

CANONS

Adopted in General Synod, 1991

Amended in General Synod, 1993

Amended in General Synod, 1996

Amended in General Synod, 1999

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Amended in General Synod, 2005

Amended in General Synod, 2008

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TITLE I - ORGANIZATION AND ADMINISTRATION

CANON 1 Of the General Synod

Section 1.1

1.1(a) At the time and place appointed for the meeting of the General Synod, the President of the House of Bishops, or, in his absence, the Vice President of the House of Bishops, shall call to order the members present. The Secretary, or in his absence, a Secretary pro tempore appointed by the presiding officer, shall record the names of those whose testimonials, in due form, shall have been presented to him, which record shall be prima facie evidence that the persons whose names are therein recorded are entitled to seats. If there be a quorum present, the Secretary shall so certify, and the Presiding Officer shall declare the General Synod organized and ready to proceed to business. During the course of the said Synod, there shall be at least one meeting of the separate Houses.

1.1(b) There shall be a President and a Vice President of each of the Houses of Clergy and Laity, who shall perform the duties normally appropriate to their respective offices or specified in these Canons. They shall be elected not later than the last day of each triennial meeting of the General Synod in the manner herein set forth. The Houses of Clergy and Laity shall elect from their membership by a majority of separate ballots, a President and a Vice President. The President of the House of Clergy and the Vice President of the House of Clergy shall be from different dioceses as well as the President of the House of Laity and the Vice President of the House of Laity shall be from different dioceses. Such officers shall take office at the adjournment of the triennial meeting at which they are elected, and shall continue in office until the adjournment of the following triennial meeting of the General Synod. They shall be and remain ex officio members of their House during their term of office, and shall have seat, voice, and vote in the said House.

1.1(c) In case of resignation, death, absence, or inability of the President, the Vice-President shall perform the duties of the office until a new President is elected.

1.1(d) In order to aid the Secretary in preparing the record specified in Clause (a), it shall be the duty of the Secretary of the Synod of every Diocese to forward to him, as soon as may be practicable, a copy of the latest Journal of the Diocesan Synod, together with a certified copy of the testimonials of members aforesaid. He shall also forward a

duplicate copy of such testimonials to the Standing Committee of the Diocese in which the General Synod is next to meet.

1.1(e) The Secretary shall keep full minutes of the proceedings of the House; record them, with all reports, in a book provided for that purpose; preserve the Journals and Records of the House; deliver them to the Registrar, as hereinafter provided, and perform such other duties as may be directed by the House. He may, with the approval of the House, appoint Assistant Secretaries, and the Secretary and Assistant Secretaries shall continue in office until the organization of the next General Synod, and until their successors be chosen. The Secretary shall have seat, voice, and vote in the General Synod.

1.1(f) It shall be the duty of the Secretaries of the Houses of Clergy and Laity, whenever any alteration of *The Book of Common Prayer* or of the Constitution is proposed, or any other subject submitted to the consideration of the several Diocesan Synods, to give notice thereof to the Ecclesiastical Authority of the Church in every Diocese as well as to the Secretary of the Synod of every Diocese, with written evidence that the foregoing requirement has been complied with shall be presented by him to the General Synod at its next session. All notices shall be sent by registered or certified mail, return receipts being required. They shall notify each Secretary that it is their duty to make known such proposed alterations of the Book of Common Prayer, and of the Constitution, and such other subjects, to the Synod of his Diocese at its next meeting, and to certify that the Secretary of the Houses of Clergy and Laity that such action has been taken by him.

1.1(g) The Secretaries of the Houses of Clergy and Laity and the Treasurer of the General Synod, and the Chancellor shall be entitled to seats upon the floor of their House, and of General Synod, and shall have voice and vote.

1.1(h) At the meetings of the Houses of Clergy and Laity the Rules and Orders of the previous meeting shall be in force until they are amended or repealed by the House.

1.1(i) In case of the resignation, death or total disability of the President and Vice-President of the Houses of Clergy or Laity during the recess of the General Synod, the Secretary of the House shall perform such *ad interim* duties as may appertain to the office of President until the next meeting of the General Synod or until such disability is removed.

1.1(j) If, during recess, a vacancy shall occur in the office of Secretary of the House of Clergy or the House of Laity, the duties thereof shall devolve upon the First Assistant

Secretary, or, if there be none such, upon a Secretary *pro tempore* appointed by the President of that House, or if the office of President be also vacant, then by the Vice-President, and if both offices be vacant, then by the President of the House of Bishops.

1.1(k) The Secretary of the Executive Council shall serve as the Secretary of the General Synod

Section 1.2

1.2(a). The right of calling special meetings of the General Synod shall be vested in the Bishops. The President of the House of Bishops shall issue the summons for such meetings, designating the time and place thereof, with the consent, or on the requisition, of a majority of the Bishops, expressed to him in writing.

1.2(b). The Deputies elected to the preceding General Synod shall be the Deputies at such special meetings of the General Synod, except in those cases in which other Deputies shall have been chosen in the meantime by any of the Diocesan Synods, and then such other Deputies shall represent in the special meeting of the General Synod the Church of the Diocese in which they have been chosen.

1.2(c). Any vacancy in the representation of any Diocese caused by the death, absence or inability of any Deputy, shall be supplied either temporarily or permanently in such manner as shall be prescribed by the Diocese, or, in the absence of any such provision, by appointment by the Ecclesiastical Authority of the Diocese. During such periods as shall be stated in the certificate issued to him by the appointing power, the Provisional Deputy so appointed shall possess and shall be entitled to exercise the power and authority of the Deputy in place of whom he shall have been designated.

Section 1.3

1.3(a) The House of Clergy, upon the nomination of the House of Bishops, shall elect a Presbyter, to be known as the Registrar of the General Synod, whose duty it shall be to receive all Journals, files, papers, reports and other documents or articles that are, or shall become, the property of either House of the General Synod; to arrange, label, index, and put them in order, and to provide for the safe keeping of the same in some fireproof, accessible place of deposit, and to hold the same under such regulations as the General Synod may, from time to time, provide. The Registrar shall be entitled to seat, voice and vote at the General Synod.

1.3(b) It shall also be the duty of the said Registrar to procure a suitable book, and to enter therein the record of the ordinations and consecrations of all the Bishops of this Church, designating accurately the time and place of the same, with the names of the consecrating Bishops, and of others present and assisting; to have the same authenticated in the fullest manner practicable; and to take care of the similar record and authentication of all future ordinations and consecrations of Bishops in this Church. Due notice of the time and place of such ordinations and consecrations shall be given by the President of the House of Bishops to the Registrar, and thereupon it shall be his duty to attend such ordinations and consecrations, either in person or by deputy.

1.3(c) He shall prepare, in such form as the House of Bishops shall prescribe, the Letters of Ordination and Consecration in duplicate. He shall have the same immediately signed and sealed by the ordaining and consecrating Bishops, and by such other Bishops assisting as may be practicable; and he shall deliver to the newly consecrated Bishop one of the said Letters and shall carefully file the other among the papers in his custody. He shall make a minute thereof in his book of record.

1.3(d) The Registrar shall also be Historiographer, unless in any case the House of Bishops shall make a separate nomination from among the Laymen of this Church. In this event the House of Laity shall confirm the nomination.

1.3(e) The necessary expenses incurred under this Section shall be paid by the Treasurer of the General Synod.

1.3(f) It shall be the duty of the Secretaries of all Houses, within six months after the adjournment of the General Synod, to deliver to the Registrar the manuscript minutes of the proceedings of all Houses, together with the Journals, files, papers, reports, and all other documents of each House. The manuscript minutes of all Houses shall remain filed until after the adjournment of the Second Synod following that at which such minutes shall have been taken; *provided, however*, that any part of such minutes, for any reason unpublished in the Journal, shall remain filed in the Archives. The Secretaries of the Houses of Clergy and Laity shall also deliver to the Registrar, when not otherwise expressly directed, all the Journals, files, papers, reports, and other documents specified in Canon 4. The Secretaries shall require the Registrar to give them receipts for the Journals and other papers delivered to him.

1.3(g) In case of a vacancy in the office of Registrar, the President of the House of Bishops shall appoint a Registrar, who shall hold office until the next General Synod.

Section 1.4

1.4(a) The House of Clergy, upon the nomination of the House of Bishops, shall elect a Recorder (who may be a natural person or an incorporated organization of the Church), whose duty it shall be to continue the List of Ordinations and to keep a list of the Clergy in regular standing.

1.4(b) It shall be the duty of the Bishop, or, if there be no Bishop, of the President of the Standing Committee of every Diocese, to forward to the Recorder on or before the first day of March in each and every year a report certifying the following information as of the thirty-first day of December in the preceding year:

- (1) the names of the Clergy canonically resident therein with their several charges
- (2) the names of the Clergy licensed by the Bishop to officiate, but not yet transferred
- (3) the names of all persons connected with the Diocese who have been ordered Deacons or Priests during the preceding twelve months, with the date and place of ordination and the name of the Bishop ordaining
- (4) the names of the Clergy of the Diocese who have died during the preceding twelve months, with the date and place of death
- (5) the names of the Clergy who have been received during the preceding twelve months, with the date of their reception and the name of the Diocese from which received, and, in the case of Clergy not received from a Diocese of this Church, the date and place of ordination and the name of the Bishop ordaining
- (6) the names of the Clergy who have been transferred during the preceding twelve months, with the dates of the Letters Dimissory and of their acceptance, and the name of the Diocese to which transferred
- (7) the names of the Clergy who have been suspended during the preceding twelve months, with the date and ground of suspension
- (8) the names of the Clergy who have been deprived or deposed during the preceding twelve months, with the date, place, and ground of deprivation or deposition

(9) the names of the Clergy who have been restored during the preceding twelve months, with the dates. The names of Deaconesses canonically resident therein, together with the like information pertaining to Deaconesses as is required of Priests and Deacons in subsection 1.4(b) above.

1.4(c). It shall be the duty of the Recorder to furnish, upon proper authority and at the expense of the applicant, such information as may be in the possession of the Recorder based upon the reports required under Clause (b) herein, but in no case shall the Recorder publish or furnish for publication the grounds of any suspension, deprivation or deposition.

1.4(d). The Recorder shall prepare and present to each session of the General Synod a list of all Clergy and Deaconesses ordained, or set apart, received, suspended, deprived, deposed, or restored, and of all Bishops consecrated, and of all Clergy and Bishops who have died, such list to cover the period from the last preceding similar report of the Recorder through the thirty-first day of December immediately preceding each session of the General Synod.

1.4(e) The necessary expenses incurred under this Section by the Recorder, shall be paid by the Treasurer of the General Synod.

1.4(f) In case of a vacancy in the office of Recorder, the President of the House of Bishops shall appoint a Recorder, who shall hold office until the next General Synod.

Section 1.5

1.5(a) Beginning with this 1996 General Synod and at every triennial meeting of the General Synod a Treasurer shall be appointed by the President of the House of Bishops , and the appointment shall be confirmed by concurrent action of the Houses, and shall remain in office until a successor shall be appointed and confirmed. It shall be his duty to receive and disburse all moneys collected under the authority of the Synod, and of which the collection and disbursement shall not otherwise be prescribed; and, with the advice and approval of the President of the House of Bishops and the Treasurer of the Executive Council, to invest, from time to time, such surplus funds as he may have on hand. His account shall be rendered triennially to the Synod and shall be audited at the direction of a committee acting under its authority.

1.5(b) In case of a vacancy, by death, resignation, or otherwise, in the office of Treasurer of the General Synod, the President of the House of Bishops and the President of the

Houses of Clergy and Laity shall appoint a Treasurer. In case of temporary inability of the Treasurer to act, from illness or other cause, the same officials shall appoint an Acting Treasurer who shall perform all duties of the Treasurer until the Treasurer is able to resume them.

Section 1.6

The Treasurer of the General Synod shall have authority to borrow, on behalf and in the name of the General Synod, with the approval of the President of the House of Bishops , such a sum, not exceeding two thousand dollars per annum, as in his judgment may be necessary to help defray the expenses of the General Synod; *Provided*, that the total amount of the indebtedness authorized in this Section shall at no time exceed four thousand dollars.

Section 1.7

The Treasurer shall give a bond conditioned on the faithful performance of his duties. The amount thereof and the terms on which the same shall be given shall be subject to the approval of the President of the House of Bishops , the expense of such bond to be paid by the General Synod.

Section 1.8

The Treasurer shall submit to the General Synod at each regular meeting thereof a detailed budget for which he requests the General Synod to approve. He shall have power to expend all sums of money authorized by the budget, as adopted by the General Synod, provided there are sufficient funds available.

Section 1.9

The Treasurer may appoint, subject to the approval of the President of the House of Bishops, such Assistant Treasurer(s) whom he shall deem necessary, who shall hold office during the pleasure of the Treasurer and shall perform such duties as shall be assigned to him by the Treasurer. At least one of the Assistant Treasurers or the Treasurer shall have the training that would be had by a Certified Public Accountant. He shall give a bond conditioned on the faithful performance of his duties. The amount thereof and the terms on which the same shall be given shall be subject to the approval of the President of the House of Bishops, the expense of such bond to be paid by the General Synod.

Section 1.0

The Vice President of the House of Bishops shall be Chairman Pro Tempore of the House of Bishops in the absence of the President of the House of Bishops. The President

of the House of Clergy shall be the Clerical Vice-President of the General Synod, and the First Vice-Chairman of the Executive Council. The President of the House of Laity shall be the Lay Vice President of the General Synod, and the Second Vice-Chairman of the Executive Council.

Section 1.11

The General Synod, upon the nomination of the House of Bishops, shall elect a Chancellor, being learned in the law, to advise the Synod, its Houses, and its Officers and agents.

Section 1.12

Except in the event of grave peril, the sessions of General Synod shall be public, subject to the reasonable authority of the presiding officer or officers thereof to maintain order and decorum in its proceedings.

CANON 2 Of the President of the House of Bishops

Section 2.1

The President of the House of Bishops shall preside over meetings of the House of Bishops, and shall take order for the consecration of Bishops, when duly elected. He shall also perform all other duties prescribed for him by other Canons of the General Synod.

Section 2.2

The stipend of the President of the House of Bishops and his necessary expenses shall be fixed by the General Synod and shall be provided for in the budget to be submitted by the Treasurer, as provided in the Canon entitled, "Of the General Synod."

Section 2.3

In the event of the disability of the President of the House of Bishops, the Vice-President of the House of Bishops shall be substituted for the President of the House of Bishops for all purposes of these Canons.

Section 2.4

The President of the House of Bishops shall be elected by the House of Bishops at the meeting of the House of Bishops immediately preceding the General Synod. The President of the House of Bishops shall be elected for a three (3) year period of time and may be re-elected for an additional three (3) year period. The Bishop elected as the

President of the House of Bishops shall be installed as President of the House of Bishops with the advice and consent of the Houses of the General Synod after a vote is taken by Houses in their individual meetings during the synod.

Section 2.5

The style of the President of the House of Bishops shall be styled "Bishop of N., and President of the House of Bishops. He shall be denominated "The Most Reverend."

CANON 3 Of the Executive Council

Section 3.1

3.1(a) The President of the House of Bishops and the Executive Council as hereinafter constituted shall have charge of the unification, development, and prosecution of the Missionary, Educational, and Social Work of the Church, of which work the President of the House of Bishops shall be the executive head.

3.1(b) The officers of the Executive Council shall be a Chairman, two Vice-Chairmen who are the Presidents of the Houses of Clergy and Laity as provided by Canon, a Secretary, a Treasurer, and a Chancellor, with such duties as the Council, pursuant to this Canon, from time to time, may prescribe.

Section 3.2

3.2(a) The Executive Council, herein referred to as the Council, shall in addition to its Chairman, two Vice Chairmen, Secretary, Treasurer, and Chancellor, be composed of a minimum of twenty members which shall include all Bishops with jurisdiction, other than the President of the House of Bishops and the Vice President of the House of Bishops, one Presbyter, and two Laymen from each diocese. One Presbyter shall be elected by each Diocesan Synod for a term of three years, and two Laymen shall be elected by each Diocesan Synod, with one lay-person to be elected at the first Diocesan Synod for a term of three years and the second to be elected for a term of six years. Subsequently, all laymen shall be elected for a period of six years. The Chairman, two Vice Chairmen, Secretary, Treasurer, Chancellor, and the head of the International Anglican Fellowship (IAF) shall be *ex officio* members thereof.

3.2(b) If any member elected to the Executive Council has two (2) absences for reasons unacceptable to the Council as a whole, the Executive Council shall have the authority to request another representative from that diocese.

3.2(c) The term of office of the members of the Council (other than *ex officio* members) shall be three years, with the exception for Lay members and Bishops. The term of office of all members elected as above provided shall commence immediately upon the ending of the first Triennial Synod after their election. Members shall remain in office until their successors are elected and qualified. After any person shall have served six consecutive years on the Executive Council, a period of three years shall elapse before such person shall be eligible for re-election to the Council.

3.2(d) Should any vacancy occur in the Council for the following reasons

- (1) the death or resignation of a member elected to the Executive Council
- (2) a member having two unacceptable absences from meetings
- (3) through the change in status of any such member by consecration, ordination, or or the withdrawal of any clergy or lay member from membership of this church,

the Diocese from which the member was elected shall fill such vacancy. If the vacancy should occur wherein there will be a meeting of the Executive Council prior to the meeting of the Synod of the said Diocese, the Bishop Ordinary shall appoint a suitable person with the advice and consent of the Standing Committee. This individual shall serve until the next Synod of the Diocese, at which time a suitable person shall be elected to serve the portion of any term that remains unexpired.

Should any vacancy occur in the Council due to failure of any Diocesan Synod to elect a member, the Bishop Ordinary and the Standing Committee of the Diocese shall appoint a suitable person, canonically resident in such Diocese, to serve until the Diocesan Synod shall elect an individual to fill the vacancy, the person so elected to be from the same House from which the vacancy occurred.

Beginning at the conclusion of the 1996 General Synod, the Dioceses of the Church shall elect members to begin serving on the Executive Council at the conclusion of the 1999 Triennial Synod. Should any *ex-officio* member resign from his position or withdraw from the membership of this Church, the President of the House of Bishops is authorized to appoint a replacement until the next General Synod.

3.2(e) The Council shall exercise the powers conferred upon it by Canon, and such further powers as may be designated by the General Synod, and between sessions of the General Synod may initiate and develop such new work as it may deem necessary. It

may, subject to the provision of this Canon, enact By-laws for its own government and the government of its several departments.

Section 3.3

The President of the House of Bishops shall be ex-officio the Chairman. The Council shall elect the Secretary. The additional officers, agents, and employees of the Council shall be such and shall perform such duties as the President of the House of Bishops and the Council may from time to time designate.

Section 3.4

3.4(a) The Council shall meet at such place, and at such stated times, at least once each year, as it shall appoint and at such other times as it may be convened. The Council shall be convened at the request of the Chairman, or on the written request of any six members thereof.

3.4(b) Fifty percent (50 %) of the members of the Council shall be necessary to constitute a quorum at any meeting of the Council.

Section 3.5

With the exception of the salary of the Chairman, the salaries of all officers of the Council and of all agents and employees of the Council shall be fixed by the Council and paid by the Treasurer.

Section 3.6

Every Bishop of a Diocese receiving aid from the Council shall report at the close of each fiscal year to the Council giving account of the work in his Diocese supported in whole or in part by the Council.

Section 3.7

The Council, shall prepare a full report of its work to be presented to the General Synod. This report is to be finalized within three (3) months of the Meeting of said General Synod. Such report shall contain an itemized statement of all receipts and disbursements and a statement of all trust funds and other property in its possession or under its control. The Council shall make a like report including a detailed schedule of the salaries paid to all officers, agents, and principal employees, to each General Synod.

Section 3.8

No person shall, under any power or authority delegated by this Canon, be appointed a Missionary, who is not, at the time, a Minister or member of this Church, or of some Church in communion with this Church, in regular standing; provided however, that, at the request of the Bishop, other persons not so qualified may be employed in exceptional cases.

Section 3.9

The Executive Council shall be and constitute the Directors or Trustees of the Corporation of this Church.

Section 3.10

Members of the Executive Council shall have seat, voice, and vote at any General Synod.

