



# Constitution and Canons

Beta  
Draft

for the Government of the Protestant Episcopal Church in the  
**Diocese of the Virgin Islands**

together with  
the Rules of  
Order



## CERTIFICATE OF ADOPTION

**WE HEREBY CERTIFY THAT** the following pages are the Constitution and Canons of the Episcopal Diocese of the Virgin Islands as of the close of the Annual Meeting of the [56<sup>th</sup> Diocesan Convention], which met in the [Deanery of the British Virgin Islands], March [ ], 2011 through March [ ], 2011.

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[Mrs. Edith Haynes-Lake]  
Secretary to the Convention  
Episcopal Diocese of the Virgin Islands

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The Rt. Reverend E. Ambrose Gumbs, D.D.  
V Bishop Diocesan  
Episcopal Diocese of the Virgin Islands

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CONTENTS

PREAMBLE.....	3
<b>PART I: CONSTITUTION.....</b>	<b>5</b>
<i>Article 1 Name and Establishment.....</i>	5
<i>Article 2 Canons of the Diocese.....</i>	6
<i>Article 3 Diocesan Convention.....</i>	6
<i>Article 4 Ecclesiastical Authority.....</i>	8
<i>Article 5 Parishes and Missions to be Bound by this Constitution.....</i>	9
<i>Article 6 Transitional Provisions.....</i>	9
<i>Article 7 Interpretation.....</i>	10
<i>Article 8 Amendments to the Constitution and Canons.....</i>	13
<b>PART II: CANONS .....</b>	<b>15</b>
<b>TITLE I: ORGANIZATION OF THE CONVENTION.....</b>	<b>15</b>
<i>Canon 1 Certified List of the Clergy of the Diocese.....</i>	15
<i>Canon 2 Lay Delegates to the Diocesan Convention.....</i>	16
<i>Canon 3 Officers of the Diocese.....</i>	18
<i>Canon 4 Diocesan Conventions: Generally.....</i>	18
<i>Canon 5 Annual Convention.....</i>	22
<i>Canon 6 Special Convention.....</i>	23
<i>Canon 7 Actions at Diocesan Conventions.....</i>	23
<i>Canon 8 Secretary to the Convention.....</i>	23
<b>TITLE II: ORGANIZATION AND ADMINISTRATION OF THE DIOCESE .....</b>	<b>26</b>
<i>Canon 9 The Diocesan Corporation.....</i>	26
<i>Canon 10 The Diocesan Office .....</i>	26
<i>Canon 11 Chief Financial Officer of the Diocese.....</i>	27
<i>Canon 12 Chancellor and Vice Chancellor of the Diocese.....</i>	29
<i>Canon 13 Historiographer of the Diocese.....</i>	30
<i>Canon 14 Rules and Regulations.....</i>	31
<i>Canon 15 Dispensation and Relief.....</i>	31
<i>Canon 16 Visitations.....</i>	32
<i>Canon 17 Regional Deaneries.....</i>	32
<i>Canon 18 Episcopal Charities of the Virgin Islands.....</i>	36
<i>Canon 19 Standing Committee.....</i>	38
<i>Canon 20 Commission on Ministry.....</i>	39
<i>Canon 21 Commission for Episcopal Schools.....</i>	40
<i>Canon 22 Committee on Constitution and Canons.....</i>	41
<b>TITLE III: ORGANIZATION AND GOVERNANCE OF CONGREGATIONS .....</b>	<b>43</b>
<i>Canon 23 The Cathedral.....</i>	43
<i>Canon 24 Parish.....</i>	45
<i>Canon 25 Mission.....</i>	49
<i>Canon 26 Distressed Parish.....</i>	51
<i>Canon 27 Exemplary Parish.....</i>	53
<i>Canon 28 Clergy.....</i>	53
<i>Canon 29 Congregational Meetings.....</i>	59
<i>Canon 30 The Vestry.....</i>	60
<i>Canon 31 Merger and Other Actions.....</i>	67
<b>TITLE IV: ECCLESIASTICAL DISCIPLINE.....</b>	<b>68</b>
<i>Canon 32 Disciplinary Structure.....</i>	68
<i>Canon 33 Costs and Expenses.....</i>	70
<i>Canon 34 Records.....</i>	70
<b>PART III: SCHEDULES.....</b>	<b>72</b>
SCHEDULE I .....	72
SCHEDULE II .....	94
SCHEDULE III .....	100

# PREAMBLE



In the Name of the Holy, Blessed, and Undivided Trinity, the Father, the Son and the Holy Ghost. Amen.

**WHEREAS**, the Virgin Islands of the United States of America (“**U.S. Virgin Islands**”) were formerly controlled by the Danish Government, but the U.S. took possession of the islands on March 31, 1917 and the territory was renamed the Virgin Islands of the United States.

**WHEREAS**, the U.S. Virgin Islands is a group of islands in the Caribbean that are an insular area of the United States. The islands are geographically part of the Virgin Islands archipelago and are located in the Leeward Islands of the Lesser Antilles.

**WHEREAS**, the U.S. Virgin Islands consist of the main islands of Saint Croix, Saint John and Saint Thomas, along with the much smaller but historically distinct Water Island, and many other surrounding minor islands.

**WHEREAS**, the Territory of the Virgin Islands (“**British Virgin Islands**”) is a British overseas territory, located in the Caribbean to the east of Puerto Rico. The islands make up part of the Virgin Islands archipelago, the remaining islands constituting the U.S. Virgin Islands. Technically the official name of the Territory is simply the “Virgin Islands,” but in practice since 1917 they have been referred to as the “British Virgin Islands” to distinguish the islands from the American Territory.

**WHEREAS**, the British Virgin Islands consist of over fifty islands and cays, and approximately fifteen of the islands are inhabited.<sup>1</sup>

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<sup>1</sup> Anegada, Beef Island, Bellamy Cay, Buck Island, Carvel Rock, Cockroach Island, Cooper Island, Dead Chest Cay, Dead Chest Island, Diamond Cay, Dog Islands, Drowned Island, East Seal Dog Island, Eustatia Island, Fallen Jerusalem Island, Frenchman’s Cay, George Dog Island, Ginger Island, Great Camanoe Great Dog Island, Great Thatch, Great Tobago Island, Green

**WHEREAS**, on the transfer of the U.S. Virgin Islands from Danish to American Sovereignty, the Lord Bishop of Antigua did on the 30<sup>th</sup> day of April in year of our Lord one Thousand Nine Hundred Nineteen transfer to the ecclesiastical jurisdiction of the Churches of the Anglican Communion in these islands to the Protestant Episcopal Church in the United States of America; and

**WHEREAS**, the House of Bishops of the Protestant Episcopal Church in the United States of America ( "**The Episcopal Church**"), assembled at Winston-Salem, North Carolina, did on the 7<sup>th</sup> day of November in the year of our Lord One Thousand Nine Hundred and Forty-Seven erect the Anglican Churches in the Virgin Islands to the status of the Missionary District, to be known as the Missionary District of the Virgin Islands; and

**WHEREAS**, [THE TRANSFER OF JURISDICTION OVER THE CHURCHES IN THE BRITISH VIRGIN ISLANDS TO THE MISSIONARY DISTRICT OF THE VIRGIN ISLANDS IN THE 1960s]; and

**WHEREAS**, [THE MISSIONARY DISTRICT BECAME A DIOCESE]

**WE NOW THEREFORE**, do solemnly declare and establish:

Inasmuch as The Episcopal Church is bound to a system of Doctrine, Discipline, and Worship differing in no essential form from that of the Church in England, which makes her appeal to the Holy Scriptures as interpreted by the Ancient Fathers, the Primitive Church, the three Creeds, and the undisputed Councils, the Diocese of the Virgin Islands accepts and adopts the Constitution and Canons of the said Church and recognizes their authority, under the principle of unqualified ascension, and thereby adopts the following as the Constitution and Canons of this Diocese.

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Cay, Guana Island, Indians, The Jost Van Dyke, Little Anegada, Little Camanoe, Little Cay, Little Jost Van Dyke, Little Seal Dog Island, Little Sisters, Little Thatch, Little Tobago, Little Wickmans Cay, Marina Cay, Mosquito Island, Nanny Cay, Necker Island, Norman Island, Old Jerusalem Island, Oyster Rock, Pelican Island, Peter Island, Prickly Pear, Round Rock, Saba Rock, Salt Island, Sandy Cay, Sandy Spit, Scrub Island, Spanish Island, Tortola, Virgin Gorda, West Dog Island , and Whale Rock.

# PART I: CONSTITUTION



## Article 1 Name and Establishment.

- 1.1 **Name.** The Members of the Protestant Episcopal Church in the United States of America who have their membership in a Congregation within the joint boundaries of the British Overseas Territory of the Virgin Islands and the Virgin Islands of the United States of America in accordance with the civil law of those Territories, or any other country or jurisdiction succeeding to the same, shall form the **Episcopal Diocese of the Virgin Islands** (hereinafter, the “**Diocese**”).
- 1.2 **Accession.** The Diocese recognizes, acknowledges and accedes to the authority of the Protestant Episcopal Church in the United States of America and agrees to abide by the same as set forth in the mandates and enactments of the General Convention of The Episcopal Church, the Constitution and Canons of The Episcopal Church, and the Book of Common Prayer.
- 1.3 **Emblems.** The emblems of the Diocese shall be:
- (a) The **Seal of the Diocese** shall be in the form established by regulation made in accordance with Canon 14.1.
  - (b) The **Banner of the Diocese** shall be in the form established by regulation made in accordance with Canon 14.1.
  - (c) The official motto of the Diocese shall be established by regulation made in accordance with Canon 14.1.
  - (d) The official colors of the Diocese shall be such colors as may be established by regulation made in accordance with Canon 14.1.
  - (e) The official language of the Diocese shall be **English** based on the *Merriam-Webster’s Collegiate Dictionary, Eleventh Edition*, or its direct lexicographical heir, as the dictionary-of-record for the Diocese, but the use of other languages shall be encouraged.
  - (f) The official history of the Diocese shall be published by the Historiographer of the Diocese under the authority of a Resolution of the Diocesan Convention, from

time to time.

- 1.4 **Emblem Use Regulations.** Regulations made in accordance with Canon 14.1 may from time to time provide for any of the emblems of the Diocese to be used jointly or severally on documents, publications, property and objects of the Diocese and any reproduction or use of the emblems of the Diocese shall only be used in accordance with such regulations, and every member of The Episcopal Church in the Diocese shall have license to use the emblems of the Diocese.

## **Article 2 Canons of the Diocese.**

- 2.1 **Parts of Document.** This Constitution shall form **Part I** of the Constitution and Canons of the Diocese and the Canons of the Diocese shall form **Part II** of the Constitution and Canons of the Diocese and the Schedules shall form **Part III** of the Constitution and Canons of the Diocese.
- 2.2 **Canons.** Subject to this Constitution, the Diocesan Canons shall provide for the proper order and good governance of the Diocese in accordance with its provisions.

## **Article 3 Diocesan Convention.**

- 3.1 **Establishment.** Legislative authority of the Diocese, both original and residuary, shall be vested in the highest deliberative body of the Diocese called the “**Convention of the Episcopal Diocese of the Virgin Islands**” (herein, the “**Diocesan Convention**”), and the exercise of that authority shall be subject only to the General Convention of The Episcopal Church, the Constitution and Canons of The Episcopal Church, the Constitution and Canons of the Diocese, and the Book of Common Prayer. Each Diocesan Convention shall be constituted for a period of one calendar year, beginning on the first day of January and ending on the thirty-first day of December.
- 3.2 **Annual Convention.** There shall be an annual meeting of the Diocesan Convention once every calendar year (the “**Annual Convention**”), held at such time and place within the Diocese as shall be determined by the Diocesan Convention. Each Diocesan Convention is numbered consecutively with the Annual Meeting of the 56<sup>th</sup> Diocesan Convention being held in 2011.
- 3.3 **Special Convention.** The Ecclesiastical Authority shall have the power to call special meetings of the Diocesan Convention (a “**Special Convention**”) for any purpose, including that of electing a Bishop. At least thirty days written notice of such special meeting shall be given to all Clergy and to all Congregations entitled to representation therein. All such notices to be given to Parishes shall be directed to the Senior Warden and the Clerk of the Vestry thereof and all such notices to be given to Missions shall be directed to the Warden and the Secretary of the Bishop’s Committee thereof. The business to be transacted shall be specified in the notice calling the special meeting, and no other business shall be transacted. Any Special Meeting shall be numbered in the order in which they are held following the Annual Convention. The 1<sup>st</sup> Special Meeting of the 56<sup>th</sup> Diocesan Convention may be held in 2011.
- 3.4 **Powers.** The Diocesan Convention shall have the following powers:
- (a) to elect the Bishop of the Diocese in accordance with the Constitution and Canons of the Diocese;
  - (b) to elect all such officers, boards, committees and delegations of the Diocese as may be provided for in the Constitution and Canons of the Diocese and in the manner prescribed therein;

- (c) to confirm appointments to committees when so provided by the Constitution and Canons of the Diocese;
- (d) to consider the budgets for each fiscal year presented by the Finance Committee and to amend, change or alter the same or any part thereof, and no Diocesan Budget shall be effective until it has been approved by the Diocesan Convention;
- (e) to determine the apportionment of assessments for the Congregations of the Diocese with the power to adopt policies regarding same;
- (f) to amend or add to the Constitution and Canons of the Diocese in the manner therein provided and to pass resolutions, make declarations of policy and enact such other legislative measures as may seem proper;
- (g) to admit new missions to union with the Diocesan Convention and to determine the status of every Congregation in union with the Diocesan Convention in accordance with the Constitution and Canons of the Diocese;
- (h) to create and to cause to be incorporated such institutions or bodies as it shall see fit, and to dissolve the same, and such corporations shall be responsible to the Diocesan Convention, including providing an independent audit report of their financial transactions, but not including such other matters as may be specified by the Constitution and Canons of the Diocese; and
- (i) to consider all matters properly coming before the Diocesan Convention in accordance with its rules of procedure.

**3.5 Composition.** The Diocesan Convention shall consist of two orders, one being Clergy and the other being such lay delegates who are Adult Confirmed Communicants in Good Standing as may be designated by the Constitution and Canons of the Diocese and of The Episcopal Church. Ordained priests and deacons of each Diocesan Convention, annual and special, shall be certified by the Ecclesiastical Authority and does not include the Bishop, except in relation to Title IV of the Canons of the Diocese (“**Clergy**”), but Clergy under ecclesiastical censure shall not be entitled to a seat in the Diocesan Convention. Lay delegates shall be elected and certified in the manner provided by the Canons. The certified list of Lay Delegates from a Congregation shall each constitute a Lay Delegation. The certified list of Lay Delegates to the Annual Convention for each Congregation shall be its certified list of Lay Delegates to any Special Convention held during the ensuing Convention Year, subject to such certified substitutions as the Diocesan Canons may provide.

**3.6 Presiding Officer.** The Bishop shall be the presiding officer of the Diocesan Convention, ex officio, and shall preside at all meetings thereof. In the absence of the Bishop, the President of the Standing Committee shall call the meeting to order, and after the membership has been accredited, one of the Clergy of the Diocesan Convention shall then be elected as the presiding officer. The presiding officer by personal option may express views on any subject that is before the Diocesan Convention after it has been discussed and before a vote thereon.

**3.7 Quorum.** A quorum for the transaction of any business of the Diocesan Convention shall consist of a majority of the Clergy and a majority of the Lay Delegations. A quorum shall not be required to recess or adjourn any meeting of the Diocesan Convention.

**3.8 Voting.** The Diocesan Convention shall deliberate as one body, and vote as such, except when a vote by orders is called for by one Clergy and one Lay Delegate, representing

two different Congregations, or otherwise where a vote by orders is required by the Constitution and Canons of the Diocese. A majority of votes cast shall determine a question or motion except as otherwise provided in the Constitution and Canons of the Diocese. When voting by orders, each Clerical Member and each Lay Delegate shall be entitled to one vote and a concurrence of a majority of both orders on the same ballot shall be necessary for a decision. Clergy and Lay Delegates represent the Diocese and are free from imperative mandate from any Congregation, group or body.

**3.9 Elections.** All elections shall be by ballot but the ballot may be dispensed with by unanimous consent except in the matter of election of a Bishop.

**3.10 Rules of Order.** In all matters of parliamentary procedure during any meeting of the Diocesan Convention not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by Resolution of the Diocesan Convention, the rules contained in SCHEDULE I shall govern in all cases to which they are applicable during Diocesan Convention. In all matters of parliamentary procedure not governed by the Constitution and Canons or the rules contained in SCHEDULE I, *Robert's Rules of Order Newly Revised* shall govern.

#### **Article 4 Ecclesiastical Authority.**

**4.1 Establishment.** The Ecclesiastical Authority of the Diocese shall be the Bishop. If there is no Bishop qualified and able to act, or in case of a vacancy in the Episcopate, the Ecclesiastical Authority of the Diocese shall be the Standing Committee. Whenever this Constitution or the Canons of the Diocese provide for action by the Bishop, such action, except where otherwise specifically provided, shall be taken by the Ecclesiastical Authority.

**4.2 Function.** The Ecclesiastical Authority:

- (a) is the chief executive of the Diocese, and shall oversee the administration and implementation of all programs and functions adopted by the Diocesan Convention, as well as have responsibility for coordination of and among diocesan activities, organizations, and institutions, and with The Episcopal Church generally;
- (b) has the power of appointment to fill any vacancies in Diocesan Offices, Boards and Committees, except as otherwise specifically provided by the Constitution and Canons of the Diocese;
- (c) accredits and receives members of Clergy;
- (d) is the Chief Pastor and Ordinary of all non-parochial Episcopal organizations and institutions within the Diocese, and as such may attend and preside at any of their meetings and shall be the ultimate arbiter and judge of their proceedings;
- (e) shall, on behalf of the Diocese, have recourse to the civil courts for redress of loss or injury suffered by the Diocese;
- (f) in all matters affecting the Diocese or any Congregation where no procedure is specifically provided by the Constitution and Canons of the Diocese, shall have the power to act for and on behalf of the Diocese or such Congregation;
- (g) shall, during intervals between meetings of the Diocesan Convention, have full power and authority, either alone or in consort with others as may be required by the Constitution and Canons of the Diocese, to act for the Diocesan Convention in all matters not expressly reserved by the Constitution and Canons of the Diocese

exclusively to the Diocesan Convention, provided, however, that no action may be taken by the Ecclesiastical Authority in direct contravention of a previous action taken by the Diocesan Convention;

- (h) confers the honors of the Diocese; and
- (i) may intervene in a situation where there are disagreements and dissension between or among Clergy of different Congregations, or between any Congregation or its Vestry or Bishop's Committee and its Clergy-in-Charge.

**4.3 Election of a Bishop.** The election of a Bishop shall be made at the Annual Convention, or at a Special Convention called for that purpose, after prayers. The vote shall be by ballot and by orders and a concurrent majority vote by each order shall be necessary to elect a Bishop nominated by a Nominating Committee in accordance with the rules of the Nominating Committee as shall be published upon their election.

## **Article 5 Parishes and Missions to be Bound by this Constitution.**

**5.1 Existing and Future Congregations.** Every Congregation within the Diocese, whether a Parish or a Mission, shall be entitled to the entire benefit of this Constitution, as soon as it shall become effective, and each Congregation shall thereafter be benefited and bound, equally with the other Congregations in the Diocese by the Constitution and Canons of the Diocese and every resolution or other action which shall be framed by any Diocesan Convention.

**5.2 Sanctions.** Subject to the Constitution and Canons of the Diocese, the Diocesan Convention may suspend any Congregation not meeting obligations under the Constitution and Canons of the Diocese, and may provide for other permanent, temporary, or conditional sanctions in place of or in addition to suspension, including but not limited to conversion to mission status or dissolution of union with the Diocesan Convention.

**5.3 Admission into Union with the Diocesan Convention.** Subject to the Canons, the Diocesan Convention may prescribe the procedure by which a Congregation may be admitted into union with the Diocesan Convention, and may require such evidence considered adequate that the Congregation is organized consistent with the Constitution and Canons of the Diocese and all applicable laws.

**5.4 Dissolution of Union with the Diocesan Convention.** No Congregation has the power, by its own act, resolution, declaration, or otherwise, to dissolve its union with the Diocesan Convention, and any Congregational attempt to do so is void. The union with the Diocesan Convention may be dissolved only upon recommendation of the Ecclesiastical Authority followed by concurrence of two-thirds of the Diocesan Convention. After dissolution of its union with the Diocesan Convention, a Congregation is not entitled to vote or to be represented by Lay Delegates in any meeting of the Diocesan Convention, and shall not hold itself out as being in union with the Diocesan Convention or as a Congregation of The Episcopal Church.

## **Article 6 Transitional Provisions.**

**6.1 Continuation of Existing Congregations.** Every Congregation, whether Parish or Mission, heretofore established and continued under this Constitution, shall continue as a Congregation of this Diocese as though established under the Constitution and Canons of the Diocese.

**6.2 Continuation of Records of Congregations.** Every Certified List of Voters, Parish

Register and other Records of a Congregation heretofore established and continued under this Constitution, shall continue as the Certified List of Voters, Parish Register and other Records of that Congregation until duly amended or changed in accordance with the Constitution and Canons of the Diocese.

- 6.3 Continuation of Records of the Diocese.** Every Certified List of Clergy of the Diocese and other Records of the Diocese heretofore established and continued under this Constitution, shall continue as the Certified List of Clergy of the Diocese and other Records of the Diocese.
- 6.4 Continuation of Committees, Commissions and Officers.** Every member of a committee or commission heretofore established and continued under this Constitution, and every officer heretofore chosen, shall continue in office as though elected, designated or appointed under the Constitution and Canons of the Diocese.
- 6.5 Decision of Ecclesiastical Authority on Continuation of any Person.** Any lay person, Clergy, Congregation or institution heretofore existing that is unclear whether or not they are continued under the Constitution and Canons of the Diocese, may apply to the Ecclesiastical Authority for a decision on their status and such decision shall be final.

## **Article 7 Interpretation.**

- 7.1 Application.** This Article applies to every provision of the Constitution and Canons, any resolution of the Diocesan Convention, any rule or regulation issued or any instrument made in accordance with the Constitution and Canons of the Diocese, unless the contrary intention appears in this Article, other provisions of the Constitution and Canons, the resolution, rule, regulation or instrument.
- 7.2 Enacting Clauses for Diocesan Resolutions.** The words of enactment shall follow the preamble (if any) and the several paragraphs within the body of the resolution of the Diocesan Convention shall follow in a concise and enumerated form, and the words of enactment for any resolution of the Diocesan Convention made in accordance with Canon 7.1 shall be as follows:
- “**RESOLVED** by the Clergy and Lay Delegates of the Diocese of the Virgin Islands in Convention assembled as follows:”.
- 7.3 Enacting Clauses for Diocesan Rules and Regulations.** The words of enactment shall follow the preamble (if any) and the several clauses within the body of the rule or regulation shall follow in a concise and enumerated form, and the words of enactment for any rule or regulation issued in accordance with Canon 14.1 shall be as follows:
- “**ENACTED** by the Ecclesiastical Authority of the Virgin Islands as follows:”.
- 7.4 Signification of Rules and Regulations.** Every rule or regulation made shall be signified under the hand of the Bishop and every resolution or other document which may be made by any other body shall be signified under the hand of the presiding officer of that body unless otherwise determined by the Constitution and Canons of the Diocese.
- 7.5 Signification of Instruments.** Every instrument issued under the Seal of the Diocese shall be signified under the hand of the Bishop.
- 7.6 Citation of Diocesan Resolutions, Rules and Regulations.** Every resolution of the Diocesan Convention made in accordance with Canon 7.1, and every rule or regulation made in accordance with Canon 14.1, shall be cited by reference to the numerical sequence assigned to it for each calendar year.

- 7.7 Copies and Distribution.** Every Congregation, every Officer of the Diocese and every Dean and Sub-Dean shall be furnished with a certified copy of every rule, regulation and instrument as soon as they have received the signification of the Bishop or the President of the Standing Committee where the Standing Committee is the Ecclesiastical Authority and duly certified copies shall be deemed duplicate originals issued under the authority of the Bishop.
- 7.8 Definitions of Words and Expressions.** Unless the contrary intention appears, words and expressions listed in SCHEDULE II to the Constitution and Canons of the Diocese are to be construed according to that Schedule.
- 7.9 Index of Words and Expressions.** Unless the contrary intention appears, words and expressions listed in SCHEDULE III to the Constitution and Canons of the Diocese are to be used as a detailed list, arranged alphabetically, of the specific information contained in the Constitution and Canons of the Diocese for convenience of reference only.
- 7.10 Rules and Regulations to apply to the whole Diocese.** Unless the contrary intention appears, every rule or regulation shall apply to the whole Diocese.
- 7.11 Preamble.** A preamble shall be construed as a part of this Constitution, any resolution, rule, regulation or instrument and intended to assist in explaining the object and reasons for the enactment.
- 7.12 Marginal Notes, Footnotes and Headings.** Marginal notes, footnotes and headings in the Constitution and Canons of the Diocese, any resolution, rule, regulation or instrument and references to other resolutions, rules, regulations and documents shall be deemed to have been inserted for convenience of reference only.
- 7.13 Date of Issuing or Making of Diocesan Resolutions, etc.** The date on which any resolution, rule, regulation or instrument is issued or made is the date expressed as the date of the passing of the resolution or the execution of the rule, regulation or instrument, and if executed by two separate authorities, then the last date so expressed will be the date of execution.
- 7.14 Inscription of Consent or Approval.** Where any resolution, rule, regulation or other instrument requires the consent or approval of the Bishop or any other body, that consent or approval shall be formally inscribed on the instrument on or before the date of the passing of the resolution, or the making of the rule, regulation or other instrument.
- 7.15 Coming into force of Diocesan Resolutions, etc.** Unless the contrary intention appears, every resolution, rule, regulation or other instrument comes into force on the date it is issued or made and shall continue in force until amended or repealed.
- 7.16 Gender and Number.** Unless the contrary intention appears,
- (a) words importing the masculine gender include the feminine;
  - (b) words importing the feminine gender include the masculine; and
  - (c) words in the singular include the plural and words in the plural include the singular.
- 7.17 Weights and Distances.** In the measurement of weights and distance both the metric system and the United States customary units shall be used and distance shall be measured in a straight line on a horizontal plane.

- 7.18 Time.** Words relating to time and reference to a point of time shall be construed as relating or referring to Atlantic Standard Time which shall be calculated by subtracting four hours from Greenwich Mean Time.
- 7.19 Powers Generally.** The power to pass resolutions and make or issue rules, regulations or other instruments, unless the contrary intention appears, includes a power, exercisable in the same manner and subject to the same conditions or limitations, to revoke, amend or re-enact any resolution, rule, regulation or other instrument made under the power.
- 7.20 Powers Respecting a Majority.** Where any three or more persons are empowered to do any act or thing collectively, a majority of those persons may do that act or thing unless a quorum has been fixed and no quorum has been formed.
- 7.21 Powers Respecting Holders of Offices.** The power to appoint a person to any office, committee or other body shall also include the power, exercisable in like manner and subject to the like consents and conditions, if any, to:
- (a) remove or suspend or otherwise discipline that person;
  - (b) reappoint or reinstate that person;
  - (c) appoint another person in his stead or to act in his stead and to provide for the remuneration of the person so appointed;
  - (d) fix or vary his remuneration, to withhold his remuneration in whole or in part during any period of suspension from office, and to terminate his remuneration to his removal from office.
- 7.22 Power to Change Titles of Offices.** Where the Bishop considers it necessary to change the title of any office, he shall issue a Pastoral Letter to that effect setting out the former title and the substituted title to such office, and declaring that such change of title shall take effect, or shall be deemed to have taken effect, from a date specified in the Pastoral Letter, and with effect from such date a reference to the former title in any resolution of the Diocesan Convention made in accordance with Canon 7.1, and every rule or regulation made in accordance with Canon 14.1 and in any written instrument shall be construed as a reference to the substituted title,
- 7.23 Forms.** Where a form is prescribed or specified by any rule, regulation or instrument, any deviation from the prescribed form not materially affecting the substance nor calculated to mislead shall not invalidate the form used.
- 7.24 Names Commonly Used.** Names commonly applied to any country, place, body, person or other thing whatsoever, means the country, place, body, person or other thing to which the name is commonly applied whether in the British Virgin Islands or the U.S. Virgin Islands, whether or not the name is the formal or unabbreviated designation thereof.
- 7.25 Delegation of Function of the Bishop.** Where any power is conferred on the Bishop, other than the powers under Canons 14.1, 15.1 or 15.2, the Bishop may by instrument in writing delegate the exercise of those powers to any person either by name or as the holder for the time being of such office as may be specified in the instrument, subject to such conditions, exceptions and qualifications as he deems appropriate, but any such delegation shall not prevent the Bishop from exercising those powers himself in any case as he deems appropriate.
- 7.26 Teleconferences and Electronic Meetings.** Subject to anything to the contrary in the Constitution and Canons of the Diocese, where a body is required to meet, except the

Diocesan Convention, any member of that body is deemed to be present at a meeting of that body if he participates by telephone or other electronic means and all members participating in the meeting are able to hear each other.

