Canons

of

The Episcopal Diocese of Western North Carolina



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CANONS OF
THE EPISCOPAL DIOCESE OF WESTERN NORTH CAROLINA

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CANONS
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THE EPISCOPAL DIOCESE OF WESTERN NORTH CAROLINA

CANON 1 — GENERAL

CANON 1.1 DEFINITIONS. For the purpose of understanding and applying these canons, the following definitions shall apply:

(a) "Canons of the Diocese" means the canons of the Diocese as amended from time to time.

(b) "Commission on Ministry" means the Commission on Ministry of the Diocese as constituted from time to time.

(c) "Constitution and Canons of the Diocese" means the Constitution of the Diocese or the Canons of the Diocese, as either or both may be applicable to the matter at issue and as the same may be amended from time to time.

(d) "Constitution of the Diocese" means the Constitution of the Episcopal Diocese of Western North Carolina as the same may be amended from time to time.

(e) "Deacon" means any person who has been ordained as a deacon pursuant to the Canons of The Episcopal Church.

(f) "Delegate" means a Layperson elected to represent a Congregation at a Diocesan Convention.

(g) "Executive Council" means the Executive Council of the Diocese as constituted from time to time.

(h) "Finance Committee" means the Finance Committee of the Diocese as constituted from time to time.

(i) "Governing Committee" means that body of duly elected or appointed representatives responsible for the temporal affairs of a Chapel or Worshipping Community, as may be applicable.

(j) "Orders" refers to the separate forms of ministry in The Episcopal Church, with certain individuals being in the Clerical Order as specified by the Constitution of the Diocese and certain individuals being in the Lay Order as specified by the Constitution of the Diocese. In a "vote by orders" the votes of the Clerical Order and Lay Order are counted separately.

(k) "Priest" means any person who has been ordained as a priest pursuant to the Constitution and Canons of the Episcopal Church.

(l) "Priest-in-Charge" refers generically to a Priest having authority and responsibility for the Cathedral, a Parish, a Worshipping Community, or a Chapel.

(m) "Rector" refers to a Priest elected to lead a Parish.

(n) "Standing Committee" means the Standing Committee of The Episcopal Diocese of Western North Carolina as constituted from time to time.

(o) "Title IV Canons" shall refer to the provisions of Title IV of the Canons of The Episcopal Church as the same may be amended from time to time.

(p) "Vestry" shall mean that body of duly elected or appointed representatives responsible for the temporal affairs of a Parish or the Cathedral.

(q) "Vicar" means a Priest appointed by the Bishop to lead a Worshipping Community.

CANON 1.2 OTHER DEFINITIONS. If a word or phrase used in these Canons of the Diocese has a meaning ascribed to it in the Constitution of the Diocese, then such meaning shall also apply in these Canons of the Diocese unless a specific meaning is set forth herein or the context clearly requires otherwise. Furthermore, if a word or phrase used in these Canons of the Diocese has a meaning ascribed to it in the Constitution and Canons of the Church, then such meaning shall also apply in these Canons of the Diocese unless a specific meaning is set forth herein or in the Constitution of the Diocese or unless context clearly requires otherwise

CANON 1.3 ACTION BY THE ECCLESIASTICAL AUTHORITY. The Ecclesiastical Authority of the Diocese is the Bishop. In the Bishop's absence or inability to act, the Bishop Coadjutor (if there is one) shall be the Ecclesiastical Authority. If there is no Bishop Coadjutor or if both the Bishop and the Bishop Coadjutor are absent or unable to act, the Bishop Suffragan (if there is one, and if more than one by seniority based on date of consecration) shall be temporarily authorized to act for the Diocese as its Ecclesiastical Authority. If there is no Bishop, Bishop Coadjutor, or Bishop Suffragan qualified and able to act, the Standing Committee shall be the Ecclesiastical Authority until a Bishop is elected and qualified. Whenever the Constitution of the Diocese or the Canons of the Diocese provide for action by the Bishop, such action, except as otherwise expressly limited by the Rubrics of The Book of Common Prayer or Constitution and Canons of the Church or the Constitution of the Diocese or the Canons of the Diocese, is to be taken by the person or the Standing Committee, as may be applicable, then acting as the Ecclesiastical Authority of the Diocese.

CANON OF 1.4 LIMITATION AS TO THE AUTHORITY OF CERTAIN LAYPERSONS. A Layperson who is age sixteen (16) or seventeen (17) is encouraged to participate in the affairs of the Diocese or a Congregation or Institution with which such person is associated; however, and notwithstanding

any provision in the Canons of the Diocese to the contrary, such person may not exercise a right to vote or make a decision, either alone or with others, as to matters affecting the Diocese or any Congregation or Institution until age eighteen (18) or older. This restriction is in recognition of the fact that secular law generally provides that a person under age eighteen (18) does not have legal capacity to make or authorize binding contracts.

CANON 2 — THE DIOCESAN CONVENTION

CANON 2.1 LIST OF PERSONS IN THE CLERICAL ORDER. The Bishop shall maintain a list of all persons entitled to participate in the Diocesan Convention in the Clerical Order who are entitled to seat, voice, and vote in the Diocesan Convention as provided in the Constitution of the Diocese. Such list shall be presented to the Diocesan Convention on the first day of the meeting.

CANON 2.2 LIST OF LAY DELEGATES AND ALTERNATES. The election of Delegates and alternate Delegates to any Diocesan Convention shall be certified in writing as follows: (a) in the case of a Congregation other than a Chapel, by the Cleric in charge of the Congregation, or in the absence of a Cleric by a Warden or by the secretary for such Congregation; and (b) in the case of a Chapel or Institution, by any officer of such Chapel or Institution. The certifications of election of Delegates and alternate Delegates shall be forwarded to the Secretary of the Diocesan Convention as soon as possible after their election and at least 20 days prior to the date of the Diocesan Convention. From these certificates, the Secretary shall prepare a list of the Delegates entitled to seat, voice, and vote in the Diocesan Convention and a list of the alternate Delegates. Any vacancy in the representation of any Congregation or Institution at the meeting of the Diocesan Convention shall be filled by an alternate Delegate for that Congregation or Institution as shown on such list, and if more than one alternate Delegate is listed the President of the Diocesan Convention shall make such selection. Each Delegate and each alternate Delegate shall hold such position until such person's successor has been duly elected by the Congregation or Institution such person represents.

CANON 2.3 LIST OF PERSONS WITH SEAT AND VOICE ONLY. The Bishop shall maintain a list of all persons entitled to seat and voice at the Diocesan Convention but without the right to vote. Such list shall be presented to the Diocesan Convention on the first day of the meeting.

CANON 2.4 RESOLUTION OF DISPUTES. When the right of any person to participate in the Diocesan Convention as a member of the Clerical Order or as a Delegate in the Lay Order or as having the right to seat and voice only, the question shall be determined by the Diocesan Convention on the basis of the Constitution of the Diocese and after consideration of the findings and recommendations of the President of the Diocesan Convention.

CANON 2.5 ANNUAL REPORTS. At each annual meeting of the Diocesan Convention, the following reports shall be given or provided:

(a) The Bishop shall report on the state of the Diocese since the last annual meeting of the Diocesan Convention. The report shall include the names of the Congregations visited; the number of persons confirmed and received; the names of those admitted

as postulants and candidates for Holy Orders, of those ordained, and of those suspended or deposed from Holy Orders; the changes by death, removal, or otherwise that have taken place among the Clerics Canonically Resident in the Diocese; and other matters the Bishop desires to present to the Diocesan Convention. The Bishop shall provide a written copy of the Bishop's report to the Secretary, and the Secretary is to include the report in the journal of the Diocesan Convention.

(b) A representative of the Executive Council shall provide a written report on the activities of the Executive Council since the last meeting of the Diocesan Convention, and the Secretary shall include such report in the journal of the Diocesan Convention. At the request of the President and in addition to such written report, a representative of the Executive Council may make a presentation to the Diocesan Convention regarding the affairs and activities of the Executive Council.

(c) A representative of the Finance Committee shall provide a written report on the activities of the Finance Committee since the last meeting of the Diocesan Convention, and the Secretary shall include such report in the journal of the Diocesan Convention. At the request of the President and in addition to such written report, a representative of the Finance Committee may make a presentation to the Diocesan Convention regarding the affairs and activities of the Finance Committee.

(d) A representative of the Standing Committee shall provide a written report on the activities of the Standing Committee since the last meeting of the Diocesan Convention (although such person may exclude such sensitive matters that such person believes could jeopardize the Standing Committee's role as a council of advice to the Bishop), and the Secretary shall include such report in the journal of the Diocesan Convention. At the request of the President and in addition to such written report, a representative of the Standing Committee may make a presentation to the Diocesan Convention regarding the affairs and activities of the Standing Committee.

(e) At the request of the Bishop, a representative of an Institution shall provide a written report on the activities of such Institution since the last meeting of the Diocesan Convention and/or make a presentation to the Diocesan Convention on the affairs or activities of such Institution. The Secretary shall include any written report in the journal of the Diocesan Convention.

CANON 2.6 BUSINESS OF DIOCESAN CONVENTION.

(a) All business to come before the Diocesan Convention, other than administrative matters, reports and for the election of a Bishop, Bishop Coadjutor, or Bishop

Suffragan, shall come in the form of a resolution. The sponsor of any proposed resolution not requiring the expenditure of funds shall submit the proposed resolution in writing to the Secretary not less than thirty (30) days prior to the date scheduled for convening of a Diocesan Convention. The sponsor of any proposed resolution requiring the expenditure of funds shall submit the proposed resolution in writing to the Secretary for referral to the Finance Committee not less than forty-five (45) days prior to the annual Diocesan Convention for study and determination of the funding impact on other programs, and the findings of the Finance Committee and its recommendations shall be reported at such time the resolution is presented for consideration at the Diocesan Convention. A proposed resolution that has not been submitted in the required time to the Secretary may not be considered at a Diocesan Convention unless the Diocesan Convention decides to consider the proposed resolution.

(b) Not less than twenty (20) days before a Diocesan Convention, the Secretary shall make available all resolutions to be acted upon at the Diocesan Convention that have been submitted to the Secretary by making the same available at the office of the Diocese for inspection and copying and by publishing the same on the website of the Diocese.

CANON 2.7 VOTING.

(a) At each meeting of the Diocesan Convention, each participating Delegate has one vote, and each participating member of the Clerical Order has one vote.

(b) Unless otherwise required by the Constitution of the Diocese or in these Canons of the Diocese, the Clerical Order and Lay Order shall vote as one body. Upon request by five (5) or more voting members of the Diocesan Convention, the Diocesan Convention shall vote by orders.

(c) The President may permit those present and voting to vote by voice, except in elections or when a physical count is required by an approved motion.

(d) Voting by proxy or by written consent in lieu of a meeting is not permitted.

(e) When voting as one body, a majority vote of those present and voting suffices for action, unless a higher threshold for action is otherwise required by the Constitution of the Diocese or these Canons of the Diocese.

(f) When voting by orders, a concurrent majority vote of those present and voting in each order suffices for action, unless a higher threshold for action is otherwise required by the Constitution of the Diocese or these Canons of the Diocese.

CANON 2.8 NOMINATING COMMITTEE. The Nominating Committee shall be a permanent committee of the Diocesan Convention. The Nominating Committee shall present nominations for all offices and other positions to be appointed or elected by the Diocesan Convention, Executive Council, or the Bishop as set forth in the Constitution of the Diocese or these Canons of the Diocese, except the offices of Bishop, Bishop Coadjutor, and Bishop Suffragan. The Nominating Committee shall identify qualified and interested Clerics and Laypersons to serve in such offices and positions; shall establish and maintain a roster of interested candidates, cross-referenced with their particular gifts and skills; and shall provide recommendations or nominations as needed or requested by the Diocesan Convention, the Executive Council, or Bishop. The Nominating Committee's recommendations shall demonstrate the ongoing work of making systemic equity a reality in our institution.

(a) The Nominating Committee shall consist of three (3) Clerics and three (3) Laypersons elected at large by the Diocesan Convention. The members shall be grouped into three (3) classes of two (2) members each, each such class including one (1) Cleric and one (1) Layperson. The terms of such classes shall be staggered so that one such class is elected each year to commence a new term. The term of office of each elected member shall commence January 1 following such person's election and shall continue until such person's successor has been duly elected and starts such person's term in office. Except for the initial classes, whose members shall serve either a one-year term, two-year term or a three-year term as specified by the Executive Council in making appointments in accordance with Article XVII of the Constitution, each elected member shall serve a three-year term. No member may serve on the Nominating Committee more than six consecutive years.

(b) The Nominating Committee shall elect its own chair and such other officers as it may require, and if the Nominating Committee fails to designate a chair, the Bishop may designate the chair from the members of the Nominating Committee. The chair shall convene an initial meeting of the Nominating Committee no later than the end of January each year.

CANON 2.9 PLANNING AND CREDENTIALS COMMITTEE. The Planning and Credentials Committee shall be a permanent committee of the Diocesan Convention. It shall be the duty of the Planning and Credentials Committee, in consultation with the Bishop, to plan, arrange and organize for each Diocesan Convention, including the divine worship services and the agenda for each session, and such other matters as may be referred to it by the Diocesan Convention. The Planning and Credentials Committee shall consist of the Secretary, as Chairperson, a Cleric appointed by the Bishop, and the Dean of the Deanery that will host the annual Diocesan Convention in that year. The members of the Planning and Credential Committees can enlist the support and assistance of others as they shall deem appropriate from time to time.

CANON 2.10 OTHER COMMITTEES. From time to time the Diocesan Convention may create ad hoc committees and appoint the members of the same or grant the Bishop authority to appoint the members. The committees have the general authority to carry out their assigned tasks, provided

that a committee has no authority to legally bind the Diocese and must obtain approval of the Diocesan Convention or the Executive Council for the expenditure of any funds.

CANON 2.11 JOURNAL OF CONVENTION. A journal of each Diocesan Convention shall be issued in one or more volumes and shall contain the following information: (a) the list presented by the Bishop of those persons in the Clerical Order as to such Diocesan Convention; (b) the names of all Delegates and alternate Delegates as to such Diocesan Convention; (c) the list presented by the Bishop of those persons entitled to seat and voice at such Diocesan Convention but without the right to vote; (d) a list of all Congregations and Institutions in union with the Diocesan Convention; and (e) a record of all minutes of the proceedings of the Diocesan Convention.

CANON 3 — THE OFFICE OF BISHOP

CANON 3.1 ELECTION OF A BISHOP DIOCESAN, BISHOP COADJUTOR OR BISHOP SUFFRAGAN.

(a) The nomination, election, consecration and ordination of a Bishop Diocesan, Bishop Coadjutor, or Bishop Suffragan is to be done in accordance with the Constitution and Canons of the Church, the Constitution and Canons of the Diocese and, provided the same do not conflict with the foregoing, such rules and procedures as the Standing Committee determines.

(b) When the Diocese desires to elect a Bishop Diocesan, Bishop Coadjutor, or Bishop Suffragan, the Standing Committee (or its assisting committee or committees) investigates and interviews potential candidates to determine their qualifications and suitability for office. The Standing Committee shall announce its nominee or nominees for election at least sixty (60) days before a meeting of the Diocesan Convention at which such matter will be considered. It announces its nominees by delivering the names of all nominees to the Secretary of the Diocesan Convention and causing the names to be posted on the Diocesan website. At the same time it delivers its list of nominees, the Standing Committee shall deliver to the Secretary of the Diocesan Convention a written description of a petition process for additional qualified candidates to be nominated, and the Diocesan Secretary shall cause the same to be posted on the Diocesan Website and otherwise published as the Standing Committee directs. At least thirty (30) days before the meeting of the Diocesan Convention at which such matter will be considered, the Secretary of Convention shall give notice of the Diocesan Convention meeting that names all candidates duly nominated by the Standing Committee or as a result of the petition process. The nomination of any other candidate shall not be accepted from the floor of the Diocesan Convention. Voting to elect a Bishop is by written ballot and by orders with a concurrent majority of each order on the same ballot required to elect. The balloting requirements may not be waived or compromised by a motion to elect by acclamation. After requisite approvals, the Bishop Diocesan-elect assumes office upon consecration and ordination, but no earlier than the resignation, retirement or

removal of the present Bishop, and an elected Bishop Coadjutor or Bishop Suffragan assumes office upon consecration and ordination.

CANON 3.2 TERM OF OFFICE OF A BISHOP DIOCESAN, BISHOP COADJUTOR OR BISHOP SUFFRAGAN. Once elected and qualified, a Bishop Diocesan, Bishop Coadjutor, or Bishop Suffragan holds office until the first to occur of such person's death, resignation, removal, or disqualification or as otherwise provided in the Constitution and Canons of the Church. A Bishop may not resign jurisdiction without the consent of the House of Bishops of the Church. A Bishop must resign upon the first to occur of attaining the age of seventy-two (72) years or the third (3rd) anniversary of the consecration of a Bishop Coadjutor.

CANON 3.3 APPOINTMENT OF AN ASSISTING BISHOP. The Bishop Diocesan may appoint an Assisting Bishop by and with the approval of the Standing Committee and the Executive Council. An Assisting Bishop holds office for the term of such person's appointment by the Bishop Diocesan.