CANON 4 Of the Mode of Securing an Accurate View of the State of this Church

Section 4.1

A report of every parish and every congregation of this Church shall be prepared annually for the year ending December 31, preceding, and shall be sent not later than February 1 to the Bishop of the Diocese or where there is no Bishop, to the Secretary of the Diocese. The report shall include the following information:

- (1) the number of baptisms, confirmations, marriages, and burials during the year; the total number of baptized persons and communicants in voting status at the time of the report; and for all purposes the number of members of this Church shall be deemed to be the number of baptized persons
- (2) A summary of all the receipts and expenditures, from whatever source derived and for whatever purpose used
- (3) Such other relevant information as is needed to secure an accurate view of the state of this Church, as required by the approved form, however, no information shall be sought, nor shall the Executive Council, or any other entity of this Church, be empowered to seek any information from any Diocese, Parish, or Mission, concerning any real or personal property under the control of or owned by the said Diocese, Parish, or Mission.

The Bishop or Secretary of the Diocese shall prepare, upon the blank form approved by the Executive Council, a condensed summary of the statistics required by the preceding and forwarded, not later than May 1st of each year, copies of this summary to the Office of the President of the House of Bishops and to the Secretary of the Executive Council. The Secretary of the Executive Council shall provide copies of this report to each member of the Executive Council. The form adopted by said Executive Council must be approved by a two-thirds vote of all members (not only members in attendance) and a two-thirds vote of the House of Bishops. Once the said form has been approved, as herein set forth, the same may only be amended in the same manner that the said form may be adopted. No voting by proxy shall be permitted in any votes with regard to the approval of the form or amendments to the said form.

Section 4.2

Copies of the financial disclosures, on forms prepared by the Executive Council, of each Mission, Parish, or Religious Community shall be filed with the Secretary of the Diocese, and the Secretary of the Diocese shall be required to file said information with the General Synod, along with the Annual Disclosure Form for review and incorporation into the filings of this Church.

Section 4.3

4.3(a) The Church shall be financed through the imposition on each Diocese of a sum to be paid to the National Church per adult communicant eligible to vote at the annual parish meeting. The amount of the sum shall be set by the National Synod. Dioceses shall pay the sum set forth notwithstanding the amount received from the parishes or missions by the Diocese.

4.3(b) Dioceses which shall have difficulty in paying said sum shall be authorized to appear before a meeting of the Executive Council to request relief from the payment of said sum. Prior to the appearance before the Executive Council, a copy of the books and records of the Diocese shall be provided to all members of the Executive Council for review at least thirty (30) days before said appearance before the Executive Council.

CANON 5 Of Business Methods in Church Affairs

Section 5.1

In every Diocese, Parish, Mission, and Institution, connected with this Church, the standard business methods that follow shall be observed.

5.1(a) Trust and permanent funds and all securities of whatsoever kind shall be deposited with a Federal or State Bank, or a Diocesan Corporation, or with some other agency approved in writing by the Finance Committee or the Department of Finance of the Diocese under either a deed of trust or an agency agreement, providing for at least two signatures on any order of withdrawal of such funds or securities.

But this subsection shall not apply to funds and securities refused by the depositories named as being too small for acceptance. Such small funds and securities shall be under the care of the persons or corporations properly responsible for them.

5.1(b) Records shall be made and kept of all trust and permanent funds showing at least the following:

- (1) Source and date
- (2) Terms governing the use of principal and income
- (3) To whom and how often reports of condition are to be made.

5.1(c) Books of account shall be so kept in every Diocese so as to provide a basis for accurate accounting according to the General Standard Accounting Procedures.

5.1(d) All buildings and their contents shall be kept adequately insured.

5.1(e) The Diocese shall report to the Executive Council on the basis of the calendar year. Each Diocese may budget on the basis of the fiscal year most convenient to itself.

Section 5.2

The several Dioceses shall give effect to the foregoing standard business methods by the enactment of Canons appropriate thereto, which Canons shall invariably provide for a Finance Committee or a Department of Finance of the Diocese.

CANON 6 The Extent of Dioceses

Section 6.1

The Dioceses of this Church shall consist of five (5) Dioceses. They are as follows:

6.1(a) The Diocese of the Northeast shall include the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York.

6.1(b) The Diocese of the Eastern United States shall include the states of Pennsylvania, New Jersey, Delaware, Maryland, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia, Kentucky, Tennessee, Alabama and Mississippi.

6.1(c) The Diocese of the Missouri Valley shall include the states of Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Missouri, Minnesota, Nebraska, Oklahoma, South Dakota, North Dakota, Texas, and Wisconsin.

6.1(d) The Diocese of the West shall include the states of Alaska, Arizona, California, Hawaii, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington and Wyoming.

6.1(e) The Diocese of Puerto Rico shall include Puerto Rico the islands of the Caribbean Sea.

CANON 7 Of New Dioceses

Section 7.1

Whenever a new Diocese shall be formed within the limits of any Diocese, or by the junction of two or more Dioceses, or parts of Dioceses, and such action shall have been ratified by the General Synod, the Bishop of the Diocese within the limits of which a Diocese is formed, or in case of the junction of two or more Dioceses or parts of Dioceses, the senior Bishop by consecration, shall thereupon call the Primary Synod of the new Diocese, for the purpose of enabling to organize, and shall fix the time and place of holding the same, such place being within the territorial limits of the new Diocese.

Section 7.2

In case there should be no Bishop who can call such Primary Synod, pursuant to the foregoing provision, then the duty of calling such Synod for the purpose of organizing and of fixing the time and place of its meeting, shall be vested in the Standing Committee of the Diocese within the limits of which the new one is erected, or in the Standing Committee of the oldest of the Dioceses by the junction of this, or of parts of which, the new Diocese may be formed. And such Standing Committee, shall make the call immediately after ratification of the General Synod.

Section 7.3

Whenever one Diocese is about to be divided into two Dioceses, the Synod of such Diocese shall declare which portion thereof is to be the new Diocese, and shall make the same known to the General Synod before the ratification of such division.

Section 7.4

Whenever a new Diocese shall have organized in Primary Synod in accordance with the provisions of the Constitution and Canons in such case made and provided, and in the manner prescribed in the previous Section of this Canon, and shall have chosen a name and acceded to the Constitution of the General Synod in accordance with Article V, Section 1, of the Constitution, and shall have laid before the General Synod certified copies of the Constitution adopted at its Primary Synod and the proceedings preparatory to the formation of the proposed new Diocese, such new Diocese shall thereupon be admitted into union with the General Synod.

Section 7.5

7.5(a) When a Diocese and another Diocese which has been formed either by division therefrom or by erection into a Diocese formed by division therefrom, shall desire to be reunited into one Diocese, the proposed reunion must be initiated by mutual agreement between the Synods of the two Dioceses, consented to by the Ecclesiastical Authority of each Diocese. If the said agreement is made and the consents given more than three months before the next meeting of the General Synod, the fact of the agreement and consents shall be certified by the Ecclesiastical Authority and the Secretary of the Synod of each Diocese to all the Bishops of the Church having jurisdiction in the United States, and to the Standing Committees of all the Dioceses; and when the consents of a majority of such Bishops and of a majority of the Standing Committees to the proposed reunion shall have been received, the facts shall be similarly certified to the Secretaries of the Houses of Clergy and Laity of the General Synod, and thereupon the reunion shall be

considered complete. But if the agreement is made and the consents given within three months of the next meeting of the General Synod, the facts shall be certified instead to the Secretary of the Houses of Clergy and Laity, who shall lay them before the three Houses; and the reunion shall be deemed to be complete when it shall have been sanctioned by a majority vote in the House of Bishops, and in the Houses of Clergy and Laity.

7.5(b) The Bishop of the parent Diocese shall be the Bishop and the Bishop of the junior Diocese shall be the Bishop Coadjutor, of the reunited Diocese; but if there be a vacancy in the Episcopate of either Diocese, the Bishop of the other Diocese shall be the Bishop, and the Bishop Coadjutor if there be one shall be the Bishop Coadjutor, of the reunited Diocese.

7.5(c) When the reunion of the two Dioceses shall have been completed, the facts shall be certified to the President of the House of Bishops and to the Secretaries of the Houses of Clergy and Laity. Thereupon the President of the House of Bishops shall notify the Secretary of the House of Bishops of any alteration in the status or style of the Bishop or Bishops concerned, and the Secretaries of the Houses of Clergy and Laity shall strike the name of the junior Diocese from the roll of Dioceses in union with the General Synod.

Section 7.6

7.6(a) Whenever the House of Bishops of this Church shall determine that the Diocesan boundaries of an existing Diocese should be changed, then the House of Bishops may change the boundaries of the existing Diocese, provided that the change shall be approved by the Executive Council and shall be approved by the Synod(s) of the Diocese(s).

7.6(b) Once the change in Diocesan boundaries has been approved by all of the entities which are to approve the same, this fact shall be certified to the President of the House of Bishops by the Secretary of the House of Bishops, who shall notify the Secretaries of the Houses of Clergy and Laity of the change in the diocesan boundaries.

CANON 8 Of Standing Committees

Section 8.1

In every Diocese the Standing Committee shall elect from its own body a President and a

Secretary. They may meet in conformity with their own rules from time to time, and shall keep a record of their proceedings; and the President may summon a special meeting whenever he may deem it necessary. They shall be summoned on the requisition of the Bishop, whenever he shall desire their advice; and they may meet of their own accord and agreeably to their own rules when they may be disposed to advise the Bishop. The Bishop shall retain the right to preside when present.

Section 8.2

In all cases in which a Canon of the General Synod directs a duty to be performed, or a power to be exercised, by a Standing Committee, or by the Clerical members thereof, or by any other body consisting of several members, a majority of said members, the whole having been duly cited to meet, shall be a quorum; and a majority of the quorum so convened shall be competent to act, unless the contrary is expressly required by the Canon.

Section 8.3

When it is certified to President of the House of Bishops of this Church by at least three reputable physicians selected by the Standing Committee or by the President of the House of Bishops, who shall have examined the case, that the Bishop of any Diocese is incapable of doing his duties and is likewise incapable of authorizing the Bishop Coadjutor, if there be one, or a Suffragan Bishop, if there be one, to act as the Ecclesiastical Authority, then upon the advice of at least one Bishop of a neighboring Diocese, to be selected by the President of the House of Bishops, the Bishop Coadjutor, if there be one, or a Suffragan Bishop, if there be one, and if the Constitution and Canons of the Diocese so provide, shall be deemed by the President of the House of Bishops to be the Ecclesiastical Authority for all purposes set forth in these Canons, and shall retain such authority until such time as, acting upon a like certificate, the President of the House of Bishops shall declare the said Bishop competent to perform his official duties.

In the event that there shall not be a Bishop Coadjutor, or a Suffragan Bishop, presiding in the said Diocese, then the President of the House of Bishops shall appoint a Bishop, who is a member of the House of Bishops of this Church, to act as the Ecclesiastical Authority for the Diocese.

Section 8.4

The Standing Committee shall only exercise Temporal Authority. The Standing

Committee shall not exercise any Ecclesiastical Authority, and may not call upon any Bishop to do any visitations until the Synod of the said Diocese shall call an Episcopal Visitor. Should the Standing Committee desire a Bishop to make visitations to Parishes in said Diocese, prior to Diocesan Synod meeting, the Standing Committee, through its President, or such authorized person, shall request the President of the House of Bishops to appoint a Bishop to make said visitations.

CANON 9 Of Parishes and Congregations

Section 9.1

Every Congregation of this Church shall belong to the Church in the Diocese in which its place of worship is situated; and no Minister having a Parish or Cure in more than one jurisdiction shall have a seat in the Synod or Convocation of any jurisdiction other than that in which he has his canonical residence.

Section 9.2

9.2(a) The ascertainment and defining of the boundaries of existing Parishes or Parochial Cures, as well as the establishment of a new Parish or Congregation, and the formation of a new Parish or Mission within the limits of any other Parish, is left to the action of the several Diocesan Synods provided no new Parish or Mission shall be formed within twenty-five (25) miles of an existing parish or mission without the matter being discussed by the diocesan bishop, the rector of the mission or parish already existing, and the individual in charge of the group seeking to form such a mission. After discussing the matter with all parties, the ultimate decision shall be that of the bishop.

9.2(b) Until a Canon or other regulation of a Diocesan Synod shall have been adopted which shall comply with paragraph (a) above the formation of new Parishes, or the establishment of new Parishes or Congregations within the limits of existing Parishes, shall be vested in the Bishop of the Diocese, acting by and with the advice and consent of the Standing Committee thereof, and, in case of there being no Bishop, in the Ecclesiastical Authority.

CANON 10 Of Parish Vestries

Section 10.1

In every Parish of this Church the number, mode of election, and term of office of Wardens and Vestrymen, with the qualification of voters, shall be such as the State or Diocesan Law may permit or require, and the Wardens and Vestrymen elected under such law shall hold office until their successors are elected and have qualified.

Section 10.2

Except as provided by the law of the State or of the Diocese, the Vestry shall be agents and legal representatives of the Parish in all matters concerning its corporate property and the relations of the Parish to its Clergy.

Section 10.3

Unless it conflicts with the law as aforesaid, the Rector or Vicar, when present, shall preside in all the meetings of the Vestry. However, once a vestry meeting has been scheduled, the rector or vicar may not cancel the same without a majority vote of the members of the vestry agreeing to the cancellation.

Section 10.4

The Rector or Vicar of a parish or mission shall have no ownership interest in the property of the parish or mission. Neither shall he be authorized to sign any checks on an account which is open in the name of the parish or mission unless two or more signatures shall be required on the account. His discretionary account shall be a separate account from those used by the parish or mission and may require only one signature.

Section 10.5

When a Bishop is making an official visitation to a parish or mission, he shall instruct the Rector or Vicar to schedule a meeting of the vestry or mission council to be held with the Priest or Vicar and members of the vestry or mission council only. At this time, the vestry or mission council shall make available all books and records which the Bishop is to examine. The Bishop shall further inquire of the vestry or mission council if they have any matters they wish to discuss with him.

CANON 11

Of Clergy and Congregations Seeking Affiliation with this Church

Section 11.1

Whenever a congregation of Christian people, holding the Christian faith as set forth in the Catholic creeds and recognizing the Scriptures as containing all things necessary to salvation, but using a rite other than that set forth by this Church, shall desire affiliation with this Church, while retaining the use of its own rite, such congregation shall with the consent of the Bishop in whose Diocese it is situate make application through the Bishop to the President of the House of Bishops for status.

Section 11.2

Any minister who has not received episcopal ordination and desires to serve such a congregation shall conform to the provisions of Canon 31.

Section 11.3

In case the minister of such congregation shall have been ordained by a Bishop not in communion with this Church, but the regularity of whose ordination is approved by the President of the House of Bishops, he shall be admitted in his Orders under the provision of Canon 31.

Section 11.4

Ministers and delegates of such congregations may have seats but no vote in the Diocesan Synod unless by formal action of such Synod they are so admitted.

Section 11.5

The oversight of congregations so admitted shall rest with the Bishop of the Diocese unless he shall delegate this authority to a Bishop who may be commissioned by the President of the House of Bishops to have oversight of such congregations.

CANON 12

Of Regulations Respecting the Laity

Section 12.1

All persons who have received the Sacrament of Holy Baptism with water in the name of the Father, and of the Son, and of the Holy Ghost, and whose baptism has been duly recorded in this Church, are members thereof.

Section 12.2

All such baptized persons who shall for one year next preceding have fulfilled the requirements of the Canon "Of the Due Celebration of Sundays", unless for good cause prevented, are members of this Church in good standing.

Section 12.3

All such members in good standing who have been confirmed by a Bishop of this Church or a Bishop of a Church in communion with this Church or have been received into this Church by a Bishop of this Church, and who shall, unless for good cause prevented, have received Holy Communion at least thrice during the next preceding year, are communicants in good standing.

Section 12.4

Every communicant or baptized member of this Church shall be entitled to equal rights and status in any Parish or Mission thereof. He shall not be excluded from the worship or Sacraments of the church, nor from parochial membership because of race, color, or ethnic origin.

Section 12.5

12.5(a) A communicant or baptized member in good standing, removing from one Parish or Congregation to another, shall be entitled to receive and shall procure from the Rector or Minister of the Parish or Congregation of his or her last enrollment or, if there be no Rector or Minister, from one of the Wardens, a certificate addressed to the Rector or Minister of the Parish or Congregation to which removal is desired, stating that he or she is duly registered or enrolled as a communicant or baptized member in the Parish or Congregation from which he or she desires to be transferred. When such certificate is presented, or, on failure to produce such certificate through no fault of such communicant or baptized member, upon other evidence of his or her being such a communicant or baptized member, sufficient in the judgment of said Rector or Minister,

the communicant or baptized member shall be enrolled in the Parish or Congregation. Notice of such enrollment in such Parish or Congregation to which such communicant or baptized member shall have removed shall be sent by the Rector or Minister thereof to the Rector of the Parish or Congregation from which the communicant or baptized member is removed.

12.5(b) Any communicant of any Church in communion with this Church shall be entitled to the benefit of this Section so far as the same may be made applicable.

12.5(c) It shall be the duty of the Rector or Minister of every Parish or Congregation, learning of the removal of any member of his Parish or Congregation to another Cure without having secured a letter of transfer, as herein provided, to transmit to the Minister of such Cure a letter of advice informing him of the status of the member in his parish or congregation and a letter of transfer or shall state a reason why such a letter should not be sent.

Section 12.6

When a person to whom the Sacraments of the Church shall have been refused, or who has been repelled from the Holy Communion under the Rubrics, or who desires a judgment as to his status in the Church, shall lodge a complaint or application with the Bishop, or Ecclesiastical Authority, it shall be the duty of the Bishop, or Ecclesiastical Authority, unless he or it sees fit to require the person to be admitted or restored because of the insufficiency of the cause assigned by the Minister, to institute such an inquiry as may be directed by the Canons of the Diocese and should no such Canon exist, the Bishop or Ecclesiastical Authority shall proceed according to such principles of law and equity as will insure an impartial decision; but no Minister of this Church shall be required to admit to the Sacraments a person so refused or repelled, without the written direction of the Bishop or Ecclesiastical Authority.

Section 12.7

12.7(a) If any Minister of this Church shall have cause to think that a person desirous of Holy Baptism, or of Confirmation, or of receiving the Holy Communion, has been married otherwise than as the word of God and discipline of this Church allow, such Minister, before receiving such person to this ordinance, shall refer the case to the Bishop for his godly judgment there upon. The Bishop, after due inquiry into the circumstances, and taking into consideration the godly discipline both of justice and of mercy, shall give his judgment thereon in writing; Provided, however, that no Minister shall in any case

refuse these ordinances to a penitent person in imminent danger of death.

12.7(b) Any persons who have been married by civil authority, or otherwise than as this Church provides, may apply to the Bishop or to the Ecclesiastical Court of their domicile for the recognition of communicant status or for the right to apply for Holy Baptism or Confirmation. After due inquiry into all the facts relevant thereto, judgment shall be given in writing to the petitioners by the Bishop or by the Ecclesiastical Court acting through the Bishop.

12.7(c) When marital unity is imperiled by dissension, it shall be the duty of either or both parties, before contemplating legal action, to lay the matter before a Minister of this Church; and it shall be the duty of such Minister to assist that the parties may be reconciled.

CANON 13 Of the Solemnization of Holy Matrimony

Section 13.1

Every Minister of this Church shall conform to the laws of the State governing the creation of the civil state of Marriage, and also to the laws of this Church governing the solemnization of Holy Matrimony.

Section 13.2

No Minister of this Church shall solemnize any marriage unless the following conditions are complied with:

13.2(a) He shall have ascertained the right of the parties to contract a marriage according to the laws of the State.

13.2(b) He shall have ascertained the right of the parties to contract a marriage according to the laws of this Church, and not in violation of the following impediments:

- (1) Consanguinity (whether of the whole or of the half blood) within the following degrees:
 - (i) One may not marry one's ascendant or descendant.
 - (ii) One may not marry one's sister.
 - (iii) One may not marry the sister or brother of one's ascendant or the descendant

of one's brother or sister.

- (2) Mistake as to the identity of either party
- (3) Mental deficiency of either party sufficient to prevent the exercise of intelligent choice
- (4) Insanity of either party
- (5) Failure of either party to have reached the age of puberty
- (6) Impotence, sexual perversion, or the existence of venereal disease in either party undisclosed to the other
- (7) Facts which would make the proposed marriage bigamous
- (8) A concurrent contract inconsistent with the contract constituting canonical marriage
- (9) Attendant conditions: error as to the identity of party, fraud, coercion or duress, or such defect of personality as to make competent or free consent impossible

13.2(c) He shall have ascertained that both of the parties have received Holy Baptism.

13.2(d) He shall have instructed the parties as to the nature of Holy Matrimony.

13.2(e) The intention of the parties to contract a marriage shall have been signified to the Minister at least three days before the service of solemnization; Provided, that, for weighty cause, the Minister may dispense with this requirement, if one of the parties is a member of his Congregation, or can furnish satisfactory evidence of his responsibility. In case the three days' notice is waived, the Minister shall report his action in writing to the Ecclesiastical Authority immediately.