- 7.27 Resolutions without Meetings.** Subject to anything to the contrary in the Constitution and Canons of the Diocese, an action that may be taken by members of any body, except the Diocesan Convention, but including its Permanent Select Committees, and any Vestry, at a meeting of its members may also be taken by resolution of its members consented to in writing or by written electronic communication (“**Consent Resolution**”), without the need for any notice, and a Consent Resolution may consist of several documents, including written electronic communications, in like form each signed or assented to by one or more members.

## **Article 8 Amendments to the Constitution and Canons.**

- 8.1 Amendments Generally.** Part I of the Constitution and Canons of the Diocese may be amended at any meeting of the Diocesan Convention in accordance with the provisions of this Part, while Part II of the Constitution and Canons of the Diocese may be amended by resolution of the Diocesan Convention subject to such special majority in accordance with Part II of the Constitution and Canons of the Diocese, and Part III of the Constitution and Canons of the Diocese may be amended by resolution of the Diocesan Convention.
- 8.2 Amendment of Part I.** A resolution for amendment of Part I of the Constitution and Canons of the Diocese shall be in accordance with Part II of the Constitution and Canons of the Diocese.
- 8.3 Resolution for Amendment of Part I.** Where a resolution for amendment of Part I of the Constitution and Canons of the Diocese is approved by the Diocesan Convention it shall be transmitted to every Congregation within the Diocese before the next ensuing meeting of the Diocesan Convention.
- 8.4 Approval of Amendment at Next Ensuing Meeting.** Part I of the Constitution and Canons of the Diocese shall be duly amended after a resolution for amendment has been transmitted to every Congregation in accordance with Article 8.3, if it shall be approved by a concurrent majority vote of the respective orders, voting thereon separately, at the next ensuing meeting of the Diocesan Convention.
- 8.5 Certificate of Adoption.** The Secretary to the Convention shall procure and keep a suitable book entitled "**The Constitution and Canons of the Diocese of the Virgin Islands**" in which shall be recorded the Constitution and Canons of the Diocese, with a certificate of their adoption and each amendment and addition thereto signed by the President and Secretary to the Convention. The Constitution and Canons and all amendments and additions thereto shall, with the certificate of adoption, amendment or addition, be recorded in the said book, which shall be accepted as prima facie evidence of the due adoption and correctness of all papers recorded therein under this Canon.
- 8.6 Certified Copies.** Within sixty (60) days after the Diocesan Convention at which the Constitution and Canons were adopted, amended or otherwise added to, an original copy of the book duly certified by the joint signatures of the President and the Secretary to the Convention shall be provided to:
- (a) the Bishop, which shall serve as the official copy of the Diocese;
  - (b) the Canon to the Ordinary for use within the Diocesan Office;
  - (c) each of the Officers of the Diocese for their official use;

- (d) each Regional Dean for distribution as necessary within the Deanery;
- (e) the President of the Standing Committee for use by that Committee;
- (f) the Chairman of the Commission on Ministry for use by that Commission;
- (g) the Chairman of the Commission for Episcopal Schools for use by that Commission;  
and
- (h) the Chairman of the Committee on Constitution and Canons for use by that Committee.

# PART II: CANONS



## TITLE I: ORGANIZATION OF THE CONVENTION

### Canon 1 Certified List of the Clergy of the Diocese.

- 1.1 **Establishment of Certified List.** A list containing the names of Clergy of The Episcopal Church canonically resident or licensed to work in the Diocese, with their respective mailing address, electronic address, cures, stations and positions, shall be certified by the Ecclesiastical Authority (the “**Certified List of the Clergy of the Diocese**”) and kept, corrected up to date, on file by the Secretary to the Convention. The Ecclesiastical Authority shall keep the Church Pension Fund informed of the employment of any Congregation, Diocesan related institution or other ecclesiastical organization in the Diocese of Clergy canonically resident in the Diocese and of non-resident Clergy officiating in the Diocese.
- 1.2 **Qualifications.** Every Clergy in good standing, active or retired, who is canonically and actually resident in the Diocese, as well as every Clergy who is canonically, but not actually resident in the Diocese, and who is engaged in work approved by the Bishop shall be entitled to have their names entered on the Certified List of the Clergy of the Diocese.
- 1.3 **Disqualifications.** Clergy who are actually, but not canonically, resident in the Diocese and who are engaged in work approved by the Bishop shall not have their names entered on the Certified List of the Clergy of the Diocese, but shall be entitled to a seat and a voice, but no vote, at the Diocesan Convention.
- 1.4 **Determination of Disputes over Certified List.** The right of any Clergy to vote at a meeting of the Diocesan Convention shall, if disputed, be determined by the Diocesan Convention after consideration of the findings and recommendations of the Bishop.
- 1.5 **Right to Seat and Vote for Clergy on Certified List.** The Bishop shall furnish to the Secretary to the Convention the Certified List of the Clergy of the Diocese and it shall be laid before the Diocesan Convention on the first day of its meeting, and the roll of the Clergy entitled to seat and vote shall be determined from it. The Certified List of the Clergy of the Diocese shall be appended to the Journal and be transmitted to the Secretary of the General Convention.
- 1.6 **Exemption from Right to Vote for Clergy on Certified List.** Where any Clergy is on the Certified List of the Clergy of the Diocese, but is under temporary inhibition, inhibition, admonition, or Administrative Leave, which conditions are collectively referred to as “**Ecclesiastical Censure**”, such Clergy shall not be entitled to vote at any meeting of the Diocesan Convention.

- 1.7 **Exemption from Seat and Vote for Clergy on Certified List.** Clergy named in the Certified List of the Clergy of the Diocese who have not given Parochial Reports required by the Constitution and Canons of The Episcopal Church or of the Diocese, shall not be entitled to a seat and vote at the meeting of the Diocesan Convention.
- 1.8 **Duties and Responsibilities of Clergy on Certified List.** Every Clergy whose name appears in the Certified List of the Clergy of the Diocese shall attend every meeting of the Diocesan Convention, or, if unable to attend, shall send to the President of the Convention a written statement of the reasons for his absence, and each Congregation, or other body to which any Clergy serves with the approval of the Bishop, shall make some provision for the payment of the expenses of its Clergy attending the Diocesan Convention. This Section of this Canon shall not apply to retired Clergy who:
- (a) has not accepted a position of Clergy-in-Charge;
  - (b) has not accepted a position of Assistant Clergy;
  - (c) is not an Officer of the Cathedral; or
  - (d) is not a member of the Diocesan Staff.

**Canon 2 Lay Delegates to the Diocesan Convention.**

- 2.1 **Number of Lay Delegates.** Subject to any other provision of the Constitution and Canons of the Diocese, each Congregation in union with the Diocesan Convention is entitled to be represented by Lay Delegates and an equal number of Alternate Lay Delegates as follows:

CONGREGATION	NO. OF LAY DELEGATES
Mission	2
Parish	5

- 2.2 **Lay Delegate from Academic Chaplaincy.** For each Academic Chaplaincy established in accordance with the Constitution and Canons of the Diocese, the Ecclesiastical Authority shall appoint one Lay Delegate.
- 2.3 **Qualifications.** Lay Delegates shall be Voting Members from the Congregation which they represent.
- 2.4 **Lay Delegates-Elect.** The Lay Delegates and Alternate Lay Delegates elected at each Annual Meeting of the Congregation held in accordance with Canon 29.1 called the “**Lay Delegates-Elect**” and “**Alternate Lay Delegates-Elect**” shall commence their duties and responsibilities as Lay Delegates immediately after the Annual Convention following their election, except that a Lay Delegate who is re-elected shall not be a Lay Delegate-Elect, and it shall be the responsibility of each Regional Dean to prepare for a smooth transition following election in January and when they assume responsibilities after the Annual Convention.
- 2.5 **Certification of Lay Delegates.** Each Congregation, through the Clerk or Clergy-in-Charge, and every Academic Chaplaincy through the Bishop, shall certify to the Secretary to the Convention in the form prepared and distributed by the Secretary to the Convention subject to the Rules of Order contained in Schedule I to the Constitution and Canons of the Diocese, not less than forty-five(45) days before the date of any Diocesan Convention, the name, mailing address and electronic address of all Lay Delegates and

Alternate Lay Delegates, specifying the manner of their appointment or election which shall be appended to the Journal. These certificates may designate the order of precedence for Alternate Lay Delegates to take the place of Lay Delegates. The Secretary to the Convention shall report to the Diocesan Convention all exceptions to the requirement for timely submission of certificates granted by the Bishop in accordance with his powers under Canon 15.1, and the Diocesan Convention may overturn the decision of the Bishop at the time the report is given by the Secretary to the Convention. If a Lay Delegate leaves the Diocesan Convention, the Lay Delegate's place may be taken by an Alternate Lay Delegate. Whenever an Alternate Lay Delegate has been qualified in the place of a principal, the principal may not take or resume his place without the consent of the Alternate Lay Delegate.

- 2.6 Alternate Lay Delegates to be Seated.** Duly accredited Alternate Lay Delegates shall be seated, but without voice or vote except when filling a shortage in the number of delegates with which their Congregation is accredited.
- 2.7 Determination of Disputes over Right to Seat and Vote.** The names of all Lay Delegates and Alternate Lay Delegates shall be posted at the place of registration prior to the opening of the Diocesan Convention. The right of any Lay Delegate or Alternate Lay Delegate to seat and/or vote at a meeting of the Diocesan Convention shall, if disputed, be determined by the Diocesan Convention after consideration of the findings and recommendations of the Planning and Credentials Committee.
- 2.8 Exemption from Right to Seat.** No Congregation may seat Lay Delegates or Alternate Lay Delegates in Diocesan Convention if the Congregation has been declared to be a Distressed Congregation in accordance with these Canons or if it did not do any of the following during the twelve months immediately before the meeting of the Diocesan Convention:
- (a) pay premiums due for the Church Pension Fund no later than December 31 of the year preceding that meeting of the Diocesan Convention;
  - (b) give notice to the Bishop of a vacancy for Rector or Clergy-in-Charge, or comply with any requirements under the Constitution and Canons of the Diocese after written notice from the Bishop to do so;
  - (c) provide the minimum stipend as set by the Diocese to a full-time Clergy, if there be one assigned to the Congregation; or
  - (d) cause any sanction against its Vestry imposed by the Bishop in accordance with Canon 0 to be lifted.
- 2.9 Term.** The Lay Delegates are elected for a one-year term from among and by the Voting Members of the Congregation which he or she represents, at its annual meeting.
- 2.10 Vacancies.** Vacancies in any Lay Delegation shall be filled by the Vestry or Bishop's Committee of the Congregation which the Lay Delegation represents except that, in those instances when meetings of such bodies may not be held in accordance with the Constitution and Canons of the Diocese, the Rector, Vicar or Clergy-in-Charge may fill such vacancies and inform the Vestry or Bishop's Committee at the next possible opportunity of any such action taken.
- 2.11 Duties and Responsibilities.** Every Lay Delegate shall attend every meeting of the Diocesan Convention, or, if unable to attend, shall send to the President of the Convention a written statement of the reasons for his absence, and each Vestry shall make provision for the payment of the expenses of its Lay Delegation attending the

Diocesan Convention in addition to its duties and responsibilities under Canon 30.14.

- 2.12 **Excommunicated Person not to have Seat and Vote.** Notwithstanding anything contained in the Constitution and Canons of the Diocese, any Lay Delegate who has been refused, and continues to be refused, from receiving the Sacrament of Holy Communion in accordance with the rubrics of the Book of Common Prayer and under the Canons of The Episcopal Church, shall not be entitled to a seat and vote at any meeting of the Diocesan Convention.

### **Canon 3        Officers of the Diocese.**

- 3.1 **Officers of the Diocese.** The following persons shall be the Officers of the Diocese with a seat and voice at any meeting of the Diocesan Convention, but shall have no vote, unless they are also Clergy or Lay Delegates in their own right:
- (a) the Officers of the Cathedral;
  - (b) the Chancellor and Vice Chancellor of the Diocese;
  - (c) the Secretary to the Convention;
  - (d) the Historiographer of the Diocese; and
  - (e) such other person as the Diocesan Convention may, by resolution, designate.
- 3.2 **List of Names of the Officers.** The Bishop shall furnish to the Secretary to the Convention a list of the names of the Officers of the Diocese and the list shall be laid before the Diocesan Convention before it is adjourned. The list shall be appended to the Journal and be transmitted to the Secretary of the General Convention.
- 3.3 **Duties and Responsibilities.** Every Officer of the Diocese shall attend every meeting of the Diocesan Convention, or, if unable to attend, shall send to the President of the Convention a written statement of the reasons for his absence, and the Diocesan Convention shall make provision for the payment of the expenses of the Officers of the Diocese in the fulfillment of their duties and responsibilities in accordance with the Constitution and Canons of the Diocese whether or not they are also Clergy or Lay Delegates in their own right.

### **Canon 4        Diocesan Conventions: Generally.**

- 4.1 **Powers.** All legislative and electoral powers of the Diocese, not otherwise reserved by the Constitution and Canons of the Diocese, are vested and exercised by the Diocesan Convention.
- 4.2 **Voice and Vote.** All Congregations are constituent parts of the Diocese and are described as being “in union with the Diocesan Convention”. A list of all Congregations, indicating type and contact information, shall be published at the time of each Diocesan Convention, and entered in the Journal of the Convention. Along with the Clergy on the Certified List of the Clergy of the Diocese, only Lay Delegates from Congregations published on the list and entered in the Journal of the Convention shall be entitled to the right to seat and vote at Diocesan Conventions.
- 4.3 **Written Notice.** The Secretary of the Convention shall cause to be given written notice of the call of a Convention, within the times and in the manner required by the Constitution and Canons of the Diocese, to every Clergy entitled to voice and vote at a Diocesan Convention as provided by the Constitution and Canons of the Diocese and to the Clerk

of each Congregation in union with the Diocesan Convention. If the Diocesan Convention has not made a determination as to the time and place for the next Annual Convention, or if the Cathedral Chapter determines that there is sufficient cause to change the time or place, or both, determined by the Diocesan Convention, the Annual Convention shall be held at the time and place determined by the Cathedral Chapter by giving thirty (30) days written notice of such change to all Clergy and all Congregations entitled to representation therein.

- 4.4 Transmittal of Information.** Not less than thirty (30) days before a Diocesan Convention, the Secretary to the Convention shall cause to be provided to every Clergy entitled to seat at a Diocesan Convention and to every Lay Delegate and Alternate Lay Delegate a copy of resolutions and of other matters to be acted upon at the Diocesan Convention that have been submitted to the Secretary to the Convention.
- 4.5 Business of Diocesan Convention.** All business to come before the Diocesan Convention, other than administrative matters and for the election of a Bishop, shall come in the form of a resolution with an accompanying report.
- 4.6 Proposal of Resolutions.** Resolutions may be proposed by:
- (a) the Bishop;
  - (b) any Clergy entitled to voice and vote at a Diocesan Convention;
  - (c) any Lay Delegate;
  - (d) any Deanery Synod;
  - (e) any Congregation in union with the Diocesan Convention when approved by the Vestry or Bishop's Committee of that Congregation;
  - (f) any commission, board, agency or committee established in accordance with the Constitution and Canons of the Diocese, including the Standing Committee and the Commission on Ministry;
  - (g) any commission, committee or task force established by a resolution of the Diocesan Convention;
  - (h) the General Convention Deputation when acting by a majority of the deputation; and
  - (i) any Officer of the Diocese.
- 4.7 Submission of Resolutions.** The sponsor of any proposed resolution shall submit in writing the proposed resolution and accompanying report to the Secretary to the Convention for referral to the Committee on Constitution and Canons for review and recommendation, not less than sixty (60) days prior to the date scheduled for convening of a Diocesan Convention, and the Committee on Constitution and Canons shall ensure that the proposed resolution along with a report is submitted to the Secretary to the Convention at least forty-five (45) days before the Annual Convention.
- 4.8 Timely Submittal.** A proposed resolution that has not been submitted in the required time to the Secretary to the Convention shall not be considered at a Diocesan Convention unless the Diocesan Convention decide to consider the proposed resolution and any such proposed resolution shall be referred to the Committee on Constitution and Canons to report before the adjournment of the Diocesan Convention.

- 4.9 Resolutions to be Funded by Budget.** To be considered for funding in the budget to be submitted to Diocesan Convention, a proposed resolution requiring operating funds first shall be submitted to the Secretary to the Convention for referral to the Finance Committee not less than ninety (90) days prior to the Annual Convention for study and determination of the funding impact on other programs. Resolutions presented to Diocesan Convention must include a reasonable estimate of costs to the Diocese, over what time period, and the manner in which such costs are to be financed. The Finance Committee shall include discussion of a resolution requiring funding in the open hearings on the budget. Following those hearings and immediately following the development of the draft budget by the CFO forty-five (45) days prior to the Annual Convention, the Finance Committee shall forward to the Secretary to the Convention the results of its determination and its recommendations concerning funding. The recommendations of the Finance Committee shall be provided to the Diocesan Convention not less than thirty (30) days prior to the Annual Convention. A resolution requiring substantial funding that is submitted less than ninety (90) days prior to the Annual Convention may be considered by the Finance Committee at the request of the Bishop or on its own motion and recommendations made to the Annual Convention if the Finance Committee so decides, and may be referred for consideration in the next budget cycle.
- 4.10 Resolutions to be Funded by Solicitation.** A proposed resolution authorizing solicitation of financial support by the Diocese, Congregation or Related Organizations of the Diocese shall first be submitted to the Secretary to the Convention for referral to the Finance Committee not less than sixty (60) days prior to the Annual Convention. The Finance Committee shall include discussion of a proposed resolution requiring funding in the open hearings on the budget. Within forty-five (45) days following those hearings prior to the Annual Convention, the Finance Committee shall forward to the Secretary to the Convention the results of its determination and its recommendations concerning funding. The recommendations of the Finance Committee regarding such resolution shall be provided to the Diocesan Convention not less than thirty (30) days prior to the Annual Convention. A proposed resolution requiring substantial funding by solicitation that is submitted less than sixty (60) days prior to the Annual Convention may be considered by the Finance Committee at the request of the Bishop or on its own motion and recommendations made to the Diocesan Convention if the Finance Committee so decides, or may be referred for consideration in the next budget cycle.
- 4.11 Resolutions to Amend the Constitution.** Subject to the Constitution, a proposed resolution to amend Part I of the Constitution and Canons of the Diocese shall first be submitted to the Secretary to the Convention for referral to the Committee on Constitution and Canons not less than ninety (90) days prior to the Annual Convention, clearly specifying the Canon to be amended. The Committee on Constitution and Canons shall include discussion of a resolution to amend Part I of the Constitution and Canons of the Diocese in the open hearings on the resolution. Following those hearings and if the Committee on Constitution and Canons wish to propose any amendment to Part I of the Constitution and Canons of the Diocese, it shall ensure that a proposed resolution along with its report is submitted to the Secretary to the Convention at least forty-five (45) days before the Annual Convention. A resolution requiring substantial amendment to Part I of the Constitution and Canons that is submitted to the Committee on Constitution and Canons less than ninety-days (90) prior to the Annual Convention may be considered by the Committee on Constitution and Canons at the request of the Bishop or on its own motion and recommendations made to the Annual Convention if the Committee on Constitution and Canons so decides, and may be referred for consideration at the next Annual Convention. However, the resolution to amend Part I of the Constitution and Canons of the Diocese shall not be valid and effective otherwise than in accordance with Part I of the Constitution and Canons of the Diocese.
- 4.12 Resolutions to Amend the Canons.** A proposed resolution to amend Part II of the

Constitution and Canons of the Diocese shall first be submitted to the Committee on Constitution and Canons not less than ninety (90) days prior to the Annual Convention, clearly specifying the Canon to be amended. The Committee on Constitution and Canons shall include discussion of a resolution to amend Part II of the Constitution and Canons of the Diocese in the open hearings on the resolution. Following those hearings and if the Committee on Constitution and Canons wish to propose any amendment to Part II of the Constitution and Canons of the Diocese, it shall ensure that a proposed resolution along with its report is submitted to the Secretary to the Convention at least forty-five (45) days before the Annual Convention. A resolution requiring substantial amendment to Part II of the Constitution and Canons that is submitted to the Committee on Constitution and Canons less than ninety-days (90) prior to the Annual Convention may be considered by the Committee on Constitution and Canons at the request of the Bishop or on its own motion and recommendations made to the Annual Convention if the Committee on Constitution and Canons so decides, and may be referred for consideration at the next Annual Convention. However, the resolution to amend Part II of the Constitution and Canons of the Diocese shall only be valid and effective if passed by the affirmative vote of two-thirds of those present and voting.

- 4.13 Resolutions to Amend the Schedules.** A proposed resolution to amend Part III of the Constitution and Canons of the Diocese shall first be submitted to the Secretary to the Convention for referral to the Committee on Constitution and Canons not less than ninety (90) days prior to the Annual Convention, clearly specifying the Schedule and Section to be amended. The Committee on Constitution and Canons shall include discussion of a resolution to amend Part III of the Constitution and Canons of the Diocese in the open hearings on the resolution. Following those hearings and if the Committee on Constitution and Canons wish to propose any amendment to Part III of the Constitution and Canons of the Diocese, it shall ensure that a proposed resolution along with its report is submitted to the Secretary to the Convention at least forty-five (45) days before the Annual Convention. A resolution requiring substantial or consequential amendment to Part III of the Constitution and Canons that is submitted to the Committee on Constitution and Canons less than ninety-days (90) prior to the Annual Convention may be considered by the Committee on Constitution and Canons at the request of the Bishop or on its own motion and recommendations made to the Annual Convention if the Committee on Constitution and Canons so decides, and may be referred for consideration at the next Annual Convention.
- 4.14 Reports by Related Organizations.** Any organization or federation within the Diocese recognized as a Related Organization in accordance with any rules or regulations made in accordance with Canon 14.1 shall have the right to make written reports and recommendations to the Diocesan Convention on any aspect of the organization's work which must be submitted in writing to the Secretary to the Convention not less than sixty (60) days prior to the date scheduled for convening of a Diocesan Convention.
- 4.15 Parliamentarian.** The President of the Convention shall appoint, with the advice and consent of the Chancellor, a suitably qualified person to serve as Parliamentarian to consult with and advise the President, and, upon request, the Diocesan Convention, regarding parliamentary procedure.
- 4.16 Permanent Select Committees.** There shall be three (3) Permanent Select Committees of the Diocesan Convention as follows:
- (a) the Finance Committee, established in accordance with Canon 11.8;
  - (b) the Planning and Credentials Committee, established in accordance with Canon 8.7;
  - and

(c) the Committee on Constitution and Canons, established in accordance with Canon 22.1.

4.17 **Special Committees.** The Diocesan Convention may, from time to time, establish any special committee as it deems appropriate.

## **Canon 5 Annual Convention.**

5.1 **Purpose.** The purpose of the Annual Convention is to provide annually a forum for consideration of all matters of business that under the Constitution and Canons of the Diocese are to be brought to Diocesan Convention, including the adoption of the annual budget, the election of persons as provided for in the Constitution and Canons of the Diocese, the adoption and amendment of the Constitution and Canons of the Diocese and consideration of resolutions.

5.2 **Time, Place and Notice.** The time and place of the Annual Convention shall be established as provided in Article 3.2. Written notice thereof shall be given to every Clergy and to the Clerk of each Congregation in union with the Diocesan Convention by the Secretary to the Convention at least one hundred and eighty (180) days prior to the opening of the Annual Convention.

5.3 **Nominations.** Each Deanery shall nominate, from persons within their Deanery, the persons to be elected in accordance with Canon 17.11 and if requested by the Bishop, each Deanery may serve as a committee of advice for nominations to such offices to be appointed by the Bishop.

5.4 **Notice of Nominations.** Not less than forty-five (45) days prior to the Annual Convention, each Deanery shall prepare and submit to the Secretary to the Convention a written report containing the following information concerning each nominee:

(a) the name of the nominee;

(b) a brief biographical description of the nominee, not to exceed 100 words in length if provided by the nominee; and

(c) a brief summary of the nominee's ministry within the Diocese or a Congregation in union with the Diocesan Convention.

5.5 **Additional Nominations.** Any Clergy entitled to voice and vote at the Diocesan Convention and any Lay Delegate may submit additional nominations to those made by the Deaneries only by a written petition provided to the Secretary to the Convention not less than forty-five (45) days prior to the Annual Convention and signed by at least one other Clergy or Lay Delegate who is not from the same Congregation. The Secretary to the Convention shall determine the validity of a nominating petition, and shall refer all valid petitions to the appropriate Deanery for inclusion in their report to the Diocesan Convention.

5.6 **Exclusion from Ballot.** No nominee's name shall be placed on the ballot unless the nominee shall have indicated his consent to the nomination in a form approved by the Secretary to the Convention.

5.7 **Elections.** Elections shall be by written ballot, unless the Diocesan Convention unanimously votes to dispense with this requirement. The Secretary to the Convention shall be responsible for the preparation of ballots, the process for election and for tabulation and reporting of the results of the voting, unless otherwise specified by the Constitution and Canons of the Diocese. If any position remains to be filled following the

first ballot, the number of nominees shall be reduced to twice the number remaining to be elected and a second ballot (and successive ballots, as necessary) shall be taken, the procedure for which shall be determined by the Secretary. After the ballots have been counted and persons elected to all offices, the Secretary to the Convention shall prepare a written certificate to be signed by any Assistant Secretary, indicating the number of ballots cast, the number disqualified, and the results of the election. The names of the persons elected to each office/committee shall be announced to the Annual Convention, and entered in the minutes of the Annual Convention. The Secretary to the Convention shall notify in writing all persons nominated for election to office of the results of the election not more than ten (10) days following adjournment of the Annual Convention.

## **Canon 6 Special Convention.**

6.1 Special Conventions are provided for in Article 3.3 of the Constitution and in every respect shall have the powers of the Annual Convention.

## **Canon 7 Actions at Diocesan Conventions.**

7.1 **Types of Resolutions.** The types of resolutions to come before the Diocesan Convention, and the effect of their adoption, are as follows:

- (a) **Business Resolutions**, which includes amendments to the Constitution and Canons of the Diocese, appointments, elections, budget, diocesan business, action on matters of Diocesan governance and operations, and if adopted, shall be effective as of the close of business of the Diocesan Convention at which adopted, unless a later effective date is provided in the resolution. When adopted, a business resolution of Diocesan Convention is binding upon all Congregations and all bodies and authorities of the Diocese.
- (b) **Policy Resolutions**, which includes church and state issues, the international issues and advocacy issues, and shall provide for specific action to be taken if adopted. The Cathedral Chapter shall implement action required by a policy resolution during the year following the Diocesan Convention at which adopted. A policy resolution that requires application of substantial financial resources of the Diocese shall provide in the resolution for funding of the action either as a part of the annual budget or allocation from other funding sources of the Diocese, as a condition of validity.
- (c) **Courtesy Resolutions**, which includes pleasantries, well wishes and gratitude, shall be moved by the Secretary to the Convention, and if adopted, transmitted to the object of the resolution, in writing, by the Secretary to the Convention within a reasonably short period after the Diocesan Convention at which adopted.

7.2 **Notification of Action on Resolutions.** No later than thirty (30) days following the adjournment of the Diocesan Convention, the Secretary to the Convention shall provide to all Clergy and Lay Delegates a record of the action taken on resolutions, including the final text of any business or policy resolution approved by the Diocesan Convention.

## **Canon 8 Secretary to the Convention.**

8.1 **Election of the Secretary.** At each Annual Convention a Secretary to the Convention must be elected from among the Voting Members in a Congregation in union with the Diocesan Convention upon nomination by the Bishop.

8.2 **Term of Office.** The Secretary to the Convention shall continue in office until a successor is elected.

