolution.

Section 7. If at the time of a need for Episcopal intervention in the relationship between a Vestry and a Rector there be no Bishop, Bishop Coadjutor or Bishop Suffragan, the Standing Committee shall appeal to the Archbishop

for the appointment of a Bishop of another diocese to serve in the matter, under the provisions of this Canon.

Section 8. If for any reason either the Vestry or the Rector shall refuse to comply with the judgment of the Bishop, the Bishop may suspend the Rector from the exercise of the ministry of a presbyter until he complies with the judgment, or in the case of the Vestry, the Bishop may request the Synod to convert the Congregation to a Mission under the supervision of the Bishop until the Vestry shall have complied with the judgment.

### **Canon 3    Removal of the Rector**

Section 1. A Vestry may only remove the Rector from his office (a) with the consent of the Bishop or (b) upon a determination by the Vestry, acting in good faith, that cause for removal exists. If the Vestry seeks to remove the Rector for cause under clause (b), it shall give prior notice to the Bishop and provide an opportunity for him to consult with the Vestry within the timeframe required for action in the circumstances. As used in this Canon, the term “cause” shall mean the Rector has been convicted of a crime involving moral turpitude, or the Vestry has been presented with evidence that it deems substantial and credible of any of the following: (i) the commission of a crime involving moral turpitude, (ii) the Rector’s habitual insobriety or drug addiction, (iii) dishonest or fraudulent conduct by the Rector, (iv) embezzlement, theft or intentional destruction of property by the Rector, or (v) sexual misconduct by the Rector.

**Canon 4      Organization and Business Affairs of a Congregation or Mission**

Section 1.      Congregations and Missions shall incorporate under the laws of the jurisdiction where located. For Congregations, the Vestry shall constitute the Board of Directors of the corporation, and its officers shall be elected by the Vestry. For Missions, the Bishop or the sponsoring Congregation, as applicable, shall determine the manner in which the Mission's Board of Directors and officers are elected or appointed. The Board of Directors shall establish the initial bylaws of the corporation and shall operate in accordance with the articles of incorporation and bylaws of the corporation, subject to the Constitution and Canons.

Section 2.      Every Congregation shall have a Vestry to be elected by its members in accordance with its bylaws.

Section 3.      Only members of the Congregation who are communicants in good standing shall be eligible to vote on issues before the Congregation. Vestry members shall be familiar with the Constitution and Canons of the Church and of this Diocese. Only members of the Congregation shall be eligible to serve on a Vestry. The Rector shall keep a current roll of the membership of the Congregation.

Section 4.      Every Vestry member shall sign in a book kept for that purpose the following declaration and promise:

*“I do believe the Holy Scriptures of the Old and New Testament to be the Word of God and to contain all things necessary for salvation and I do yield my hearty consent to the doctrines, discipline and worship of Christ*

*as the Anglican Church in North America has received them. I promise that I will faithfully execute the office of Vestry member of this Church to the best of my ability.”*

- Section 5. In the event of a vacancy in the Vestry, the remaining members may fill that vacancy with a qualified member of the Congregation in accordance with its bylaws.
- Section 6. Every Congregation shall have an annual meeting in keeping with its bylaws. Vestry members shall be elected by a vote of the Congregation at the annual meeting or by ballots distributed prior to the annual meeting, in which case the results of the election shall be announced at the annual meeting. A Congregation may establish staggered terms for its Vestry members. No person may serve more than two successive full terms on a Vestry. The bylaws may also provide for additional meetings of the Congregation.
- Section 7. The Vestry shall adopt an annual budget for the Congregation. The Vestry shall be responsible for the management of the Congregation’s business affairs, including the following:
- a. Support of the Rector and his family, including contributions to a retirement plan or pension;
  - b. An adequate place for regular worship and the necessary hymnals, prayer books and Bibles for use by the Congregation;
  - c. The musical program of the Congregation, which shall be under the control of the Rector;

- d. The salaries of all staff members, once determined needed by the Rector and the Vestry;
- e. An adequate insurance program for the Rector and staff, and proper insurance to protect all property, real and personal, of the Congregation and all persons attending congregational services and functions;
- f. Compliance with the Constitution and Canons of the Church and of this Diocese;
- g. Establishment of a Biblically-based program of financial giving by members of the Congregation;
- h. Conformity (as nearly as possible) with the Congregation's annual financial commitment made to the Diocese;
- i. Support of the Rector in all aspects of his ministry; and
- j. Approval of and compliance with all contracts and other obligations entered into by the Congregation.

