



The Episcopal Church in the Diocese of Ohio

2020-21 Constitution and Canons

Revised through 204th Convention held
November 14, 2020

**Constitution and Canons of the Episcopal Church in the Diocese of Ohio
(Revised through 204th Annual Convention, November 14, 2020)**

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CONSTITUTION OF THE EPISCOPAL DIOCESE OF OHIO

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ARTICLE I Diocese of Ohio

The Diocese of Ohio is a constituent part of The Protestant Episcopal Church in the United States of America and accedes to the Constitution and Canons thereof. The Diocese of Ohio consists of that part of the State of Ohio lying north of the southern boundary of the Counties of Jefferson, Harrison, Tuscarawas, Coshocton, Knox, Morrow, Marion, Union, Logan, Shelby, and Mercer.

ARTICLE II The Convention

Sec. 1. There shall be an annual Convention of the Church in the Diocese of Ohio.

Sec. 2. Members of any Convention shall be:

- (a) The Bishop;
- (b) The Bishop Coadjutor, if there be one; and also if there be any, the Bishop(s) Suffragan; and also if there be any, the Assistant Bishop(s).
- (c) All deacons and presbyters not under discipline who are canonically resident in the Diocese and in charge of, or designated as Assistant Clergy in, any parish in canonical union with the Diocese, or employed by the Diocese, or certified to the Convention by the Ecclesiastical Authority of the Diocese as serving the mission of the Church;
- (d) Each Parish in canonical union with the Convention shall be entitled to representation by three lay delegates in any Convention. The lay delegates shall be adult communicants in good standing in the Parish, and they shall be chosen in such manner as may be prescribed by Canon, or by special parochial charter or bylaws of their Parish.
- (e) The Chancellor of the Diocese; the Treasurer of the Diocese.

Sec. 3. Any member of the Convention shall be entitled to seat, voice, and vote, unless otherwise restricted by canon.

Sec. 4. The Convention shall meet annually at such date and place as the Ecclesiastical Authority may determine and select.

Sec. 5. The Ecclesiastical Authority may call a Special Convention. The notice shall specify the purpose(s) for which the Special Convention is called, and only business germane to such purpose(s) shall be in order, except by the affirmative vote of three-quarters of those present and voting in each of the clerical and lay orders.

Sec. 6. Notice of the meeting of any annual or Special Convention shall be mailed at least thirty (30) days prior to the time appointed to every member of the clergy canonically resident in the Diocese, and to the Clerk of the Vestry of each Parish in canonical union with the Diocese.

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ARTICLE III The President of the Convention

- Sec. 1. The Bishop of the Diocese shall have a seat and vote in the Convention, and shall be its presiding officer. The Bishop Coadjutor, if there be one, shall also have a seat and vote in the Convention, and in the absence of the Bishop, shall preside. The Bishop Suffragan, if there be one, shall also have a seat and vote in the Convention, and in the absence of the Bishop or Bishop Coadjutor, shall preside.
- Sec. 2. If there be no Bishop, Bishop Coadjutor, or Bishop Suffragan of the Diocese in attendance upon the Convention, the President of the Standing Committee shall call the Convention to order for the purpose of electing a President pro tempore from among the Members of Convention.

ARTICLE IV Convention Quorum

- Sec. 1. The presence of one-half of all the members of the clergy entitled to vote in any Convention, and of representation from one-half of all Parishes entitled to be represented in the Convention, shall be necessary to constitute a quorum for the transaction of business thereat, provided, that any lesser number shall have power to meet, to receive reports, and to adjourn to a time certain; and provided further, that no Convention, once properly constituted, shall thereafter be in default of a quorum.
- Sec. 2. Notwithstanding the provisions of Sec. 1 above, those Conventions electing a Bishop shall maintain a quorum for every ballot of such election.

ARTICLE V Convention Elections

- Sec. 1. There shall be a Nominating Committee for each Annual Convention, appointed by the Bishop, which shall, at least thirty days before the Convention, present a slate of candidates for all vacancies in elected offices, including unexpired terms. The Nominating Committee, in addition to considering experience and other qualifications of service, is charged to nominate so as to further Christian policies of, and concerns for, fairness, justice, and inclusiveness in regard to race, color, ethnic origin, national origin, marital status, sex, sexual orientation, gender identity and expression, disabilities or age, except as otherwise specified by Canons. Elected office holders shall be lay members in good standing or clergy canonically resident in this Diocese. Full-time members of the Diocesan Staff shall not be eligible by election or appointment to serve in the offices listed in Section 2.
- Sec. 2. The Convention shall elect annually:
- (a) a Secretary of the Diocese;
 - (b) a Treasurer of the Diocese;
 - (c) one member of the Board of Trustees to serve for five years;
 - (d) one member of the clergy entitled to a seat in the Convention, and one lay person who shall be an adult communicant in good standing of the Church in the Diocese, to be members of the Standing Committee for a term of four years;

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- (e) two members of the clergy canonically resident in the Diocese, and two lay persons who shall be adult communicants in good standing of the Church in the Diocese to be members of the Diocesan Council for a term of three years;
 - (f) one member of the clergy canonically resident in the Diocese, and three lay persons who shall be adult communicants in good standing in the Diocese to be members of the Development Council of the Diocese of Ohio Episcopal Community Services for a term of three years;
- Sec. 3. When required, the Convention shall elect clerical and lay deputies and provisional deputies to the General Convention, clerical and lay delegates to the Provincial Synod, a clerical and a lay member to the Cathedral Chapter, and clerical and lay members to the Diocesan Disciplinary Board.
- Sec. 4. The foregoing officers shall respectively perform the duties which by Canon or general usage may be prescribed for them; and each shall continue in office until a successor is elected.
- Sec. 5. Those elected to the Standing Committee when their terms have expired, shall be ineligible for re-election to the same office for a period of one Convention year.
- Sec. 6. Vacancies occurring in foregoing offices shall be filled as follows:
- (a) Any vacancies arising during the recess of Convention among the foregoing offices, excepting Trustees of the Diocese, members of the Development Council of the Diocese of Ohio Episcopal Community Services, and Deputies to the General Convention so long as Provisional Deputies are elected and available, may be filled by appointment of the Standing Committee with the concurrence of the Bishop, if there be one, until the next Annual Convention, which shall fill any unexpired term.
 - (b) If a vacancy shall occur in the Trustees of the Diocese of Ohio or members of the Development Council of the Diocese of Ohio Episcopal Community Services, the Bishop shall appoint a person to fill such vacancy until the next Annual Convention, which shall fill any unexpired term.

ARTICLE VI Mode of Voting and Elections

- Sec. 1. The clergy and lay delegates shall deliberate in one body on all matters and elections. There shall also be one vote unless a separate vote by orders is requested under Section 2. hereof. All elections shall be by ballot unless dispensed with by unanimous consent.
- Sec. 2. A vote by orders upon the decision of any question may be called for by five Members. In such case every lay delegate from each Parish shall have one vote, and every member of the clergy entitled to vote shall have one vote. The concurrence of a majority of the votes in each order shall be necessary for a decision, except where a greater proportion is required by this Constitution or by the Canons.

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ARTICLE VII Election to the Episcopate

- Sec. 1. The election of a Bishop of this Diocese or of a Bishop Coadjutor or of a Bishop Suffragan, thereof, shall take place in an Annual Convention, or in a Special Convention called for that purpose at least sixty (60) days before the time appointed, the purpose being stated by a notice in writing and sent by the Secretary of the Standing Committee to every member of the clergy entitled to vote, and the Clerk of every Vestry in the Diocese.
- Sec. 2. The election shall be by written or electronic ballot and the voting shall be by orders. Each member of the clergy and each lay delegate seated by Convention shall have one vote as provided by Article VI. A concurrent majority vote in both orders shall constitute an election. If less than two-thirds of either order be present, a concurrence of two-thirds present in that order shall be necessary for election.

ARTICLE VIII The Chancellor

The Bishop, with the approval of the Standing Committee, may appoint persons licensed to practice law in the State of Ohio Chancellor (and Vice Chancellor(s)) of the Diocese, to advise regarding any questions of law which may arise in the administration of Diocesan affairs. The Chancellor (and Vice Chancellor(s)) shall continue in office until death, or resignation, or revocation of appointment by the Bishop. The Chancellor (and Vice Chancellors(s)), if members of the clergy, must be canonically resident in the Diocese and, if members of the laity, must be adult communicants in good standing in this Diocese.

ARTICLE IX Parishes

Sec. 1. Parishes may be admitted into canonical union with the Diocese upon such conditions as may be prescribed by Canon. The connection of any Parish with the Diocese may be dissolved by canonical process. Any Parish which, thirty (30) days prior to any Convention, shall not have for the current and all prior years (commencing in 2016):

- (1) filed its Parochial Report;
- (2) paid all assessments for the Diocesan Fund, imposed upon it according to canon;
- (3) paid all premiums due to the Church Pension Fund (for clergy and lay employees); and
- (4) completed its audit report as prescribed by canon,

shall retain seat and voice at the following Diocesan Convention but forfeit its lay representation vote, and shall remain thus suspended until all of the above requirements are fulfilled.

ARTICLE X Amendment of the Constitution

Sec. 1. Any proposed amendment to this Constitution shall be submitted to the Bishop of the Diocese who shall refer it to the Committee on Canons for its review and recommendation.

