

The seal of the Diocese of Olympia is a large, faint watermark in the background. It features a central shield with a crown on top, surrounded by a circular border containing the Latin text "SIGILLUM DIOECESIS OLYMPIANAE CONDITAEMDCCCXXXIX".

# Constitution and Canons

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**Diocese of Olympia**

*(As amended by the 113<sup>th</sup> Convention, October 2023)*

*(Published January 2024)*

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## **Article I: Name and Jurisdiction**

The Church in that portion of the State of Washington lying west of the summit of the Cascade range of mountains and including the Counties of Whatcom, Skagit, San Juan, Island, Clallam, Jefferson, Snohomish, King, Kitsap, Grays Harbor, Mason, Thurston, Pierce, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, and Skamania shall be known by the name and description of the "Diocese of Olympia, of The Episcopal Church," hereinafter referred to as "the Diocese of Olympia," "this Diocese," or "the Diocese."

## **Article II: Acceding to General Convention**

The Church in the Diocese of Olympia accedes to the Constitution and Canons of The Episcopal Church and recognizes the authority of the General Convention of the same.

## **Article III: The Authority of the Diocese**

The authority of this Diocese is vested in and exercised by its Bishop, and as it may be assigned, to a Bishop Coadjutor (if there be one), and to its Convention and Standing Committee.

## **Article IV: The Bishop and the Ecclesiastical Authority**

*Title change approved on first reading 2023; second reading 2024.*

### **Section 1**

The Bishop is the Ecclesiastical Authority of this Diocese. The Bishop is the chief pastor and may officiate in the offices of the Church in any Parish or Mission, or elsewhere in this Diocese. All controversies between the Rectors of two or more Parishes; or between Parish or Vestry and Rector; shall be referred to the Ecclesiastical Authority for determination.

### **Section 2**

If the office of the Diocesan Bishop becomes vacant, the Ecclesiastical Authority shall pass temporarily to the Bishop Coadjutor (if any), or in the absence of a Bishop Coadjutor, to the Suffragan Bishop (if any). Such temporary

authority shall continue until a new Diocesan Bishop is consecrated.

### **Section 3**

During any period when the Standing Committee determines that the Diocesan Bishop is by reason of disability unable to serve, the Ecclesiastical Authority shall pass temporarily to the Bishop Coadjutor (if any), or in the absence of a Bishop Coadjutor, to the Suffragan Bishop (if any). Such temporary authority shall continue for the period of the Diocesan Bishop's disability as determined by the Standing Committee.

### **Section 4**

During any period when the Diocesan Bishop is absent from the Diocese, the Bishop may delegate the Ecclesiastical Authority to the Bishop Coadjutor (if any), or in the absence of a Bishop Coadjutor, to a Suffragan Bishop (if any). Such temporary authority shall cease upon the Bishop's return to the Diocese.

### **Section 5**

Where the Ecclesiastical Authority is temporarily transferred under Sections 2, 3 or 4 of this Article, and where there is neither a Bishop Coadjutor nor a Suffragan Bishop, the authority shall pass to the Standing Committee.

### **Section 6**

When there is no Diocesan Bishop and no Bishop Coadjutor, the Convention may elect a Bishop Provisional to fill the duties and offices of the Diocesan Bishop on a temporary basis. Alternatively, the Standing Committee may invite an Assistant Bishop to exercise temporary episcopal duties in the Diocese, if Convention approves creation of such a position. The term of any bishop appointed under this section shall be revocable and subject to all limitations set forth in the Canons of the Episcopal Church.

## **Article V: The Cathedral**

### **Section 1**

Saint Mark's Parish of Seattle is hereby designated and declared to be the Cathedral of this Diocese, and the official seat of the Bishop of the same.

### **Section 2**

The Constitution of the Cathedral shall be that approved by the Convention of the Diocese,

provided that such Constitution shall in all respects be subordinate to the Constitution and Canons of this Diocese.

## **Article VI: The Convention of the Diocese**

### **Section 1**

There shall be held an annual meeting of the Convention of the Church in this Diocese. In order that proper notice be given, the time and place shall be fixed by the Bishop no less than 120 days before the convening of said Convention. The Bishop may call for a virtual online Convention, provided that Convention must be a live meeting at least every second year unless the Bishop determines that considerations of public health or budget make such a meeting impractical.

### **Section 2**

Special meetings of the Convention may be called by the Bishop or by a two thirds vote of the Standing Committee. The time, place, and purpose of such meeting shall be designated, and no business shall be transacted other than that stated in the call except by unanimous consent of the Convention.

### **Section 3**

Ninety days' notice shall be given of every annual meeting of the Convention and thirty days' notice shall be given of a special meeting of the Convention, by the Secretary of the Convention, except as provided for in Article XIX. The mode of notice shall be in writing, addressed and delivered to all members of the clergy who are canonically resident and to every Parish, Mission and Mission Station in this Diocese.

## **Article VII: Members of Convention**

### **Section 1**

The Convention shall be composed of clergy and lay members.

### **Section 2**

The Bishop, and the Bishop Coadjutor or the Bishop Suffragan (if there be one), shall have a seat and a vote in the Convention.

### **Section 3**

Members of the clergy who are canonically resident within this Diocese, and who are either ecclesiastically employed within this Diocese or

domiciled within this Diocese when the Convention meets shall be entitled to a seat and to a vote. Priests and pastors, licensed by the Bishop, who have charge of an Episcopal congregation in the Diocese when Convention convenes shall also be entitled to a seat and vote.

### **Section 4**

The lay members of Convention shall consist of:

- a. Lay delegates elected from each Parish and Mission in union with the Convention;
- b. Lay members of the Diocesan Council during their terms of office;
- c. Lay members of the Standing Committee of the Diocese during their terms of office;
- d. Lay Conveners and Assistant Conveners of the several Regional Ministries during their terms of office;
- e. The Chancellor, Vice-Chancellor (if any), Secretary of Convention, and Treasurer of the Diocese, if lay persons, during their terms of office;
- f. One young adult (ages 16-21) selected by each Regional Ministry prior to Convention.
- g. Lay members of the Board of Directors of the Diocese of Olympia, Inc. during their terms in office; and
- h. Lay members representing Mission Stations to whom Convention grants voting rights under Canon 2.

All lay members described in this Section 4 must be adult Communicants in Good Standing.

## **Article VIII: Officers of Convention**

### **Section 1**

The **person holding the Ecclesiastical Authority as defined in Article IV** shall be ex-officio President of the Convention. The President of the Standing Committee shall be next in order to preside. In the absence or incapacity of these, a president pro-tempore shall be elected by the Convention from among the members thereof. *Approved on first reading 2023; second reading 2024.*

### **Section 2**

At each Annual Meeting of Convention, the following officers shall be elected to serve until the close of the following Annual Meeting:

- a. A Secretary from among the members thereof;

- b. A Treasurer;
- c. A Historiographer, who shall be the official diocesan historian;
- d. An Archivist, who shall have custody of the archives of the Diocese.

### **Section 3**

At each Annual Meeting of the Convention the Bishop shall appoint, subject to approval by a simple majority vote of the members of Convention present, a Chancellor of the Diocese who shall be a lay member, an adult Communicant in Good Standing of the Church and regularly admitted to practice law in the State of Washington. The Bishop may also appoint a Vice Chancellor who is similarly qualified, to assist the Chancellor.

### **Section 4**

In the event of a temporary absence or incapacity in the aforementioned offices, the Bishop, acting in consultation with the Standing Committee, may select another person to serve pro-tempore. In the event of a vacancy, the Bishop, acting in consultation with the Standing Committee, shall fill the vacancy.

### **Section 5**

The compensation of all officers shall be fixed by the Diocesan Council.

## **Article IX: Transaction of Business**

### **Section 1**

One-third of the clergy entitled to seats in the Convention, and delegates from one-third of the **congregations** at any time duly assembled, shall constitute a quorum for the transaction of business, except that a smaller number may adjourn from time to time.

### **Section 2**

**Unless otherwise provided**, the clergy and lay members shall deliberate in one body and vote as individuals **on all matters coming before Convention, and a majority of the votes shall be decisive**. Each delegate present shall be entitled to only one vote.

### **Section 3**

On the call of any five members, **or as otherwise required by the Constitution or Canons**, the two orders shall vote separately, and a concurrence of

a majority of each order shall be necessary to constitute a decision.

*Approved on first reading 2023; second reading 2024.*

## **Article X: Standing Committee of the Diocese**

### **Section 1**

By a concurrent majority vote of the clerical and lay orders, voting separately, the Convention shall elect a Standing Committee to consist of four clergy who are canonically resident in this Diocese and four lay members who are adult Communicants in Good Standing. Members of the Standing Committee shall serve a four-year term and shall not be eligible for re-election until one year has elapsed following the expiration of the four-year term to which they shall have been elected. However, a person who serves a short term of no longer than two years shall not be subject to the one-year disqualification. One clergy and one lay member shall be elected at each Annual Convention to serve for a four-year term. If a fourth ballot is required at any election, said ballot shall be made up of the two persons receiving the higher number of votes on the third ballot in the order from which one is to be elected, and only members of that order shall vote thereon. The person receiving the higher number of votes on the fourth ballot in the order from which one is to be elected shall be deemed elected. An election for a short term to fill a vacancy shall be conducted in the same manner. All of these must be persons eligible to seats in the Convention. Not more than one person from any one Parish or Mission may serve on the Standing Committee at any given time.

### **Section 2**

At the first meeting of the Committee, which shall be as soon as practicable after their election, they shall choose a president and a secretary from among their members. The secretary shall keep a record of all the proceedings of the Standing Committee which shall be subject at all times to **review by** the Bishop of the Diocese, and a full report of their acts shall be made to each Annual Meeting of Convention.

**Section 3**

A majority of the members of the Standing Committee shall constitute a quorum.

**Section 4**

During the interim between the meetings of Convention the Standing Committee shall have the power of Convention to ratify or elect Standing Committee members to fill vacancies until the next Annual Convention.

*Approved on first reading 2023; second reading 2024.*

**Article XI: The Diocesan Council**

There shall be a Diocesan Council whose members and their mode of election, duties and powers shall be as may now or hereafter be prescribed by the Canons of the Diocese.