**Canon 5     The Laity; Membership Requirements**

Section 1. The people of God are the chief agents of the mission of the Church to extend the Kingdom of God by so presenting Jesus Christ in the power of the Holy Spirit that people will come to put their trust in God through Him, know Him as Savior, and serve Him as Lord in the fellowship of the Church. The effective ministry of the Church is the responsibility of the laity no less than it is the responsibility of the Bishop and the presbyters

and deacons. It is incumbent for every lay member of the Church to become an effective minister of the gospel of Jesus Christ, one who is spiritually qualified, gifted, called, and mature in the Faith. This Diocese may by Canon establish standards for the ministry of the laity.

Section 2. It shall be the duty of every lay person of this Diocese to:

- a. Worship God, the Father, and the Son and the Holy Spirit, every Lord's Day in a church unless reasonably prevented;
- b. Engage regularly in reading and studying Holy Scripture and the doctrines of the Church;
- c. Pray regularly for their needs and those of others, for the Church and its mission, and for the concerns of the world;
- d. Observe their baptismal vows, lead an upright and sober life, and not give scandal to the Church;
- e. Present their children and those they have led to the Lord for baptism and confirmation;
- f. Give regularly, with the biblical tithe as the minimum standard of giving;
- g. Practice forgiveness daily according to our Lord's teaching;
- h. Receive worthily the Sacrament of Holy Communion as often as reasonable;
- i. Observe the feasts and fasts of the Church set forth in the Anglican formularies;
- j. Affirm and follow the biblical standards of sexual morality and ethics in



Cannon III.8;

- k. Continue their instruction in the Faith so as to remain an effective minister of Jesus Christ; and
- l. Devote themselves to the ministry of Christ among those who do not know Him, utilizing the gifts that the Holy Spirit gives them, for the effective extension of Christ's Kingdom.

Section 3. Membership in a Congregation or Mission requires that a person give a valid testimony of faith in Jesus Christ, commit to and follow God's ordinances for His church, and receive the Sacrament of Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit. The Bishop may impose additional requirements for membership in a Congregation or Mission, and the Vestry with the Rector through a Congregation or Mission's bylaws may impose additional requirements for membership in a Congregation or Mission. Every member of a Congregation or Mission shall affirm the Fundamental Declarations in Article I of the Constitution of the Church. Upon meeting these requirements, a person may be accepted as a member of a Congregation or Mission of this Church.

Section 4. Congregations and Missions are urged to adopt a discipleship process designed to prepare people for membership in the church and help members become fully devoted followers of Jesus Christ who are fully incorporated into the Body of Christ. The discipleship process shall include instruction of all candidates for membership in the doctrine,

discipline and worship of Christ as the Anglican Church in North America has received them.

**Canon 6 Financial Affairs of Congregations and Missions**

Section 1. The Vestry of each Congregation may establish a Finance Committee which shall prepare a budget for adoption by the Vestry. If the Vestry does not establish a Finance Committee, its functions shall be performed by the Vestry. No Vestry may adopt a budget with an operating deficit without adequate reserves or grants to cover such deficit. Likewise, the Bishop or sponsoring Congregation of a Mission may not adopt a budget with an operating deficit without adequate reserves or grants to cover such deficit.

Section 2. Each Congregation shall have a Treasurer, elected by Vestry, who shall be bonded or insured in such sum and with such surety as the Vestry from time to time shall determine. The Bishop or sponsoring Congregation, as applicable, of a Mission may appoint a Treasurer for the Mission, who shall be bonded or insured in such sum and with such surety as the Bishop or sponsoring Congregation from time to time shall determine. The Treasurer shall be the custodian of the funds of the Congregation or Mission and shall perform such other duties as required by the Vestry, the Bishop or the sponsoring Congregation, as applicable.

Section 3. All investments of congregational funds shall be under the oversight of the Vestry. The Vestry may consult with the Diocese for guidance with regard to investments.

Section 4. The Vestry shall cause the accounts of the Congregation to be examined in

accordance with the policies established by the Diocese.

**Canon 7 Church Property**

Section 1. All property, real, personal, tangible and intangible owned by or held by or on behalf of a Congregation or Mission which is a member of this Diocese, now and in the future, is and shall be solely and exclusively owned by the Congregation or Mission, free of any trust, right of assessment or other claim by the Diocese or the Church.

Section 2. No material real property of a Congregation or Mission may be sold, exchanged, encumbered or otherwise transferred without the consent of an absolute majority of the members of the Congregation or Mission, as determined in a meeting called for that purpose, and any such conveyance shall comply with applicable state laws.