- 8.3 Retiring Secretary.** The retiring Secretary to the Convention shall be responsible for the preparation of the minutes of every Diocesan Convention during which the retiring Secretary to the Convention was in office and to deliver to the incoming Secretary to the Convention all books and papers relating to the Diocesan Convention.
- 8.4 Assistant Secretaries.** The Secretary to the Convention shall be assisted in the performance of his duties by four (4) Assistant Secretaries, one of which shall be a Lay or Alternate Delegate from the Cathedral appointed by the Lay Delegation from the Cathedral and each of the others elected as a Secretary of a Regional Deanery in accordance with Canon 17.11(g), and in the absence of the Secretary to the Convention the duties of that office shall be exercised by one of the Assistant Secretaries appointed by the President of the Convention, or, between Diocesan Conventions, by the President of the Cathedral Chapter, from time to time to act as Secretary to the Convention.
- 8.5 Duties and responsibilities.** The Secretary shall:
- (a) cause to be recorded all minutes of the proceedings of the Diocesan Convention in an official journal of the Diocesan Convention after they have been approved;
  - (b) send to the Secretary of General Convention a certificate of the election of four (4) Clergy and four (4) Lay Deputies to General Convention in accordance with the Constitution and Canons of the Diocese and of The Episcopal Church and the Chairman of the Deputation shall be the person receiving the highest number of votes cast for persons and all Clerical and Lay Deputies and Alternate Lay Deputies to General Convention shall each be designated in succession from those receiving the next higher number of votes in that order;
  - (c) send to the Synod of the Second Province of The Episcopal Church, or any appropriate officer thereof, a certificate of election of two (2) Clergy and two (2) Lay Deputies to the Synod in accordance with the Constitution and Canons of the Diocese and of The Episcopal Church and of the Ordinances of the Second Province of The Episcopal Church;
  - (d) cause to be sent annually a printed copy of the Journal of the Diocesan Convention to each Bishop of the Second Province of The Episcopal Church, to the Secretary of the General Convention, to all persons on the Certified List of Clergy of the Diocese, all Lay Delegates and all Officers of the Diocese; and
  - (e) such other duties as may be required by General Convention, Diocesan Convention or the Cathedral Chapter from time to time.
- 8.6 Journal of Convention.** The Journal may issue in one or more volumes and be supplemented as appropriate, and shall contain the following information:
- (a) the Certified List of the Clergy of the Diocese in accordance with Canon 1.5;
  - (b) the name, mailing address and electronic address of all Lay Delegates and Alternates in accordance with Canon 2.4;
  - (c) the list of the names of the Officers of the Diocese in accordance with Canon 3.2;
  - (d) the list of all Congregations in union with the Diocesan Convention, indicating type and contact information in accordance with Canon 4.2; and
  - (e) a record of all minutes of the proceedings of the Diocesan Convention after they have been approved in accordance with Canon 8.5.

- 8.7 Planning and Credentials Committee.** It shall be the duty of the Planning and Credentials Committee as established in accordance with Canon 4.16(b), in consultation with the Cathedral Chapter, to plan, arrange and organize for each Diocesan Convention, including the divine worship services and the agenda for each session, and such other matters as may be referred to it by the Diocesan Convention and it shall be composed as follows:
- (a) the Secretary to the Convention, as Chairman;
  - (b) the Canon Liturgist established in accordance with Canon 23.4(c);
  - (c) the Dean and Sub-Dean of the Regional Deanery which shall host the Annual Convention in that Convention Year, or in the case of when the Cathedral is hosting the Diocesan Convention in that Convention Year, to be called the Bishop's Convention, then the Dean of the Cathedral and a Warden of the Cathedral;
  - (d) the Secretary of each Regional Deanery elected in accordance with Canon 17.11;
  - (e) a Lay or Alternate Delegate from the Cathedral elected by the Lay Delegation of the Cathedral; and
  - (f) the President of the Episcopal Church Women of the Diocese, or her designee from the Deanery which shall host the Diocesan Convention in that year.
- 8.8 Rules of Procedure.** In all matters of parliamentary procedure during any meeting of the Planning and Credentials Committee not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by the Planning and Credentials Committee, the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern in all cases to which they are applicable.
- 8.9 Staff Liaison.** The Bishop shall designate a member of the Diocesan Staff to serve as liaison to the Secretary to the Convention.

## TITLE II: ORGANIZATION AND ADMINISTRATION OF THE DIOCESE

### Canon 9 The Diocesan Corporation

- 9.1 **Establishment.** The Diocese shall be incorporated under and governed by the laws of the U.S. Virgin Islands for legal and secular purposes in the U.S. Virgin Islands to be known as the Episcopal Church of the Virgin Islands, Inc. and shall be a statutory corporation and governed by the laws of the British Virgin Islands for legal and secular purposes in the British Virgin Islands to be known as the Virgin Islands Missionary Diocese Incorporation Ordinance, Chapter 253 of the Laws of the Virgin Islands (1991 Revised Edition).
- 9.2 **Property Deed.** Both corporations jointly shall be known as the Episcopal Diocese of the Virgin Islands, and shall enter into a deed recorded in both jurisdictions for the custody, control and investment of all funds of the Diocese and shall hold legal title to all property of the Diocese, including the property of all missions, in trust for the Diocese and The Episcopal Church.
- 9.3 **Jurisdiction and Power.** The Diocese, as a body corporate, shall have jurisdiction and power to administer all property devised, conveyed or transferred to the Diocese for one or more express purposes and to manage investments of the Diocese and of those Congregations that elect to have the Diocese provide such services.
- 9.4 **Transnational Enterprise.** For the purpose of any secular law, the Diocese shall be considered a transnational enterprise and shall arrange its business and affairs as such. In particular, where the Cathedral of the Diocese is located in the U.S. Virgin Islands, for purposes of secular law, the U.S. Virgin Islands shall be the home jurisdiction where the managerial headquarters of the Diocese shall be located and the British Virgin Islands shall be the host jurisdiction and vice versa.
- 9.5 **OECD Guidelines.** As a transnational enterprise the Diocese shall seek, as far as possible, to comply with the provisions of the **OECD Guidelines for Multinational Enterprises**, although non-binding recommendations they are designed to cultivate mutual respect between the Diocese as a transnational enterprise and the two (2) jurisdictions in which it operates.
- 9.6 **Members and Board.** For the purposes of secular law, the Diocesan Convention shall constitute the members of the body corporate and the Cathedral Chapter shall constitute the board of directors of the body corporate.

### Canon 10 The Diocesan Office

- 10.1 **Authority to Employ Staff.** The Bishop shall have authority to employ and supervise such staff as may be necessary to administer the affairs of the Diocese within the limits of the Diocesan budget. The staff shall not be eligible to serve in the following capacities:
- (a) as a member of the Vestry or Bishop's Committee;
  - (b) as a member of the Standing Committee; or
  - (c) as a Lay Delegate to Diocesan Convention.
- 10.2 **Diocesan Staff.** The Bishop may appoint a person to one or more of the following offices, to be known as the "**Diocesan Staff**":

- (a) an Executive Officer to be known as the “**Canon to the Ordinary**”, and shall perform such duties as the Bishop may direct;
- (b) a Chief Communications Officer to inform the people of the Diocese and the public generally as to the work and program of the Diocese and the Church through appropriate media and to manage the communications risks and opportunities of the Diocese, both internally and externally;
- (c) a Christian Education Officer to foster and further the work of Christian Education in the Diocese at all age levels;
- (d) a Congregational Development Officer to assist the Bishop in the administration and supervision of the missionary work in the Diocese, and to further, wherever possible, the general missionary work of the Church;
- (e) an Evangelism Officer to foster and further Evangelism in the Diocese;
- (f) an Executive Secretary, who may be known as the Administrative Assistant, and shall be the principal secretary to the Bishop and shall perform such duties as the Bishop may direct; and
- (g) such other staff as the Bishop may employ in accordance with the Constitution and Canons of the Diocese.

**10.3 Terms and Conditions.** The terms and conditions of all Diocesan Staff are to be determined by rules or regulations issued under Canon 14.1 not contrary to any laws that may apply to any employment relationship.

**Canon 11 Chief Financial Officer of the Diocese.**

**11.1 Appointment of the Chief Financial Officer.** There shall be a Chief Financial Officer (“**CFO**”) for the Diocese, who shall be a member of the Diocesan Staff. The Bishop, with the advice and consent of the Finance Committee, shall appoint the CFO.

**11.2 Qualifications.** The CFO shall be qualified for the position by virtue of his professional background, which shall include a degree in Accounting or Finance, and experience in financial accounting and operations.

**11.3 Duties and Responsibilities.** The CFO shall manage and direct the Department of Finance of the Diocese and shall be responsible for the day-to-day financial activities, financial record keeping and financial reporting for the Diocese, and for coordinating the Diocesan budget process. The CFO shall have custody of all funds, monies and securities belonging to the Diocese. The CFO under direction of the Diocesan Convention shall be responsible for the receipt, management, disbursement and transfer of funds, monies and securities in his custody. The CFO shall serve as the principal financial liaison for the Diocese with all external and internal groups, Congregations, agencies and institutions.

**11.4 Financial Report.** At each Annual Convention, the CFO must present an audited financial report of the operations of the Diocese and of its financial condition for two years preceding the current fiscal year, and must present interim unaudited financial reports to the Bishop and an unaudited financial report to the Annual Convention for the preceding fiscal year.

**11.5 Annual Audit.** The CFO is authorized, with the approval of the Finance Committee, to

transfer, deposit, withdraw and handle all funds and monies for the Diocese. The accounts of the Diocese shall be audited annually by an independent public accountant certified or registered by a recognized board of accountancy, and the report of such audit shall be transmitted to the Bishop who shall examine the same and report the conclusions thereon to the Diocesan Convention. The Bishop shall select the accounting firm used for the audit.

**11.6 Bond.** The CFO shall be bonded, in such penalty and with such surety as the Bishop may approve to secure the faithful performance of the duties of the office and accounting for all monies and property received and handled by virtue of the office. Such bond shall be made payable to the Bishop and shall be held in the custody of the Bishop.

**11.7 Other Finance Officers.** The Bishop may appoint, with the consent of the Standing Committee, such other finance officers of the Diocese as he thinks fit, who shall act under the direction and supervision of the CFO.

**11.8 Finance Committee.** It shall be the duty of the Finance Committee as established in accordance with Canon 4.16(a) to consider all matters relating to the finances of the Diocese and such other matters as may be referred to it by the Diocesan Convention and it shall be composed as follows:

(a) two (2) persons elected by the Diocesan Convention on the recommendation of the Bishop, who shall be qualified for the position by virtue of his professional background, which shall include a degree in Business or Finance, and experience in financial accounting and operations; and

(b) the Treasurer of each Regional Deanery elected in accordance with Canon 17.11,

provided that the CFO shall serve as the staff liaison to the Finance Committee and shall facilitate its work.

**11.9 Investigations, Inquiries and Hearings.** The Finance Committee, for the purposes of its deliberations, may conduct investigations, inquiries or hearings of any relevant matter, and every person appointed by it, may certify to official acts of the Diocese, take depositions, issue subpoenas to any member of Clergy canonically resident in the Diocese, any Lay Delegate or Alternate Lay Delegate, any Deputy to the General Convention or Provincial Synod, any licensed lay minister or any Communicant in good standing, and may compel any of them to attend before them, and compel the production of books, accounts, papers, records, documents and testimony, except that the Finance Committee shall hold a hearing prior to any Annual Convention on a proposed budget for the operation of each Deanery, the Diocesan Operating Program, the Diocesan Mission Program, and the General Church Program and shall recommend, on such a basis as shall by it be deemed fair and equitable, the amounts to be apportioned to the individual Congregation to meet the financial requirements of the Diocese, such to be known as the **Diocesan Assessment**. The Diocesan Assessment so determined for a Congregation shall be subject to approval and adjustment by the Diocesan Convention on the recommendation of the Finance Committee and any payment received by a Congregation shall first be applied to any sanction, if any, before being applied to their Diocesan Assessment which may remain in arrears if the sanction is not paid in full and in addition to their Diocesan Assessment.

**11.10 Draft Budget.** After the hearings on the proposed budget the Finance Committee shall approve a final draft budget and within forty-five (45) days prior to the Annual Convention, the CFO shall forward to the Secretary to the Convention the final draft budget accompanied with the audited statement of accounts and other financial reports of the Diocese. The budget and accompanying financial reports shall be provided to the

Diocesan Convention not less than thirty (30) days prior to the Annual Convention.

- 11.11 Rules of Procedure.** In all matters of parliamentary procedure during any meeting of the Finance Committee not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by the Finance Committee, the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern in all cases to which they are applicable.

## **Canon 12 Chancellor and Vice Chancellor of the Diocese.**

- 12.1 Appointment of the Chancellor.** The President of the Convention shall appoint during any Annual Convention a Chancellor who shall be a Legal Practitioner duly qualified to practice and under no restrictions of professional discipline either within the U.S. Virgin Islands or the British Virgin Islands and a Voting Member in a Congregation in union with the Diocesan Convention, and any vacancy between Annual Conventions shall be filled by the Bishop with notice to the Standing Committee, provided that no person serving in any office under Title IV may be appointed as Chancellor.
- 12.2 Appointment of the Vice Chancellor.** The President of the Convention shall, with the advice and consent of the Chancellor, appoint during any Annual Convention a Vice Chancellor who shall be a Legal Practitioner duly qualified to practice and under no restrictions of professional discipline either within the U.S. Virgin Islands or the British Virgin Islands and a Voting Member in a Congregation in union with the Diocesan Convention, except that if the Chancellor is a member entitled to vote in a Congregation in the U.S. Virgin Islands, then the Vice Chancellor shall be a member entitled to vote in a Congregation in the British Virgin Islands and vice versa, and any vacancy between Annual Conventions shall be filled by the Bishop with notice to the Standing Committee, provided that no person serving in any office under Title IV may be appointed as Vice Chancellor.
- 12.3 Duties and Responsibilities.** The Chancellor and Vice Chancellor shall act as the principal legal advisors to the Bishop, the Diocesan Convention, the Standing Committee and all other committees, bodies and institutions of the Diocese, whenever they require legal advice in questions affecting the interest of the Diocese in relation to the jurisdiction in which they are duly qualified to practice, and shall perform such other duties as may be prescribed by the Constitution and Canons of the Diocese or resolution of the Diocesan Convention and the Chancellor and Vice Chancellor may delegate their duties and responsibilities, in relation to any specific matter or generally in relation to a particular area of law, to any Assistant Chancellor, subject to such conditions, exceptions and qualifications as they, or either of them, deems appropriate, but any such delegation shall not prevent the Chancellor and Vice Chancellor from carrying out their duties and responsibilities in any case as they, or either of them, deems appropriate.
- 12.4 Appointment of Assistant Chancellors.** The Bishop may, with the advice and consent of the Chancellor, appoint any one or more Assistant Chancellors who shall have like qualifications as the Chancellor to serve at the pleasure of the Bishop and whose duties shall be determined by the Chancellor and likewise, the Bishop may, with the joint advice and consent of the Chancellor and Vice Chancellor, appoint any one or more Assistant Chancellors who shall have like qualifications as the Vice Chancellor to serve at the pleasure of the Bishop and whose duties shall be determined jointly by the Chancellor and Vice Chancellor.
- 12.5 Appointment of Parish Chancellors.** Any Clergy-in-Charge may, with the advice and consent of the Chancellor, appoint a Parish Chancellor who shall have like qualifications as the Chancellor or the Vice Chancellor, as the case may be depending on the jurisdiction in which the Parish Chancellor is qualified to practice, to serve at the pleasure

of the Clergy-in-Charge and whose duties shall be determined by the Chancellor, and in the absence of any such Parish Chancellor, or until the appointment of a Parish Chancellor or a successor in office, the Chancellor or Vice Chancellor, as the case may be, shall be the Parish Chancellor *pro tempore*.

- 12.6 Training and Implementation.** It shall be the duty of the Chancellor of the Diocese to establish and maintain a program of training for the Vice Chancellor, Assistant Chancellors and Parish Chancellors concerning canon law and the functions of legal advisors within the Diocese as well as overseeing the implementation of canon law uniformly across the Diocese to ensure that there are no conflicting or erroneous advice as to canon law.

### **Canon 13 Historiographer of the Diocese.**

- 13.1 Appointment of the Historiographer.** The President of the Convention shall appoint during any Annual Convention the Historiographer of the Diocese.

- 13.2 Assistant Historiographers.** The Historiographer shall be assisted in the performance of his duties by the Assistant Historiographers each elected as a Historiographer of a Regional Deanery in accordance with Canon 17.11(h), and in the absence of the Historiographer the duties of that office shall be exercised by one of the Assistant Historiographers appointed by the Bishop from time to time.

- 13.3 Parish Historiographers.** Any Vestry may, with the advice and consent of the Historiographer, appoint a Parish Historiographer, to serve at the pleasure of the Congregation and whose duties shall be determined by the Historiographer.

- 13.4 Duties and Responsibilities.** The Historiographer shall

- (a) provide for the preservation and organization, and availability for historical reference, of records of the Diocese and its Congregations that are not required for current operation of either of them but that are or may be of historical significance; as well as those records required to be maintained under the Canons of the General Convention;
- (b) prepare and publish, from time to time, material concerning the history of the mission and ministry of the Diocese;
- (c) encourage each Congregation to appoint a Historiographer to preserve historical material;
- (d) assist Historiographers of each Congregation in their archival and historical responsibilities;
- (e) encourage the development of historical writings or other media concerning the mission and ministry of the Diocese and collect for the archives, at a minimum, the following:
  - (i) journals of Diocesan Convention;
  - (ii) all minutes, official records, and reports of Officers of the Diocese, Committees, Commissions and Boards of the Diocese operating under the authority of the Diocese or the Diocesan Convention;
  - (iii) materials such as written histories and other historically significant documents pertaining to parishes and missions of the Diocese;

(iv) documents and records necessary to preserve the history of the Diocese such as newspaper articles and related publications.

- 13.5 The Archives.** There shall be an Archives of the Diocese. It shall be the duty of the Historiographer to provide in the archives a safe, protected, organized and accessible environment for the storage of items and records pertinent to the historical record of the mission and ministry of the Diocese, its bishops, officers, agents, Congregations and related organizations.
- 13.6 Annual Report.** The Historiographer shall report annually to the Diocesan Convention on his official acts and the condition of the Archives of the Diocese with recommendations for improvement.

#### **Canon 14 Rules and Regulations.**

- 14.1 Authority of Bishop.** Subject to the Constitution and Canons of the Diocese, the Bishop may issue rules, policies, regulations or guidelines consistent with the Constitution and Canons of the Diocese and of The Episcopal Church to amplify or clarify particular parts of canon law, or to fill gaps or omissions in canon law.
- 14.2 Presentation to Diocesan Convention.** All such rules, policies, regulations or guidelines must be presented to the next Diocesan Convention after issuance.
- 14.3 Effect of Rules and Regulations.** All such rules, policies, regulations or guidelines are subject to the Constitution and Canons of the Diocese and of The Episcopal Church and shall be binding on every member of Clergy within the Diocese, Congregation, member of a Congregation and Diocesan Staff unless otherwise provided, and also unless otherwise provided shall continue in existence until repealed, replaced or amended.

#### **Canon 15 Dispensation and Relief.**

- 15.1 Dispensation.** Subject to Canon 19.3, the Bishop's historic power of dispensation under canon law is acknowledged and may be exercised to relax, but not negate, any part of canon law in a particular case within the Bishop's jurisdiction, and for just and reasonable cause taking into consideration the circumstances of the case, but it may never be relied on as precedent for future exercise of the power of dispensation.
- 15.2 Relief from Specific Provisions.** Clergy, Congregations, members of a Congregation or Diocesan Staff, or other entities subject to these Constitution and Canons, which despite their best efforts, are unable to comply with specific requirements of the Constitution and Canons, except those requirements relating to a Distressed Parish, may seek relief for an express period of time from such specific requirements.
- 15.3 Procedure for Seeking Relief.** A request for relief under Canon 15.2 must be made in writing and sent or delivered to the Bishop, and must state the specific requirements from which relief is sought, the period of time for which relief is sought, and the best good-faith efforts which have been made to comply.
- 15.4 Response to Request for Relief.** Where the Bishop receives a request in accordance with Canon 15.3, he or she must consult with the Standing Committee in accordance with Canon 19.3 and respond in writing within ninety days of receipt of the written request, either granting relief, or requiring further specific information (to be submitted in writing or in person as may be specified), or setting a single extension of time (not more than sixty days) for a final decision, or denying the relief and stating the reasons for denial. Copies of the request and response must be kept by the requesting entity. Failure of the Bishop

to make any written response within the ninety day period (or by the end of any extension period it has set) is deemed acceptance of the request for relief, but the granting or denial of relief in a particular instance is never binding as precedent in connection with a later request by the same or another entity.

## **Canon 16      Visitations.**

- 16.1 Visitation by the Bishop.** Visitation by the Bishop is of inherent and apostolic authority, and is indispensable for the exercise of the Episcopal functions within the Diocese. In this are included the examination of the state of a Congregation, the state of the Clergy, inspecting the behavior of Clergy, administering the Apostolic Rite of Confirmation, preaching the Word, and, at the Bishop's discretion, celebrating the Sacrament of Holy Communion.
- 16.2 Bishop's Prerogative during Visitations.** On occasions of Episcopal visitation, the Bishop directs the services and may designate the purpose for which the special offerings of the people are taken.
- 16.3 Information from Congregations.** Either in connection with a scheduled Episcopal visitation, or without a scheduled visitation, the Bishop or the Bishop's designee, upon notice by the Bishop, is entitled to receive full and accurate information regarding the state of the Congregation and its affairs. For that purpose, the Bishop or the Bishop's designee may require the Wardens and Vestry or Bishop's Committee to provide information about the state of the Congregation, and may pose questions relating to the Congregation. The Bishop or the Bishop's designee has the right at all times to full, prompt, and complete access to all registers and other records of and pertaining to a Congregation.
- 16.4 Cooperation during Visitations.** The Bishop has oversight of all Congregational buildings, Rectories, and other church property, and may prevent their misuse, neglect, or improper alienation or encumbrance. It is the duty of all Clergy, Wardens, Vestry or Bishop's Committee members, staff, and members of the Congregation to cooperate fully during Episcopal visitations.

## **Canon 17      Regional Deaneries.**

- 17.1 Delimitation of Deaneries.** There shall be three geographic subdivisions of the Diocese to be known as "**Deaneries**" which shall consist of all the geographically adjacent Congregations ("**Constituent Congregations**") located in each of the following geographic areas:
- (a) St. Thomas and St. John;
  - (b) St. Croix; and
  - (c) British Virgin Islands.
- 17.2 Composition of Deanery Synods.** Each Deanery shall have a **Deanery Synod** composed of all Clergy, Lay Delegates and Alternate Delegates from each Constituent Congregation within the Deanery. The Officers of the Diocese shall each serve *ex officio* at the request of the Bishop.
- 17.3 Appointment of Deans.** The Bishop shall, during each Annual Convention, appoint a Dean for each Deanery who shall serve at the pleasure of the Bishop and on such terms and conditions as shall be determined by the Bishop, but the Bishop shall not appoint as Dean, or continue the appointment as Dean:

- (a) any Lay Delegate or Officer of the Diocese, or Clergy who is not a member of a Constituent Congregation of that Deanery;
- (b) any member of Clergy where the Sub-Dean is also a member of Clergy;
- (c) any person who is also a member of the Standing Committee of the Diocese; and
- (d) any person, whether Clergy, Officer of the Diocese or Lay Delegate, who is from the same Congregation as the Sub-Dean,

(the restrictions outlined under paragraphs (a) to (d) shall be called the “**Disqualifications of a Dean**”).

**17.4 Appointment of Sub-Deans.** Subject to the same Disqualifications of a Dean, the Bishop shall appoint a Sub-Dean for each Deanery, with the prior approval of the Annual Synod, who shall serve on such terms and conditions as shall be determined by the Bishop for a term of two years or until a successor takes office, but shall not be eligible for re-appointment after serving two consecutive terms until one year has elapsed following the last term of two-years.

**17.5 Duties and Responsibilities.** The Dean shall be the official representative of the Bishop to the Deanery and a Clergy may serve as Dean without resigning his cure. The Sub-Dean shall assist the Dean and assume the responsibilities of the Dean during the inability of the Dean to perform the duties and responsibilities of the office of Dean. The written instrument of appointment of a Dean may include any one or more of the following at the Bishop’s discretion:

- (a) the delegation to the Dean to exercise any of the powers of the Bishop within the Deanery, except the powers under Canons 14.1, 15.1 or 15.2, without the need for any further instrument in writing to delegate any of the powers of the Bishop, and this shall not abridge or abrogate the Bishop’s general power to delegate to any other person by instrument in writing, either in addition to or in deference to the Dean, and with or without such conditions as the Bishop shall impose;
- (b) notice of any meeting of the Cathedral Chapter to which the Dean or Sub-Dean is required to attend in accordance with Canon 23.4(i);
- (c) the appointment of the Dean as an Intake Officer for the Regional Deanery in accordance with Canon 32.8; and
- (d) the appointment of the Dean as a Pastoral Response Coordinator for the Regional Deanery in accordance with Canon 32.15.

**17.6 Presiding Officer.** The Dean shall be the presiding officer of the Deanery Synod for which he is a member and shall preside at all meetings thereof. In the absence of the Dean, the Sub-Dean shall preside.

**17.7 Quorum.** A quorum for the transaction of the business of each Deanery Synod shall consist of a majority of the Clergy, and a majority of the Lay Delegates, Alternate Lay Delegates and the Officers of the Diocese requested to serve by the Bishop. A quorum shall not be required to recess or adjourn any meeting of any Deanery Synod.

**17.8 Voting.** Each Deanery Synod shall deliberate as one body, and vote as such, except

when a vote by orders is called for by one Clerical Member and one Lay Delegate, representing two different Congregations, or otherwise where a vote by orders is required by the Constitution and Canons of the Diocese. A majority of votes cast shall determine a question or motion except as otherwise provided in the Constitution and Canons of the Diocese. When voting by orders, each Clerical Member and each Lay Delegate shall be entitled to one vote and a concurrence of a majority of both orders on the same ballot shall be necessary for a decision. Clergy and Lay Delegates represent the Diocese and are free from imperative mandate from any Congregation, group or body.

**17.9 Election.** All elections shall be by ballot but the ballot may be dispensed with by unanimous consent.

**17.10 Rules of Procedure.** In all matters of parliamentary procedure during any meeting of a Deanery Synod not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by Resolution of the Deanery Synod, the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern in all cases to which they are applicable.

**17.11 Annual Synod.** There shall be an annual meeting of each Deanery Synod (the "**Annual Synod**") not less than sixty (60) days before the date of the Annual Convention, held at such time and place within the Deanery as may be determined by the Deanery Synod from time to time. The Annual Synod shall be convened for the purposes of:

- (a) nominating, with their consent in a form approved by the Secretary to the Convention in accordance with Canon 5.5, two Clergy and two lay persons from Constituent Congregations to be elected by the Annual Convention to serve on the Standing Committee;
- (b) nominating, with their consent in a form approved by the Secretary to the Convention in accordance with Canon 5.5, two Clergy and one lay person from a Constituent Congregation to be elected by the Annual Convention to serve on the Disciplinary Board, except that the first nominations after the commencement of the Constitution and Canons of the Diocese shall be at least two Clergy and two lay persons to two separate classes;
- (c) nominating, with their consent in a form approved by the Secretary to the Convention in accordance with Canon 5.5, two Clergy and two lay persons from Constituent Congregations to be elected by the Annual Convention within the year prior to the date of the General Convention to represent the Diocese in the House of Deputies of the General Convention and to communicate to the Diocese the actions taken and the positions established by the General Convention;
- (d) nominating, with their consent in a form approved by the Secretary to the Convention in accordance with Canon 5.5, at least two Clergy and two lay persons from Constituent Congregations to be elected by the Annual Convention within the year prior to the date of the Synod to represent the Diocese in the Synod of the Second Province of The Episcopal Church;
- (e) nominating, with their consent in a form approved by the Secretary to the Convention in accordance with Canon 5.5, at least one Clergy and one lay person from a Constituent Congregation to be elected by the Diocesan Convention to serve on the Nominating Committee for purpose of electing a Bishop;
- (f) electing any person from a Constituent Congregation as the Treasurer of the Deanery, who shall serve as a member of the Finance Committee of the Diocese,

and shall be qualified for the position by virtue of his professional background, which shall include a degree in Business or Finance, and experience in financial accounting and operations;

- (g) electing any Clergy, Lay Delegate or Alternate Lay Delegate as the Secretary of the Deanery, who shall serve as an Assistant Secretary to Convention and serve as a member of the Planning and Credentials Committee of the Diocesan Convention;
- (h) electing any person from a Constituent Congregation as the Historiographer of the Deanery, who shall serve as an Assistant Historiographer of the Diocese;
- (i) electing, or nominating with their consent in a form approved by the Secretary to the Convention in accordance with Canon 5.5, from among or outside their numbers, where necessary, any person to serve in any other capacity as may be required by the Constitution and Canons of the Diocese, the Diocesan Convention, the Bishop or the Deanery Synod;
- (j) nominating any Clergy and lay person from a Constituent Congregation to serve as members of the Deanery Discernment Committee to be appointed by the Commission on Ministry;
- (k) electing such other officers of the Deanery Synod as it desires;
- (l) establishing a schedule of regular Synods; and
- (m) adopt and administer a budget, subject to the approval of the Bishop;

**17.12 Regular Synod.** There shall be regular meetings of each Deanery Synod (the “**Regular Synod**”) not less than once every 90 days, held at such time and place within the Deanery as may be determined by the Deanery Synod from time to time.