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- Sec. 2. The Committee on Canons shall mail a copy of the proposed amendment and its recommendation to every member of the clergy canonically resident in the Diocese, and to the Clerk of the Vestry of each Parish in canonical union with the Diocese, at least thirty (30) days prior to the date of the Convention where the amendment is to be considered. The amendment need not be submitted for consideration to a Convention unless the amendment was received by the Bishop of the Diocese at least ninety (90) days prior to the Convention.
- Sec. 3. An amendment to the Constitution shall be effective when it is approved by an affirmative two-thirds vote of the two orders voting separately at a Convention. If the amendment is approved by a majority of both orders but not by two-thirds, then it shall be tabled and considered for final action at the next Convention. If it is approved by a majority vote of both orders voting separately at the next Convention it shall be effective as provided in Section 4.
- Sec. 4. Any amendment to the Constitution approved by the required vote at a Convention shall become effective at the time of vote, unless the amendment itself provides a different effective date.

CANONS OF THE EPISCOPAL DIOCESE OF OHIO
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TITLE I: CANONS RELATING TO DIOCESAN STRUCTURE

CANON 1: Of the Ecclesiastical Authority

Sec. 1. The Bishop, if there be one, shall be the Ecclesiastical Authority of the Diocese, for all purposes declared by the Constitution and Canons for the Government of the Protestant Episcopal Church in the United States of America (hereinafter referred to as the Constitution and Canons of The Episcopal Church). If there be no Bishop, the Bishop Coadjutor, if there be one, shall be the Ecclesiastical Authority of the Diocese. If there be no Bishop Coadjutor, the Bishop Suffragan, if there be one, shall be the Ecclesiastical Authority of the Diocese. If there be no Bishop, Bishop Coadjutor, or Bishop Suffragan, the Standing Committee shall be the Ecclesiastical Authority of the Diocese.

CANON 2: Of the Convention

Sec. 1. (a) It shall be the duty of all Clergy entitled to vote in the Convention to attend the same, and of each Parish in union with the Convention to send one or more Lay Delegates, not exceeding three, elected by the Vestry, before the meeting of the Convention, from among the adult communicants in good standing qualified to vote, of said Parish. The Clerk of each Parish shall, at least fifteen (15) days before the meeting of any Convention, send to the Secretary of the Convention, for each delegate elected as aforesaid, a Certificate in the form prescribed in Section 3 of this Canon.

(b) Resolutions may be submitted to a Convention of this Diocese by any Bishop serving in this Diocese; members of the Clergy listed on the Bishop's list described herein; Lay Delegates, Lay Alternate Delegates and Special Youth Representatives to the Convention; any Vestry of this Diocese; any three Communicants in good standing of this Diocese; and appointed members of commissions, committees and boards of this Diocese.

(c) The Secretary of Convention shall make a list of the names of the delegates thus certified to be used by the Secretary at the organizing of the Convention. The list shall be appended to the Convention Journal.

(d) Within thirty (30) days before the meeting of every Convention, the Bishop shall cause to be prepared a list of the deacons and priests canonically resident in the Diocese, annexing the name of their respective Parishes, entitled to vote in said Convention. In regard to such clergy not serving a Parish, the nature of the ministry in which the deacon or priest is engaged shall be noted. No member of the clergy, while suspended, shall have a place on such list. The list shall be appended to the Convention Journal and sent to the Secretary of the General Convention.

(e) The decision of the Bishop as to the right of any deacon or priest to a seat and vote in the Convention shall be final.

Sec. 2. Except with respect to elections, consideration of changes in the Constitution and Canons, and procedural questions, all action of the Convention shall be by Resolution. No Resolution shall be considered by the Convention unless the subject matter thereof

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shall have been embraced within a proposed form of Resolution submitted to the Secretary for advance distribution to the members of Convention and for review by a Resolutions Committee appointed by the Ecclesiastical Authority. The Secretary shall not accept any such submission of a proposed Resolution fewer than forty-five (45) days prior to the date set for the Convention unless, with respect to a Resolution submitted to the Secretary at least five days before such date, it is demonstrated to the satisfaction of the Bishop that there is good cause for such delay and provide to all congregations the proposed diocesan budget and resolutions for the Annual Convention no fewer than two weeks prior to the Convention. Any provision of this Section 2 may be waived in a particular case by the Convention upon a majority vote of the delegates.

Sec. 3. The form printed in Appendix I shall be the form used by a Parish for the Certification of Lay Delegates to an Annual or Special Convention.

CANON 3: Of the Election of a Bishop

Sec. 1. Whenever the election of a Bishop is required as provided in the Constitution and Canons of The Episcopal Church, the Standing Committee shall establish a process for the nomination and election of such Bishop.

CANON 4: Of the Secretary

Sec. 1. In giving notice of the meeting of any Convention, the Secretary shall send a form for the certification of Lay Delegates. (See Appendix I for form of certification. If the Congregation is without a Rector this notice shall be sent to the Senior Warden.)

Sec. 2. It shall be the duty of the Secretary to take minutes and record of all proceedings of any Convention; to attest its public acts, preserve its records, notify the Clergy and Congregations of the times and places of all Annual and Special Conventions as provided by the Constitution; to cause to be printed as soon after the Convention as may be possible, a correct report of the proceedings of the Convention, with the reports submitted to it, and forward copies thereof to each member of the Clergy in charge of a Congregation, and to each Congregation in union with the Convention. The Secretary shall deliver to the successor Secretary all books and papers belonging to the Convention which may be in the Secretary's charge. The Secretary shall be an adult communicant in good standing in this Diocese.

CANON 5: Of the Treasurer

Sec. 1. It shall be the duty of the Treasurer of the Diocese to receive, disburse, and account for all monies collected under authority of the Convention of which the collection and distribution shall not otherwise be regulated. The Treasurer shall be ex-officio a member of the Convention and shall render annually to the Convention an accounting of all funds for which the Treasurer is responsible. The Treasurer shall be an adult communicant in good standing in this Diocese.

Sec. 2. The Treasurer of the Diocese shall be the Treasurer of the Diocesan Council and shall receive, disburse, and account for all moneys collected under authority of the Diocesan Council, of which the collection and distribution shall not otherwise be regulated. The

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Treasurer shall be ex-officio a member of the Diocesan Council and shall render to the Diocesan Council an accounting of all funds for which the Treasurer is responsible.

- Sec. 3. The Treasurer shall be covered as an officer under the insurance policy issued to the Trustees of the Diocese of Ohio for all duties of the Treasurer.
- Sec. 4. All monies belonging to the Diocese or to the Diocesan Council shall be deposited in such banking institutions or invested in such manner as shall be selected by the Treasurer and approved by the Finance and Audit Committee or other appropriate diocesan authority and in the name of the Diocese of Ohio, but subject to the order of the Treasurer, all interest accruing thereon shall inure to the sole use and benefit of the Diocese of Ohio.
- Sec. 5. The accounts of the Treasurer shall be audited annually by an independent Certified Public Accountant who shall report the findings to the Diocesan Council.

CANON 6: Of the Standing Committee

Sec. 1. (a) At their first meeting after election, the Standing Committee shall organize by the election of officers, in accordance with the provision of Canon I. 12. 1 of the Canons of The Episcopal Church.

(b) The Standing Committee, having been duly cited to meet, shall have a quorum for the transaction of business, so long as any five of the Standing Committee, at least two of whom shall be priests and two of whom shall be members of the laity, are present. This rule shall not be in force in cases for which provision is already made in Canon I. 12. 2 of the Canons of The Episcopal Church.

(c) All certificates, testimonials, and applications, as required by the Constitution and Canons of The Episcopal Church, to be laid before the Standing Committee shall be forwarded to the Secretary of the Standing Committee at least fifteen (15) days before the known or published date of any meeting at which such papers are to be presented to the Standing Committee for consideration. It shall be the duty of the Secretary to notify all the members of the Standing Committee, of every such application, as soon as possible after receipt. It shall be the duty of the Secretary of the Standing Committee to keep a faithful record of the proceedings in a book provided for that purpose, to preserve the originals of all papers or letters addressed to the Standing Committee, to attest their acts, and to deliver to the successor Secretary all books and papers which in virtue of the office have been committed to the Secretary. The minutes of the Standing Committee, and all other papers in their hands relative to the Church, shall be subject to examination by the Bishop or by the Convention. A report of the acts of the Standing Committee shall be made annually to the Convention.

Sec. 2. Vacancies occurring in the Standing Committee shall be filled by vote of the remaining members with the concurrence of the Bishop.

Sec. 3. In exercising its power to fill vacancies, the Standing Committee, in addition to considering experience and other qualifications for service, shall use its appointment power to further Christian policies of fairness, justice, and inclusiveness with regard to

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race, color, ethnic origin, national origin, marital status, sex, sexual orientation, gender identity and expression, disabilities or age, except as otherwise specified by Canons, and to ensure fair representation on Diocesan governing bodies. Full-time members of the Diocesan staff shall not be eligible to serve by election or by appointment.

Sec. 4. As provided in Canon 1, the Standing Committee shall act as the Ecclesiastical Authority in the absence or restriction of the Bishop, Bishop Coadjutor, and Bishop Suffragan.

Sec. 5 No member of the Diocesan Council shall hold concurrent membership on the Standing Committee, and no full-time member of the Bishop's staff shall serve on the Diocesan Council.

CANON 7: Of the Diocesan Council

Sec. 1. The Diocesan Council as hereinafter constituted develops and implements its work through constituent bodies and commissions that it may establish from time to time. The Diocesan Council shall also be responsible for the initiation and development of new work between sessions of the Annual Convention. The Bishop shall be the executive head of all such work. The Diocesan Council shall have power to receive and administer all funds raised within the Diocese for the above-named purposes, subject, however, to the provisions of the Constitution and Canons of this Diocese and to the direction of said Convention and provided that all trust funds now in the possession of the Trustees of the Diocese, or that shall hereafter come into their possession, shall remain in their hands and that the income from such funds shall be appropriated according to the terms of the trust.