Section 3. The Diocese may own its own property to be held in whatever form determined by the Standing Committee.

**Canon 8 Officers, Records and Reports of Congregations and Missions**

Section 1. In addition to the Rector, the Wardens, and the Treasurer, a Congregation may have a secretary, an administrator, a chancellor and such other officers allowed by its bylaws. A Mission shall have a Vicar and such other officers allowed by its bylaws.

Section 2. The Rector or Vicar shall maintain a current list of the members of the Congregation or Mission and a list of minors, as well as those entitled to vote at congregational meetings. If not provided in the bylaws, the Vestry

shall determine the minimum age of voters. Any person believing themselves entitled to be included on the congregational voter list may appeal to the Vestry for a final determination of eligibility.

Section 3. The Rector or Vicar shall maintain a Register of official acts such as church services, baptisms, confirmations, weddings, funerals and visitations of bishops and other clergy. In addition to the Register, minutes of all meetings of the Vestry shall be kept in paper form in a note book.

Section 4. On or before the first day of March of each year, the Rector or Vicar and Wardens shall submit to the Secretary of the Diocese and to the Provincial Office of the Anglican Church in North America an Annual Report on a form to be provided by the Standing Committee of the Diocese, reflecting the status and growth of the Congregation or Mission in terms of ASA, tithes and offerings, baptisms, confirmations and receptions, marriages, burials, and other important categories of information concerning the preceding calendar year, including new initiatives for mission and ministry. The data thus reported shall be drawn from the Register required to be maintained by Section 3 of this Canon. The Bishop, with the advice and consent of the Standing Committee, may take appropriate action should any Congregation or Mission fail to comply with the requirement of this Canon, including but not limited to disqualification of the representatives from participation at the Annual Meeting of the Synod.

## **TITLE III: WORSHIP AND ADMINISTRATION OF THE SACRAMENTS IN THE CONGREGATIONS AND MISSIONS OF THE DIOCESE**

### **Canon 1 Of Translations of the Bible**

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

### **Canon 2 Of the Standard Book of Common Prayer**

Section 1. The Book of Common Prayer as set forth by the Church of England in 1662, together with the Ordinal attached to the same, are received as a standard for the Diocese's doctrine, discipline and worship and, with the Books which preceded it, as the standard for the tradition of worship in the Diocese. Until such time as a Book of Common Prayer for use in Church has been adopted, all authorized Books of Common Prayer shall be permitted for use in this Church, unless otherwise determined by the Bishop.

Section 2. It is understood that there is a diversity of uses in the Church. In order to use these rich liturgies most advantageously, it is the responsibility of the Bishop of this Diocese to ensure that the forms used in Public Worship and the Administration of the Sacraments be in accordance with Anglican Faith and Order and that nothing be established that is contrary to the Word of God as revealed in the Holy Scriptures.

**Canon 3 Of the Due Celebration of the Lord's Day**

All members of the congregations and missions of this Diocese are called to celebrate and keep the Lord's Day by regular participation in public worship, by hearing the Word of God read and taught, by partaking of the Sacrament of Holy Communion and by other acts of devotion and deeds of charity, according to God's holy will and pleasure.

**Canon 4 Of the Administration of the Dominical Sacraments**

Section 1. General.

- a. The Sacraments of Baptism and Holy Communion shall be administered by the duly ordained and licensed Clergy of this Diocese in accordance with their order of ministry. This provision shall not preclude the administration of emergency baptism by any baptized person.
- b. It is normative that baptized children and adults be presented to the Bishop for Confirmation after instruction in accordance with Section 2 of this canon.

Section 2. Concerning Christian Formation. All Clergy shall take care that all within their congregations and missions are instructed in the doctrine, sacraments, and discipline of Christ, as the Lord has commanded and as they are set forth in the Holy Scriptures, in the Book of Common Prayer, and in the Church Catechism.

Section 3. Concerning the Holy Communion.

- a. Only Bishops and Presbyters shall preside at the Celebration of the Holy Communion;

- b. No one shall receive the Sacrament of Holy Communion except they be baptized, with water, in the Name of the Father, and of the Son, and of the Holy Spirit;
- c. It is the duty of all who have been confirmed to receive worthily the Holy Communion regularly, and especially at the festivals of Christmas, Easter and Whitsun or Pentecost;
- d. The admission of baptized young children to the Holy Communion is permitted in this Diocese;
- e. Members in good standing of other branches of Christ's Church, who have been baptized, with water, in the Name of the Father, and of the Son and of the Holy Spirit, are welcomed to receive the Sacrament of Holy Communion. The qualifications concerning rightly and worthily receiving the Supper of the Lord with faith are provided in Article XXVIII of the Thirty-Nine Articles of Religion.