**17.13 Clericus Groups.** There shall be regular meetings of Clergy within each Deanery called “**Clericus Groups**” which shall be facilitated by the Deanery Synod to foster greater ministry effectiveness through the process of peer-to-peer consultation and shared learning, and each Deanery shall coordinate with other Deaneries and the Bishop to schedule annual or semi-annual Inter-Deanery or Diocesan Clericus Groups.

**17.14 Deanery Chapter.** Each Deanery Synod shall have a Deanery Chapter for the purpose of executing the work of the Deanery Synod between any two meetings of the Deanery Synod and it shall be comprised of:

- (a) the Dean, as Chair;
- (b) the Sub-Dean;
- (c) the Treasurer of the Deanery;
- (d) the Secretary of the Deanery;
- (e) the Historiographer of the Deanery;
- (f) such other officers of the Deanery Synod as it desires; and
- (g) the Officers of the Diocese, *ex officio*, at the request of the Bishop.

**17.15 Deanery Office.** Each Deanery Synod may approve any agreement to be entered into

between the Bishop on its behalf and a Constituent Congregation to provide a Deanery Office and the Constituent Congregation shall have its Diocesan Assessment adjusted to allow it to make provision for the central administration of the Deanery and to facilitate mission and ministry within the Deanery through the Deanery Office, which may include the use of the equipment, supplies, facilities, utilities and lay employees of the Constituent Congregation, as well as provide a place for the Bishop to work while away from the Cathedral.

## **Canon 18 Episcopal Charities of the Virgin Islands.**

**18.1 Establishment.** There shall be a body corporate to be known as the Episcopal Charities of the Virgin Islands for the purpose of coordinating the charitable work of the Diocese by partnering with Congregations in union with the Diocesan Convention and empowering people within the Diocese to provide some public benefit in relation to:

- (a) the eradication of poverty;
- (b) the advancement of education;
- (c) the preaching of the Gospel;
- (d) healing the sick or saving lives from harm;
- (e) community development;
- (f) the advancement of the arts, culture, heritage or science;
- (g) promoting sporting activities;
- (h) the advancement of human rights, conflict resolution or reconciliation;
- (i) the promotion of religious and racial harmony or equality and diversity;
- (j) the advancement of environmental protection or improvement;
- (k) the relief of those in need, by reason of youth, age, ill-health, disability, financial hardship or other disadvantage;
- (l) the advancement of animal welfare;
- (m) the promotion of the efficiency of the armed forces or the police, fire and rescue services or ambulance services; or
- (n) such other charitable purposes as may from time to time be authorized and approved by the Diocesan Convention.

**18.2 Board of Trustees.** The Board of Trustees shall consist of the Bishop, or his designee, as Chairman, three (3) Clergy and three (3) Voting Members from a Congregation in union with the Diocesan Convention.

**18.3 Election.** The members of the Board of Trustees shall be elected by the Diocesan Convention on the recommendation of the Bishop. Each member shall be elected annually. The term of each trustee shall commence on the first (1<sup>st</sup>) day following the Annual Convention.

**18.4 Vacancies.** Vacancies on the Board of Trustees shall be filled by the remaining members

of the Board of Trustees with persons who shall meet the same eligibility requirements as apply to elected Trustees.

- 18.5 Investment Committee.** The Board of Trustees shall appoint an Investment Committee comprised of any three (3) persons, whether Trustees or not, who shall be qualified for appointment by virtue of their investment background, which may include a degree in Accounting or Finance, to review and oversee all the investments of the Episcopal Charities of the Virgin Islands.
- 18.6 Fundraising Committee.** The Board of Trustees shall appoint a Fundraising Committee comprised of any three (3) persons, whether Trustees or not, who shall be qualified for appointment by virtue of their fundraising background, which may include a degree in Accounting or Finance, to ensure financial resources are provided to fund the strategic goals and to live out the mission of the Episcopal Charities of the Virgin Islands.
- 18.7 Marketing Committee.** The Board of Trustees shall appoint a Marketing Committee comprised of any three (3) persons, whether Trustees or not, who shall be qualified for appointment by virtue of their marketing and communications background, which may include a degree in Marketing or Communications, to create and implement all marketing strategies for the Episcopal Charities of the Virgin Islands including branding materials and fundraising campaigns.
- 18.8 Grants Committee.** The Board of Trustees shall appoint a Grants Committee comprised of any three (3) persons, whether Trustees or not, to review and recommend grants to the Board of Trustees.
- 18.9 Friends of the Episcopal Charities of the Virgin Islands.** The Board of Trustees shall appoint a volunteer within each Congregation in union with the Diocesan Convention to be a Friend of the Episcopal Charities of the Virgin Islands as the liaison between their Congregation and the Episcopal Charities of the Virgin Islands, informing their Congregation about the programs and work of Episcopal Charities of the Virgin Islands, and keeping the Board of Trustees informed about the outreach ministries in their Congregations.
- 18.10 Regulation of Episcopal Charities.** It shall be the duty of the Board of Trustees to establish guidelines and standards for the establishment, recognition, and certification of any and all charitable organizations now or in the future operating within the Diocese in accordance with the laws applicable to such charitable organizations in the Deanery where it has its place of operation and providing any one or more of the public benefits recognized by the Episcopal Charities of the Virgin Islands.
- 18.11 Accounts.** The Board of Trustees shall establish such accounts with such banks or other financial institutions for the purpose of receiving cash donations and other valuable assets and disbursing funds.
- 18.12 Annual Audit.** The accounts of the Episcopal Charities of the Virgin Islands shall be audited annually by an independent public accountant certified or registered by a recognized board of accountancy, and the Bishop shall report the conclusions thereon to the Diocesan Convention. The Board of Trustees shall select the accounting firm used for the audit.
- 18.13 Annual Report.** The Bishop shall make an annual report to the Diocesan Convention of the official acts of the Episcopal Charities of the Virgin Islands.
- 18.14 Staff Liaison.** The Bishop shall designate a member of the Diocesan Staff to serve as liaison to the Episcopal Charities of the Virgin Islands until such time as the Episcopal

Charities of the Virgin Islands shall have its own staff.

**Canon 19 Standing Committee.**

- 19.1 Establishment.** There shall be a body of the Diocese to act as the council of advice to the Bishop and as the Ecclesiastical Authority in accordance with the Constitution and Canons of the Diocese and to perform those duties and exercise those functions as may be prescribed by the Constitution and Canons of the General Convention and of the Diocese to be called the “**Standing Committee**”.
- 19.2 Composition.** The Standing Committee shall be elected at each Annual Convention and shall be composed of a total of eight members, being four Clergy entitled to vote at Convention and four lay adult confirmed communicants in good standing of a Congregation in communion with the Diocesan Convention.
- 19.3 Duty to Consult.** The Bishop shall consult the Standing Committee before exercising any of the powers under Canon 14 and Canon 15, except in relation to any matter on which the Commission on Ministry shall advise the Bishop, or where the Constitution and Canons of the Diocese or the Diocesan Convention shall require, but may consult the Standing Committee before exercising any other power or function under the Constitution and Canons of the Diocese.
- 19.4 Power to Refuse Advise.** The Bishop may refuse to accept any advice given by the Standing Committee, but in so doing shall immediately inform the Standing Committee of his reasons for refusing to accept such advice.
- 19.5 Vacancies.** By majority vote, the remaining members of the Standing Committee may fill a vacancy in its membership by appointing a person in the same order as the person whose unexpired term is to be filled, to serve the balance of the unexpired term.
- 19.6 Term.** The term of office shall commence immediately following the Annual Convention, and shall continue for the Convention Year after their election. A person shall not be eligible for re-election until the next Annual Convention after serving for three (3) consecutive Convention Years.
- 19.7 Annual Meeting.** Within sixty (60) days following the Annual Convention the Standing Committee shall convene a meeting, either by any four members or at the request of the Bishop (the “**Annual Meeting**”) for the purpose of electing from among its members a President and a Secretary.
- 19.8 Special Meetings.** The Standing Committee may convene meetings at its discretion and shall convene meetings at the request of the Bishop.
- 19.9 Quorum.** Any five members of the Standing Committee shall constitute a quorum for any business of the Standing Committee.
- 19.10 Voting.** The Standing Committee shall deliberate as one body, and vote as such. A majority of votes cast shall determine a question or motion. Members of the Standing Committee represent the Diocese and are free from imperative mandates from any Congregation, group or body.
- 19.11 Rules of Procedure.** In all matters of parliamentary procedure during any meeting of the Standing Committee not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by the Standing Committee, the rules contained in the current edition of *Robert’s Rules of Order Newly Revised* shall govern in all cases to which they are applicable.

- 19.12 **Attendance at Diocesan Convention.** The President of the Standing Committee, or his designee, shall have the right to seat and voice at the Diocesan Convention in his own right whether or not he is also Clergy or a Lay Delegate, and it shall be the duty of every member of the Standing Committee to attend every meeting of the Diocesan Convention, or, if unable to attend, to send to the President of the Convention a written statement of the reasons for his absence, and the Diocesan Convention shall make provision for the payment of the expenses of the President and members of the Standing Committee in the fulfillment of their duties and responsibilities in accordance with the Constitution and Canons of the Diocese whether or not they are also Clergy or Lay Delegates in their own right.
- 19.13 **Annual Report.** The Standing Committee shall make an annual report to the Diocesan Convention of its official acts. The Bishop may examine the record of the Standing Committee's proceedings, and all its other records from time to time.

## **Canon 20 Commission on Ministry.**

- 20.1 **Establishment.** There shall be a body of the Diocese to assist the Bishop in development and affirmation of the ministry of all baptized persons in the Church and in the world to be called the "**Commission on Ministry**".
- 20.2 **Composition.** The Commission on Ministry shall be appointed annually by the Bishop at each Annual Convention and shall be composed of a total of five members, being three Clergy entitled to vote at Convention and two Voting Members of a Congregation in communion with the Diocesan Convention.
- 20.3 **Vacancies.** The Bishop may fill a vacancy in the membership of the Commission on Ministry by appointing a person in the same order as the person whose unexpired term is to be filled, to serve the balance of the unexpired term.
- 20.4 **Duties and Responsibilities.** It shall be the duty of the Commission on Ministry, in accordance with the provisions of Title III of the Canons of The Episcopal Church, to advise and assist the Bishop:
- (a) in matters pertaining to the enlistment, selection, examination, education and pastoral care of postulants, candidates and deacons;
  - (b) in matters pertaining to continuing education, pastoral care, compensation and accountability, of Clergy;
  - (c) in providing guidance and pastoral care for lay persons; and
  - (d) in supporting the development, training, utilization and affirmation of the ministry of the Laity in the world.
- 20.5 **Officers of the Commission.** The Bishop shall appoint a Chair of the Commission on Ministry and a Dean of Examining Chaplains from among the Clergy on the Commission and a secretary and as many other officers, committee chairs and committees as the Bishop deems appropriate from within the total membership of the Commission.
- 20.6 **Discernment Process.** The Commission on Ministry through a Deanery Discernment Committee established in accordance with Canon 17.11(j), subject to the approval of the Bishop, may establish guidelines for the formation and training of discernment committees within each Congregation, as well as guidelines for regular meetings with the Deanery Discernment Committee and the aspirant as well as the form and nature of the

report to the Vestry or Bishop's Committee to assist its decision in certifying the aspirant's call to ordained ministry, if that is where the discernment process leads.

- 20.7 Lay Ministry.** The Commission on Ministry, or a designated Committee on Lay Ministry of the Commission, under the guidance and oversight of the Bishop, shall examine each lay person before being licensed for ministry in the Diocese to ascertain his readiness for such license, and shall report in writing and without delay the findings of such examination to the Bishop and, subject to the approval of the Bishop, may establish guidelines for the licensing of lay persons.
- 20.8 Interviewing of Aspirants for Holy Orders.** The Commission on Ministry, or a designated Interviewing Committee of the Commission, under the guidance and oversight of the Bishop, and in the Bishop's presence if so desired, interview all aspirants for Holy Orders to ascertain their personal readiness for such and shall without delay report in writing the findings of their interviews to the Bishop.
- 20.9 Examining Chaplains.** The Examining Chaplains, under the guidance and oversight of the Bishop, and in the Bishop's presence if so desired, shall examine each candidate before his ordination to the diaconate to ascertain his readiness for such ordination; and shall report in writing and without delay the findings of such examination to the Bishop and to the Standing Committee of the Diocese.
- 20.10 Institutions of The Episcopal Church.** The Commission on Ministry may use such boards, commissions, committees and other institutions of The Episcopal Church as it deems helpful in performing its several tasks, i.e., the Board for Theological Education of the General Convention and others.
- 20.11 Continuing Education.** The Commission on Ministry, or a designated Continuing Education Committee of the Commission, under the guidance and oversight of the Bishop, shall designate a minimum standard of continuing education for all active Clergy and licensed members of the Laity, and shall provide support and resources to assist with such continuing education, together with a means of reporting completion of such continuing education.
- 20.12 Commission Rules.** The Commission on Ministry may adopt rules for its work, subject to the approval of the Bishop, and in accordance with the provisions of Title III of the Canons of the General Convention and of the Constitution and Canons of the Diocese.
- 20.13 Annual Report.** The Commission on Ministry shall make an annual report to the Diocesan Convention of its official acts. The Bishop may examine the record of the Commission's proceedings, and all its other records from time to time.
- 20.14 Staff Liaison.** The Bishop shall designate a member of the Diocesan Staff to serve as liaison to the Commission on Ministry.

## **Canon 21 Commission for Episcopal Schools.**

- 21.1 Definition of Episcopal School.** Any school providing education for young people at any and all levels from pre-school through high school, and located on the premises used for the benefit of or operated under the control, auspices, or approval of any Congregation, organization or institution of the Diocese, or any combination or group thereof, shall be defined as an Episcopal School within the Diocese. No such school shall be established, maintained, or operated without the written approval and consent of the Bishop.
- 21.2 Establishment.** There shall be a Commission for Episcopal Schools in the Diocese

which shall consist of a Chair, a Deputy Chair and three (3) other members appointed annually by the Bishop at each Annual Convention, except that where the Chair is a member of a Congregation in the U.S. Virgin Islands, the Deputy Chair shall be a member of a Congregation from the British Virgin Islands and vice versa.

- 21.3 Duty and Responsibilities.** It shall be the duty of the Commission for Episcopal Schools to establish guidelines and standards for the establishment, recognition, and certification of any and all Episcopal Schools now or in the future operating within the Diocese in accordance with the laws applicable to such Episcopal School in the Deanery where it has its place of operation.
- 21.4 Religious Instruction.** Episcopal Schools within the Diocese shall base their religious instruction on *An Outline of the Faith* as contained in The Book of Common Prayer of The Episcopal Church, and shall be subject to periodic or special review by the Bishop and the Diocesan Convention, in coordination with the Commission for Episcopal Schools, to ensure that Episcopal Schools remain in compliance with the Constitution and Canons of the Diocese and any rules or regulations made in accordance with Canon 14.1.
- 21.5 Minimum Standards.** Any educational facility that operates in conjunction with, upon the property of, or under the sponsorship of the Diocese, or any Congregation, or institution thereof, shall comply with all health, safety, fire, and sanitation standards at least equal to those required by any health, safety, fire, and sanitation codes applicable in the Deanery where the Episcopal School has its place of operation.
- 21.6 Insurance.** Each Episcopal School shall have insurance sufficient to protect the property of the Diocese utilized by the Episcopal School. The Episcopal School will also have liability and other appropriate insurance related to the operation of the Episcopal School that names as additional insured both The Episcopal Church and the Diocese.
- 21.7 Rules of Procedure.** In all matters of parliamentary procedure during any meeting of the Commission for Episcopal Schools not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by the Commission for Episcopal Schools, the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern in all cases to which they are applicable.
- 21.8 Annual Report.** The Commission for Episcopal Schools shall make an annual report to the Diocesan Convention of its official acts. The Bishop may examine the record of the Commission's proceedings, and all its other records from time to time.
- 21.9 Staff Liaison.** The Bishop shall designate a member of the Diocesan Staff to serve as liaison to the Commission for Episcopal Schools.

## **Canon 22 Committee on Constitution and Canons.**

- 22.1 Establishment.** There shall be a committee of the Diocese to consider, recommend and draft proposed amendments to the Constitution and Canons of the Diocese, as well as to consider, recommend and draft proposed Diocesan Rules and Diocesan Instruments to be called the "**Committee on Constitution and Canons**".
- 22.2 Composition.** The Committee on Constitution and Canons shall be appointed by the Bishop at each Annual Convention and shall be composed of a total of nine members. The Officers of the Diocese shall each serve *ex officio* at the request of the Bishop.
- 22.3 Resolutions of Diocesan Convention.** The Committee on Constitution and Canons, or a designated Sub-Committee on Constitution and Canons, shall consider, recommend and draft proposed resolutions of the Diocesan Convention and their accompanying

reports to ensure compliance with the Constitution and Canons of the Diocese.

- 22.4 Diocesan Rules and Regulations.** The Committee on Constitution and Canons, or a designated Sub-Committee on Rules and Regulations, shall consider, recommend and draft proposed rules and regulations to be made in accordance with Canon 14.1 or by rules to be adopted by the Commission on Ministry in accordance with Canon 20.12, the rules of the Nominating Committee to be made in accordance with Article 4.3, and the rules of procedure of any organization or institution of the Diocese to ensure compliance with the Constitution and Canons of the Diocese and of The Episcopal Church.
- 22.5 Diocesan Instruments.** The Committee on Constitution and Canons, or a designated Sub-Committee on Instruments, when directed by the Bishop shall consider, recommend and draft proposed instruments in writing to be issued under the Seal of the Diocese to ensure compliance with the Constitution and Canons of the Diocese.
- 22.6 Investigations, Inquiries and Hearings.** The Committee on Constitution and Canons, for the purposes of its deliberations, may conduct investigations, inquiries or hearings of any relevant matter, and every person appointed by it, may certify to official acts of the Diocese, take depositions, issue subpoenas to any member of Clergy canonically resident in the Diocese, any Lay Delegate or Alternate Lay Delegate, any Deputy to the General Convention or Provincial Synod, any licensed lay minister or any Communicant in good standing, and may compel any of them to attend before them, and compel the production of books, accounts, papers, records, documents and testimony, except that the Committee on Constitution and Canons shall hold a hearing prior to, or during, any Annual Convention on any proposed amendment to the Constitution and Canons of the Diocese.
- 22.7 Attendance at Diocesan Convention.** The Chairman of the Committee on Constitution and Canons, or his designee, shall have the right to seat and voice at the Diocesan Convention and it shall be the duty of every member of the Committee on Constitution and Canons to attend every meeting of the Diocesan Convention and every hearing prior to the Diocesan Convention, or, if unable to attend, to send to the Bishop a written statement of the reasons for his absence, and the Diocesan Convention shall make provision for the payment of the expenses of the Chairman and members of the Committee on Constitution and Canons in the fulfillment of their duties and responsibilities in accordance with the Constitution and Canons of the Diocese whether or not they are also Clergy or Lay Delegates in their own right.
- 22.8 Rules of Procedure.** In all matters of parliamentary procedure during any meeting of the Committee on Constitution and Canons not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by the Committee on Constitution and Canons, the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern in all cases to which they are applicable.
- 22.9 Staff Liaison.** The Bishop shall designate a member of the Diocesan Staff to serve as liaison to the Committee on Constitution and Canons.

## **TITLE III: ORGANIZATION AND GOVERNANCE OF CONGREGATIONS**

### **Canon 23      The Cathedral.**

**23.1      Definition of a Cathedral.** A Cathedral is a self-supporting Congregation within the Diocese that serves to:

- (a) afford the Bishop a place of right to administer the duties of the Ordinary, to which end the Bishop may officiate at will, by preaching or by public administration of the Sacraments and other offices of the Church, appointing the services to be used and shall be invited by the Dean of the Cathedral to use it for Easter Sunday, at least three other Sundays each year, and on Christmas Day;
- (b) serve as the center of Diocesan unity and administration; and
- (c) serve as the center of Diocesan mission and ministry.

**23.2      Designation of the Cathedral.** The **Cathedral Church of All Saints** on the island of St. Thomas in the United States Virgin Islands has been and continues to be designated as the Cathedral of the Diocese.

**23.3      Cathedral also a Parish.** The Cathedral shall be a Parish of the Diocese in accordance with Canon 24, with the special functions and responsibilities outlined in this Canon, and should the Cathedral at any time fail to meet the minimum requirements of a Parish in accordance with Canon 24.2, the Diocesan Convention shall either immediately resolve to designate another Parish as the Cathedral and allow the Cathedral to become an ordinary Parish and subject to the consequences of its failure to meet the minimum requirements of a Parish, or alternatively immediately resolve to suspend the Clergy and Lay Delegates of the Cathedral from the Diocesan Convention until the Cathedral shall again meet all the minimum requirements of a Parish in accordance with Canon 24.2.

**23.4      Cathedral Chapter.** A Cathedral Chapter shall be the executive body of the Diocese between Diocesan Conventions and with all the powers, duties and responsibilities of the Diocesan Convention, and shall consist of:

- (a) the Bishop, to serve as President of the Cathedral Chapter, and shall be entitled to the style of office as “The Right Reverend”;
- (b) the Dean of the Cathedral, elected by the Vestry of the Cathedral in the same manner as a Parish may elect a Rector in accordance with this Constitution and Canon, subject to confirmation by the Diocesan Convention, to serve as Vice President of the Chapter of the Cathedral and to act as President of the Cathedral Chapter in the absence of the Bishop, with charge for the performance of Divine Services and the administration and grounds of the Cathedral and, as Rector ex officio of the Cathedral, shall have the canonical authority and duties of a Rector subject to this Canon, and shall be entitled to the style of office as “The Very Reverend”;
- (c) the Canon Liturgist, who shall be a member of Clergy elected by the Diocesan Convention on the recommendation of the Bishop, to act as Dean of the Cathedral in the absence of the Dean, with the especial duty to regulate the musical portion of Divine Services, superintend the lections in the choir during Divine Services, and shall serve as the Diocesan liaison with the Standing Commission on Liturgy and Music of The Episcopal Church and other related

organizations;

- (d) the Canon Theologian, who shall be a member of Clergy or a licensed Pastor or licensed Lay Preacher elected by the Diocesan Convention on the recommendation of the Bishop, to recommend a comprehensive and coordinated policy and strategy on relations with other Christian Churches within the Diocese and other religions within the Diocese, as well as to make recommendations concerning interchurch cooperation and unity, and interreligious dialogue and action, as well as to review and evaluate policies, priorities, and strategies for mission within the Caribbean region, and to make recommendations regarding representing The Episcopal Church throughout the English-speaking Caribbean and shall serve as the Diocesan liaison with the Standing Commission on Ecumenical and Interreligious Affairs of The Episcopal Church, the Standing Commission on World Mission and other related organizations, with the special duty to serve as Chaplain to the Diocesan Convention;
- (e) the Canon Missioner, who shall be a member of Clergy or a licensed Pastor or a licensed Eucharistic Minister or a licensed Eucharistic Visitor elected by the Diocesan Convention on the recommendation of the Bishop, as guardian of the fabric, and of all the furniture and ornaments of the Cathedral, with the especial duty to provide bread and wine for the Lord's Supper, and candles and incense, and to regulate such matters as the ringing of the bells, and it shall also be the duty of the Canon Missioner, when requested by any Congregation, to provide within thirty days of such request, counsel and advise with such Congregation concerning preliminary plans for new buildings, for changes in existing building, and for furnishings, appointments and musical instruments, and he shall advise the Bishop in relation to any new building or structural alteration of an existing building to be commenced by any mission or Distressed Parish and shall serve as the Diocesan liaison with the Standing Commission on Stewardship and Development and other related organizations;
- (f) such additional Officers of the Cathedral as may be authorized by Resolution of the Diocesan Convention from time to time;  
  
(the persons appointed under paragraphs (c) to (f) shall be called the "**Officers of the Cathedral**", who shall be entitled to the style of office as "The Reverend Canon")
- (g) the Canon to the Ordinary, and such other Clergy, not to exceed three (3) in number, designated by the Bishop as a Canon of a Cathedral from time to time by instrument in writing under the Seal of the Diocese, who shall be entitled to the style of office as "The Reverend Canon";
- (h) the Chancellor of the Diocese, as the senior legal advisor in the Diocese, whether a member of the Clergy or not, and such other Officers of the Diocese, not to exceed three (3) in number, who are members of the Laity, designated by the Bishop as a Canon of a Cathedral by instrument in writing under the Seal of the Diocese, who shall be entitled to the style of office as "Canon";
- (i) the Dean and Sub-Dean of each Regional Deanery, and where the Dean is also Clergy the Dean shall be entitled to the style of office as "The Venerable";
- (j) two (2) lay persons appointed annually by the Lay Delegation of the Cathedral from its number; and
- (k) such persons who retires immediately after holding any office of Dean of the

Cathedral and designated by the Bishop as Bishop Emeritus or Dean Emeritus by instrument in writing under the Seal of the Diocese, or after holding any office of Canon of a Cathedral within the Diocese and designated by the Bishop as Canon Emeritus by instrument in writing under the Seal of the Diocese, but shall not be required to be in attendance at meetings of the Cathedral Chapter or count towards a quorum, but shall continue to be entitled to the use of the style of the highest office held within the Diocese,

provided that no member of the Cathedral Chapter may serve as a member of the Standing Committee.

- 23.5 Meetings.** The President of the Cathedral Chapter, may, from time to time, summon the members of the Cathedral Chapter to a meeting at such time and place as he may in his own discretion designate, but shall summon the members of the Cathedral Chapter to a meeting not later than sixty (60) days following a meeting of the Diocesan Convention for the purpose of reviewing the decisions made at the Diocesan Convention and to establish a plan of action for the implementation of the policies and programs adopted at the Diocesan Convention and for reviewing the progress across the Diocese for the implementation of the plan of action.
- 23.6 Record of Proceedings.** The Secretary to the Convention shall attend meetings of the Cathedral Chapter for the purpose of recording all minutes of the proceedings of the Cathedral Chapter.
- 23.7 Finance Matters.** The Chief Financial Officer shall attend meetings of the Cathedral Chapter for the purpose of providing regular financial reports of the operation of the Diocese and of its financial conditions as may be required by the Cathedral Chapter.
- 23.8 Quorum.** A quorum for the transaction of the business of the Cathedral Chapter shall consist of any seven (7) members, three of whom must be either a Dean or Sub-Dean from each Regional Deanery.
- 23.9 Voting.** The Cathedral Chapter shall deliberate as one body, and vote as such. A majority of votes cast shall determine a question or motion. Members of the Cathedral Chapter represent the Diocese and are free from imperative mandates from any Congregation, group or body.
- 23.10 Vacancies.** In the event of a vacancy in the office of any of the Officers of the Cathedral, the Cathedral Chapter shall have the power to fill such vacancy until the next Annual Convention.
- 23.11 Rules of Procedure.** In all matters of parliamentary procedure during any meeting of the Cathedral Chapter not governed by the Constitution and Canons of the Diocese or any special rules of order adopted by the Cathedral Chapter, the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern in all cases to which they are applicable.
- 23.12 Annual Report.** The Cathedral Chapter shall make an annual report to the Diocesan Convention for its approval, adoption and acceptance.

## **Canon 24 Parish.**

- 24.1 Definition of a Parish.** A Parish is a self-governing and self-supporting Congregation within the Diocese, permitted to incorporate or is incorporated under the laws of the U.S. Virgin Islands if it is a Constituent Congregation of either the Deanery of St. Thomas and St. John or the Deanery of St. Croix, or permitted to incorporate or is incorporated under

the laws of the British Virgin Islands if it is a Constituent Congregation of the Deanery of the British Virgin Islands, in the charge of a Rector, and authorized to send lay delegates with voice and vote to the Diocesan Convention in accordance with the Constitution and Canons of the Diocese.