Sec. 2. The Bishop shall be the President of the Diocesan Council. The Bishop Coadjutor, if there be one, shall be vice-president of the Diocesan Council. The Treasurer of the Diocese shall be the secretary and treasurer of the Diocesan Council. The Chancellor, the President of the Episcopal Church Women, and a Special Youth Representative appointed by the Bishop shall be ex-officio members of the Diocesan Council. If there be no Bishop Coadjutor, the Bishop Suffragan, if there be one, shall be the vice-president of the Diocesan Council. In the absence of the Bishop, the Bishop Coadjutor, or the Bishop Suffragan, the Council may elect one of its own members to preside.

Sec. 3. In addition to the above named officers there shall be: (a) twelve members of the Diocesan Council elected at-large in accordance with Section 4 of this Canon, of whom six shall be members of the clergy canonically resident in the Diocese, and six members of the laity, adult communicants in good standing of the Church in the Diocese; and (b) such additional members as may be named in accordance with the Canon "Of Mission Areas" and Section 5 of this Canon to represent the Mission Areas of the Diocese.

Sec. 4. At-large members of Council shall be elected by an annual meeting of the Diocesan Convention. At each Annual Convention of the Diocese there shall be elected two members of the clergy and two members of the laity to serve for a term of three years and until their successors are elected. Members may be elected to one successive term in office. No member of the Diocesan Council shall hold concurrent membership on

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the Standing Committee, and no full-time member of the Bishop's staff shall serve on the Diocesan Council except as provided in Section 2.

- Sec. 5. Each Mission Area is entitled to elect a representative to the Diocesan Council. Such representative may be a lay person, a priest, or a deacon. Mission Area representatives shall be elected as specified in Title II. Canon 3. Section 5, to serve for a term of not more than three years. Vacancies occurring in the Mission Area representatives shall be filled by the respective Mission Area Council.
- Sec. 6. (a) The Bishop shall appoint the chairs and members of each Commission of the Diocesan Council, subject to confirmation by the Diocesan Council. A member of Diocesan Council shall be appointed to full membership on each Commission and shall serve as the Commission's liaison to the Diocesan Council.
- (b) Each Commission shall make to the Diocesan Council annually, and at such other times and in such form as Diocesan Council may require, a report of the work done under its direction.
- Sec. 7. The Diocesan Council shall meet at least six times between meetings of the Annual Convention and at such other times as the Bishop may convene them. Each of the Commissions shall meet at least twice during the same period. Any eleven members of the Council at a regularly scheduled or duly announced special meeting shall constitute a quorum, provided that at least three are lay members and at least three are clerical members of the Council. The Bishop, if present, counts as one of the necessary eleven members of Council. The three clerical members, however, must be either priests or deacons elected by Convention or their Mission Area.
- Sec. 8. The Diocesan Council shall establish, triennially, mission and ministry priorities for the program of the Diocese subject to confirmation by the Annual Convention.
- Sec. 9. The Diocesan Council shall develop a Program and Budget for the work of the Church in the Diocese and shall submit the same to the Annual Convention of the Diocese for its adoption and approval.
- CANON 8: Of the Trustees
- Sec. 1. The Trustees of the Diocese of Ohio (the Trustees of the Diocese) is a not-for-profit corporation, incorporated under the laws of the State of Ohio. The Articles of Incorporation of the Trustees of the Diocese provide that the corporation be governed by a Board of Trustees (the Board). The Board shall consist of five Trustees elected by the Annual Convention. The Bishop shall be an ex-officio member of the Board. The term of office of a Trustee shall be five years with one Trustee elected for a five year term at each Annual Convention. In the event that a Trustee is unable or unwilling to complete the Trustee's term, the Bishop may appoint an individual to fill the vacancy until the next Annual Convention. In such event, the Convention shall at its next regular meeting elect a Trustee to complete the unexpired term. Trustees may be elected to successive terms in office. Full-time members of the Diocesan staff shall not be eligible to serve by election or by appointment.

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- Sec. 2. The Trustees are charged with the investment management of endowment funds of the Diocese and funds derived from parishes receiving aid or extinct parishes. The Trustees may, on request, assume investment management of other funds, including other Diocesan funds, and funds of parishes, parish organizations, and other not-for-profit organizations which are affiliated with The Episcopal Church, through the Joint Investment Fund(s). No action of the Convention shall be necessary to validate any act of the Trustees. The Trustees shall report annually to the Convention concerning the actions of the Trustees during the prior year. All accounts shall be audited annually by independent Certified Public Accountants who shall report their findings to the Diocesan Council. The Trustees may contract with third parties for services to the Trustees including custodianship, investment advice, and financial reporting.
- Sec. 3. The Trustees may, from time to time, receive or accept gifts as trustees of the property and shall disburse income and/or principal in accordance with the intentions of the donor.
- Sec. 4. The Trustees shall hold title to real property for Parishes receiving aid. Such title shall be held in trust for the use of such Parish so long as it shall exist as a Parish receiving aid.
- Sec. 5. The Bishop, if present, shall preside at any meeting of the Board. The Trustees shall elect a President annually from among the members of the Board. The Treasurer of the Diocese shall serve as Secretary and Treasurer of the Trustees and need not be a member of the Board. The Board shall meet quarterly, or upon the call of the Bishop, or upon the call of any two members of the Board.
- Sec. 6. The Convention may, by a two-thirds majority vote by orders, establish, and from time to time amend or repeal, one or more specific and objective criteria for social responsibility in investment which shall be binding upon the Board in the investment of Diocesan funds, subject to any applicable legal requirements in governing documents with respect to particular funds. The Diocese shall indemnify each Trustee against expenses, including attorneys' fees, judgments, and amounts paid in settlement actually and reasonably incurred with respect to actions taken in good-faith efforts to comply with any such criteria, to the full extent and in the manner permitted by law.

CANON 9: Of the Deputies to General Convention

- Sec. 1 The Annual Convention shall elect in the year following each General Convention, four clergy canonically resident in the Diocese, and four members of the laity who shall be adult communicants in good standing of the Church in the Diocese, to act as Deputies from this Diocese to the General Convention. The next Annual Convention shall elect, in like manner, four clergy and four members of the laity, with like qualifications, as Provisional Deputies. These Provisional Deputies shall fill any vacancy in the order of their election. The Deputies and Provisional Deputies shall hold their respective office(s) until their successors are elected, and shall be Deputies, or Provisional Deputies, for any General Convention which may be held during their continuance in office.

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Sec. 2. If there are one or more vacancies at the time of the election of Provisional Deputies, the Annual Convention shall elect additional Provisional Deputies to fill any such vacancies.

CANON 10: Of the Development Council of Episcopal Community Services

Sec. 1. The Development Council of Episcopal Community Services shall consist of the Diocesan Bishop, and fourteen (14) additional members who shall each serve a term of three years and shall be eligible for reappointment or reelection. Each year, the Convention shall elect one member of the clergy and three lay persons. In addition, every third year, the Bishop shall appoint one (1) member of the Clergy and one (1) lay person. All persons elected or appointed shall be communicants in good standing of the Diocese of Ohio. The Bishop shall serve as chair of the Development Council, and may appoint a member of the Development Council to chair meetings in the Bishop's absence. The Development Council may invite other persons to serve on subcommittees or assist in its work.

Sec. 2. Vacancies in the Development Council shall be filled by the Bishop until the next annual Convention.

CANON 11: Of the Commission on Ministry

Sec. 1. The Commission on Ministry as hereinafter constituted shall have those duties and responsibilities as provided by the Canons adopted by The Episcopal Church. The Commission on Ministry shall also be responsible for presenting to each Annual Convention a resolution on the minimum standard of compensation for clergy as required by the Canon "Of Minimum Clergy Compensation."

Sec. 2. The Bishop shall be a member of and the Chair of the Commission on Ministry and may designate a Diocesan Staff person to serve the Commission on Ministry. The Bishop may appoint a member of the Commission on Ministry to chair meetings in the Bishop's absence.

Sec. 3. In addition to the Bishop, there shall be no fewer than sixteen (16) members of the Commission on Ministry, evenly divided between clergy canonically resident in the Diocese and members of the laity who are adult communicants in good standing of the Church in the Diocese. The Commission on Ministry may invite other persons to serve on subcommittees or assist in its work.

Sec. 4. The Bishop shall nominate annually to the Annual Convention persons to fill vacancies in membership on the Commission on Ministry, and shall seek Convention approval of these nominations.

Sec. 5. The term of office of each member shall be four years. Vacancies occurring in the Commission on Ministry shall be filled by the Bishop after consultation with the Standing Committee, and reported to the next Annual Convention. Those appointed to the Commission on Ministry, when their terms have expired, shall be ineligible for reappointment for a period of one Convention year.

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CANON 12: Of Preparation for Ordination

Sec. 1 Any person seeking ordination as a Deacon or Priest in the Diocese of Ohio shall be subject to the provisions of the Constitution and Canons of The Episcopal Church and such other procedures authorized by the Bishop and the Standing Committee.

CANON 13: Of the Archivist

Sec. 1 It shall be the duty of the Archivist to gather and preserve all journals, files, papers, reports, catalogues, and other documents as may be useful for reference or bear upon the history of the Church in the Diocese of Ohio. The Archivist shall hold the same under such regulations and restrictions as the Diocesan Council may from time to time prescribe.