13.2(f) There shall be present at least two witnesses to the solemnization of the marriage.

13.2(g) The Minister shall record in the proper register the date and place of the

marriage, the names of the parties and their parents, the age of the parties, their residences, and their Church status, and the witnesses and the Minister shall sign the record.

Section 13.3

The Minister shall have required that the parties sign the following declaration: "We, A.B. and C.D., desiring to receive the blessing of Holy Matrimony in the Church, do solemnly declare that we hold marriage to be a lifelong union between one man and one woman as it is set forth in the Form of Solemnization of Holy Matrimony in the Book of Common Prayer. We believe it is for the purpose of mutual fellowship, encouragement, and understanding, for the procreation (if it may be) of children, and their physical and spiritual nurture, for the safeguarding and benefit of society. And we do engage ourselves, so far as in us lies, to make our utmost effort to establish this relationship and to seek God's help thereto."

Section 13.4

It shall be within the discretion of any Minister of the Church to decline to solemnize any marriage.

Section 13.5

No Minister of the Church shall solemnize any marriage except in accordance with these Canons.

Section 13.6

No Minister of this Church shall solemnize the marriage of any person who has been the husband or wife of any other person then living whose marriage has been annulled or dissolved by the civil court, except as hereinafter in these Canons provided; nor shall any member of the Church enter upon a marriage when either of the contracting parties has been the husband or the wife of any other person then living whose marriage has been annulled or dissolved by a civil court, except as hereinafter in these Canons provided.

CANON 14 Regulations Respecting Holy Matrimony

Section 14.1

The provisions of this Canon shall apply only to an active member of this Church in good standing.

Section 14.2

14.2(a) Any person, being a member of this Church in good standing, whose marriage has been annulled or dissolved by a civil court of competent jurisdiction may apply to the Bishop or Ecclesiastical Authority of the Diocese in which such person is canonically resident for a judgment as to his or her marital status in the eyes of the church. And any person, being a member of this Church in good standing, who desires to marry a non member of this Church whose previous marriage has been dissolved or annulled by a civil court of competent jurisdiction may apply to the Bishop or Ecclesiastical Authority of the Diocese in which he or she is canonically resident, for permission to be married by a Minister of this church, provided in both cases that the judgment of the civil court has become final and that least one year shall have elapsed from the date the decree became final. Such application should be made at least thirty days before a contemplated marriage.

14.2(b) If the Bishop or Ecclesiastical Authority is satisfied that the parties intend a true Christian marriage he may refer the application to his Council of Advisors, or to the Court if such has been established by diocesan action. The Bishop or Ecclesiastical Authority shall take care that his or its judgment is based upon and conforms to the doctrine of this Church, that marriage is a physical, spiritual, and mystical union of a man and woman created by their mutual consent of heart, mind and will thereto, and is a Holy Estate instituted of God and is in intention lifelong; but when any of the facts set forth in Canon 13, Section 2, Clause (b), are shown to exist or to have existed which manifestly establish that no marriage bond as the same is recognized by this Church exists, the same may be declared by proper authority. No such judgment shall be construed as reflecting in any way upon the legitimacy of children or the civil validity of the former relationship. A decision shall be made within thirty days of the time application is made to the Bishop, and, if not, the marriage shall be presumed valid.

14.2(c) Every judgment rendered under this Canon shall be in writing and shall be made a matter of permanent record in the Archives of the Diocese.

14.2(d) Any person in whose favor a judgment has been granted under the provisions of this Canon may be married by a Minister of this Church; Provided, that if the marriage is proposed to be solemnized in another jurisdiction than the one in which said judgment has been granted, the said judgment shall have previously been submitted to and approved by the Ecclesiastical Authority of that jurisdiction.

TITLE II - WORSHIP

CANON 15

Of the Due Celebration of Sundays

All persons within this Church shall celebrate and keep the Lord's Day, commonly called Sunday, by regular participation in the public worship of the Church by hearing the Word of God read and taught, and by other acts of devotion and works of charity, using all godly and sober conversation.

CANON 16

Of Translations of the Bible

The Lessons at Morning and Evening Prayer shall be read from the translation of the *Holy Scriptures*, commonly known as the King James or Authorized Version (which is the standard Bible of this Church), together with the Marginal Readings authorized for use by the General Convention of 1901; or from one of the three translations known as Revised Versions, including the English Revision of 1881, the American Revision of 1901, and the Revised Standard Version of 1952; or from the *New English Bible, New Testament*, of 1961.

CANON 17

Of *The Book of Common Prayer*

The 1928 American edition of *The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, together with the Psalter or Psalms of David, the Form of Making, Ordaining, and Consecrating Bishop, Priests, and Deacons, the Form of Consecration of a Church or Chapel, and an Office of Institution of Ministers, and Articles of Religion of 1801* is *The Book of Common Prayer* of this Church.

CANON 18

Of the Authorization of Special Forms of Service

In any Congregation, worshiping in other than the English language, which shall have placed itself under the oversight of a Bishop of this Church, it shall be lawful to use a form of service in such language; Provided. that such form of service shall have previously

been approved by the Bishop of the Diocese until such time as an authorized edition of the Book of Common Prayer in such language shall be set forth by the authority of the General Synod; and Provided, further, that no Bishop shall license any such form of service until he shall first have been satisfied that the same is in accordance with the doctrine and worship of the Church; nor in any case shall such form of service be used for the ordination or consecration of Bishops, Priests, or Deacons.

CANON 19 Of the Music of the Church

It shall be the duty of every Minister to see that music is used in his Congregation as an offering for the glory of God and as a help to the people in their worship in accordance with the Book of Common Prayer and as authorized by the Rubric or by the General Synod of this Church. To this end he shall be the final authority in the administration of matters pertaining to music with such assistance as he may see fit to employ from persons skilled in music. It shall be his duty to suppress all light and unseemly music and all irreverence in the rendition thereof.

CANON 20 Of the Consecration of Churches

No Church or Chapel shall be consecrated until the Bishop shall have been sufficiently certified that the building and the ground on which it is erected have been fully paid for, and are free from lien or other encumbrance.

TITLE III - THE MINISTRY

CANON 21 Of Postulants

Section 21.1

21.1(a) Every person desiring to be admitted a Candidate for Holy Orders is, in the first instance, to consult his immediate Pastor, or, if he have none, some Presbyter to whom he is personally known, setting before him the grounds of his desire for admission to the Ministry, together with such circumstances as may bear on his qualification, or tend to affect his course of preparation.

21.1(b) If, as the result of a thorough inquiry into the physical, mental, moral, and spiritual qualifications of the applicant by means of a physical examination by a licensed physician and a mental examination by a licensed psychologist or psychiatrist, he is counseled by the aforesaid Presbyter to persevere in his intentions, he shall make his desire known personally, if possible, or in writing, to the Bishop in whose jurisdiction he has been canonically resident for the three months preceding. But with the written consent of the said Bishop, and on the recommendation of at least one Presbyter of the said jurisdiction who is acquainted with the applicant, the latter may at once apply to some other Bishop. He shall give to the Bishop the name of his Pastor, or, if he have none, of some other Presbyter in good standing, to whom he is personally known, from whom the Bishop may ascertain, either by personal conference, or by direct report in writing, his qualification, as stated above, for the work of the Ministry.

Before the admission of a Postulant the Bishop shall whenever possible confer in person with the applicant, and shall require the applicant to submit to a thorough examination by physicians appointed by the Bishop as herein above set forth. This examination shall cover the man's psychological as well as his physical condition. The form of medical report prepared by the Standing Joint Commission on Education for Holy Orders shall be used for this purpose.

The Bishop may require from the applicant's Rector and Vestry a certificate in the following words, viz:

To the Right Reverend A.B., Bishop of _____

We, whose name are hereunder written, testify to our belief (based on personal knowledge or on evidence satisfactory to us) that A.B. is sober, honest, and

godly, and that he is a communicant of this Church in good standing. We do furthermore declare that, in our opinion, he possesses such qualifications as fit him to be admitted a Postulant for Holy Orders.

(Signed)

Whenever such a recommendation is required a copy shall be filed with the Standing Committee of the Diocese.

21.1(c) A record of the medical reports shall be kept on file by the Bishop and shall be submitted to the Board of Examining Chaplains, when application is made by the Postulant to be recommended for admission as a Candidate. The medical report from the physician, the psychological report prepared on a form as adopted by this Church, and all other documentation in the possession of the Bishop shall be provided to the Board of Examining Chaplains at least seven days prior to the meeting.

The applicant shall state to the Bishop in writing:

- (1) His full name and age
- (2) The length of time he has been resident in the Diocese
- (3) When, and by whom, he was baptized
- (4) When, and by whom, he was confirmed
- (5) When, and where, he was admitted to Holy Communion
- (6) Whether he has ever before applied for admission as a Postulant or as a Candidate for Holy Orders
- (7) On what grounds he is moved to seek the Sacred Ministry.

Section 21.2

21.2(a) The Bishop, in a book to be kept for that purpose, shall enter the name of each applicant, with the fact of his approval or disapproval of the application, and the date of such entry. If he approve of the application, he shall inform the applicant of the fact and of the date of his admission as Postulant.

21.2(b) The Bishop may at any time remove a name from the list of Postulants, if he is convinced, after investigation, that there exists a valid reason why the Postulant should not, within a reasonable time, be admitted as a Candidate for Holy Orders. Without further reason, the Bishop may remove the name of a Postulant who fails to be admitted as a Candidate within four years from the date of his reception as a Postulant. Whenever

a name is removed from the list of Postulants, notice of such action and its date shall be given promptly to the former Postulant.

21.2(c) Every Postulant for Holy Orders shall report himself to the Ecclesiastical Authority personally or by letter, four times a year, in the Ember Weeks, giving account of his manner of life and progress in his studies; and if he fails to make such reports to the satisfaction of the Ecclesiastical Authority, his name may be stricken from the list of Postulants.

Section 21.3

21.3(a) No Bishop shall accept as a Postulant any person who has been refused admission as a Postulant or as a Candidate for Holy Orders in any other Diocese or who, having been admitted, has afterwards ceased to be a Postulant or a Candidate, until he shall have produced a certificate from the Ecclesiastical Authority of the Diocese in which he has been refused admission, or in which he has been a Postulant or a Candidate, declaring the cause of refusal or of cessation.

21.3(b) Should the Bishop accept such applicant as a Postulant, he shall send the said certificate, or a copy thereof, to the President of the Standing Committee of the Diocese who shall send a copy to all members of the Standing Committee, to be considered by them if the said Postulant should apply to be recommended for admission as a Candidate.

Section 21.4

21.4(a) The Postulant, before entering upon his course of theological studies, must lay before the Bishop and the Board of Examining Chaplains satisfactory evidence that he is a graduate of some college or university, together with a full statement of the work done by him in such college or university. If this work includes sufficient instruction in the subjects specified in Clause (b) of this Section and is otherwise deemed adequate and satisfactory, no further examination shall be required; but if not, the Postulant must satisfy the Board of Examining Chaplains that he possesses the intellectual ability to enter with advantage upon a course of study preparatory to Holy Orders.

21.4(b) If the Postulant be not a graduate as aforesaid, he shall be required to pass an examination in the following subjects:

- (1) English or the language in which he shall minister to the members of his congregation (including grammar and composition)
- (2) Literature of the country in which he expects to exercise his ministry
- (3) Latin or a reading knowledge of an ancient or modern language other than his own
- (4) History, Ancient and Modern
- (5) Mathematics or one of the Natural Sciences
- (6) Philosophy
- (7) Psychology or one of the Social Sciences.

21.4(c) If the Postulant have attained the age of thirty-two years, and have shown such proficiency in business or professional life as gives promise of usefulness in the Ministry, the Bishop, on recommendation of the Board of Examining Chaplains, may, at his discretion, dispense him from examination in all but the following subjects:

- (1) English or the language in which he shall minister to the members of his congregation (including grammar and composition) and
- (2) Literature of the country in which he expects to exercise his ministry;
- (3) History, ancient and modern
- (4) One of the following subjects:
 - (i) Mathematics
 - (ii) A Natural or Social Science
 - (iii) Philosophy
 - (iv) Psychology.

21.4(d) If the native language of the Postulant is other than English, and he is to exercise his Ministry among people of his own language in the United States, the Bishop, on recommendation of the Board of Examining Chaplains, may, at his discretion, dispense him from all examinations except those specified in the Clause immediately preceding this Clause. But if the Postulant is to exercise his Ministry among people of his language in an overseas jurisdiction, the Bishop may, at his discretion, dispense him from all such examinations; Provided, only, that he shall satisfy the Bishop and the Board of Examining Chaplains that he possesses good mental ability and sufficient education to enable him to pursue a course of study preparatory to the work of the Ministry.

21.4(e) Should a Postulant who has been examined in any of the above subjects afterwards apply for admission as Postulant in any other Diocese he shall lay before the

Bishop of such Diocese a certificate from the Bishop who admitted him as Postulant, stating what examinations he has taken and the result of each. And if he has failed to pass in any subject, he shall not be admitted to examination in that subject until at least six months after such failure.

21.4(f) The Board of Examining Chaplains may, at their discretion, accept, in lieu of examination, satisfactory evidence that the Postulant has fulfilled the requirements in any one or more of the subjects specified in this Canon.

Section 21.5

The Board of Examining Chaplains shall report to the Bishop in writing whether these examinations have been satisfactorily sustained. The Bishop shall transmit this report in writing at least one month before any meeting of the Standing Committee at which the postulant may appear in person or at which the examinations shall be discussed among the individual members of the Standing Committee.

CANON 22 Of Candidates for Holy Orders

Section 22.1

A Postulant, having been duly received, may apply to the Standing Committee of the Diocese, in which he is a Postulant, for recommendation to the Bishop to be admitted as a Candidate for Holy Orders, and shall submit the following papers, viz:

- (1) An application signed by himself
- (2) The Bishop's certificate of his admission as a Postulant
- (3) A certificate from the theological seminary where he is studying, or from the clergyman under whose direction he is pursuing his studies, showing his scholastic record and personal qualifications for the Ministry of this Church as revealed by one year's work
- (4) A certificate in the following words:

To the Standing Committee of (Place) (Date),
We, whose names are hereunder written, testify to our belief (based on personal knowledge or on evidence satisfactory to us) that A.B. is sober, honest, and godly, and that he is a communicant of this Church in good standing. We do

furthermore declare that, in our opinion, he possesses such qualifications as fit him to be admitted a Candidate for Holy Orders.

(Signed)

This certificate must be signed by the Minister of the Parish to which the Postulant belongs and by a majority of the whole Vestry, and must be attested by the Minister, or by the Clerk or Secretary of the Vestry, as follows, viz:

I hereby certify that the foregoing certificate was signed at a meeting of the Vestry of _____ Parish, duly convened at _____ on the _____ day of _____, and that the names attached are those of all (or a majority of all) the members of the Vestry.

(Signed) The Minister of _____ (or Clerk or Secretary of the Vestry).

Section 22.2

But should the Parish be without a Minister, it shall suffice that in his place the certificate from the Vestry be signed by some Presbyter of the Diocese in good standing to whom the Postulant is personally known, the reason for the substitution being stated in the attesting clause.

Section 22.3

22.3(a) Should there be no organized Parish at the place of residence of the Postulant, or should it be impracticable, through circumstances not affecting his moral or religious character, to obtain the signatures of the Minister and Vestry, or of the Vestry, it may suffice if the certificate be signed by at least:

- (1) One Presbyter of the Diocese in good Standing to whom the Postulant is personally known; and
- (2) Four Laymen, communicants of this Church in good standing, to whom the Postulant is personally known.

22.3(b) In such case, the reasons for departing from the regular form must be given in the attesting clause, which shall be signed by the same, or some other Presbyter of this Church in good standing, and shall be in the following words, viz:

I hereby certify that the Laymen whose names are attached to the foregoing certificate are communicants of this Church in good standing, and that this form of certificate was used for no reasons affecting the moral or religious character of the candidate, but because (here give the reasons for departing from the regular form.)

(Signed), Presbyter of the Diocese of _____

Section 22.4

The Standing Committee, on receipt of the written report of the Board of Examining Chaplains as required in Canon 26, Section 26.4, and of the certificate or certificates as above prescribed, and after investigation of any sufficient objection on grounds either physical, moral, or spiritual, to the admission of the applicant, may, at a meeting duly convened (a majority of all the members consenting) and after an opportunity to review the results of the medical report on the form adopted by this Church as well as the psychological report on the postulant on a form adopted by this Church at least two (2) weeks prior to his appearance before the Standing Committee, recommend the Postulant for admission to Candidateship, by a testimonial bearing the signatures of a majority of all the members of the Committee, and addressed to the Bishop, in the following words, viz:

To the Right Reverend _____, Bishop of _____

We, being a majority of all the members of the Standing Committee of _____, and having been duly convened at _____, do testify that from personal knowledge or from certificates laid before us we are well assured that A.B. is sober, honest, and godly; and that he is a communicant of this Church in good standing; and we do furthermore declare that, in our opinion, he possesses qualifications which fit him to be admitted a Candidate for Holy Orders.

In witness whereof, we have hereunto set our hands, this _____ day of _____ in the year of our Lord _____.

(Signed)

This testimonial shall be presented to the Bishop without delay.

Section 22.5

When the aforesaid requirements have been complied with, the Bishop may admit the Postulant as a Candidate for Holy Orders. He shall thereupon record his name, with the date of his admission, in a book to be kept for that purpose, and shall inform the Candidate and the Standing Committee in writing of this fact and date of such admission.

CANON 23 Of General Provisions Concerning Candidates for Holy Orders

Section 23.1

23.1(a) The superintendence of all Candidates for Holy Orders, both as to their daily life and as to the direction of their theological studies, pertains to the Bishop of the Diocese to which they belong. The Bishop may at his discretion ask one or more of the Board of Examining Chaplains to assist him in this superintendence.

23.1(b) Every Candidate shall pursue his studies diligently under proper direction; he shall not indulge in vain or trifling conduct or in amusements unfavorable to godly and studious habits and to that good report which becomes a person preparing for the Holy Ministry.

Section 23.2

23.2(a) A Candidate must remain in canonical connection with the Diocese in which he has been admitted, until his ordination, except as hereinafter otherwise provided.

23.2(b) For reasons satisfactory to the Ecclesiastical Authority, Letters Dimissory may be granted to a Candidate on his own request to any other Diocese.

23.2(c) Convenience of attending any Theological or other Seminary shall not be a sufficient reason for change of canonical residence.

Section 23.3

23.3(a) Every Candidate for Holy Orders shall report himself to the Ecclesiastical Authority, personally or by letter, four times a year, in the Ember Weeks, giving account of his manner of life and progress in his studies; and if he fail to make such report to the

satisfaction of the Ecclesiastical Authority, his name may be stricken from the list of Candidates.

23.3(b) If a Candidate for Holy Orders shall fail to present himself for examination within three years from the date of his admission as a candidate, his name may, after due notice, be stricken from the list of Candidates at the discretion of the Bishop.

23.3(c) If a Candidate for Holy Orders shall have passed his canonical examinations, but is refused, on other grounds, recommendation for ordination, the Bishop, with the consent of the Standing Committee may remove his name from the list of Candidates.

Section 23.4

A Candidate for Holy Orders, in any Diocese of this Church, or of any Church in communion with this Church, whose name shall have been stricken from the list of Candidates, or whose application for ordination shall have been rejected, shall not be ordained without readmission to Candidatship, said Candidatship to continue for not less than one whole year; Provided, that in no such case shall the whole term of Candidatship be less than two years.

Section 23.5

A Candidate for Holy Orders shall not be a Delegate to the General Synod nor to a Diocesan Synod.

CANON 24

Of the Normal Standard of Learning and Examination of Candidates for Holy Orders

Section 24.1

24.1(a) Before ordination to the Diaconate, the Candidate must pass examinations before the Board of Examining Chaplains in the following subjects required for Deacon's and Priest's Orders:

(1) Holy Scripture: The Old and New Testaments in English, their contents and historical background; a reading knowledge of the New Testament in Greek, together with special knowledge of one Synoptic Gospel and the *Gospel according to Saint John*, and of three Epistles, one of which shall be *The Epistle of Paul the Apostle to the Romans* or *The First Epistle of Paul the Apostle to the Corinthians*.