**24.2 Minimum Requirements of a Parish.** A Parish shall as a minimum meet the following requirements:

- (a) consist of a body of worshippers numbering one hundred (100) or more baptized persons, aged sixteen (16) years or older, at least seventy-five (75) of whom shall be communicants in good standing who represent no fewer than twenty-five (25) separate households under the pastoral supervision of at least one Clergy;
- (b) be fully self-supporting as evidenced by:
  - (i) financial statements for three consecutive calendar years; and
  - (ii) budget projections showing income by sources and expenses by category, for the succeeding calendar year;
- (c) pay, or provide for the payment of, all its expenses and financial obligations;
- (d) maintain a regular program of ministry (including regular celebration of the Sacrament of Holy Communion) at a designated place or places of worship in accordance with the doctrine, discipline, worship and canon law of The Episcopal Church;
- (e) notwithstanding the generality of (c) above, provide its share in the support of the Diocese through the Diocesan Assessment determined in accordance with Canon 11.9;
- (f) notwithstanding the generality of (c) above, make provision for a Rector at least as to housing and two-thirds of the total of all salaries which its Rector receive from all cures within the Diocese;
- (g) notwithstanding the generality of (c) above, compensate, and provide benefits to, stipendiary Clergy and lay employees in accordance with any Diocesan rule or regulation established in accordance with Canon 14.1 on the advice of the Commission on Ministry;
- (h) acknowledge the oversight, visitation, ministry and counsel of the Bishop;
- (i) cause to be elected and provide for the regular attendance by the appropriate number of Lay Delegates and Alternate Lay Delegates in accordance with Canon 2.1 to the Deanery Synod and the Diocesan Convention;
- (j) .cause all accounts of the Parish to be audited annually;
- (k) submit all parochial reports required in accordance with the Constitution and Canons of the Diocese and of The Episcopal Church in a timely manner; and
- (l) maintain the legal and tax exempt status of the Parish in good standing.

**24.3 Membership.** Every person who has received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in The Episcopal Church or in another Christian Church, and whose Baptism has been duly

recorded in The Episcopal Church, as provided in the Canons of the General Convention, shall be members of The Episcopal Church, and eligible to be members of a Congregation in union with the Diocesan Convention.

**24.4 Categories of Membership.** Congregations in this Diocese shall recognize the following categories of membership:

- (a) **Member**, who shall be any baptized person who is a member of The Episcopal Church in accordance with Canon 24.3 and whose baptism is recorded in the records of a Congregation in union with the Diocesan Convention, and who regularly participates in the worship of a Congregation in union with the Diocesan Convention shall be deemed a member of that Congregation.
- (b) **Communicant**, who shall be any Member who, during the preceding year, has received the Sacrament of Holy Communion at least three (3) times in the Congregation where his membership is recorded.
- (c) **Communicant in Good Standing**, who shall be any Communicant who, during the preceding year, has been faithful in corporate worship, unless for good cause prevented, and in working, praying and giving for the spread of the kingdom of God.
- (d) **Adult Communicant**, who shall be a Communicant sixteen (16) years or older and who, when properly licensed, may exercise the liturgical and other ministries proper to the laity.
- (e) **Inactive Member**, who shall be a Member who for a period of one (1) year has failed to attend worship, unless for good cause prevented, and this change of status shall be noted in the records of the Congregation. If that person shall resume regular attendance at worship, the status as an Inactive Member shall be removed, and so noted in the records of the Congregation.
- (f) **Voting Member**, who shall be an Adult Communicant in Good Standing who is not an Inactive Member shall be entered on a list of persons eligible to one vote at any Congregational Meeting to be called the “**Certified List of Voters**” for that Congregation to be kept, corrected up to date, on file by the Secretary, or Clerk, of the Congregation.

**24.5 Property.** All property, both real and personal, owned or held by or for the benefit of any Congregation or its purposes, including that held by any person or entity that is affiliated with or formed by the Congregation, is held in trust for The Episcopal Church and the Diocese, subject to the Constitution and Canons of the Diocese. Property of a Congregation is the responsibility of the Vestry. All pews in every Congregation in the Diocese shall be forever free.

**24.6 Title to Property.** Subject to Canon 24.5, title to property of any Parish shall be held in the name of the Parish as incorporated.

**24.7 Acquisition of Real Property.** A Parish may acquire any interest in real property and shall report any such acquisition to the Bishop within six months of the acquisition.

**24.8 Location of Parish.** The location and boundaries of a Parish shall be determined by rules and regulations made in accordance with Canon 14.1, and a Parish shall have all the rights and privileges to deal with the real property within its boundaries as it sees fit subject to any provision of the Constitution and Canons of the Diocese.

**24.9 Construction and Improvement of Congregational Facilities.** A Parish shall not begin

construction of any new facility or permanent improvements to (not including normal maintenance, remodeling and redecorating), or enlargement of any existing facility belonging to the Parish without the prior approval of the Bishop, with the advice and consent of the Standing committee. Prior to seeking approval, the Vestry shall obtain the approval of the Parish. Plans for construction or alteration shall be submitted to the Canon Missioner for review and approval. The term “**facility**” includes churches, parish or other meeting halls, rectories and housing, schools, and buildings used by the Parish.

- 24.10 Demolition of Property.** Parish facilities shall not be demolished without the prior approval of the Bishop, with the advice and consent of the Standing Committee. Prior to seeking approval, the Vestry shall obtain the approval of the Parish.
- 24.11 Encumbrance of Property.** A Parish may not encumber its interest in real property without the prior consent of the Bishop and the Standing Committee. Prior to seeking consent, the Vestry shall obtain the approval of the Parish.
- 24.12 Refinancing of Encumbrances.** A Parish may refinance an encumbrance securing indebtedness previously approved by the Bishop and the Standing Committee without the consent of the Bishop and the Standing Committee, or the Parish, if the indebtedness is not increased, the collateral is not changed, and the amount financed or the rate of interest is not increased, or the maturity date advanced to a date sooner than the refinanced encumbrance.
- 24.13 Statements of Account.** When a Congregation encumbers property, it shall, within thirty (30) days of doing so, prepare and furnish to the Bishop and the Standing Committee copies of the lien or mortgage and any note. Along with filing any parochial reports required in accordance with the Constitution and Canons of the Diocese and of The Episcopal Church, the Vestry shall provide to the Bishop and the Standing Committee an annual statement showing all terms and conditions of the encumbrance, including original principal amount, rate of interest, payment amount, maturity date of the indebtedness, the amount of principal and interest paid and the dates of all payments made during the preceding calendar year, and the beginning and ending principal balances, together with the name and address of the lender, mortgagee or lien holder.
- 24.14 Alienation and Transfer of Property.** A Parish shall not alienate (which includes, convey, transfer legal or equitable title or a possessory interest therein, lease, sell and give) personal property with a fair market value of 50% or more of the total market value of the assets of the Parish and any interest in real property without the prior consent of the Bishop and Standing Committee. Prior to seeking consent, the Vestry shall obtain the approval of the Parish at a duly called meeting.
- 24.15 Property Insurance.** A Parish shall maintain adequate insurance coverage on all of its property, both real and personal, against hazards and liability in minimum amounts as may be required by any rules or regulations made in accordance with Canon 14.1. An inventory of all personal property and its value shall be taken and kept current by the Vestry, with a copy retained off-site.
- 24.16 Management of Property.** The Vestry shall be responsible for the proper and timely management, maintenance and administration of all property of a Parish.
- 24.17 Use of Property and Facilities.** The Clergy-in-Charge of a Parish shall at all times be entitled to the use and control of the property and facilities of the Parish, including all appurtenances and furnishings, and have access to all records and registers maintained by or on behalf of the Parish for the purposes of the office and the full and free discharge of all functions and duties pertaining thereto.

**24.18 Incorporation of a Parish.** Every Parish shall be organized as a body corporate in the relevant jurisdiction in which it is located subject to such requirements and terms outlined by such rules and regulations made in accordance with Canon 14.1 which shall as a minimum require:

- (a) a statement that all its activities shall forever conform with the Constitution and Canons of the Diocese and of The Episcopal Church and with the doctrine, discipline, worship, and canon law of The Episcopal Church;
- (b) a statement that all real and personal property held by or for the benefit of the Congregation shall forever be held in trust for the Diocese and The Episcopal Church, and that upon dissolution of the Parish, or if the Parish becomes a Mission for any reason, then title to all real and personal property held by the Parish promptly is conveyed to the Diocese; and
- (c) the full name of the Parish, which must include the words “Episcopal Church” or “Episcopal Parish” or “Episcopal Community”, except that the name of the Cathedral shall be as designated by the Constitution and Canons of the Diocese or the Diocesan Convention.

**24.19 Failure to Properly Incorporate.** The Chancellor and Vice Chancellor shall seek to secure a caution or related restriction over the property of any Parish which is in contravention of Canon 24.18 and the Parish shall be prohibited from any dealings with its property and also prohibited from obtaining any form of credit or other form of indebtedness without the prior consent of the Bishop and the Standing Committee for as long as such contravention continues but a Parish may promptly seek the assistance of the Chancellor and Vice Chancellor to comply with Canon 24.18.

## **Canon 25 Mission.**

**25.1 Definition of a Mission.** A Mission is a Congregational ministry of the Diocese, in the charge of the Bishop or, at the Bishop’s discretion and pleasure, a Vicar, and authorized to send lay delegates with voice and vote to the Diocesan Convention in accordance with the Constitution and Canons of the Diocese.

**25.2 Membership.** The provisions relating to Members for a Parish under Canon 24.3 and the categories of Members under Canon 24.4 shall apply to a Mission.

**25.3 Vicars.** The provisions relating to Clergy under Canon 28 shall apply to the Clergy of a Mission subject to the following:

- (a) the use and control of buildings and the right of ultimate direction and control of all guilds, societies, organizations and associations affiliated with, associated with, or sponsored by the Congregation shall belong to the Vicar, subject to the Bishop;
- (b) Vicars are Missionaries of the Diocese who are appointed by the Bishop for Missionary work in the Diocese, and assigned by the Bishop to Missions or to work in places not adequately served by any Congregation, except that a Rector, with the approval of the Vestry of the Parish he serves, may be assigned by the Bishop to serve as Vicar, Supply Clergy or Interim Clergy of a Mission and be given a stipend for such services.
- (c) The Bishop’s Committee shall consult with the Bishop in relation to any dissolution of the pastoral relationship and for the appointment of a new Vicar and in accordance with its Bylaws as may be approved from time to time by the Bishop.

- 25.4 Property.** Subject to Canon 24.5, title to all property for a Mission, except funds received for the current expenses thereof or held on trust, shall be held by the Diocese on trust for the Mission and The Episcopal Church, and shall be held subject to the control and direction of the Diocesan Convention. If it is deemed in the best interests of the Mission, with the approval of the Bishop and the Standing Committee on the request of the Bishop's Committee, title to property used by a Mission may be transferred to it. Such approval may be subject to conditions. Prior to any transfer of title to a Mission, the Mission shall be organized as a body corporate and shall provide the statements required by Canon 24.18.
- 25.5 Special Property Provisions.** Where title to property used by a Mission is transferred to it in accordance with Canon 25.4, then the provisions of Canons 24.7 to 24.17 shall apply to the Mission with the necessary modifications, and in particular a reference to "Vestry" shall be deemed a reference to "Bishop's Committee" and a reference to "Parish" shall be deemed a reference to "Mission".
- 25.6 Bylaws.** Where a Mission is not organized as a body corporate, the Bishop shall approve Bylaws on the recommendation of the Bishop's Committee, or where the Mission has not yet been formally organized, by all the Adult Communicants who shall form the Members of the Mission, and the Bylaws shall provide the statements required by Canon 24.18. The Bishop and the Clerk of the Congregation shall sign the Bylaws in triplicate and the Bishop shall retain a copy for his records, the Clerk shall retain a copy for the records of the Congregation and the additional original copy shall be retained by the Vicar.
- 25.7 Congregational Meetings.** Canon 29 shall apply to the Mission with the necessary modifications, and in particular a reference to "Vestry" shall be deemed a reference to "Bishop's Committee", a reference to "Parish" shall be deemed a reference to "Mission" and a reference to "Rector" shall be deemed a reference to "Vicar".
- 25.8 Bishop's Committee.** Subject to the provisions of Canon 25.9, Canon 30 shall apply to the Mission with the necessary modifications, and in particular a reference to "Vestry" shall be deemed a reference to "Bishop's Committee" and a reference to "Parish" shall be deemed a reference to "Mission".
- 25.9 Special Governance Provisions.** Notwithstanding the provisions of Canon 25.8, the following provisions shall apply to the Mission in respect of its Bishop's Committee:
- (a) the number of members of the Bishop's Committee may be determined by mutual agreement between the Bishop and the Congregation and included in the constitutional documents of the Congregation;
  - (b) the members of the Bishop's Committee, unlike the Vestry, shall be elected, with the advice and consent of the Bishop, and the Bishop may appoint others, and may at any time remove from office any member or members of the Bishop's Committee subject to the constitutional documents of the Congregation;
  - (c) subject to the constitutional documents of the Congregation, the Bishop has exclusive authority to fill vacancies in the membership of the Bishop's Committee;
  - (d) the Vicar or other Clergy-in-Charge shall preside at all meetings of the Bishop's Committee, and in their absence then a Warden presides;
  - (e) no action may be taken at a meeting of the Bishop's Committee unless the Vicar, or other Clergy-in-Charge, or a Warden, or other person appointed as the Bishop's representative, is present;

- (f) every Mission must adopt a budget for the Mission, and the finances of the Mission must be administered considered with that budget, but any subsequent material amendment to it, shall be subject to the written approval of the Bishop;

- 25.10 Conversion from Mission to Parish.** Where a Mission has consistently met the minimum requirements for a Parish in accordance with Canon 24.2 for at least three (3) consecutive years and seeks to be converted to a Parish in accordance with its Bylaws, the Wardens shall consult with the Bishop regarding their intent and the Bishop may refer the Wardens to the Chancellor or Vice Chancellor for assistance in preparing their petition and supporting documentation in such manner and form as may be prescribed by rules and regulations in accordance with Canon 14.1.
- 25.11 Readiness for Incorporation.** Where a Mission is not organized as a body corporate and is seeking to convert to a Parish in accordance with Canon 25.10, it shall submit a copy of its proposed constitutional documents and application for incorporation under secular law, and where it is already organized as a body corporate it shall submit a copy of the proposed amendments to its constitutional documents.
- 25.12 Approval or Dismissal of Petition.** When the petition and supporting documentation has been submitted to the Bishop who shall submit his recommendation to the Diocesan Convention after consulting with the Standing Committee. A recommendation to convert a Mission as a Parish may be subject to such conditions as the Bishop deems appropriate subject to approval by a two-thirds vote of the Diocesan Convention. If the Bishop dismisses the petition, he shall inform the Mission in writing of the reasons for this action. If a petition is dismissed for any reason other than failure to comply with Canon 25.10, the Mission may appeal the dismissal to the Diocesan Convention which may by a two-thirds majority vote approve the petition subject to such conditions as the Bishop may impose.
- 25.13 Notice of Conversion from Mission to Parish.** Where the Diocesan Convention approves a recommendation to convert to a Parish, with or without conditions, the Secretary to the Convention shall notify every Congregation in union with the Diocesan Convention.
- 25.14 Implementation of Parish Organization.** Upon notice of conversion from Mission to Parish, the Congregation shall either apply to be organized as a body corporate or apply to have its constitutional documents amended whichever is appropriate, and upon receipt of the duly filed copies of the constitutional documents, a copy shall be sent to the Bishop for inclusion in the official records of the Diocese.
- 25.15 Dissolution of Mission.** The Bishop may withdraw the Clergy and, with the consent of the Standing Committee, dissolve any Mission where in the opinion of the Bishop it is not a viable Congregation carrying out the ministry and mission of the Diocese and The Episcopal Church.

## **Canon 26 Distressed Parish.**

- 26.1 Independent Inquiry.** Where the Bishop has reason to believe that for three consecutive years a Parish has failed to meet the minimum requirements of a Parish in accordance with Canon 24.2, the Bishop may independently begin an inquiry either personally or with or through designees into the condition of the Parish as seems appropriate to the Bishop for the sole purpose of amending the conditions causing the failure of the Parish to meet the minimum requirements.
- 26.2 Voluntary Inquiry.** Where the Vestry or the members of a Parish by majority vote believing that the Parish has failed to meet the minimum requirements of a Parish in

accordance with Canon 24.2, may petition the Bishop to begin an inquiry either personally or with or through designees into the condition of the Parish as seems appropriate to the Bishop for the sole purpose of amending the conditions causing the failure of the Parish to meet the minimum requirements.

**26.3 Conduct of Inquiry.** An inquiry initiated under either Canon 26.1 or Canon 26.2 shall include conversations with persons in the Parish and may also include written and oral questions to members of the Parish, and examination of any books and records of the Parish, and the Parish shall cooperate in the inquiry by answering such questions fully, accurately, and promptly, and by making fully available the books and records of the Parish upon reasonable notice.

**26.4 Declaration as a Distressed Parish.** If, after an inquiry under Canon 26.3, the Bishop finds that the Parish failed to meet the minimum requirements of a Parish in accordance with Canon 24.2, then the Bishop may with the consent of the Standing Committee declare the Parish to be a Distressed Congregation, and where the Standing Committee is the Ecclesiastical Authority, it shall make the declaration by a unanimous vote, and the Clergy-in-Charge of a Distressed Parish shall be subject to such reduced levels of salaries and benefits as shall be determined by rules and regulations made in accordance with Canon 14.1 after consulting with the Commission on Ministry.

**26.5 Remedies after Declaration.** If a Parish is declared to be a Distressed Parish under Canon 26.4, then the Bishop may apply any one or more of the following remedies (each of which is an independent remedy with no requirement of sequential application or of exhaustion of certain remedies before the application of others). These remedies may be applied either for a particular stated period of time, or until one or more explicit contingencies are met:

- (a) a mutual agreement for Congregational redevelopment whereby the Parish and the Bishop shall commit their best efforts to cure the conditions which led to the declaration of Distressed Parish within ninety days, or such shorter period as may be agreed, of the execution of the agreement and then implemented consistent with its terms;
- (b) prompt conveyance of title of all real and personal property of the Parish to the Diocese, which shall preserve and control the property until the Bishop declares the end or sufficient amelioration of such conditions, or applies further measures under the Constitution and Canons of the Diocese;
- (c) yoking, merging or clustering with other Congregations in accordance with a plan issued by the Bishop with the agreement of the Congregation;
- (d) adapt its constitutional documents to provide for collaborative ministry, sometimes referred to as “**total ministry**”, with the consent, and under the guidance and supervision of the Bishop; and
- (e) the Bishop, with the consent of the Standing Committee (or acting unanimously when the Standing Committee is the Ecclesiastical Authority) may declare the Parish to be a Mission, whereupon the Bishop shall agree with such amendments to the constitutional documents of the Congregation, and shall then appoint a Vicar or Priest-in-Charge, and the title of all real and personal property promptly is conveyed to the Diocese and the spiritual and temporal affairs of the Congregation is governed by the Constitution and Canons of the Diocese which regulate the ministry, governance and administration of a Mission.

**26.6 Review of Remedies.** Either the Bishop or an affected Congregation can seek

modification or repeal by resolution of the Diocesan Convention of one or more of the remedies applied by the Bishop under Canon 26.5.

## **Canon 27 Exemplary Parish.**

**27.1 Conferral of Awards.** The Diocesan Convention may recognize any person, organization or Congregation for its work and records of achievement within the Diocese subject to any award provided in the Constitution and Canons of the Diocese, and the Clergy of any Parish to which any award provided under this Canon applies shall be subject to such levels of salaries, benefits and bonuses as shall be determined by rules and regulations made in accordance with Canon 14.1 after consulting with the Commission on Ministry.

**27.2 Diocesan Award for Best Practices.** Any Parish, except the Cathedral, that:

(a) has a Vestry which consistently fulfils all of its duties and responsibilities in accordance with Canon 30.14 for at least three (3) consecutive years; and

(b) consistently exceeds the minimum requirements in accordance with Canon 24.2 for at least three (3) consecutive years,

shall be awarded by the Bishop during the Annual Convention, with the consent of the Standing Committee, the Diocesan Award for Best Practices as may be provided in accordance with such rules and regulations made in accordance with Canon 14.1, and the Parish shall not be subject to any sanction for one (1) year following the conferral of this award.

**27.3 Diocesan Best of the Best Award.** Any Parish which has in any year received the Diocesan Award for Best Practices and has the highest increase over the previous year of any other Parish in the Diocese in baptized persons, aged sixteen (16) years or older, at least half of whom are communicants in good standing shall also be awarded by the Bishop during the Annual Convention, with the consent of the Standing Committee, the Diocesan Best of the Best Award as may be provided in accordance with such rules and regulations made in accordance with Canon 14.1 and the Parish shall not be subject to any sanction or to be declared a Distressed Parish for two (2) consecutive years immediately following the conferral of this award.

**27.4 Diocesan Golden Crown Award.** Any Parish which has received the Diocesan Best of the Best Award for six (6) consecutive years shall also be awarded by the Bishop during the Annual Convention, with the consent of the Standing Committee, the Diocesan Golden Crown Award as may be provided in accordance with such rules and regulations in accordance with Canon 14.1 and the Parish shall not be subject to any sanction or to be declared a Distressed Parish for three (3) consecutive years immediately following the conferral of this award.

**27.5 Review of Awards.** The Bishop, with the consent of the Standing Committee, may revoke any award given under this Canon where fresh evidence demonstrates that the Parish had not in fact met the requirements for that award, and the effect of the revocation would be as though the Parish had never been granted the award.

## **Canon 28 Clergy.**

**28.1 Title III of the Canons of The Episcopal Church.** Those provisions of Title III of the Canons of The Episcopal Church which are applicable to the Diocese are hereby incorporated as part of this Canon. To the extent, if any, that any of the provisions of this Canon are in conflict or inconsistent with the provisions of Title III, the provisions of Title III shall govern.

**28.2 Duty to Congregation and Bishop.** Members of the Clergy have responsibilities both to their Congregation and to the Bishop. Therefore, Clergy are not eligible to participate in lay capacities, to be employed by a Congregation, or to be elected or appointed as an officer of a Congregation, without a written dispensation from the Bishop in accordance with Canon 15.1, who shall be entitled to the style of office as “The Reverend”, except for Deacons who shall be entitled to the style of office as “The Reverend Mister” or “The Reverend Miss” or “The Reverend Mistress” as appropriate, and when any Deacon is entitled to any other style of office in accordance with the Constitution and Canons of the Diocese it shall be followed by “Mister”, “Miss” or “Mistress” as appropriate.

**28.3 Specific Duties in relation to a Congregation.** Clergy shall be responsible for the general management of a Congregation as follows:

- (i) Each Congregation shall be in the charge of a Clergy (the “**Clergy-in-charge**”) as follows:
  - (a) in the case of a Parish, the Clergy-in-charge is a **Rector**;
  - (b) in the case of a Mission, the Clergy-in-charge is a **Vicar**;
  - (c) in the case of an Academic Chaplaincy, the Clergy-in-charge is an **Academic Chaplain**;
  - (d) in the case of a Congregation in leadership transition, the Clergy-in-charge is an **Interim Clergy**;
  - (e) in the case of a Congregation in development or redevelopment, the Clergy-in-charge is a **Priest-in-Charge**;
  - (f) in the case of a Congregation served by a total ministry team, the Clergy-in-Charge is the total ministry team, or one or more members of the total ministry team designated by the total ministry team as “in-charge”; and
  - (g) in the case of a Congregation without a Clergy-in-Charge, the Bishop shall exercise oversight authority.
- (ii) Each Congregation may be served by and ministered through other Clergy as follows:
  - (a) subject to the Constitution and Canons of the Diocese and of The Episcopal Church, and with the approval of the Bishop and of the Vestry, the Clergy-in-Charge may select other Clergy to be **Assistant Clergy** subject to the authority and direction of the Clergy-in-Charge;
  - (b) subject to the Constitution and Canons of the Diocese and of The Episcopal Church, the Bishop may assign a **Deacon** to a Congregation, and with respect to his ministrations within the Congregation shall be subject to the authority and direction of the Clergy-in-Charge, but every Deacon shall pursue their ministry under the direction and supervision of the Bishop, and collectively shall be called the **Diaconate of the Diocese** and the Bishop may convene such meetings of the Diocesan Diaconate from time to time for such purposes as the Bishop may consider appropriate, but at least once each calendar year;
  - (c) subject to the Constitution and Canons of the Diocese and of The Episcopal

Church, and with the approval of the Bishop and of the Vestry, the Clergy-in-Charge or the Wardens may select **Supply Clergy** to provide occasional sacramental and pastoral services to a Congregation in the absence of the Clergy-in-Charge subject to the authority and direction of the Bishop, and shall be compensated according to such rules and regulations made in accordance with Canon 14.1 on the advice of the Commission on Ministry;

- (d) subject to the Constitution and Canons of the Diocese and of The Episcopal Church, the Clergy-in-Charge may invite **Associated Clergy** to serve within a Congregation, and, when doing so, shall serve at the pleasure, and under the direction and supervision, of the Clergy-in-Charge;
  - (e) subject to the Constitution and Canons of the Diocese and of The Episcopal Church, in Congregations served by a total ministry team the functions normally performed by the Clergy-in-Charge and/or Assistant Clergy are distributed among the members of the ministry team composed of Clergy and lay persons, all of whom serve under the pastoral oversight of the Bishop.
- (iii) The relationship between a Congregation and its Clergy is subject to the approval of the Bishop and governed by the Constitution and Canons of the Diocese and of The Episcopal Church and such rules and regulations made in accordance with Canon 14.1 as follows:
- (a) the mutual expectations and responsibilities of the Clergy-in-Charge and of any Assistant Clergy, and of the Vestry and Congregation, shall be described in a **Letter of Agreement**, or covenant. A Letter of Agreement is intended to clarify the relationship between the parties, enhance their ministries, and avoid occasions for conflict. Any provision of a Letter of Agreement which is in conflict with the Constitution and Canons of the Diocese and of The Episcopal Church or such rules and regulations made in accordance with Canon 14.1 shall be null and void. Letters of Agreements, and any amendments to them, shall not become effective unless and until approved by the Bishop;
  - (b) the Vestry shall be responsible for compensating the Clergy-in-Charge and Assistant Clergy according to such rules and regulations made in accordance with Canon 14.1 on the advice of the Commission on Ministry;
  - (c) prior to the beginning of each fiscal year Clergy shall determine that portion of his compensation to be considered **Housing and Utility Allowance**, and this determination shall be incorporated into a resolution adopted by the Vestry and made a part of its minutes and records;
  - (d) any Letter of Agreement providing for employment of Clergy beyond the age of seventy-two years, if at all, may only be on an annual basis subject to the approval of the Bishop, but cannot be for the position of Clergy-in-Charge unless it is as Interim Clergy.

**28.4 Pastoral and Temporal Duties.** Clergy shall have the specific pastoral and temporal duties as follows:

- (i) The Rector has control of the worship and the spiritual interests of the Congregation, subject to canon law and to the godly counsel of the Bishop.
- (ii) The Rector is, ex officio, a member of the Vestry, and, when present, the presiding officer of the Vestry, but not entitled to vote at its meetings.

- (iii) All other Clergy of the Congregation, by whatever designation called, serve under the authority and direction of the Rector.
- (iv) The Rector must at all times be entitled to the keys, use, control, and access to the Church and Congregational facilities, premises and contents.
- (v) The Rector at all times has the right of ultimate direction and control of all guilds, societies, organizations, and associations that are affiliated with, associated with, or sponsored by the Congregation, including the right and responsibility to ensure that the leadership of such groups is fairly chosen and appropriately rotated among suitable members of the Congregation.

**28.5 Dissolution of the Pastoral Relationship.** Clergy shall be subject to the conditions in relation to the dissolution of the pastoral relationship as follows:

- (i) Except upon mandatory resignation by reason of attaining the age of seventy-two years, a Rector may not resign without the consent of the Vestry, nor may any Rector canonically or lawfully elected and in charge of a Congregation be removed by the Vestry against the Rector's will, except as provided in accordance with the Constitution and Canons of the Diocese.
- (ii) When a Rector or a majority of any Vestry believe the pastoral relation between the Rector and the Congregation is imperiled by dissension, it shall be the duty of either or both, before contemplating dissolution of the pastoral relation, to lay the matter before the Bishop.
- (iii) If for any urgent reason a Rector or Vestry desires a dissolution of the pastoral relationship, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese, to perform the duties of the Bishop under this Canon.
- (iv) Whenever a Rector or a Vestry notifies the Bishop under the terms of this Canon, the Bishop shall labor for a reconciliation between the Rector and the Congregation, either directly or through the Bishop's designee, or both. The Bishop may require one or more meetings with the Vestry and the Rector, either together or separately, and may require such meetings to be held with the Bishop, with the Bishop's designee, or both. No later than 90 days after receiving the original notification for consultation under the provisions of this Canon, the Bishop shall issue a Pastoral Direction in writing to the Rector and the Vestry which shall outline a course of action to unify the Congregation.
- (v) If, in the judgment of the Bishop, the Rector, or the Vestry, the terms of the Pastoral Direction issued by the Bishop as specified in paragraph (iv) above have not been met, or that the purposes of the Pastoral Direction have not been achieved, and 90 days have passed since the issuance of the Pastoral Direction, then the Rector or the Vestry may request a final judgment on the pastoral relation from the Bishop as follows or the Bishop may proceed on his own initiative 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 (10) days 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 (30) days;
  - (c) At the conference each party shall be entitled to representation and to present its position fully;
  - (d) Within thirty (30) 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, but not longer than thirty (30) days, as final arbiter and judge, shall render a godly judgment which may include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate;
  - (e) Within thirty (30) days of the date of the godly judgment rendered by the Bishop, upon the request of either party, the Bishop shall, within thirty (30) days from the receipt of the request, explain the reasons for the judgment in writing with copies delivered to both parties;
  - (f) If the pastoral relationship is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Rector and the Vestry;
  - (g) If the pastoral relationship is to be dissolved the Bishop shall direct the Secretary to the Convention to record the dissolution;
  - (h) In either event the Bishop shall offer appropriate supportive services to the Rector and the Congregation.
- (vi) In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may, within 90 days after the issue of the judgment or of the giving of the reasons for the judgment, act as follows:
- (a) in the case of a Rector, place the Clergy on Administrative Leave until the Clergy shall comply with the judgment; or
  - (b) in the case of a Vestry, shall impose any one or more sanctions provided under Canon 30.16;
- (vii) In the course of proceedings under this Canon, if a complaint is made by the Vestry against the Rector in accordance with Title IV of the Canons of The Episcopal Church, all proceedings under this Canon shall be suspended until the complaint has been resolved or withdrawn.
- (viii) Where the Clergy indicates his intention to resign in accordance with paragraph (i) above, and is not under any form of Ecclesiastical Censure, the Clergy and the Vestry shall agree on, and commit to writing, as an amendment to the Letter of Agreement, or as a new Letter of Agreement, arrangements that include the effective date of the resignation, the amount and payment in full of terminal compensation and other benefits, the date for vacating church-provided premises, if any, and plans for celebrating the ministry that is ending in accordance with the rubrics of the Book of Common Prayer. The Wardens shall

promptly deliver a copy of the proposed Letter of Agreement to the Bishop for approval.