CANON 4 — EXECUTIVE COUNCIL

CANON 4.1 COMPOSITION. The Executive Council shall be comprised of the Bishop and eighteen (18) members elected by the Diocesan Convention, six (6) of whom shall be Clerics and twelve (12) of whom shall be Laypersons. As for the six (6) Clerics, one must be from each Deanery of the Diocese so that each Deanery is represented by a Cleric. As for the twelve (12) Laypersons, one must be from each Deanery of the Diocese so that each Deanery is represented by a Layperson, and the remaining six (6) Laypersons are considered "at large" and not representatives of a particular Deanery. Notwithstanding the foregoing, should it ever occur that a Cleric or Layperson does not stand for election to represent a Deanery as herein contemplated, the Executive Council, in consultation with the Bishop may thereafter fill such seat with a person of the order to which such seat is allocated and for the term of office allocated to such seat. The elected members shall be grouped into three (3) classes of six (6) members each, each such class including two (2) Clerics and four (4) Laypersons. The terms of such classes shall be staggered so that one (1) such class is elected each year to commence a new term. The terms of office of elected members shall commence on January 1 next following their election. Except for the initial classes, whose members shall serve either a one-year term, two-year term, or a three-year term as specified by the Executive Council in accordance with Article XVII of the Constitution, the members of each class thereafter shall serve a three-year term.

CANON 4.2 QUALIFICATIONS OF MEMBERS. To be eligible to serve as a member of the Executive Council, a Cleric must be Canonically Resident in the Diocese and not under ecclesiastical discipline, and a lay individual must meet the requirements for being a Layperson as set forth in the definition of such term. No person who has served a full three-year term as an elected member of the Executive Council shall be eligible for election to a new term as a member of the Executive Council unless a year has passed or will have passed since such person's last term of office and the start of a new term of office.

CANON 4.3 OFFICERS OF THE EXECUTIVE COUNCIL. The President of the Executive Council is the Bishop. In addition, the Executive Council shall have a Vice-President and a Recording Secretary, with the persons to hold such offices to be elected from the membership of the Executive Council at the first meeting of the Executive Council following the annual Diocesan Convention, and each shall serve in the office to which such person is elected until the first to occur of such person's resignation or removal by the Executive Council or the election of such person's successor. Only a Layperson who is a member of the Executive Council is eligible to hold the office of Vice-President. Upon the occurrence of a vacancy in the office of Vice-President or Recording Secretary, the Executive Council shall immediately fill the same. The President presides at all meetings of the Executive Council. In the absence of the President, the Vice President shall preside at a meeting of the Executive Council, and in the absence of the President and Vice President the Executive Council shall select one of its members to preside at such meeting. The Recording Secretary shall keep regular minutes of the Executive Council's proceedings.

CANON 4.4 RESIGNATION, REMOVAL, AND REPLACEMENT. Any elected member of the Executive Council may resign by submitting a letter of resignation to the President, Vice President, or Recording Secretary of the Executive Council. The Executive Council may declare vacant the seat not filled by election by the Diocesan Convention; the seat of an elected member who fails to maintain the qualifications for membership; the seat of an elected member who has failed without excuse to attend two (2) consecutive regular meetings of the Executive Council; or the seat of an elected member who has failed, without excuse, to attend a total of three (3) regular meetings of the Executive Council during any calendar year. The vacancy as to any elected seat of the Executive Council may be filled by the Executive Council, with the consent of the Bishop, and in filling any such vacancy the Executive Council must elect a candidate of the same order to which the vacant seat is allocated, and if the vacant seat is allocated for a representative of a particular Deanery the Executive Council must elect a representative from that same Deanery. A person elected to fill a vacant seat shall serve the remainder of the term otherwise allocated to such seat, and any uncertainty as to the duration of such term shall be resolved by the Bishop.

CANON 4.5 THOSE WITH SEAT AND VOICE ONLY. The following shall, by virtue of their offices, be entitled to notice of, and to seat and voice (but not vote) at, meetings of the Executive Council: the Bishop Coadjutor (if there is one), each Bishop Suffragan (if there is one), each Assisting Bishop (if there is one), the President of Standing Committee (but only when the Standing Committee is serving as the Ecclesiastical Authority), the Dean of the Cathedral, the Secretary, the Treasurer, the President of the Finance Committee, and the Chancellor (but solely for the purpose of providing legal advice).

CANON 5 — STANDING COMMITTEE

CANON 5.1 COMPOSITION. The Standing Committee shall be comprised of eight (8) members elected at large by the Diocesan Convention, four (4) of whom shall be Clerics and four (4) of whom shall be Laypersons. The members shall be grouped into four (4) classes of two (2) members each, each such class including one (1) Cleric and one (1) Layperson. The terms of such classes shall be staggered so that one (1) such class is elected each year to commence a new

term. The terms of office of elected members shall commence on January 1 next following their election. Except for the initial classes, whose members shall serve either a one-year term, two-year term, three-year term, or four-year term as specified by the Executive Council in accordance with Article XVII of the Constitution, the members of each class thereafter shall serve a four-year term.

CANON 5.2 QUALIFICATIONS OF MEMBERS. To be eligible to serve as an at-large member of the Standing Committee, a Cleric must be Canonically Resident in the Diocese and not under ecclesiastical discipline, and a lay individual must meet the requirements for being a Layperson as set forth in the definition of such term. No person who has served a full four-year term as an elected member of the Standing Committee shall be eligible for election to a new term as a member of the Standing Committee unless a year has passed or will have passed since such person's last term of office and the start of a new term of office.

CANON 5.3 OFFICES OF THE STANDING COMMITTEE. The officers of the Standing Committee are a President, a Vice-President, and a Recording Secretary. The persons to hold such offices are to be elected from the membership of the Standing Committee at the first meeting of the Standing Committee following the annual Diocesan Convention, and each shall serve in the office to which such person is elected until the first to occur of such person's resignation or removal by the Standing Committee or the election of such person's successor. Only a Cleric who is a member of the Standing Committee is eligible to hold the office of President. Upon the occurrence of a vacancy in the office of President, Vice-President, or Recording Secretary, the Standing Committee shall immediately fill the same. The President presides at all meetings of the Standing Committee. In the absence of the President, the Vice President shall preside at a meeting of the Standing Committee, and in the absence of the President and Vice President the Standing Committee shall select one of its members to preside at such meeting. The Recording Secretary shall keep regular minutes of the Standing Committee's proceedings.

CANON 5.4 RESIGNATION, REMOVAL, AND REPLACEMENT. Any member of the Standing Committee may resign by submitting a letter of resignation to the Bishop or the President, Vice President or Recording Secretary of the Standing Committee. The Standing Committee may declare vacant any seat of an elected at-large member not filled by election by the Diocesan Convention; the seat of an elected at-large member who fails to maintain the qualifications for membership; the seat of an elected at-large member who has failed without excuse to attend two (2) consecutive regular meetings of the Standing Committee; or the seat of an elected at-large member who has failed, without excuse, to attend a total of three (3) regular meetings of the Standing Committee during any calendar year. The vacancy as to any seat of an elected at-large member may be filled by the Standing Committee and in filling any such vacancy the Standing Committee must elect a candidate of the same order to which the vacant seat is allocated. A person elected to fill a vacant seat shall serve the remainder of the term otherwise allocated to such seat, and any uncertainty as to the duration of such term shall be resolved by the Bishop.

CANON 5.5 THOSE WITH SEAT AND VOICE ONLY. The following shall, by virtue of their offices, be entitled to notice of, and to seat and voice (but not vote) at, meetings of the Standing Committee:

the Bishop, the Bishop Coadjutor (if there is one), each Bishop Suffragan (if there is one), each Assisting Bishop (if there is one), and the Chancellor (but solely for the purpose of providing legal advice).

CANON 5.6 WHEN THE STANDING COMMITTEE ACTS AS THE ECCLESIASTICAL AUTHORITY.

(a) When the Standing Committee is the Ecclesiastical Authority, the Standing Committee designates one or more of its members to fulfill the day-to-day responsibilities of the Ecclesiastical Authority and those responsibilities that an individual can best fulfill as a practical matter, including the responsibilities of congregational visitation, committee service, preaching, ministering the sacraments, dealing with postulants and candidates to the diaconate and priesthood (except as provided below). The members designated have the authority to fulfill the responsibilities of the Ecclesiastical Authority and to represent the interests of the Standing Committee. When the responsibilities are exclusively within the purview of a Cleric, the designee shall be a Cleric member of the Standing Committee.

(b) When acting as the Ecclesiastical Authority, the Standing Committee's rights and authority shall be limited only to the extent as may be expressly set forth in the Constitution and Canons of the Church. .

(c) When the Standing Committee becomes the Ecclesiastical Authority, it must move deliberately to facilitate the election and ordination of a Bishop pursuant to the Constitution and Canons of the Church and the Constitution and Canons of the Diocese.

CANON 6 — FINANCE COMMITTEE

CANON 6.1 COMPOSITION. The Finance Committee shall be comprised of the Bishop, the Treasurer, one member of the Executive Council appointed by that Council to serve on the Finance Committee and the Executive Council simultaneously, and six (6) members elected at large by the Diocesan Convention, three (3) of whom shall be Clerics and three (3) of whom shall be Laypersons. The elected members shall be grouped into three (3) classes of two (2) members each. The terms of such classes shall be staggered so that one (1) such class is elected each year to commence a new term. The terms of office of elected members shall commence on January 1 next following their election. Except for the initial classes, which shall serve either a one-year term, two-year term or a three-year term as specified by the Executive Council in making appointments in accordance with Article XVII of the Constitution, the members of each class thereafter shall serve a three-year term.

CANON 6.2 QUALIFICATIONS OF MEMBERS. To be eligible to serve as a member of the Finance Committee, a Cleric must be Canonically Resident in the Diocese and not under ecclesiastical discipline, and a lay individual must meet the requirements for being a Layperson as set forth in

the definition of such term. Moreover, each elected member of the Finance Committee must be able to read and understand fundamental financial statements or become able to do so within a reasonable time after being elected, and it is preferable that one or more of the elected members have employment experience in finance or accounting or other comparable experience resulting in financial sophistication. No person who has served a full three-year term as an elected member of the Finance Committee shall be eligible for election to a new term as a member of the Finance Committee unless a year has passed or will have passed since such person's last term of office and the start of a new term of office.

CANON 6.3 OFFICES OF THE FINANCE COMMITTEE. The officers of the Finance Committee are a President, Vice President and a Recording Secretary. The persons to hold such offices are to be elected from the membership of the Finance Committee at the first meeting of the Finance Committee following the annual Diocesan Convention, and each shall serve in the office to which such person is elected until the first to occur of such person's resignation or removal by the Finance Committee or the election of such person's successor. Upon the occurrence of a vacancy in the office of President, Vice-President, or Recording Secretary, the Finance Committee shall immediately fill the same. The President presides at all meetings of the Finance Committee. In the absence of the President, the Vice President shall preside at a meeting of the Finance Committee, and in the absence of the President and Vice President the Finance Committee shall select one of its members to preside at such meeting. The Recording Secretary shall keep regular minutes of the Finance Committee's proceedings.

CANON 6.4 RESIGNATION, REMOVAL, AND REPLACEMENT. Any member of the Finance Committee may resign by submitting a letter of resignation to the Bishop or the President, Vice President, or Recording Secretary of the Finance Committee. The Bishop may declare vacant any seat not filled by nomination or confirmation at the Convention; the seat of an elected member who fails to maintain the qualifications for membership; the seat of an elected member who has failed without excuse to attend two (2) consecutive regular meetings of the Finance Committee; or the seat of an elected member who has failed, without excuse, to attend a total of three (3) regular meetings of the Finance Committee during any calendar year. The vacancy as to any seat of an elected member shall be filled by the Executive Council, with the consent of the Bishop, and in filling any such vacancy the Executive Council must elect a candidate with the requisite qualifications for serving as a member of the Finance Committee. A person elected to fill a vacant seat shall serve the remainder of the term otherwise allocated to such seat, and any uncertainty as to the duration of such term shall be resolved by the Bishop.

CANON 6.5 THOSE WITH SEAT AND VOICE ONLY. The Chancellor shall be entitled to notice of, and to seat and voice (but not vote) at, meetings of the Finance Committee, but solely for the purpose of providing legal advice.

CANON 7 — COMMISSION ON MINISTRY

CANON 7.1 COMPOSITION. The Commission on Ministry shall be comprised of any archdeacon of the Diocese as well as twelve (12) members appointed by the Bishop and confirmed by the

Convention, six (6) of whom shall be Clerics and six (6) of whom shall be Laypersons. The appointed members shall be grouped into three (3) classes of four (4) members each, each such class including two (2) Clerics and two (2) Laypersons. The terms of such classes shall be staggered so that one (1) such class is appointed each year to commence a new term. The terms of office of appointed members shall commence on January 1 next following their appointment. Except for the initial classes, whose members shall serve either a one-year term, two-year term or a three-year term as specified by the Executive Council in accordance with Article XVII of the Constitution, the members of each class thereafter shall serve a three-year term.

CANON 7.2 QUALIFICATIONS OF MEMBERS. To be eligible to serve as an at-large member of the Commission on Ministry, a Cleric must be Canonically Resident in the Diocese and not under ecclesiastical discipline, and a lay individual must meet the requirements for being a Layperson as set forth in the definition of such term. Any person who has served one full three-year term as an appointed member of the Commission on Ministry is eligible for appointment to a second term as a member of the Commission on Ministry. No person who has served two full three-year terms as an appointed member of the Commission on Ministry shall be eligible for appointment to a new term as a member of the Commission on Ministry unless a year has passed or will have passed since such person's last term of office and the start of a new term of office.

CANON 7.3 OFFICES OF THE COMMISSION ON MINISTRY. The officers of the Commission on Ministry are a President, a Vice-President and a Recording Secretary. The persons to hold such offices are to be elected from the membership of the Commission on Ministry at the first meeting of the Commission on Ministry following the annual Diocesan Convention, and each shall serve in the office to which such person is elected until the first to occur of such person's resignation or removal by the Commission on Ministry or the election of such person's successor. Upon the occurrence of a vacancy in the office of President, Vice-President or Recording Secretary, the Commission on Ministry shall immediately fill the same. The President presides at all meetings of the Commission on Ministry. In the absence of the President, the Vice President shall preside at a meeting of the Commission on Ministry, and in the absence of the President and Vice President the Commission on Ministry shall select one of its members to preside at such meeting. The Recording Secretary shall keep regular minutes of the Commission on Ministry's proceedings.

CANON 7.4 RESIGNATION, REMOVAL, AND REPLACEMENT. Any member of the Commission on Ministry may resign by submitting a letter of resignation to the Bishop or the President, Vice President, or Recording Secretary of the Commission on Ministry. The Bishop may declare vacant any seat not filled by nomination or confirmation at the Convention; the seat of an appointed member who fails to maintain the qualifications for membership; the seat of an appointed member who has failed without excuse to attend two (2) consecutive regular meetings of the Commission on Ministry; or the seat of an appointed at-large member who has failed, without excuse, to attend a total of three (3) regular meetings of the Commission on Ministry during any calendar year. The vacancy as to any seat for an appointed member may be filled by the Bishop, with confirmation by Executive Council, and in filling any such vacancy the Bishop must appoint a candidate of the same order to which the vacant seat is allocated. A person appointed to fill a vacant seat shall

serve the remainder of the term otherwise allocated to such seat, and any uncertainty as to the duration of such term shall be resolved by the Bishop.

CANON 7.5 THOSE WITH SEAT AND VOICE ONLY. The following shall, by virtue of their offices, be entitled to notice of, and to seat and voice (but not vote) at meetings of the Commission on Ministry: the Bishop, the Bishop Coadjutor (if there is one), each Bishop Suffragan (if there is one), and each Assisting Bishop (if there is one).

CANON 8.0 — DEANERIES

CANON 8.1 NAMES OF THE REGIONS. The Diocese shall be divided into six regions for pastoral and administrative purposes as follows (each is hereafter referred to as "Deanery"):

(a) Asheville Deanery
(b) Foothills Deanery
(c) Hendersonville Deanery
(d) Mountain Deanery
(e) Piedmont Deanery
(f) Western Deanery

CANON 8.2 GEOGRAPHIC BOUNDARIES. The Bishop shall establish, and may adjust from time to time, the geographic boundaries of each Deanery.

CANON 8.3 COMPOSITION. Each Deanery shall be composed of all the Clerics who are serving Congregations or Institutions in that Deanery and the Laypersons from the Congregations and Institutions in the Deanery.

CANON 8.4 AUTHORITY AND RESPONSIBILITY OF DEANERIES. The principal objectives of convocations of the Deanery shall be the implementation of the policies and plans for the benefit of the Diocese as directed by the Diocesan Convention, the Executive Council, or the Bishop; leadership training and development; communication between the Diocese and the Congregations and Institutions located in the Deanery; and support of ministries located in the Deanery.

CANON 8.5 DEAN OF THE DEANERY. Each Deanery shall have a Dean. The Clerics of the Deanery shall elect the Dean from those Clerics in such Deanery. A Dean shall serve a term of two (2) years or until the first to occur of such person's resignation or removal by the Clerics of the Deanery or the election of such person's successor. Upon the occurrence of a vacancy in the office of Dean, the Clerics shall immediately fill the same by electing a successor. A successor elected due to the resignation or removal of the previous Dean shall serve the remainder of the previous Dean's term. A Cleric serving as Dean may succeed themselves in office. Upon the election of a new Dean, such newly-elected Dean shall send written notice of such person's election to the Bishop within ten (10) days after such election. The Dean presides at all meetings of the Deanery. In the absence of the Dean, the Deanery shall elect a Cleric from its membership to preside at such meeting.