**Article XII: Deputies and Alternate Deputies to General Convention****Section 1**

At an Annual Meeting of the Diocesan Convention held **at least twelve months before the regular meeting** of the General Convention for which they are chosen, a concurrent majority vote of the clerical and lay orders, voting separately, shall elect four clerical Deputies who are canonically resident in the Diocese, and four lay Deputies who are **confirmed** adult Communicants in Good Standing, and those Deputies shall represent this Diocese in the General Convention of the Episcopal Church. **Deputies and Alternate Deputies shall serve until their successors are elected.** *Approved on first reading 2023; second reading 2024.*

**Section 2**

At least eight candidates shall be nominated from each order. Nominations shall be made from the floor, unless otherwise provided in the Rules of Order adopted by Convention.

**Section 3**

a. Deputies and Alternate Deputies shall be elected from the slate of candidates described in Section 2 above. Deputies shall be elected first, and Alternate Deputies shall thereafter be elected in a separate ballot from among the candidates who were not elected as Deputies.

Alternate Deputies shall be ranked in the order of the total number of votes that they receive.

- b. In each ballot for election of Deputies, voters shall be allowed to cast no more votes than the number of Deputies who remain to be elected. In the single ballot for Alternate Deputies, voters shall cast no more votes than the number of Alternate Deputies to be elected.
- c. The first four candidates in each order to receive a majority of the votes cast in each order shall be elected as Deputies.
- d. If during the first two ballots four Deputies have not been elected in either order, a third ballot shall be cast to fill the remaining positions from among the candidates in that order. In such a ballot, the candidate(s) receiving the highest number of votes in both orders combined shall fill the remaining Deputy position(s). A majority vote is not required to elect. In case of a tie, another ballot shall be taken to resolve the tie.
- e. Unless otherwise provided by the rules of General Convention, the diocesan deputation **shall elect its own chair by majority vote.** *Approved on first reading 2023; second reading 2024.*

**Section 4**

If at the time of the Annual Meeting of the Convention in the year preceding the regular meeting of the General Convention, a vacancy shall have occurred among the Deputies or Alternates elected at a previous meeting of Convention, nominations and an election **of the required number of Alternates shall be conducted by a combined ballot as described above.** *Approved on first reading 2023; second reading 2024.*

**Section 5**

Adult Communicants in Good Standing who are elected as Deputies or Alternate Deputies to General Convention must be at least **16** years old at the start of General Convention. **If they are under the age of 18 years, they** must be accompanied by a parent or guardian in compliance with applicable Diocesan procedures for those who work with children or youth.

*Approved on first reading 2023; second reading 2024.*

### **Article XIII: Deputies to the Provincial Synod**

Deputies to represent this Diocese at the Province 8 Synod shall be selected by and among the Clerical and Lay Deputies and Alternates most recently elected by the Diocesan Convention to the General Convention of the Episcopal Church.

### **Article XIV: Nominations and Elections**

#### **Section 1**

All elections provided for in this Constitution shall be by written ballot, unless consent by unanimous vote of the Convention is given to dispense with the requirement. In the event of a failure to elect at any Convention, the person or persons already in office shall continue in office until the successor or successors shall have been appointed as provided in Article VIII, Section 4. For purposes of this section, written ballots may include an electronic ballot.

#### **Section 2**

At least ninety days prior to the Annual Meeting of Convention, the Bishop shall appoint a committee of not fewer than five members of Convention, who shall select as nominees at least two persons for each position to be filled by Convention on the Standing Committee and on the Diocesan Council, except that only one nominee is required when an incumbent Council member stands for re-election. The nominating committee shall also recommend at least one person for the offices of Secretary, Treasurer, Archivist and Historiographer. Further nominations for all these positions may be made from the floor of Convention, unless otherwise provided in the approved Rules of Order.

### **Article XV: Admission of New Parishes and Missions**

#### **Section 1**

A Parish may be admitted into union with Convention on motion, by a majority of votes, provided that the Parish shall have delivered to

the Secretary of Convention at least one month before its Annual Meeting:

- a. Written approval of the organization of such Parish, from the Bishop;
- b. Satisfactory evidence that Articles of Incorporation have been adopted by which the Parish accedes to the Constitution and Canons of the Episcopal Church in the United States of America, and to the Constitution and Canons of the Diocese of Olympia;
- c. A written statement, subscribed by the wardens, by which the Parish accedes to the doctrine and discipline and worship of the Episcopal church;
- d. Satisfactory evidence that the Parish has been regularly organized by the election of two wardens, with a total of not fewer than six nor more than fifteen vestry members, and that the Parish contains at least fifty adult Communicants in Good Standing;
- e. A written statement made by the authority of the vestry at a duly called meeting that the Parish will support a rector without financial aid from the Diocese, and agreeing that in the event it shall not be able so to do and becomes dependent on such financial aid, the Convention may change its status to that of a Mission.

#### **Section 2**

A Mission may be admitted into union with Convention by a majority of votes, provided that the Mission shall have delivered to the Secretary of Convention at least one month before its Annual Meeting a written approval from the Bishop stating that such Mission is duly organized.

### **Article XVI: Loss of Privilege**

Whenever, in the opinion of the Bishop, any Parish or Mission shall be liable for loss of privilege based upon (i) material departures from the Constitution, Canons, doctrine, discipline and worship of the Episcopal Church, or (ii) being an essentially dormant Parish as described in Canon 14, the Bishop shall signify the same to the Convention.

The right of such a Parish or Mission to representation in the Convention, and/or its connection with the Diocese may thereupon be

wholly dissolved, by a two-thirds vote of each order. Upon such a motion passing, the properties of such Parish or Mission shall immediately revert to the Diocese, and such other action may be taken as allowed under the Constitution and Canons.

## **Article XVII: Assessments**

### **Section 1**

The Convention shall have power to raise money by tax or assessment on the Parishes and Missions of the Diocese by canon, or by special vote, for the necessary or proper expenses of the Diocese, or for any other purposes which the Convention may from time to time approve or direct.

### **Section 2**

The Convention shall also have power to impose such penalty as it may deem proper within its lawful power for neglect to pay such assessment when imposed. If a congregation has paid less than 75% of its assessment in any two consecutive years, then in the following year Convention may vote to deprive that congregation's lay delegates of their right to vote at Convention, but no congregation shall under this article be denied rights to a seat or voice at Convention. A motion to deny voting authority at any Convention meeting must be made no later than the first report of the Committee on Privilege.

## **Article XVIII: Incorporation of the Diocese**

### **Section 1**

The Church in this Diocese is incorporated for legal and secular purposes under the laws of the State of Washington by the name and title of "The Diocese of Olympia, Inc." This corporation shall have the custody, control, and investment of all trust funds of the Diocese, and shall also hold the legal title to all diocesan property, including the property of all Missions, and shall exercise such other power as shall have been set forth in the Articles of Incorporation.

### **Section 2**

The Bishop and the Treasurer of the Diocese shall be ex-officio members of the Board of Directors of said corporation. The other members of the Board

shall be chosen in the manner prescribed by the Articles of Incorporation.

### **Section 3**

Any amendment to the Articles of Incorporation must be approved by the Convention.

## **Article XIX: Election of a Bishop**

### **Section 1**

The election of a Bishop, Bishop Coadjutor, Bishop Provisional, or Suffragan Bishop for this Diocese may be held at an Annual Meeting of Convention, or at a Special Meeting of Convention called for the purpose at least sixty days before the time appointed, of which the object shall be stated in a written notice sent by the Secretary of the Standing Committee to every member of the clergy canonically resident and to the Vestry of every Parish and the Bishop's Committee of every Mission.

### **Section 2**

The election shall be made in the following manner:

Any member of either order may nominate some fit and qualified member of the clergy for the office. The name or names thus presented shall be balloted upon by both orders voting separately, and the person receiving the majority of votes cast in each order shall be declared duly elected.

- a. In preparation for election of a new Bishop the Standing Committee and Diocesan Council shall meet together and select:
  - A Joint Board, consisting of one clergy and lay member from each of the two constituent bodies; and
  - A Search Committee, including at least one member from each Regional Ministry in the Diocese, which shall report regularly to the Joint Board.
- b. No later than two months before the episcopal election, the Search Committee shall provide the Standing Committee and the Diocesan Council with a list of at least three qualified persons for nomination to the Episcopate. These nominees shall be presented by the President of the Standing Committee at the electing Convention. Additional nominations may be offered on the floor of said Convention, subject to its rules



and including provision for adequate background checks.

- c. Reporting regularly to the Standing Committee and Diocesan Council, the Joint Board shall monitor the budget, expenses and general process of the episcopal search process. The Joint Board shall also develop a procedure for introducing episcopal nominees to the Diocese prior to the election.
- d. After an election, the Joint Board shall negotiate appropriate terms of compensation with the new Bishop, subject to the approval of the Diocesan Council.

### **Section 3**

Two-thirds of the Clergy having regularly assigned congregations, with or without stipend, as determined by the Bishop, (or in his absence the Bishop Coadjutor, Suffragan Bishop or in the absence of any Bishop the President of the Standing Committee), and Lay Delegates from two-thirds of the Parishes and Missions in the Convention, at any time assembled shall constitute a quorum.

## **Article XX: Authentication and Preservation**

The Secretary of the Convention shall procure and keep a book entitled "Constitution and Canons of the Diocese of Olympia," in which shall be recorded this constitution with the certificate of its adoption. All articles, canons and additions thereto, hereafter adopted by the Convention, shall be certified to by the President and Secretary of the Convention, as having been duly adopted, and shall, with the certificate of adoption, be recorded in the said book, and the said book shall be taken and regarded as prima facie evidence of the due adoption and correctness of all papers recorded therein under the Article. The Archivist and Records Manager, under the direction of the Secretary of Convention, shall keep a record of each change adopted by Convention each year.

## **Article XXI: Amendments**

Amendments to this Constitution may be made by the Convention provided the proposed amendments be adopted at two successive annual meetings of Convention by a majority vote of the two orders voting separately. Provided, that the proposed amendment may be amended by a two-thirds vote of the Convention to which it is finally submitted. All amendments, unless otherwise ordered, shall take effect upon the adjournment of the meeting of Convention at which they are finally enacted; or immediately upon adoption if consent by unanimous vote of Convention is given.

## **Article XXII: Nomenclature**

Wherever in this Constitution the reference to a person is in the masculine gender, such reference shall be deemed, where appropriate, to also refer to or include the feminine gender.