CANON 14: Of the Diocesan Fund

Sec. 1. At each Annual Convention an assessment shall be made upon all parishes in the Diocese, according to the formula set forth in Section 2 of this Canon.

Sec. 2. (a) In each year, there shall be an annual assessment made upon all parishes in the Diocese as follows:

- 10 percent of the first \$50,000 of Normal Operating Expenses (NOE) of a parish;
- 13 percent of that portion of the NOE above \$50,000 and up to \$150,000;
- 16 percent of that portion of the NOE above \$150,000 and up to \$250,000;
- 19 percent of that portion of the NOE above \$250,000.

(b) Normal Operating Expenses is defined as “All Other Operating Expenses” (line #14) less “Assistance from diocese for operating budget” (line #7) in the Line-by-Line Instructions for the preparation of the Parochial Report as provided by the Episcopal Church.

Sec. 3. (a) By February 20, each parish shall estimate an annual assessment based on projected or budgeted Normal Operating Expenses for the current calendar year, and shall use that estimate to calculate an average annual percentage rate of assessment to be used as described in Section 3(b) below. The average annual percentage is determined by dividing the estimated annual assessment to the Diocese by the total estimated NOE of the parish for the year.

(b) On the 20th day of each month thereafter, each parish shall pay to the Diocese a monthly payment determined by applying the average annual percentage rate of assessment for the parish to the parish’s Normal Operating Expenses for the preceding month.

(c) No later than March 1, each year, each parish will determine its final assessment for the preceding year by performing an end-of-year reconciliation of its assessment due

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using the formula set forth in Section 2 above and the final Parochial Report data for the same year, to the total assessment payments made for the calendar year. Any overpayments may be applied to the parish's assessment for the following year and/or may be recorded as additional support of diocesan program at the discretion of the parish.

- Sec. 4. Parishes in arrears on the day delegate certificates are canonically due shall retain seat and voice at Diocesan Convention but forfeit their lay representation vote. Parishes are deemed in arrears when they fail to pay their Diocesan assessments in full for all months up to and including the last day of the fifth month prior to Diocesan Convention. There is no power entrusted to the Convention or any Committee thereof to waive this fault.

TITLE II: CANONS RELATING TO THE CONGREGATIONS OF THE DIOCESE

CANON 1: Of Parishes

- Sec. 1. Parishes are constituent parts of the Diocese of Ohio. Each Parish shall make provision in its By-Laws or Articles of Incorporation acknowledging its accession to the doctrine, discipline, and worship of the Episcopal Church and to the canons of General Convention and of the Diocese of Ohio. As provided in the canons of General Convention, parishes hold title to all real and other property in their care and custody in trust for the Diocese.
- Sec. 2. The provisions of this canon shall apply equally to all parishes of the Diocese, except that any parish receiving financial assistance for the support of its program and property shall be subject to the provisions of Section 13 of this Canon, which shall, in all cases of conflict, supersede any provision of the other sections of this Canon. The Cathedral operates in all ways as a congregation with parochial status and obligations, except as otherwise provided in Title II, Canon 2. Questions of interpretation arising with respect to this Canon shall be decided by the Ecclesiastical Authority.
- Sec. 3. (a) In every Parish of the Diocese, there shall be held an Annual Meeting, for the election of members of the Vestry and for the transaction of such other business as may properly come before such meeting. Unless otherwise provided (by Articles of Incorporation, By-Laws, or by Resolution), such meeting shall be held on the third Sunday of January in each year.
- (b) Special Meetings of the Parish may be called as provided by a Parish's Articles of Incorporation or By-Laws.
- Sec. 4. (a) Every Parish shall establish, in its Articles of Incorporation or By-Laws, provisions for giving public notice of, and for establishing a quorum for the transaction of business at all Annual and Special Meetings. Such notice shall be given no fewer than one nor more than three weeks prior to any meeting. Such quorum shall consist of not fewer than ten (10) Qualified Electors (as defined in Section 5(a) of this Canon), provided that a smaller number may adjourn any meeting to a date not fewer than seven, nor more than fourteen days thereafter.

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- (b) The Rector of the Parish shall, if present, preside at all such meetings. In the absence of the above, an officer of the Parish shall preside, in the following order of priority: (1) the Senior Warden; (2) the Junior Warden; (3) the Clerk. If none of the above is present, the meeting may elect a qualified elector as its presiding officer.
- Sec. 5. (a) All members of the Parish who are communicants in good standing as defined by the Canons of The Episcopal Church and being not under sixteen years of age, shall be qualified to vote in its meetings (“Qualified Electors”). (The pertinent canon from the Canons of The Episcopal Church is printed in Appendix II of these Canons.)
- (b) The presiding officer of any meeting shall be the judge of the qualifications of any person to vote who shall offer to do so, subject, however, to appeal and final determination by a two-thirds majority of the electors present at such meeting.
- Sec. 6. (a) Every Parish shall, in its Articles of Incorporation or By-Laws, make provision for a Vestry, to consist of no fewer than five nor more than eighteen members, to be elected from among Qualified Electors of the Parish, to act as its agent in the care and custody of its property, and in its relations with its clergy, as provided in the Canons of The Episcopal Church.
- (b) The Vestry shall meet regularly at least quarterly, at such time and place as it shall by resolution determine. A special meeting shall be called upon the written request of any two members of the Vestry, or by the Rector; or, in the absence of a Rector, by the Senior Warden; or, in the absence of both Rector and Senior Warden, by the Junior Warden.
- (c) The Rector of any Parish shall be entitled to receive notice of and to have seat and voice at all meetings of the Vestry, and, when present, shall preside. When no Rector is present, officers of the parish shall preside as provided herein. The presiding officer shall make appointments to all committees, except as otherwise provided by the Articles of Incorporation or By-Laws of the Parish.
- Sec. 7. (a) Members of the Vestry shall be elected from among members as defined in Section 5(a) of this Canon by ballot at the Annual Meeting of each Parish, for such terms and in such number as the Articles of Incorporation or By-Laws of the Parish shall, subject to the provisions of Section 4 (a) of this Canon, provide. Members shall serve until the expiration of their terms, and until their successors shall have been elected and qualified. Parish by-laws may provide for removal from office prior to the expiration of a term, for cause. No member of any Vestry shall be elected to more than two consecutive full terms, nor be re-elected or appointed until one year shall have elapsed following the expiration of the second term.
- (b) Parishes may establish additional procedures, not in conflict with Canon law, regulating the filling of vacancies.
- Sec. 8. (a) The Vestry shall elect and call a Rector, as required, subject to the provisions herein, and other provisions of these Canons and those of The Episcopal Church.

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- (b) The Vestry shall also, at its first meeting after any Annual Meeting (and thereafter as required), elect the following officers of the Parish: a Senior Warden and a Junior Warden, both of whom shall be elected from its own number; a Clerk and a Treasurer from among Qualified Electors of the Parish.

Sec. 9. (a) The Rector shall, in addition to such duties as shall be prescribed by the Book of Common Prayer and by Canon, have exclusive direction of all spiritual concerns of the Parish, in subordination to the Ecclesiastical Authority and Canon law, and have full direction and control of all guilds, societies, and associations within the Parish.

- (b) It shall be the duty of the Vestry to take charge of the property of the Parish and its business interests except those reserved to the Rector. It shall also be the duty of the Vestry to provide said Rector with compensation consistent with the provisions of the Canon “Of Minimum Clergy Compensation,” to pay all lawful assessments on the parish, to keep order in the Church during Divine Service, and in general, to assist in the furtherance of the Gospel and the well-being of the Parish.

- (c) It shall be the duty of the Wardens to work with the Rector in establishing a climate of mutual trust and honesty within which the Parish can be provided with effective leadership and its problems addressed and mission furthered. It shall be the duty of the Wardens to work with the Rector to identify and hear the concerns and ideas of the Parish, and to communicate the concerns and ideas of the parish leadership to the Parish at large. It shall also be the duty of the Wardens to collect the alms and to disburse such alms in case the Parish is without a Rector; and to provide for the celebration of public worship and the instruction of the Parish, as circumstances may permit.

- (d) The Clerk of the Parish shall also act as Secretary of the Vestry, and it shall be the duty of the Clerk to take, record, and preserve minutes of the proceedings of any Regular or Special meeting of the Parish and of the Vestry, to attest to its public acts, to preserve all records and papers belonging to the Parish not otherwise provided for, to perform such other duties as are usual and customary to this office, and to transmit promptly to the successor Clerk all of the Parish’s documents in the Clerk’s possession.

- (e) It shall be the duty of the Treasurer to receive, deposit, disburse, and account for all monies collected for any and all church purposes, subject to the provisions of the Canon “Of Business Methods in Church Affairs” and such By-Laws as the Parish shall adopt. The Vestry may, in its discretion, appoint treasurers for funds raised for special purposes, provided that the provisions of the Canon “Of Business Methods in Church Affairs” be faithfully observed.

Sec. 10. No Vestry shall alienate or encumber any real property of the Parish whose agents they are except as hereinafter provided:

- (a) A resolution approving any alienation or encumbrance of real property shall first be adopted by the affirmative vote of a majority of the number of members of the entire Vestry who are (in accordance with the laws of the State of Ohio) eighteen years of age or older, with only such members voting.