**Canon 5      Of the Music of the Church**

It shall be the duty of every Rector or Vicar of a congregation or mission to appoint for use psalms, hymns and spiritual songs which are appropriate for worship. The Rector or Vicar is the final authority in the administration of matters pertaining to music in the congregation or mission.

**Canon 6      Of Lay Worship Ministry**

Lay persons may be appointed to assist the Clergy in various tasks of

worship to further the ministry of the Word and Sacrament.

## **Canon 7 Of Christian Marriage**

Section 1. The Diocese affirms our Lord's teaching that the Sacrament of Holy Matrimony is a lifelong covenant between one man and one woman, binding both to self-giving love and exclusive fidelity. Jesus Christ teaches that God is the author of marriage from the beginning of time. "So God created man in his own image, in the image of God he created him, male and female he created them" (Genesis 1:27; cf. Matthew 19:4-6). God's design for marriage has always involved one man and one woman (Genesis 2.24). Marriage is established by God for the procreation of children and their nurture in the knowledge and love of the Lord; for mutual joy, and for the help and comfort given one another in prosperity and adversity; to maintain purity, so that husbands and wives, with all the household of God, might serve as holy and undefiled members of the body of Christ; and for the upbuilding of Christ's kingdom in family, church, and society, to the praise of his holy Name.

Section 2. It shall be within the discretion of any member of the Clergy to decline to solemnize any Marriage.

Section 3. Members of the Clergy of the Diocese shall conform to the Canons of this Diocese and The Church governing the solemnization of Holy Matrimony.

a. Both parties shall be baptized. Any exception to this requires the permission of the Bishop; b. There shall be thirty (30) days notice of intention to marry unless waived for weighty reasons, in which case the



Bishop shall be notified immediately and in writing; c. The Clergy shall provide counsel to both parties on Holy Matrimony with respect to theological and social implications and responsibilities; d. The Clergy shall ascertain that the man and woman, parties to the marriage, have a valid marriage license.

Section 4. As marriage is a lifelong covenant between a man and a woman in which the two become one flesh, it is both an ordinance of Creation affirmed as such by our Lord, and commended by Saint Paul as a sign of the mystical union between Christ and His Church (Matthew 19:3-9; Ephesians 5:22-32). Therefore, the failure of a marriage is always a tragedy. Scripture acknowledges our fallen nature and does provide guidance to know when a marriage may be declared a nullity or dissolved and allows the possibility of a subsequent marriage in certain circumstances (Matthew 19 and 1 Corinthians 7).

- a. Couples who request to be married by a member of the Clergy of this Diocese must have approval from the Bishop if either party has ever been divorced;
- b. When a divorced person seeks permission to remarry, the Clergy must ascertain the pertinent facts concerning a declaration of nullity or termination of marriage; and in the absence of a declaration of nullity, forward such information to the Bishop in writing for his godly advice and consent;
- c. The Diocese is responsible to create a process by which this discernment

may be made with reasonable promptness.

Section 5. a. No Clergy knowingly, after due inquiry, shall solemnize any marriage if they have unresolved concerns regarding any of the following impediments:

- (i) Consanguinity and affinity as defined in the 1662 Book of Common Prayer;
- (ii) Mistaken identity;
- (iii) Absence of the capacity for free and intelligent choice;
- (iv) Bigamy, evidence of sexual perversion or conviction of a sexually related crime;
- (v) Fraud, coercion, abuse or duress;
- (vi) Failure to conform to the teaching of this Church regarding man, woman, and marriage as set forth in the Holy Scriptures and in these Canons.

b. Any declarations of nullity may only be granted by a Bishop with jurisdiction and shall be based upon Scriptural principles including the foregoing impediments to marriage.

Section 6. The Clergy shall require the parties to sign the following declaration:

*“We, N.N. and N.N., desiring to receive the blessing of Holy Matrimony in the Church, do solemnly declare that we hold marriage to be a lifelong union of husband and wife as it is set forth in the Book of Common Prayer. We believe it is established by God for the procreation of children and their nurture in the knowledge and love of the Lord; for mutual joy, and for the help and comfort given one another in prosperity and adversity; to maintain purity, so that husbands and wives, with all the household of God, might serve as holy and undefiled members of the Body of Christ; and for the upbuilding of Christ’s kingdom in family,*

*church, and society, to the praise of his holy Name. We do engage ourselves, so far as in us lies, to make our utmost effort to establish this relationship and to seek God's help thereto."*

Section 7. In all cases marriages shall be solemnized according to the forms contained in an authorized Book of Common Prayer, or other Christian rite authorized by the Bishop.