## **Canon 1: The Clerical Members of Convention**

At least one week prior to the meeting of any Diocesan Convention it shall be the duty of the Bishop to certify to the Secretary the names of all clergy canonically resident in the Diocese, designating those who are entitled by the Constitution to take part in the proceedings. For the purpose of Article VII and these Canons, "canonically resident" means any priest or deacon, who by ordination, or by Letters Dimissory from another Bishop is received by the Bishop.

## **Canon 2: Lay Members of Convention**

### **Section 1**

Being in union with the Convention, each Parish and each organized Mission shall be entitled to representations based on Communicant strength in accordance with the following table.

Any number not over 200	2 delegates
201 - 400	4 delegates
401 - 600	6 delegates
601 - 900	8 delegates
901 - 1,200	10 delegates
Over 1,200	12 delegates

By majority vote of both orders voting together, the delegates at any Convention may grant voting rights to the designated representatives of any Mission Station.

### **Section 2**

In each Parish and Mission, the adult Communicants in Good Standing of that Parish or Mission, shall select from among themselves, delegates and alternates to provide a full complement of representatives according to the above table. An alternate may qualify to substitute for a delegate of the opposite sex. Commencing in 1972, one-half of the delegates and alternates shall be elected for a one-year term and the other half shall be elected for a two-year term and thereafter, at each annual election, the delegates and alternates shall be elected to a two-year term. Delegates and alternates shall serve as such at each meeting of the Diocesan Convention, both annual and special, occurring during the term for which they are elected.

At any vote on delegates and alternates, the presiding officer shall explain the definition of adult Communicants in Good Standing.

### **Section 3**

Delegates and alternates shall be elected at a regular or special Parish or Mission meeting, or in default thereof, the Vestry or Bishop's Committee shall select the delegates and alternates as above set forth. Each Mission Station shall hold an annual meeting where its Communicants in Good Standing shall elect up to two lay persons for one-year terms to represent them at meetings of the Convention. Those representatives shall have seat and voice at all meetings of Convention.

### **Section 4**

- a. For the Annual Convention of the Diocese, certificates of selection and substitution of lay delegates and alternates shall be in the forms determined by the Secretary of the Convention with the approval of the Council. Forms shall be distributed to Parishes and Missions, not less than three months prior to the Convention. As a condition to voting in the Annual Convention, a Congregation shall complete and return its form to the Secretary at least one month prior to the Convention. At any special meeting of Convention, delegates and alternates shall be the persons qualified for the last regular Annual Convention.
- b. The Secretary of Convention shall certify as eligible to vote only those lay delegates from Congregations in Good Standing and Congregations in Provisional Good Standing, as certified to the Secretary by the Office of the Bishop not less than forty-five (45) days before the scheduled convening of Convention. A Congregation in Good Standing shall be one which is current in all of its diocesan financial and reporting responsibilities, e.g., Parochial Report including Net Disposable Income, Audit, Assessment, and loan responsibilities, if any. A Congregation in Provisional Good Standing is a congregation which has fallen into arrears in one or more of these corporate responsibilities, but has negotiated with the Office of the Bishop a mutually acceptable plan of remediation, and is current in its implementation of the agreed plan.

## **Canon 3: Duties of Officers of Convention**

### **Section 1**

The Secretary shall:

- a. Give notice of the meetings of Convention. In case of failure to do so, the Bishop shall have this power.
- b. Keep a record of all the proceedings of Convention.
- c. Publish the Convention Journal.
- d. Preserve its records, and the Constitution and Canons.
- e. Have the power to appoint assistants.
- f. Attest its public acts and faithfully deliver to his successor all the books and papers relating to the Convention, which may be in his possession.
- g. Receive the certificates of lay delegates and prepare a roll.
- h. Call the roll of delegates at the opening of Convention.

### **Section 2**

The Treasurer shall receive and disburse all monies collected under the authority of Convention, except as otherwise provided in the Constitution and Canons.

### **Section 3**

The Historiographer shall:

- a. Create, maintain and continue a history of the Diocese, its significant personnel and events;
- b. Report annually to the Bishop and Convention concerning the discharge of such duties;
- c. Perform such duties as may be prescribed by the Bishop or by Resolution of Convention.

### **Section 4**

The Archivist and Records Manager shall be the custodian and manager of the journals, papers, historical records and other records of the Diocese and shall report annually to the Bishop and Convention concerning discharge of such duties.

### **Section 5**

The Chancellor shall:

- a. Be present at each session of the Convention and respond to all requests made for advice by Convention;
- b. Act as legal advisor to the Bishops, the Corporation of the Diocese, Standing Committee, Diocesan Council, and Convention in all matters relating to the Church.

## **Canon 4: Committees of Convention**

There shall be the following Committees of Convention appointed by the Bishop. The committee members shall be clergy and lay adult Communicants in Good Standing. The members shall be appointed within ninety days following the adjournment of each Annual Convention.

- a. Dispatch of Business: up to two clergy and two lay members who shall offer recommendations to Convention as to its business agenda and any special orders or rules to govern resolutions or elections.
- b. Privilege: one clergy and two lay members, who may nominate persons to receive a seat and voice (but not vote) at the next Annual Meeting of Convention, to be approved by a majority vote of members at that Convention.
- c. Admission of New Parishes and Missions: one clergy and one lay member in years when needed.
- d. Constitution and Canons: at least two clergy and two lay members. This Committee recommends changes or additions to the Constitution and Canons. The Committee report on these must be submitted to all members of Convention at least ten days before the Annual Meeting of Convention. Any proposed changes shall be submitted to the Committee for its consideration at least 45 days before the Annual Meeting of Convention.
- e. Resolutions: two clergy and two lay members.
  1. All Resolutions shall be submitted to the Resolutions Committee at least 45 days prior to Convention and shall be distributed to delegates and alternates by the Secretary.

2. The Committee shall have the authority to combine similar Resolutions or to divide them so long as the intent of the originals is retained.
3. The Committee shall amend Resolutions in order to assure that the Resolution is in the form proper for consideration by Convention.
4. The Committee shall consider all Resolutions received and shall report them to Convention, either as received or as amended, combined, or divided, with recommendations, "do not consider, do pass, do not pass, refer to other committees or commissions, or no opinion."
5. The Committee may meet during Convention.
6. The Committee shall be appointed by the Bishop no later than 90 days before the next Annual Convention.
7. Any Resolution not submitted to the Committee at least 45 days prior to Convention shall be considered by Convention only if it does not propose to modify the Constitution and Canons of the Diocese and does not call for an appropriation from the Diocesan budget, and further provided that it has been submitted, in writing, to the Resolutions Committee no later than forty-eight (48) hours before the convening of Convention, and consideration of such resolution is approved by a majority vote of the Convention.

### **Canon 5: The Business of Convention**

The Convention shall open as the President directs. The order of business shall be as follows:

- a. The Secretary shall call the names of the clergy entitled to seats.
- b. The Secretary shall then call the list of the Parishes and Missions entitled to representation in Convention, which shall have furnished him their certificates of lay delegates and alternates elected, together with the names of such lay delegates appearing therein.

- c. The calling of the names of clergy and lay delegates may be dispensed with by a unanimous consent of the members of Convention present, provided satisfactory evidence of a canonical quorum of each order be laid before the Convention by the Secretary. In such case, the Secretary shall secure a correct list of the clergy and lay delegates present.
- d. Irregular or defective certificates shall be referred to the Committee on Privilege.
- e. A constitutional quorum being present, the President shall declare the Convention organized for business. The Convention shall then proceed to adopt an order of business.
- f. By a majority vote in each order, the Convention shall adopt Rules of Order to govern the Convention. Such rules shall remain in effect until superseded by another vote of Convention.

### **Canon 6: The Diocesan Council**

#### **Section 1**

The Bishop and Council of the Diocese, as hereinafter constituted, shall be known as the "Diocesan Council" and shall exercise powers of Convention between the meetings thereof.

#### **Section 2**

The Diocesan Council shall consist of the Bishop, Bishop Coadjutor, Suffragan Bishops, if any, and one member (clergy or layperson), representing each of the Regional Ministries, four at large members (two clergy and two laypersons), and up to six BIPOC (Black, Indigenous, and People of Color) members (clergy or laypersons) appointed by the bishop. The bishop may seek recommendation from existing Ethnic Ministry Communities as may helpful.

#### **Section 3**

All regional and at large members shall be elected at the Annual Convention with one-third being elected each year. All elected and appointed members shall serve for three-year terms. No member who has served on Council for two consecutive terms shall be eligible for re-election until the expiration of one year. All lay members shall be adult Communicants in Good Standing of a diocesan congregation. All clergy members shall

be canonically resident in the Diocese of Olympia. The Council shall have power to fill any vacancies in its membership and shall fill any such vacancies for any position if the unexpired term is more than eleven (11) months. Members thus appointed by Council shall serve the unexpired balance of the term. Absent resignation, removal from office, or death, a member's term shall continue through the close of the Annual Convention session.

#### **Section 4**

The Bishop shall be the President of Council, provided that the Bishop may delegate the presiding function at any meeting to another member of Council.

#### **Section 5**

Regional Representatives shall be elected according to the following rotation schedule (with Year One elected at the 2022 Convention).

<b>Year One</b>	<b>Year Two</b>	<b>Year Three</b>
Be Attitudes	Peninsula	Columbia
Holy C	Sno Isle	Mt. Baker
Evergreen	Eastside	Willapa
Rainier		

#### **Section 6**

In 2022, at-large members shall be elected as follows: one lay person for a three-year term; one clergy person for a two-year term and one lay person for a two-year term; one clergy person for a one-year term. Beginning in 2023, or as terms expire, at-large members shall be elected according to the continuing rotation schedule for three-year terms.

#### **Section 7**

In 2022, bishop appointments shall be as follows: up to two persons (clergy or lay) for three-year terms; up to two persons (clergy or lay) for two-year terms; and up to two persons (clergy or lay) for one-year terms. Beginning in 2023, or as terms expire, bishop appointments shall be according to the continuing rotation schedule for three-year terms.

#### **Section 8**

The convention Nominations Committee shall be charged with selecting nominees according to Article XIV, section 2.

#### **Section 9**

The Diocesan Council shall organize and elect such officers other than the Bishop, and appoint such agents as it deems appropriate.

#### **Section 10**

The Council shall support the Bishop's administration of diocesan programs by developing policy, planning and evaluation.

#### **Section 11**

The Bishop shall supervise the financial affairs of the Diocese, and shall require a proper annual audit of all receipts and disbursements of all parishes and other diocesan organizations. The Bishop shall require the bonding of all Parish, Mission and Diocesan Treasurers; the maintenance of adequate insurance for damage to all church properties; and the introduction and maintenance of the budget system in each Parish and Mission.