- (ix) Upon learning that the Clergy intends to depart, a Warden shall independently notify the Bishop, and shall make himself available to the Bishop and the Diocesan Staff to arrange for transition in Clergy leadership.
- (x) During the period following termination of the formal relationship of the Clergy-in-Charge and the Congregation and the calling or appointment of a new Clergy-in-Charge (the “**Interim Period**”), the Bishop and the Vestry shall work together to ensure that the unity and ministry of the Congregation is maintained, and that the Congregation is prepared to receive a new Clergy-in-Charge.
- (xi) The Bishop and the Diocesan Staff shall assist the Vestry in their efforts to arrange for the services of Supply Clergy, Interim Clergy, or other Clergy in the Interim Period. When no Clergy is serving the Congregation, the Wardens shall arrange for pastoral care of parishioners, maintain the regular schedule of worship services, and assume those administrative functions normally exercised by the Clergy-in-Charge.
- (xii) The Bishop may define the relationship between a Congregation and its former Clergy by rules or regulations made in accordance with Canon 14.1.
- (xiii) During the Interim Period, the Vestry shall consult with the Bishop, or his designee, regarding assignment to the Congregation of an Interim Clergy to serve as Clergy-in-Charge. When arrangements for interim ministry are made with any Clergy who is not a trained interim ministry specialist or an experienced Interim Clergy, that Clergy shall receive interim ministry training at an early date through an organization or training program approved by the Bishop, on the advice of the Commission on Ministry. The Interim Clergy shall represent the Bishop’s ministry, guide the Congregation through the developmental steps associated with Clergy leadership transitions, and prepare the Congregation to receive a new Clergy-in-Charge. Regardless of title, the Interim Clergy shall exercise in full the authority of the Clergy-in-Charge, save only as to terms and conditions of service. The Interim Clergy shall not be a candidate for the position of Clergy-in-Charge of the Congregation he serves. A Congregation shall not exercise any right of termination of an Interim Clergy prior to his normal and expected date of leave-taking until the Wardens have consulted with, and received permission of, the Bishop, which shall be conditioned on the Congregation’s compliance with any rules or regulations made in accordance with Canon 14.1.
- (xiv) The Vestry shall consult with the Bishop or the his designee, prior to forming any group or committee responsible for a search for a new Clergy-in-Charge. A search for new Clergy shall be conducted in conformity with the Constitution and Canons of the Diocese and of The Episcopal Church and any rules or regulations made in accordance with Canon 14.1.
- (xv) In securing the services of a new Clergy-in-Charge, the Vestry shall proceed as follows:
  - (a) Upon completion of the search process, the Vestry shall forward the

name(s) of the nominee(s) to the Bishop as provided in the Constitution and Canons of the Diocese and of The Episcopal Church. The Vestry, after consideration of any communication from the Bishop at a meeting duly called and held for that purpose, may elect a Rector; and shall provide written notice of the election, signed by the Wardens, to the Bishop, who shall ascertain that the Clergy has accepted the call, as provided by the Constitution and Canons of the Diocese and of The Episcopal Church;

- (b) A Congregation may not call a new Clergy-in-Charge unless and until all requirements of the Church Pension Fund of that Congregation shall be paid in full, and the current requirements of any rules or regulations made in accordance with Canon 14.1 relating to compensation and benefits of Clergy, have been met, with respect to all Clergy serving the Congregation.

## **Canon 29 Congregational Meetings.**

- 29.1 Annual Meetings.** Annual meetings of a Congregation for business purposes shall occur during the months of December and January, at a time and place established by the constitutional documents or at such place of common access to all persons on the Certified List of Voters as provided by notice of the meeting.
- 29.2 Special Meetings.** Special meetings of a Congregation may be called by the Vestry, the Clergy-in-Charge, the Wardens, or upon written petition signed by ten percent (10%) of the persons on the Certified List of Voters of the Congregation presented to the Clerk of the Congregation, who shall call for the meeting. A special meeting shall be convened within thirty (30) days after the call for the meeting.
- 29.3 Notices.** Public notice of the call of, and the time and place for, the annual meeting and any special meeting of the Congregation shall be published by the Vestry, Clergy-in-Charge or the Wardens at all Divine Services not less than two (2) Sundays immediately preceding the meeting, and may be given personally or sent by mail or electronic communication to all persons on the Certified List of Voters, the Clergy-in-Charge and all members of the Vestry, and shall be posted in a publication of the Congregation issued in advance of the meeting, and posted in a prominent place in the church building or other place of worship. Notice of a special meeting shall include the object or purpose of the meeting. The Order of Business for all meetings of a Congregation shall be published and made available with the notice of the meeting.
- 29.4 Presiding Officer.** The Clergy-in-Charge of the Congregation shall preside at all meetings of the Congregation. The Clergy-in-Charge may designate a member of the Vestry to preside at any meeting. The presiding may require that any motion be presented in writing.
- 29.5 Certified List of Voters and Quorum.** Not less than thirty (30) days prior to any annual or special meeting, the Vestry, in consultation with the Clergy-in-Charge, shall cause the Certified List of Voters to be updated. A minimum of twenty-five per cent (25%) of the persons on the Certified List of Voters as updated thirty (30) days prior to the date of the meeting shall constitute a quorum.
- 29.6 Voting.** A Voting Member shall be eligible for election or appointment to any office in his Congregation. A majority of those present shall be needed to take any action or to elect, unless a greater number is required in the Constitution and Canons of the Diocese or in the constitutional documents of the Congregation.
- 29.7 Records and Minutes.** A full record and minutes of the meeting shall be kept by the Clerk of the Congregation, or such other person as may be designated by the presiding

officer, and shall be kept in the records of the Congregation.

- 29.8 Rules of Procedure.** The rules contained in *Robert's Rules of Order Newly Revised* (the then-current edition, as it may be amended from time to time) shall govern meetings of the Congregation in all cases to which they are applicable and in which they are not inconsistent with the Constitution and Canons of the Diocese or such other rules of order as are authorized by the constitutional documents of the Congregation.

### **Canon 30 The Vestry.**

- 30.1 The Role of the Vestry.** The Vestry of a Parish shall manage the temporal and business affairs and the property of the Parish in accordance with the Constitution and Canons of the Diocese.

- 30.2 Qualifications for Election to the Vestry.** To be eligible for election or appointment to the Vestry of a Congregation, a candidate must be a Voting Member. No employee of the Congregation, and no Clergy without a written dispensation from the Bishop in accordance with Canon 15.1, may serve as an elected or appointed member of the Vestry, and the constitutional documents of the Parish may provide additional qualifications for election or appointment to the Vestry of a Congregation for the first time, but as a minimum shall include:

- (a) a valuable contribution of time, talent and treasure to the Congregation within the past fiscal year;
- (b) participation in the training program called "Safeguarding God's Children" and/or such other requirements as may be included in a Safe Church Policy issued by the Bishop in accordance with Canon 14.1; and
- (c) a criminal background check, an application form, references and reference checks.

- 30.3 Number, Classes and Terms.** The constitutional documents of the Parish shall fix the number of members of the Vestry, which shall not be fewer than six (6) and not more than fifteen (15) members. The first Vestry of a new Parish shall have three classes of equal numbers, one of which class shall hold office for one (1) year, another class for two (2) years, and a third class for three (3) years, and thereafter, the term of membership on the Vestry for all members of the Vestry shall be three (3) years, expiring at an annual meeting. Members of the Vestry shall be elected at each annual meeting of the Congregation to fill expiring terms.

- 30.4 Election of Vestry.** A number of members sufficient to fill all vacancies on the Vestry of the Congregation shall be elected by the persons on the Certified List of Voters of the Congregation at the annual meeting or at a special meeting called for that purpose, as provided by the Constitution and Canons of the Diocese and by the constitutional documents of the Congregation. The constitutional documents may provide for a nomination process, but election shall be by a vote of the majority of the Voting Members present and voting. Members elected to the Vestry shall serve until the election of their successors. At any meeting at which members of the Vestry are elected, the wardens, when present, shall:

- (a) be judges of the election, or appoint other persons to assist as judges of the election;
- (b) present the slate of qualified candidates;
- (c) not permit any unqualified person to vote;

- (d) canvass the vote and declare the results; and
- (e) forward a report of the election to the Bishop.

**30.5 Vacancies.** All vacancies occurring on the Vestry between annual meetings shall be promptly filled by the remaining members of the Vestry at any meeting of the Vestry, and the person so appointed shall hold office for the unexpired term of the predecessor. Any person so appointed shall meet the qualifications for election to the Vestry.

**30.6 Limitation on Terms.** A member of the Vestry is not eligible for re-election or appointment to the Vestry after serving two (2) consecutive terms. A person appointed to serve as a result of a vacancy shall be eligible for election to a full term upon the expiration of the current term of office, provided, however, that a person may not serve more than six (6) consecutive years without a one (1) year hiatus. In the event that a qualified member cannot be found to stand for election after exhausting the Certified List of Voters, the Vestry may appoint for one year a person who by this Canon would otherwise be ineligible for the term to be served, provided that the constitutional documents of the Parish may provide additional limitations on the terms, but as a minimum shall include:

- (a) before any person is re-elected for a subsequent term after the first, that they must participate in an evaluation required by the Bishop in accordance with Canon 14.1; and
- (b) the results of such evaluation be made available to the Congregation with the notice calling the annual meeting or the special meeting convened for the purpose of any election to the Vestry.

**30.7 Officers.** As soon as practical after the annual meeting at which members were elected to the Vestry, and in any event within fifteen days of election, its members shall hold an organizational meeting at which they shall elect or appoint officers, as follows:

- (a) The members of the Vestry shall elect from their numbers a person to serve as Junior Warden, who shall fairly divide the duties of the two offices of Wardens with a Senior Warden to be appointed from the members of the Vestry by the Clergy-in-Charge and perform such other duties as may be designated by the Vestry or the Clergy-in-Charge. In the event of the absence or inability of the Senior Warden, the duties shall be performed by the Junior Warden. In the event of any vacancy in the office of Junior Warden, the Vestry shall elect a successor to fill such vacancy, within fifteen (15) days of notice of vacancy. The Wardens, in concert with the Vestry, shall:
  - (i) cooperate with, assist and advise the Clergy-in-Charge to develop and maintain a climate and environment of mutual ministry, trust and honesty within which the Congregation will be provided with effective leadership for the furtherance of its mission;
  - (ii) cooperate with, assist and advise the Clergy-in-Charge to identify and hear the concerns of the Congregation and to communicate to the Congregation, and resolve, as necessary, those concerns of Congregational leadership;
  - (iii) cooperate with, assist and advise the Clergy-in-Charge to preserve order and decorum in and around the facilities of the Congregation on all occasions;
  - (iv) assist and advise in the discharge of the duties of the Clergy as may be designated and requested by the Clergy-in-Charge, and in all matters, act as chief stewards and spiritual lay leaders of the Congregation;

- (v) preside at all meetings of the Vestry or the Congregation in the absence, or at the request, of the Clergy-in-Charge;
  - (vi) perform and exercise the temporal duties and powers of the Clergy in the absence of the Clergy-in-Charge, as provided by the Constitution and Canons of the Diocese; and
  - (vii) perform any and all other duties as may be specified by the Constitution and Canons of the Diocese and of The Episcopal Church and the constitutional documents of the Congregation.
- (b) The members of the Vestry shall select and appoint not less often than annually from Voting Members, who may but does not need to be a member of the Vestry, the Secretary of the Vestry, to provide for:
- (i) the keeping of minutes of all proceedings of the Vestry and meetings of the Congregation;
  - (ii) the maintenance and availability of an accurate roll of the membership of the Congregation;
  - (iii) the preservation all records, documents and papers of the Congregation not required to be maintained by any other person or officer;
  - (iv) delivering such records to any successor in office;
  - (v) serving Clerk of the Congregation, with the powers in concert with any other person to execute documents on behalf of the Congregation and to receive and issue communications on behalf of and in the name of the Congregation;
  - (vi) signing all reports and corporate documents, and attesting to all public acts of the Vestry as may be required by secular law or canon law, unless another member of the Vestry is otherwise authorized by resolution of the Vestry; and
  - (vii) performing such other duties as may be provided in the constitutional documents of the Congregation or assigned by the Vestry.
- (c) The members of the Vestry shall select and appoint not less often than annually from Voting Members, who may but does not need to be a member of the Vestry, a Treasurer, to provide for:
- (i) the receipt of all monies collected by or on behalf of the Congregation;
  - (ii) making all disbursements as approved by the Vestry;
  - (iii) maintaining accurate records of all receipts and disbursements;
  - (iv) performing all duties of office and be bonded in accordance with the business methods in church affairs as established from time to time by the Constitution and Canons of the Diocese and of The Episcopal Church;
  - (v) presenting a monthly written financial accounting of the affairs of the Congregation to the Vestry;
  - (vi) presenting an annual written report to the annual meeting of the Congregation;

- (vii) providing the necessary information and assisting in the preparation of the Parochial Report, or any similar report required by the Constitution and Canons of the Diocese and of The Episcopal Church in a timely manner; and
  - (viii) performing such other duties as may be provided by the constitutional documents of the Congregation or assigned by the Vestry.
- (d) The members of the Vestry shall select and appoint not less often than annually from Voting Members, who may but do not need to be members of the Vestry, such other officers and assistants as it may deem necessary for the performance of its duties, which may include:
- (i) a recording secretary;
  - (ii) assistant treasurers;
  - (iii) tellers; and
  - (iv) other officers and assistants.

**30.8 Meetings of the Vestry.** Meetings of the Vestry shall be held not fewer than six (6) times throughout the year between annual meetings of the Congregation and may be scheduled or called by the Clergy-in-Charge, or by the Wardens, or by written request of one-third ( $\frac{1}{3}$ ) of the Vestry. Notice of a meeting shall be given by not less than five (5) days notice personally or by mail or electronic communication to the Clergy-in-Charge and all members and appointed officers of the Vestry, and posted in a publication of the Congregation published in advance of the meeting and in a prominent place in the church building. Due notice may be waived by the Clergy-in-Charge and by the members and appointed officers of the Vestry and shall be deemed to have been waived by their attendance at the meeting.

**30.9 Presiding Officer.** The Clergy-in-Charge shall preside at all meetings of the Vestry, or may designate a member of the Vestry to preside at any meeting. In the absence of the Clergy-in-Charge, one of the Wardens, or a member of the Vestry chosen by the Wardens, shall preside. The Clergy-in-Charge shall have no vote at the meeting except when presiding, and only in the case of a tie vote.

**30.10 Quorum.** A majority of the members of the Vestry shall constitute a quorum.

**30.11 Absences and Removal.** In the event that any member of the Vestry shall be absent from the regular meetings for a period of three (3) consecutive months, or shall be absent for three (3) meetings out of six (6) consecutive meetings, the remaining members of the Vestry may, with the advice and consent of the Clergy-in-Charge, remove the absent member from office and appoint a qualified successor to fill the unexpired term. If the Congregation is without a Clergy-in-Charge, the advice and consent of the Bishop, or other person designated by the Bishop, must be obtained before such action is taken.

**30.12 Records and Minutes.** Records and minutes of the any meeting of the Vestry shall be kept by the Secretary, or Clerk, of the Congregation, or other person designated to do so by the Vestry. All records and minutes shall be kept with the Congregation's records and shall be available for inspection.

**30.13 Rules of Procedure.** The rules contained in *Robert's Rules of Order Newly Revised* (the then-current edition, as it may be amended from time to time) shall govern meetings of the Vestry in all cases to which they are applicable and in which they are not inconsistent

with the Constitution and Canons of the Diocese or such other rules of order as are authorized by the constitutional documents of the Congregation.

**30.14 Duties and Responsibilities.** The Vestry of a Congregation shall be responsible for the care and management of all the temporal affairs of the Congregation and to the extent necessary, the worship and spiritual life of the Congregation, as required by the Constitution and Canons of the Diocese and of The Episcopal Church and all applicable secular law, and in particular shall:

- (a) be agents and legal representatives of the Congregation in all matters concerning its corporate property and the relations of the Congregation to its Clergy, subject to canon and secular law. All instruments, contracts and legal documents shall be signed in the corporate name by a Warden and the Secretary or Treasurer, unless, by resolution of the Vestry, one of them or some other member or members of the Vestry are authorized as the signatories. Clergy are not the legal representatives of a Congregation, and have no authority legally to bind a Congregation unless authorized by resolution of the Vestry;
- (b) observe standard business methods as required by canon law, and, as applicable, procedures and controls recommended in the current edition of *The Manual of Business Methods in Church Affairs* (the then-current edition, as it may be amended from time to time) or other resources recommended by canon law from time to time, and shall also ensure that every organization within the Congregation observes these standard business methods;
- (c) to the extent appropriate and necessary, assist the Clergy in worship and as spiritual leaders of the Congregation. In the absence of Clergy, the Vestry shall make provision for the conduct of public worship and the pastoral needs of the Congregation;
- (d) except as otherwise provided by the Constitution and Canons of the Diocese, be responsible for the relations of the Congregation with its Clergy, and to that end, shall as required provide for maintenance and compensation (including the funding of pension obligations) of Clergy; assure that there is adequate opportunity for Clergy self-care and renewal; and otherwise fulfill the letter of agreement between the Clergy and the Congregation. In the event of disability or conflict, the Vestry shall be responsible for seeking assistance or resolution from the Ecclesiastical Authority;
- (e) fill such vacancy according to the Constitution and Canons of the Diocese and of The Episcopal Church, whenever the Congregation is without a Clergy-in-Charge, provided, however, that no election of and call to a Clergy may be made unless and until all requirements of the Church Pension Fund in that Congregation shall be paid in full, and the current Diocesan rules and regulations on compensation and benefits have been met;
- (f) promptly notify the Bishop whenever the Congregation is without a Clergy-in-Charge. If they shall for thirty days fail to make a provision for services of public worship, it shall be the duty of the Bishop to take such measures as may be deemed expedient for the temporary conduct of public worship;
- (g) consult with the Bishop for appointment of a successor Clergy-in-Charge whenever a Congregation shall be without a Clergy-in-Charge, provided, however, that no election of a Clergy shall be held until the name of the Clergy whom it is proposed to elect has been made known to the Bishop and sufficient time, not exceeding thirty days, has been given to the Bishop to communicate with the Vestry thereon, nor until such communication, if made within that period has been considered by the Parish or

Vestry at a meeting duly called and held for that purpose;

- (h) send written notice of the election of any successor Clergy-in-Charge, signed by the Wardens, shall be sent to the Ecclesiastical Authority of the Diocese. If the Ecclesiastical Authority be satisfied that the person so chosen is a duly qualified Clergy and that the Clergy has accepted the office, the notice shall be sent to the Secretary to the Convention, who shall record it. The record shall be sufficient evidence of the relation between the Clergy and the Congregation;
- (i) select Lay Delegates to Diocesan Convention if Lay Delegates are not elected by the Congregation, or otherwise fill any vacancies in the Lay Delegation to ensure full representation of the Congregation at every Diocesan Convention and meetings of the Deanery Synod;
- (j) assist the Clergy in the maintenance of the Parish Register, and assure its accuracy, and also as required by canon law, present the Parish Register to the Bishop or the representative of the Bishop at every visitation in accordance with Canon 16.3;
- (k) prepare, approve and timely file with the Clergy the Annual Parochial Report as required by canon law, and to assure the accurate maintenance of the appropriate records required for such report, and shall assist in the maintenance of an accurate list of membership of the Congregation;
- (l) prepare and timely file such annual corporate reports and records as may be required by secular law;
- (m) make provision for the maintenance of the corporate minutes and records of other proceedings by the Secretary, or Clerk, of the Congregation and for such other property and business records as may be required by canon or secular law, including but not limited to employee records, tax records, property records, memorial and trust documents, municipal and governmental permits, and historical records. Records shall be available for inspection by the Bishop or the representative of the Bishop at every visitation in accordance with Canon 16.3 and by members of the Congregation;
- (n) make provision for the maintenance of all records required by any insurance carrier or provider, and shall maintain an accurate inventory of all corporate property and its condition on an annual basis;
- (o) provide a written annual report of funds to the annual meeting of the Congregation as prepared by the Treasurer of the Congregation and of each organization in the Congregation;
- (p) cause all accounts of the Congregation, including Clergy accounts and accounts of all organizations in the Congregation, to be audited annually (based on calendar year) by an independent certified public accountant or such audit committee or process as shall be authorized by the Diocesan Convention. The annual audit report shall be filed with the CFO not later than September 1 of the calendar year following the end of the annual period audited; and shall be available for the public inspection, including by any member of the Congregation;
- (q) ensure that Clergy discretionary funds and other funds under the direct control of Clergy are church-owned accounts. Money in these accounts shall be disbursed by the Clergy in keeping with purpose(s) for which said funds were established. The accounts shall be maintained and administered in the manner described in *The Manual of Business methods in Church Affairs* (the then-current edition, as it may be amended from time to time) or other materials authorized by canon law, and in

Diocesan policy, and, like other church accounts, shall be subject to annual audit;

- (r) be responsible for accurate computation and payment of payroll for Clergy and lay employees;
- (s) have the authority, subject to the Constitution and Canons of the Diocese, to incur indebtedness on behalf of the Congregation, provided, however, a Congregation shall not have the authority to create or incur any liability on behalf of or against the Bishop or the Diocese;
- (t) authorize and approve the hiring of any lay person on behalf of the Congregation, who shall not serve as an elected or appointed member of the Vestry. The Vestry shall have authority to determine compensation and benefits subject to the Constitution and Canons of the Diocese. The Vestry shall provide compensation and benefits to all employees in accordance with the compensation and benefits policies adopted, and from time to time amended, by such rules and regulations issued by the Bishop in accordance with Canon 14.1 and required by secular law. It is expected under ordinary circumstances that the employees of a Congregation are under the general supervision of the Clergy-in-Charge except as otherwise agreed between the Clergy-in-Charge and the Vestry;
- (u) inform itself about lay persons proposed for employment for positions involving regular contact with, or supervision of, persons aged 17 years or younger, including background investigations sufficient to satisfy reasonable inquiry about the person's character and fitness for the position. Any person who is to be considered for employment shall consent in writing to such background investigation, as the Vestry shall deem appropriate as a condition for consideration for employment;
- (v) have authority to retain the services of lawyers, certified public accountants, financial planners, and other outside professionals whose counsel may be required to fulfill the Vestry's legal and fiduciary responsibilities, provided that any lawyer retained shall have the consent of the Parish Chancellor appointed in accordance with Canon 12.5. The Vestry shall be responsible for payment of any fees occasioned by such use of outside professional assistance from the funds of the Congregation;
- (w) engage volunteers in support of the ministry of the Congregation who shall be under the supervision of the Clergy-in-Charge and subject to the authority of the Vestry in the same manner as shall be provided for lay employees of the Congregation, including in relation to their work with persons aged 17 years or younger and background investigations; and
- (x) be governed by, and shall comply with, those rules and regulations of the Diocese for prevention of child abuse and sexual harassment, being mindful that once such policies and procedures are adopted, failure to implement and follow these policies and procedures may create serious legal liability. All persons, whether employees, independent contractors or volunteers, whose work will involve regular contact with, or supervision of, persons aged 17 years or younger shall receive exploitation and sexual abuse prevention training approved by the Diocesan Convention, and sign the commitment to adhere to the rules and regulations of these programs as a condition for employment or engagement.

**30.15 Failure to Carry Out Duties.** The Bishop, on the advice of the Standing Committee, shall impose any one or more sanctions provided under Canon 30.16 on any Vestry which fails to carry out its duties and responsibilities outlined in Canon 30.14 and the Vestry shall be prohibited from any dealings with its property and also prohibited from obtaining any form of credit or other form of indebtedness without the prior consent of the Bishop and the

Standing Committee for as long as such sanctions continues to be imposed against the Vestry but a Vestry may promptly seek the assistance of the Chancellor and Vice Chancellor to comply with Canon 30.14.

**30.16 Sanctions.** For the purposes of Canons Canon 28.5(vi)(b) and 30.15, the Bishop shall have the power to impose the following sanctions on a Vestry:

- (a) a fine not exceeding one-third ( $\frac{1}{3}$ ) of the Diocesan Assessment for each year that the contravention continues;
- (b) involuntary dismissal, with or without prejudice, of any matter requiring the consent or other action of the Bishop in relation to that Congregation for as long as the contravention continues; and
- (c) any other sanction as may be authorized resolution of the Diocesan Convention.

### **Canon 31 Merger and Other Actions.**

**31.1 Merger of Congregations.** Two or more Congregations within the same Deanery may, in accordance with their constitutional documents, decide to merge into a single Congregation, and the Bishop shall cause to be drafted and submitted to the Diocesan Convention an agreement for merger detailing all material arrangements between or among the Congregations, including the proposed name of the merged Congregation, disposition of property and other financial assets, and provisions for Clergy and lay persons. The agreement for merger shall become effective immediately upon approval by the Diocesan Convention.

**31.2 Change of Name.** A Congregation may resolve at its annual meeting or a special meeting called for that purpose to change its name which must include the words "Episcopal Church" or "Episcopal Parish" or "Episcopal Community" and a copy of the resolution, certified correct by the presiding officer of the meeting, must be presented to the Bishop and Standing Committee for a Faculty and the Congregation may use its new name for all purposes from the date of the issue of the Faculty. The Congregation shall promptly consult a Chancellor or Vice Chancellor for advice regarding the legal effect of the change of name, and for assistance in amendment and filing of any legal documents necessary or advisable due to its change of name.

## **TITLE IV: ECCLESIASTICAL DISCIPLINE**

### **Canon 32      Disciplinary Structure.**

- 32.1 Title IV of the Canons of The Episcopal Church.** Those provisions of Title IV of the Canons of The Episcopal Church which are applicable to the Diocese are hereby incorporated as part of this Title. To the extent, if any, that any of the provisions of this Title are in conflict or inconsistent with the provisions of Title IV, the provisions of Title IV shall govern.
- 32.2 Commencement.** This Title of the Constitution and Canons of the Diocese shall come into force on 1 July 2011.
- 32.3 Disciplinary Board.** The Disciplinary Board (in this Title referred to as the “**Board**”) shall consist of seven (7) persons, four of whom are Clergy geographically resident in the Diocese and three (3) of whom are Voting Members from a Congregation in union with the Diocesan Convention, provided that no member of the Standing Committee may be elected to the Disciplinary Board.
- 32.4 Election.** The members of the Board shall be elected by the Diocesan Convention. Each member shall be elected for a two (2) year term; except, if a member is elected to fill a vacancy, the term of such member shall be the unexpired term of the member being replaced. The term of the member shall commence on the first (1<sup>st</sup>) day following the Annual Convention. The terms of office of the Board shall be staggered and arranged into two classes, with the first class comprising of two (2) Clergy and two (2) lay persons, and the second class comprising of two (2) Clergy and one (1) lay person, for the first election to the Disciplinary Board after the commencement of this Title, with the first class holding office for one (1) year, and the second class for two (2) years, and thereafter, the term of membership on the Board for all members of the Board shall be two (2) years, with at least one class expiring at the end of each Convention Year,
- 32.5 Vacancies.** Vacancies on the Board shall be filled as follows:
- (a) 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.
  - (b) The Bishop shall appoint a replacement Board member with the advice and consent of the Standing Committee.
  - (c) Persons appointed to fill vacancies on the Board shall meet the same eligibility requirements as apply to elected Board members.
  - (d) With respect to a vacancy created for any reason other than pursuant to a challenge as provided below, 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 for the proceedings for which the elected Board member is not serving as a result of the challenge.
- 32.6 Preserving Impartiality.** In any proceeding under this Title, if any member of a Conference Panel or Hearing Panel of the Board shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the Board and request a replacement member of the Panel. Respondent’s Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict

of interest of undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel 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.