Section 8. The Clergy shall cause to be recorded in the permanent records of the congregation the name, age, and residence of each party. Such record shall be signed by the member of the Clergy, the married parties, and at least two witnesses.

### **Canon 8 Of Standards of Sexual Morality and Ethics**

Section 1. Clergy and lay leaders of this Diocese are called to be exemplary in all spheres of morality as a condition of being appointed or remaining in office.

Section 2. In view of the teaching of Holy Scripture, Resolution 1.10 of the Lambeth Conference of 1998 and the Jerusalem Declaration, this Diocese upholds faithfulness in marriage between one man as husband and one woman as wife in lifelong union, and believes that abstinence is right for those who are not called to marriage, and cannot legitimize or bless same sex unions or ordain persons who engage in homosexual behavior. Sexual intercourse should take place only between a man and a woman who are married to each other.

Section 3. God, and not man, is the creator of human life. The unjustified taking of life is sinful. Therefore, all members and clergy are called to promote and

respect the sanctity of every human life from conception to natural death.

Section 4. Each Congregation and Mission of this Diocese is called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent and receive forgiveness, and offering the ministry of healing to all who suffer physically or emotionally as a result of such sin.

## **TITLE IV: OF MINISTERS, THEIR RECRUITMENT, PREPARATION, ORDINATION, OFFICE, PRACTICE AND TRANSFER**

### **Canon 1 Of Holy Orders in this Diocese**

Section 1. This Diocese affirms what Anglicanism has always held in common, namely the normality and sufficiency of the threefold pastoral ministry of Bishop, Presbyter and Deacon as described in Holy Scripture. Persons shall be admitted to the office of Bishop, Presbyter or Deacon in this Church, and allowed to exercise any of these offices, who have been called, examined, and ordained according to an authorized ordinal of this Church, or ordained in some church whose orders are recognized and accepted by this Church.

Section 2. Any person who has received authority to be a Presbyter or Deacon in this Church owes canonical obedience in all things lawful and honest to the Bishop having jurisdiction, and the Bishop of this Diocese owes canonical obedience in all things lawful and honest to the Archbishop of the Church.

Section 3. The qualifications for persons seeking ordination into Holy Orders in this Diocese shall, except as provided herein, conform to the standards of ordination for clergy that have already been established in the Constitution and Canons of the Church

**Canon 2 Of the Qualities of Those Who are to Be Ordained Deacons or Presbyters**

Section 1. The Bishop of this Diocese shall take care that he admit no person into Holy Orders but such as he knows either by himself, or by sufficient testimony and due investigation, to have been baptized and confirmed in the name of the Father, the Son, and the Holy Spirit, to be sufficiently instructed in Holy Scripture and in the doctrine, discipline and worship of this Church, to be empowered by the Holy Spirit and to be a wholesome example and pattern in thought, word, and deed to the entire flock of Christ.

Section 2. In accordance with Holy Scripture, a Deacon must be a person worthy of respect, sincere, not indulging in much wine, not pursuing dishonest gain, and one who holds the deep truths of the Christian faith with a clear conscience. They must first be tested, and if after due examination there be found nothing against them, let them serve as Deacons. (1 Timothy 3:8-13).

Section 3. In addition to the qualifications above, and in accordance with Holy Scriptures, a Presbyter in this Diocese must be a man who is above reproach, not self-pleasing but self-controlled, upright, holy, disciplined,

temperate, hospitable, not given to drunkenness, not violent but gentle, not quarrelsome, not a lover of money, not a recent convert, one who loves what is good and one who has a good reputation with outsiders. A Presbyter must be able to preach and teach, holding firmly to the trustworthy message as it has been traditionally handed down from the apostles, in order to encourage others by sound doctrine and to refute those who oppose it. (1 Timothy 3:1-7; 5:17; Titus 1:6-9).

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

Section 5. Marriage is a lifelong covenant between one man as husband and one woman as wife, where the two become one flesh. It is both an ordinance of Creation, affirmed as such by our Lord, and commended by Saint Paul as a sign of the mystical union between Christ and his Church (Matthew 19:3-9; Ephesians 5:22- 32). As wholesome examples and patterns to the entire flock of Christ, all married persons to be admitted to Holy Orders shall remain married to their spouse for life, and in accordance with the vows they exchanged in Holy Matrimony. Subject to Section 6 of this Canon, no person shall be admitted into Holy Orders who has divorced and remarried.