#### **Section 12**

The Diocesan Council shall annually no later than September 1 adopt an operating budget for the subsequent year. The Bishop shall present this budget to the Diocesan Convention for ratification; the budget may be amended by the Convention on a majority vote. Any proposed amendment that calls for new or increased spending must include an estimate of the additional costs and must specify budget line item reductions or other revenue sources that would maintain a balanced budget. Any proposed amendment that calls for reduction in spending must specify the budget line items to be affected. Any proposed budget amendment must be submitted by written resolution to Diocesan Council and the Resolutions Committee at least 45 days prior to the Convention.

Said budget shall be balanced on the basis of expected diocesan income at the Assessment rate set pursuant to Canon 7. Copies of the draft budget shall be presented to the clergy, lay delegates and Parish and Mission treasurers one week prior to the Spring Pre-Convention

Gatherings. Council may recommend for the Bishop's approval any changes in budget allocations as it may find necessary.

## **Canon 7: The Funds of the Diocese**

### **Section 1: Assessments**

- a. An annual assessment shall be levied upon each Parish and Mission of the Diocese. The assessment shall be a percentage of Net Disposable Income (NDI) to be calculated monthly as set forth below.
- b. For each month, the assessment shall be based on the NDI available for general Parish or Mission purposes in the preceding month, e.g., the assessment due in February 2015 would be based on NDI in January.
- c. NDI shall be specifically defined by resolution of Diocesan Council and the same flat assessment rate shall apply for all congregations.
- d. The assessment rate shall be set by the Annual Convention; provided that the adjusted assessment rate shall not become effective until the second year thereafter, e.g., a decision to change the rate of assessment by the Convention meeting in 2013 would not become effective until assessment year 2015.
- e. When submitting its Annual Parochial Report as required by the National Canons, each Parish and Mission shall submit its NDI for the past calendar year, and the Diocesan office shall reconcile that figure with monthly amounts paid during the year.
- f. If any Parish or Mission believes that there has been a miscalculation in the NDI and/or its reconciliation for the previous year, it may present the grounds for such belief in writing to the Diocesan Council by June 15 of the current year; and the Council shall work with the congregation to resolve the miscalculation.
- g. Should the Convention in any year deem it necessary to increase the revenue to be generated from assessments on Parishes and Missions in excess of that which would be provided under Section (e) above, the Convention may, by two-thirds vote, levy a special assessment upon the Parishes and

Missions. Such special assessment shall be limited to one year in duration.

- h. If any Parish or Mission fails to furnish the Diocesan office with its annual report and NDI by April 15 of any year, the Diocesan Council may fix the amount of the congregation's monthly or annual-assessment.
- i. The Diocesan Council shall have the power to grant relief to any congregation by the remission of all or part of its unpaid assessment balance, excepting that no balance owed for the current year shall be reduced in that year.

### **Section 2: Assessment Revenue**

- a. All assessments received shall be used to support the annual program budget of the Diocese.
- b. Any budget surpluses are to be considered as "other funds available" for program budget operating purposes.

### **Section 3: Episcopal Endowment Fund**

There shall be an Episcopal Endowment Fund, from which the income shall be appropriated to the support of the Bishop of the Diocese, and of Bishops Coadjutor and Suffragan (if there be such). Any surplus current income from this Fund may be used to meet administrative expenses of the Diocese.

### **Section 4: Investment Fund**

There may be a Diocesan Investment Fund, in which congregations or other institutions of the Diocese may deposit money or securities for investment purposes. Such Fund shall report at least annually to the Board of Directors of the diocesan corporation, and the Fund's rules and regulations shall be subject to approval by that Board.

### **Section 5: Bishop's Discretionary Fund**

There shall be a fund known as the Bishop's Discretionary Fund, to be administered by the Bishop.

### **Section 6: Restricted Funds**

The Diocese may establish and oversee other funds which meet stated goals of the Diocese and their donors. Contributions to such funds for any special or restricted purposes shall be held by the Treasurer of the Diocese and shall be used solely for those purposes.

**Section 7: Recordkeeping**

All persons who administer funds of the Diocese shall maintain detailed records of income and expenses as are reasonably required to facilitate the periodic auditing of all diocesan accounts.

**Canon 8: Organization of a Parish****Section 1**

Any Mission of the Diocese or other group of no fewer than 50 adult Communicants in Good Standing of this Church who are resident in the community where the proposed Parish is to be located, may organize themselves as a Parish in the following manner.

Notice of intention to organize a Parish shall be first given to the Bishop of the Diocese. Such notice shall be in writing in the following form:

We, whose names are hereunto subscribed, acceding to the doctrine, discipline and worship of the Episcopal Church, and desirous of securing the holy influence of the Church for ourselves, our families and our neighbors, do hereby respectfully ask permission to associate and organize ourselves, and others as a Parish under the name of \_\_\_\_\_ Parish. We do hereby promise and agree that said Parish shall always be held under the ecclesiastical authority of the Bishop of Olympia, and in conformity with the Constitution and Canons of the Episcopal Church in the United States of America and Constitution and Canons of the Diocese of Olympia, the authority of which we do hereby recognize and bind ourselves to incorporate them into the Constitution of said Parish, and to whose doctrine, discipline, and worship we promise at all times, for ourselves and our successors, corporate obedience and conformity.

**Section 2**

Upon receipt of the written approval of the Bishop, the petitioners shall then proceed as follows:

Notice of the meeting to organize, setting forth the object, the time and place of such meeting, shall be publicly read at the time of morning service, and on two Sundays next preceding said meeting by some member of

the clergy of the church appointed by the Bishop.

**Section 3**

At the organizational meeting a member of the clergy appointed by the Bishop shall preside. A Secretary shall be chosen. A book provided to record the proceedings of the meeting shall include the notice described above in Section 1 and the approval of the Bishop, the record of the action taken for organization, the names of the vestry chosen, and any other matters of importance pertaining to the organization; and second, the Articles of Incorporation adopted at the meeting.

**Section 4**

Parishes hereafter organized may be admitted into union with the Convention in this Diocese in accordance with Article XV of the Constitution, and upon compliance with the provisions thereof. Application for admission into union with the Convention shall be made within two years from the date of legal incorporation of the Parish. If not, the Bishop, with the consent of the Standing Committee, may declare the permission to organize withdrawn, and the organization null and void.

**Section 5**

If a proposed new Parish is within the limit of an existing Parish, the written consent of the Rector and Vestry of the existing Parish shall first be had and obtained for the organization of a new Parish. If such consent cannot be obtained, the permission for the organization of a new Parish within the parochial limits of an existing Parish shall be vested in the Bishop of the Diocese, acting by and with the consent of the Standing Committee.

**Section 6**

For the purpose only of private or domestic pastoral ministrations, the residence, wherever situated, of each registered parishioner of any Parish or Mission shall be deemed a part of the Parish or Mission in which such parishioner is registered.

## Canon 9: Rectors, Parishes and Vestries

### Section 1

- a. At any time between the Annual Meeting of Diocesan Convention and the last day of February following, after due notice is publicly given at Divine Service on the two Sundays next preceding, there shall be held an Annual Meeting of the Parish for election of Vestry Members and for the transaction of such business as may properly come before the meeting.
- b. Special meetings of the Parish may be called by the Rector, or by the Vestry, if there be no Rector, and shall be called by the Rector upon a written request signed by a majority of the Vestry. Notice of any special meeting of the Parish shall be given at two regularly scheduled worship services, including the Sunday next preceding the day appointed for the special meeting. The notice shall state the purpose of the special meeting.
- c. At all Parish meetings, the Rector (or if there is none, a Warden) shall preside, unless the Rector delegates this responsibility to a Warden. The Clerk of the Vestry shall act as Clerk of the Meeting.

### Section 2

- a. The number of elected Vestry members, as prescribed in the Articles of Incorporation of each Parish, shall be no fewer than six or more than fifteen, and within these limits, the Parish, by a majority vote, may fix or change the total number elected annually. Adult Communicants in Good Standing in the Parish shall alone be eligible to serve on the Vestry. Except as otherwise provided herein, the Rector shall be ex-officio a member of the Vestry with presiding authority that may be delegated to a Warden. In the Cathedral Parish, the requirements of this section may be varied, but only to the extent allowed by a Constitution of the Cathedral approved by Convention.
- b. Except in the Cathedral Parish, and to the extent allowed by its Constitution as approved by Convention, adult Communicants in Good Standing in the Parish

alone shall choose by ballot the Vestry members to serve for three years and until the election of their successors. At any meeting to elect Vestry members or Convention delegates or alternates, the right to nominate candidates from the meeting floor shall not be abridged or denied.

- c. No member of a Vestry who is elected to a full three-year term shall be eligible for re-election to the Vestry until one year after the expiration of the term for which that member was elected.

### Section 3

At the first meeting of the Vestry after the annual election there shall be chosen from among its members a Senior Warden and one or more Junior Wardens. In case the parish be without a Rector or in case of the organization of a new Parish, the Wardens shall be elected by the Vestry; in all other cases, the Rector shall appoint from the Vestry the Senior Warden, and the Vestry shall elect Junior Wardens.

### Section 4

- a. Meetings of the Vestry may be called by the Rector and shall be called at the written request of any three members of the Vestry, including one Warden.
- b. At the first meeting of the Vestry, they shall also elect a Clerk, who shall keep the minutes of the Vestry meetings and record them in a book provided for the purpose, and a Treasurer who shall receive and disburse the revenues of the Parish as the Vestry shall direct. The Treasurer shall keep an accurate account of all receipts and disbursements, rendering an account annually to the Vestry and at such other times as the Vestry may direct. The books of both the Clerk and the Treasurer shall always be open to inspection by the Rector, members of the Vestry and by the Bishop. Neither the Clerk nor the Treasurer need be a member of the Vestry.
- c. Except in circumstances requiring emergency action or upon consent of all Vestry members, no Vestry meeting shall be held with less than three (3) days' prior notice to all members. There shall also be no Vestry meeting unless the Rector, if there be one, and a quorum of



the Vestry are present; provided, that a majority of the Vestry, which includes at least one Warden may nonetheless hold a valid meeting if the Rector is absent from the Parish or fails to attend despite proper notice of the meeting. Voting by proxy shall not be permitted.