- (2) Church History: From the beginning to the present time; together with:
 - (i) Special Knowledge of a period or topic elected by the Candidate with the approval of the Examining Chaplains
 - (ii) The history, extent, and methods of Christian Missions
 - (iii) Ecclesiastical Polity

- (3) Theology: Historical, philosophical, and systematic

- (4) Christian Ethics and Moral Theology

- (5) Liturgics: The Principles and History of Christian Worship; the contents of *The Book of Common Prayer*

- (6) Practical Theology:
 - (i) The use of *The Book of Common Prayer*, the Administration of the Sacraments, and the Conduct of Public Worship
 - (ii) Homiletics: Principles of Sermon Composition and Delivery. In connection with the examination in this subject the Candidate shall present three sermons, composed by himself, on texts of Holy Scripture appointed by the Bishop
 - (iii) Pastoral care

 - (iv) Parish Organization and Administration, including the keeping of records
 - (v) Principles and methods of Christian Education in the Parish

- (7) Canon Law, including the *Constitution and Canons of the General Synod* and the canons of the Diocese to which the Candidate belongs

- (8) The use of the voice in reading and speaking.

24.1(b) If a Candidate desires a dispensation from examination in the Greek of the New Testament, he shall make application to the Bishop in writing, stating his reasons for the request. The Bishop may, upon recommendation of the Board of Examining Chaplains, at his discretion, grant the same. A Candidate so dispensed shall be examined in the special exegetical knowledge in English of one Synoptic Gospel and *The Gospel according to Saint John*, and of three Epistles, one of which shall be *The Epistle of Paul the Apostle to the Romans* or *The First Epistle of Paul the Apostle to the Corinthians*.

24.1(c) If the Candidate has been a Minister or Licentiate in some other body of Christians, he shall also be examined, in writing, on those points of Doctrine, Discipline, Polity, and Worship, in which the communion from which he has come differs from this Church. This portion of the examination shall be conducted, in part at least, by written questions and answers; the replies shall be kept on file for at least three years.

Section 24.2

24.2(a) In special cases, under urgent circumstances, with the approval of the Standing Committee and the Board of Examining Chaplains, a Candidate may be admitted to the Diaconate after passing examinations in the following subjects:

- (1) Holy Scripture: The Bible in English, its contents and historical background
- (2) Church History: A general outline
- (3) Doctrine: The Church's teaching as set forth in the Creeds and the Offices of Instruction
- (4) Liturgics: The Contents and Use of *The Book of Common Prayer*
- (5) Practical Theology
 - (i) The Office and Work of a Deacon
 - (ii) The Conduct of Public Worship
 - (iii) Principles of Sermon Composition and Delivery
 - (iv) Principles and Methods of Christian Education in the Parish
 - (v) The Missionary Work of the Church
 - (vi) Constitution and Canons of the General Synod, and of the Diocese to which the Candidate belongs
- (6) The use of the voice in reading and speaking.

24.2(b) Before his advancement to the Priesthood such a Candidate shall be examined in all the subjects prescribed in Section 24.1(a) of this Canon.

Section 24.3

24.3(a) Examinations at any theological or other literary institution shall not supersede any canonical examination, nor shall any certificate of graduation or diploma be

sufficient ground for dispensing with any part of the canonical examinations, except as provided in this Canon.

24.3(b) It shall be the privilege of the Priest who is to present a Candidate for ordination to be present at his examinations; but no other person save the Bishop shall be permitted to be present without the consent of the Board of Examining Chaplains.

24.3(c) The Candidate shall be examined by the Bishop in the presence of two Priests both before his ordination to the Diaconate and before his ordination to the Priesthood. The Bishop may conduct one or both of the examination by taking some part in the regular examinations held by the Examining Chaplains.

CANON 25 Of Education for Holy Orders

Section 25.1

25.1(a) There shall be a Standing Joint Commission of the General Synod on Education for Holy Orders appointed at each triennial session, consisting of three (3) persons. One is to be a Bishop, another is to be a Priest, who is an Examining Chaplain, and the third is to be a member of the House of Laity. Each of these individuals shall be appointed to the said Commission by the President of the House of Bishops.

25.1(b) Of these three individuals appointed to the said Commission, one is to be appointed as the General Coordinator. A part of the responsibilities of the General Coordinator is to assist individuals who desire a religious education to obtain the same. The General Coordinator is to make available, to anyone who seeks his assistance, information as to where a religious education may be obtained.

Section 25.2

The duties of the Joint Commission shall be, viz:

- (1) To study the needs and trends of education for Holy Orders in the Church, within the jurisdiction of this Church, and to make recommendations to the Executive Council and the General Synod with respect thereto

- (2) To determine whether any institution of learning, within the jurisdiction of this Church, shall be recognized as a theological seminary of this Church in accordance with standards approved by the General Synod
- (3) To advise and assist the Seminaries and other institutions of the Church for the training of men for Holy Orders within the jurisdiction of this Church
- (4) To promote continuing cooperation between and among the Theological Seminaries of this Church
- (5) To develop programs and courses of study for the training of men for Holy Orders within the jurisdiction of this church, and to make certain that the best individual available shall be used to teach the courses to individuals training for Holy Orders within the jurisdiction of this Church
- (6) To make use of all the technological advances available to make certain that all of the men training for Holy Orders within the jurisdiction of this Church shall be exposed to the best available person for teaching of the courses
- (7) To compile and present to each triennial session of the General Synod a complete statistical report of the work of the several Theological Seminaries of the Church and, as far as possible, of other institutions for the training of men for Holy Orders
- (8) To devise the form of medical reports required under Canons for the examination of the mental, nervous, and physical condition of Postulants, Candidates, and Ordinands to Holy Orders, and the form of reports pertaining to Deaconesses, provided, that the tests and examinations included in such reports shall be relevant to the Canonical qualification of such persons, and not inconsistent with the Faith of this Church.

Section 25.3

To be recognized as a theological seminary of this Church an institution of learning shall comply with the following standards, viz:

- (1) Its primary purpose shall be the education of men for Holy Orders.

(2) It shall throughout each normal academic year offer courses of study in the subjects prescribed in these Canons for the learning and examination of Candidates for Holy Orders.

(3) Its faculty shall include at least four full-time professors duly qualified, according to generally accepted academic standard, to teach such courses.

(4) Its student body shall number not less than twenty men pursuing a three year course normally leading to a baccalaureate or master's degree in theology, or divinity, of who at least fifty percent shall hold an A.B. degree or its equivalent; except that, for seminaries outside the continental United States, the Joint Commission shall have the authority to establish such other standards as may be appropriate.

(5) Its organization, financial resources, equipment, and facilities shall be such as reasonably to assure its stability and permanence and its separate identity as an institution for theological education.

Section 25.4

It shall be the duty of each theological seminary of this Church and of each other institution for the training of men for Holy Orders to present annually to the Joint Commission statistical reports on forms prepared and provided by the Commission.

CANON 26

Of a Board of Examining Chaplains

Section 26.1

In every Diocese there shall be a Board of Examining Chaplains, consisting of at least two learned Presbyters, canonically resident within the said Diocese. Examining Chaplains shall be nominated by the Bishop at the Annual Synod, the nomination being confirmed by the vote of the Synod. Their term of office shall be fixed by Diocesan Canons. Should vacancies occur in the Board when the Synod is not in session, the Bishop shall similarly nominate to the Standing Committee, upon whose confirmation the person or persons so designated shall be added to the Board and shall serve until the next meeting of the Synod.

Section 26.2

The Board of Examining Chaplains may adopt rules for its work, subject to the approval of the Bishop, provided the same are not inconsistent with the Canons of the General Synod. These rules may include the appointment of committees of the Board to act on its behalf.

Section 26.3

It shall be the duty of the Board of Examining Chaplains, under the guidance and oversight of the Bishop, to conduct the examinations of Postulants and Candidates prescribed by these Canons. These examinations shall be, in part at least, in writing. The Examining Chaplains, when so requested by the Bishop, shall give oversight to Postulants, Candidates, and Deacons, and shall advise them in regard to their studies and preparation.

Section 26.4

The Board of Examining Chaplains shall promptly report, in writing, to the Bishop the results of all examinations held by them, whether satisfactory or unsatisfactory, making separate reports upon each of the appointed subjects, and upon each person examined. The Bishop shall transmit these reports in writing to the Standing Committee who shall in no case recommend a Postulant for admission as Candidate for Holy Orders, or recommend a Candidate for Ordination to the Diaconate or to the Priesthood, until they have received a report from the Board of Examining Chaplains that he has successfully passed the required examinations. The report of the Board shall be made in the following form, viz:

To the Right Reverend _____, Bishop of _____ (or the Clerical Members of the Standing Committee of _____, as the case may be).

Place _____ Date _____

We, having been assigned as Examiners of A.B., hereby testify that we have examined the said A.B. upon the subjects prescribed in Canon 24. Sensible of our responsibility, we give our judgment as follows: (Here specify the proficiency of A.B. in each of the subjects appointed, as made apparent by the examinations).

(Signed)

Section 26.5

The Board shall make an annual report concerning its work to the Diocesan Synod which shall be in writing. A copy shall be given to all members of the Standing Committee and all Delegates of that Synod.

Section 26.6

The Bishop, with the consent of the Board of Examining Chaplains, may ask the Examining Chaplains of another Diocese to conduct the examination of a Postulant or Candidate on their behalf.

CANON 27 Of Examination for Admission to Holy Orders in Special Cases

Section 27.1

In special cases the requirements of the Normal Standard of Learning may be modified as hereinafter provided. But in every case before a Deacon shall be ordered Priest, he shall be examined, by the Bishop and two Presbyters, in the office and work of a Priest, and as to his ability to serve the Church in that Order of the Ministry.

Section 27.2

A Deacon who prepared for ordination under the provisions of Canon 21, Section 21.4(d), and who has served two years in the Diaconate with good repute and success, may be admitted to the Priesthood without further examination by the Board of Examining Chaplains; *Provided*, that if he is to minister within the United States of America, he pass a special examination in the history and government thereof. But he shall not be granted Letters Dimissory from one Diocese to another without the request, in writing, of the Bishop of the Diocese to which he wishes to go, unless he shall have passed the full examinations prescribed in Canon 24, Section 24.1.

Section 27.3

In all cases of the ordination under this Canon of men with modified requirements of learning, a record of the modifications shall be kept by the Bishop, and the standing of every Minister thus ordained shall be reported to the Recorder with the other matters required in Canon 1, Section 1.4(b) as well as to the Standing Committee of the Diocese in writing.

CANON 28

Of General Provisions Respecting Ordination

Section 28.1

In accordance with ancient Canons, ordinations shall be held on the Sundays following the Ember Weeks, except that the Bishop may, if he deem proper, for urgent reasons, appoint special ordinations at other times.

Section 28.2

No appointment for the ordination of any Candidate shall be made until the Bishop has had due notice that all the canonical requirements have been complied with and that all the members of the Standing Committee have received all required reports and information.

Section 28.3

28.3(a) For the purpose of this and other Canons of Ordination, the authority assigned to the Bishop of the Diocese may be exercised by a Bishop Coadjutor, when so empowered under Canon 33, Section 2(a), or by a Suffragan Bishop when requested by the Bishop of a Diocese or any other Bishop of this Church canonically in charge of a Diocese.

28.3(b) In case of a vacancy in the episcopate in a Diocese, the Standing Committee may request the President of the House of Bishops to take order for an ordination or request another Bishop, to take order for this ordination.

Section 28.4

28.4(a) No certificate or testimonial, the form of which is supplied by Canon, shall be valid, unless it is in the words prescribed; the omission of the date there from shall render such certificate or testimonial liable to rejection.

28.4(b) No Postulant or Candidate for Holy Orders shall sign any of the certificates prescribed in the Canons of Ordination.

28.4(c) Whenever the testimonial of the Standing Committee is required, such testimonial must be signed at a meeting duly convened, and, in the absence of express provision to the contrary, by a majority of the whole Committee.

28.4(d) Whenever the certificate of a Vestry is required, such certificate must be signed by a majority of the whole Vestry, at a meeting duly convened, and the fact must be attested by the Secretary of the said Vestry.

Section 28.5

Whenever a dispensation from any of the requirements of the Canons of Ordination is permitted, with the advice and consent of the Standing Committee, the application must be first to the Bishop, and, if he approves it, be by him referred to the Committee.

Section 28.6

If, in the case of any applicant for admission as a Candidate for Holy Orders, or for ordination, a majority of the Standing Committee refuse to recommend, or shall fail to act within three months, although the required certificates have been laid before the Committee, it shall be the duty of the Committee, without delay, to give to the Bishop the reasons, in writing, for such refusal or failure to act.

Canon 29 Of Ordination to the Diaconate

Section 29.1

No one shall be ordered Deacon until he shall be twenty-one years of age.

Section 29.2

No one shall be ordered Deacon within eighteen months from his admission as Candidate for Holy Orders, unless, under special circumstances, the Bishop, with the advice and consent of a majority of all the members of the Standing Committee may shorten the time of his Candidacy; and in no case shall the time be shortened to less than six months.

Section 29.3

Before the ordination of a Deacon the Bishop shall require the applicant to submit to a thorough examination by physician(s) appointed by the Bishop. This examination shall cover the man's psychological as well as his physical condition. The psychological examination shall be performed by a licensed psychologist or psychiatrist. The form of medical report prepared by the Standing Joint Commission on Education for Holy Orders and the form adopted by the Executive Council for the Report of the Psychological Examination shall be used for this purpose. These reports shall be kept on

file by the Bishop and shall be submitted to the Standing Committee when application is made by the Candidate to be ordained Deacon. These reports shall be submitted to the Standing Committee at least two weeks prior to interviewing the candidate for ordination. No ordination shall be considered Canonical unless the reports are delivered as set forth above. A certificate signed by the members of the Standing Committee that they received the reports as required is to be filed with the Certificate of Ordination.

Section 29.4

No one shall be ordered Deacon unless he be first recommended to the Bishop by the Standing Committee of the Diocese to which he belongs. The Standing Committee may not recommend the candidate unless there has been compliance with Sections 29.1, 29.2, and 29.3 of this Canon.

Section 29.5

In order to be recommended for ordination the Candidate must lay before the Standing Committee:

(1) An application therefore in writing, signed by himself, which shall state the date of his birth

(2) A certificate from the Bishop by whom he was admitted a Candidate, declaring the date of his admission; but when such certificate cannot be had, other evidence satisfactory to the Committee shall suffice

(3) A certificate from a Presbyter of this Church, known to the Ecclesiastical Authority, in the following words, viz:

To the Standing Committee of _____(Place),_____(Date),

I hereby certify that I am personally acquainted with A.B., and that I believe him to be well qualified to minister in the Office of Deacon, to the glory of God and the edification of His Church.

(Signed)

(4) A certificate from the Minister and Vestry of the Parish of which he is a member, in the following words, viz:

To the Standing Committee of _____(Place), ____ (Date),
We do certify that, after due inquiry, we are well assured and believe that A.B., for the space of three years last past, hath lived a sober, honest, and godly life, and that he is loyal to the Doctrine, Discipline, and Worship of this Church, and does not hold anything contrary thereto. And, moreover, we think him a person worthy to be admitted to the Sacred Order of Deacons.
(Signed)

This certificate must be attested by the Minister of the Parish, or by the Clerk or Secretary of the Vestry, as follows, viz:

I hereby certify that A.B., is a member of _____ Parish in _____ and a communicant of the same; that the foregoing certificate was signed at a meeting of the Vestry duly convened at _____ on the _____ day of _____ and that the names attached are those of all (or a majority of all) the members of the Vestry.

(Signed) The Minister of _____ or Clerk or Secretary of Vestry.

(5) A certificate from the theological seminary where he has been studying or from the clergyman under whose direction he has been pursuing his studies, showing his scholastic record in the subjects required by the canons, and giving a judgment as to his personal qualifications for the Ministry of this Church.

Section 29.6

Should the Parish be without a Minister, it shall suffice that in his place the certificate required in paragraph 29.5(4) above be signed by some Presbyter of the Diocese in good standing, and the reason for the substitution being stated in the attesting clause.

Section 29.7

29.7(a) Should there be no organized Parish at the place of residence of the Candidate, or should it be impracticable, through circumstances not affecting his moral or religious character, to obtain the signatures of the Minister and Vestry, or of the Vestry, it may suffice if the Certificate be signed by at least one (1) Presbyter of the Diocese in good standing, and six (6) Laymen, communicants of this Church in good standing; or should the Candidate within the space of three years last past have been a Minister or Licentiate in some other body of Christians, by three (3) Presbyters of this Church as to the period during which he has been a Candidate, and by six (6) adult male members in good

standing of the denomination from which the Candidate came, as to the period, within the space of three years last past, before he became a Candidate.

29.7(b) In each case, the reasons for departing from the regular form must be given in the attesting clause, which shall be signed by the same, or some other Presbyter of this Church in good standing, and shall be in the following words, viz:

I hereby certify that the Laymen whose names are attached to the foregoing certificate are communicants of this Church in good standing, and that this form of certificate was used for no reasons affecting the moral or religious character of the Candidate, but because (here give the reasons for departing from the regular form).

(Signed) Presbyter of the Diocese, of _____

Section 29.8

The Standing Committee, on the receipt of the certificates prescribed above and the report of the Board of Examining Chaplains prescribed in Canon 26, Section 26.4 and having reason to believe that all other canonical requirements have been complied with, and having no reason to suppose the existence of any sufficient obstacle, physical, mental, moral, or spiritual, may, at a meeting duly convened, a majority of all the members of the Committee consenting, recommend the Candidate for ordination by a testimonial addressed to the Bishop in the following words, viz:

We, being a majority of all the members of the Standing Committee of _____, and having been duly convened at _____, do testify that A.B., desiring to be ordered Deacon, hath laid before us satisfactory certificates that for the space of three years last past he hath lived a sober, honest, and godly life, and that he is loyal to the Doctrine, Discipline, and Worship of this Church and does not hold anything contrary thereto. And we hereby recommend him for ordination to the Diaconate.

In witness whereof, we have hereunto set our hands this _____ day of _____ in the year of our Lord _____.

(Signed)

The testimonial shall be signed by all consenting to its adoption.

Section 29.9

The testimonial having been presented to the Bishop, and there being no sufficient objection on grounds physical, mental, moral, doctrinal, or spiritual, the Bishop may take order for the ordination; and at the same time of the ordination he shall require the Candidate to subscribe and make, in his presence, the declaration required in Article V of the Constitution.

Section 29.10

29.10(a) A man of devout character and proved fitness, desirous to serve in the capacity of Deacon without relinquishing his secular occupation and with no intention of seeking advancement to the Priesthood, may be accepted as a Postulant and admitted as a Candidate upon the following conditions:

- (1) He shall not be less than thirty-two years of age.
- (2) He shall be accepted as a Postulant as provided in Canon 21.
- (3) Fulfillment of the requirements of Clause (c) of Section 4 of Canon 21 shall suffice as educational qualification for admission to Candidateship.

29.10(b) A Candidate so admitted may be ordained to the Diaconate at any time after six months from his admission as a Candidate, upon the following conditions:

- (1) He shall have passed examinations in the subjects set forth in Canon 24, Section 24.2(a), but the Bishop may at his discretion dispense him from examination in subjects (iii), (iv), and (v) of Practical Theology.
- (2) He shall be recommended for ordination to the Diaconate by the Standing Committee as required by Section 29.5 of this Canon, except as to term of Candidateship.

29.10(c) A Deacon ordained under the provisions of this Section may execute all the functions pertaining to the office of Deacons, subject to the general provisions of Canon 40. He may be assigned by the Ecclesiastical Authority as Minister in charge of a Congregation which is unable to receive the services of a resident Priest. At the request of, or with the consent of, the Rector and Vestry he may be assigned as an assistant Minister in one or more Parishes. He shall not be dispensed as in Section 29.10(b)(1) above. He may not be transferred to another jurisdiction except upon the express request in writing of the Ecclesiastical Authority thereof.

29.10(d) Any Deacon ordained in accordance with this Section who may afterward desire to be advanced to the Priesthood shall be required to pass all examinations required of other Candidates for the Priesthood and to comply with all other canonical requirements precedent to such ordination.

CANON 30 Of Ordination to the Priesthood

Section 30.1

No one shall be ordered Priest until he be twenty-four years of age.

Section 30.2

No one shall be ordered Priest until he has been a Deacon one full year, unless it shall seem good to the Bishop, for reasonable causes, with the advice and consent of a majority of all the members of the Standing Committee, to shorten the time; nor within two years from his admission as a Candidate for Holy Orders, unless the Bishop, for urgent reasons fully stated, with the advice and consent of a majority of all the members of the Standing Committee, shall shorten the time. And in no case shall he be ordered Priest within less than one year from his admission as a Candidate for Holy Orders, nor until he has been a Deacon for at least six months. But a Deacon who has been ordained under the provisions of Canon 27, Section 27.2, shall not be ordered Priest until he has been a Deacon for at least two years, unless in the meantime he shall have fulfilled the requirements of Canon 23, Section 24.1.