Section 6. The Bishop of this Diocese, on an application made to him by the sponsor

of a person who by reason of Section 5 of this Canon could not otherwise be admitted into Holy Orders may, upon a showing of good cause and particularly in light of the exceptions in Matthew 19 and 1 Corinthians 7, make application to the Archbishop of the Church to remove the impediment imposed by Section 5 of this canon. Only the Archbishop acting in consultation with the College of Bishops may remove the impediment in accordance with Canon III.2.6 of the Church.

Section 7. No person shall be admitted into Holy Orders who has not been properly trained in Holy Scripture, and the Doctrine, Discipline and Worship of this Church. It shall be a requirement for ordination that adequate documentation of the candidate's theological training at an accredited or otherwise recognized seminary, or approved program of study, be provided and approved by the bishop before proceeding into Holy Orders in this Diocese.

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

Section 1. No person shall be ordained a Deacon in this Diocese until that person shall have passed a satisfactory examination conducted by those appointed by the Bishop for this purpose, and shall have demonstrated sufficient knowledge of Holy Scripture, the Doctrine, Discipline and Worship of this Church, and any other topics the Bishop shall deem necessary for the office and ministry of Deacons.

Section 2. No persons shall be ordained a Deacon in the Church until such person shall have subscribed without reservation the following declaration:

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

Section 3. We recognize the importance of the Vocational Diaconate as an essential and historic ministry of the Church. A Transitional Deacon shall not be ordained to the office of Presbyter for at least one year, unless the Bishop shall find good cause for the contrary, so that the Deacon’s manner of life and ministry may be tested and observed before admission to the order of Presbyter.

**Canon 4 Of Presbyters and Their Ordination**

Section 1. No person shall be ordained a Presbyter in this Diocese until that person shall have been ordained a Deacon.

Section 2. No person shall be ordained a Presbyter in this Diocese until that person shall have passed a satisfactory examination conducted by those appointed by the Bishop for this purpose, and shall have demonstrated sufficient knowledge of Holy Scripture and the Doctrine, Discipline and Worship of this Church by examination in the following subjects, and any other qualities that the Bishop deems necessary for the office of Presbyter:

a. *Holy Scripture*: the Bible, its contents and historical background and interpretive methods;

b. *Church History*;

c. *Anglican Church History*;



- d. *Doctrine*: the Church's teaching set forth in the Creeds and the Offices of Instruction;
- e. *Liturgics*: The contents and use of the Book of Common Prayer, and knowledge of the proper use of church music;
- f. *Moral Theology and Ethics*;
- g. *Ascetical Theology*: with an emphasis on the prayer life and spirituality of the minister, including the use of the Daily Office;
- h. *Practical Theology*: The office and work of a Presbyter; the conduct of public worship; principles of sermon composition and delivery; principles and methods of Christian education in the parish; Constitution and Canons of the Church and this Diocese; and the use of the voice in reading and speaking;
- i. *The Missionary Work of the Church*: How the Gospel has been passed from one language, tribe and nation to another; basic principles of cross-cultural communication; mission strategies; and personal relational evangelism and apologetics.

Section 3. No Deacon shall be ordained a Presbyter in the Church until the Deacon shall have subscribed the following declaration:

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

## **Canon 5      Concerning Ordination and Reception of Ministers**

- Section 1.      Persons desiring to be ordained in this Diocese, and ministers from other dioceses or jurisdictions or denominations who seek to be received into this Diocese, shall apply in writing to the Bishop or those to whom the Bishop delegates such authority. Applicants shall be provided a copy of this Canon 5 and, should they wish to continue seeking ordination or reception, they shall follow the process established by the Bishop and/or those to whom the Bishop delegates such authority and in accordance with these canons. The ordination or reception process shall include an independent background check (“Background Check”) covering the following: the checking of all references and previous employers for the previous ten (10) years, credit reports, the checking of records from Departments of Motor Vehicles, and a complete criminal records check to include the Sexual Predators Directory.
- Section 2.      No person shall be received as clergy in this Diocese until they shall have subscribed in writing to the following declaration: *“I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them.”*
- Section 3.      The Bishop, being fully satisfied of a person’s theological and other qualifications, and soundness in the faith, and upon successful completion

of examination as provided in Canons 3 and 4 may ordain persons in this Diocese, or receive clergy from other churches or jurisdictions into this Diocese as provided in this Canon 5. In the case of a person already ordained by a bishop in the Historic Succession, the Bishop may receive such person into this Church and Diocese in the order(s) to which they were ordained. In the case of a person ordained by a bishop or minister not ordained by a bishop in the Historic Succession, the Bishop may ordain the person as a deacon conditionally and, no sooner than four months thereafter, ordain the person a presbyter conditionally (if previously ordained a presbyter) having previously baptized and confirmed the person conditionally if necessary.