- d. A majority of the members of the Vestry shall constitute a quorum. At any vestry meeting, the Rector may vote to break a tie but shall not be counted in determining the presence of a quorum or in determining how many votes are required to pass any measure.

#### **Section 5**

- a. It shall be the duty of the Wardens of every Parish to give written notice to the Bishop of an impending vacancy in the Rectorship no later than ten (10) days after such an impending vacancy is made known. Subsequent to such notice, the Wardens shall counsel with the Bishop regarding qualified nominees for the Rectorship of such Parish. The Bishop shall recommend qualified priests for the Vestry's consideration.
- b. A Rector shall be elected at a meeting of the Vestry by affirmative vote of at least two-thirds of the entire Vestry given by written ballot. The Rector shall have been nominated at a meeting of the Vestry held not less than one week prior to the meeting at which the election takes place.
1. If a nominee is not taken from among those recommended by the Bishop, the name of the clergy proposed as a nominee shall be made known to the Bishop who shall respond in writing or by conference with the Vestry before the election. The Vestry must consider such response before proceeding with an election.
2. No election shall be valid unless and until the Bishop has filed with the Vestry a statement that the person nominated is a fit and qualified priest of this church, and the nomination is approved.
- c. The call of the Rector-elect shall be in writing and express distinctly any special conditions, together with the Vestry's proposal for salary and allowances. In the months following a written acceptance of the call, the Vestry and

Rector-elect shall negotiate a more detailed agreement to clarify the terms of the Rector's contemplated ministry and compensation. Whenever such agreements are fully executed or mutually modified at a later date, copies thereof shall be provided to the Bishop.

#### **Section 6**

- a. The Rector or the Priest-in-Charge of a Parish has exclusive charge of all rites, ceremonies and liturgical practices of the Church, and the worship with the music and ritual accessories thereto, subject and answerable only to the Bishop. The Rector is entitled at all times to have access to the church building, and to open the same as he may deem proper for public worship, for the celebration of Holy Communion, for baptisms, marriages, burials and religious instruction, and for other rites and ceremonies authorized by the Church or by the Bishop of the Diocese. The Rector shall have control of the alms received at Holy Communion for pious and charitable purposes, unless a different arrangement regarding the same shall be agreed to by both Rector and Vestry. All sums so received shall be accounted for to the Annual Parish Meeting. The Rector shall have the direction and control of the Parish school and of all guilds and organizations within the parish.
- b. No clergy member shall officiate within the Parish of another clergy member without the request or consent of the incumbent; or, in the absence or incapacity of an incumbent, consent from the Wardens of the Parish.

#### **Section 7**

Assistant clergy may be appointed by the Rector, on terms and conditions approved by the Rector and Vestry. Any proposal for such an appointment must be accompanied by a statement signed by the Bishop, if there be one, that approves the nomination based on belief that the nominee is fit and qualified in this Church or of a Church in communion with it.

#### **Section 8**

The Vestry shall support the Rector in preventing use of church buildings for any purpose prohibited by the Constitutions and Canons of the Church, or

for any purpose unbecoming to the Church of God.

### **Section 9**

The Wardens shall be charged with care of the holy vessels and all other property of the Parish used in the service of the Church, and shall see to it that the same are properly provided. They shall endeavor to preserve order and decorum in the life of the Parish.

### **Section 10**

No Vestry shall remove, take down or otherwise dispose of any church, chapel, rectory or other Parish building, nor shall the location thereof be changed without the previous written consent of the Bishop, acting in consultation with the Standing Committee of the Diocese.

### **Section 11**

Every Parish shall designate an attorney, currently licensed to practice law within the State of Washington, who will advise it on legal matters.

## **Canon 10: Registers and Parochial Reports**

### **Section 1**

Every Parish and Mission shall maintain a Register in which it records the information required under the Canons of the Episcopal Church.

### **Section 2**

Each Parish and Mission shall prepare and timely submit the annual report required by Canon I.6.1 of the Canons of The Episcopal Church. A copy of that report shall be provided to the Diocesan office, together with the congregation's Net Disposable Income, no later than March 15.

### **Section 3**

The Register and the annual report shall be the responsibility of the priest in charge of the congregation, or in the absence of a priest, the responsibility of a Warden in the case of a Parish, and of some person appointed by the Bishop in the case of a Mission.

### **Section 4**

Upon the dissolution of a Parish or Mission, the Register provided for in this Canon shall immediately become the property of the Diocese, and the Bishop shall take charge thereof.

## **Canon 11: Missions and Mission Stations**

### **Section 1**

Any number of adult persons, not fewer than twenty-five, who are loyal to the Episcopal Church and desirous of sustaining the services in any community, town, city or district, to be organized as a Mission, may apply to the Bishop in the following manner:

Dear Bishop: We, the undersigned residents of \_\_\_\_\_ County, in the Diocese of Olympia, being desirous of having the services of the Church, and ready, according to our several abilities, to sustain the same, do hereby request you to provide for us as you may deem proper and expedient.

We do hereby declare ourselves, individually and collectively, ready to do what in us lies, to support and maintain the regular worship of the said church, and promote its influence in our neighborhood; and we do promise conformity to the liturgy, doctrine, rites and usages of the Episcopal Church. We put ourselves under your charge and will reverently obey your authority. We promise conformity to the Constitution and Canons of the General Convention, and to those of the Diocese of Olympia, and the rules and regulations of the Convention. In accordance with these obligations and promises we ask the privilege of being organized as a Mission under the name of \_\_\_\_\_ Church.

Furthermore, we agree to raise annually among ourselves and faithfully pay the sum of \_\_\_\_\_ dollars per annum for at least \_\_\_\_\_ years for the support of our local congregation and the Church throughout the world, and; Furthermore, we agree to abide by the general policies and procedures of the Diocese of Olympia.

Faithfully yours,

This application shall be signed in ink by all the adults who propose to be members of the Mission. To qualify as a Mission under this canon, a congregation must be open to membership by both men and women.

**Section 2**

Upon consenting to the organization of a Mission, the Bishop shall make such consent known in writing to the applicants, and shall appoint and send a member of the clergy, as Vicar, to take charge of same.

**Section 3**

- a. The Bishop shall appoint for the first year, a committee to be known as the Bishop's Committee, which shall represent the Bishop in the management of the temporal affairs of the Mission. Each year thereafter, the Bishop shall appoint new members to fill open positions on such Committee, after considering any nominees submitted under Section 4(a) of this Canon. The Bishop's Committee shall consist of not more than twelve nor fewer than six members. If no number is specified in the Mission's operating procedures, there shall be six members of the Bishop's Committee.
- b. Members of the first Bishop's Committee shall serve for one, two or three years, as the Bishop may direct, and until the appointment of their successors. Thereafter, three-year terms shall be staggered such that one third of the Bishop's Committee is newly appointed each year. No member of the Bishop's Committee who is appointed to a full three-year term shall be eligible for reappointment until one year after the expiration of the term for which that member was appointed, unless such reappointment is permitted by the Mission's operating procedures.
- c. A majority of the members of the Bishop's Committee (including at least one warden) shall constitute a quorum.
- d. The Vicar shall be an ex-officio member of the Bishop's Committee and when present shall preside at meetings of the Bishop's Committee or of the mission congregation. The Vicar may delegate this presiding role to the Senior Warden or another member of the Bishop's Committee. If there is no Vicar, the Senior Warden shall preside but may delegate this role to the Junior Warden or another member of the Bishop's Committee.
- e. At the first meeting of the Bishop's Committee after the Mission's Annual

Meeting, the Vicar shall appoint a member of the committee to serve as Senior Warden. The Senior Warden may also be known as the Vicar's Warden. At the same meeting, the Bishop's Committee shall elect one of its members to serve as Junior Warden. The Junior Warden may also be known as the People's Warden. If the Mission is without a Vicar, the Bishop's Committee shall elect both a Senior and a Junior Warden from its members.

- f. At the first meeting of the Bishop's Committee after the Mission's Annual Meeting, they shall elect a Clerk, who shall prepare and maintain written minutes of all Bishop's Committee meetings and of all Mission meetings. The Bishop's Committee shall also elect a Treasurer who shall receive and disburse the revenues of the Mission as the Bishop's Committee shall direct. The Treasurer shall keep an accurate account of all receipts and disbursements, rendering an account annually to the Bishop's Committee and at such other times as the Bishop's Committee may direct. The books of both the Clerk and the Treasurer shall always be open to inspection by the Vicar, members of the Bishop's Committee and the Bishop. Neither the Clerk nor the Treasurer need be a member of the Bishop's Committee.
- g. A member of the Bishop's Committee may be removed if the Bishop gives written notice thereof and sets forth the reason(s) therefor. A member of the Bishop's Committee may resign in writing to the Vicar, or if there is no Vicar, to the Senior Warden. A member of the Bishop's Committee may also be removed by the Vicar if that member fails, without sufficient cause, to attend three regular meetings of the Bishop's Committee in a calendar year. A member of the Bishop's Committee may be removed due to physical or mental incapacity if the Vicar determines that such member is unable to serve for such reason. If the Vicar removes a member of the Bishop's Committee, the Vicar shall notify the Bishop of such removal in writing within thirty days. In the event that a member of the Bishop's Committee is unable to serve due to resignation, death, removal or incapacity, the

- remaining members of the Bishop's Committee shall select another qualified person to fill the vacancy until the next Annual Meeting of the Mission, at which time the congregation shall elect a person to serve any remainder of the term.
- h. The Bishop's Committee shall normally meet monthly. Special meetings of the Bishop's Committee may be called by the Vicar or upon written request of no less than three members of the Bishop's Committee including one Warden. Except in circumstances requiring emergency action and with the consent of all members of the Bishop's Committee, no meeting shall be held with less than three days' notice to all members. There shall be no special meeting of the Bishop's Committee unless the Vicar, if there is one, is present.
  - i. Voting by proxy shall not be permitted at meeting of the Bishop's Committee or of the Mission congregation.
  - j. The Bishop's Committee shall prepare an annual budget that may be amended by majority vote at the Mission's Annual Meeting. The Mission Treasurer shall report the Mission's actual costs as compared with that budget when asked to do so by the Bishop.