CANON 9 – RULES FOR MEETINGS OF COMMITTEES

CANON 9.1 GENERAL RULES. The following rules shall apply with regard to the meetings and activities of the Executive Council, Finance Committee, Standing Committee, the Commission on Ministry and a Deanery (each is hereafter referred to as a "Committee" for purposes of this Canon 9):

(a) The Committee shall hold regular meetings on such dates and times and at such places as the Committee sets by resolution or in the absence of any such resolution as determined by the highest-ranking officer of such Committee. At a minimum, however, the Committee shall meet at least every quarter of the calendar year.

(b) The highest-ranking officer of the Committee, the Bishop (if the Bishop is not the highest-ranking officer of the Committee), or a majority of the members of the Committee may call a special meeting of the Committee. The person or persons authorized to call special meetings of the Committee may fix a day and reasonable time for the meeting, and may fix a reasonable place within the territory of the Diocese as the place for the meeting. The person or persons calling the special meeting must give notice to each member of Committee of the time, place, date, and purpose of the meeting. Such notice must be given not less than seven (7) business days if by U.S. postal service, not less than two (2) business days if by overnight delivery service, and not less than twenty-four (24) hours if by facsimile transmission, email, or direct personal communication. A Committee member may waive notice of any special meeting.

(c) Any meeting constitutes a legal meeting without notice if all the members are present, or if those not present, either before or after the meeting, provide a written waiver of notice or a consent to such meeting or approve the minutes of the meeting.

(d) A majority of the Committee members constitute a quorum for the purpose of conducting business. In the absence of a quorum, a majority of members present at any meeting may adjourn the meeting to another place, date, or time without further notice.

(e) Except as otherwise provided herein, the Committee may transact business in such order and manner as it may determine.

(f) The Committee determines all substantive, procedural, or other matters by the vote of a majority of the members present.

(g) Any Committee member may add to the Committee's agenda any item germane to the Diocese's property, business, or affairs.

(h) The Committee may take any required or permitted action without a meeting if a majority of the Committee members consent to such action and their consent is filed with the minutes of the proceedings of the Committee. The action must be evidenced by one or more written consents signed by a majority of the members of the Committee, which written consent(s) must describe the action taken. The consent of a member to action taken without meeting may be in electronic form and delivered by electronic means. For purposes of the foregoing, an electronic communication from a member approving a written consent shall be deemed to be such member's signature on and evidencing approval of such written consent.

(i) In its discretion, the Committee may meet in executive session for discussion of particular subjects it deems sensitive, but shall make all decisions in regular session.

CANON 9.2 MINUTES. With the exception of Deaneries, the Recording Secretary of the Committee shall cause minutes of the Committee's proceedings to be prepared reflecting all decisions made or actions taken and, where deemed relevant and appropriate the related discussions. After they have been approved, the minutes shall be recorded in written form, and shall be open to inspection at any reasonable time by any person affiliated with the Diocese. Notwithstanding the foregoing, minutes of Committee meetings may exclude information protected from disclosure by a legal privilege (such as the attorney-client privilege), and minutes of meetings of the Standing Committee may exclude information about sensitive matters that could jeopardize the Standing Committee's role as a council of advice to the Bishop.

CANON 10 — REPRESENTATION IN THE GENERAL CONVENTION

CANON 10.1 ELECTION OF CLERICS AS DEPUTIES AND ALTERNATES. At an annual meeting, the Diocesan Convention shall elect Clerics and their alternates to represent the Diocese as deputies at the General Convention of The Episcopal Church. The Constitution and Canons of the Church shall determine the number of Clerics to represent the Diocese as deputies. To be eligible for election, a Cleric must be Canonically Resident in the Diocese and not under ecclesiastical discipline and otherwise eligible under Constitution and Canons of the Church to serve as such. In electing Clerics as deputies and alternate deputies, the Clerical Order and Lay Order shall vote as one body using a written ballot that lists all of the nominees, and each shall vote for a number of the nominees listed equal to the number of Clerics to be elected as deputies and for an equal number of alternate deputies. The elected deputies shall be those persons that received the most votes, and the elected alternate deputies shall be the next individuals that received the most votes.

CANON 10.2 ELECTION OF LAYPERSONS AS DEPUTIES AND ALTERNATES. At its annual meeting, the Diocesan Convention shall elect Laypersons and their alternates to represent the Diocese as deputies at the General Convention of The Episcopal Church. The Constitution and Canons of the Church shall determine the number of Laypersons to represent the Diocese as deputies. To be eligible for election, a lay individual must meet the requirements for being a Layperson as set forth in the definition of such term. In electing Laypersons as deputies and alternate deputies, the Clerical Order and Lay Order shall vote as one body using a written ballot that lists all of the

nominees, and each shall vote for a number of the nominees listed equal to the number of Laypersons to be elected as deputies and for an equal number of alternate deputies. The elected deputies shall be those persons that received the most votes, and the elected alternate deputies shall be the next individuals that received the most votes.

CANON 10.3 TERM. A deputy or alternate deputy to the General Convention serves until such person's death, resignation, removal, or disqualification, or until such person's successor is elected and qualified. Furthermore, if a deputy or alternate deputy fails to maintain the qualifications for election to such position, such deputy or alternative deputy, as the case may be, is disqualified.

CANON 10.4 RANKING OF ALTERNATES AND ORDER OF SUCCESSION. The alternate deputies in each order are to be ranked according to the total number of votes each receives. If a deputy is unable to serve, the Bishop appoints the highest-ranking alternate deputy in the proper order to fill the vacancy.

CANON 10.5 ORGANIZATION OF GENERAL CONVENTION DEPUTATION. The deputation to the General Convention, consisting of the elected deputies and alternate deputies, meeting as one body, shall elect its own leadership. The chair or co-chairs shall be elected from among the deputies, and if there will be co-chairs, there shall be one from each order.

CANON 10.6 REPORT. The deputies to the General Convention shall make a written report on the actions taken by the General Convention and submit the report to the Executive Council and to the Diocesan Convention at its next annual meeting.

CANON 11 — REPRESENTATION IN THE PROVINCIAL SYNOD

CANON 11.1 ELECTION OF CLERICS AS DEPUTIES AND ALTERNATES. Those Clerics elected to represent the Diocese as deputies to the General Convention of The Episcopal Church shall also represent the Diocese as deputies at the provincial synod of which the Diocese is a part. Similarly, those Clerics elected as alternate deputies to the General Convention of The Episcopal Church shall also be alternate deputies to represent the Diocese at the provincial synod of which the Diocese is a part.

CANON 11.2 ELECTION OF LAYPERSONS AS DEPUTIES AND ALTERNATES. Those Laypersons elected to represent the Diocese as deputies to the General Convention of The Episcopal Church shall also represent the Diocese as deputies at the provincial synod of which the Diocese is a part. Similarly, those Clerics elected as alternate deputies to the General Convention of The Episcopal Church shall also be alternate deputies to represent the Diocese at the provincial synod of which the Diocese is a part.

CANON 11.3 TERM. A deputy or alternate to the provincial synod of which the Diocese is a part serves until such person's death, resignation, removal, or disqualification, or until such person's successor is elected and qualified.

CANON 11.4 RANKING OF ALTERNATES AND ORDER OF SUCCESSION. The alternate deputies in each order are to be ranked according to the total number of votes each receives. If a deputy is unable to serve, the Bishop appoints the highest-ranking alternate deputy in the proper order to fill the vacancy.

CANON 11.5 ORGANIZATION OF PROVINCIAL SYNOD DEPUTATION. The deputation to the provincial synod, consisting of the elected deputies and alternate deputies, meeting as one body, shall elect its own leadership. The chair or co-chairs shall be elected from among the deputies, and if there will be co-chairs, there shall be one from each order.

CANON 11.6 REPORT. The deputies to the provincial synod shall make a written report on the actions taken by the provincial synod and submit the report to the Executive Council and to the Diocesan Convention at its next annual meeting.

CANON 12 — CATHEDRAL CHURCH

CANON 12.1 THE CATHEDRAL. A Parish of the Diocese shall serve as the Cathedral of the Diocese. The Cathedral shall be a tangible symbol of the Episcopal Church in Western North Carolina. It will act, in conjunction with the Bishop of the Diocese, as a catalyst for unity, formation, and witness in Western North Carolina. The Cathedral will be a center of worship for the Diocese, committed to servant ministry and encouraging the collaboration of such ministries, programs, and worship as are appropriate for parishes, institutions, and communities throughout the Diocese. The Cathedral will provide a seat for the Bishop and a house of prayer for all people. Any decision to discontinue such status at one Parish and bestow such status on another Parish shall occur only after discernment and discussion by and between the Bishop and the vestries of the affected Parishes, the approval of such action by Executive Council and the approval of such action by at least two-thirds (2/3) of the delegates of the Diocesan Convention voting together.

CANON 12.2 GOVERNANCE. Except as otherwise provided for in this Canon 12, the Cathedral is a Parish, with all the usual rights and privileges as such (including the rights and responsibilities as addressed in Canon 13 that follows), and the Rector of such Parish shall have the title of "Dean of the Cathedral."

CANON 12.3 DEAN. When the position of Dean of the Cathedral becomes vacant, the Vestry of the Cathedral shall consult with the Bishop or the Bishop's designee with respect to the procedure to be followed in the selection and call of a new Dean of the Cathedral. In any event, the Bishop must approve the selection of the Dean of the Cathedral. Subject to the Constitution and Canons of the Church, the Constitution and Canons of the Diocese, and the authority of the Bishop, the Dean shall have exclusive charge of all things pertaining to or affecting the spiritual interests of the Cathedral. From time to time the Dean of the Cathedral shall consult with the Bishop regarding the Cathedral and the ministries of the Cathedral. Subject to the ~~control and~~ oversight of the Bishop, the Dean of the Cathedral (a) decides all matters pertaining to Cathedral services; (b) shall be, ex officio, a voting member of the Vestry of the Cathedral (the temporal activities and affairs

of the Cathedral shall be conducted, and all corporate powers shall be exercised, by or under the direction of the Vestry acting as the board of directors of the Cathedral); (c) assigns duties to the Clerics of the Cathedral; and (d) serves as Chair, ex officio of all committees of the Cathedral, unless the Dean of the Cathedral Church selects a member of the committee to so serve or the Cathedral canons otherwise provide.

CANON 12.4 BISHOP'S DISCRETION. The Bishop has the discretionary right to use the Cathedral Church for worship, has the authority to direct the services therein, is invited to use it at Easter and Christmas, and to use the facilities associated with the Cathedral Church for the benefit of the Diocese.

CANON 13 — PARISHES

CANON 13.1 THE APPLICATION. A congregational ministry may apply for admission as a Parish in union with Diocesan Convention. The application of such congregational ministry is to be addressed to the Bishop and the Standing Committee, and it shall be in the form prescribed by the Bishop, and it shall include such information as the Bishop shall request. In all events, the application must contain the following commitments on behalf of the prospective Parish:

(a) that all activities of the Parish shall forever be in conformity with the Constitution and the Canons of the Church and with the Constitution and Canons of the Diocese and with the doctrine, discipline and worship of The Episcopal Church;

(b) that the said Constitution and Canons of the Church and the Constitution and Canons of the Diocese shall always expressly form a part of the governing documents of the Parish and shall prevail against anything elsewhere contained in said governing documents;

(c) that all property, real and personal, shall be held in trust for The Episcopal Church and the Diocese in which the Parish is located and subject to the authority and control of its Bishop and Standing Committee as specified in the Constitution and Canons of the Church and the Constitution and Canons of the Diocese; and

(d) that the Parish shall dissolve as an ongoing entity whenever the Diocesan Convention has dissolved the parochial relationship with the Parish.

CANON 13.2 APPROVAL. If the Bishop and a majority of the Standing Committee approve the organization of the proposed Parish, the Bishop shall issue a certificate evidencing such approval, a copy of which certificate shall be incorporated in the minutes of the Standing Committee.

CANON 13.3 ORGANIZATIONAL MEETING. Upon receipt of the approval of the Bishop and of the Standing Committee, there shall be a meeting of the members of the proposed Parish at which the Bishop, or a Cleric appointed by the Bishop shall preside. If the application and the undertakings and declarations made therein are ratified and confirmed by the vote of a majority of the members

of the proposed Parish present at such meeting, then the Bishop shall appoint such person or persons from among the members to organize the same, if not already so organized, as either a North Carolina nonprofit corporation or as a nonprofit religious entity existing under the North Carolina Uniform Unincorporated Nonprofit Association Act. The organizational documents shall include (and if already in existence shall be amended to include) the following:

(a) If organized as a nonprofit corporation, the organizational documents shall include articles of incorporation that are to be filed with the Office of the North Carolina Secretary of State and shall include, among other terms as may be prescribed by the Bishop or Chancellor, (i) the name of the Parish, which shall include the words "Episcopal Church" or "Episcopal Parish" as part of the name; (ii) that the Parish is subordinate to the authority of the Diocese and that it shall dissolve whenever its status as a Parish has been terminated by the Diocese; (iii) that the property of the Parish is held in trust for The Episcopal Church and the Diocese; (iv) that the Parish shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Constitution and Canons of the Church and the Constitution and Canons of the Diocese; (v) that upon dissolution its property shall pass to the Diocese; and (vi) that its organizational and governing documents may not be amended without the prior consent of the Bishop and the approval of Executive Council and the Standing Committee.

(b) If organized as an unincorporated nonprofit association, the organizational documents shall include articles of consent signed by two or more members of the Parish that are to be retained in the records of the Parish, with a copy submitted to the Bishop, and such articles of consent shall include, among other terms as may be prescribed by the Bishop or Chancellor, (i) the name of the Parish, which shall include the words "Episcopal Church" or "Episcopal Parish" as part of the name; (ii) that the members signing the articles of consent do so to cause the Parish to come into existence in accordance with the North Carolina Uniform Unincorporated Nonprofit Association Act; (iii) that the Parish is subordinate to the authority of the Diocese, and the Parish shall dissolve whenever its status as a Parish has been terminated by the Diocese; (iv) that the property of the Parish is held in trust for The Episcopal Church and the Diocese; (v) that the Parish shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese (vi) that upon dissolution its property shall pass to the Diocese; and (vii) that its organizational and governing documents may not be amended without the prior consent of the Bishop and the approval of Executive Council and the Standing Committee .

(c) The Parish shall adopt bylaws to govern its internal affairs. At all times, such bylaws shall be deemed to provide, in the event it is not expressly stated therein, that the Constitution and Canons of the Church and the Constitution and the Canons

of the Diocese shall prevail against anything contained in the bylaws to the contrary.

CANON 13.4 RECOGNITION BY THE DIOCESAN CONVENTION. At the next annual Diocesan Convention after being established, the Parish shall submit to the Diocesan Convention: (i) an application, in such form and with such information as required by the Bishop and signed by a majority of the Vestry, requesting that the Diocesan Convention recognize the Parish as being in union with the Diocesan Convention, (ii) a list of the Parish's Layperson Delegates and alternate Delegates to the Diocesan Convention, and (iii) a recommendation of the Bishop that the Diocesan Convention recognize the Parish. By majority vote, the Diocesan Convention may resolve that the Diocesan Convention recognizes the Parish as being in union with the Diocesan Convention and that its elected Layperson Delegates be seated. In the event the Diocesan Convention does not vote in favor of recognizing a Parish, the same may continue, although without representation in the Diocesan Convention, until the same is either later recognized by the Diocesan Convention or is dissolved.

CANON 13.5 CONFORMITY. Every Parish within the Diocese shall maintain, and if necessary revise and amend, its governing documents so as to bring the same into conformity with the Constitution and Canons of the Church and the Constitution and Canons of the Diocese, as such may from time to time be amended. The Parish Secretary of each Parish shall keep and preserve, in the office of the Parish, the governing documents of the Parish and shall provide copies of the same to the Bishop, Executive Council, Standing Committee or Chancellor upon request.

CANON 13.6 BUILDING LOCATION. No Parish shall locate or change the location of its church building without the previous written consent of the Bishop and the approval of the Standing Committee.

CANON 13.7 CONVERSION OF A PARISH TO A WORSHIPPING COMMUNITY OR DISSOLUTION OF A PARISH. If, after notice to the Parish and an opportunity to be heard, the Bishop and the Standing Committee shall have determined that a Parish cannot adequately support a Rector to meet the ongoing needs of the Parish, has failed to provide the financial support necessary for the spiritual maintenance of the Parish, has failed to observe the Constitution and Canons of the Church or the Constitution and Canons of the Diocese or that other good cause exists, the following actions may be taken:

(a) The Diocesan Convention may convert the Parish to a Worshipping Community in union with the Diocesan Convention, and upon becoming a Worshipping Community the terms of Canon 14 shall thereafter apply; or

(b) The Diocesan Convention may order the dissolution of the Parish, and in such event the Bishop shall appoint three (3) persons from the Executive Council to assume the role of the Vestry of such Parish, and from such persons the Bishop shall appoint a Senior Warden and a Junior Warden, and the newly-appointed Vestry and its

officers shall then promptly take such steps necessary to transfer to the Diocese all of the Parish's property.