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- (b) The Secretary of the Vestry shall transmit to the Ecclesiastical Authority of the Diocese minutes of its proceedings, stating fully therein the reason(s) for such alienation or encumbrance, and in the case of a proposed alienation, the price to be obtained and the disposition of the proceeds, and in the case of an encumbrance, the amount, the rate of interest to be paid, a statement of the necessity therefore, and all relevant financial information.
 - (c) The Ecclesiastical Authority shall solicit from the Treasurer of the Diocese a report of the financial implications of the proposed transaction.
 - (d) Upon the written approval of the Bishop (if there be one) and the Standing Committee of the Diocese, the Vestry may proceed to give effect to its Resolution.
- Sec. 11. (a) When submitting the Parochial Report, each parish shall also submit financial statements including a statement of assets, liabilities, and net assets, an IRS Form 990 (if required by the IRS), and a brief report on the activities of any related entity which has a separate annual budget of \$25,000 or more. Such report shall indicate whether such entity has a governing board separate from the vestry of the parish. The report shall list the names and addresses of the governing board members, and such related entity shall timely respond to any inquiries from the Bishop and the Standing Committee concerning the report.
- (b) In establishing any related entity, no parish shall list the Diocese of Ohio or the parish itself as an incorporator, agent, guarantor or responsible party without the prior written consent of the Bishop and the Standing Committee.
 - (c) For purposes of this section, a “related entity” includes, but is not limited to, a daycare center, homeless shelter, school or educational institution, corporation, foundation, trust, nursery, outreach program or similar entity which uses the name of or a variant of the parish’s name, and/or uses facilities, resources and/or personnel of the parish, and/or over which the parish exercises some degree of control.
- Sec. 12. (a) Upon the resignation, retirement, or death of the Rector of any Parish, the Senior Warden thereof shall notify the Ecclesiastical Authority of the Diocese.
- (b) No person shall be elected Rector of any Parish until the name of such nominee shall have been made known to the Ecclesiastical Authority and sufficient time (not exceeding thirty days) shall have been given for the Ecclesiastical Authority to communicate with the Vestry thereon, nor until such communication, if made, shall have been considered at a meeting of the Vestry duly held for that purpose.
 - (c) No person shall be elected or appointed Assistant Clergy in any Parish until the name of the nominee shall have been made known to the Ecclesiastical Authority and sufficient time (not exceeding thirty days) shall have been given for the Ecclesiastical Authority to communicate with the Rector thereon.

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Sec. 13. (a) The provisions of this section shall apply to all parishes receiving financial assistance from the diocese for the support of their program and property.

(b) The Member of the Clergy in charge shall be nominated by the Vestry, and shall be appointed by, and serve at the pleasure of, the Ecclesiastical Authority. Such person shall otherwise have the authority and responsibility of the Rector in any other parish.

(c) The Ecclesiastical Authority may undertake such steps as are deemed necessary to initiate the formation of aided parishes, provided there is compliance with the provisions of the Canon "Of New Parishes." Application for the undertaking of a new parish shall be made to the Ecclesiastical Authority in the following form:

"We, the undersigned, residents of, County or Counties of, Diocese of Ohio, being desirous of obtaining the services of The Episcopal Church and being ready, according to our ability, to sustain the same, do hereby request you to inquire into our estate, and provide for us as you may deem proper and expedient. We do hereby declare ourselves, individually and collectively, ready to do that which in us lies to establish and sustain the regular worship of the said Church, and promote its influence in our midst; and we promise conformity to its doctrine, discipline, and worship. We put ourselves under your charge and will reverently obey your authority. We promise conformity to the Constitution and Canons of The Episcopal Church and of the Diocese of Ohio. In accordance with these obligations and rules we now ask the privilege of being organized as a Parish."

All real and other property, acquired by the Diocese for the benefit of a new parish, upon the recommendation of the Trustees of the Diocese, may be conveyed to, transferred to, or vested in a Parish corporation at such time as the Diocesan Council determines that, the Parish has (if necessary) become incorporated; provided, that the provisions of the Canon 'Of New Parishes' be complied with, as applicable. Such conveyance, transfer and vesting shall be in trust, as specified in Section 1 above.

CANON 2: Of the Cathedral

Sec. 1. Trinity Cathedral, an Ohio corporation, is hereby recognized as the Cathedral Church of the Diocese of Ohio. Use of the Cathedral property by the Diocese shall be agreed upon, from time to time, by the Ecclesiastical Authority, the Dean, and the Vestry.

Sec. 2. There shall be a council of advice to the Cathedral, to be called the Cathedral Chapter, which shall meet at least two times per year, to be convened by the Bishop with the Agenda of the meetings set by the Dean of the Cathedral. The Chapter shall consist of the following:

(a) The Bishop;

(b) The Bishop Coadjutor and Bishop(s) Suffragan, if there be any;

(c) Such members of the Diocese, not to exceed two, as designated by the Bishop

(d) The Dean;

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- (e) A member of the Diocesan staff, as designated by the Bishop;
 - (f) The residentiary Canon(s);
 - (g) One member of the clergy and one member of the laity to be elected biennially by the Diocesan Convention for two-year terms;
 - (h) Two or more members of the Greater Cleveland community to be appointed by the Dean in consultation with the Bishop for a term of two years;
 - (i) The Chair of the Cathedral Council;
 - (j) The Senior Warden, Junior Warden, Clerk, and Treasurer of the Vestry.
- Sec. 3. The Vestry shall elect a Dean upon nomination of the Bishop of the Diocese in consultation with a search committee of the Cathedral Parish. The Dean may appoint residentiary Canons and Assistant Clergy upon the nomination of the Bishop.
- Sec. 4. The Cathedral shall be entitled to have the same representation in the Diocesan Convention as is provided by Canon for a Parish.
- Sec. 5. The Cathedral may, by specific provisions in its Articles of Incorporation, delegate investment management of the assets of the Cathedral to a Board of Trustees. Any such delegation shall be subject to all applicable Canons of The Episcopal Church.

CANON 3: Of Mission Areas

- Sec. 1. Congregations in the Diocese of Ohio shall be organized into eight Mission Areas by action of Diocesan Council. The areas shall be known as: Central East, Cuyahoga, North Central, Northeast, South Central, Southeast, Summit, and West.
- (a) Mission areas shall be divided in order to assist in communication and the sharing of programs and resources, to provide mutual support among congregations, and to identify and implement opportunities for collaborative ministry. A Congregation may petition the Diocesan Council to be changed from one Mission Area to another Mission Area.
 - (b) Two or more congregations within one Mission Area may form a voluntary Mission Partnership for the purpose of collaborative ministry.
 - (c) Parishes in a shared ministry situated in two Mission Areas may form Mission Partnerships with parishes in either Mission Area.
- Sec. 2. Each Mission Area shall form a Mission Area Council comprised of all active parochial clergy of the Mission Area and two laypersons from each parish.
- (a) Each parish shall annually elect one lay representative, who is an adult communicant in good standing according to the Canons of the Episcopal Church, to serve on the

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Mission Area Council. Each of the parish's two lay representatives shall serve a two-year term and be eligible for reelection.

- (b) Each Mission Area Council shall establish its own requirements for a quorum.
- (c) The Council shall elect four officers from its membership. The Council is led by a Chair, Vice Chair, Treasurer, and Secretary. Mission Areas are encouraged to elect a Vice Chair from the opposite order of the Chair. The Chair and Vice Chair shall serve a one-year term and is eligible for reelection, provided that neither individual shall serve more than three (3) years consecutively in any single office. The Treasurer and Secretary shall each serve a one-year term, are eligible for reelection, and there will be no term limits for these positions.
- (d) The Bishop shall appoint a Dean. The Dean serves as a liaison between the Bishop and Mission Area. She/He convenes the clergy of the Mission Area for fellowship and professional discussions. Pastorally, the Dean serves as a chaplain to the clergy of the Mission Area and the Mission Area Council. The Dean may not serve as either the Chair or Vice Chair. The Dean shall serve a three-year term.
- (e) The Mission Area Episcopal Church Women President shall serve as an ex-officio member of the Mission Area Council with seat and voice.

Sec. 3. The duties of the Mission Area Council include:

- (a) Provide leadership for the Mission Area, nurturing fellowship and collaboration among the parishes.
- (b) Meet at least quarterly.
- (c) Elect a member of the Mission Area Council to serve as a representative to Diocesan Council. The Diocesan Council representative is the liaison between the Diocesan and Mission Area Councils. She/He reports on Diocesan Council matters at each Mission Area Council meeting. If an individual's term on the Mission Area Council ends before her/his Diocesan Council term ends, she/he remains an ex-officio member of the Mission Area Council.
- (d) Support and encourage the development of Mission Partnerships.
- (e) When requested by funding sources, the Mission Area Council shall receive, discuss, and recommend grant applications.
- (f) Facilitate regional conversations among parishes concerning congregational planting, reorganization, and closing.
- (g) Recruit and recommend individuals to be considered when filling vacancies on diocesan commissions, committees, and leadership positions.
- (h) Oversee the allocation and expenditure of all money designated for Mission Area usage.

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Sec. 4. Mission Areas or Mission Partnerships shall conduct their business affairs through one of their constituent parishes or by the creation of an independent not-for-profit corporation, which shall, in every case, comply with the provisions of the Canon “Of Business Methods in Church Affairs.”

Sec. 5. Mission Area Council Representatives to Diocesan Council.

(a) Each Mission Area Council shall elect a single representative, lay or ordained, from its body to Diocesan Council at its Pre-Convention meeting. Such representatives shall serve for a term of three years and may not be reelected without a year’s break in service.

(b) Mission Area representatives will be elected in the following rotation and their terms will begin on December 1 of the year they are elected:

Year 1 – Summit, North Central, Southeast

Year 2 – Cuyahoga, South Central, West

Year 3 – Central East, Northeast

(c) Mission Area representatives shall be responsible for reporting to Diocesan Council on the mission and ministry being carried out in their Mission Area, and for representing the interests of their Mission Area parishes in the affairs of the Diocese.