Section 4. The Bishop, being fully satisfied of a person's theological and other qualifications, and soundness in the faith, may receive bishops from other jurisdictions of the Church into this Diocese, with or without examination, to serve as Rector of a congregation or mission or, in consultation with and consent by the College of Bishops, as a Bishop in Residence in a congregation, mission or other ministry of this Diocese. A bishop so received shall owe canonical obedience in all things lawful and honest to the Bishop.

Section 5. Subject to the examinations prescribed by Canons 3 and 4, the Bishop may accept by letter of transfer a deacon or presbyter who is in good standing in any other jurisdiction of the Church. The Bishop shall inquire of the transferring bishop concerning any past or existing disciplinary matter or

other impediment affecting the ministry of the transferring clergy person.

The letter of transfer which must be presented within six months from its date of issue shall be to the following effect:

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

Section 6. Ministers who are not clergy in a jurisdiction of the Church but who are ordained in the Historic Succession and who desire to be accepted into this Diocese shall furnish evidence satisfactory to the Bishop of eligibility for ordination pursuant to Canons 3 and 4 of this Diocese as well as Canons 2 through 4 of Title III of the Canons of the Church. Such ministers shall be examined as provided in Canons 3 and 4 hereof and also on any other subjects the Bishop deems appropriate.

Section 7. Ministers ordained in a jurisdiction not ordered in the Historic Succession or whose orders are not accepted by the Church who desire to be accepted into this Diocese shall furnish evidence satisfactory to the Bishop of eligibility for ordination pursuant to these Diocesan Canons 3 and 4 as well as Canons 2 through 4 of Title III of the Canons of the Church. Such ministers shall be examined and as provided in Canons 3 and 4 hereof and also on the points of doctrine, discipline, polity and worship in which the jurisdiction from which they come differs from this Church, and any other subjects the Bishop deems appropriate.

Section 8. A Minister received into this Diocese shall not function or be recognized

by the Bishop until he or she has been canonically transferred to this Diocese, nor may such person perform any of the rites or ceremonies of the church, except with the special permission of the Bishop, until he or she has been canonically transferred.

Section 9. Any person who has received authority to be a presbyter or deacon in this Diocese owes canonical obedience in all things lawful and honest to the Bishop of this Diocese, just as the Bishops of dioceses of the Church owe canonical obedience in all things lawful and honest to the Archbishop.

Section 10. Each member of the clergy of this Diocese, deacon, presbyter and Bishop alike, shall undergo the independent Background Check described in Section 1 of this Canon 5 every five (5) years as a condition of remaining in office.

Section 11. All full-time and part-time clergy who serve in a founding Congregation or Mission at the time that this Diocese is formed, or who serve in a Congregation or Mission upon its joining the Diocese, shall be considered received into this Diocese and licensed.

Section 12. By functioning in this Diocese as a member of the clergy of this Diocese, each member of the clergy of this Diocese agrees to be bound by the arbitration provisions in Title V, Canon 2. Each member of the clergy of this Diocese shall promptly, when requested by the Bishop or the Standing Committee, execute an agreement to arbitrate in accordance with the arbitration provisions in Title V, Canon 2 in form and substance satisfactory to the Bishop or the Standing Committee. Any member of the

clergy who fails to so execute such an agreement promptly when requested shall be suspended from acting as a received and licensed member of the clergy of this Diocese until such an arbitration agreement is executed.

## **TITLE V: ECCLESIASTICAL DISCIPLINE**

### **Canon 1 Church Discipline**

Every member of the Clergy canonically resident in this Diocese or licensed by the Bishop to exercise ministry in this Diocese shall be subject to the disciplinary provisions of Title IV of the Canons of the Church and to the provisions of these Canons. Every member of the laity of this Diocese shall be subject to the disciplinary rubrics of the Book of Common Prayer authorized by the Bishop and in use in the layperson's Congregation or Mission.

### **Canon 2 The Trial Court of the Diocese**

Section 1. There shall be a Trial Court of the Diocese consisting of nine members nominated by the Standing Committee and elected by the Synod for a term of three years. This Trial Court may also sometimes be referred to as the "Ecclesiastical Court." Four members shall be chosen from the laity and five from the clergy. Staggered terms may be provided. Each member shall serve until his or her successor is elected or until the conclusion of trial being heard by said member and the rendering of a verdict thereon,

whichever is later. If a vacancy occurs for any reason prior to the end of a term, the Standing Committee shall appoint a replacement from the appropriate order.