CANON 13.8 THE VESTRY.

(a) **Role of the Vestry.** The Vestry of the Parish (of which the Rector shall be, ex officio, a voting member) shall constitute the board of directors of the Parish. The temporal activities and affairs of the Parish shall be conducted, and all corporate powers shall be exercised, by or under the direction of the Vestry acting as the board of directors of the Parish. The powers of the Vestry shall include, but not be limited to, the power to fill any vacancy or vacancies in that body that may occur before the next annual Parish meeting, and to call special Parish meetings. The Vestry may delegate the management of the temporal activities of the Parish to any person or persons, provided that the activities and affairs of the Parish shall be managed, and all corporate powers shall be exercised, under the ultimate direction of the Vestry. Unless the Parish's governing documents require their election at a Parish meeting, the Vestry shall appoint Laypersons to serve as the Parish's Delegates and alternate Delegates for the Diocesan Convention.

(b) **Number and Qualifications.** The bylaws of the Parish shall prescribe the number of elected members of the Vestry, provided there shall not be less than six (6) or more than fifteen (15) elected members, although in Parishes with smaller congregations the minimum number may be reduced with the approval of the Bishop. Where the bylaws of the Parish so provide, the number of elected members of the Vestry may be a variable number, with the exact number to be fixed within the permitted range from time to time by action of the Vestry or by the members of the Parish at an annual or special meeting. To be eligible for election, a lay individual must meet the requirements for being a Layperson as set forth in the definition of such term. The bylaws may prescribe additional qualifications for membership on the Vestry and terms that govern the work of the Vestry not inconsistent with or contrary to the provisions of the Constitution and Canons of the Church and the Constitution and Canons of the Diocese. The Vestry may declare vacant the seat of an elected member who fails to meet any qualification for membership prescribed herein or in the bylaws of the Parish; the seat of an elected member who has failed without excuse to attend three (3) consecutive regular meetings of the Vestry; or the seat of an elected member who has failed without excuse to attend a total of four (4) regular meetings of the Vestry during any calendar year.

(c) **Election and Term.** Members of the Vestry shall be elected at the annual Parish meeting to be held at the time fixed by the bylaws. In the case of a newly-organized Parish, members of the Vestry shall be elected at a special Parish meeting to serve until the first annual Parish meeting. The maximum term for which a member of the Vestry may be elected shall expire on the date of the third (3rd) annual meeting

of the Parish following the meeting at which such person was elected or at such time, not exceeding three (3) years, as the Parish may fix by bylaw for installation of members of the Vestry. Each term of office shall be fixed so that, as nearly as practicable, one-third (1/3) of the authorized number of Layperson members of the Vestry to be elected for a full term shall be elected at each annual meeting. A retiring or resigning Vestry member may not again serve on the Vestry until one (1) year has elapsed, except that a member completing less than the full term of another's unexpired term may be elected to a full term.

(d) **Wardens.** The officers of the Vestry and Parish shall include a Senior Warden and a Junior Warden, both of whom shall be elected members of the Vestry. Subject to the consent of the Vestry, the Rector shall appoint the Senior Warden and Junior Warden, each of whom shall serve at the pleasure of the Rector. If the Parish is without a Rector, the Senior Warden and Junior Warden shall be elected by the members of the Vestry. If the Parish is without a Rector, or if the Rector is absent, unable to act, or elects not to preside, the Senior Warden shall preside at meetings of the Vestry and of the Parish, and if the Parish also is without a Senior Warden, or if the Senior Warden is absent, unable to act or elects not to preside, the Junior Warden shall then preside at meetings of the Vestry and of the Parish. No action shall be taken at a meeting of a Vestry unless either the Rector, the Senior Warden or the Junior Warden is present.

(e) **Other Officers.** Other officers of the Vestry and Parish shall include a Parish Secretary and a Parish Treasurer, each of whom shall be elected at an organizational meeting of the Vestry immediately following the annual Parish meeting and shall serve until their successors are elected. Such officers need not be members of the Vestry. They shall have the powers and duties prescribed in these Canons of the Diocese and in the bylaws of the Parish. The Parish Treasurer shall be bonded in an amount and by a surety approved by the Vestry.

CANON 13.9 PARISH MEETINGS. Each Parish shall meet annually to elect members to its Vestry, to receive reports and to transact other business that may legally and canonically come before the meeting. A Parish's annual meeting is to be held not later than December 1 of each calendar year, except that the Vestry, for good cause and with the prior consent of the Bishop, may postpone its annual meeting to a date that is no more than ten (10) months from the foregoing date. Subject to the foregoing, the Vestry shall determine the place, day and hour for the annual meeting if not prescribed by the Parish's bylaws. A Parish may hold a special meeting at any time on the call of the Priest-in-Charge of the Parish, the Vestry, or ten percent (10%) or more of those persons entitled to vote at a Parish meeting (as hereafter defined). As to Parish meetings, the following shall apply:

(a) **Voting.** Each person of record who has received the sacrament of holy baptism, who is aged sixteen (16) years or older, and who has been a regular attendee at the Parish's worship shall be qualified to vote. No person shall be entitled to more than

one vote or to vote by proxy. In the election of members of the Vestry, all voting shall be by ballot. If the number of candidates for election is equal to the number of vacancies to be filled, the Parish Secretary may be directed by the presiding officer to cast a unanimous ballot for the slate of nominees.

(b) **Notice of Meetings.** Notice of the date, time and place of every Parish meeting shall be given to all members of the Parish not less than twenty (20) days prior to the date of such meeting. The Parish may adopt a bylaw providing for any reasonable method of sending such notice instead of or in addition to U.S. Mail. For any special meeting, the notice must set forth the proposed business, and no other business may be considered at such special meeting.

(c) **Minutes of Meetings.** The results of any election or a summary of any action taken at a special or annual meeting of the Parish shall be recorded in a writing maintained by the Parish Secretary, and such writing shall be made available to any member of the Parish for inspection upon reasonable request.

(d) **Judges of Election.** For each meeting at which members of the Vestry are to be elected, unless the number of nominees equals the number of vacancies to be filled, the presiding officer shall appoint from the qualified electors three (3) judges of the election. The judges shall canvass the ballot and certify in writing the result of the election. Whenever the right to vote is challenged, the challenged ballot shall be segregated and identified, and, after the person whose ballot has been challenged has had the opportunity to be heard, the judges shall indicate thereon whether the vote was allowed or rejected, and affix thereto their signatures. The Parish Secretary shall retain all election records for delivery to the Bishop in the event an election is appealed. If no appeal is taken within the period specified for appeal, the election records may be destroyed.

(e) **Appeal.** Any appeal to the Bishop from the certified result of the election shall be made in writing within ten (10) days following the election. In the case of such appeal, the Bishop shall re-canvass the vote and declare the result of the election. The Bishop's decision on such appeal shall be final.

(f) **Results of Election.** The Rector, or in the Rector's absence either the Senior Warden or Junior Warden, shall forward to the Bishop promptly after each annual meeting and the first organizational meeting of the Vestry following such annual meeting the names, addresses and telephone numbers of the Senior Warden, Junior Warden and other elected members of the Vestry, the Parish Treasurer, and Parish Secretary then in office. If any change occurs in any office, the Rector, Senior Warden or Junior Warden shall promptly notify the Bishop of such change.

CANON 13.10 PARISH REGISTER. Every Cleric in charge of a Parish, or, if there is no Cleric, the Senior Warden, or, if there also is no Senior Warden, the Junior Warden, shall maintain custody

and control of a register containing: (a) a record of all baptisms, confirmations, receptions, marriages, and burials solemnized in the Parish, which shall include (i) a list of persons confirmed in the Parish; (ii) the names and dates of birth of the persons baptized together with the names of parents and sponsors or witnesses; and (iii) the names of persons married or buried, and the date of every such rite performed; and (b) the names of all communicants with the date of their reception, death, or removal. The Parish register shall be preserved as part of the records of the Parish. This Parish register shall be available for examination by the Bishop at each visitation, and for inspection at all reasonable times by the members of the Vestry, the Bishop, or any person designated by the Bishop.

CANON 13.11 VACANCY AS TO RECTOR. When the position of Rector is or becomes vacant in a Parish, either the Senior Warden or Junior Warden shall promptly notify the Bishop, and the Senior Warden and Junior Warden shall consult with the Bishop with respect to the appointment of an interim Cleric for the maintenance of divine services and pastoral care of the Parish. The Vestry also shall consult with the Bishop or the Bishop's designee with respect to the procedure to be followed in the selection and call of a new Rector.

CANON 13.12 ELECTION OF THE RECTOR. The election of a Rector shall require an affirmative vote of two-thirds (2/3) of the Layperson members of the Vestry. No commitment shall be made by the Vestry to any person under consideration as a prospective Rector, nor shall any formal call be issued, until the name of the Cleric under consideration as Rector has been made known to the Bishop, and the Bishop approves the call of such Cleric as Rector of the Parish. The call shall be in the form of an agreement, which shall be signed by the Senior Warden and Junior Warden and, when accepted, signed by the new Rector. In all events, the agreement must comply, or not conflict with, any provision or requirement of the Constitution and Canons of the Church or the Constitution and Canons of the Diocese. The Vestry sets the compensation for the Rector, and it must meet or exceed the Diocesan minimum. The signed agreement shall be sent to the Bishop who, when satisfied that the person chosen is a duly qualified Cleric and has accepted the office, shall approve the call and acceptance by causing copies of the agreement to be countersigned personally or by a designated representative and returned to the new Rector and to the Parish. The Bishop shall then notify the Secretary of the Diocesan Convention, who shall record the appointment and announce it at the next annual meeting of the Diocesan Convention.

CANON 13.13 ASSISTANTS. A priest serving as an assistant in a Parish, whether designated as an Assistant Rector or by some other title, shall be elected and retained in accordance with the following:

(a) **Selection.** In the selection of an assistant, the Rector shall make known to the Bishop the name of the priest proposed for selection and a time, not exceeding sixty (60) days, given for the Bishop to communicate with the Rector and Vestry on the proposed selection. After the Bishop has communicated with the Rector and Vestry on the proposed selection, the Rector shall then nominate to the Vestry the name of the priest proposed for selection. The election of any such assistant shall require an affirmative vote of two-thirds (2/3) of the entire Vestry.

(b) **Notice of Election.** Written notice of the election of an assistant, signed by the Senior Warden and Junior Warden, shall be sent to the Bishop within ten (10) days after such election. If the Bishop is satisfied that the person has accepted the office, the notice shall be sent to the Secretary of the Diocesan Convention who shall record it. Such record shall be sufficient evidence of the relationship between the assistant and the Parish.

(c) **Terms.** The terms of employment of an assistant shall, subject to these Canons of the Diocese, be determined by the Vestry and may be incorporated in an agreement, which agreement constitutes the call and acceptance. In all events, the agreement must provide that the assistant serves at the pleasure of the Rector, and the agreement must otherwise comply, or not conflict with, any provision or requirement of the Constitution and Canons of the Church or the Constitution and Canons of the Diocese. The compensation of an assistant is determined by the Vestry of the Parish, although such compensation must meet or exceed the Diocesan minimum.

CANON 13.14 AUTHORITY OF RECTOR. Subject to the Constitution and Canons of the Church, the Constitution and Canons of the Diocese, and the authority of the Bishop, the Rector shall have exclusive charge of all things pertaining to or affecting the spiritual interests of the Parish. The Rector shall have the right to preside and vote at all Parish and Vestry meetings.

CANON 13.15 RECONCILIATION OF DISAGREEMENTS AFFECTING A PASTORAL RELATIONSHIP. Where the need therefor appears, a reconciliation of the pastoral relationship, as provided in the Constitution and Canons of the Church, may be sought in accordance with the following procedure:

(a) **Appeal to Bishop.** In the event of differences between a Rector and Vestry, an appeal may be made to the Bishop for pastoral ministrations to reconcile those differences. The appeal may be made by the Rector, a majority of the whole Vestry, or jointly. The appeal shall state in writing that there are differences between the Rector and the Vestry and shall invite the Bishop's pastoral ministrations.

(b) **Appeal by Rector.** If made by the Rector, a signed copy of the appeal shall be mailed or delivered to each member of the Vestry.

(c) **Appeal by Vestry.** If made by the Vestry, alone or jointly with the Rector, the appeal shall state whether it emanates from a regular or special meeting of the Vestry. Those voting in favor of the appeal shall sign it. Notwithstanding any provision in the bylaws of the Parish to the contrary, a special meeting of the Vestry to consider the making of an appeal under this Canon may be convened by the Rector, the Senior Warden, the Junior Warden, or at least one-quarter (1/4) of the elected members of the Vestry. A special meeting not convened by the Rector, a

Senior Warden, or Junior Warden shall consider no other business. The convener(s) of the special meeting shall, at least ten (10) days before the meeting, mail or deliver to each member of the Vestry and to the Rector a signed written notice of the purpose, time, date, and place of the meeting. A certificate of compliance with this requirement, signed by the convener(s), shall accompany the appeal.

CANON 13.16 DISSOLUTION OF THE PASTORAL RELATIONSHIP. Except upon mandatory resignation by reason of age, the pastoral relationship between a Rector and a Parish may not be dissolved except in accordance with the Constitution and Canons of the Church.

CANON 14 — WORSHIPPING COMMUNITY

CANON 14.1 ORGANIZING A WORSHIPPING COMMUNITY. A Worshipping Community may be established within the boundaries of the Diocese with the consent of the Bishop and the Standing Committee of the Diocese upon completion of the following:

(a) submission of a written application for the organization of a Worshipping Community to the Bishop, which application must be signed by at least twenty-five (25) persons who acknowledge their readiness to undertake the duties and obligations of such organization and that all activities of the Worshipping Community shall forever be in conformity with the Constitution and Canons of the Church and the Constitution and Canons of the Diocese and with the doctrine, discipline, and worship of The Episcopal Church;

(b) the submission of bylaws to govern the internal affairs of the Worshipping Community, and at all times such bylaws shall be deemed to provide, in the event it is not expressly stated therein, that the Constitution and Canons of the Church and the Constitution and the Canons of the Diocese shall prevail against anything contained in the bylaws to the contrary;

(c) issuance by the Bishop of written authorization for the organization of the Worshipping Community within the boundaries fixed by the Bishop; and

(d) the holding of a meeting of those desiring the organization of the Worshipping Community over which the Bishop or one authorized by the Bishop shall preside as organizer, and at which the prospective members of the Worshipping Community shall affirm the commitments set forth in the application and shall accept the conditions of the Bishop's authorization and shall elect those persons to serve as the initial Governing Committee of the Worshipping Community.

CANON 14.2 RECOGNITION BY THE DIOCESAN CONVENTION. At the next annual Diocesan Convention after being established, the Worshipping Community shall submit to the Diocesan Convention: (i) an application, in such form and with such information as required by the Bishop and signed by a majority of the Governing Committee, requesting that the Diocesan Convention

recognize the Worshipping Community as being in union with the Diocesan Convention, (ii) a list of the Worshipping Community's Layperson Delegate and alternate Delegate to the Diocesan Convention, and (iii) a recommendation of the Bishop that the Diocesan Convention recognize the Worshipping Community. By majority vote, the Diocesan Convention may resolve that the Diocesan Convention recognizes the Worshipping Community as being in union with the Diocesan Convention and that its elected Layperson Delegate be seated. In the event the Diocesan Convention does not vote in favor of recognizing a Worshipping Community, the same may continue, although without representation in the Diocesan Convention, until the same is either later recognized by the Diocesan Convention or is dissolved.

CANON 14.3 GOVERNING COMMITTEE.

(a) **Role of the Governing Committee.** The Governing Committee of a Worshipping Community (of which the Vicar shall be, ex officio, a voting member) shall constitute the board of directors of the Worshipping Community. The temporal activities and affairs of the Worshipping Community shall be conducted, and all corporate powers shall be exercised, by or under the direction of the Governing Committee acting as the board of directors of the Worshipping Community. The powers of the Governing Committee shall include, but not be limited to, the power to fill any vacancy or vacancies in that body that may occur before the next annual meeting of the Worshipping Community, and to call special meetings of the Worshipping Community. The Governing Committee may delegate the management of the temporal activities of the Worshipping Community to any person or persons, provided that the activities and affairs of the Worshipping Community shall be managed, and all corporate powers shall be exercised, under the ultimate direction of the Governing Committee. Unless the Worshipping Community's governing documents require their election at a meeting of the Worshipping Community, the Governing Committee shall appoint Laypersons to serve as the Worshipping Community's Delegates and alternate Delegates for the Diocesan Convention.