- 32.7 President.** Following the election of members of the Board, the Bishop shall, at each Annual Convention, designate one of the members of the Board to be the President.
- 32.8 Intake Officer.** The Bishop, after consultation with the Board, shall appoint during any Annual Convention one or more Intake Officers for each Regional Deanery, and if not the Dean or Sub-Dean of each Regional Deanery shall cause to be published throughout the Diocese the name and address of each Intake Officer.
- 32.9 Conciliators.** The Bishop, with the advice and consent of the Chancellor and Vice Chancellor, shall at each Annual Convention certify a list of persons qualified to be Conciliators in accordance with Canon IV.10.4 of the Canons of The Episcopal Church from whom he shall appoint a Conciliator in accordance with Canon IV.10.2 of the Canons of The Episcopal Church, and shall keep the list updated. The Conciliators need not be members of any Congregation in union with the Diocesan Convention.
- 32.10 Investigators.** The Bishop, with the advice and consent of the Chancellor and Vice Chancellor, shall at each Annual Convention certify a list of persons to be Investigators, who may be active or retired police officers, private investigators, health inspectors, military officers, or persons in related professions where investigations or inspections are conducted. The Investigators need not be members of any Congregation in union with the Diocesan Convention.
- 32.11 Advisors.** The Bishop, with the advice and consent of the Chancellor and Vice Chancellor, shall at each Annual Convention certify a list of persons to be Advisors, who shall be entered on, or removed from, the list based on the appropriateness of their training, knowledge and experience with Title IV of the Canons of The Episcopal Church, and the Bishop shall appoint from the certified list an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Title, and shall not include the Chancellor, Vice Chancellor or any Assistant Chancellor or any person likely to be called as a witness in the proceeding.
- 32.12 Church Attorney.** The Bishop, with the advice and consent of the Chancellor and Vice Chancellor, shall appoint during any Annual Convention a Legal Practitioner duly qualified to practice and under no restrictions of professional discipline either within the U.S. Virgin Islands or the British Virgin Islands and, if not a member of Clergy, a Voting Member in a Congregation in union with the Diocesan Convention to serve as Church Attorney for that Convention Year, and any vacancy between Annual Conventions shall be filled by the Bishop with notice to the Disciplinary Board.
- 32.13 Deputy Church Attorney.** The Bishop, with the advice and consent of the Chancellor and Vice Chancellor, shall appoint during any Annual Convention a Legal Practitioner duly qualified to practice and under no restrictions of professional discipline either within the U.S. Virgin Islands or the British Virgin Islands and, if not a member of Clergy, a Voting Member in a Congregation in union with the Diocesan Convention to serve as Deputy Church Attorney for that Convention Year, and any vacancy between Annual Conventions shall be filled by the Bishop with notice to the Disciplinary Board, except that if the Church Attorney is a Voting Member in a Congregation in the U.S. Virgin Islands, then the Deputy Church Attorney shall be a Voting Member in a Congregation in the British Virgin Islands and vice versa.

- 32.14 Removal of Church Attorney and Deputy Church Attorney.** In the event that either the Church Attorney or the Deputy Church Attorney shall fail to attend the conference, appear before the Hearing Panel, represent the Diocese, or is appointed as Chancellor, Vice Chancellor or Assistant Chancellor, or works in the same law firm as the Chancellor, Vice Chancellor or any Assistant Chancellor, the Bishop may remove the Church Attorney or Deputy Church Attorney from office and appoint a qualified successor to fill the unexpired term, with notice in writing to the Board.
- 32.15 Pastoral Response Coordinator.** The Bishop may appoint any one or more Pastoral Response Coordinators, to serve at the will of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Title IV.8 of the General Canons and this Title. A Pastoral Response Coordinator may be the Intake Officer, but shall not be a person serving in any other appointed or elected capacity under this Title.
- 32.16 Clerk.** The Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk may be a member of the Board.
- 32.17 References to the Chancellor and Vice Chancellor.** Wherever Title IV of the Canons of The Episcopal Church refers to the Chancellor, it shall be interpreted for purposes of the Constitution and Canons of the Diocese, to refer to the Chancellor of the Diocese in matters arising within the jurisdiction in which the Chancellor is duly qualified to practice and to refer to the Vice Chancellor of the Diocese in matters arising within the jurisdiction in which the Vice Chancellor is duly qualified to practice. Wherever Title IV of the Canons of The Episcopal Church refers to the Vice Chancellor, it shall be interpreted for purposes of the Constitution and Canons of the Diocese, to refer to any Assistant Chancellor or Parish Chancellor.
- 32.18 Reporting Offences.** The Bishop, after consulting with the Board in the place of the Standing Committee, shall provide the methods and means of reporting information concerning Offences in accordance with any rules or regulations made in accordance with Canon 14.1
- 32.19 Staff Liaison.** The Bishop shall designate a member of the Diocesan Staff to serve as liaison to the Board Clerk.

### **Canon 33 Costs and Expenses.**

- 33.1 Costs Incurred by the Church.** The reasonable costs and expenses of the Board, the Intake Officer, the Investigator, the Church Attorney, the Deputy Church Attorney, the Board Clerk and the Pastoral Response Coordinator shall be the obligation of the Diocese, subject to budgetary constraints as may be established by the Chief Financial Officer.
- 33.2 Costs Incurred by the Respondent.** In the event of a final Order dismissing the complaint, or by provisions of a Covenant approved by the Bishop, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by the Diocese, subject to budgetary constraints as may be established by the Chief Financial Officer.

### **Canon 34 Records.**

- 34.1 Records of Proceedings.** Records of active proceedings before the Board, including the

period of any pending appeal, shall be preserved and maintained in the custody of the Clerk.

- 34.2 **Permanent Records.** The Historiographer shall make provision for the permanent storage of records of all proceedings under this Title at the Archives of the Diocese and at the Archives of the Episcopal Church, as prescribed in Title IV of the Canons of The Episcopal Church.

# PART III: SCHEDULES



## SCHEDULE I

[Article 3.10]

### Rules of Order for Diocesan Convention

#### 1. HOSTING THE DIOCESAN CONVENTION

- 1.1 The honor and responsibility of hosting the Diocesan Convention are entrusted by the Cathedral Chapter each year to one of the three Regional Deaneries, which shall be rotated in the order they are listed in Canon 17.1, except that every fourth year the Cathedral shall host the Diocesan Convention as the Bishop's Convention.
- 1.2 The dates of the Diocesan Convention are to be determined by the Cathedral Chapter if they were not determined by the Diocesan Convention, and shall be communicated to all clerical and lay delegates to the Diocesan Convention by the Secretary to the Convention at least thirty (30) days before the date of the Annual Convention.
- 1.3 The failure to convene an Annual Convention in any given year will result in the cancellation of the rights of the host Regional Deanery or the Cathedral, without prejudice to any other rights of the Diocesan Convention.
- 1.4 Any collection of alms and offerings by the host Regional Deanery as a result of the hosting of the Diocesan Convention shall be applied to the budget of that Regional Deanery, and where the Cathedral is hosting the Diocesan Convention the collection shall be applied equally among the budgets of the three (3) Regional Deaneries.
- 1.5 The duration of any Diocesan Convention shall not exceed three (3) days and may be preceded by a Pre-Convention Vigil on the eve of the Diocesan Convention.
- 1.6 All activities of the Diocesan Convention must take place in the host Regional Deanery, unless the Diocesan Convention, or in the absence of a meeting of the Diocesan Convention, then the Cathedral Chapter, authorizes the organization of certain events at other venues situated in another Regional Deanery. The Opening Eucharist and Closing

Eucharist must take place in the host Regional Deanery itself. The location, sites and venues for any event of any kind must be approved by the Cathedral Chapter.

- 1.7 All Special Conventions prior to the Annual Convention shall take place in the host Regional Deanery of the last Annual Convention.
- 1.8 The organization of each Diocesan Convention is entrusted by the Diocesan Convention to the Planning and Credentials Committee of the Diocesan Convention as well as to the Regional Deanery or the Cathedral itself. Until the Diocesan Convention is convened the Planning and Credentials Committee reports directly to the Cathedral Chapter.
- 1.9 The Diocese, through the Planning and Credentials Committee, and the host Regional Deanery or the Cathedral are jointly and severally liable for all commitments entered into individually or collectively concerning the organization and staging of the Diocesan Convention, excluding the financial responsibility for the organization and staging of the Diocesan Convention, which shall be entirely assumed by the host Regional Deanery or the Cathedral, without prejudice to any liability of any other party, particularly as may result from any guarantee. The Diocese shall have no financial responsibility whatsoever in respect of the organization and staging of the Diocesan Convention.
- 1.10 In the event of non-compliance with the Constitution and Canons of the Diocese or other regulations or instructions of the Planning and Credentials Committee, or a breach of the obligations entered into by the host Regional Deanery or Cathedral, the Cathedral Chapter is entitled to withdraw, at any time and with immediate effect, the organization of the Diocesan Convention from the host Regional Deanery or Cathedral without prejudice to compensation for any damage thereby caused to the Diocese. In such a case, the host Regional Deanery or any other party shall have no claim for any form of compensation against the Diocese.
- 1.11 The mandate of the Planning and Credentials Committee includes the following:
  - (a) to monitor the progress of the host Regional Deanery or Cathedral;
  - (b) to review and examine all major aspects of the organization of the Diocesan Convention;
  - (c) to assist the host Regional Deanery;
  - (d) to help liaise between the host Regional Deanery, on the one hand, and the Cathedral Chapter, on the other hand;
  - (e) to help resolve any differences which may arise between any of the parties;
  - (f) to ensure that all Congregations, Clergy and Lay Delegates, are kept informed of the progress of the organization of the Diocesan Convention;
  - (g) to ensure that the Cathedral Chapter is kept informed of the opinions expressed by the host Regional Deanery or Cathedral on matters of importance pertaining to the Diocesan Convention;

- (h) to examine, after consultation with the Cathedral Chapter and the host Regional Deanery or Cathedral, the areas in which beneficial cooperation between Regional Deaneries can be established, in particular with regard to air transport, freight, rental of accommodation and procedures and appointment of travel agencies;
  - (i) to suggest to the host Regional Deanery and to determine, subject to approval by the Cathedral Chapter, arrangements for accommodation and facilities, costs of services to be provided to the host Regional Deanery, provision for transportation and accommodation of clerical and lay delegates as well as officers of the Diocese and committee members required to be in attendance, as well as other matters which, in its opinion, concern the well-being of persons attending the Diocesan Convention and their ability to perform the necessary functions at the Diocesan Convention;
  - (j) to inspect the facilities, and to report thereon in respect of any matters it may be unable to resolve to the Cathedral Chapter;
  - (k) to ensure that the host Regional Deanery responds appropriately to the views of the clergy and lay delegates as well as officers of the Diocese and committee members required to be in attendance;
  - (l) to establish, subject to the approval of the Cathedral Chapter, specialized working groups which will deal with specific areas of the organization of the Diocesan Convention and report to the Cathedral Chapter with recommendations as to improvements which should be implemented by the Planning and Credentials Committee;
  - (m) after the Diocesan Convention, to carry out an analysis relating to the organization of the Diocesan Convention and to report on such matters to the Cathedral Chapter;
  - (n) to exercise any additional authority or carry out any other instructions conferred upon it by the Diocesan Convention or the Cathedral Chapter; and
  - (o) in the case of any matter which the Planning and Credentials Committee determines that it is unable to resolve, or in respect of which any party refuses to act in accordance with its decision, it shall forthwith report such matter and the full circumstances thereof to the Cathedral Chapter, which shall make the final decision.
- 1.12** The place designated for the assembly of all the Clergy and Lay Delegates for the purpose of the Diocesan Convention shall in these Rules of Order be called the **“Diocesan Convention Hall”** or the **“Hall”**.
- 1.13** No smoking shall be permitted at any time on the floor of the Diocesan Convention, or lighted cigars, cigarettes, or pipes be brought into the Hall.
- 1.14** The Hall shall meet all requirements as established by the Planning and Credentials Committee, subject to the approval of the Cathedral Chapter.

- 1.15 The Planning and Credentials Committee shall organize a program for an Opening Eucharist, daily Eucharist, daily noonday prayer, daily evening prayer and a Closing Prayer along with appropriate cultural events, seminars, workshops and lectures, which must cover at least the entire period during which the Hall is open, and such program shall be submitted to the Cathedral Chapter for its approval, provided that allowance shall be made for Clergy and licensed lay ministers to exercise certain pastoral offices as a demonstration of the faith within the community.
- 1.16 At the Diocesan Convention, the host Regional Deanery or the Cathedral, shall provide, at its own expense, the premises and facilities necessary for processing matters of a technical nature and provide the administrative and technical facilities necessary for effective meetings and sessions of the Diocesan Convention and its committees.
- 1.17 With the authorization of the Planning and Credentials Committee, the host Regional Deanery may, under its own responsibility, organize a Diocesan Youth Event on the occasion of the Diocesan Convention.
- 1.18 Subject to the approval of the Cathedral Chapter, the Planning and Credentials Committee shall organize a Processional of Congregations during the Opening Eucharist at the Annual Convention, and appoint appropriate persons where necessary as well as give directions for vestments, in the following order:
- (a) the Diocesan Crucifer, which shall be the youth who prepared the message on behalf of the youth of the Diocese unless the Bishop otherwise decides;
  - (b) the Diocesan Torches, one for each congregation;
  - (c) the Lay Delegates from each Congregation with their banners, in the following order of precedence:
    - (i) the Cathedral;
    - (ii) each Parish in order of precedence within each Regional Deanery in the order of their most recent date of becoming or being restored as a Parish, and the Regional Deaneries shall be organized in alphabetical order, except that the host Regional Deanery shall be last;
    - (iii) each Mission and Academic Chaplaincy to follow the Parishes within each Regional Deanery in alphabetic order;
  - (d) the Officers of the Diocese, who are not Clergy or Lay Delegates, in the order they appear in Canon 3.1;
  - (e) the Heads of Military or Security Units, in alphabetic order except that the host officer shall be first;
  - (f) the Heads of the Judiciary, in alphabetic order except that the host Chief Justice shall be first;

- (g) the Speakers of the legislative branch of government, in alphabetic order except that the host Speaker shall be first;
- (h) the Heads of Government, in alphabetic order except that the host Head of Government shall be first;
- (i) the Heads of State, in alphabetic order except that the host Head of State shall be first;
- (j) the Diocesan Gospeller;
- (k) the Diocesan Mass Choir;
- (l) the Diocesan Lectors for the Lessons, in order of reading;
- (m) the Diocesan Lectors for the Prayers, in order of reading;
- (n) the Lay Eucharistic Ministers, in alphabetical order;
- (o) Visiting Clergy from non-aligned Christian denominations, in alphabetical order;
- (p) the Seminarians, in alphabetical order;
- (q) Visiting Clergy from the United Methodist Church, in the order of the date of their ordination;
- (r) Visiting Clergy from the Moravian Church, in the order of the date of their ordination;
- (s) Visiting Clergy from the Roman Catholic Church, in the order of the date of their ordination;
- (t) Visiting Clergy from the Evangelical Lutheran Church in America, in the order of the date of their ordination;
- (u) Visiting Clergy from the Old Catholic Churches of the Union of Utrecht, in the order of the date of their ordination;
- (v) Visiting Clergy from the Philippine Independent Church, in the order of the date of their ordination;
- (w) Visiting Clergy from the Mar Thoma Church of India, in the order of the date of their ordination;
- (x) Visiting Clergy from the Anglican Communion, in the order of the date of their ordination;

(y) Visiting Clergy from the Episcopal Church, in the order of the date of their ordination;

(z) the Clergy, in the order of the date of their ordination;

(aa) Visiting Bishop's, in the order of the date of their consecration; and

(bb) the Bishop.

- 1.19** During the Opening Eucharist, the Bishop is entitled to deliver an address to the Diocesan Convention, which may outline what has happened over the past year and what is expected to be achieved during the term of the current Diocesan Convention.
- 1.20** During the Closing Eucharist, the Dean of the host Regional Deanery or the Cathedral for the next Annual Convention is entitled to deliver an address to the Diocesan Convention in response to the Bishop's address and to thank the hosts of the Diocesan Convention.
- 1.21** Subject to the approval of the Cathedral Chapter, the Planning and Credentials Committee shall organize a Recessional of Congregations at Opening Eucharist of the Annual Convention in the same order of precedence as the Processional of Congregations, except that the Diocesan Choir shall not participate in the Recessional.
- 1.22** Subject to the approval of the Cathedral Chapter, the Planning and Credentials Committee may organize an Annual Diocesan Banquet after the President of Convention declares the Annual Convention closed, whereby the awards and decorations of the Diocese may be bestowed.

## **2. THE HOLY SCRIPTURES**

- 2.1** After the Secretary to the Convention has issued the notice announcing the time and place of the Annual Convention in accordance with Canon 5.2, and at least 15 weeks before the Opening Eucharist of the Annual Convention, the Bishop shall authorize and bless a bible in accordance with the rubrics of the Book of Common Prayer at a ceremony at the Cathedral to be the Diocesan Convention Bible. After the Diocesan Convention Bible has been blessed at the Cathedral, a message on behalf of the youth of the Diocese by a Communicant in Good Standing not eligible to be a Lay Delegate selected by the Bishop from among the youth within the Deanery or Cathedral hosting Annual Convention shall be enclosed within it along with the prayers of the Cathedral for the Diocesan Convention and it shall be sent to each Congregation and Academic Chaplaincy within the Diocese prior to the Annual Convention with the host Regional Deanery, unless the Cathedral is the host of the Diocesan Convention, receiving the Diocesan Convention Bible last in its Congregations for the purpose of reading the message on behalf of the youth of the Diocese at that Congregation and receiving the prayers from that Congregation for the Diocesan Convention within it and forwarding it onwards until it arrives at the Opening Eucharist of the Annual Convention where all the prayers from each Congregation contained in the Diocesan Convention Bible shall be delivered to the Bishop.
- 2.2** The host Regional Deanery or the Cathedral is responsible for bringing the Diocesan Convention Bible to the Hall for the Opening Eucharist, and after the Diocesan

Convention, the Diocesan Convention Bible may not be used for any purpose without the approval of the Cathedral Chapter.

- 2.3 As an indication of our humble dependence upon the Word and Spirit of God, and following the example of primitive Councils, a copy of the Diocesan Convention Bible shall always be reverently placed in view at the meetings of the Diocesan Convention.

### 3. SEATING

- 3.1 The Secretary to the Convention shall arrange each Lay Delegation to be seated together and shall make provision for the seating arrangements to be labeled and can be identified by each Lay Delegation.

- 3.2 The Secretary to the Convention shall arrange for Clergy to be seated together and shall make provision for the seating arrangements to be labeled and identified by each Clergy.

- 3.3 The Secretary to the Convention shall arrange for Assistant Secretaries to be seated in appropriate places within the Hall and shall make provision for the seating arrangements to be labeled and can be identified by each Assistant Secretary.

- 3.4 The Secretary to the Convention shall arrange for seats in appropriate places within the Hall for the following persons, whether or not they are Clergy or Lay Delegates in their own right:

- (a) the Officers of the Diocese;
- (b) the President of the Standing Committee; and
- (c) the Chairman of the Committee on Constitution and Canons,

and shall make provision for the seating arrangements to be labeled and can be identified by each of them.

- 3.5 The Secretary to the Convention shall arrange for the Chief Financial Officer to be seated in an appropriate place within the Hall and shall make provision for his seating arrangement to be labeled and it can be identified by him.

- 3.6 The Secretary to the Convention shall arrange for the Parliamentarian to be seated next to the President of Convention and shall make provision for his seating arrangement to be labeled and it can be identified by him.

- 3.7 The Secretary to the Convention shall arrange for the President of Convention to be seated in a place where he may have oversight of the Hall and Clergy and Lay Delegates are able to see him, and shall make provision for his seating arrangement to be labeled and it can be identified by him.

- 3.8 No person may leave their seat while the Diocesan Convention is in session without the permission of the President of Convention.
- 3.9 The Secretary to the Convention shall arrange for Alternate Lay Delegates to be seated together and shall make provision for the seating arrangements to be labeled and can be identified by each Alternate Lay Delegate.
- 3.10 The Secretary to the Convention shall make provision for such galleries within the Hall as may be feasible where guests of the President of Convention may sit in the Bishop's Gallery, visitors may sit in the Visitors' Gallery, volunteers, members of the Standing Committee who are not Clergy or Lay Delegates, members of the Committee on Constitution and Canons who are not Clergy or Lay Delegates, and members of the Diocesan Staff may sit in a Designated Box and the media may sit in the Reporters' Gallery, to be allowed access to the Hall but not access to the Clergy and Lay Delegates, except those in the Designated Box who may need to move between the galleries and the floor of the Hall where the Clergy and Lay Delegates are seated.

**4. PRESENTATION OF CREDENTIALS AND QUESTIONS OF PRIVILEGE**

- 4.1 The presentation of the credentials of Clergy, Lay Delegates and Officers of the Diocese and other questions of privilege shall always be in order while a question of order or a motion to adjourn is pending, or while the Diocesan Convention is voting or ascertaining the presence of a quorum; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.
- 4.2 The Secretary to the Convention shall keep a record of the Certified List of the Clergy of the Diocese and certificates of appointment or election of Lay Delegates, as well as the List of Names of the Officers of the Diocese, by entering them in a bound book kept for that purpose.
- 4.3 The Secretary to the Convention shall send copies of the following recommended forms to the Clerk or Clergy-in-Charge of each Congregation and Academic Chaplaincy prior to the deadline for each Annual Meeting of a Congregation so that they may use such forms.

THE RECOMMENDED FORMS FOR CERTIFICATE OF ELECTION AND CERTIFICATE OF APPOINTMENT ARE AS FOLLOWS:

Form 1-A  
**CERTIFICATE OF ELECTION OF A LAY DELEGATE**

To the Secretary to the Convention of the Episcopal Diocese of the Virgin Islands:

This is to certify that on the \_\_\_ day of \_\_\_, 20\_\_\_, the persons listed below were duly elected by the qualified voters of \_\_\_\_\_ Church of \_\_\_\_\_, as the Lay Delegates to represent said Congregation in the Convention of the Episcopal Diocese of the Virgin Islands for this Convention Year and that they are adult communicants in good standing of this Congregation.

LAY DELEGATES

*Print Clearly*



of \_\_\_\_\_ is hereby duly appointed to represent said Congregation in the Convention of the Episcopal Diocese of the Virgin Islands

\_\_\_\_\_  
DATE: \_\_\_\_\_  
Rector/Vicar/Clergy-in-Charge/Secretary\*

*\*Delete as appropriate*

## **5. OPENING OF THE DAILY SESSIONS**

**5.1** Every meeting of the Diocesan Convention shall be divided into sessions as follows:

- (a) the Morning Session shall begin with the Celebration of the Eucharist at a time ordered on the Daily Calendar and conclude with prayers before lunch at a time ordered on the Daily Calendar;
- (b) the Afternoon Session shall begin with Noonday Prayers at a time ordered on the Daily Calendar and conclude with prayers before dinner at a time ordered on the Daily Calendar; and
- (c) the Evening Session shall begin with Evening Prayers at a time ordered on the Daily Calendar, but following Evening Prayers no legislative business other than committee meetings may be placed on the Daily Calendar.

**5.2** Following the Opening Eucharist, the President shall take the chair, after which the Order of Business shall be as follows:

- (a) A quorum being certified present by the Planning and Credentials Committee, the President shall declare the Convention organized for business by proclaiming either of the following sentences as the case may be:

- i. if after the Opening Eucharist of the Annual Convention:

*"I declare open the Annual Meeting of the (number of the Diocesan Convention) Diocesan Convention which met in the (name of the Regional Deanery or Cathedral)."*

- ii. if after the Opening Eucharist of a Special Convention:

*"I declare open the (number of the Special Meeting) Special Meeting of the (number of the Diocesan Convention) Diocesan Convention which met in the (name of the Regional Deanery or Cathedral)."*

- (b) The election of the Secretary to the Convention on the recommendation of the Bishop.

- (c) The report of the Planning and Credentials Committee on the Daily Calendar and status of clerical and lay delegates to the Convention, and at the opening of every new session the Planning and Credentials Committee shall report on any changes thereto. Any contested right or claim to a seat in the case of a cleric, and any irregular or doubtful certificates in the case of lay delegates, shall be referred to the Secretary to the Convention.
- (d) Any person entitled to seat and voice at the Diocesan Convention for the first time shall then be presented to the President of the Convention in a manner prescribed by the Bishop, and the Bishop, or the Chaplain if so directed by the President of the Convention, shall prepare on behalf of the Diocesan Convention and deliver to that person such presentation in such form as the Bishop may authorize.
- (e) Any person who has had seat and voice at, and except for good cause excused, attended no less than twelve (12) Diocesan Conventions shall then be presented to the President of the Convention in a manner prescribed by the Bishop, and the Bishop, or the Chaplain if so directed by the President of the Convention, shall prepare on behalf of the Diocesan Convention and deliver to that person such presentation in such form as the Bishop may authorize.
- (f) The President of the Convention shall then announce, without word or comment, the fact and the date of the death of any person who had at any time been entitled to seat and voice at the Diocesan Convention who have died since the last Diocesan Convention, after which the Diocesan Convention shall be led in prayer by the President of the Convention, and the Bishop, or the Chaplain if so directed by the President of the Convention, shall prepare on behalf of the Diocesan Convention and send to the family of each such person, a Memorial Message, and the Bishop, or the Chaplain if so directed by the President of the Convention, shall represent the Diocesan Convention at the funeral, where the funeral is held within the Diocese.
- (g) The report of the Regional Deaneries on Nominations and additional nominations for all offices, committees and commissions to be elected by the Diocesan Convention.
- (h) The report of the Bishop on Recommendations for all offices, committees and commissions to be elected by the Convention on the recommendation of the Bishop other than the Secretary to the Convention.
- (i) The report of the Committee on Constitution and Canons.
- (j) The report of the CFO, including the report of the financial statements and the annual audit.
- (k) The report of the Finance Committee, including the presentation of the proposed Budget for the operation of each Deanery, the Diocesan Operating Program, the Diocesan Mission Program, and the General Church Program as well as the Diocesan Assessment.
- (l) The report of the Bishop on the Episcopal Charities of the Virgin Islands.

- (m) The reports of Special Committees appointed at previous Diocesan Conventions or by the President of the Convention in alphabetical order.
- (n) The reports of the Officers of the Diocese, in the order they appear in Canon 3.1, and with respect to the Officers of the Cathedral, in the order they appear in Canon 23.4.
- (o) The report of the Commission on Ministry.
- (p) The report of the Commission for Episcopal Schools.
- (q) The report of the Cathedral Chapter.
- (r) The report of the Standing Committee of the Diocese.
- (s) The reports from Related Organizations.
- (t) The appointment of:
  - (i) the Chancellor;
  - (ii) the Vice Chancellor with the advice and consent of the Chancellor;
  - (iii) the Historiographer;
  - (iv) the Regional Deans and Sub-Deans;
  - (v) the Commission on Ministry;
  - (vi) the Commission for Episcopal Schools; and
  - (vii) the Committee on Constitution and Canons.
- (u) Miscellaneous business.