#### **Section 4**

- a. At any time between the Annual Meeting of the Diocesan Convention and the last day of February following, after due notice is publicly given at the Divine service on the two Sundays next preceding, there shall be held the Annual Meeting of the Mission for the purpose of nominating qualified persons for the Bishop's Committee, of electing lay delegates and alternates to Diocesan Convention and for the transaction of such other business as may properly come before the meeting.
- b. Special meetings of the Mission may be called by the Vicar, or by the Bishop's Committee, if there is no Vicar, and shall be called by the Vicar upon a written request signed by a majority of the Bishop's Committee including one Warden. Notice of any special meeting of the Mission shall be given at two regularly scheduled worship services, including the

Sunday next preceding the day appointed for the special meeting. The notice shall state the purpose of the special meeting.

- c. Only adult Communicants in Good Standing are eligible to vote at meetings of the Mission.
- d. Only adult Communicants in Good Standing who have been members of the Mission for at least one year are eligible to be candidates for membership in the Bishop's Committee or to serve as delegate or alternate to Diocesan Convention.

#### **Section 5**

- a. All real and personal property held by or for the benefit of any Mission shall be held in trust for the diocesan corporation. No real estate shall be purchased or accepted by a Mission without written consent by the diocesan Board of Directors.
- b. No Bishop's Committee shall remove, take down or otherwise dispose of any church, chapel, rectory or other Mission building, nor shall the location thereof be changed without the previous written consent of the Bishop, acting in consultation with the Standing Committee of the Diocese.

#### **Section 6**

- a. The Vicar of a Mission having been appointed by the Bishop, may resign to, or be removed by, the Bishop only.
- b. Assisting clergy may be appointed by the Vicar, on terms and conditions approved by the Bishop's Committee, with the written approval of the Bishop being required for any full-time or continuing positions.
- c. The Vicar shall have authority, after consultation with the Bishop's Committee, to appoint lay persons to assist in the ongoing worship, education, and other ministries of the Mission. If there be no Vicar, this right of appointment may be exercised by the Bishop's Committee.

#### **Section 7**

The failure of the people of a Mission to perform their agreement as stated in the application for organization may warrant the Bishop, by and with the consent of the Standing Committee, in withdrawing the members of the clergy and dissolving the organization, in which case, as well

as in case of the temporary abandonment of services, all the property of the Mission shall be placed in the custody of the Bishop, and shall be the property of the "Diocese of Olympia, Inc."

### **Section 7**

Where a newly formed congregation aspires to achieve Mission status but cannot yet meet all requirements of this Canon, the Bishop may certify that congregation as a Mission Station for a term of up to three years, subject to review and extension. Clergy serving in such Mission Stations shall be considered ecclesiastically employed for purposes of Article VII in the Constitution. Mission Stations shall maintain records to identify their Communicants in Good Standing, and they shall be encouraged to take steps toward being organized as a Mission.

## **Canon 12: Business Methods in Church Affairs**

### **Section 1**

Every Parish, Mission and diocesan institution shall adhere to the standard business methods prescribed for church affairs in the National Canons, subject to the following supplemental terms and conditions:

- a. Licensed securities brokers shall be approved holders of trust funds, other permanent funds and securities. The requirement for signatures on orders of withdrawal shall not be construed as a prohibition against electronic fund transfers or against payments of reasonable fees charged for management or other services provided by authorized depositories.
- b. Each account containing restricted funds shall be accounted for separately from other funds and shall not be commingled with operating funds.
- c. Treasurers and custodians shall be considered adequately bonded to the extent that their errors and omissions are covered by bona fide insurance.
- d. The accounts and business records of Parishes, Missions and other diocesan institutions shall be audited or reviewed annually by an independent Certified Public Accountant, or independent Licensed Public

Accountant, or such other audit committee as shall be authorized by the Finance Committee of the Diocese. Such audits and reviews shall follow all applicable guidelines established by the diocesan Joint Finance Panel as defined in the following section.

- e. For purposes of the Canons of the Episcopal Church, the Joint Finance Panel shall operate as the Finance Committee of the Diocese. The Joint Finance Panel shall comprise the diocesan Treasurer and representatives selected by Diocesan Council, Standing Committee and the Office of the Bishop. The Joint Finance Panel shall have authority to approve depositories for church funds, to require submission of account documents for review, and to approve audit committees other than independent public accountants.
- f. Insurance on church buildings shall be adequate if it covers reasonable replacement value of the structures and protects against perils of fire and physical loss or damage including theft, vandalism, collapse, flood, and windstorm.
- g. The Bishop shall be notified as to all real property owned by the congregation or its affiliated entities.
- h. The Diocese may from time to time provide checklists and/or forms that shall be used by Parishes and Missions in the review of their accounts and business records. All reports of audits or reviews pursuant to this Canon shall be filed with the Office of the Bishop not later than 30 days following the dates of such reports, and in any event not later than June 15 of each year covering the financial reports of the previous calendar year.
- i. The Joint Finance Panel shall report annually to the Convention of the Diocese upon administration of this Canon.

### **Section 2**

All clergy actively serving any Parish, Mission or other diocesan institution, whether stipendiary or non-stipendiary, shall be covered by written agreements specifying terms as to compensation, including any housing and utilities allowance, pension and insurance benefits, business and charitable expenses, and continuing education and sabbatical expenses.

**Section 3**

The Diocesan corporation and individual congregations shall adopt rules or procedures to reasonably disclose and resolve conflicts of interest that may exist between individuals and entities they serve.

**Section 4**

When a Parish wishes to withdraw funds from the Diocesan Investment Fund, it shall give advance notice of that withdrawal to the diocesan Board of Directors. When a Mission or other diocesan institution wishes to make such a withdrawal, it shall first obtain approval from the Board of Directors or the Board's delegee.

**Canon 13: Church Debt****Section 1**

No Vestry, trustee, or other body with authority to hold, manage or administer real property for any Parish, Mission, or other diocesan institution shall encumber, transfer or alienate the same or any part thereof (save for the refinancing of an existing loan for no more than its original amount) without the previous written consent of the Bishop, acting with the advice and consent of the Standing Committee of the Diocese, under such further regulations as may be prescribed by the Canons of this diocese or of the General Convention.

**Section 2**

No Parish, Mission or other diocesan institution shall enter into any other loan (from a lender other than another diocesan institution) without prior written consent of the Bishop, acting with the advice and consent of the Standing Committee.

**Section 3**

An applicant for written consent under this canon shall provide a plan of amortization or other proposed method and timetable for repaying the loan and/or removing the encumbrance on real property.

**Section 4**

The Bishop's failure to deliver a rejection within sixty (60) days after receiving a proper written request for approval shall be deemed an approval under this canon.

**Canon 14: Dormant Parishes and Parishes Needing Assistance****Section 1**

If any Parish shall for three consecutive years fail to elect a Vestry, or in any year to submit an Annual Parochial Report as required by canon, the Bishop may report the fact to Convention. Upon consent by the Bishop, its union with Convention may, upon motion and vote, as prescribed in Article XVI of the Constitution, be suspended or dissolved and it may not be restored until it shall comply with such conditions as Convention may prescribe.

**Section 2**

The Bishop shall take reasonable steps to preserve the property of such Parish for the benefit of the Church.

**Section 3**

- a. If, at the end of any calendar year a Parish fails to do one or more of the following:
  1. Pay the full amount of all assessments levied by Convention;
  2. Pay the salary of a Rector in accordance with the compensation scale adopted by Convention;
  3. Pay the full amount of the salary and benefits contractually promised to the Rector or to another Parish employee;
  4. Pay its pension obligation as required by regulations of the Church Pension Fund and of Convention; the Bishop or a designated representative shall visit the Parish for the purpose of ascertaining the financial position of the Parish and learning the reasons for such failure to meet these basic financial obligations. The Bishop and/or one or more designated representatives shall work with the Parish to develop, adopt and implement a plan to meet the financial obligations defined in items 3(a) (1-4) above, which plan shall include a schedule for regaining financial independence as a Parish. A plan must be adopted by the Vestry within six months after the Bishop's intervention.
- b. The Bishop may also respond with similar assistance to a joint written request from the

- Rector and Vestry of any Parish, which sets forth the reasons and causes for such request.
- c. If the Parish remains unable to meet all the financial obligations described in items 3(a) (1-4) above under the schedule in the plan adopted by the Parish, then the Bishop shall report said inability to Convention. Upon receiving such report, Convention may, upon motion and vote, prescribed in Article XVI of the Constitution, change the status of the Parish to that of a Mission of the Diocese. If no such change is effected, the Bishop shall continue to monitor the financial status of the Parish. If the Parish continues to fail to meet any one or more of the financial obligations defined in items 3(a) above, the Bishop may make another request to Convention.

#### **Section 4**

Whenever the status of a Parish is changed to that of a Mission, the Parish corporation shall immediately transfer title to all its property and assets to the Diocese of Olympia, Inc. The officers and members of such Parish corporation shall take all steps necessary to effect such transfer, after which they shall dissolve the Parish corporation.

### **Canon 15: Episcopal Visitation**

#### **Section 1**

The Bishop shall make an official visit to each congregation within the Diocese at least once in three years. At each such visitation, the Bishop shall preside at the Holy Eucharist and at initiatory rites (if any), preach the Word, examine the congregation's records, and examine the life and ministry of the clergy and congregation.

#### **Section 2**

On occasions of official visitations, the Bishop controls the services and shall decide which portions thereof shall be performed by others. Any loose offering of the people at such services shall be designated for the Bishop's Discretionary Fund.

### **Canon 16: Stated Offerings**

The person in charge of a Parish or Mission in this Diocese shall take and allocate the following

offerings at the times and for the purposes hereinafter stated:

#### **Section 1**

Every congregation shall allocate offerings for pious and charitable uses to the extent required by the Canons of the Episcopal.

#### **Section 2**

Every congregation is encouraged to solicit church school Lenten offerings for special missionary purposes to be designated by the Bishop.

#### **Section 3**

On Thanksgiving Day or the Sunday previous or following, every congregation shall solicit offerings for such charitable purposes as the Council shall determine, with advice from the Bishop.

### **Canon 17: Diversity in Appointments**

In appointing members to diocesan commissions, committees, boards, and other bodies, and in issues of clergy deployment, the appointing authority shall give due consideration to the value of diversity in such areas as gender, sexual identity and orientation, physical ability, neurodiversity, age, race, ethnicity and income and wealth status.

### **Canon 18: Pensions**

Each congregation shall be responsible for reporting information and making payments for its clergy to the Church Pension Fund to the extent required by the Canons of the Episcopal Church. Each congregation shall also be responsible for making pension contributions for its lay employees to the extent required under policies approved by Convention.