(b) **Number and Qualifications.** The bylaws of the Worshipping Community shall prescribe the number of elected members of the Governing Committee, provided there shall not be less than six (6) or more than fifteen (15) elected members, although in Worshipping Communities with smaller congregations the minimum number may be reduced with the approval of the Bishop. Where the bylaws of the Worshipping Community so provide, the number of elected members of the Governing Committee may be a variable number, with the exact number to be fixed within the permitted range from time to time by action of the Governing Committee or by the members of the Worshipping Community at an annual or special meeting. To be eligible for election, a lay individual must meet the requirements for being a Layperson as set forth in the definition of such term. The bylaws may prescribe additional qualifications for membership on the Governing Committee. The Governing Committee may declare vacant the seat of an elected member who fails

to meet any qualification for membership prescribed herein or in the bylaws of the Worshipping Community; the seat of an elected member who has failed without excuse to attend three (3) consecutive regular meetings of the Governing Committee; or the seat of an elected member who has failed without excuse to attend a total of four (4) regular meetings of the Governing Committee during any calendar year.

(c) **Election and Term.** Members of the Governing Committee shall be elected at the annual meeting of the Worshipping Community to be held at the time fixed by the bylaws. In the case of a newly-organized Worshipping Community, members of the initial Governing Committee shall be elected at a special meeting of the Worshipping Community to serve until the first annual meeting of the Worshipping Community. The maximum term for which a member of the Governing Committee may be elected shall expire on the date of the third (3rd) annual meeting of the Worshipping Community following the meeting at which such person was elected or at such time, not exceeding three (3) years, as the Worshipping Community may fix by bylaw for installation of members of the Governing Committee. Each term of office shall be fixed so that, as nearly as practicable, one-third (1/3) of the authorized number of Layperson members of the Governing Committee to be elected for a full term shall be elected at each annual meeting. A retiring or resigning Governing Committee member may not again serve on the Governing Committee until one (1) year has elapsed, except that a member completing less than the full term of another's unexpired term may be elected to a full term.

(d) **Wardens.** The officers of the Governing Committee and Worshipping Community shall include a Senior Warden and a Junior Warden, both of whom shall be elected members of the Governing Committee. Subject to the consent of the Governing Committee, the Vicar shall appoint the Senior Warden and Junior Warden, each of whom shall serve at the pleasure of the Vicar. If the Worshipping Community is without a Vicar, the Senior Warden and Junior Warden shall be elected by the members of the Governing Committee. If the Worshipping Community is without a Vicar, or if the Vicar is absent, unable to act, or elects not to preside, the Senior Warden shall preside at meetings of the Governing Committee and of the Worshipping Community, and if the Worshipping Community also is without a Senior Warden, or if the Senior Warden is absent, unable to act or elects not to preside, the Junior Warden shall then preside at meetings of the Governing Committee and of the Worshipping Community. No action shall be taken at a meeting of a Governing Committee unless the Vicar, the Senior Warden, or the Junior Warden is present.

(e) **Other Officers.** Other officers of the Governing Committee and Worshipping Community shall include a Worshipping Community Secretary and a Worshipping Community Treasurer. Each of these officers shall be elected at a meeting of the Governing Committee and shall serve until their successors are elected. Such

officers need not be members of the Governing Committee. They shall have the powers and duties prescribed in these Canons of the Diocese and in the bylaws of the Worshipping Community. The Worshipping Community Treasurer shall be bonded in an amount and by a surety approved by the Governing Committee.

CANON 14.4 WORSHIPPING COMMUNITY CLERIC. A Cleric in charge of a Worshipping Community shall be known as a Vicar. The Bishop shall appoint, and shall have the authority to remove and replace, the Vicar of a Worshipping Community. A Vicar may be assigned to two or more Worshipping Communities. The duties of a Vicar in charge of a Worshipping Community shall be as far as practicable the same as those of the Rector of a Parish.

CANON 14.5 ANNUAL MEETING. An annual meeting of the Worshipping Community shall be held at the time and place set forth in a notice issued by the Governing Committee or at such other time or place as may be prescribed by the Bishop to elect members of the Governing Committee, to receive reports and to transact other business that may legally and canonically come before the meeting. The Vicar shall chair the meeting; and in the Vicar's absence the Senior Warden shall serve as chair; and if both the vicar and Senior Warden are unable to serve, the Junior Warden shall chair the meeting; and if none of the foregoing are available or able to chair the meeting the Bishop shall designate a chair for such meeting. At the annual meeting, those persons who have received the sacrament of holy baptism, who are aged sixteen (16) years or older, and who have supported the Worshipping Community or participated in the life of the Worshipping Community for a period of at least six months prior to the meeting shall be entitled to participate in any elections or vote on matters that may require a vote. No person shall be entitled to more than one vote or to vote by proxy.

CANON 14.6 CONDUCT OF MEETINGS. The Vicar shall have the right to vote, and may preside, at all meetings of the Governing Committee. If the Vicar does not preside at a meeting of the Committee, the Senior Warden, or in the absence of the Senior Warden, the Junior Warden, shall preside. No action may be taken at a meeting of the Governing Committee unless there was present either the Vicar, the Senior Warden, the Junior Warden, or a person appointed by the Bishop to serve as the Bishop's representative.

CANON 14.7 FINANCES OF WORSHIPPING COMMUNITIES. Every Governing Committee shall adopt a financial plan or budget for the Worshipping Community, and the finances of the Worshipping Community shall be administered in accordance therewith.

CANON 14.8 REGISTER. In every Worshipping Community, there shall be kept by the Vicar or, if there is not a Vicar, by the Senior Warden or, if there also is no Senior Warden, by the Junior Warden, a register which conforms to all the requirements of the Constitution and Canons of the Church and the provisions of the Canons of the Diocese relating to Parish Registers.

CANON 14.9 EXISTING WORSHIPPING COMMUNITIES. The following have previously been recognized by historical acts, including action of the Diocesan Convention, as Worshipping Communities of the Diocese and in union with the Diocesan Convention: Church of the Advocate

(Asheville, North Carolina) and St. Giles Chapel (Asheville, North Carolina). As to such existing Worshiping Communities, the following shall apply, notwithstanding any provision in the prior parts of this Canon 14 to the contrary:

(a) Each existing Worshipping Community shall continue as Worshipping Community of the Diocese.

(b) By hereafter continuing its affiliation with The Episcopal Church or the Diocese, each existing Worshipping Community (i) reaffirms that it accedes to doctrine, discipline and worship of The Episcopal Church and the Diocese; (ii) acknowledges that it shall forever remain in conformity with the Constitution and Canons of the Church and the Constitution and Canons of the Diocese; (iii) agrees that it holds all property, real and personal, in trust for The Episcopal Church and the Diocese; and (iv) agrees that it shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese.

(c) By hereafter continuing its affiliation with the Diocese, each existing Worshipping Community, with the aid and at the direction of the Bishop, shall organize itself and/or modify its organizational structure and any documents governing its internal affairs to conform to the requirements as imposed by this Canon 14, which shall include, to the extent necessary, the adoption of bylaws for the governance of the Worshipping Community and the election of the initial Governing Committee as to such Worshipping Community as well as the Senior Warden, Junior Warden, Worshipping Community Secretary and Worshipping Community Treasurer. Thereafter, the Worshipping Community shall operate at all times in compliance with the requirements of this Canon 14.

CANON 14.10 DISSOLUTION OF A WORSHIPPING COMMUNITY. If, after notice to the Worshipping Community and an opportunity to be heard, the Bishop and the Standing Committee shall have determined that the Worshipping Community has failed to observe the Constitution and Canons of the Church or the Constitution and Canons of the Diocese or that other good cause for dissolution exists, the Diocesan Convention may order the dissolution of the Worshipping Community, and in such event the Bishop shall appoint three (3) persons from the Executive Council to assume the role of the Governing Committee of such Worshipping Community, and from such persons the Bishop shall appoint a Senior Warden and a Junior Warden, and the newly-appointed Governing Committee and its officers shall then promptly take such steps necessary to transfer to the Diocese all of the Worshipping Community's property.

CANON 15 — CHAPELS

CANON 15.1 APPLICATION. A congregational ministry may apply for admission as a Chapel in union with Diocesan Convention. The application of the congregational ministry is to be addressed to the Bishop and the Standing Committee, and it shall be in the form prescribed by the Bishop

and shall identify the members of the initial Governing Committee of the proposed Chapel and from such persons the initial Senior Warden, Junior Warden, Chapel Secretary, and Chapel Treasurer for the proposed Chapel, and it shall include such other information as the Bishop shall request. In all events, the application must contain the following commitments on behalf of the prospective Chapel:

(a) that all activities of the Chapel shall forever be in conformity with the Constitution and the Canons of the Church and with the Constitution and Canons of the Diocese and with the doctrine, discipline, and worship of The Episcopal Church;

(b) that the said Constitution and Canons of the Church and the Constitution and Canons of the Diocese shall always expressly form a part of the governing documents of the Chapel and shall prevail against anything elsewhere contained in said governing documents;

(c) that all property, real and personal, shall be held in trust for The Episcopal Church and the Diocese in which the Chapel is located and subject to the authority and control of its Bishop and Standing Committee as specified in the Constitution and Canons of the Church and the Constitution and Canons of the Diocese; and

(d) that the Chapel shall dissolve as an ongoing entity whenever the Diocesan Convention has dissolved the parochial relationship with the Chapel.

CANON 15.2 APPROVAL. If the Bishop and a majority of the Standing Committee approve the organization of the proposed Chapel, the Bishop shall issue a certificate evidencing such approval, a copy of which certificate shall be incorporated in the minutes of the Standing Committee.

CANON 15.3 ORGANIZATIONAL MEETING. Upon receipt of the approval of the Bishop and of the Standing Committee, there shall be a meeting of the members of the proposed Chapel and its initial Governing Committee at which the Bishop, or a Cleric appointed by the Bishop shall preside. If the application and the undertakings and declarations made therein are ratified and confirmed by the vote of a majority of the members of the proposed Chapel present at such meeting, then the Governing Committee (or such person or persons from the Governing Committee as it shall appoint) shall organize the Chapel, if not already so organized, as either a North Carolina nonprofit corporation or as a nonprofit religious entity existing under the North Carolina Uniform Unincorporated Nonprofit Association Act. The organizational documents shall include (and if already in existence shall be amended to include) the following:

(a) If organized as a nonprofit corporation, the organizational documents shall include articles of incorporation that are to be filed with the Office of the North Carolina Secretary of State and shall include, among other terms as may be prescribed by the Bishop or Chancellor, (i) the name of the Chapel, which shall include the words "Episcopal Chapel" as part of the name; (ii) that the Chapel is subordinate to the authority of the Diocese and that it shall dissolve whenever its status as a Chapel

has been terminated by the Diocese; (iii) that the property of the Chapel is held in trust for The Episcopal Church and the Diocese; (iv) that the Chapel shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese; (v) that upon dissolution its property shall pass to the Diocese; and (vi) that its organizational and governing documents may not be amended without the prior consent of the Bishop and the approval of Executive Council and the Standing Committee .

(b) If organized as an unincorporated nonprofit association, the organizational documents shall include articles of consent signed by two or more members of the Chapel that are to be retained in the records of the Chapel, with a copy submitted to the Bishop, and such articles of consent shall include, among other terms as may be prescribed by the Bishop or Chancellor, (i) the name of the Chapel, which shall include the words "Episcopal Chapel" as part of the name; (ii) that the members signing the articles of consent do so to cause the Chapel to come into existence in accordance with the North Carolina Uniform Unincorporated Nonprofit Association Act; (iii) that the Chapel is subordinate to the authority of the Diocese, and the Chapel shall dissolve whenever its status as a Chapel has been terminated by the Diocese; (iv) that the property of the Chapel is held in trust for The Episcopal Church and the Diocese; (v) that the Chapel shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese; (vi) that upon dissolution its property shall pass to the Diocese; and (vii) that its organizational and governing documents may not be amended without the prior consent of the Bishop and the approval of Executive Council and the Standing Committee .

(c) The Chapel shall adopt bylaws to govern its internal affairs. At all times, such bylaws shall be deemed to provide, in the event it is not expressly stated therein, that the Constitution and Canons of the Church and the Constitution and the Canons of the Diocese shall prevail against anything contained in the bylaws to the contrary.

CANON 15.4 RECOGNITION BY THE DIOCESAN CONVENTION. At the next annual Diocesan Convention after being established, the Chapel shall submit to the Diocesan Convention: (i) an application, in such form and with such information as required by the Bishop and signed by a majority of its Governing Committee, requesting that the Diocesan Convention recognize the Chapel as being in union with the Diocesan Convention, (ii) a list of the Chapel's Layperson Delegate and alternate Delegate to the Diocesan Convention, and (iii) a recommendation of the Bishop that the Diocesan Convention recognize the Chapel. By majority vote, the Diocesan Convention may resolve that the Diocesan Convention recognizes the Chapel as being in union with the Diocesan Convention and that its elected Layperson Delegate be seated. In the event the Diocesan Convention does not vote in favor of recognizing a Chapel, the same may continue,

although without representation in the Diocesan Convention, until the same is either later recognized by the Diocesan Convention or is dissolved.

CANON 15.5 GOVERNING COMMITTEE.

(a) **Role of the Governing Committee.** The Governing Committee of a Chapel shall constitute the board of directors of the Chapel. The temporal activities and affairs of the Chapel shall be conducted, and all corporate powers shall be exercised, by or under the direction of the Governing Committee acting as the board of directors of the Chapel. The powers of the Governing Committee shall include, but not be limited to, the power to fill any vacancy or vacancies in that body that may occur before the next annual meeting of the Chapel, and to call special meetings of the Chapel. The Governing Committee may delegate the management of the temporal activities of the Chapel to any person or persons, provided that the activities and affairs of the Chapel shall be managed, and all corporate powers shall be exercised, under the ultimate direction of the Governing Committee. Unless the Chapel's governing documents require their election at a meeting of the Chapel, the Governing Committee shall appoint Laypersons to serve as the Chapel's Delegates and alternate Delegates for the Diocesan Convention.

(b) **Number and Qualifications.** The bylaws of the Chapel shall prescribe the number of elected members of the Governing Committee, provided there shall not be less than six (6) or more than fifteen (15) elected members, although in Chapels with smaller congregations the minimum number may be reduced with the approval of the Bishop. Where the bylaws of the Chapel so provide, the number of elected members of the Governing Committee may be a variable number, with the exact number to be fixed within the permitted range from time to time by action of the Governing Committee or by the members of the Chapel at an annual or special meeting. To be eligible for election, a lay individual must meet the requirements for being a Layperson as set forth in the definition of such term. The bylaws may prescribe additional qualifications for membership on the Governing Committee. The Governing Committee may declare vacant the seat of an elected member who fails to meet any qualification for membership prescribed herein or in the bylaws of the Chapel; the seat of an elected member who has failed without excuse to attend three (3) consecutive regular meetings of the Governing Committee; or the seat of an elected member who has failed without excuse to attend a total of four (4) regular meetings of the Governing Committee during any calendar year.

(c) **Election and Term.** Members of the Governing Committee shall be elected at the annual meeting of the Chapel to be held at the time fixed by the bylaws. In the case of a newly-organized Chapel, members of the initial Governing Committee shall be elected at a special meeting of the Chapel to serve until the first annual meeting of the Chapel. The maximum term for which a member of the Governing Committee may be elected shall expire on the date of the third (3rd) annual meeting

of the Chapel following the meeting at which such person was elected or at such time, not exceeding three (3) years, as the Chapel may fix by bylaw for installation of members of the Governing Committee. Each term of office shall be fixed so that, as nearly as practicable, one-third (1/3) of the authorized number of Layperson members of the Governing Committee to be elected for a full term shall be elected at each annual meeting. A retiring or resigning Governing Committee member may not again serve on the Governing Committee until one (1) year has elapsed, except that a member completing less than the full term of another's unexpired term may be elected to a full term.

(d) **Wardens.** The officers of the Governing Committee and Chapel shall include a Senior Warden and a Junior Warden, both of whom shall be elected members of the Governing Committee. The Senior Warden and Junior Warden shall be elected by the members of the Governing Committee. The Senior Warden shall preside at meetings of the Governing Committee and of the Chapel, and if the Chapel is without a Senior Warden, or if the Senior Warden is absent, unable to act or elects not to preside, the Junior Warden shall then preside at meetings of the Governing Committee and of the Chapel. No action shall be taken at a meeting of a Governing Committee unless either the Senior Warden or Junior Warden is present.

(e) **Other Officers.** Other officers of the Governing Committee and Chapel shall include a Chapel Secretary and a Chapel Treasurer, each of whom shall be elected by the Governing Committee and shall serve until their successors are elected. Such officers need not be members of the Governing Committee. They shall have the powers and duties prescribed in these Canons of the Diocese and in the bylaws of the Chapel. The Chapel Treasurer shall be bonded in an amount and by a surety approved by the Governing Committee.

CANON 15.6 OFFICIANTS. The Bishop must approve all officiants of religious services at a Chapel, and such approval may be withheld or revoked in the discretion of the Bishop.

CANON 15.7 ANNUAL MEETING. An annual meeting of the Chapel shall be held at the time and place set forth in a notice issued by the Governing Committee or at such other time or place as may be prescribed by the Bishop to elect members of the Governing Committee, to receive reports and to transact other business that may legally and canonically come before the meeting. The Senior Warden shall chair the meeting, and in the Senior Warden's absence the Junior Warden shall serve as chair; and if both the Senior Warden and Junior Warden are unable to serve or if such offices are vacant, the Bishop shall designate a chair for such meeting. At the annual meeting, those persons who have received the sacrament of holy baptism, who are aged sixteen (16) years or older, and who have supported the Chapel or participated in the life of the Chapel for a period of at least six months prior to the meeting shall be entitled to participate in any elections or vote on matters that may require a vote. No person shall be entitled to more than one vote or to vote by proxy.