Section 30.3

No Deacon shall be ordered Priest unless he be first recommended to the Bishop by the Standing Committee of the Diocese to which he belongs.

Section 30.4

In order to be recommended for ordination by the Standing Committee, the Deacon must lay before the Committee:

- (1) An application therefore in writing signed by himself, which shall state the date of his birth

- (2) A certificate from the Bishop declaring that the term of his Candidateship and the time of his service in the Diaconate have been completed; but when such

certificate cannot be had, other evidence, satisfactory to the Committee, may suffice

(3) Written medical and psychological reports concerning psychological and medical examinations performed not more than twenty-four (24) months prior for medical examinations and thirty-six (36) months prior for psychological examinations to the meeting with the Standing Committee. The psychological examination shall have been performed by a licensed psychologist or psychiatrist

(4) A certificate from the Minister and Vestry of the Parish where he resides, in the following words, viz:

To the Standing Committee of (Place), Date,
We do certify that, after due inquiry, we are well assured and believe that the Reverend A.B., Deacon, since the day of _____ in the year _____ being the date of his ordination to the Diaconate (or for the space of three years last past), hath lived a sober, honest, and godly life, and hath not written, taught, or held anything contrary to the Doctrine, Discipline, or Worship of this Church. And, moreover, we think him a person worthy to be admitted to the Sacred Order of Priests.

(Signed)

This certificate must be attested by the Minister of the Parish, or by the Clerk or Secretary of the Vestry, as follows, viz:

I hereby certify that the Reverend A.B., is a resident of _____ Parish in _____ ; that the foregoing certificate was signed at a meeting of the Vestry duly convened at _____ on the _____ day of _____, and the names attached are those of all (or a majority of all) the members of the Vestry.

(Signed) The Minister of _____, or Clerk or Secretary of Vestry.

Section 30.5

But should the Parish be without a Minister, it shall suffice that in his place the certificate be signed by some Presbyter of the Diocese in good standing, the reason for the substitution being stated in the attesting clause.

Section 30.6

30.6(a) Should there be no organized Parish at the place of residence of the Candidate, or should it be impracticable, through circumstances not affecting his moral or religious character, to obtain the signatures of the Minister and Vestry, or of the Vestry, it may suffice if the certificate be signed by at least

(1) One Presbyter of the Diocese in good standing; and,

(2) Six Laymen, communicants of this Church, in good standing.

30.6(b) In such case, the reasons for departing from the regular form must be given in the attesting clause, which shall be signed by the same, or some other Presbyter of this Church in good standing, and shall be in the following words, viz:

I hereby certify that the Laymen whose names are attached to the foregoing certificate are communicants of this Church in good standing, and that this form of certificate was used for no reasons affecting the moral or religious character of the Candidate, but because (here give the reasons for departing from the regular form).

(Signed) Presbyter of the Diocese of _____

Section 30.7

The Standing Committee, having received the certificates and medical reports prescribed above and the report of the Board of Examining Chaplains prescribed in Canon 26, Section 26.4 as required by the Canons of this Church at least two (2) weeks prior to the signing of the testimonial, and having reason to believe that all other canonical requirements have been complied with, and having no reason to suppose the existence of any sufficient obstacle, physical, mental, moral, or spiritual, may, at a meeting duly convened, a majority of all the members of the Committee consenting, recommend the Deacon for ordination by a testimonial addressed to the Bishop in the following words, viz:

To the Right Reverend _____, Bishop of _____

We, being a majority of all the members of the Standing Committee of ____ and having been duly convened at ____, do testify that the Reverend A.B., Deacon, desiring to be ordered Priest, hath laid before us satisfactory certificates that since the

___ day of ___ in the year ___, being the date of his ordination to the Diaconate (or for the space of three years last past), he hath lived a sober, honest, and godly life, and hath not written, taught, or held anything contrary to the Doctrine, Discipline, or Worship of this Church; and we hereby recommend him for ordination to the Priesthood.

In witness whereof, we have hereunto set our hands this ___ day of ___ in the year of our Lord _____.

(Signed)

This testimonial shall be signed by all consenting to its adoption.

Section 30.8

The testimonial having been presented to the Bishop, and there being no sufficient objection on grounds physical, mental, moral, doctrinal, or spiritual, the Bishop may take order for the ordination; and at the time of the ordination he shall require the Deacon to subscribe and make, in his presence, the declaration required in Article V of the Constitution.

Section 30.9

No Deacon shall be ordered Priest until he shall have been appointed to serve in some Parochial Cure within the jurisdiction of this Church, or as a Missionary under the Ecclesiastical Authority of some Diocese, or as an officer of some Missionary Society recognized by the General Synod, or as a Chaplain of the Armed Forces of the United States, or as a Chaplain in some recognized hospital or other welfare institution, or as a Chaplain or instructor in some college or other seminary of learning, with opportunity for the exercise of his Ministry judged sufficient by the Bishop.

CANON 31

Of Ministers Ordained in Churches Not in Communion with this Church

Section 31.1

31.1(a) When a Minister ordained in a Church not in communion with this Church desires to be a Deacon or Priest in this Church, he shall apply to a Bishop, attaching to his written application the following:

- (1) Evidence that he has been duly baptized with water in the name of the Father, and of the Son, and of the Holy Ghost
- (2) His letters of Ordination and satisfactory evidence that they and his other credentials are valid and authentic
- (3) Satisfactory evidence of his moral and godly character; and that he is free from any vows or other engagements inconsistent with the exercise of Ministry in this Church
- (4) Transcripts of his academic and theological studies
- (5) A certificate from at least two Presbyters of this Church stating that, from personal examination, or from satisfactory evidence laid before them, they believe that his desire to leave the Communion to which he has belonged has not arisen from any circumstance unfavorable to his moral or religious character, or on account of which it may not be expedient to admit him to the exercise of the Ministry of this Church
- (6) A certificate in the form provided in Canon 29, Section 29.5(3) and 29.5(4), from the Minister and Vestry of a Parish of this Church; and
- (7) A statement of the reasons which have moved him to seek to enter the Ministry of this Church.

31.1(b) With regard to the fulfillment of requirements as to pre-theological education the provisions of Canon 21, Section 21.4 and Section 5 shall be applicable. The applicant shall also submit to the examinations required in Canon 29, Section 29.3, and the result of such examination to be filed and submitted as therein required.

Section 31.2

31.2(a) If such Minister furnish evidence of a satisfactory theological training in his previous Communion, and has exercised his ministry therein with good repute and success for at least five years, he shall be examined by the Board of Examining Chaplains in the following subjects:

- (1) Church history: the history of the Church of England and this Church

(2) Doctrine: the Church's teaching as set forth in the Creeds and the Offices of Instruction

(3) Liturgics: The principles and history of Christian worship; the contents and use of *The Book of Common Prayer*

(4) Practical theology

(i) The office and work of a Deacon and of a Priest

(ii) The conduct of Public Worship

(iii) The Constitution and Canons of General Synod, and of the Diocese in which he is canonically resident

(iv) The use of the voice in reading and speaking.

(5) The points of Doctrine, Discipline, Polity, and Worship in which the Communion from which he has come differs from this Church. This portion of the examination shall be conducted, in part at least, by written questions and answers, and the replies kept on file for at least three (3) years.

31.2(b) But if such Minister cannot furnish evidence of a satisfactory theological training in his previous Communion, or if he has not exercised his Ministry therein with good repute and success for at least five years, he shall conform to the requirements of Canon 24, Section 24.1.

Section 31.3

31.3(a) Prior to being examined as heretofore provided, the applicant shall have received certificates from the Bishop and from the Standing Committee, the Standing Committee having received all material reviewed by the Bishop at least two weeks prior to the examination of the applicant, that he is acceptable as a Minister of this Church, subject to the successful completion of said examinations; but he shall not be ordained or received until, after the provision of said certificates, at least six calendar months shall have elapsed, during which period he shall undertake such studies, in a theological seminary or otherwise, as shall be directed by the Bishop with the advice of the Board of Examining Chaplains.

31.3(b) The Bishop, in a book to be kept for that purpose, shall enter the name of each applicant, with the fact of his approval or disapproval of the application, and the date of such entry. If he approve of the application, he shall inform the applicant of the fact, and the date of his acceptance.

Section 31.4

Before such Minister shall be ordained or received into the Ministry of this Church, the Bishop shall require him to promise in writing to submit himself in all things to the Discipline of this Church without recourse to any other ecclesiastical jurisdiction or foreign civil jurisdiction; and shall further require him to subscribe and make in his presence, and in the presence of two or more Presbyters, the declaration required in Article V of the Constitution.

Section 31.5

Thereafter the Bishop, being satisfied of such Minister's theological attainments and soundness in faith, may:

- (1) Receive him into the Diocese in his own order, if he has already been ordained by a Bishop in the historic succession; or
- (2) Confirm him and make him a Deacon and, no sooner than four months thereafter, ordain him as Priest if he has not received such ordination; or
- (3) Make him a Deacon and, no sooner than four months thereafter, ordain him a Priest conditionally (having baptized and confirmed him conditionally if necessary) if he has been ordained by a Bishop whose authority to convey such orders has not been recognized by this Church.

CANON 32

Of Ministers Ordained in Foreign Countries by Bishops in Communion with this Church

Section 32.1

32.1(a) A Minister declaring himself to have been ordained beyond the limits of the United States by a foreign Bishop in Communion with this Church shall before he be permitted to officiate in any Parish or Congregation of this Church, exhibit to the Minister, or, if there be no Minister, to the Vestry thereof, a certificate of recent date, signed by the Ecclesiastical Authority of the Diocese, that his letters of Holy Orders and

other credentials are valid and authentic, and given by a Bishop in communion with this Church, and also that he has exhibited to the said Ecclesiastical Authority satisfactory evidence of his moral and godly character, and of his theological acquirements.

32.1(b) And before he shall be permitted to take charge of any Parish or Congregation, or be received into any Diocese of this Church as a Minister thereof, he shall produce to the Ecclesiastical Authority Letters Dimissory or equivalent credentials under the hand and seal of the Bishop with whose Diocese he has been last connected, which letters or credentials shall be delivered within six months from the date thereof. Before such Minister shall be so received, the Bishop shall require him to promise in writing to submit himself in all things to the Discipline of this Church, without recourse to any foreign jurisdiction, civil or ecclesiastical; and shall further require him to subscribe and make in his presence, and in the presence of two or more Presbyters, the declaration required in Article V of the Constitution. He shall also be examined by the Bishop and at least one Presbyter as to his knowledge of the history of this Church, its worship and government. The said Ecclesiastical Authority, being satisfied of his theological acquirements, may then receive him into the Diocese as a Minister of this Church; Provided, that such Minister shall not be entitled to hold canonical charge of any Parish or Congregation, until he shall have resided one year in the United States subsequent to the acceptance of his credentials.

32.1(c) A Minister declaring himself to have been ordained beyond the limits of the United States by a foreign Bishop in communion with this Church shall not be accepted, nor shall the Minister named therein be placed on the clergy list of this Church until such a Minister shall have submitted himself to, and satisfactorily passed, a thorough examination by a physician and a licensed psychologist or psychiatrist appointed by the Bishop. This examination shall cover the man's psychological as well as his physical condition. The physical and psychological examinations shall be performed by a medical doctor and a psychologist or psychiatrist, who are licensed in any one of the United States. The form of medical report prepared by the Standing Joint Commission on Education for Holy Orders shall be used for this purpose. The results of the psychological examination shall be on the form adopted by the Executive Council.

Section 32.2

If such Minister be a Deacon, he shall not be ordered Priest until he shall have resided in the United States at least one year.

CANON 33
Of the Ordination and Consecration
and Reception of Bishops

Section 33.1

33.1(a) Whenever the Church in any Diocese shall desire the ordination and consecration of a Bishop elect, if the election shall have taken place within three (3) months before a meeting of the General Synod, and said election shall have been held with the consent of the House of Bishops of this said Church, the Standing Committee of the said Diocese shall, by their President, or by some person or persons specially appointed, forward to the secretaries of the Houses of Clergy and Laity evidence of the election of the Bishop elect by the Synod of the Diocese, together with evidence of his having been duly ordered Deacon and Priest, and also a testimonial signed by a constitutional majority of such Synod, in the following words, viz:

We, whose names are hereunder written, fully sensible how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality or affection, do, in the presence of Almighty God, testify that the Reverend A.B. is not, so far as we are informed, justly liable to evil report, either for error in religion or for viciousness of life; and that we know of no impediment on account of which he ought not to be ordained and consecrated to that Holy Office. We do, moreover, jointly and severally declare that we believe him to be of such sufficiency in good learning, of such soundness in the Faith, and of such virtuous and pure manners and godly conversation, that he is apt and meet to exercise the Office of a Bishop to the honor of God and the edifying of His Church, and to be a wholesome example to the flock of Christ.

(Signed)

The Secretary of such Synod shall certify upon this testimonial that it has been signed by a constitutional majority thereof. There shall also be forwarded with the testimonial and other documents a certificate from two medical doctors, one of whom shall be a psychologist or a psychiatrist, who shall be chosen by the President of the House of Bishops, that they have thoroughly examined the Bishop elect and have not discovered in his physical or psychological condition any reason why it would not be wise for him to undertake the work for which he has been chosen.

The Secretaries of the Houses of Clergy and Laity shall lay the said testimonials before the Houses, and if the Houses shall consent to the consecration of the Bishop-elect, notice of said consent, certified by the President and Secretary of the said Houses, shall be sent to the House of Bishops, together with the testimonials aforesaid.

33.1(b) If the House of Bishops consent to the consecration, the President of the House of Bishops shall, without delay, notify such consent to the Standing Committee of the Diocese electing and to the Bishop elect; and upon notice of the acceptance by the Bishop elect of his election, the President of the House of Bishops shall take order for the consecration of the said Bishop elect by himself and two other Bishops of this Church, or by any three Bishops of this Church to whom he may communicate the testimonials. When there is no President of the House of Bishops, the Vice-President of the House of Bishops shall take order.

33.1(c) If the election of a Bishop shall have taken place more than three months before the meeting of the General Synod, the Standing Committee of the Diocese electing shall, by their President, or by some person or persons specially appointed, immediately send the certificate of the election to the Standing Committees of the several Dioceses, together with copies of the necessary testimonials and all other documents, including the medical certificates as required in Section 1(a) of this Canon. Prior to there being any vote on said election, each member of such Standing Committees shall receive the written documentation which must be submitted to the Standing Committees at least fourteen (14) days prior to the vote. The Standing Committees shall vote in an in-person meeting. If two-thirds of the Standing Committees of all the Dioceses shall consent to the consecration of the Bishop elect, the Standing Committee of the Diocese electing shall then forward the evidence of said consents, with the other necessary testimonials, to the President of the House of Bishops, who shall immediately communicate the same to every Bishop of this Church having jurisdiction, and if two-thirds of such Bishops shall consent to the consecration, the President of the House of Bishops shall, without delay, notify such consents to Standing Committee of the Diocese electing and to the Bishop elect, and upon notice of his acceptance of the election, the President of the House of Bishops shall take order for the consecration of the said Bishop elect by himself and two other Bishops of this Church, or by any three Bishops of this Church to whom he may communicate the testimonials. When there is then no President of the House of Bishops, the Vice President of the House of Bishops shall take order.

The evidence of the consent of the several Standing Committees shall be a testimonial in the following words, signed by a majority of the Standing Committees of all the Dioceses:

We, being a majority of all the members of the Standing Committee of ____, and having been duly convened at ____, fully sensible how important it is that the Sacred Order and Office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality or affection, do, in the presence of Almighty God, testify that the Reverend A.B. is not, so far as we are informed, justly liable to evil report, either for error in religion or for viciousness of life; and that we know of no impediment on account of which he ought not to be ordained and consecrated to that Holy Office.

In witness whereof, we have hereunto set our hands this ____ day of ____ in the year of our Lord _____.

(Signed)

If the President of the House of Bishops shall not have received the consent of two-thirds of the Bishops within three (3) months from the date of his notice to them, he shall then give notice of such failure to the Standing Committee of the Diocese electing.

33.1(d) In case two-thirds of the Standing Committees of the several Dioceses shall not consent to the consecration of the Bishop elect within the period of six (6) months from the date of receipt of its proof of service on the Standing Committees of the election by the Standing Committee of the Diocese electing, or in case two-thirds of all the Bishops entitled to act in the premises shall not consent within the period of three months from the date of notification to them by the President of the House of Bishops of the election, the President of the House of Bishops shall declare the election null and void, and the Synod of the Diocese may then proceed to a new election.

33.1(e) It shall be the duty of the Bishop elect to notify the President of the House of Bishops of his acceptance or declination of the election at the same time as he notifies the electing Diocese. Said notice shall be in writing. All documentation with regard to the election of a bishop shall be maintained at a location selected by the President of the House of Bishops.

Section 33.2

33.2(a) When a Bishop of a Diocese is unable, by reason of age, or other permanent cause of infirmity, or by reason of the extent of Diocesan work, fully to discharge the duties of his office, a Bishop Coadjutor may be elected by and for said Diocese, who shall have the right of succession; Provided, that before the election of a Bishop Coadjutor for the reason of extent of Diocesan work, the consent of the General Synod, or during the recess thereof, the consent of two-thirds of the Bishops having jurisdiction and of the several Standing Committees, must be had and obtained. Before any election of a Bishop Coadjutor, the Bishop of the Diocese shall read, or cause to be read, to the Synod thereof, his written consent to such election, and in such consent he shall state the duties which he thereby assigns to the Bishop Coadjutor, when duly ordained and consecrated, and such consent shall form part of the proceedings of the Synod. The duties assigned by the Bishop to the Bishop Coadjutor in any Diocese may be enlarged by mutual consent whenever the Bishop of the Diocese may desire to assign such additional duties to the Bishop Coadjutor. In case of the inability of the Bishop of the Diocese to issue the aforesaid consent, the Standing Committee of the Diocese may request the Synod to act without such consent, and such request shall be accompanied by certificates of physicians as to the inability of the Bishop of the Diocese to issue his written consent.

33.2(b) In the case of a Bishop Coadjutor, the grounds for his election as stated in the record of the Synod shall be communicated, with the other required testimonials, to the General Synod, or to the Standing Committees and the President of the House of Bishops.

33.2(c) In case of application for the ordination and consecration of a Bishop Coadjutor, the Standing Committee shall forward to the President of the House of Bishops, in addition to the evidence and testimonials required by the preceding Section, a certificate of the Presiding Officer and Secretary of the Diocesan Synod that every requirement of this Section has been complied with.

33.2(d) There shall not be in any Diocese at the same time more than one Bishop Coadjutor.

Section 33.3

It shall be lawful, within six months prior to the effective date of the resignation or retirement of a Bishop from his jurisdiction, for the said Bishop, with the advice and consent of the Standing Committee, to call a special meeting of the Synod of the Diocese

to elect a successor; Provided, that if the Synod is to meet in regular session meanwhile, it may hold the election during such regular session. The proceedings incident to preparation for the ordination and consecration of such successor shall be as provided in Section 1 of this Canon; but the President of the House of Bishops shall not take order for the consecration to be on any date prior to that upon which the resignation is to become effective.

Section 33.4

No one shall be ordained and consecrated Bishop unless he shall at the time subscribe, in the presence of the ordaining and consecrating Bishops, the declaration required in Article V of the Constitution.

Section 33.5

33.5(a) The House of Bishops may receive into this Church a Bishop of a Church which is in communion with this Church, who, if he shall be elected to jurisdiction in this Church, shall assume the rights and duties as set forth in Article I of the Constitution, or, if he is retired, he may be accorded the status of a retired Bishop of this Church.

33.5(b) The House of Bishops may, with the concurrence of the Executive Council, receive into this Church a Bishop of a Church which is not in communion with this Church, provided that the provisions of Canon 31 be observed as to his Diaconate and Priesthood, and provided further that no temporary license shall extend further than permission of the House of Bishops for such Bishop to function as a Priest, and that, unless the House of Bishops shall certify that his ordination and consecration as Bishop is certainly valid, such license shall extend only to the status of lay reader and Preacher, unless and until he shall have received conditional ordination as Deacon and Priest. No one shall receive conditional ordination and consecration as a Bishop without the consent of the House of Bishops and of the Executive Council. Such a Bishop so received, whether in his Order or with conditional ordination and consecration, shall become a member of the House of Bishops under Article I of the Constitution, but shall, unless elected Bishop, Bishop Coadjutor, or Bishop Suffragan, have no vote therein.