Section 2. Within two months after each Annual Synod, the Trial Court shall elect one of its members to serve as Presiding Judge and one of its members to serve as Recorder of Proceedings. When the need arises, the Court shall designate a court attorney to advise it as to Court procedures and as to applicable law and canons, with the consent of the Bishop. The court attorney shall not be a member of the Court.

Section 3. A quorum of seven members shall be necessary for the conduct of a trial or for a judgment. The Trial Court shall take decisions and render judgments by affirmative vote of at least seven of its members.

Section 4. The Trial Court shall sit as an arbitral panel and its judgments shall have the legal effect of an arbitral award under federal and applicable state law. The Trial Court may order such interim relief as it may deem fit in any particular case. Judgment upon an arbitration decision may be entered in any court otherwise having jurisdiction. The decisions of the Trial Court shall be subject to review only in accordance with the Constitution and Canons of the Anglican Church in North America and only by the reviewing bodies of the Anglican Church in North America. The decisions of the Trial Court or any reviewing body of the Anglican Church in North America shall not be subject to review in any federal or state court. The law that shall govern any dispute brought before the Trial Court shall be

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

**Canon 3 Rules and Procedures**

Consistent with these Canons and those of the Anglican Church in North America, the Trial Court shall establish, and may amend from time to time, its own Rules of Procedure. The Trial Court shall follow and abide by the Rules of Procedure it has established. The powers, duties and procedures of the Court shall be subject to and in accordance with Title IV of the Canons of the Anglican Church in North America.

**Canon 4 Compliance with the applicable Canons of the Church**

In conducting a trial, the Trial Court shall comply with all applicable Canons of the Church and specifically with Title IV of the Canons of the Anglican Church of North America. The Bishop shall within thirty (30) days after the sentence becomes final and not subject to appeal, notify the



Office of the Archbishop. Such notice shall be limited to the sentence pronounced. Should a sentence be amended or terminated, notification of such amendment or termination shall also be reported to the Office of the Archbishop.

**Canon 5    Clergy Canonically Resident Elsewhere**

A member of the clergy licensed in this Diocese but who is canonically resident in another Province of the Anglican Communion and subject to the disciplinary canons of that Province may be subject to the disciplinary canons of this Church and of this Diocese if jurisdiction is waived by the foreign jurisdiction in favor of the jurisdiction of this Church of this Diocese. All such members of the Clergy by accepting a license to serve in this Diocese agree to be bound by its Constitution and Canons. Whenever it is believed that a canonical offense has occurred by such a member of the clergy licensed in this Diocese, the same shall be reported by the Bishop to the Bishop or Archbishop with jurisdiction. If jurisdiction is thereby waived in favor of this Diocese or if no action or response is made to such report within ninety days thereof, the Bishop may proceed to assume jurisdiction and to follow canonical steps leading to a possible presentment and trial in this Diocese.

## **TITLE VI: ENACTMENT, AMENDMENT, AND REPEAL OF CANONS**

### **Canon 1 Amendments**

Section 1. The Canons of the Diocese may be amended by the Synod at any regular meeting or any Special Meeting called for that purpose. Notice in advance of the meeting must be given before an amendment can be adopted. No amendment may be adopted until it has been reviewed by the Constitution and Canons Committee or the Standing Committee and its recommendations given to the Synod. The Canons may only be amended by the Synod by a two-thirds ( $\frac{2}{3}$ ) majority of the entire number of delegates eligible to vote. The Standing Committee shall have no authority or power to amend the Canons.

Section 2. The Diocese may not merge with another corporation or other legal entity unless the merger receives the prior approval of the Synod by a two-thirds ( $\frac{2}{3}$ ) majority of the entire number of delegates eligible to vote. The Diocese may not dissolve unless the dissolution receives the prior approval of the Synod by a two-thirds ( $\frac{2}{3}$ ) majority of the entire number of delegates eligible to vote. The Diocese may not sell, transfer or encumber all or substantially all its assets, whether or not in the ordinary course of business, unless the sale, transfer, or encumbrance receives the prior approval of the Synod by a two-thirds ( $\frac{2}{3}$ ) majority of the entire number of delegates eligible to vote. Section 3. Upon dissolution, prior to

making distribution of the Diocese's assets to any other lawfully allowed entity, the Standing Committee of the Diocese shall use its reasonable best efforts to arrange the distribution of the Diocese's assets to another orthodox Anglican diocese or church.