CANON 15.8 CONDUCT OF MEETINGS. The Senior Warden shall preside at a meeting of the Governing Committee, or in the absence of the Senior Warden, the Junior Warden shall preside.

CANON 15.9 FINANCES OF A CHAPEL. Every Governing Committee of a Chapel shall adopt a financial plan or budget for the Chapel, and the finances of the Chapel shall be administered in accordance therewith.

CANON 15.10 REGISTER. In every Chapel, there shall be kept by the Senior Warden or, if there is no Senior Warden, by the Junior Warden, a register which conforms to all the requirements of the Constitution and Canons of the Church and the provisions of the Canons of the Diocese relating to Parish registers.

CANON 15.11 EXISTING CHAPELS. The following have previously been recognized by historical acts, including action of the Diocesan Convention, as Chapels of the Diocese and in union with the Diocesan Convention: Whiteside Cove Summer Chapel (Cashiers, North Carolina), Faith Memorial Chapel (Cedar Mountain, North Carolina), All Saints Episcopal Church (Linville, North Carolina), and Church of the Resurrection (Little Switzerland, North Carolina). As to such existing Chapels, the following shall apply, notwithstanding any provision in the prior parts of this Canon 15 to the contrary:

(a) Each existing Chapel shall continue as Chapel of the Diocese.

(b) By hereafter continuing its affiliation with The Episcopal Church or the Diocese, each existing Chapel (i) reaffirms that it accedes to doctrine, discipline, and worship of The Episcopal Church and the Diocese; (ii) acknowledges that it shall forever remain in conformity with the Constitution and Canons of the Church and the Constitution and Canons of the Diocese; (iii) agrees that it holds all property, real and personal, in trust for The Episcopal Church and the Diocese; and (iv) agrees that it shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese.

(c) By hereafter continuing its affiliation with the Diocese, each existing Chapel, at the direction of the Bishop, shall organize itself and/or modify its organizational structure and any documents governing its internal affairs to conform to the requirements as imposed by this Canon 15, which shall include, to the extent necessary, the adoption of bylaws for the governance of the Chapel and the election of the initial Governing Committee as to such Chapel as well as the Senior Warden, Junior Warden, Chapel Secretary, and Chapel Treasurer. Thereafter, the Chapel shall operate at all times in compliance with the requirements of this Canon 15.

CANON 15.12 DISSOLUTION OF A CHAPEL. If, after notice to the Chapel and an opportunity to be heard, the Bishop and the Standing Committee shall have determined that the Chapel has failed to observe the Constitution and Canons of the Church or the Constitution and Canons of the Diocese

or that other good cause exists, the Diocesan Convention may order the dissolution of the Chapel, and in such event the Bishop shall appoint three (3) persons from the Executive Council to assume the role of the Governing Committee of such Chapel, and from such persons the Bishop shall appoint a Senior Warden and a Junior Warden, and the newly-appointed Governing Committee and its officers shall then promptly take such steps necessary to transfer to the Diocese all of the Chapel's property.

CANON 16 INSTITUTIONS

CANON 16.1 THE APPLICATION. A group or entity that is not The Episcopal Church or a Congregation and that is organized primarily for educational, charitable or religious purposes may apply to be recognized as an Institution affiliated with the Diocese and in union with Diocesan Convention. The Application of the group or entity wishing to become an Institution is to be addressed to the Bishop and the Standing Committee, and it shall be in the form prescribed by the Bishop and contain such information as the Bishop shall request. In all events, the application must contain the following commitments on behalf of such group or entity:

(a) that all activities of the group or entity shall forever be in conformity with the Constitution and the Canons of the Church and with the Constitution and Canons of the Diocese and with the doctrine, discipline and worship of The Episcopal Church;

(b) that the said Constitution and Canons of the Church and the Constitution and Canons of the Diocese shall always expressly form a part of the governing documents of such group or entity and shall prevail against anything elsewhere contained in said governing documents;

(c) that all property, real and personal, shall be held in trust for The Episcopal Church and the Diocese in which the group or entity is located and subject to the authority and control of its Bishop and Standing Committee as specified in the Constitution and Canons of the Church and the Constitution and Canons of the Diocese; and

(d) that the group or entity shall dissolve as an ongoing group or entity whenever the Diocesan Convention has dissolved the relationship with such group or entity.

CANON 16.2 APPROVAL. If the Bishop and a majority of the Standing Committee approve the organization of the proposed Institution, the Bishop shall issue a Certificate evidencing such approval, a copy of which Certificate shall be incorporated in the minutes of the Standing Committee.

CANON 16.3 ORGANIZATIONAL MEETING. Upon receipt of the approval of the Bishop and of the Standing Committee, there shall be a meeting of the members of the proposed Institution at which the Bishop, or a Cleric appointed by the Bishop shall preside. If the application and the undertakings and declarations made therein are ratified and confirmed by the vote of a majority of

the members of the proposed Institution at such meeting, then the Bishop shall appoint such person or persons from among the members to organize the same, if not already organized as such, as either a North Carolina nonprofit corporation or as a nonprofit entity existing under the North Carolina Uniform Unincorporated Nonprofit Association Act. The organizational documents shall include (and if already in existence shall be amended to include) the following:

(a) If organized as a nonprofit corporation, the organizational documents shall include articles of incorporation that are to be filed with the Office of the North Carolina Secretary of State and shall include, among other terms as may be prescribed by the Bishop or Chancellor, (i) the name of the Institution as approved by the Bishop; (ii) that the Institution is subordinate to the authority of the Diocese and the Institution shall dissolve whenever its status as an Institution has been terminated by the Diocese; (iii) that at all times the Bishop or the Bishop's designee shall be an ex officio member of the governing board of the Institution, with seat, voice and vote; (iv) the election or appointment of any person to the governing board of the Institution shall be subject to the approval of the Executive Council; (v) that the property of the Institution is held in trust for The Episcopal Church and the Diocese. (vi) that the Institution shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese; (vii) that upon dissolution its property shall pass to the Diocese; and (viii) that its organizational and governing documents may not be amended without the prior consent of the Bishop and the approval of Executive Council and the Standing Committee.

(b) If organized as an unincorporated nonprofit association, the organizational documents shall include articles of consent signed by two or more members of the Institution that are to be retained in the records of the Institution, with a copy submitted to the Bishop, and such articles of consent shall include, among other terms as may be prescribed by the Bishop or Chancellor, (i) the name of the Institution as approved by the Bishop; (ii) that the members signing the articles of consent do so to cause the Institution to come into existence in accordance with the North Carolina Uniform Unincorporated Nonprofit Association Act; (iii) that the Institution is subordinate to the authority of the Diocese, and the Institution shall dissolve whenever its status as an Institution has been terminated by the Diocese; (iv) that at all times the Bishop or the Bishop's designee shall be an ex officio member of the governing board of the Institution, with seat, voice and vote; (v) the election or appointment of any person to the governing board of the Institution shall be subject to the approval of the Executive Council; (vi) that the property of the Institution is held in trust for The Episcopal Church and the Diocese; (vii) that the Institution shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese; (viii) that upon dissolution its property shall pass to the Diocese; and (ix) that its organizational and governing

documents may not be amended without the prior consent of the Bishop and the approval of Executive Council and the Standing Committee.

(c) The Institution shall adopt bylaws to govern its internal affairs. At all times, such bylaws shall be deemed to provide, in the event it is not expressly stated therein, that the Constitution and Canons of the Church and the Constitution and the Canons of the Diocese shall prevail against anything contained in the bylaws to the contrary.

CANON 16.4 RECOGNITION BY THE DIOCESAN CONVENTION. At the next annual Diocesan Convention after an Institution has been approved by the Bishop and Standing Committee, the Institution shall submit to the Diocesan Convention: (i) an application, in such form and with such information as required by the Bishop and signed by an officer of the Institution, requesting that the Diocesan Convention recognize the Institution as being in union with the Diocesan Convention, and (ii) a recommendation of the Bishop that the Diocesan Convention recognize the Institution. By majority vote, the Diocesan Convention may resolve that the Diocesan Convention recognizes the Institution as being in union with the Diocesan Convention. In the event the Diocesan Convention does not vote in favor of recognizing an Institution, the same may continue until the same is either later recognized by the Diocesan Convention or is dissolved.

CANON 16.5 ANNUAL MEETING. An annual meeting of the governing body of the Institution shall be held at the time and place set forth in a notice issued in accordance with the Institution's bylaws or at such other time or place as may be prescribed by the Bishop. At the annual meeting, the governing board of the Institution shall address such business as may come before such board.

CANON 16.6 REPORTS. The Bishop may require annual or special reports from any Institution regarding the composition of its Board and/or its business and affairs to ensure congruence between the mission and interests of the Diocese and the Institution.

CANON 16.7 TERMINATION. If, after notice to an Institution and an opportunity to be heard, the Bishop and the Standing Committee shall have determined that the Institution has failed to observe the Constitution and Canons of the Church or the Constitution and Canons of the Diocese or its standards of performance do not warrant continued recognition, the Diocesan Convention may revoke such Institution's status as being in union with the Diocesan Convention. In that event, the Institution shall take the steps necessary to transfer to the Diocese all of its property.

CANON 16.8 LIST OF INSTITUTIONS. The Secretary of Convention shall certify the names of all Institutions in the Journal of the Diocesan Convention.

CANON 16.9 DISCLAIMER. The acceptance, under the provisions of the Canons of the Diocese, of any group or entity as an Institution, or the continued recognition of any such Institution heretofore accepted, is made without any warranty, representation or assurance of any kind of any responsibility whatsoever on the part of the Bishop, the Diocese, or any committee, department, constituent part of the Diocese or any of its employees, agents or representative for any financial, contractual or legal obligation now existing, or which may hereafter be incurred, by or on behalf

of any such Institution, except as may be expressly undertaken in a written agreement duly executed pursuant to appropriate corporate action authorized by the Executive Council and specifically approved by the Bishop.

CANON 16.10 EXISTING INSTITUTIONS. The following have previously been recognized by historical acts, including action of the Diocesan Convention, as Institutions of the Diocese and in union with the Diocesan Convention: Valle Crucis Conference Center (a North Carolina unincorporated nonprofit association); Lake Logan Conference Center and Camp Henry, Inc. (a North Carolina nonprofit corporation); the Blue Ridge Service Corps (an unincorporated nonprofit association), and The Episcopal Foundation of Western North Carolina (a North Carolina nonprofit corporation). As to such existing Institutions, the following shall apply, notwithstanding any provision in the prior parts of this Canon 16 to the contrary:

(a) Each existing Institution shall continue as an Institution of the Diocese.

(b) By hereafter continuing its affiliation with The Episcopal Church or the Diocese, each existing Institution (i) reaffirms that it accedes to doctrine, discipline and worship of The Episcopal Church and the Diocese, (ii) acknowledges that it shall forever remain in conformity with the Constitution and Canons of the Church and the Constitution and Canons of the Diocese, (iii) agrees that it holds all property, real and personal, in trust for The Episcopal Church and the Diocese; and (iv) agrees that it shall not encumber or alienate its real property except as expressly authorized by, or after obtaining such approvals and satisfying any requirements for doing so as set forth in, the Canons of the Diocese.

(c) By hereafter continuing its affiliation with the Diocese, each existing Institution agrees that its existing organizational documents and bylaws that govern its internal affairs shall be deemed to provide, in the event it is not expressly stated therein, (i) that at all times the Bishop, or a designee of the Bishop, shall be an ex officio member of the governing board of the Institution, with seat, voice and vote; and (ii) the Constitution and Canons of the Church and the Constitution and the Canons of the Diocese shall prevail against anything contained in the organizational documents or bylaws to the contrary.

CANON 17 — CLERICS AND THEIR DUTIES

CANON 17.1 Resident Clerics. All Clerics who are Canonically Resident in the Diocese shall perform the duties of their respective orders in accordance with the Constitution and Canons of the Church and the Constitution and Canons of the Diocese. The Bishop shall maintain a current list of Clerics who are Canonically Resident in the Diocese, which list shall be published annually in the Diocesan Convention Journal.

CANON 17.2 PRIEST-IN-CHARGE. With regard to a Priest-in-Charge, the following shall apply:

(a) A Priest-in-Charge is vested with the authority of and responsibility for the conduct of the worship and the spiritual jurisdiction of a Congregation, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of the Church, and the pastoral direction of the Bishop.

(b) In performing such person's duties, a Priest-in-Charge is entitled to the use and control of the church and congregational buildings with the appurtenances and furniture.

(c) The Bishop may appoint a Priest to serve any Congregation that has no Priest-in-Charge, and such Priest-in-Charge shall be subject to the authority of the Bishop.

(d) The responsibilities of a Priest-in-Charge of a Congregation include the following:

(i) To ensure that children, youth and adults in their charge receive instruction in the Holy Scriptures, in the subjects contained in An Outline of the Faith (the Catechism), and in the doctrine, discipline, and worship of The Episcopal Church, and in the exercise of their ministry as baptized persons;

(ii) To instruct all persons in their charge concerning Christian stewardship;

(iii) To prepare persons for Holy Baptism, and in the case of infants and children, to instruct the parents and the Godparents concerning the significance of Holy Baptism and the Christian training of the baptized child;

(iv) To encourage and prepare persons for Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and to be ready to present them to the Bishop with a list of their names;

(v) To announce to the Congregation the Bishop's intent to visit and to advise the Bishop on the state of the Congregation;

(vi) To read or distribute pastoral letters of the Bishop within 30 days of their receipt or such earlier date as may be prescribed by the Bishop; and

(vii) To record in the Register all Baptisms, Confirmations, Receptions, Marriages, and Burials.

CANON 17.3 DEACONS. A Deacon serves under the direction and supervision of, and in the place and manner as designated by, the Bishop. A Deacon ministering in a Congregation under the charge of a Priest acts under the direction of the Priest. A Deacon may administer a Congregation, but no Deacon may be in charge of a Congregation. Deacons may be chaplains in Institutions.

Deacons who are Canonically Resident in the Diocese constitute a Community of Deacons, which meets from time to time. Deacons report annually to Bishop on their life and work.

CANON 17.4 ARCHDEACONS. Archdeacons of the Diocese may be appointed by the Bishop. They may be removed by the Bishop at any time. The duties of the Archdeacon shall be those specified by the Bishop, in consultation with the Executive Council.

CANON 17.5 PASTORAL CURE. The pastoral cure of a Cleric shall extend to all persons affiliated with the Congregation, Institution, or other ministry over which the Cleric has charge regardless of the residence of the person, and such Cleric may provide pastoral ministrations to such person within the boundaries of another Congregation. Any person may become affiliated with any Congregation, Institution, or other ministry regardless of such person's place of residence.

CANON 17.6 LICENSE TO OFFICIATE. The licensing of Clerics who are not Canonically Resident in the Diocese to officiate in the Diocese shall be governed by the applicable provisions of the Constitution and Canons of the Church.

CANON 17.7 MINIMUM STIPEND. The minimum stipend which shall be paid any Cleric employed full time by the Diocese or any Congregation, together with the minimum allowances for housing, utilities, and transportation, shall be fixed from time to time by the Diocesan Convention, which may fix separate levels of compensation for (a) Clerics serving as Rector or Vicar, (b) Clerics serving as assistants and (c) Deacons.

CANON 17.8 OTHER APPOINTMENTS. Clerics appointed by the Bishop to specialized ministries not associated with Congregations shall report at least annually to the Bishop in the manner prescribed by the Bishop and the Constitution and Canons of the Church.

CANON 17.9 RETIREMENT. Vicars and other Clerics in the employ of the Diocese shall retire when they have attained the age of seventy-two (72) years. Employment of those who desire to continue in service beyond this age shall be pursuant to a yearly contract approved by the Bishop. Upon reaching the age of seventy-two (72), a Priest or Deacon shall resign from all positions in The Episcopal Church, subject to reassignment according to the provisions of the Constitution and Canons of the Church.

CANON 18 — THE LAITY

CANON 18.1 THE MINISTRY OF ALL BAPTIZED PERSONS. All baptized persons are called to minister in Christ's name, and the Diocese shall provide for their affirmation and development and shall aid in the discernment of their ministry.

CANON 18.2 MEMBERS. All persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in The Episcopal Church

or in another Christian church, and whose baptisms have been duly recorded in The Episcopal Church, are members of The Episcopal Church.

(a) **Adult Members.** A member of The Episcopal Church who is sixteen (16) years of age and over is considered an adult member.

(b) **Confirmation and Reception.** The Episcopal Church anticipates that its adult members, after appropriate instruction, will make a mature public affirmation of their faith and commitment to the responsibilities of their baptism and will be confirmed or received by a Bishop of The Episcopal Church or by a Bishop of a church in communion with The Episcopal Church. Those who have previously made a mature public commitment in another church may be received, not confirmed.