(d) No Mission Area representative to the Diocesan Council shall hold membership on the Standing Committee concurrently with a term of service on the Diocesan Council. Vacancies in office shall be filled by the Mission Area Council for the remainder of the unexpired term, and any person so chosen shall be eligible for re-election. The Mission Area representatives elected, when their terms have expired, shall be ineligible for re-appointment for the term next succeeding, and shall remain ineligible for service as members of the Diocesan Council for a period of one Convention year.

CANON 4: Of Shared and Regional Ministries

Sec. 1. Whenever two or more Congregations wish to share resources to provide ministry to a geographic region of the Diocese, or to a particular region in conjunction with a neighboring diocese, they shall draft a Covenant in consultation with the Bishop or the Bishop’s appointed representative(s).

Sec. 2. The Covenant shall contain, at least:

(a) The method of selection of the leadership that will be shared by the Shared Ministry, including ordained clergy and licensed lay ministries;

(b) The method of financing the Shared Ministry including the shared lay and ordained leadership;

(c) The method by which the Shared Ministry governing body is chosen;

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- (d) The responsibilities of the Shared Ministry governing body and the Wardens and Vestry of the member congregations, and;
- (e) The method by which individual congregations may associate with or disassociate from the Shared Ministry.

The Covenant shall be approved by a two-thirds majority vote by each Vestry of the individual congregations, and shall be subject to the approval of the Bishop.

Sec. 3. Any congregation in the Diocese entering into a cooperative ecumenical or interfaith ministry with a congregation involving building use or other shared resources including personnel shall be obliged to conform to the provisions of Sections 1 and 2 of this Canon. Said Covenant must be reviewed by the Chancellor and is subject to the approval of the Bishop.

Sec. 4. Any such Covenants shall be subject to all provisions of the Constitution and Canons of The Episcopal Church and this diocese.

Sec. 5. Clergy in charge of Shared Ministries shall have in each of the member congregations the canonical privileges and responsibilities of Rectors under the national and diocesan Canons. If the Shared Ministry receives diocesan aid for its operating expenses, its clergy in charge are nominated by the Shared Ministry and appointed by, and serve at the pleasure of, the Ecclesiastical Authority.

Sec. 6. (a) Shared Ministries are subject in their financial transactions and reporting to the requirements of the standard business methods set forth in the applicable Canons of the Episcopal Church, and the supplemental business practices guidelines and procedures established by resolution of the Diocesan Council.

(b) Shared Ministries shall annually submit audited financial statements of the monies under their control, according to the business practices guidelines and procedures established by resolution of Diocesan Council.

CANON 5: Of New Parishes

Sec. 1. No new parish shall be formed nor shall the site of any new church building be determined nor the site of any existing church building be changed without the written consent of the Bishop of the Diocese, acting by and with the advice and consent of the Diocesan Council, given after consideration of the interests of neighboring congregations.

Sec. 2. For the organization of a Parish, the following Agreement of Association must be signed by no fewer than twenty persons who intend to be supporters of the Parish: “We, the undersigned do associate ourselves for the purpose of maintaining the worship of God and preaching the Gospel, according to the doctrine, discipline and worship of The Episcopal Church, under the name of the Parish of Church, in the town of and County of , State of Ohio, and do hereby promise conformity to the Constitution and Canons of The Episcopal Church and of the Diocese of Ohio. We do further represent that said Parish shall hold all of its property as a trustee

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for the Episcopal Church in the Diocese of Ohio, and that the foregoing covenants shall be given effect in the Articles of Incorporation to be adopted for the said Parish.”

Sec. 3. After twenty persons shall have signed the Agreement of Association, a meeting of the same may be called on ten days’ notice. At this meeting such steps shall be taken as are necessary to the incorporation and organization of the Parish under the laws of the State of Ohio. The Articles of Incorporation shall contain the name, and also the promissory and purpose clauses, as set forth in the Agreement of Association. The minutes of the meeting shall be recorded in a book to be kept as a record of the proceedings of the Vestry or Bishop’s Committee and Parish meeting in which shall be also kept the Articles of Incorporation.

Sec. 4. (a) A certified copy of the Articles of Incorporation, and of minutes of the meeting for organizing the Parish, shall be sent to the Bishop without delay together with notice that the Parish will apply for admission into union with the Convention. At a subsequent Convention this application shall be made, and for this purpose a certified copy of the aforesaid papers shall be presented.

(b) In addition to the above Articles of Incorporation, there shall be presented to the Ecclesiastical Authority such evidence of financial independence, both as to history and as to future prospect as shall be deemed sufficient by said Ecclesiastical Authority to warrant the endorsement of said application to the Diocesan Convention. The Trustees of the Diocese of Ohio may in its discretion retain title to property of newly organized parishes until three successive years of fulfillment of diocesan obligations, as expressed in terms of payment of diocesan assessments and clergy pension assessments, shall have elapsed.

Sec. 5. If two or more parishes shall desire to consolidate or unite and become one, application in writing for permission so to do shall first be made to the Ecclesiastical Authority. No later than one month from the receipt of the application, the Ecclesiastical Authority, acting by and with the advice and consent of the Diocesan Council, and after consideration of the interests of neighboring congregations, shall render a decision in writing, either giving or refusing license for the change; and that decision shall be final.

CANON 6: Of Imperiled Parishes

Sec. 1. A congregation may be declared to be an Imperiled Parish under Section 3 (below) when one or more of the following conditions shall exist:

(a) Any of several conditions which would render a parish liable to action under Article IX of the Constitution of the Diocese; viz., employing a member of the clergy under ecclesiastical censure or process; permitting a church edifice to be used for purposes incompatible with its consecration; any persistent course inconsistent with the doctrine, discipline or worship of this Church.

(b) The parish shall refuse or neglect to assemble and elect a Vestry, as provided in these canons; or shall fail of representation at any Annual Convention of this Diocese; or shall neglect to pay diocesan assessments.

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- (c) The parish shall have failed to search for and elect a rector after a reasonable period of time.
- (d) The parish shall have failed to comply with the provisions of the Canon “Minimum Annual Compensation of Clergy,” or the Canon, “Of Lay Pensions;” or shall fail to maintain adequate insurance as required under the provisions of the Canon, “Of Business Methods in the Church.”
- (e) The parish shall fail to make timely reports or to submit a Certificate of Audit as required by the Canon, “Business Methods in Church Affairs.”
- (f) Financial reports reveal invasion of the principal portion of endowment funds, or other evidence of financial instability sufficient, in the judgment of the Bishop and Standing Committee, to warrant action under this canon.

Sec. 2. Action under this canon may be initiated in any of the following ways:

- (a) The Rector or Vestry of any such congregation may invite the pastoral intervention of the Bishop.
- (b) The Bishop, being aware of the conditions enumerated in Section 1 of this Canon, and acting in his or her capacity as Chief Pastor, may appoint a committee of three persons to seek amelioration of the condition(s), and to report to the Bishop thereon.
- (c) Such intervention may be initiated upon the affirmative vote of a majority of the members of the Standing Committee.

Sec. 3. In the event that the conditions specified shall persist, the Bishop, with the consent of the Standing Committee, may declare the congregation to be an Imperiled Parish, and require the application of one or more of the following measures to restore health to the congregation:

- (a) appointment of the Bishop of five or more adult communicants of the Parish to govern the affairs of the Parish as the Vestry, during the pendency of these conditions, and notwithstanding any other provisions for such governance, or for the election of a Vestry;
- (b) designation of the Rector of the Parish as Vicar, during the pendency of these conditions;
- (c) conveyance of title of all real property to the Trustees of the Diocese, who shall hold the same in trust during the pendency of these conditions;
- (d) such other measures, during the pendency of these conditions, as the Bishop, with the concurrence of the Standing Committee, shall determine.

Sec. 4. It shall be the obligation of all parties to labor to restore the Parish to a greater degree of health, setting forth problems to be addressed in an open, honest manner and working

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toward the resolution of such problems in a climate of respect and charity, and for the greater good of the Church's witness to its Lord.

Sec. 5. When any parish shall fail to elect a Vestry, the Bishop, with the advice and consent of the Standing Committee, shall appoint a minimum of three (3) (but no more than nine (9)) trustees to take charge of the property of the Parish and exercise the rights and functions of a Vestry, until the Parish shall have elected a Vestry under the provisions of this Canon.

Sec. 6. No parish, not being declared extinct under the provisions of Title II. Canon 7., above, shall have its connection with the Diocese dissolved under Article IX of the Constitution except by the affirmative vote of two-thirds of the members of the Convention of the Diocese, and until the alleged delinquency shall have been carefully investigated by a Committee appointed by the Bishop after due notice to the Parish. The action of the Convention shall be upon the report of such Committee.

CANON 7: Of Declaring Parishes Extinct

Sec. 1. No parish shall be declared to be extinct except upon the affirmative vote of two-thirds of the members of any Convention of the Diocese, and in conformity with the further provisions of this Canon.

Sec. 2. Such vote shall be upon a special report of the Committee on Canons, which shall, upon the petition of the Bishop or of the Standing Committee, consider the question, with all the evidence tending to prove or disprove the existence of the facts upon which a declaration of extinction could be made. Such report shall contain a statement of the evidence placed before the Committee.

Sec. 3. Upon the affirmative vote of the Convention, as aforesaid, such Parish shall become and be extinct, and title to all property thereof shall at once vest in the Trustees of the Diocese.