CANON 34 Of Suffragan Bishops

Section 34.1

A Suffragan Bishop shall be elected in accordance with the Canons enacted in each Diocese for the election of a Bishop. But the initiative shall always be taken by the Bishop of the Diocese asking for the assistance of a Suffragan.

Section 34.2

34.2(a) Before the election of a Suffragan Bishop in a Diocese the consent of the General Synod, or during the recess thereof the consent of two-thirds of the Bishops having jurisdiction and two-thirds of the Standing Committees, must be had and obtained. The documentation required to be sent to the Standing Committee must be delivered to the members of the Standing Committee at least two weeks before its in-person meeting to determine whether or not to approve the election of the bishop.

34.2(b) Whenever the Church in any Diocese shall desire the ordination and consecration of a Suffragan Bishop elect, subsequent proceedings in accordance with the provisions of Canon 33, Section 1, shall be taken.

34.2(c) If the consents required by Canon 33, Section 1, are not received as therein prescribed, or if the Suffragan Bishop elect decline his election, the Synod of the Diocese may then proceed to a new election.

Section 34.3

There shall not at any time be more than two Suffragan Bishops holding office in and for any Diocese, save by special consent of the General Synod previously obtained.

Section 34.4

A Suffragan Bishop shall act, in all respects, as the assistant of the Bishop of the Diocese and under his direction.

Section 34.5

34.5(a) Every Suffragan Bishop, upon attaining the age of seventy two years, shall forthwith tender his resignation from his position by sending it to the President of the House of Bishops, who shall immediately communicate the same to every Bishop of this Church having jurisdiction and shall declare the said Bishop's resignation accepted,

effective at a designated date not later than three months from the date of such resignation.

34.5(b) The President of the House of Bishops shall communicate to the resigning Bishop the fact of the acceptance of his resignation and the termination of his position effective as of the date fixed; and, in the case of a Suffragan of a Diocese, shall certify the same to the Ecclesiastical Authority of the Diocese concerned. He shall also order the Secretary of the House of Bishops to record the same effective as of the date fixed, to be incorporated in the Journal of the House.

At each meeting of the General Synod, it shall be the duty of the President of the House of Bishops to communicate to the Houses of Clergy and Laity when in session individually and in writing a list of such resignations which have been accepted since the preceding meeting of the General Synod.

34.5(c) If any Suffragan Bishop should for any reason fail to submit his resignation upon attaining the age of seventy-two years, as provided in Clause (a) above, the President of the House of Bishops shall certify that fact to the House of Bishops. The House of Bishops shall then declare the said Bishop's position terminated, effective at a date not later than three months from the date of such declaration; and shall order the President of the House of Bishops' certificate and its own declaration and action to be recorded in its Journal. It shall then be the duty of the President of the House of Bishops to pronounce such position terminated, and to communicate the fact to the Houses of Clergy and Laity, if in session, and to the Ecclesiastical Authority of each Diocese.

34.5(d) The tenure of office of a Suffragan Bishop shall not be terminated on the death or removal of the Bishop of the Diocese. A Suffragan Bishop may, at any time, resign his position as Suffragan of a Diocese with the consent of a majority of the Bishops of this Church under the procedure set out in Canon 36, Section 36.8, so far as it applies. A Suffragan Bishop whose resignation has been accepted shall exercise Episcopal functions only as he may be authorized by the Ecclesiastical Authority of a Diocese.

Section 34.6

34.6(a) Whenever a Suffragan Bishop shall be elected Bishop or Bishop Coadjutor of a Diocese if such election shall have taken place within three months before a meeting of the General Synod, evidence thereof shall be laid before each House of the General Synod and the concurrence of each House and its express consent shall be necessary to

the validity of said election, and shall complete the same, so that the Bishop thus elected shall be thereafter the Bishop or Bishop Coadjutor of the Diocese which has elected him.

34.6(b) If the said election has taken place more than three months before a meeting of the General Synod, the above process may be adopted, or the following instead thereof, viz:

The Standing Committee of the Diocese electing, said election having been held with the consent of the President of the House of Bishops and the House of Bishops, shall give duly certified evidence of the election to every Bishop of this Church having jurisdiction and to the Standing Committee of every Diocese.

On receiving notice of the concurrence of two-thirds of the Bishops and two-thirds of the Standing Committees in the election, and their express consent thereto, the Standing Committee of the Diocese concerned or the Secretary of the House of Bishops, as the case may be, shall transmit notice thereof to the President of the House of Bishops and to the Ecclesiastical Authority of every Diocese; which notice shall state what Bishops and what Standing Committees have consented to the election. On receiving this notice the President of the House of Bishops shall certify to the Secretary of the House of Bishops the altered status and style of the Bishop so elected.

If the President of the House of Bishops shall not have received the consent of two-thirds of the Standing Committees within six months from the date of his notice to them, or the consent of two-thirds of the Bishops within three months from the date of the receipt of his notice to them, he shall then give notice of such failure to the Standing Committee of the Diocese electing.

CANON 35

The Suffragan Bishop of the Armed Forces

Section 35.1

Whenever the House of Bishops shall desire the ordination of a Suffragan Bishop of the Armed Forces, if the election shall take place within three months before a meeting of the General Synod, and said election shall have been held with the consent of the President of the House of Bishops and the House of Bishops of this said Church, Section 33.1(a) of Canon 33 shall apply.

35.1(a) Prior to the Houses of the General Synod voting on whether to elect or decline to elect the candidate appointed by the House of Bishops, the House of Bishops shall provide to each house a certificate from two medical doctors, one of whom shall be a psychiatrist or clinical psychologist, licensed in the state where the examination shall be performed stating that they have thoroughly examined the bishop-elect and have not discovered in his physical or psychological condition any reason why it would not be wise for him to undertake the position for which he has been chosen. A copy of the medical and psychological examinations as well as the curriculum vitae of the candidate shall be provided to each delegate of the Synod at least twenty-four (24) hours prior to voting on his election.

31.5(b) At the time of the election of the Suffragan Bishop of the Armed Forces, the Synod shall separate into Houses and vote on the election of the Suffragan Bishop of the Armed Forces. The voting shall be by secret ballot and should the candidate for the position of the Suffragan Bishop fail to obtain a two-thirds vote or more in each House, the Synod shall be deemed not to have consented to his election. The President of the House of Bishops shall declare the candidate not elected. If there shall be more than two thirds vote of each House, the President of the House of Bishops shall declare the candidate elected.

Section 35.2

Whenever the House of Bishops shall desire the ordination of a Suffragan Bishop of the Armed Forces and desires to elect such Bishop at a time other than that set forth in Section 35.1, the following shall be done:

(1) The House of Bishops shall determine whom they wish to appoint as the Suffragan Bishop of the Armed Forces. Upon determining whom they wish to select, the Bishops shall provide the information to the Standing Committees of each Diocese which is a member of this Church which is to be provided to the individual members of each Standing Committee.

(2) Additionally, the priest so appointed shall be a member of the Anglican Church in America and shall have been serving in said capacity for at least two (2) years prior to his appointment.

(3) The President of the House of Bishops shall send to each Standing Committee a statement from the House of Bishops as to why the House of Bishops believes the

individual appointed is capable of performing the duties for which he is to be appointed.

35.2(a) Prior to the Standing Committees' voting on the election of the Suffragan Bishop of the Armed Forces, they shall be provided with copies of the candidate's medical and psychological reports called for in paragraph 2 of Section 35.1 of this canon. Additionally, each Standing Committee shall be provided with a copy of the curriculum vitae of the candidate.

35.2(b) Upon the receipt of the above documentation the Standing Committee of each Diocese shall hold an in-person meeting to discuss whether or not they wish to approve the selection of the Suffragan Bishop of the Armed Forces. The members of each Standing Committee shall have had all of the above documentation in their possession for at least two weeks prior to their meeting.

35.2(c) In the event that two-thirds of the Standing Committees of the several Dioceses shall not consent to the consecration of the Suffragan Bishop of the Armed Forces within the period of six months from the date of proof of receipt from each Diocese Standing Committee to have received the material sent to the Standing Committee, the President of the House of Bishops shall declare the election null and void. The House of Bishops may at this time appoint another candidate to fill the position of the Suffragan Bishop of the Armed Forces whose election shall be as set forth above.

Section 35.3

The Suffragan Bishop of the Armed Forces shall have pastoral care of the priests under his jurisdiction.

Section 35.4

The Suffragan Bishop shall provide at least annually in writing to the Executive Council a written report concerning the work of the military chaplains of this church, which report shall include, but be not limited to, the name, address, place where stationed at the time of the report, rank, and what activities have been undertaken by each military chaplain of which the Suffragan Bishop believes should be reported to the Executive Council. The Suffragan Bishop shall be present in person to answer all questions concerning his activities and future plans at the first meeting of the Executive Council after his report is provided to the members of the Executive Council.

Section 35.5

The Suffragan Bishop shall also provide such reports on his activities as shall be requested by the House of Bishops.

Section 35.6

35.6(a) Should the Suffragan Bishop desire to ordain any person as a deacon or priest, the Suffragan Bishop shall request the Diocesan Bishop of the Diocese in which this candidate is a resident to permit him to make use of the Diocesan Board of Examining Chaplains and the Standing Committee of his Diocese. The Suffragan Bishop shall provide to the Examining Chaplains and the Standing Committee of such diocese all documentation as shall be required under the Canons 29 and/or 30 of this Church to ordain any person as a deacon or priest and shall make said candidate available for examination by each entity. All documentation needed or required by the above referenced Canons shall be provided to the Board of Examining Chaplains and Standing Committee at least ten (10) days prior to the candidate's meeting with each such body.

35.6(b) Should the Diocesan Bishop to which reference is made in section 6(a) of this canon refuse to cooperate, then the Suffragan Bishop shall report this fact to the President of the House of Bishops. Upon the President of the House of Bishops receiving such report, he shall immediately make certain that the candidate to be ordained is ordained in compliance with these canons at no additional expense to the expense account of the Suffragan Bishop or the candidate whom is to be ordained.

Section 35.7

35.7(a) Any priest of this Church desiring to serve as a Chaplain in the Armed Forces of the United States of America or as Chaplain for the Veterans' Administration, with the approval of the Ecclesiastical Authority of the Diocese in which he is canonically resident may be given ecclesiastical endorsement under the supervision and control of the Suffragan Bishop of the Armed Forces, unless the House of Bishops shall determine that a Vicar General of the Armed Forces shall be the person to supervise these individuals. However, whomever the House of Bishops of the Church shall appoint as Vicar General of the Armed Forces shall fulfill the requirements of Canon 35, Section 35.2 with regard to his membership in the Anglican Church in America. Further, the President of the House of Bishops shall inform each Standing Committee of each Diocese as to the qualifications of the priest so appointed. The priest so approved shall comply with all

requirements of Canon 35, Section 35.9(b) and shall be under the ecclesiastical jurisdiction of the Suffragan Bishop of the Armed Forces or the Vicar General of the Armed Forces.

35.7(b) Such ministers serving on active duty with the Armed Forces or at a Veterans' Administration Facility shall retain canonical residence in a Diocese of this Church, and shall be under the ecclesiastical jurisdiction of the Suffragan Bishop of the Armed Forces unless the House of Bishops shall appoint a Vicar General of the Armed Forces under whose authority the ministers shall act.

35.7(c) Any such minister serving on a military installation, at a Veterans' Administration facility or involved in ministering to members of the Armed Forces who are engaged in hostile activities or who are with military members of the of the Armed Forces stationed at places without the borders of this country where there is not a military installation per se shall not be subject to either Section 35.4(a) nor Section 35.6 of this Canon. When serving outside of military installations or Veterans' Administration facilities, such Chaplains shall be subject to said sections.

Section 35.8

Should the House of Bishops so desire, the House of Bishops shall be entitled to appoint a Presbyter, who has been a Presbyter in this Church for a period of at least two (2) years, as the Vicar General of the Armed Forces. The Presbyter so appointed shall perform the duties which have been set forth in this Canon or any amendment of the Canons of this Church, other than those ordaining any person as a Deacon and/or a Priest or of engaging in any activity which may be performed only by a Bishop of this Church.

CANON 36 Of Duties of Bishops

Section 36.1

It shall be the duty of every Bishop of this Church to reside within the limits of his jurisdiction; nor shall he absent himself there from for more than three months without consent of the Synod or the Standing Committee of the Diocese.

Section 36.2

36.2(a) Every Bishop shall visit the Congregations within his Diocese at least once in three years, for the purposes of examining their condition, inspecting the behavior of the

Clergy, administering Confirmation, preaching the Word, and at his discretion, celebrating the Sacrament of the Lord's Supper. At every visitation it shall be the duty of the Bishop to examine the records required by Canon 37, Section 37.3

36.2(b) If a Bishop shall for three years have declined to visit a Parish or Congregation, the Minister and Vestry (or the Corporation), or the Bishop, may apply to the President of the House of Bishops to appoint the two Bishops in charge of Dioceses who live nearest to the Diocese in which such Church or Congregation may be situated as a Council of Conciliation, who shall amicably determine all matters of difference between the parties, and each party shall conform to the decision of the Council in the premises; Provided, that in case of any subsequent trial of either party for failure to conform to such decision, any constitutional or canonical right of the defendant in the premises may be pleaded and established as a sufficient defense, notwithstanding such former decision; and, Provided, further, that in any case the Bishop may at any time apply for such Council of Conciliation.

36.2(c) Every Bishop shall keep a record of all his official acts, which record shall be the property of the Diocese, and shall be transmitted to his successor.

Section 36.3

Every Bishop shall deliver, from time to time at his discretion, a Charge to the Clergy of his Diocese, and may, from time to time, address to the people of his Diocese Pastoral Letters on points of Christian doctrine, worship, or manners, which he may require the Clergy to read to their Congregations.

Section 36.4

At every Annual Synod the Bishop shall make a statement of the affairs of the Diocese since the last meeting of the Synod; the names of the churches which he has visited; the number of persons confirmed; The names of those who have been received as Candidates for Holy Orders, and of those who have been ordained, and of those who have been by him suspended or deposed from the Ministry; the changes by death, removal, or otherwise, which have taken place among the Clergy; and all matters tending to throw light upon the affairs of the Diocese; which statement shall be inserted in the Journal and made part of the minutes of the Synod.

Section 36.5

It shall be the duty of a Bishop, whenever leaving his Diocese for the space of six calendar months, to authorize, by writing under his hand and seal, the Bishop Coadjutor, or, should there be none, the Suffragan Bishop of said Diocese, is to act as the ecclesiastical authority thereof in his absence. Should there be no such bishop, the bishop with authority closest to the seat of the bishop shall be the ecclesiastical authority thereof. Said authority shall continue until revoked by him in writing with notice to the President of the House of Bishops.

Section 36.6

36.6(a) Any Bishop of this Church may, on the invitation of the Synod or of the Standing Committee of any Diocese where there is no Bishop, or where the Bishop is for the time under a disability to perform episcopal offices by reason of a judicial sentence, visit and perform episcopal offices in that Diocese, or in any part thereof; and this invitation may be for a stated period, and may be at any time revoked.

36.6(b) A Diocese without a Bishop, or of which the Bishop is for the time under a disability by reason of a judicial sentence, may, by its Synod, be placed under the provisional charge and authority of the Bishop or Bishop Coadjutor of another Diocese, who shall by that act be authorized to perform all the duties and offices of the Bishop of the Diocese so vacant or whose Bishop is under disability, until, in the case of a vacant Diocese a Bishop be duly elected and consecrated for the same; or in the case of a Diocese whose Bishop is disabled, until the disqualification be removed; or, until, in either case, the said act of the Synod be revoked.

36.6(c) A Diocese, while under the provisional charge of a Bishop, shall not invite any other Bishop to perform any episcopal duty or exercise authority.

Section 36.7

Any Bishop, or Priest, or Deacon who has any formal communication with any other religious organization or a member of any other religious organization wherein the communications have reached a level wherein the communications are dealing with some manner of union, integration, or association of some means shall report the communications and the nature thereof to each individual member of the Executive Council, in writing, setting forth the nature of the discussions and the intended consequences of said discussions. Said notification shall be sent in some manner to insure the delivery of said notification, which shall not include e-mail or other electronic means

of communication, within ten (10) days of the first discussion as herein above set forth and all subsequent discussions setting forth the nature of the discussions. The Executive Council shall be kept informed of any communications with any other religious groups with regard to any type of association with any other Christian groups.

Section 36.8

36.8(a) Every Bishop and every Bishop Coadjutor, upon attaining the age of seventy-two years, shall forthwith tender his resignation from his jurisdiction, as required by Section 9 of Article II of the Constitution, by sending said resignation to the President of the House of Bishops, who shall immediately communicate the same to every Bishop of this Church having jurisdiction and shall declare the said Bishop's resignation accepted, effective at a designated date not later than three months from the date of such resignation. Nothing herein, however, shall diminish the right of a Diocesan Synod to refuse the resignation of a Bishop or Bishop Coadjutor under the Constitution.

36.8(b) The President of the House of Bishops shall communicate to the resigning Bishop the fact of the acceptance of his resignation and the termination of his jurisdiction effective as of the date fixed; and, in the case of a Bishop or Bishop Coadjutor of a Diocese, shall certify the same to the Standing Committee of the Diocese concerned. He shall also order the Secretary of the House of Bishops to record the same, effective as of the date fixed, to be incorporated in the Journal of the House.

36.8(c) If any Bishop should for any reason fail to submit his resignation upon attaining the age of seventy-two years, as provided in Section (a) above, the President of the House of Bishops shall certify that fact to the House of Bishops. The House of Bishops shall then declare the said Bishop's jurisdiction terminated, effective at a date not later than three months from the date of declaration; and shall order the President of the House of Bishops' certificate and its own declaration and action to be recorded in its Journal. It shall then be the duty of the President of the House of Bishops to pronounce such jurisdiction terminated, effective as of the date fixed, and to communicate the fact to the Houses of Clergy and Laity, if in session, and to the Standing Committee of the Diocese.

Section 36.9

36.9(a) If the Bishop of a Diocese, or a Bishop Coadjutor, shall desire to resign his jurisdiction, he shall send in writing to the President of the House of Bishops his resignation with the reasons there for. This communication shall be sent at least ninety (90) days before the date set for a regular or a special meeting of the House of Bishops.

The President of the House of Bishops shall without delay send a copy of the communication to every Bishop of this Church having ecclesiastical jurisdiction, and also to the President and Secretary of the Standing Committee of the Diocese of the Bishop desiring to resign, in order that the Standing Committee may on behalf of the Diocese be heard either in person or by correspondence upon the subject, providing at least sixty (60) days from the date of its receipt of the communication for the Standing Committee to respond. However, if the Standing Committee shall have no objection, it shall send a statement of this fact within thirty (30) days of its receipt of the communication by the President and Secretary to the President of the House of Bishops. The House of Bishops during its session shall investigate the whole case, and by a majority of those present accept or refuse the resignation.

36.9(b) If said resignation shall have been tendered more than three months before a regular or special meeting of the House of Bishops, the President of the House of Bishops shall, without delay, notify the resigning Bishop and also the President and Secretary of the Standing Committee of the Diocese concerned, of the acceptance or rejection of such resignation. If said resignation has been accepted after notice to the Standing Committee and a hearing, if necessary, has been held, of the effective date of the termination of the bishop's jurisdiction. He shall also order the Secretary of the House of Bishops to record the same, effective as of the date fixed to be incorporated in the Journal of the House.

36.9(c) At each meeting of the General Synod, it shall be the duty of the President of the House of Bishops to communicate to the Houses of Clergy and Laity, when in session, a list of the resignations which have been accepted since the preceding meeting of the General Synod.

Section 36.10

36.10(a) A Bishop whose resignation has been accepted may perform episcopal acts at the request of any Bishop of this Church having ecclesiastical jurisdiction, within the limits of his jurisdiction. He may also be given an honorary seat in the Synod of the Diocese, with voice but without vote, and an honorary seat in the Cathedral of the Diocese, if there be one, or such honorary appointment as may be designated by the Synod of the Diocese with the consent of the Bishop. He shall report all ministerial acts to the Bishop and to the Diocese in which such acts are performed.

36.10(b) A Bishop who ceases to have episcopal charge shall still be subject in all matters to the Canons and authority of the General Synod.

36.10(c) A Bishop who has resigned his jurisdiction with the consent of the House of Bishops, may, at the discretion of the Bishop of the Diocese in which he chooses to reside, be enrolled among the Clergy of that Diocese and become subject to its Canons and regulations; and if he accept any pastoral charge or ministerial appointment within the Diocese he may be accorded a seat and vote in the Diocesan Synod according to its canonical provisions for the qualification of Presbyters. The same shall apply to a resigned Bishop who continues to reside within the Jurisdiction in which he formerly served as Bishop; Provided, that the Bishop seeking to be counted among the Clergy of a Diocese and to sit in its Diocesan Synod is not at the same time exercising his right (under Article I, Section 2) to vote in the House of Bishops.