(c) **Status as Baptized and Confirmed.**

(i) Any person who is baptized in The Episcopal Church as an adult and receives the laying on of hands by the Bishop at baptism is considered to be baptized and confirmed;

(ii) Any person who is baptized in The Episcopal Church as an adult and at some time after the baptism receives the laying on of hands by the Bishop in reaffirmation of baptismal vows is considered to be baptized and confirmed;

(iii) Any baptized person who received the laying on of hands at confirmation (by any Bishop in apostolic succession) and is received into The Episcopal Church by a Bishop of The Episcopal Church is considered to be baptized and confirmed; and

(iv) Any baptized person who received the laying on of hands by a Bishop of The Episcopal Church at confirmation or reception is considered to be baptized and confirmed.

(d) **Member in Good Standing.** A baptized member of The Episcopal Church is in good standing if for the previous year (or since such person's baptism) such person has been faithful in corporate worship, unless for good cause prevented, and has been faithful in working, praying, and giving for the spread of the Kingdom of God.

CANON 18.3 COMMUNICANTS. All members of The Episcopal Church who have received Holy Communion in The Episcopal Church at least three times during the preceding year are considered communicants of The Episcopal Church.

(a) **Adult Communicants.** For the purposes of statistical record keeping by The Episcopal Church, communicants who are age 16 years and over are considered adult communicants.

(b) **Communicants in Good Standing.** All communicants who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God, are considered communicants in good standing.

CANON 18.4 REMOVING TO ANOTHER CONGREGATION.

(a) **Process of Removal to Another Congregation of The Episcopal Church.** If a member wishes to move to another Congregation, such person should procure from the Priest-in-Charge of such person's former Congregation a certificate of membership indicating that that person is recorded as a member (or adult member) of The Episcopal Church and whether such Member: (i) is a communicant; (ii) is recorded as being in good standing; and (iii) has been confirmed or received by a Bishop of The Episcopal Church or a Bishop of a church in communion with The Episcopal Church. Such certificate should then be presented to the Priest-in-Charge of the receiving Congregation. If the member fails to procure a certificate through no fault of such person's own, the Priest-in-Charge of the receiving Congregation shall make an appropriate entry in the Register of such Congregation upon the evidence of membership status sufficient in the judgment of the Priest-in-Charge. Once a change occurs, the Priest-in-Charge of the receiving Congregation shall notify the Priest-in-Charge of the former Congregation that the person has been duly recorded as a member of the new Congregation, and the Priest-in-Charge of the former Congregation shall note the person's removal in the register of that Congregation.

(b) **Process of Removal to Another Congregation Outside of The Episcopal Church.** If a member removes to a Congregation outside The Episcopal Church, upon acknowledgment that the removing member is enrolled elsewhere, the Priest-in-Charge notes the person's removal in the Register of the Congregation.

(c) **Other Churches in Communion with the Church.** Any communicant of a church in communion with The Episcopal Church is entitled to the benefit of this Canon so far as the same can be made applicable.

CANON 18.5 REFUSAL OF SACRAMENTS (INCLUDING HOLY COMMUNION). A person to whom the sacraments of The Episcopal Church are refused, or who has been informed of an intention to refuse such person any sacrament (including the Holy Communion) under the Rubrics of The Book of Common Prayer, may appeal to the Bishop. A Cleric who refuses a sacrament to a person, or who communicates to a person an intent to refuse any sacrament (including the Holy Communion) to that person must inform that person, in writing, within fourteen (14) days: (a) the reasons for

the refusal, and (b) such person's right to appeal to the Bishop. No Cleric can be required to admit to the sacraments a person so refused without the written direction of the Bishop. If the Bishop believes that there is sufficient cause to justify refusal of any sacrament (including the Holy Communion), the Bishop proceeds as the Bishop deems appropriate according to the principles of law and equity to ensure an impartial investigation and judgment. The Bishop shall render judgment in writing within sixty (60) days of the appeal. If applicable, the judgment shall specify the steps required for readmission to the sacraments. The Bishop may see fit to require the person to be admitted or restored because of the insufficiency of the cause assigned by the Cleric.

CANON 18.6 LICENSED OFFICES. A confirmed communicant in good standing or, in extraordinary circumstances, subject to guidelines established by the Bishop, a communicant in good standing, may serve as pastoral leader, worship leader, preacher, eucharistic minister, eucharistic visitor, evangelist or catechist, if licensed by the Bishop. With the advice of the Commission on Ministry, the Bishop sets guidelines for training, selection and licensing of such persons and the duration of licenses. Furthermore, the following shall apply:

(a) The Bishop issues a license only at the request and upon the recommendation of the Priest-in-Charge of the Congregation in which the person will be serving. The license carries a term not to exceed three years and is revocable by the Bishop or at the request of the Priest-in-Charge.

(b) Renewal of the license is determined based on the acceptable performance of the ministry by the licensee and upon the endorsement of the Priest-in-Charge.

(c) A person licensed in a Diocese may serve in any Congregation within the same or another Diocese at the invitation of the Priest-in-Charge of such Congregation. When serving in another Diocese, the licensee may do so with the consent of the Bishop in whose jurisdiction the service will occur.

(d) The licensee conforms to the requirements and limitations set forth in the Rubrics and other directions in The Book of Common Prayer and to the directions of the Bishop and the Priest-in-Charge.

CANON 18.7 PASTORAL LEADER. A pastoral leader exercises pastoral or administrative responsibility in a Congregation under special circumstances and may regularly lead the offices authorized by the Book of Common Prayer. Before licensing, a pastoral leader must be trained, examined, and found competent in the following subjects: (a) the Holy Scriptures, contents and background; (b) The Book of Common Prayer and The Hymnal; (c) the conduct of public worship; (d) use of the voice; (e) history of The Episcopal Church; (f) the doctrine of The Episcopal Church as set forth in the Creeds and An Outline of the Faith, commonly called the Catechism; (g) congregation administration; (h) appropriate canons; and (i) pastoral care. A Pastoral Leader should not be licensed if, in the judgment of the Bishop, the Congregation is able to and has had reasonable opportunity to secure a resident Priest-in-Charge.

CANON 18.8 WORSHIP LEADER. A worship leader regularly leads public worship under the direction of the Priest-in-Charge. Before licensing, the worship leader must be trained, examined and found competent in the following subjects: (a) the Holy Scriptures, contents and background; (b) The Book of Common Prayer and The Hymnal; (c) the conduct of public worship; (d) use of the voice; (e) history of The Episcopal Church; (f) the doctrines of The Episcopal Church as set forth in the Creeds and An Outline of the Faith, commonly called the Catechism; (g) congregation administration; (h) appropriate canons; (i) pastoral care; and (j) homiletics.

CANON 18.9 PREACHER. A preacher is a lay individual licensed to preach. Before licensing, the preacher must be trained, examined and found competent in the same subjects as a worship leader. Persons so licensed may only preach in Congregations upon the initiative and under the supervision of the Priest-in-Charge.

CANON 18.10 EUCHARISTIC MINISTER. A eucharistic minister administers the consecrated elements at any Holy Communion in the absence of a sufficient number of Priests or Deacons assisting the celebrant. The ministry of eucharistic ministers does not replace the ministry of Priests and Deacons in the exercise of their office, including regular visitation of members unable to attend the Celebration of the Holy Eucharist. A eucharistic minister should normally be under the direction of a Deacon, if any, or the Priest-in-Charge.

CANON 18.11 EUCHARISTIC VISITOR. A eucharistic visitor takes the consecrated elements in a timely manner following a Celebration of Holy Eucharist to members of the Congregation who, by reason of illness or infirmity, were unable to be present at the Celebration of Holy Eucharist. A eucharistic visitor should normally be under the direction of a Deacon, if any, or the Priest-in-Charge.

CANON 18.12 EVANGELIST. An evangelist is a layperson who presents the good news of Jesus Christ in such a way that people are led to receive Christ as Savior and follow Christ as Lord. An evangelist assists with the Congregation's ministry of evangelism under the direction of the Priest-in-Charge or as directed by the Bishop.

CANON 18.13 CATECHIST. A catechist prepares persons for baptism, confirmation, reception and the reaffirmation of baptismal vows. Before licensing, catechists are to be trained, examined and found competent in the following subjects: (a) the Holy Scriptures, contents and background; (b) The Book of Common Prayer and The Hymnal; (c) the history of The Episcopal Church history; (d) the doctrines of The Episcopal Church as set forth in the Creeds and An Outline of the Faith, commonly called the Catechism; and (e) methods of catechesis.

CANON 18.14 UNLICENSED OFFICES. The Priest-in-Charge may appoint Laypersons to other offices to assist in worship, such as lectors, vergers, and acolytes, who are not licensed by the Bishop. The Priest-in-Charge is responsible for their development, and such persons serve under the Priest-in-Charge's direction.

CANON 19 — FUNDS AND FINANCIAL MATTERS

CANON 19.1 DIOCESAN OPERATING FUND. There shall be a Diocesan Operating Fund from which shall be paid all expenses incurred for functions required by the Constitution and Canons of the Church, the Constitution and Canons of the Diocese, and for such programs and activities as are approved by Diocesan Convention.

CANON 19.2 SUPPORT OF DIOCESAN OPERATING FUND.

(a) It is anticipated that each Congregation will provide funds to support the work of the Diocese and for satisfaction of expenses as set forth in the annual budget for the Diocese.

(b) To this end, each year the Finance Committee shall recommend to Executive Council a proposed level of giving by all Congregations for the ensuing year. If approved by Executive Council or as modified by Executive Council, such recommendation shall be presented to the Diocesan Convention as the recommended level of giving by the Congregations for the ensuing calendar year. Such recommendation shall be in the form of a resolution (hereafter the "Mutual Ministry Resolution") that sets forth a certain percentage of each Congregation's average annual operating income for the three (3) preceding years as set forth in the financial section of the annual parochial report of the Congregation. If the Mutual Ministry Resolution as presented, or as properly amended, is adopted by vote of the Diocesan Convention, it shall constitute a non-binding expression of the amount each Congregation is asked to provide during the ensuing year to support the work of the Diocese and its expenses. For purposes of the foregoing, the total annual operating income of a Worshipping Community shall exclude any amounts received by the Worshipping Community from the budget of the Diocese.

CANON 19.3 FINANCIAL COMMITMENTS AND ADJUSTMENTS TO BUDGET.

(a) By November 15 of each year, the Diocese shall cause a statement to be sent to each Congregation setting forth the requested level of giving for the forthcoming year based on the Mutual Ministry Resolution as approved by the Diocesan Convention, and each Congregation shall, by no later than December 15, return to such person as designated by the Diocese a written statement of its financial commitment to the Diocese for the ensuing year.

(b) The Finance Committee shall report to Executive Council as soon as possible the financial commitments received from Congregations.

(c) A Mutual Ministry Resolution adopted by the Diocesan Convention is not a mandatory assessment imposed on a Congregation; nevertheless, it represents a request of each Congregation to share in the mission and ministry of The Episcopal

Church at the diocesan level. If a Congregation is unable to participate at the requested level of giving, then the Congregation is encouraged to advise the Bishop or Executive Council of any hardships it is experiencing or concerns it may have so that there is awareness and an opportunity for the Bishop or Executive Council to provide guidance or assistance that may be needed.

(d) After soliciting input from the Bishop and the Finance Committee, the Executive Council may adjust the budget for the Diocese in such manner as it deems proper.

CANON 19.4 MONTHLY PAYMENTS.

(a) Each Congregation shall pay to the Diocese each month, one-twelfth of its financial commitment for the Diocesan Operating Fund.

(b) The Diocese periodically shall provide each Congregation with a statement of its financial commitment, the amount paid in satisfaction of the financial commitment and the remaining balance to be paid. The Diocese shall provide a final statement to each Congregation not later than December 10 and shall indicate any remaining balance due as of December 31.

CANON 19.5 OTHER FUNDS. The Diocese is authorized to establish, invest, and manage (which shall include the right to delegate to third-party professionals to invest and manage) such other separate or consolidated funds as may be appropriate, including any such funds given or bequeathed to the Diocese in any manner and any funds held by the Diocese for the use and benefit of any Congregation or Institution.

CANON 20 — REAL AND PERSONAL PROPERTY

CANON 20.1 TRANSFER OR ENCUMBRANCE OF REAL PROPERTY.

(a) Neither a Congregation or Institution nor a Vestry, Governing Committee, trustee or other body authorized by civil or canon law to hold, manage, or administer real property for any Congregation or Institution, shall sell, lease for a term exceeding one year (including renewal options), grant options to purchase or preemptive rights to acquire, encumber, or otherwise transfer real property, or any part thereof, of such Congregation or Institution or held for the benefit of such Congregation or Institution without first obtaining the written consent of the Bishop and the approval of the Standing Committee and Executive Council.

(b) Neither a Diocesan Entity nor any director, officer, manager or other body or person authorized by civil or canon law to hold, manage ,or administer real property of such Diocesan Entity, shall sell, lease for a term exceeding one year (including renewal options), grant options to purchase or preemptive rights to acquire, encumber, or otherwise transfer real property, or any part thereof, of such Diocesan

Entity without first obtaining the written consent of the Bishop and the approval of the Standing Committee and Executive Council.

(c) Neither the Diocese nor any trustee or body authorized by civil or canon law to hold, manage, or administer real property for the Diocese shall sell, lease for a term exceeding one year (including renewal options), grant options to purchase or preemptive rights to acquire, encumber, or otherwise transfer any real property, or any part thereof, of the Diocese or held for the benefit of the Diocese without first obtaining the written consent of the Bishop and the approval of the Standing Committee and the Diocesan Convention, and when the Diocesan Convention is not in session the Executive Council must approve such matter.

(d) Notwithstanding the foregoing, the Bishop, Standing Committee, or Executive Council, acting together or separately, may suspend or terminate a right to grant a leasehold interest in real property for one year or less as otherwise authorized by this Canon 20.2. Such suspension or termination may thereafter be set aside, with the right to lease real property for one year or less being reinstated, only upon a decision to this effect by the Bishop, Standing Committee and Executive Council.

CANON 20.2 ACQUISITION OF PROPERTY AND TITLE TO THE ACQUIRED PROPERTY. A Congregation, Institution, or Diocesan Entity must obtain the consent of the Bishop and the approval of the Standing Committee and Diocesan Convention, and when the Diocesan Convention is not in session the Executive Council, before acquiring real property by purchase. Title to real property acquired or received by a Congregation or Institution shall be held as directed by the Bishop and the Chancellor, although in all events such real property shall be held in trust for The Episcopal Church and the Diocese.

CANON 20.3 SPECIAL CIRCUMSTANCES.

(a) If a Parish or the Cathedral refuses or neglects to maintain a Vestry to manage its temporal affairs or if a Parish or the Cathedral has a Vestry that fails or refuses to assemble to carry out its obligations with regard to such Congregation's temporal affairs, the Bishop, with the advice and consent of the Standing Committee, may appoint three (3) persons from the Executive Council to take charge of the property of the Parish or Cathedral, as the case may be, and to exercise all rights and functions of a Vestry until the Parish or Cathedral has established, as determined by the Bishop, a Vestry that is capable and willing to exercise the rights and functions of a Vestry.

(b) If a Chapel or Worshipping Community refuses or neglects to maintain a Governing Committee to manage its temporal affairs or if a Chapel or Worshipping Community has a Governing Committee that fails or refuses to assemble to carry out its obligations with regard to such Chapel's or Worshipping Community's temporal affairs, the Bishop, with the advice and consent of the Standing

Committee, may appoint three (3) persons from the Executive Council to take charge of the property of the Chapel or Worshipping Community, as applicable, and to exercise all rights and functions of the Governing Committee of such Chapel or Worshipping Community until the Chapel or Worshipping Community has established, as determined by the Bishop, a Governing Committee that is capable and willing to exercise the rights and functions of a Governing Committee as to the Chapel's or Worshipping Community's temporal matters.

(c) If an Institution refuses or neglects to maintain a governing body to manage its temporal affairs or if an Institution has a governing body that fails or refuses to assemble to carry out its obligations with regard to such Institution's temporal affairs, the Bishop, with the advice and consent of the Standing Committee, may appoint three (3) persons from the Executive Council to take charge of the property of the Institution and to exercise all rights and functions of the governing body of such Institution until the Institution has established, as determined by the Bishop, a governing body that is capable and willing to exercise the rights and functions of a governing body as to the Institution's temporal matters.

(d) Upon dissolution of a Congregation or Institution or upon the dissolution of the union of a Congregation or Institution with the Diocesan Convention, the property of such Congregation or Institution, as applicable, and whether real property or personal property, shall vest in the Diocese without the requirement of deed or other instrument of conveyance. If necessary to give effect to the foregoing or to cause any property to be conveyed to or retitled in the name of the Diocese, the Bishop shall be deemed the sole trustee or chief executive officer of such Congregation or Institution, as applicable, for the purpose of executing any deed or instrument of conveyance on behalf of such organization. Each Congregation and Institution as a condition of to being or remaining in union with the Diocesan Convention accepts the foregoing and agrees that the foregoing is irrevocable and shall not terminate as a result of a dissolution of its union with the Diocesan Convention.

(e) All rights and authority heretofore vested in trustees of any Congregation or Institution as to ownership of property for or on behalf of such Congregation or Institution are hereafter vested in such trustees or their successors as appointed or elected by such Congregation or Institution, and if a Congregation or Institution fails to appoint or elect trustees the members of the Vestry, Governing Committee or governing body of such Congregation or Institution, as applicable, shall be the trustees. The trustees of a Congregation or Institution and their successors shall have all rights and authority to manage, dispose of or otherwise deal with the property vested in the trustees of such Congregation or Institution, except that in no event may such persons as successor trustees alienate or encumber any real property unless permitted by, or authorized in accordance with, the Canons of the Diocese.