CANON 8: Of Minimum Clergy Compensation

Sec. 1. Each congregation shall provide at least the minimum annual compensation to its clergy as established by the Annual Convention of the Diocese. Such minimum annual compensation shall become effective at the beginning of the calendar year following each Annual Convention.

Sec. 2. Minimum annual compensation shall include all of the components which are used by The Church Pension Fund to determine clergy compensation for pension contribution purposes.

Sec. 3. The minimum annual compensation shall be applicable to all parochial clergy. Where clergy are serving in a part-time capacity, it is the responsibility of the vestry and the clergy to determine the appropriate pro rata amount of minimum annual compensation which is applicable in the situation. If any difference arises in making this determination, it shall be resolved by the Bishop or the Bishop's designee. If a

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congregation is not providing the minimum annual compensation, the matter shall be referred to the Bishop for review and action as the Bishop deems appropriate.

CANON 9: Of Clergy Pensions

Sec. 1. Congregations that on October 1 of any year shall have failed to pay The Church Pension Fund assessment(s) in full shall retain seat and voice at the following Diocesan Convention but forfeit their lay representation vote and shall remain thus forfeited until this delinquency shall have been canceled by payment. There is no power entrusted to the Convention or any Committee thereof to waive this fault.

CANON 10: Of Lay Pensions

Sec. 1. Every Parish, Diocesan Organization, and Institution shall provide lay employees who work a minimum of 1,000 hours annually retirement benefits through participation in the Episcopal Church Lay Employees' Retirement Plan (ECLERP) or an equivalent plan, the provisions of which are at least equal to those of ECLERP.

Sec. 2. Every Parish, Diocesan Organization, and Institution shall make a report of compliance relative to Sec. 1 of this Canon for each lay employee. The report shall include eligibility, enrollment, and plan description. A report form provided by the Office of the Treasurer shall be used for this purpose and shall be submitted not later than October 1 of each year, prior to the Annual Convention.

Sec. 3. Congregations that, on October 1 of any year, have not fully funded a lay pension plan as described herein, shall have seat and voice, but no vote at any Convention of the Diocese until any delinquency has been cured. There is no power entrusted to the Convention or any committee thereof to waive this failure.

CANON 11: Of Licensed Ministries

Sec. 1. No one shall be considered as authorized to function in any licensed ministry in this Diocese without a license from the Bishop. In all cases, persons so licensed shall conform to the applicable Canons of The Episcopal Church.

TITLE III: CANONS RELATING TO DISPUTE RESOLUTION AND DISCIPLINE

CANON 1: Of the Reconciliation of Disagreements Affecting the Pastoral Relation

Sec. 1. To the extent permitted by the Constitution and Canons of The Episcopal Church, the Ecclesiastical Authority shall seek to assist in the resolution of disagreements affecting the relationship between members of the Clergy and the Congregation:

- (a) when petitioned by a majority of the Vestry, or
- (b) when petitioned by a member of the Clergy, or
- (c) when such assistance would, in the judgment of the Ecclesiastical Authority, be in the best interest of the Congregation.

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CANON 2: Of the Dissolution of the Pastoral Relation

Sec. 1. The pastoral relation between a Rector and a Congregation shall be dissolved only as provided in the applicable Canons of The Episcopal Church. [See Appendices III and IV].

CANON 3: Title IV of General Canons

Sec. 1. Those provisions of Title IV of the General Canons which are applicable to the Diocese are hereby incorporated as part of this Title. To the extent 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.

CANON 4: Discipline Structure

Sec. 1. Sec. 1. Disciplinary Board Compact. Pursuant to General Canon IV.5.3(i), the Diocese of Ohio has elected to enter into a Compact among the Dioceses of Northwestern Pennsylvania, Ohio, Pittsburgh, Southern Ohio, West Virginia, and Western New York (“The Dioceses”) to develop and share resources necessary to implement Title IV and this Canon, including members of Disciplinary Boards, Church Attorneys, Intake Officers, Advisors, Investigators, Conciliators, and administrative and financial support for proceedings under Title IV (hereinafter the “Disciplinary Board Compact”). The Ecclesiastical Authority shall be authorized to execute and implement the Disciplinary Board Compact and any amendments or modifications thereto consistent with this Canon.

Sec. 2. Regional Disciplinary Board. The Regional Disciplinary Board (“RDB”) shall consist of thirteen (13) persons, seven (7) of whom are Clergy and six (6) of whom are Laity, and shall constitute a court for purposes of Article IX of the Constitution of The Episcopal Church. Each of The Dioceses shall elect one clergy member and one lay member on the RDB. The thirteenth member, a clergy member, shall be nominated by the RDB and subject to the unanimous approval by the Bishops of The Dioceses. Eventually, each member of the RDB will serve a three-year term, each term to begin on January 1 following appointment or election.

- (a) For the first year following approval of this Canon (after the election of the President (see section 7)), the twelve members shall draw lots to determine the following classes in such a way that no more than one (1) member from a diocese is a member of the same class, not including the President, who will initially serve a three-year term:
 - i. the four members with terms expiring December 31, 2021;
 - ii. the four members with terms expiring December 31, 2022; and
 - iii. the five members with terms expiring December 31, 2023, one of whom shall be the President.
- (b) Thereafter, each diocese shall elect or appoint members of the same order as the members whose terms are expiring.
- (c) No member of the RDB shall be elected to more than two consecutive full terms, nor be re-elected or appointed until one year shall have elapsed following the expiration of the second term.

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- (d) A member of the RDB may not serve concurrently on the Diocesan Standing Committee.
- Sec. 3. Clergy Members. The Clergy members of the Board must be canonically resident and geographically serving within the Diocese, have been ordained to the order from which they were elected for five or more years, and not be, either at the time of election nor the five years prior to election, under sentence or pastoral direction.
- Sec. 4. Lay Members. The lay members of the Board shall be Adult Communicants in Good Standing in the Diocese.
- Sec. 5. Election. One (1) lay and one (1) clergy representative to the RDB shall be elected by the Convention, in accordance with the schedule in Section 2. 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 (1st) day of the year following election.
- Sec. 6. Vacancies. Vacancies on the RDB shall be filled as follows:
- (a) Upon the determination that a vacancy exists, the President of the RDB shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member being replaced.
 - (b) The Bishop shall, within sixty (60) days, 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.
- Sec. 7. Preserving Impartiality. In any proceeding under this Title, if any member of a Conference Panel or Hearing Panel of the RDB shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the RDB 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 or undue bias by motion to the Panel, seeking 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.
- Sec. 8. President. Within sixty (60) days following the annual Convention, the RDB shall convene to elect the initial President of the RDB from among its members to serve a

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term of three years. On or before January 31 of the year following the conclusion of the initial three-year term of the President of the RDB, and for subsequent years, the RDB will convene to elect a President by majority vote to serve for the calendar year following the annual Convention or until a successor President is elected. If no successor President is selected by the RDB by February 1 following the annual Convention, then a President will be elected by a majority vote of the Bishops of The Dioceses.

- Sec. 9. Intake Officer. The Intake Officer shall be appointed from time to time by the Bishop after consultation with the RDB. The Bishop may appoint one or more Intake Officers according to the needs of the Diocese. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the Diocese.
- Sec. 10. Investigator. The Bishop may appoint an Investigator in consultation with the President of the RDB. The Investigator may, but need not, be a Member of the Church.
- Sec. 11. Church Attorney. Within sixty (60) days following each annual Convention, the Bishop with the advice and consent of the Standing Committee shall appoint an attorney to serve as Church Attorney to serve for the calendar year following the Convention. The person so selected must be a duly Ohio-licensed attorney in good standing, but need not reside within or be a member of the Diocese.
- Sec. 12. Pastoral Response Coordinator. The Bishop may appoint a Pastoral Response Coordinator, 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. The Pastoral Response Coordinator may not serve in any other appointed or elected capacity under this Title.
- Sec. 13. Advisors. In each proceeding under this Title, the Bishop must, when requested, appoint 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 must not include chancellors or vice chancellors of this Diocese or any person likely to be called as a witness in the proceeding. Either the Complainant or the Respondent may, without penalty, decline the services of an Advisor.
- Sec. 14. Clerk. The RDB may appoint a Clerk to assist the RDB with records management and administrative support.
- Sec. 15. Intercessor. The Bishop shall appoint in consultation with the Standing Committee an intercessor to pray for all parties involved in the discipline process, for the diocese, and for healing and a just resolution.
- CANON 5: Costs and Expenses
- Sec. 1. Costs Incurred by the Church. The reasonable costs and expenses of the RDB (only for matters over which the Diocese exercises jurisdiction), the Intake Officer, the Investigator, the Church Attorney, the Clerk and the Pastoral Response Coordinator

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shall be the obligation of the Diocese, subject to budgetary constraints as may be established by Diocesan Council or its designee.

Sec. 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 Diocesan Council or its designee.

CANON 6: Records

Sec. 1. Records of Proceedings. Records of active proceedings before the RDB, including during the period of any pending appeal, shall be preserved and maintained in the custody of the Clerk, if there be one, or otherwise by the Diocesan offices.

Sec. 2. Permanent Records. The Bishop shall make provision for the permanent storage of records of all proceedings under this Title at the Diocese and the Archives of The Episcopal Church, as prescribed in Title IV of the General Canons.

CANON 7: Responsibility to State Authorities

Sec. 1. All individuals involved in a case under the provisions of this title have an affirmative duty to disclose any allegations, not otherwise privileged, of sexual or physical abuse to the appropriate state authorities, and thereafter fully cooperate with any subsequent investigation.