36.10(d) The President of the House of Bishops shall communicate to the resigning Bishop the fact of the acceptance of his resignation and the termination of his jurisdiction effective as of the date fixed; and, in the case of a Bishop or Bishop Coadjutor of a Diocese, shall certify the same to the Standing Committee of the Diocese concerned. He shall also order the Secretary of the House of Bishops to record the same, effective as of the date fixed, to be incorporated in the Journal of the House.

36.10(e) If any Bishop should for any reason fail to submit his resignation upon attaining the age of seventy-two years, as provided in Section (a) above, the President of the House of Bishops shall certify that fact to the House of Bishops. The House of Bishops shall then declare the said Bishop's jurisdiction terminated, effective at a date not later than three months from the date of declaration; and shall order the President of the House of Bishop's certificate and its own declaration and action to be recorded in its Journal. It shall then be the duty of the President of the House of Bishops to pronounce such jurisdiction terminated, effective as of the date fixed, and to communicate the fact to the Houses of Clergy and Laity, if in session, and to the Standing Committee of the Diocese.

CANON 37

Of Ministers and Their Duties

Section 37.1

37.1(a) The control of the worship and the spiritual jurisdiction of the Parish, are vested in the Rector, subject to the Rubrics of *The Book of Common Prayer*, the Canons of the Church, and the godly counsel of the Bishop. All other Ministers of the Parish, by whatever name they may be designated, are to be regarded as under the authority of the Rector.

37.1(b) For the purposes of his office and for the full and free discharge of all functions and duties pertaining thereto, the Rector shall, at all times, be entitled to the use and control of the Church and Parish buildings with the appurtenances and furniture thereof.

Section 37.2

37.2(a) It shall be the duty of Ministers of this Church who have charge of Parishes or Cures to be diligent in instructing the children in the Catechism, and from time to time to examine them in the same publicly before the Congregation. They shall also, by stated catechetical lectures and instruction, inform the youth and others in the Holy Scriptures and the Doctrine, Polity, History, and Liturgy of the Church. They shall also instruct all persons in their Parishes and Cures concerning all the missionary work of the Church at home and abroad, and give suitable opportunities for offerings to maintain that work.

37.2(b) It shall be the duty of Ministers before baptizing infants or children to prepare the sponsors by instructing both the parents and the Godparents concerning the significance of Holy Baptism, the responsibilities of parents and Godparents for the Christian training of the baptized child, and how these obligations may properly be discharged.

37.2(c) It shall be the duty of Ministers to prepare young persons and others for Confirmation; and on notice being received from the Bishop of his intention to visit any church, which notice shall be at least one month before the intended visitation, the Minister shall announce the fact to the Congregation on the first Sunday after the receipt of such notice; and he shall be ready to present for Confirmation such persons as he shall judge to be qualified, and shall deliver to the Bishop of a list of the names of those to be confirmed at least two (2) weeks prior to the Bishop's visit.

37.2(d) At every visitation it shall be the duty of the Minister, and of the Churchwardens, or Vestrymen, or of some other officer, to exhibit to the Bishop the Parish Register and to give information to him of the state of the Congregation, spiritual and temporal, under such heads as shall have been previously signified to them, in writing, by the Bishop. The Bishop shall have a meeting with the Minister and of the Churchwardens or Vestrymen only during which the appropriate books and records shall be given to the Bishop for his inspection as set forth in this canon.

37.2(e) The Alms and Contributions, not otherwise specifically designated, at the Administration of the Holy Communion on one Sunday in each calendar month, and other offerings for the poor, shall be deposited with the Minister of the Parish or with such Church officer as shall be appointed by him, to be applied by the Minister, or under

his superintendence, to such pious and charitable uses as shall by him be thought fit. During a vacancy the Vestry shall appoint a responsible person to serve as Almoner.

37.2(f) Whenever the House of Bishops shall put forth a Pastoral Letter, it shall be the duty of every Minister having a pastoral charge to read it to his Congregation on some occasion of public worship on a Lord's Day, not later than one month after the receipt of the same.

Section 37.3

37.3(a) It shall be the duty of every Minister of this Church to record in the Parish Register all Baptisms, Confirmations, Marriages, Burials, and the names of all Communicants within his Cure.

37.3(b) The registry of every Baptism shall be signed by the officiating Minister.

37.3(c) Every Minister of this Church in charge of a congregation shall have recorded in the Parish Register a list of all persons who have received Holy Baptism; and a list of all persons who have received Confirmation. He shall indicate upon the Parish Register each year the names of those who have died in the past year or whose names have been removed by letter of transfer. He shall also indicate:

- (1) Those whose domicile is unknown, and
- (2) Those whose domicile is known but are inactive.

He shall maintain as far as practicable a list of all families and persons within his Cure, which list shall remain in the Parish for the use of his successor.

Section 37.4

37.4(a) No Minister of this Church shall officiate, either by preaching, reading prayers in public worship, or by performing any other priestly or ministerial function, in the Parish, or within the Cure, of another Minister, without the consent of the Minister of that Parish or Cure; or one of its Churchwardens if, in his absence or disability, the Minister fail to provide for the stated services of such Parish or Cure.

If there be two or more Congregations or Churches in one Cure, as provided by Canon 9, Section 9.3(b), the consent of the majority of the Ministers of such Congregations of Churches, or of the Bishop, shall be sufficient; Provided, that nothing in this Section shall be construed to prevent any Clergyman of this Church from

officiating, with the consent of a Minister, in the Church or place of public worship used by the Congregation of such Minister, or in private for members of his Congregation; or, in his absence, with the consent of the Churchwardens or Trustees of such Congregation; and provided moreover, that the license of the Ecclesiastical Authority required in Section 6 be first obtained when necessary.

This rule shall not apply to any Church, Chapel, or Oratory, which is part of the premises of an incorporated institution, created by legislative authority, provided that such place of worship is designed and set apart for the convenience and uses of such institution, and not as a place for public or parochial worship.

37.4(b) If any Minister of this Church, from disability or any other cause, neglect to perform the regular services in his Congregation, and refuse, without good cause, his consent to any other duly qualified Minister of this Church to officiate within his Cure, the Churchwardens, Vestrymen, or Trustees of the Congregation shall, on proof before the Ecclesiastical Authority of the Diocese of such neglect or refusal, have power, with the written consent of the said Authority, to permit any duly qualified Minister of this Church to officiate.

Section 37.5

37.5(a) A Minister of this Church removing into a Diocese shall, in order to gain canonical residence within the same, present to the Ecclesiastical Authority thereof, a testimonial from the Ecclesiastical Authority of the Diocese in which he last had canonical residence, which testimonial shall set forth his true standing and character. The said testimonial shall be given by the Ecclesiastical Authority to the applicant, and a duplicate thereof may be sent to the Ecclesiastical Authority of the Diocese to which he proposes to remove. The testimony may be in the following words:

I hereby certify that the Reverend A.B., who has signified to me his desire to be transferred to the Ecclesiastical Authority of ____, is a Presbyter (or Deacon) of ____ in good standing, and has not, so far as I know or believe, been justly liable to evil report, for error in religion or for viciousness of life, for three years last past.
(Signed)

37.5(b) Such testimonial shall be called Letters Dimissory. The canonical residence of the Minister so transferred shall date from the acceptance of his Letters Dimissory, of which prompt notice shall be given both to the applicant and to the Ecclesiastical Authority from which it came. The ecclesiastical authority granting the Letters

Dismissory shall also advise the mission or parish which had been served by the priest of the granting or denying of said letters in writing addressed to the senior warden and clerk of the vestry thereof as well as the Standing Committee of the Diocese by sending a copy of said letters to the President of the Standing Committee. The Ecclesiastical Authority granting the Letters Dismissory shall consider all factors involved as to the minister requesting the Letters Dismissory prior to granting said letters.

37.5(c) Letters Dismissory not presented within six months from the date of their transmission to the applicant shall become wholly void.

37.5(d) If a Minister, removing into another Diocese, has been called to a Cure in a Parish or Congregation therein, he shall present Letters Dismissory in the form above given. It shall be the duty of the Ecclesiastical Authority of the Diocese to which he has removed, to accept them within three months, unless the Bishop or Standing Committee shall have heard rumors, which he or they believe to be well founded, against the character of the Minister concerned, which would form a proper ground of canonical inquiry and presentment, in which case the Ecclesiastical Authority shall communicate the same to the Bishop or Standing Committee of the Diocese to whose jurisdiction the said Minister belongs; and in such case, it shall not be the duty of the Ecclesiastical Authority to accept the Letters Dismissory unless and until the Minister shall be exculpated from the said charge. Additionally, the Ecclesiastical Authority of the Diocese to which the Minister has removed, shall contact the Ecclesiastical Authority from whom the Minister has moved for a verbal report concerning his actions, matter of dealing with his parish, et al.

37.5(e) No Minister, removing from one Diocese to another, shall officiate as Rector or Minister of any Parish or Congregation of the Diocese to which he removed, until he shall have obtained from the Ecclesiastical Authority thereof a certificate in the words following:

I hereby certify that the Reverend A.B. has been canonically transferred to my jurisdiction and is a Minister in good standing.

(Signed)

37.5(f) No person who has been refused Ordination or reception as a Candidate in any Diocese, and who has afterwards been ordained in another Diocese, shall be transferred to the Diocese in which such refusal has taken place without the consent of its Bishop or Ecclesiastical Authority.

37.5(g) No person who has been ordained under the provisions of Canon 27 shall be transferred to another Diocese, save as provided in the said Canon.

Section 37.6

No Minister of this Church shall officiate more than two months by preaching, ministering the Sacraments, or holding any public service, within the limits of any Diocese other than that in which he is canonically resident, without a license from the Ecclesiastical Authority.

Section 37.7

37.7(a) Any Minister of this Church desiring to officiate temporarily without the confines of this Church shall, in order so to do, obtain from the Ecclesiastical Authority of the Diocese in which he has canonical residence, a testimonial which shall set forth his true standing and character, and may be in the following words:

I hereby certify that the Reverend A.B. who has signified to me his desire to be permitted to officiate temporarily in churches not under the jurisdiction of the Anglican Church of America, yet in communion with this Church, is a Presbyter (or Deacon) of ___ in good standing, and as such is entitled to the rights and privileges of his Order.

(Signed)

This testimonial is valid for one year from date of issuance and is to be returned to the Ecclesiastical Authority at the end of that period.

37.7(b) The Ecclesiastical Authority giving such testimonial shall keep a record of issuance of such, in which the date of issuance and of return shall be recorded; together with the name of the Minister to whom the testimonial has been issued.

Section 37.8

No Minister of this Church or any candidate for holy orders shall serve as an officer of any corporation, limited liability company, or other entity which has an ownership interest in property used or owned by the parish or mission.

Section 37.9

37.9(a) Any priest of this Church desiring to serve as a Chaplain in the Armed Forces of the United States of America or as Chaplain for the Veterans' Administration, with the approval of the Ecclesiastical Authority of the Diocese in which he is canonically resident may be given ecclesiastical endorsement under the supervision and control of the

Suffragan Bishop of the Armed Forces, who shall be his Ecclesiastical Authority. The Diocesan Bishop shall forward to the Suffragan Bishop of the Armed Forces such documentation as is requested by him. However, should the House of Bishops of this Church elect to appoint a Vicar General of the Armed Forces to perform the duties of the Suffragan Bishop of the Armed Forces, this section shall not apply.

37.9(b) Such ministers serving on active duty with the Armed Forces or at a Veterans' Administration Facility shall retain canonical residence in a Diocese of this Church, and shall be under the ecclesiastical jurisdiction of the Suffragan Bishop of the Armed Forces. However, should the Bishops of this Church appoint a Vicar General to supervise the chaplains of this Church, the priest(s) shall continue under the ecclesiastical jurisdiction of their Bishop(s).

37.9(c) Any such Minister serving on a military installation, at a Veterans' Administration facility or involved in ministering to members of the Armed Forces who are engaged in hostile activities or who are with military members of the Armed Forces stationed at places without the borders of this country where there is not a military installation per se shall not be subject to either Section 39.4(a) nor Section 39.6 of this Canon. When serving outside of military installations or Veterans' Administration facilities, such Chaplains shall be subject to said sections.

Section 37.10

Upon attaining the age of seventy-two years, every Minister of this Church occupying any remunerative position in this Church shall resign the same and retire from active service, and his resignation shall be accepted. Thereafter, he may accept any position in this Church; provided that:

- (i) The tenure in such position shall be for a period of not more than one year, which period may be renewed from time to time, and
- (ii) service in such position shall have the express approval of the Bishop and Standing Committee of the Diocese in which such service is to be performed, acting in consultation with the Ecclesiastical Authority of such Minister's canonical residence, and of the Vestry of the Parish.

CANON 38

Of the Dissolution of the Pastoral Relation

Section 38.1

Except as provided in Canon 37, Section 37.10, a Rector may not resign his Parish without the consent of the said Parish, or its Vestry, or its Trustees, whichever may be authorized to act in the premises, nor may any Rector canonically or lawfully elected and in charge of any Parish be removed there from by said Parish, Vestry, or Trustees, against his will, except as hereinafter provided.

Section 38.2

If for any urgent reason a Rector or Minister as aforesaid, or the body authorized to elect a Rector in the Parish committed to his charge, shall desire a separation and dissolution of the pastoral relation, and the parties be not agreed respecting a separation and dissolution, notice in writing may be given by either party to the Ecclesiastical Authority of the Diocese. The Bishop, in case the difference be not settled by his godly judgment within fifteen (15) days of notice of the dispute having been give to him and he having within said period of time having attempted to settle the matter, shall ask the advice and consent of the Standing Committee, and, proceeding with its aid and counsel, shall be the ultimate arbiter and judge with the final judgment to be entered within thirty (30) days of the matter having been referred to the Standing Committee or forty-five (45) days from the date the Bishop was to refer the matter to the Standing Committee of his diocese. At this time, the parish shall no longer be required to make any further payments of any kind to the priest.

If the Diocese be vacant, the President of the Standing Committee shall request the President of the House of Bishops to select a Bishop of an adjacent Diocese to act as the Bishop and with like force and effect. The above time periods shall be extended by ten (10) days from the date the request was received. The judgment shall be either that the pastoral relation between the parties shall cease and determine at a time and upon terms therein specified, or that the said relation shall not be terminated; and such judgment shall be binding upon both parties. In the event of the failure or refusal of either party to comply with the terms of such judgment, the Bishop may inflict such penalties as may be provided by the Constitution and Canons of the Diocese and in default of any provisions for such penalties therein, the Bishop may (1) in the case of a Rector or Minister, suspend such Rector or Minister from the exercise of his priestly office until he shall comply with said judgment; (2) in the case of a Vestry recommend to Diocesan Synod that the union of the Parish with Synod shall cease until they have complied with his judgment.

Section 38.3

In case of the regular and canonical dissolution of the connection between a Rector or Minister and his Parish, under this Canon, the Ecclesiastical Authority shall direct the Secretary of the Synod to record the same.

Section 38.4

This Canon shall not apply in any Diocese which has made, or shall hereafter make, provision by Canon upon this subject, nor in contravention of any right of any Rector, Minister, Parish, Congregation, or Vestry under the law of the Civil Authority.

CANON 39 Of the Filling of Vacant Cures

Section 39.1

When a Parish or Congregation becomes vacant the Church wardens or other proper officers shall notify the fact to the Bishop. If the authorities of the Parish shall for thirty days have failed to make provision for the services, it shall be duty of the Bishop to take such measures as he may deem expedient for the temporary maintenance of Divine services therein.

Section 39.2

No election of a Rector shall be had until the name of the Clergyman whom it is proposed to elect has been made know to the Bishop, if there be one, and sufficient time, not exceeding thirty days, has been given to him to communicate with the Vestry thereon, nor until such communication, if made within that period, has been considered by the Parish or Vestry at a meeting duly called and held for that purpose.

Section 39.3

Written notice of the election, signed by the Churchwardens, shall be sent to the Ecclesiastical Authority of the Diocese. If the Ecclesiastical Authority be satisfied that the person so chosen is a duly qualified Minister, and that he has accepted the office, and that he has been approved by the Diocesan Bishop, the notice shall be sent to the Secretary of the Synod, who shall record it. And such record shall be sufficient evidence of the relation between the Minister and the Parish.

Section 39.4

A Minister is settled, for all purposes here or elsewhere mentioned in these Canons, who has been engaged permanently, or for any term not less than one year, by any Parish, according to the rules of the Diocese in which such Parish is located.

Section 39.5

In case of the election of an Assistant Minister the name of the Clergyman whom it is proposed to elect, shall be made known to the Bishop and sufficient time, not exceeding thirty days, shall be given him to communicate with the Rector and Vestry thereon.

Section 39.6

Any parish or congregation who elects a Minister and/or an Assistant Minister shall be required to set aside, in a pension fund, for the benefit of said Minister and/or Assistant Minister, no less than \$1,200.00 per annum, which said pension fund shall belong to the said Minister and/or Assistant Minister, and the said parish or congregation shall not make any claim on the said fund.

CANON 40 Of Deacons

Section 40.1

Every Deacon shall be subject to the direction of the Bishop of the Diocese for which he has been ordained, or, if there be no Bishop, to that of the Clerical members of the Standing Committee, acting by their President, until he is canonically transferred to some other jurisdiction. He shall officiate in such places only as the Bishop, or the Clerical members of the Standing Committee, as the case may be, may designate. He shall not accept any appointment for work outside the Diocese to which he canonically belongs without the written consent both of his own Bishop and of the Bishop in whose Diocese he desires to minister.

Section 40.2

40.2(a) No Deacon shall be a Rector of a Parish or Congregation, nor be permitted to accept a Chaplaincy in the Armed Forces of the United States.

40.2(b) A Deacon ministering in a Parish or Congregation under the charge of a Priest shall act under the direction of such Priest in all his ministrations.

40.2(c) A Deacon ministering in a Parish or Congregation not under the charge of a Priest, shall, if not under the immediate direction of the Bishop, be placed under the authority of some neighboring Priest, by whose direction, in subordination to the Bishop, he shall in all things be governed.

Section 40.3

No Deacon who shall not have passed the examinations prescribed in Canon 24, Section 1, shall be transferred to another jurisdiction without the written request of the Ecclesiastical Authority of the same.

Section 40.4

In case of a Deacon desiring to be transferred from one Diocese to another, the Ecclesiastical Authority of the former Diocese must state in the Letters Dimissory the exact standing of the Deacon as regards Examinations passed or Dispensations received; also the dates of his birth, admission as a Candidate and Ordination.

CANON 41

Of Persons Not Ministers in this Church Officiating in any Congregation Thereof

No Minister in charge of any congregation of this church, or, in case of vacancy or absence, no Churchwardens, Vestrymen, or Trustees of the Congregation, shall permit any person to officiate therein, without sufficient evidence of his being duly licensed or ordained to minister in this Church; Provided, that nothing herein shall be so construed as to forbid communicants of the Church to act as Lay Readers; or to prevent the Bishop of any Diocese giving permission to a Minister of any Church with which this Church has entered into a declaration of purpose to achieve organic union to preach the Gospel, or to Christian men who are not Ministers of this Church, to make addresses in the Church on special occasions. Priests and Deacons ordained in Churches not in communion with this Church may be licensed by the Bishop to officiate in their Order for a fixed period of time not to exceed one year, with the consent of the Standing Committee, or for a longer time by compliance with Canon 31.

CANON 42 Of Lay Readers

Section 42.1

A competent person ready and desirous to serve the church in the public services statedly as a Lay Reader must procure a written license from the Bishop or Ecclesiastical Authority of the Diocese which he is a canonical resident. Such license shall not be granted to any but a male communicant of this Church, and may be given for a definite period, not longer than three (3) years, but may be renewed from time to time, or revoked at any time. Such license may be given for any vacant Parish, or for a Congregation without a Minister, but where a Presbyter is in charge, his request and recommendation must have been previously signified to the Ecclesiastical Authority. A license shall not be granted for conducting the service in a congregation without a Minister, which is able and has had reasonable opportunity to secure the services of an ordained Minister. If the Lay Reader be a student in any theological seminary, he shall also, before acting as such, obtain the permission of his own Bishop.

Section 42.2

A Lay Reader shall be subject to the regulations prescribed by the Ecclesiastical Authority, and shall not serve in any Diocese other than that in which he is licensed, unless he shall have received a license from the Bishop of the Diocese in which he desires to serve.