CANON 21 — BUSINESS PRACTICES IN CHURCH AFFAIRS

CANON 21.1 FUNDS. Permanent funds, endowments, and trust funds and securities of a Congregation or Institution shall be deposited with a national or state bank, savings and loan association, mutual fund, professional investment advisor, the Diocese, or other agency approved by the Finance Committee, and shall be held under agreements providing for at least two signatures for withdrawal of such funds or securities. This section shall not apply to funds and securities refused by depositories as too small for acceptance; such small funds shall be under the care of the persons or corporations responsible for them. Records shall be kept of all permanent and trust funds showing source and date and terms governing the use of principal and income. The fiduciary responsible for any such funds shall report the condition of such funds at each annual meeting of the Congregation.

CANON 21.2 ACCOUNTING RECORDS. Books of account shall be so kept as to provide the basis for satisfactory accounting, including appropriate records of all sub-groups of a Congregation.

CANON 21.3 ANNUAL AUDITS. All accounts, including discretionary accounts, of Congregations, Institutions or other bodies carrying out Diocesan programs shall be audited annually by a certified independent public accountant or by such accounting agency or audit committee as shall be approved by the Finance Committee (provided that in auditing discretionary funds, appropriate procedures may be implemented to safeguard the confidential nature of pastorally sensitive expenditures from such funds). The Finance Committee may direct any Congregation, Institution, or other body carrying out Diocesan programs to provide copies, when asked, of any and all audit reports and of any memoranda relating to internal controls, together with a summary of action taken to correct deficiencies or implement recommendations.

CANON 21.4 PROPERTY INSURANCE. All buildings belonging to or used by Congregations or Institutions, and their contents, shall be kept adequately insured to the satisfaction of the Finance Committee.

CANON 21.5 DIOCESAN ARCHIVES.

(a) There shall be an archive of the Diocese, the purpose of which shall be to preserve by safekeeping useful historical papers and materials of the Diocese, its Bishops, officials, and agencies.

(b) The day-to-day activities and work of the archive shall be conducted by an Archivist who shall be selected by the Bishop and confirmed by the Executive Council. The Archivist shall serve at the pleasure of the Bishop. The work of the Archivist shall include, but not be limited to, the following: securing, organizing, safeguarding and controlling access to the material in the collection; preparing operating policies for approval by the Bishop and Executive Council; reporting on the condition and work of the archives; and advising Congregations, Institutions,

and other organizations as to records retention and archive policies regarding their documents and materials.

(c) The general records retention policies of the Diocese shall be as follows:

(i) Records and materials of the Diocese and its departments, commissions, committees, and other organizations shall be retained in the archives of the Diocese.

(ii) Records and materials of defunct organizations of the Diocese, including Congregations and Institutions, shall be retained in the archives of the Diocese, subject to applicable policies as may be developed from time to time by the Executive Council.

(iii) Active separate organizations, such as Congregations and Institutions, are expected to retain and preserve their own papers and materials.

(d) When papers and materials are transferred to the Archives, the originator shall indicate any materials which are to be considered confidential and they shall be subject to applicable policies.

(e) Access to materials in the archives is left to the discretion of the Archivist, the Bishop or the Executive Council.

CANON 22 — ECCLESIASTICAL DISCIPLINE

CANON 22.1 TITLE IV CHURCH CANONS. The provisions of the Title IV Canons are incorporated herein by this reference. To the extent the Constitution and Canons of the Diocese cannot be reconciled to the Title IV Canons, the Title IV Canons control. Capitalized terms not otherwise defined in this Canon 22 have the meanings ascribed to them in the Title IV Canons.

CANON 22.2 DISCIPLINARY POSITIONS. The Diocese shall have the following positions to implement the disciplinary structure of the Title IV Canons.

(a) **Intake Officer.** The Bishop shall appoint an Intake Officer, whose name and contact information shall be published on the website of the Diocese or otherwise made available from the offices of the Diocese as a contact for reporting Offenses. The Intake Officer shall make an initial assessment of a complaint.

(b) **Investigator.** As needed by the Diocese, the Bishop appoints an Investigator, who shall be a person with sufficient knowledge, experience and training to conduct investigations, and is familiar with the provisions and objectives of the Title IV Canons. The Investigator may, but need not, be a member of The Episcopal Church.

(c) **Church Attorney.** As needed by the Diocese, the Bishop, with the advice and consent of the Standing Committee, shall appoint one or more attorneys duly licensed in North Carolina to represent the Diocese as its Church Attorney in all conferences, hearings, or other proceedings under the Title IV Canons. The Standing Committee may terminate the Church Attorney's engagement for reasons it deems sufficient, if the termination does not materially affect or influence a pending proceeding. The Church Attorney or Attorneys need not be Members of the Church.

(d) **Pastoral Response Coordinator.** The Bishop may appoint a Pastoral Response Coordinator, which person shall be responsible for implementing a pastoral response as directed by the Bishop. The Pastoral Response Coordinator serves at the will of the Bishop.

(e) **Conciliator.** When a matter is referred for conciliation, the Bishop shall appoint a Conciliator, who should be a person skilled in dispute resolution and without conflict of interest in the matter. The Conciliator serves at the will of the Bishop.

(f) **Advisors.** In each proceeding under the Title IV Canons, the Bishop appoints an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall not include any person likely to be called as a witness in the proceeding.

CANON 22.3 DISCIPLINARY BOARD. The Diocese shall have a Disciplinary Board, from which Conference Panels and Hearing Panels are selected.

(a) **Composition of Disciplinary Board.** The Disciplinary Board shall be composed of nine (9) members elected by the Diocesan Convention. Of the members, five (5) are to be Clerics who are Canonically Resident in the Diocese and not under ecclesiastical discipline, and four (4) are to be lay individuals who meet the requirements for being a Layperson as set forth in the definition of such term. The elected members shall be grouped into three (3) classes of three (3) members each, each such class including at least one (1) Cleric and at least one (1) Layperson. The terms of such classes shall be staggered so that one such class is elected each year to commence a new term. The terms of office of elected members shall commence on January 1 next following their election. Except for the initial classes, which shall serve either a one-year term, a two-year term, or a three-year term as specified by the Executive Council in accordance with Article XVII of the Constitution, the members of each class thereafter shall serve a three-year term.

(b) **Vacancies.** Any elected member of the Disciplinary Board may resign by submitting a letter of resignation to the President of the Disciplinary Board or the Bishop. The Disciplinary Board may declare vacant the office of an elected member

who fails to meet the qualifications for membership or if the elected member has failed without excuse to attend three (3) consecutive meetings of the Disciplinary Board. Vacancies among elected members may be filled by the Bishop, with the consent of the Standing Committee.

(c) **President of Disciplinary Board.** Within sixty (60) days after the annual Diocesan Convention, the Disciplinary Board shall elect from its membership a President for the following year. As needed, the President selects members of Conference Panels and Hearing Panels, serves as a member of any Reference Panel, and handles any appeal if a complaint is dismissed by the Intake Officer.

(d) **Clerk of Disciplinary Board.** The Disciplinary Board appoints a Board Clerk to assist the Board with records management and administrative support. The Clerk may or may not be a member of the Disciplinary Board.

(e) **Conference Panels and Hearing Panels.** When the Reference Panel receives an intake report, the President of the Disciplinary Board shall appoint from the Board's membership a Conference Panel and a Hearing Panel. The Conference Panel shall consist of two (2) or more members and shall include both Cleric and Layperson members. The Hearing Panel shall consist of three (3) or more members and shall include both Cleric and Layperson members. The President may not serve on either panel, and a member appointed to one panel may not serve on another panel.

(f) **No Overlapping Roles**. A member of the Disciplinary Board may not serve as Chancellor, Vice Chancellor, Advisor, Pastoral Response Coordinator, Conciliator, Church Attorney, Intake Officer, or Investigator. The person serving as Chancellor, Vice Chancellor, Advisor, Pastoral Response Coordinator, Conciliator, Church Attorney, Intake Officer, or Investigator may not serve in another of such capacities. A member in the same law firm as a member of the Disciplinary Board, Chancellor, Vice Chancellor, Advisor, Pastoral Response Coordinator, Conciliator, Church Attorney, Intake Officer, or Investigator faces the same disqualification.

CANON 22.4 PRESERVING IMPARTIALITY.

(a) **Panel Members.** In any proceeding under the Title IV Canons, if any member of a Conference Panel or Hearing Panel becomes aware of circumstances where such member's impartiality may be reasonably questioned, that member must notify the President of the Disciplinary Board immediately and request a replacement. Respondent's Counsel and the Church Attorney have the right to challenge any panel member's impartiality by motion to the panel for disqualification of the challenged member. The panel members who are not subject to the challenge shall promptly consider the motion and determine whether the challenged panel member should be disqualified from participating in that proceeding.

(b) **Bishop.** The Bishop shall be disqualified in any proceeding in which the Bishop's impartiality may reasonably be questioned. The Bishop shall also be disqualified when the Bishop, the Bishop's spouse, or a person within the third degree of relationship to either of them, or the spouse of such person, is the Respondent, Complainant, or an Injured Person. Furthermore, the Church Attorney, Respondent's Attorney, or any member of the Hearing Panel may petition the Hearing Panel by motion for any employee of the Diocese who serves under or reports to the Bishop to be sequestered from any proceeding unless or until called to give testimony or provide or authentic records, and the Hearing Panel shall have discretion as to whether to grant the relief requested.

CANON 22.5 PROCEEDINGS FOR BISHOPS. This Canon 22 is modified as provided in Canon 17 of the Title IV Canons for proceedings involving a Bishop.

CANON 22.6 RECORDS. Records of active proceedings before the Disciplinary Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Clerk, if there is one, or otherwise by the office of the Diocese. The records of all proceedings under this Canon shall be archived within the Diocese by the Archivist and within the archives of The Episcopal Church, as prescribed in the Title IV Canons.

CANONS 23 — AUDIO, VIDEO AND WEB CONFERENCING

CANON 23.1 MEETINGS. Except as provided in Canon 23.4 that follows, a meeting of the Diocesan Convention, the Executive Council, the Finance Committee, the Standing Committee, the Commission on Ministry, a Deanery, a Congregation, a Vestry, or a Governing Committee may be held by, or include participation by some or all persons by use of, audio conferencing, video conferencing, web conferencing (also known as webcasting or online broadcasting), or by other electronic means, provided that all persons participating in the meeting are able to effectively communicate with each other during the course of such meeting. Such participation constitutes being present in person at such meeting.

CANON 23.2 DISTRIBUTION OF DOCUMENTS. If a meeting is to be held by, or is to include participation by some or all persons, using any of the methods as allowed by Canon 23.1, then the presiding officer of the meeting shall ensure that those participating in such manner have had the opportunity to receive prior to the meeting, and if not are given the opportunity to receive during the meeting, a copy of any report or document that constitutes or embodies an item to be discussed, considered, or voted upon at such meeting. Such distribution may be made by any reasonable means, including, but not limited to, one or more of the following methods: delivery through the United States Postal Service, delivery by courier service, hand delivery, telecopy transmission, electronic mail, posting the report of document on a website, or in an online portal or database designated for the dissemination of information and documents relating to the meeting, or screen sharing during meeting.

CANON 23.3 VOTING. If a meeting is to be held by, or is to include participation by some or all persons, using any of the methods as allowed by Canon 23.1, then the presiding officer of the meeting shall ensure that those participating in such manner and having authority to vote on a matter before such assembly are able to cast their votes. In such instance, a vote may be made by voice, hand raising, a reaction button, or a web-based, online or electronic voting solution or application. If anonymous or ballot voting is needed or required, the presiding officer shall ensure that the method or methods utilized allow participants to cast their votes in such manner. In no event shall there be proxy voting at any such meeting.

CANON 23.4 ELECTION OF A BISHOP. In-person participation shall be required at any meeting of the Diocesan Convention that involves the election of a Bishop, Bishop Coadjutor, or Bishop Suffragan, unless the Executive Council and the Standing Committee approve participation by some or all persons in accordance with the terms of this Canon 23.

CANON 23.5 CONFLICTING GOVERNANCE DOCUMENTS. The provisions of Canon 23 shall supersede any conflicting bylaw, rule or governance document of a Congregation, Vestry or Governing Committee.

CANONS 24 — AMENDMENTS

CANON 24.1 SUBMISSION OF PROPOSED AMENDMENTS.

(a) The Canons of the Diocese may be amended or supplemented at any annual meeting or special meeting of the Diocesan Convention, provided the proposed resolution for amending the Canons of the Diocese has been properly placed before the Diocesan Convention as herein required.

(b) Once introduced, the President of the Diocesan Convention shall appoint a committee, subject to the approval of the Diocesan Convention, consisting of three (3) Clerics and three (3) Laypersons, which committee shall be referred to as the "Constitution and Canons Committee," and shall recess the Diocesan Convention to allow the Constitution and Canons Committee to convene and consider the proposed amendment. The Constitution and Canons Committee shall have the responsibility of reviewing the proposed amendment and reporting on the matter at the same Diocesan Convention at which the amendment was introduced in one of the following forms: (i) a recommendation for adoption of the amendment as presented; (ii) a recommendation for rejection of the amendment as presented; or (iii) a recommendation for adoption of the amendment, but with modifications as offered by the Constitution and Canons Committee.

(c) When the Constitution and Canons Committee is ready to deliver its recommendation, the President of the Diocesan Convention shall reconvene the meeting of the Diocesan Convention, and the Constitution and Canons Committee

shall make its report, after which the delegates of the Diocesan Convention shall undertake the following actions:

(i) As an initial matter, the delegates shall vote on the amendment to the canons as initially introduced. For such amendment to be adopted, the amendment must receive the concurrent approval of a majority of the Lay Order and a majority of the Clerical Order, voting separately.

(ii) If the amendment to the canons as initially introduced is not approved and the report of the Constitution and Canons Committee recommended adoption of such amendment but with modifications as offered by it, then the delegates shall vote on the proposed amendment offered by the Constitution and Canons Committee. For the amendment to be adopted, the amendment must receive the concurrent approval of a majority of the Lay Order and a majority of the Clerical Order, voting separately.

(e) Notwithstanding the foregoing, the Chancellor, with the approval of the Executive Council, may make non-substantive changes to these Canons of the Diocese to correct punctuation, spelling, typographical, grammatical, formatting and numbering errors, and such changes shall not require the approval of the Diocesan Convention and shall take effect immediately.

CANON 24.2 EFFECTIVE DATE OF AMENDMENTS. All canons hereafter enacted to be added to the Canons of the Diocese, and all amendments to the Canons of the Diocese, unless otherwise determined by the vote of the Diocesan Convention or as otherwise provided in Canon 23.1 above, shall take effect upon the close of the Diocesan Convention at which they are enacted.

CANON 24.3. CERTIFICATION OF CHANGES. In the event of the insertion of a new canon, or a new section or clause in an existing canon, or of the repeal of an existing canon, or of a section or clause in a canon, the numbering of the canons or of a division of a canon of the Canons of the Diocese shall be changed accordingly without the necessity of enacting an amendment or amendments to that effect.

CANON 25 — SAVINGS CLAUSE AND CONFLICTING TERMS

In the event any provision in the Canons of the Diocese is in conflict with any term or requirement in the Constitution and Canons of the Church or the Constitution of the Diocese, whether now existing or hereafter enacted, for which no deviation is permitted or allowed, then the provision that is in conflict shall be deemed stricken as if never included herein and substituted in its place shall be the term or requirement of the Constitution and Canons of the Church or the Constitution of the Diocese, as may be applicable.

Furthermore, the Constitution of the Diocese and the Canons of the Diocese, as the same may be amended from time to time, shall prevail and govern in the event of any conflict or inconsistency

between their terms and any prior resolutions of the Diocese (whether adopted by its Diocesan Convention or its Executive Council) and any prior agreements or understandings between the Diocese and a Parish, a Worshipping Community, a Chapel, or the Cathedral.

CANON 26 — REPEAL OF PRIOR CANONS

Upon the concurrence of the Bishop following approval and adoption of these Canons of the Diocese by the Diocesan Convention, the canons previously in effect with regard to the governance of the Diocese shall be repealed.

CANON 27 — TRANSITIONAL PROVISIONS

The transitional provisions as set forth in Article XVII of the Constitution of the Diocese shall apply in the implementation of these Canons of the Diocese following their adoption.

Ecclesiastical Authority's Concurrence

I concur in the amendment to the Canons of The Episcopal Diocese of Western North Carolina as adopted by the 104th Convention of The Episcopal Diocese of Western North Carolina on November 7, 2026.

The Rev. Susan Buchanan, President of the Standing Committee of The Episcopal Diocese of Western North Carolina on behalf of the Committee.

Certificate of Secretary

I hereby certify that the foregoing is a true and correct copy of the Canons of The Episcopal Diocese of Western North Carolina as the same were amended by the 104th Convention of The Episcopal Diocese of Western North Carolina held on November 7, 2026.

The Rev. Gaelyn Evangreene (Nov 10, 2026 14:15:51 EST)

The Rev. Gaelyn Evangreene, Secretary of the 104th Convention of The Episcopal Diocese of Western North Carolina