TITLE IV: OTHER CANONS

CANON 1: Of Non-Discrimination

Sec. 1. The non-discrimination provision in this Diocese shall be as those provided in the applicable Constitution and Canons of The Episcopal Church.

CANON 2: Of Business Methods in Church Affairs

Sec. 1. Every Parish, Aided Parish, Diocesan Organization, and Institution shall observe the standard business methods set forth in the applicable Canons of The Episcopal Church.

Sec. 2. The Diocesan Council shall, from time to time, establish by resolution:

- (a) supplementary business practice guidelines; and
- (b) procedures for carrying into effect the Canons of The Episcopal Church relating to business methods in church affairs.

All such resolutions shall, upon adoption by the Diocesan Council, be deemed to be incorporated into this Canon.

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CANON 3: Of the Enactment, Amendment, and Repeal of the Canons

Sec. 1. No new Canon shall be enacted, nor existing Canon be amended or repealed, except by a majority vote of the Delegates at a meeting of a Convention, and provided that the following requirements are met:

- (a) The proposed change(s) shall have been sent to the Committee on Canons no fewer than three months prior to the Convention for its review and recommendations.
- (b) The Committee on Canons shall have sent its recommendation on the proposed change(s) to the Bishop and to Vestries or Bishop's Committees no fewer than thirty (30) days prior to the Convention.

Sec. 2. At a Convention of two days or longer, a Convention may consider a proposed change in the Canons on one-day notice and without complying with the requirements of Section 1 above, provided that the Convention shall approve such consideration by a two-thirds majority vote. Changes proposed under this Section 2 shall require a two-thirds majority vote for approval.

At a one-day Convention, the Convention may consider a proposed change in the Canons if submitted to the Presiding Officer at the beginning of the Convention, provided that the Convention shall approve such consideration by a three-fourths majority vote.

Sec. 3. The Committee on Canons shall be appointed by the Bishop, and shall have at least two members of the clergy and two members of the laity in membership.

Sec. 4. Every proposal to amend a Canon shall set out the entire section(s) of the Canon which is affected by the amendment with the new language clearly delineated. A proposal to enact a new Canon or repeal an existing Canon shall set out the entire Canon to be enacted or repealed.

CANON 4: Of Electronic Communication

Sec. 1. Notice. Any notice that is required pursuant to the Constitution and Canons of this diocese may be accomplished through electronic means (for example, fax, e-mail, or internet platform).

Sec. 2. Participation. Members of any board or committee described in the Constitution and Canons of this diocese may participate by means of conference telephone, voice over internet protocol, internet video conferencing, or any communications equipment by means of which all persons participating in the meeting can fully communicate with and understand each other. Participation in a meeting pursuant to this section shall constitute presence in person at such meeting.

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APPENDIX I

Form for the Certification of Lay Delegates to Convention

THIS IS TO CERTIFY that at a meeting of the Vestry of _____ (name of Parish) in _____ held on the _____ day of _____ 20____, the following named persons, who are adult communicants of good standing in said Parish were elected Lay Delegates to represent the same in the Convention of The Episcopal Church in the Diocese of Ohio, to be held _____ in the year of our Lord 20_____.

Delegates	Alternates
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____

We do further certify that the payment of the annual assessments to the Church Pension Fund and those to the Diocesan Fund are current.

We do further certify that we do associate ourselves for the purpose of maintaining the worship of God and preaching the Gospel, according to the doctrine, discipline and worship of The Episcopal Church and do hereby promise conformity to the Constitution and Canons of The Episcopal Church and of the Diocese of Ohio.

Signed,

Clerk of the Vestry

The Canon requires that this certificate be sent electronically (or mailed via United States mail) to the Secretary of the Convention, 2230 Euclid Avenue, Cleveland, Ohio, at least fifteen (15) days before the meeting of the Convention.

APPENDIX II

from the 2018 Constitution and Canons of The Episcopal Church. Definitions of adult communicants, and communicants in good standing

Title I. Canon 17: Of Regulations Respecting the Laity

Sec. 2 (a) All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered communicants of this Church.

(b) For the purposes of statistical consistency throughout the Church, communicants sixteen years of age and over are to be considered adult communicants.

Sec. 3 All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working,

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praying, and giving for the spread of the Kingdom of God, are to be considered communicants in good standing.

APPENDIX III

from the 2018 Constitution and Canons of The Episcopal Church

Title III. Canon 9, Section 14: Of the Reconciliation of Disagreements Affecting the Pastoral Relation

When the pastoral relationship in a parish between a Rector and the Vestry or Congregation is imperiled by disagreement or dissension, and the issues are deemed serious by a majority vote of the Vestry or the Rector, either party may petition the Ecclesiastical Authority, in writing, to intervene and assist the parties in their efforts to resolve the disagreement. The written petition shall include sufficient information to inform the Ecclesiastical Authority and the parties involved of the nature, causes, and specifics of the disagreements or dissension imperiling the pastoral relationship. The Ecclesiastical Authority shall initiate such proceedings as are deemed appropriate under the circumstances for that purpose by the Ecclesiastical Authority, which may include the appointment of a consultant or licensed mediator. The parties to the disagreement, following the recommendations of the Ecclesiastical Authority, shall labor in good faith that the parties may be reconciled. Whenever the Standing Committee is the Ecclesiastical Authority, it shall request the Bishop of a neighboring Diocese to perform the duties of the Ecclesiastical Authority under this Canon.

APPENDIX IV

from the 2018 Constitution and Canons of The Episcopal Church

Title III. Canon 9, Section 15: Of the Dissolution of the Pastoral Relation

- (a) Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed there from by the Vestry against the Rector's will, except as hereinafter provided.
- (b) If for any urgent reason a Rector or Vestry based on a vote in a duly-called meeting, desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese, with a copy available to the Rector or Vestry. Such notice shall include sufficient information to inform the Ecclesiastical Authority and all parties involved of the nature, causes, and specifics requiring the dissolution of the pastoral relationship. If the parties have participated in mediation or consultation processes under III.9.14 [See Appendix III, above], a separate report from the mediator or consultant will be submitted to the Ecclesiastical Authority with copies to the Rector and Vestry. 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.
- (c) Within sixty days of receipt of the written notice the Bishop Diocesan or the Bishop exercising authority under this canon may initiate further mediation and reconciliation

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processes between Rector and Vestry in every way which the Bishop deems proper. The Bishop may appoint a committee of at least one Presbyter and one Lay Person, none of whom may be members of or related to the Parish involved, to interview the Rector and Vestry and report to the Bishop on the cooperation and responsiveness of the parties involved in the processes required by the Bishop. A copy of this report shall be available to the Vestry and Rector.

(d) If the differences between the parties are not resolved after completion of mediation or other reconciliation efforts or actions prescribed by the Bishop, the Bishop shall proceed as follows:

(1) The Bishop shall give written notice to the Rector and Vestry that a godly judgment will be rendered in the matter after consultation with the Standing Committee and that either party has the right within ten days to request in writing an opportunity to confer with the Standing Committee before it consults with the Bishop. The Bishop's written notification shall inform the Standing Committee and the parties involved of the nature, causes, and specifics of the unresolved disagreements or dissension imperiling the pastoral relationship.

(2) If a timely request is made, the President of the Standing Committee shall set a date for the conference, which shall be held within thirty days.

(3) At the conference each party shall be entitled to attend, be represented and to present its position fully.

(4) Within thirty days after the conference or after the Bishop's notice if no conference is requested, the Bishop shall confer with and receive the recommendation of the Standing Committee; thereafter the Bishop, as final arbiter and judge, shall render a godly judgment.

(5) Upon the request of either party the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties. Either party may request the explanation be in writing.

(6) If the pastoral relation is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Rector and the Vestry.

(7) If the relation is to be dissolved:

(i) The Bishop shall direct the Secretary of the Convention to record the dissolution.

(ii) The judgment shall include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate.

(8) In either event the Bishop shall offer appropriate supportive services to the Priest and the Parish.

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- (e) In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set forth in the Constitution and Canons of the Diocese; and in default of any provisions for such penalties therein, the Bishop may act as follows:
 - (1) In the case of a Rector, suspend the Rector from the exercise of the priestly office until the Priest shall comply with the judgment.
 - (2) In the case of a Vestry, invoke any available sanctions including recommending to the Convention of the Diocese that the Parish be placed under the supervision of the Bishop as a Mission until it has complied with the judgment.
- (f) For cause, the Bishop may extend the time periods specified in this Canon, provided that all be done to expedite these proceedings. All parties shall be notified in writing of the length of any extension.
- (g) Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Title IV provided that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.
- (h) Sections 14 [see Appendix III, above] or 15 of this Canon [Appendix IV] shall not apply in any Diocese whose Canons are otherwise consistent with Canon III.9.

APPENDIX V

from the 2018 Constitution and Canons of The Episcopal Church

Title I. Canon 17: Of Regulations Respecting the Laity

Sec. 5. No one shall be denied rights, status or access to an equal place in the life, worship, governance, or employment of this Church because of race, color, ethnic origin, national origin, marital or family status (including pregnancy or child care plans), sex, sexual orientation, gender identity and expression, disabilities or age, except as otherwise specified by Canons.

Title III. Canon 1: Of the Ministry of All Baptized Persons

Sec. 2. No person shall be denied access to the discernment process or to any process for the employment, licensing, calling, or deployment for any ministry, lay or ordained, in this Church because of race, color, ethnic origin, immigration status, national origin, sex, marital or family status (including pregnancy and child care plans), sexual orientation, gender identity or expression, disabilities or age, except as otherwise provided by these Canons. No right to employment, licensing, ordination, call, deployment, or election is hereby established.