**5.3** Following the Celebration of the Eucharist, Noonday Prayers and Evening Prayers on every day of the Diocesan Convention other than for the Opening Eucharist, the President of Convention shall take the chair, and a quorum being certified present by the Planning and Credentials Committee, the President of Convention shall declare the session of the Diocesan Convention organized for business by proclaiming the following sentence:

*“This session of the (type and number of the Diocesan Convention) Diocesan Convention is now called to order.”*

**5.4** At the time ordered on the Daily Calendar for the adjournment of a session on every day of the Diocesan Convention other than the final Evening Prayer, the President of

Convention shall declare the session of the Diocesan Convention closed by proclaiming the following sentence:

*“This session of the (type and number of the Diocesan Convention) Diocesan Convention is now adjourned.”*

- 5.5 The Daily Calendar as approved by the Diocesan Convention and amended from time to time shall include the hour appointed for each resolution or other measure awaiting action. Each resolution or other measure shall be placed on the Daily Calendar in the sequence in which they were submitted to the Secretary to the Convention.
- 5.6 Each Clergy and Lay Delegate shall be entitled to speak once and for five (5) minutes only upon each resolution or other measure on the Daily Calendar.
- 5.7 The Secretary to the Convention shall designate one of the Assistant Secretaries as the Official Timer of the Diocesan Convention to monitor the time taken by each speaker during debates, the time taken for voting and any other situation where time is limited by these or any other Rules, and in particular shall at the appropriate time requested by the President of Convention, explain the timing rules and how timing signals will be given, using for this purpose such timing equipment as shall be provided by the Secretary to the Convention such as a stopwatch and signal devices.
- 5.8 The Official Timer of the Diocesan Convention shall be seated in a location within the Hall where the signal devices can be seen by all Clergy and Lay Delegates in their assigned seats, so that a signal can be given after half ( $\frac{1}{2}$ ) their time has elapsed, then after three-quarter ( $\frac{3}{4}$ ) of their time has elapsed and finally fifteen (15) seconds before their allotted time expires followed by a signal to stop, which may include a buzzer.
- 5.9 After the Official Timer of the Diocesan Convention has signaled that the allotted time has expired, it shall be out of order for any person whose time has expired to continue to speak, even to ask for permission to continue, and the President of Convention may call that person to order on his own motion, or on the motion of the Official Timer of the Diocesan Convention, or any Clergy or Lay Delegate.
- 5.10 The President of the Convention may appoint one (1) Clergy and one (1) Lay Delegate to act with the Secretary to the Convention in preparing daily reports of the action of the Diocesan Convention, and furnishing them, at the discretion of the President of the Convention, to the public press.

## **6. REPORTS**

- 6.1 Reports recommending or requiring any action or expression of opinion by the Diocesan Convention shall be accompanied by a Resolution and submitted to the Secretary to the Convention subject to the canonical requirements governing Resolutions.
- 6.2 Reports for information only and requiring no action or expression of opinion by the Diocesan Convention shall be submitted to the Secretary to the Convention in sufficient time to be included in the package sent to Clergy and Lay Delegates and the Secretary of the Convention may give guidance on when and where they should be received to be included in the package.

**6.3** Any report requesting or requiring action or expression of opinion by the Diocesan Convention shall be in one of the alternative forms as follows:

- (a) Recommends adoption, with or without amendments, in which case the question shall be on the adoption of the Resolution, or the Resolution as amended.
- (b) Recommends rejection, with or without reasons, in which case the question shall be on the adoption of the Resolution, notwithstanding the recommendation for rejection.
- (c) Recommends that it be discharged from further consideration of the Resolution because:
  - (i) the matter is not within the scope of the function of the person or body making the report, in which case a recommendation for referral to an appropriate person or body is appropriate;
  - (ii) the matter has already been dealt with by action of the Diocesan Convention at its present meeting;
  - (iii) the matter is covered by a Resolution of a prior Diocesan Convention still in force; or
  - (iv) for other reasons.
- (d) Recommends the establishment of a Special Committee and the referral to that Special Committee to study the theological, ethical and pastoral questions inherent in the subject or to develop recommendations and strategies on the subject which will be of concrete assistance to the Diocese or to study or make recommendations concerning the subject.

**6.4** Every report shall be dated, signed by, or on behalf of, the person or body making the report, and submitted to the Secretary to the Convention, who shall endorse thereon the date of receipt thereof. If the report is submitted by a committee or group and there is a minority position in the committee or group which is requested to be included in the report, the report shall be divided into the majority section and the minority section of the report.

## **7. PROCEDURE FOR RESOLUTIONS**

**7.1** Any resolution to be considered by the Diocesan Convention must be received by the Secretary to the Convention at least forty-five (45) days prior to the commencement date of the Diocesan Convention. Included on the copy of the proposed resolution shall be the name and address of the proposer of the resolution and the person seconding the resolution.

**7.2** Notwithstanding Rule 7.1, a proposed resolution need not include any person seconding the resolution where the proposed resolution is from:

- (a) the Bishop;

- (b) a Deanery Caucus;
- (c) any Congregation in union with the Diocesan Convention when approved by the Vestry or Bishop's Committee of that Congregation;
- (d) any commission, board, agency or committee established in accordance with the Constitution and Canons of the Diocese, including the Standing Committee and the Commission on Ministry;
- (e) any commission, committee or task force established by a resolution of the Diocesan Convention;
- (f) the General Convention Deputation when acting by a majority of the deputation; or
- (g) any Officer of the Diocese.

**7.3** In the case of resolutions submitted by a person or body under Rule 2.2, the resolution shall state the name of the person duly authorized to respond to questions and accept amendments to such resolutions at the Diocesan Convention. It shall be open to other persons or organizations to be listed as supporters of a resolution.

**7.4** The Committee on Constitution and Canons, or its designated Sub-Committee on Resolutions, shall meet not less than thirty (30) days prior to the commencement date of the Diocesan Convention to consider resolutions submitted in a timely fashion. The Committee may make such editorial changes as may appear necessary for accuracy or clarification. Substantive changes in resolutions shall not be made without the consent of the proposer. However, at its option, the Committee may make suggestions or recommendations concerning resolutions, which may be incorporated in the pre-convention materials furnished to the clergy, Vestries and Bishop's Committees.

**7.5** Copies of all resolutions, in their original form, or as modified by the Committee on Constitution and Canons, or its designated Sub-Committee on Resolutions, shall be filed with the Secretary to the Convention and shall be included in the pre-convention materials distributed to the clergy, Vestries and Bishop's Committees.

**7.6** Any proposed resolution that does not meet the foregoing criteria may be considered by the Convention only upon the affirmative majority vote of those present and voting in the Diocesan Convention. If the Diocesan Convention agrees to consider a resolution, it shall be referred by the Committee on Constitution and Canons, or its designated Sub-Committee on Resolutions, or other appropriate Committee of the Diocesan Convention.

**7.7** Any proposed amendments to a resolution may be filed with the Secretary of the Convention on or before the opening of Convention, and shall promptly be referred by the Committee on Constitutions and Canons or other appropriate committee.

**7.8** Any resolutions submitted to the Committee on Constitution and Canons and not submitted to the Convention, unless withdrawn, shall be identified by the Committee in its

report. The report shall include the name or subject of each resolution, the name(s) of the proposer(s), and the reason it was not submitted to the Convention.

## **8. SUSPENSION AND AMENDMENT OF THE RULES**

- 8.1 A motion to suspend, modify, or amend any rule of order, or any part thereof, shall always be in order and the motion shall be in writing, specifying precisely the rule of order or part proposed to be suspended, modified, or amended, and the purpose thereof.
- 8.2 The rules of order of the Diocesan Convention shall continue from one Diocesan Convention to the next Diocesan Convention unless they are changed in accordance with the Constitution and Canons of the Diocese.

## **9. SPECIAL ORDERS**

- 9.1 Any subject may, by a vote of two-thirds of the Clergy and Lay Delegates present, be made a special order of business for consideration and when the time so fixed for its consideration arrives the President of Convention shall lay it before the Diocesan Convention, unless there be unfinished business in which case it takes its place on the Calendar of Special Orders in the order of time at which it was made special, to be considered in that order when there is no unfinished business.
- 9.2 All motions to change such order, or to proceed to the consideration of other business, shall be decided without debate.

## **10. RECONSIDERATION**

- 10.1 When a question has been decided by the Diocesan Convention, any Clergy or Lay Delegate may, on the same day or on the next day of actual session thereafter, move a motion to reconsider; and if the Diocesan Convention shall refuse to reconsider such a motion entered, or if such a motion is withdrawn by leave of the Diocesan Convention, or if upon reconsideration the Diocesan Convention shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

## **11. AMENDMENTS AND MOTIONS**

- 11.1 (a) An amendment and any report accompanying a motion to recommit shall be reduced to writing and read and copies shall be provided by the Clergy or Lay Delegate offering the amendment or report to the Secretary to the Convention before being debated
- (b) A motion shall be reduced to writing, if desired by the President of Convention, and shall be read before being debated.
- 11.2 Any motion, amendment, or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or vote, except a motion to reconsider, which shall not be withdrawn without leave.

- 11.3 If the question in debate contains several propositions, any Clergy and Lay Delegate may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question, and motions to amend the part to be stricken out shall have precedence.
- 11.4 When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice, such measure.
- 11.5 It shall not be in order to consider any proposed amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the person, committee or group proposing such amendment.

## 12. REFERENCE TO COMMITTEES

- 12.1 Unless otherwise provided herein, the President of Convention determines, without debate, which committee shall have jurisdiction over any subject matter, but such decision shall be subject to appeal to the Diocesan Convention.
- 12.2 A motion simply to refer shall not be open to amendment, except to add instructions.

## 13. BUSINESS CONTINUED FROM SESSION TO SESSION

At the second or any subsequent session of a meeting of the Diocesan Convention any business of the Diocesan Convention which remained undetermined at the close of the preceding session of that meeting of the Diocesan Convention shall be resumed and proceeded with in the same manner as if no adjournment of the preceding session had taken place.

## 14. DEBATE

- 14.1 (a) When a Clergy and Lay Delegate desires to speak, he shall rise and address the President of Convention, and shall not proceed until he is recognized, and the President of Convention shall recognize the Clergy and Lay Delegate who shall first address him. No Clergy and Lay Delegate shall interrupt another Clergy and Lay Delegate in debate without his consent, and to obtain such consent he shall first address the President of Convention.
- (b) All debate shall be germane and confined to the specific question then pending before the Diocesan Convention.
- 14.2 No Clergy or Lay Delegate in debate shall, directly or indirectly, by any form of words impute to another Clergy or Lay Delegate or to other Clergy or Lay Delegates any conduct or motive unworthy or unbecoming a Clergy or Lay Delegate.

- 14.3 No Clergy or Lay Delegate in debate shall refer offensively to any jurisdiction that comprises the Diocese of the Virgin Islands.
- 14.4 If any Clergy or Lay Delegate, in speaking or otherwise, in the opinion of the President of Convention transgress the rules of the Diocesan Convention the President of Convention shall, either on his own motion or at the request of any other Clergy or Lay Delegate, call him to order; and when a Clergy or Lay Delegate shall be called to order he shall take his seat, and may not proceed without leave of the Diocesan Convention, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.
- 14.5 Any Clergy or Lay Delegate directed by the President of Convention to take his seat, and any Clergy or Lay Delegate requesting the President of Convention to require a Clergy or Lay Delegate to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate.
- 14.6 If a Clergy or Lay Delegate be called to order for words spoken in debate, upon the demand of the Clergy or Lay Delegate or of any other Clergy or Lay Delegate, the exceptionable words shall be taken down in writing, and read at the table for the information of the Diocesan Convention.
- 14.7 Whenever confusion arises in the Hall or its surroundings, or demonstrations of approval or disapproval are indulged in by any person in the Hall, it shall be the duty of the President of Convention to enforce order on his own initiative and without any point of order being made by a Clergy and Lay Delegate.
- 14.8 No Clergy or Lay Delegate shall introduce to or bring to the attention of the Diocesan Convention during its sessions any person in the Hall. No motion to suspend this rule shall be in order, nor may the President of Convention entertain any request to suspend it by unanimous consent.

## 15. QUESTIONS OF ORDER

- 15.1 A question of order may be raised at any stage of the proceedings, except when the Diocesan Convention is voting or ascertaining the presence of a quorum, and, unless submitted to the Diocesan Convention, shall be decided by the President of Convention without debate, subject to an appeal to the Diocesan Convention. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the President of Convention without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the President of Convention.
- 15.2 The President of Convention may submit any question of order for the decision of the Diocesan Convention.
- 15.3 In any question of order the President of Convention may:
- (a) call the entire Diocesan Convention to order;

- (b) direct any person to leave the Hall until they rectify a wrong;
- (c) refer any person to the Diocesan Convention to proceed to suspend them from the Diocesan Convention; or
- (d) refer any person to the Diocesan Convention to proceed against them in any manner it thinks fit.

## 16. PRECEDENCE OF MOTIONS

16.1 When a question is pending, no motion shall be received but

- (a) to adjourn (which shall be decided without debate);
- (b) to adjourn to a day certain, or that when the Diocesan Convention adjourn it shall be to a day certain;
- (c) to take a recess (which shall be decided without debate);
- (d) to lay on the table (which shall be decided without debate);
- (e) to postpone indefinitely;
- (f) to postpone to a day certain;
- (g) to commit; or
- (h) to amend,

which several motions shall have precedence as they stand arranged.

16.2 Notwithstanding the provisions of any other rule of order, at any time a motion to bring to a close the debate upon any measure, motion, other matter pending before the Diocesan Convention, or the unfinished business, is presented to the Diocesan Convention, the President of Convention, or Secretary to the Convention at the direction of the President of Convention, shall at once state the motion to the Diocesan Convention, and the President of Convention shall, without debate, submit to the Diocesan Convention for a vote the question:

*"Is it the sense of the Diocesan Convention that the debate shall be brought to a close?"*

and if that question shall be decided in the affirmative by a majority of the Clergy and Lay Delegates duly chosen and seated -- except on a measure or motion to amend the Constitution and Canons of the Diocese, in which case the necessary affirmative vote shall be two-thirds of the Clergy and Lay Delegates present and voting -- then said measure, motion, or other matter pending before the Diocesan Convention, or the

unfinished business, the Diocesan Convention shall proceed, without any further debate on any question, to vote on the final disposition thereof to the exclusion of all amendments not then actually pending before the Diocesan Convention at that time and to the exclusion of all motions, except a motion to table, or to reconsider immediately before the final vote begins.

- 16.3** If, for any reason, a measure or matter is reprinted after cloture has been invoked, amendments which were in order prior to the reprinting of the measure or matter will continue to be in order and may be conformed and reprinted at the request of the amendment's sponsor. The conforming changes must be limited to lineation and pagination.
- 16.4** Notwithstanding other provisions of this rule, a Clergy and Lay Delegate may yield all or part of his time to another Clergy or Lay Delegate, but each Clergy and Lay Delegate specified shall not have more than ten (10) minutes so yielded to him and may in turn yield such time to other Clergy and Lay Delegates.

## **17. APPOINTMENT OF COMMITTEES**

- 17.1** In the appointment of the standing committees, or to fill vacancies thereon, the Diocesan Convention, unless otherwise ordered, shall by resolution appoint the chairman of each such committee and the other members thereof. On demand of any Clergy and Lay Delegate, a separate vote shall be had on the appointment of the chairman of any such committee and on the appointment of the other members thereof. Each such resolution shall be subject to amendment and to division of the question.
- 17.2** All Special Committees shall be appointed by the President of Convention, unless otherwise ordered.

## **18. HEARING PROCEDURE**

- 18.1** (a) Each committee of the Diocesan Convention, authorized by the Constitution and Canons of the Diocese, to hold hearings, shall liaise with the Secretary to the Convention to determine the date, place, and subject matter of any hearing to be conducted by the committee on any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date.
- (b) Each committee shall require each witness who is to appear before the committee in any hearing to file with the Secretary to the Convention, at least one day before the date of the appearance of that witness, a written statement of his proposed testimony unless the committee chairman determines that there is good cause for noncompliance. If so requested by any committee, the staff liaison for the committee shall prepare for the use of the members of the committee before each day of hearing before the committee a digest of the statements which have been so filed by witnesses who are to appear before the committee on that day.
- (c) After the conclusion of each day of hearing, if so requested by any committee, the staff liaison to that committee shall prepare for the use of the members of the committee a summary of the testimony given before the committee on that day. After approval by the chairman of the committee, each such summary may be

printed as a part of the committee's report if such hearings are ordered by the committee to be printed.

- 18.2**
- (a) When the Diocesan Convention is in session, except during the Evening Session, no committee of the Diocesan Convention or any subcommittee thereof may meet, without special leave of the President of Convention. The President of Convention shall announce to the Diocesan Convention whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.
  - (b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public.
  - (c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.
  - (d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Clergy and Lay Delegate. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.
  - (e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record.

## **19. VOTING.**

- 19.1** Following a closure vote in accordance with Rule 16.2, or in any other case where a vote is required without debate, the President shall put the question:

*“The question before the Diocesan Convention is, That . . .”*

- 19.2** The Secretary to the Convention shall designate one of the Assistant Secretaries as the Voting Secretary to distribute the consecutively numbered ballots which should be not be assigned but only for the purpose of counting the number of ballots, announce the procedures for voting, collect in all ballots distributed, tally the votes using an official tally sheet provided by the Secretary to the Convention, and report the tally to the Diocesan Convention.
- 19.3** After the numbered ballots have been distributed and the Voting Secretary has completed announcing the procedures for voting, there shall be allocated three (3) minutes for the Clergy and Lay Delegates to enter their vote on the ballot.
- 19.4** At the conclusion of the allocated three (3) minutes for voting the Voting Secretary shall randomly proceed to collect in all the ballots and verify that all ballots which were distributed have been collected in.

- 19.5 After all the ballots have been collected in by the Voting Secretary, the Voting Secretary along with two volunteer Tellers, shall retire from the Hall or to a secluded part of the Hall to tally the votes unless the President of Convention directs the Voting Secretary stay to immediately proceed to another vote.
- 19.6 Once the Voting Secretary has retired from the Hall to tally the votes the President of Convention shall not proceed to another vote until the Voting Secretary has returned to the Hall and reported the tally to the Diocesan Convention.
- 19.7 After the Voting Secretary has reported the tally to the Diocesan Convention, he must then deliver the signed tally sheet to the President of Convention who then declares the numbers, and states the decision of the Diocesan Convention and the Secretary to the Convention shall record the decision of the Diocesan Convention in the Journal of the Convention.
- 19.8 If among the Voting Secretary and the two volunteer Tellers there is any disagreement as to the tally of the votes, or if a mistake regarding the numbers is discovered, unless they all agree on the correct figures a second vote must be taken.

## SCHEDULE II

[Article 7.8]

### Definitions of Words and Expressions

Unless the context otherwise provides, the words and expressions in the first column have the meaning provided in the second column as follows:

<b>U.S. Virgin Islands</b>	a group of islands in the Caribbean that are part of the Virgin Islands archipelago as an insular area of the United States of America as defined in the Preamble to the Constitution and Canons of the Diocese.
<b>British Virgin Islands</b>	a group of islands in the Caribbean that are part of the Virgin Islands archipelago as an Overseas Territory of the United Kingdom of Great Britain and Northern Ireland as defined in the Preamble to the Constitution and Canons of the Diocese.
<b>The Episcopal Church</b>	the Protestant Episcopal Church in the United States of America as defined in the Preamble to the Constitution and Canons of the Diocese.
<b>Diocese</b>	the Episcopal Diocese of the Virgin Islands as defined in Article 1.1.
<b>Diocesan Convention</b>	the Convention of the Episcopal Diocese of the Virgin Islands as defined in Article 3.1.
<b>Annual Convention</b>	an annual meeting of the Diocesan Convention held once every calendar year as defined in Article 3.2.
<b>Special Convention</b>	a special meeting of the Diocesan Convention as defined in Article 3.3.
<b>Clergy</b>	the ordained priests and deacons on the Certified List of the Clergy of the Diocese as defined in Article 3.5.
<b>Lay Delegate</b>	a Voting Member from a Congregation in union with the Diocesan Convention and elected and certified by that Congregation for the purpose of seat, voice and vote at the Diocesan Convention.
<b>Lay Delegation</b>	all the Lay Delegates certified by that Congregation.
<b>Convention Year</b>	any twelve month period commencing from the close of one Annual Convention to the close of the subsequent Annual Convention.
<b>Ecclesiastical Authority</b>	the Bishop, or if there is no Bishop qualified and able to act,

	or in case of a vacancy in the Episcopate, then the Standing Committee shall act.
<b>Bishop</b>	a person elected in accordance with Article 4.3 for the purposes enumerated in Article 4.2.
<b>Certified List of the Clergy of the Diocese</b>	an up-to-date list of the clergy as defined in Canon 1.1.
<b>Ecclesiastical Censure</b>	a disciplinary measure defined in Canon 1.6.
<b>Alternate Lay Delegate</b>	a person qualified to be a Lay Delegate and certified to take the place of a Lay Delegate at the Diocesan Convention.
<b>Officers of the Diocese</b>	the persons whose names are listed by the Bishop and furnished to the Secretary to the Convention during any Diocesan Convention in accordance with Canon 3.2.
<b>Resolution</b>	a document that sets out rules, policies or statements of courtesy and has been passed by the Diocesan Convention.
<b>Related Organization</b>	a separate and independent organization or federation that is not in union with, or established by, the Diocesan Convention, other than an Episcopal School, that is recognized by the Bishop in accordance with rules made in accordance with Canon 14.1.
<b>advice and consent</b>	a written confirmation of an appointment, whether with or without a hearing, but based on such evidence or other requirements produced by the person or body making the appointment needed to satisfy the body confirming the appointment.
<b>Finance Committee</b>	a Permanent Select Committee of the Diocesan Convention established in accordance with Canon 11.8.
<b>Planning and Credentials Committee</b>	a Permanent Select Committee of the Diocesan Convention established in accordance with Canon 8.7.
<b>Committee on Constitution and Canons</b>	a Permanent Select Committee of the Diocesan Convention established in accordance with Canon 22.1.
<b>Permanent Select Committee</b>	a committee of the Diocesan Convention established in accordance with Canon 4.16.
<b>Special Committee</b>	a committee of the Diocesan Convention established from time to time as it deems appropriate.
<b>in writing or written</b>	record or take note in printed form or in electronic form where it can be reproduced in printed form upon request.

<b>Secretary to the Convention</b>	a Communicant in Good Standing on the Certified List of Voters in a Congregation in union with the Diocesan Convention who is elected at the Annual Convention upon nomination by the Bishop.
<b>Congregation in union with the Diocesan Convention</b>	a Congregation that is within the Diocese and subject to the Constitution and Canons of the Diocese and of The Episcopal Church and all decisions of the Diocesan Convention.
<b>Parish</b>	a type of Congregation which has the meaning given to it under Canon 24.1.
<b>Mission</b>	a type of Congregation which has the meaning given to it under Canon 25.1.
<b>Academic Chaplaincy</b>	a type of Congregation serving any permanent body of students resident on a campus of a University or other academic institution within the Diocese.
<b>Congregation</b>	a group of worshippers in the Diocese, and includes as Parish, Distressed Parish, Mission and Academic Chaplaincy.
<b>Distressed Parish</b>	a Parish to which a declaration made in accordance with Canon 26.4 applies.
<b>General Convention Deputation</b>	the four (4) Clergy and four (4) Lay Deputies to General Convention elected by the Diocesan Convention.
<b>Journal</b>	the Journal of the Diocesan Convention established in accordance with Canon 8.6.
<b>OECD Guidelines for Multinational Enterprises</b>	the annex to the Organization of Economic Cooperation and Development's Declaration on International Investment and Multinational Enterprises adopted in 1976 and revised in 1979, 1982, 1984, 1991 and 2000.
<b>Diocesan Assessment</b>	the amounts to be apportioned to an individual Congregation to meet the financial requirements of the Diocese in accordance with Canon 11.9.
<b>Book of Common Prayer</b>	the standard Book of Common Prayer accepted by the General Convention in the year of our Lord 1979, and authenticated by the signatures of the Presiding Officers and Secretaries of the two Houses of the General Convention and sent to the Ecclesiastical Authority in trust for the use of the Diocese, or any revision thereof by the authority of the General Convention, and shall include an authorized edition in a language other than English as set forth by the authority of the General Convention.

<b>Sacrament of Holy Communion</b>	the sacrament as directed by our Lord and Savior Jesus Christ in remembrance of him and performed in accordance with the Book of Common Prayer authorized for use in the Diocese, whether in The Episcopal Church or in another Christian Church.
<b>Apostolic Rite of Confirmation</b>	a mature public affirmation of faith and commitment to the responsibilities of the Sacrament of Holy Baptism, after appropriate instruction, and have been confirmed or received by the laying on of hands by a Bishop of The Episcopal Church or any church in communion with The Episcopal Church, and shall include reception of those persons who have previously made a mature public commitment in another Christian Church by the laying on of hands by a Bishop of The Episcopal Church, and also includes any person who is baptized in The Episcopal Church as an adult and receives the laying on of hands by a Bishop of The Episcopal Church at the Sacrament of Holy Baptism.
<b>Deanery</b>	geographic subdivisions of the Diocese in accordance with Canon 17.1.
<b>Constituent Congregation</b>	all the geographically adjacent Congregations in a Deanery.
<b>Deanery Synod</b>	a body composed of all Clergy, Lay Delegates and Alternate Delegates from each Constituent Congregation within the Deanery, as well as any Officer of the Diocese serving at the request of the Bishop in accordance with Canon 17.2.
<b>Annual Synod</b>	an annual meeting of the Deanery Synod.
<b>Regular Synod</b>	a regular meeting of the Deanery Synod.
<b>Disqualifications of a Dean</b>	those disqualifications outlined in Canon 17.3 which also apply to a Sub-Dean with the necessary modifications.
<b>Clericus Group</b>	a meeting of the Clergy within a Deanery.
<b>Deanery Chapter</b>	the executive body of a Deanery Synod.
<b>Episcopal School</b>	any school in accordance with Canon 21.1.
<b>rules and regulations</b>	includes rules, policies, regulations or guidelines by whatever name called made in accordance with Canon 14.1.
<b>Officers of the Cathedral</b>	those persons elected by the Diocesan Convention on the recommendation of the Bishop under Canon 23.4(c) to (f).
<b>Cathedral Chapter</b>	the executive body of the Diocese.

<b>Member</b>	a baptized person in accordance with Canon 24.4(a).
<b>Communicant</b>	a Member in accordance with Canon 24.4(b).
<b>Communicant in Good Standing</b>	a Communicant in accordance with Canon 24.4(c).
<b>Adult Communicant</b>	a Communicant in accordance with Canon 24.4(d).
<b>Inactive Member</b>	a Member in accordance with Canon 24.4(e).
<b>Voting Member</b>	an Adult Communicant in Good Standing in accordance with Canon 24.4(f).
<b>Certified List of Voters</b>	a list of Members entitled to vote at congregational meetings established and certified in accordance with Canon 24.4(f).
<b>Legal Practitioner</b>	a barrister-at-law or a solicitor in the British Virgin Islands in accordance with the Eastern Caribbean Supreme Court Act (Cap. 80), or any law replacing the same, or an attorney in the U.S. Virgin Islands in accordance with the .
<b>Costs</b>	includes fees, charges, disbursements, expenses or remuneration.
<b>Associated Clergy</b>	any Clergy who is not an Assistant Clergy, but provides ecclesiastical services to any Congregation, under the direction and supervision of the Clergy-in-Charge, and may merely be a retired Clergy formerly serving a Congregation and in a continued formal relationship with that Congregation.
<b>Canonical residence</b>	the diocese where a person was first ordained to Holy Orders in The Episcopal Church or a Christian church in Communion with The Episcopal Church or the diocese to which a clergy may subsequently move full-time by obtaining Letters Dimissory from the bishop of their present diocese to be sent to the bishop of the future diocese and the canonical residence is only changed when the bishop of the future diocese officially indicates acceptance of the Letters Dimissory to the bishop of the present diocese and where the future diocese is this Diocese then Letters Dimissory are only accepted by the Bishop when a Certificate of Acceptance of Letters Dimissory is issued in triplicate.
<b>Letters Dimissory</b>	letters issued by a bishop dismissing a clergy from his obligations in his diocese when that clergy is removing into another diocese and recommending that clergy for reception in that other diocese.

**Certificate of Acceptance of Letters Dimissory**

a form established by rules and regulations in accordance with Canon 14.1 is provided in triplicate, with an original copy sent to the Bishop of the former Diocese, the other to the Clergy and one kept at the Diocesan Office after the updating of the Certified List of the Clergy of the Diocese with notice to the Church Pension Fund.

**retired Clergy**

Clergy retired under the Church Pension Fund.

**SCHEDULE III**

[Article 7.9]

**INDEX**

**A**

**Annual Convention** ..... See Diocesan Convention

**B**

**Banner of the Diocese** ..... See emblems

**C**

Canon of a Cathedral ..... 44, 45

Cantor of the Cathedral ..... See Dignitaries of the Cathedral

**Cathedral Church of All Saints** ..... See emblems

Chancellor of the Diocese ..... 44

**D**

Dean of the Cathedral ..... See Dignitaries of the Cathedral

**Dignitaries of the Cathedral** ..... 44

**Diocesan Convention** ..... 5, 6, 7, 8, 9, 15, 16, 17, 18, 44

**E**

emblems ..... 5, 6

**English** ..... See emblems

**S**

**Seal of the Diocese** ..... See emblems

Secretary of the Cathedral ..... See Dignitaries of the Cathedral

**Special Convention** ..... See Diocesan Convention

**T**

Treasurer of the Cathedral ..... See Dignitaries of the Cathedral