### **Canon 19: Regional Ministries**

#### **Section 1**

The Diocese shall be organized into ten Regional Ministries for the purpose of promoting communication among the congregations and specialized ministries resident within each Regional Ministry area and with the Diocese-at-large and development of program and ministry by congregations and specialized ministries within each Regional Ministry and the Diocese-at-large.

The member congregations in each Regional Ministry shall be determined by Diocesan Council.

### **Section 2**

The Diocesan Council, with the approval of the Bishop, shall divide the Diocese into ten Regional Ministries, and whenever deemed advisable, change the boundaries of the Regional Ministries.

### **Section 3**

All clergy eligible to vote at Convention and lay delegates and alternates to the annual Diocesan Convention from parish and mission congregations within the Regional Ministry shall be voting members of such Regional Ministry at all meetings thereof.

### **Section 4**

Each Regional Ministry may develop guidelines for the conduct of its affairs, subject to the approval of the Bishop.

### **Section 5**

Each Regional Ministry shall hold at least one meetings annually, normally during the month before the annual Diocesan Convention when reports on diocesan nominations, resolutions, and budget have been released.

### **Section 6**

Each Regional Ministry shall elect a Convenor and Assistant Convenor who shall take office at the close of the annual Diocesan Convention and who shall serve for such term that the respective Regional Ministry may determine.

### **Section 7**

The Convenor/Assistant Convenor of each Regional Ministry shall:

- a. Convene Regional Ministry meetings.
- b. Preside at Regional Ministry meetings, except that the Bishop, when present, shall be entitled to preside.
- c. Establish a procedure for timely selection of a young adult delegate to Convention under Article VII, Section 4 of the Constitution.
- d. Perform such other duties as the Bishop may assign.

### **Section 8**

If a Regional Ministry has failed to give written notice of its young adult delegate at least a fortnight before commencement of Convention,

the Bishop may appoint a young adult from the Regional Ministry to participate at Convention.

## **Canon 20: Communicants**

### **Section 1**

A Communicant is a baptized person who is faithful in corporate worship and has received the Sacrament of Holy Communion in this Church at least three times during the preceding 12 months (unless good cause prevented). (It is expected that all adult members of this Church, after appropriate instruction, will have made a mature public affirmation of their faith and commitment to the responsibilities of their baptism and will have been confirmed or received by a Bishop of this Church or by a Bishop of a Church in communion with this Church.) (See: National Canons, Title I, Canon 17, Section 1 (c).) Communicants 16 years of age and older are to be considered adult Communicants.

### **Section 2**

A Communicant in Good Standing is a Communicant who is a recorded contributor to the support of the Church with money or with personal service, as determined by the rector or vicar of the congregation.

### **Section 3**

It is the duty of every Communicant moving from one congregation to another to request a "Letter of Transfer", either from the originating congregation or from the destination congregation. This document is exchanged between the clergy of the two congregations involved, and its receipt must be formally acknowledged before the transfer is complete.

### **Section 4**

A Rector, Vicar or Priest-in-Charge of a congregation who learns of a member transferring to another congregation without a "Letter of Transfer," shall notify the clergy of the destination congregation in writing.

### **Section 5**

No clergy of this Diocese shall enter the name of any Communicant upon a congregation registry who is not baptized in that congregation, unless a "Letter of Transfer" is received, or a satisfactory reason is given why the same has not been obtained. Upon enrolling a member who has transferred from another Episcopal congregation



without a “Letter of Transfer”, the clergy\_member shall notify the clergy of the congregation from which the member has been removed.

## **Canon 21: Commission on Church Architecture**

### **Section 1**

There shall be a Commission of the Diocese to be known as the Commission on Church Architecture, which shall consist of the Bishop (or the Bishop’s designee), together with at least two clergy of the Diocese and four lay persons to be appointed by the Bishop. At least two lay members shall be professional architects. Other members shall have experience in a discipline involving design or construction of buildings and/or development of campus sites. The Diocesan property manager shall be a non-voting member of this Commission. The Bishop shall appoint members to staggered three-year terms.

### **Section 2**

The Commission is charged to provide experienced guidance and support on matters relating to building design, construction, modifications and site development, to all congregations and property managers in the Diocese, including the Board of Directors. The Commission shall review proposed projects, providing advice in matters of safety to persons and property, concurrence with Diocesan goals, Episcopal practice, general aesthetics, and compliance with applicable codes and regulations. The providing of such advice shall not be construed as providing design and shall not relieve any Diocesan entity from obtaining input from its own properly qualified professional designers.

### **Section 3**

The Commission may adopt and publish rules for submission of projects for consideration, subject to approval by the Bishop.

### **Section 4**

Missions, Parishes, and managers of properties owned by the Diocese shall present project documents describing any proposed construction or modification of buildings and/or sites to this Commission for review and advice. Such advice shall be given in writing within forty-five days after

the receipt of said documents. As used herein, “modification” does not include reroofing, resurfacing or other routine maintenance of existing facilities.

## **Canon 22: The Commission on Ministry**

### **Section 1 Membership**

There shall be a Commission on Ministry consisting of at least ten members.

- a. One member of the Commission shall be chosen by the Standing Committee from among its members. Such members shall serve a one-year term and may be re-appointed by Standing Committee.
- b. Of the remaining members of the Commission, one half shall be clergy canonically resident in the Diocese and one half shall be lay adult Communicants in Good Standing in the Diocese. One half of the Commission’s members shall be appointed by the Bishop at the Annual Convention for three-year terms. One half of the Commission’s members shall be elected by the Annual Convention for three-year terms. One third of the Commission will be appointed and elected each year. No member may serve more than two successive three-year terms. Those appointing and electing members of the Commission, as well as the Commission itself, shall strive for the diversity described in Diocesan Canon 17.
- c. If a vacancy of a member appointed by the Bishop occurs on the Commission, the Bishop shall fill the vacancy for the unexpired term. If a vacancy of a member elected by Annual Convention occurs on the Commission, the Diocesan Council shall fill the vacancy until the next Annual Convention, which will elect a replacement person to fill out the remainder of the unexpired term.
- d. Beginning in 2021, the commission will begin the three-year process required to move to the above structure, with the bishop appointing one-sixth and convention electing one-sixth of the commission’s membership each year, maintaining the lay/ordained 50%/50% balance.

**Section 2 Duties and Responsibilities**

- a. The Commission on Ministry shall have the duties and responsibilities prescribed by Canons of the General Convention of the Episcopal Church. It shall assist the Bishop in matters pertaining to the enlistment and selection of persons for ministry, in the guidance and pastoral care of candidates for Holy Orders, of Deacons, lay professionals, and other baptized persons, and in matters pertaining to lifelong learning.
- b. It shall interview Candidates for Holy Orders and shall, upon assignment by the Bishop, conduct, evaluate, and report upon canonical examinations. The Commission shall report promptly in writing to the Bishop the results of all interviews and examinations conducted by it or for it, whether satisfactory or unsatisfactory, making separate reports upon each person examined. The Bishop shall transmit these reports to the Standing Committee, which—shall in no case recommend a candidate for Holy Orders, or for ordination to the Diaconate or Priesthood, without first considering the report of the Commission on Ministry.
- c. The Commission on Ministry shall have such other responsibilities as are placed upon it by the Canons of the General Convention, by the Canons of the Diocese, and as may be assigned to it by the Bishop.

**Section 3**

The Commission on Ministry may adopt and publish rules for its work. Such rules shall be consistent with the Canons of the General Convention and of the Diocese, and shall be subject to the approval of the Bishop. These rules may include authorization for the appointment of committees of the Commission to act on its behalf.

**Section 4**

At the first meeting of the Commission following the Diocesan Convention, the Commission shall elect a Convener from within its number. The Secretary for Vocations shall be appointed by the Bishop and shall keep a record of Commission proceedings, which shall be open at all times to members of the Commission, and to the Bishop

and Standing Committee. The Commission shall make an annual report of its actions and activities to the Diocesan Convention.

**Canon 23: The Commission on Personnel****Section 1**

There shall be a Commission on Personnel consisting of up to nine members appointed by the Bishop:

- a. Two members of the Commission shall be clergy canonically resident in the Diocese, one of whom shall be nominated by the Clergy Association of the Diocese of Olympia (CADO) from among its members.
- b. In addition, the Bishop shall appoint one lay professional employed by a Diocesan congregation.
- c. The remaining members of the Commission shall be adult Communicants in Good Standing in the Diocese.
- d. The members shall serve staggered three-year terms. No member may serve more than two full successive terms.
- e. The chair of the Commission shall be selected by the Bishop, and shall be empowered to fill vacancies on the Commission subject to confirmation by the Bishop.

**Section 2**

The Commission shall be responsible for developing and recommending plans or action by the Bishop, Convention or Diocesan Council concerning the following:

- a. Compensation and employment guidelines applying to clergy actively serving within the Diocese, including matters related to written agreements as set forth in Canon 12, Section 2.
- b. Compensation and employment guidelines applying to lay employees of the Diocese.

No later than July 1 of each year, the Commission shall advise the Diocesan Council as to proposed compensation changes that bear upon development of the proposed Diocesan Program and Budget for the following year. Within the canonical deadline for submission of resolutions to Convention, the Commission shall also recommend cost of living adjustments and levels of minimum annual compensation applicable to

all stipendiary clergy employed by any Parish, Mission, or other diocesan institution, which recommendation shall be presented at the fall Regional Ministry meetings and the annual Diocesan Convention.

### **Section 3**

By resolution of Convention, recommendations of the Commission may be adopted as either advisory guidelines or as policy applying to the Diocese and its Parishes and Missions.

### **Section 4**

The Commission shall make its services available on an advisory basis to any clergy, Vestry, or Bishop's Committee of the Diocese desiring its assistance and counsel. It shall also consult periodically with the Bishop as to its activities and on matters where the Bishop desires counsel of the Commission.

### **Section 5**

There shall be an annual report by this Commission to the Diocesan Convention, including the findings and recommendations concerning Section 2 (a) and (b) above.

## **Canon 24: Diocesan Schools**

### **Section 1**

There may be one or more diocesan schools accountable to the Bishop, the purpose of which shall be to:

- a. Further the education, formation, and ministry of all baptized people.
- b. Provide training for specialized ministries.
- c. Provide continuing theological education.

## **Canon 25: Dissolution of the Pastoral Relation**

### **Section 1**

Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a parish be removed therefrom by the Vestry against the Rector's will, except as hereinafter provided. Canons of the Episcopal Church that apply to this process shall be consulted and followed.

### **Section 2**

If for any urgent reason, a Rector or Vestry, by at least a two-thirds vote of the entire vestry, desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese. For the purposes of this Canon, the entire Vestry shall exclude the Rector and other ex-officio members. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall ask the bishop of another Diocese to perform the duties of the Bishop under this Canon.

### **Section 3**

Within sixty days after receiving the written notice, the Bishop as chief pastor of the Diocese (or other bishop appointed pursuant to Section 2) shall mediate the differences between Rector and Vestry as the Bishop deems proper and may appoint a committee of at least one priest and one lay person, none of whom may be members or related to members of the Parish involved, to make a report to the Bishop.

### **Section 4**

If the differences between the parties are not resolved after completion of the mediation, the Bishop shall proceed as follows:

- a. The Bishop shall give notice to the Rector and Vestry that a godly judgment will be rendered in the matter after consultation with the Standing Committee and that either party has the right within ten days after delivery of the Bishop's notice to request in writing an opportunity to confer with the Standing Committee before it consults with the Bishop.
- b. If a timely request is made, the president of the Standing Committee shall set a date for the conference, which shall be held within thirty days after receipt of the request.
- c. At the conference each party may bring representation and shall have an opportunity to be heard fully.
- d. Within thirty days after the conference or after the Bishop's notice if no conference is requested, the Bishop shall confer with and receive the recommendation of the Standing Committee; thereafter the Bishop, as final

- arbitrator and judge, shall render a godly judgment.
- e. Upon the request of either party, the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties.
  - f. If the pastoral relation is to be continued, the Bishop shall require the parties to agree in writing on a definition of subsequent responsibility and accountability for the Rector and the Vestry.
  - g. If the relation is to be dissolved;
    1. The Bishop shall direct the Secretary of the Convention to record the Dissolution.
    2. The judgment shall include such terms and conditions, including financial settlements, as shall seem to the Bishop just and compassionate.

#### **Section 5**

In either event the Bishop shall offer appropriate supportive services to the priest and the Parish.

#### **Section 6**

In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set forth in the applicable Constitution and Canons, or if no such provisions are mandated, the Bishop may act as follows:

- a. In the case of a Rector, suspend the Rector from the exercise of the priestly office until the priest shall comply with the judgment.
- b. In the case of a Vestry, invoke any available sanctions including recommending to the Convention of the Diocese that the Parish be placed under the supervision of the Bishop as a Mission until it has complied with the judgment.

#### **Section 7**

For cause, the Bishop may extend the time periods specified in this Canon, provided that all be done to expedite these proceedings. The parties shall be notified in writing of the length of any extension.

#### **Section 8**

- a. Statements made during a mediation conducted pursuant to Section 3 of this Canon shall not be discoverable or admissible in any subsequent legal or disciplinary proceedings

- except where expressly required by prevailing law or Title IV of the Canons for the Government of the Episcopal Church.
- b. In the course of proceedings under this Canon, if a complaint is made by the Vestry against the Rector that gives rise to a disciplinary proceeding under Title IV, Canon 4.1 all proceedings under this Canon shall be suspended until the complaint has been resolved or withdrawn.

#### **Section 9**

Except in cases where, in the judgment of the Bishop, actions may have violated the standards of clergy conduct under Title IV, Canons 3 or 4.1, the Bishop may, within the first three years of a Rector's call to a Parish, choose not to invoke the Canon for Dissolution. In making such election the Bishop will seek to provide prompt mediation and support to address the differences.

### **Canon 26: Ecclesiastical Discipline**

#### **Section 1**

The ecclesiastical discipline of a priest or deacon shall be governed by Title IV of the Canons of the Episcopal Church. Capitalized terms in this Canon shall have the meanings set forth in Title IV, unless otherwise specified herein.

#### **Section 2**

- a. There is hereby established a Disciplinary Board, consisting of nine (9) members, five (5) of whom shall be clergy canonically and geographically resident in the Diocese, and four (4) of whom shall be adult Communicants in Good Standing and geographically resident and domiciled in the Diocese. The members of the Disciplinary Board shall be nominated by the Bishop and the nominations ratified at the Diocesan Convention. Each member shall serve for a three (3)-year term; except, if a member is filling a vacancy, the term of such member shall be the unexpired term of the member being replaced. The terms of the members shall commence on the first (1<sup>st</sup>) day of the year following ratification, provided that, the terms of office of the Board shall be staggered and arranged into three classes. No member shall be eligible for renomination for a year after the end of a third consecutive term.

- b. Vacancies on the Disciplinary Board shall be filled as follows:
1. Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.
  2. The Bishop, following consultation with the Standing Committee, shall appoint a replacement Board member who meets the same eligibility requirements as apply to ratified Board members. The appointment shall be ratified by Diocesan Council, unless within thirty (30) days before a meeting of the Diocesan Convention, in which event the appointee shall be presented to Diocesan Convention for ratification.
  3. With respect to a vacancy created for any reason other than pursuant to a challenge per Section 3, the term of any person selected as a replacement Board member shall be until the next annual Convention. With respect to a vacancy resulting from a challenge, the replacement Board member shall serve only in the proceedings for which the elected Board member is not serving as a result of the challenge.
- c. A Board member may be removed from office by the Bishop, subject to (i) obtaining advice and a recommendation from the Standing Committee, and (ii) ratification of the Bishop's decision by the Diocesan Council.

### **Section 3**

In any proceeding under this Title, if any member of a Conference Panel or Hearing Panel shall become aware of a personal conflict of interest or bias, that member shall notify the President of the Board and request a replacement member of the Panel. Respondent, Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or bias by motion to the Panel for disqualification of the challenged member. The members of the Panel who are not the subjects of the challenge shall promptly consider the motion and determine whether the challenged Panel member

shall be disqualified from participating in that proceeding. If recusals or challenges reduce the number of qualified Panel members below the number required to act in a particular matter, the President may appoint enough other Board members to achieve the required number. If there are insufficient Board members to qualify the Panel to act, the Bishop may appoint additional persons sufficient to qualify the Panel to act in the particular matter.

### **Section 4**

Within sixty (60) days following the annual Convention, the Secretary of Convention shall convene the Board to elect a President from among its members to serve for the following calendar year. Education and training in the requirements of Title IV should be conducted each year under supervision of the diocesan Chancellor.

### **Section 5**

An Intake Officer or Officers shall be appointed from time to time by the Bishop, who shall serve at the pleasure of the Bishop. The Bishop may appoint one or more Intake Officers according to the needs of the Diocese. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the Diocese.

### **Section 6**

The Bishop shall appoint an Investigator in consultation with the President of the Board. The Investigator may, but need not be, a member of the church.

### **Section 7**

The Bishop shall annually appoint an attorney or attorneys to serve as Church Attorney(s), subject to the approval of Diocesan Convention, for the following calendar year. The person(s) so selected must be a member of the church and a duly licensed attorney. The Church Attorney may consult with the President of the Disciplinary Board. A Church Attorney may be removed from office by the Bishop for cause, acting in consultation with the Standing Committee.

### **Section 8**

The Bishop shall make available an Advisor for the complaining party and an Advisor for the Respondent. Persons serving as Advisors shall not hold any other position appointed or elected

under Title IV, and shall not include chancellors, vice chancellors or assistant chancellors of this Diocese nor any person likely to be called as a witness in the proceeding. Parties should be advised in all cases that the appointed Advisor is not intended to act as lawyer for any party and should not be so considered. A party is free to reject a proposed Advisor and to select an alternative who may also be an attorney and act in that capacity. In any case, any party is entitled to retain an attorney to assist in the proceeding.

#### **Section 9**

The Board may appoint a clerk to assist the Board with records management and administrative support. The clerk may be a member of the Board.

#### **Section 10**

- a. The reasonable costs and expenses of the Board, the Intake Officer, the Investigator, the Church Attorney(s), the Advisor(s), the Board clerk and a pastoral response coordinator (if any) shall be the obligation of the Diocese, subject to such budgetary constraints as may be established by Diocesan Council.
- b. In the event of a final Order dismissing the complaint, or by provisions of an Accord approved by the Bishop, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by the Diocese, subject to such budgetary constraints as may be established by Diocesan Council.

#### **Section 11**

Records of active proceedings before the Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Board clerk, if there be one, otherwise by the Diocesan offices.

#### **Section 12**

The Bishop shall make provision for the storage of records of all proceedings under this Title at the Diocese and the Archives of the Episcopal Church, as prescribed in Title IV of the Canons of the Episcopal Church.

#### **Section 13**

Any meeting required under these disciplinary canons, other than a hearing at which evidence may be taken or examined, may be conducted either in person or through electronic

communications equipment by means of which all persons participating in the meeting can hear each other at the same time.

#### **Section 14**

The Disciplinary Board may in its discretion seek legal counsel as it deems appropriate or necessary, or request counsel for the parties to brief legal issues on which it may seek advice.

### **Canon 27: Procedural Rules**

Commissions, committees, and boards established by the Constitution or Canons of the Diocese may adopt and amend written rules for their own operation, which rules and amendments shall be submitted to and subject to approval by the Bishop. The current edition of *Robert's Rules of Order Newly Revised* shall determine questions of procedure not specifically provided for in the Constitutions and Canons of the Diocese.

### **Canon 28: Amendment or Repeal**

Canons may be enacted, amended or repealed at any Annual Meeting of Convention by a majority of each Order voting separately. Such changes shall first be submitted to the Committee on Constitution & Canons as set forth in Canon 4.

### **Canon 29: Date of Taking Effect**

All Canons or amendments hereafter enacted, shall take effect upon the adjournment of the meeting of Convention at which they are enacted, and all elections at Convention shall similarly take effect upon adjournment of the meeting, provided that elections of Convention Secretary and Treasurer under Article VIII of the Constitution shall take effect immediately, and further provided that amendments and/or elections may take effect immediately upon a two thirds vote of each Order, voting separately.

### **Canon 30: Communications**

- a. Members of any committee, commission or other Diocesan entity may participate in a meeting by conference telephone or alternative electronic technology so that all persons participating in the meeting can hear each other

at the same time. Participation by that method constitutes presence in person at a meeting.

b. Unless expressly prohibited by applicable Constitutions or Canons or prevailing law, written notices or communications required herein may be provided by electronic mail, or other electronic

media that generate a contemporaneous record of the transmission and its date and time. Such communications must be capable of being reproduced in a tangible medium by both sender and recipients.

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