Section 42.3

In all matters relating to the conduct of the service, and the Sermons or Homilies to be read, he shall conform to the directions of the Minister in charge of the Parish or Congregation in which he is serving, and, in all cases, to the directions of the Bishop. He shall read only the following Offices, or parts thereof, and shall observe the limitations mentioned:

- (1) Morning Prayer and Evening Prayer, omitting the Absolution and substituting, while remaining kneeling, the Collect for the 21st Sunday after Trinity
- (2) The Litany
- (3) The Penitential Office
- (4) The Offices of Instruction
- (5) In the Order for Holy Communion, the Epistle only
- (6) The Burial Offices: substituting for the priestly blessing the concluding prayer at the end of the Shorter Form for Family Prayer at Evening; substituting for the priestly blessing at the grave the final prayer at the end of the Shorter Form for Family Prayer

at Morning; and substituting for the priestly blessing at the Burial of a Child, the concluding prayer at the end of the Shorter Form for Family Prayer at Evening.

He shall not deliver sermons or addresses of his own composition, unless, after instruction and examination, he be specially licensed thereto for urgent needs by the Bishop. He shall not wear the dress only appropriate to Clergymen ministering in the Congregation.

CANON 43 Of Deaconesses

Section 43.1

A woman of devout character and proved fitness may be set apart, hallowed and consecrated Deaconess by any Bishop of this Church, subject to the provisions of this Canon.

Section 43.2

43.2(a) The duty of a Deaconess is to assist in the work of the Parish, Mission, or institution to which she may be appointed, under the direction of the Rector or Priest in charge; or, if there be none such, to perform such functions as may be directly entrusted to her by the Bishop.

43.2(b) The following are the chief functions which may be entrusted to a Deaconess:

- (1) To care for the sick, the afflicted, and the poor
- (2) To give instruction in the Christian Faith
- (3) Under the Rector or the Priest in charge, to prepare candidates for Baptism and for Confirmation
- (4) To assist at the administration of Holy Baptism of female candidates
- (5) Under the Rector or Priest in charge to organize, superintend, and carry out the Church's work among women and children

(6) To organize and carry on social work; and in colleges and schools to have a responsible part in the education of women and children, and to promote the welfare of women students.

Section 43.3

43.3(a) A woman desiring reception as Candidate for the office of Deaconess shall submit to the Bishop of the Diocese letters of recommendation from her Rector and from two women communicants of the Church, together with evidence that she is a communicant of the Church in good standing; and that she is a graduate of a four-year institution of higher learning, or is prepared to take such examinations as shall qualify her for reception.

43.3(b) During the period of Candidateship, she shall be under the supervision of the Bishop, and shall report to him quarterly at the Ember Seasons.

43.3(c) For due cause the Bishop may terminate any Candidacy.

Section 43.4

43.4(a) Before admission to the office of Deaconess a Candidate shall be required to pass examinations in the following subjects:

- (1) Holy Scripture: The Bible in English; introduction to and contents of the various books; special knowledge of at least one Gospel and one Epistle
- (2) Church history: A general outline, including the history of the Church in the United States, and special knowledge of the first five centuries
- (3) Christian missions: History; present extent and methods; at least one missionary biography
- (4) Doctrine: Contents and teaching of *The Book of Common Prayer*, including preparation for the Sacraments
- (5) Ministration: the Office and work of a Deaconess, parish work and organization
- (6) Religious education: Psychology, educational methods, Church school management

(7) Social service: Principles involved in the adjustment of individuals to each other and to the community, the methods of social case work, familiarity with the recognized standards of the work of social organizations including institutions.

43.4(a)i This examination shall be conducted by examiners appointed by the Bishop. The results of the examination shall be certified to the Bishop and to the Standing Committee of the Diocese.

43.4(a)ii The candidate shall also be required to furnish evidence that she has had at least nine months of field work under competent supervision, or satisfactory previous experience in social service, educational, parish, or mission work.

Section 43.5

No one shall be admitted a Deaconess until she is twenty-four (24) years of age; nor within two years of her reception as a Candidate, unless the Bishop, with the advice and consent of a majority of the members of the Standing Committee, shall shorten the time of her Candidateship; but the time shall not be shortened to less than one year.

Section 43.6

No woman shall be admitted a Deaconess until she have laid before the Bishop testimonials showing that she is a communicant of this Church in good standing, and that she possesses such characteristics as, in the judgment of the persons testifying, fit her for the duties of that office. The testimonials of fitness shall be signed by four (4) Presbyters of this Church and by eight (8) Lay Communicants, six (6) of whom shall be women.

Section 43.7

Before admission as a Deaconess, the Bishop shall require the Candidate to submit to a thorough examination by a physician and a licensed psychologist or psychiatrist appointed by the Bishop. This examination shall cover her psychological as well as her physical condition. The form of medical report prepared by the Standing Joint Commission on Education for Holy Orders and the form prepared by the Executive Council for psychological evaluations shall be used for this purpose. These reports shall be kept on file by the Bishop and shall be submitted to the Standing Committee with the application to be recommended for admission to the office of Deaconess.

Section 43.8

When the foregoing specified requirements have been complied with, the Bishop, upon the recommendation of the Standing Committee of the Diocese, may admit the Candidate to the office of Deaconess. The fact of the setting apart of a Deaconess shall be transmitted by the Bishop to the Recorder of the General Synod, together with the following data:

- (1) Her full name
- (2) Place and date of birth
- (3) Date and place of such setting apart.

Any change in the status of a Deaconess shall be likewise notified to the Recorder by the Bishop.

Section 43.9

No woman shall be recognized as a Deaconess until she has been admitted to that office by a service prescribed either by the General Synod or, in the absence of such prescription, by the Bishop of the Diocese.

Section 43.10

A Deaconess shall not accept work in a Diocese without the express authority in writing of the Bishop of that Diocese; nor shall she undertake work in a Parish without the like authority from the Rector of the Parish. No candidate shall be admitted as Deaconess until she shall have been appointed to serve in some position under the jurisdiction of the Church.

Section 43.11

When not connected with a Parish, the Deaconess shall be under the direct oversight of the Ecclesiastical Authority of the Diocese to which she is canonically attached. Each Deaconess shall report annually to the Bishop of her Diocese in the form prescribed by the Bishop. A Deaconess may be transferred from one Diocese to another by Letters Dimissory. A Deaconess may at any time resign her office to the Ecclesiastical Authority of the Diocese to which she is attached under this Canon, but she may not be suspended or removed from office except by the Bishop for cause. A Deaconess thus suspended or removed may demand a trial by a special Court, to be composed of two Presbyters and four Lay communicants, one man and three women, of whom two shall preferably be Deaconesses. The members of the Court shall be chosen by the Standing Committee. The procedure of the Court shall be according to the rules governing the trial of a Clergyman in the Diocese to which the Deaconess is attached under this Canon.

CANON 44 Of Religious Communities

Section 44.1

A religious community of men or women desiring the official recognition of the Church shall submit its Constitution and Rules of the community to the President of the House of Bishops for the approval of the House of Bishops. The House of Bishops may give its approval for such recognition. Provisions shall be made in the Constitution for the appointment of a visitor, with the approval of the President of the House of Bishops.

Section 44.2

44.2(a) The rules of every religious community shall include a distinct recognition of the Doctrine, Discipline, and Worship of this Church.

44.2(b) No religious priest or deacon shall, without the license of the Diocesan Bishop of that place, perform any liturgical acts outside the precincts of a religious house, convent, or monastery. The Bishop having responsibility for the religious shall, before licensing any new community or work, obtain the permission of the Ordinary of the place in which such new community or work shall be located; provided, however, that no Ordinary shall withhold his assent to such community or work without good cause.

44.2(c) The provisions of these Canons pertaining to the rites and ceremonies of the Church shall apply to religious communities.

44.2(d) The Bishop in whose jurisdiction the "Mother House" shall be located or situated, or one who shall be appointed by said Bishop, shall be the Episcopal Visitor of religious communities.

44.2(e) Once official recognition has been granted to a religious community, it shall not be withdrawn except in consequence of a violation of the provisions of this canon by such community, as determined by the President of the House of Bishops, with the advice and consent of the House of Bishops.

44.2(f) Any differences which may arise between the religious community and the Episcopal Visitor which can not be satisfactorily settled between the parties shall be appealed by either party to the House of Bishops for resolution. The manner in which the differences shall be presented to the House of Bishops shall be determined by the House of Bishops.

CANON 45 Of Professional Church Workers

Section 45.1

Any person being a communicant of this Church, who is a salaried, professional Church worker, who is employed or seeks to be employed, as a Christian Education, College, or Social Worker in the service of this Church in any Diocese, and who fulfills, in the opinion of the Bishop, the following qualifications:

- (1) Completion of two years of graduate study in a Church Training School or Seminary
- (2) Completion of a five-year combination of at least two of the following:
 - (a) Attendance at college
 - (b) Attendance at a Church Training School or Seminary
 - (c) Employment in the field of Christian Education; provided that at least 16 semester hours have been earned in two or more of the following fields:
 - i. Religion
 - ii. Christian Education
 - iii. Education

may apply to the Bishop of that jurisdiction to be accepted as a Certified Worker.

Section 45.2

The Bishop shall keep a list of such Certified Workers. When such a Certified Worker moves to another jurisdiction, the Ecclesiastical Authority shall give him a letter to the Bishop of the jurisdiction to which he shall remove, certifying that he has been on his list of Certified Workers.

Section 45.3

Each such Certified Worker shall report, either personally or by letter, to the Ecclesiastical Authority of the jurisdiction in which he is employed, annually, during Advent, as to the progress of his work. He shall also report at other times, if requested to do so by the Ecclesiastical Authority.

TITLE IV - ECCLESIASTICAL DISCIPLINE

CANON 46

Of Offenses for which Bishops, Presbyters, or Deacons May Be Tried

Section 46.1

A Bishop, Presbyter, or Deacon of this Church shall be liable to presentment and trial for the following offenses, viz:

- (1) Crime or immorality
- (2) Holding and teaching publicly or privately and advisedly, any doctrine contrary to that held by this Church
- (3) Violation of the Rubrics of *The Book of Common Prayer*
- (4) Violation of the Constitution or Canons of this Church
- (5) Violation of the Constitution or Canons of the Diocese to which he belongs
- (6) Any act which involves a violation of his Ordination vows
- (7) Habitual neglect of the exercise of his Ministerial Office, without cause; or habitual neglect of Public Worship, and of the Holy Communion, according to the order and use of this Church
- (8) Conduct unbecoming a Clergyman
- (9) Abandonment of the communion of this Church.

Provided, however, that in the case of a Presbyter or Deacon charged with an offense, before proceeding to a presentment, the consent of three fourths of all the members of the Standing Committee of the Diocese in which the Presbyter or Deacon is canonically resident shall be required. Upon the Standing Committee finding probable cause for a presentment of the Presbyter or Deacon, he shall be suspended from further duties with this church.

Upon a Presbyter or Deacon being found guilty, such Presbyter or Deacon shall be admonished, or shall be suspended or deposed from the Sacred Ministry, as shall be adjudged by the Trial Court, except as provided in Canon 57, Section 57.3.

Section 46.2

In the case of a Bishop, Presbyter, or Deacon convicted in a Court of Record of any crime or misdemeanor involving immorality, or against whom a judgment has been entered in a Court of Record in a cause involving immorality, it shall be the duty of the President of the House of Bishops, in the case of a Bishop, and in the case of a Presbyter or Deacon, of the Standing Committee of the Diocese in which he is canonically resident, to institute an inquiry into the matter. If in the judgment of either there is sufficient reason for further proceedings, it shall be their duty to present him, or to cause that he be presented, for trial.

Section 46.3

No presentment shall be made or conviction had for any offense, unless the offense shall have been committed within five years immediately preceding the time of the presentment, except that in a case of a conviction in a Court of Record exercising criminal jurisdiction as aforesaid, a presentment may be made at any time within one year after such conviction notwithstanding five years may have elapsed since the commission of the offense.

Section 46.4

If any presentment or allegations brought forward under the provisions of this Canon involves allegations of sexual misconduct, the matter shall be handled in accordance with the Policy and Procedure on such allegations adopted by the 1996 General Synod of this Church.

CANON 47 Of Amenability, Citation and Attendance

Section 47.1

Bishops, Presbyters, and Deacons are amenable for offenses committed by them; a Bishop to a Court of Bishops, and a Presbyter or Deacon to the Ecclesiastical Authority of the Diocese, in which he is canonically resident at the time the charge is made.

Section 47.2

A notice or citation required by any law of this Church to any Bishop, Presbyter, or Deacon to appear, at a certain time and place for the trial of an offense, shall be deemed to be duly served upon him if a copy thereof be given him personally or be left at his last usual place of abode within the United States, sixty days before the day of appearance named therein; and in case such Bishop, Presbyter, or Deacon has departed from the United States, if a copy of such citation be also published once a week for six successive weeks in such newspaper printed in the Diocese in which the Bishop, Presbyter, or Deacon is cited to appear as the Ecclesiastical Authority shall designate, the last publication to be six months before the said day of appearance. Acceptance of service will render unnecessary any further process of citation.

Section 47.3

A notice or citation, other than those above mentioned, required by any law of this Church, when no other mode of service is provided, may be served personally, or by registered or certified mail, addressed to the person to be served, at his last known place of residence, or by leaving a copy at his last usual place of abode within the United States.

Section 47.4

It is hereby declared to be the duty of all members of this Church to attend and give evidence, when duly cited in any Ecclesiastical trial or investigation under the authority of this Church.

CANON 48 Of Courts, Their Membership and Procedure

A. Diocesan Courts for the Trial of a Presbyter or Deacon

Section 48.1

In each Diocese there shall be an Ecclesiastical Court for the trial of any Presbyter or Deacon thereof, and it shall be the duty of each Diocese to provide by Canon for the establishment of such Court and the mode of conducting trials in the same.

Section 48.2

In each Ecclesiastical Court required to be established in Section 48.1 of this Canon, each Diocese shall provide in each Court as established an individual learned in the law who shall be required to advise the Court on all legal issues which shall be raised during any trial before the said Court.

B. Courts of Review of the Trial of a Presbyter or Deacon

Section 48.3

In case of conviction by the trial court, the Bishop shall not proceed to sentence the accused before the expiration of thirty (30) days after he shall have been served with notice of the decision of the Court in the manner specified in Canon 47, Section 47.3, nor in any proceeding in which an appeal is taken inasmuch as the appeal shall act as a *superdeas*. At the conclusion of all appeals, if the matter is not reversed, sentence shall be entered.

Section 48.4

There shall be a Court of Review of the trial of a Presbyter or Deacon, which shall be composed of a Bishop, three presbyters and three lay communicants of the Church; two at least of said lay communicants to be learned in the law.

Section 48.5

The General Synod shall triennially elect the Judges of the Court of Review. The Synod shall prescribe the manner in which said Judges shall be elected. The persons so elected, except in case of death, resignation, refusal, or inability to serve, shall continue to be members of the Court for the term of three years and until their successors shall be elected. A Bishop elected by the Synod shall be the Presiding Officer of the Court.

Section 48.6

The Court of Review is vested with jurisdiction to hear and determine appeals from decisions of Trial Courts in Dioceses, on the trial of a Presbyter or Deacon.

Section 48.7

An appeal to the Court of Review may be taken by the accused from a decision of the Trial Court which sustains in whole or in part a charge of any canonical offense. Upon the written request of at least two Bishops of other jurisdictions within the Church, or the Bishop or the Standing Committee of the Diocese within which a trial was had, may appeal from a decision of the Trial Court acquitting the accused of a charge involving a question of doctrine, faith, or worship. Provided, however, that such appeal shall be on the question of the Church's doctrine, faith, or worship only, and the decision shall not be held to reverse the acquittal of the accused on other charges than these. But such an appeal by the Standing Committee may be taken only where there is a vacancy in the office of Bishop or in case the Bishop is unable to act. The Bishop of the jurisdiction within which a trial was held, or (in case of his inability to act) the Standing Committee,

or the two or more Bishops of other jurisdictions of the Anglican Church in America may cause to be served on the accused in favor of whom a decision has been made by the Trial Court, acquitting the accused of a charge involving a question of doctrine, faith or worship.

Within thirty (30) days after the service of such notice, the accused may appeal the decision of the Trial Court which was adverse to him. The accused may appeal to the Court of Review by serving a written notice of appeal on the Bishop or Standing Committee of said jurisdiction and, if a party to the proceeding, the two or more Bishops of other jurisdictions and a duplicate thereof on the President of the Court. Such notice shall be subscribed by the appellant and shall briefly set forth the decision from which the appeal is taken and the grounds of the appeal. An appeal by the Bishop, Standing Committee, or the two or more Bishops may be taken by the service on the appellant of a written notice of appeal, and a duplicate thereof on the President of the Court within thirty (30) days after the decision from which appeal is taken and shall briefly set forth the decision from which the appeal is taken.

Section 48.8

An appeal shall be heard upon the record of the trial court. When an appeal shall have been taken, the Bishop or in case of his inability to act, the Standing Committee of the Diocese, or the two or more bishops with jurisdiction, or the accused within thirty (30) days after filing the notice of appeal, the Appellant(s) shall transmit to the President of the Court of Review, a full and correct transcript of the record, proceedings, and decision of the Trial Court, including all documentary or other physical evidence submitted and received by the Trial Court, duly certified by the Presiding Officer or Clerk of such Court with a copy of the same submitted to the Appellee(s). However, an extension may be granted by the Presiding Officer of such court for a period of time not to exceed one hundred and eighty (180) days. The Presiding Officer is not required to give an extension in the amount of one hundred and eighty (180) days. However, should the lesser extension which was given not be adequate, the Presiding Officer may extend his extension for a period of time which shall make the extensions he has given the Appellant not to exceed one hundred and eighty (180) days. Except for the purpose of correcting the record, if defective, no new evidence shall be taken by the Court of Review.

Section 48.9

After the transcript, exhibits, and record from the lower court have been filed, the Appellant(s) shall advise the Appellee(s) within seven (7) days of the transcript being filed as to whether he intends to file a written argument with the court. If he intends to do so,

he shall have the same filed within twenty (20) days of the filing of the transcript. In the event the Appellant(s) shall inform the Appellee(s) that he does not intend to file a written argument, the Appellee(s) may file their written argument with the Court within twenty (20) days of being informed that the Appellant(s) does not intend to file a written argument or twenty (20) days from the filing of the Appellant's written argument.

Section 48.10

The President of the Court of Review, within ninety (90) days after the transcript and exhibits shall have been received by him, shall appoint a time and place for the hearing of the appeal. At least thirty (30) days prior to the day appointed, written notice of such time and place shall be given by him to the other members of the Court, and also to the Appellant(s) and to the Appellee(s).

Section 48.11

It shall be the duty of the appellant(s) to procure a certified copy of the record of the trial which shall include the charges, the decision or judgment together with the notice of appeal. This material shall be printed at the cost to the Appellant and shall be filed within ten (10) days of the filing of the transcript, et al. At the same time, he shall deliver to the court seven (7) printed copies of the record of the trial for use by the judges. Also two (2) printed copies shall be delivered to the Appellee(s).

Section 48.12

At the time and place appointed, the Court shall organize, and proceed to hear the appeal; Provided, however, that at least five judges, of whom the President of the Court shall be one, shall participate in the hearing. But the members present, if less than that number, may adjourn the Court from time to time, until the attendance of the requisite number shall be secured.

Section 48.13

The Court may reverse or affirm, in whole or in part, the decision of the Trial Court or, if in its opinion justice shall so require, it may grant a new trial. However, if the appeal shall be by the Bishop, or the two or more bishops from other jurisdictions, the reversal shall be only as to the questions of the Church's doctrine. If after having been duly notified, the appellant shall fail to appear, and no sufficient excuse be shown, the Court, in its discretion, may dismiss the appeal for want of prosecution, or may proceed to hear and determine the appeal in his absence.

Section 48.14

The concurrence of a majority of the members of a Court present shall be necessary to pronounce a judgment. The judgment or decision of the Court shall be in writing, signed by the members of the Court agreeing therein, and shall distinctly specify the grounds of the decision and shall be attached to the record. If the concurrence of a majority of the members cannot be obtained as provided, that fact shall be stated in the record, and the decision of the Trial Court shall stand as affirmed. Immediately after the determination of the appeal, the President of the Court shall give notice thereof in writing to the accused and to the Bishop and the Standing Committee of the Diocese in which the trial was had and, if a party, the Bishops who filed the appeal.

Upon the determination of the appeal, the original record upon which the appeal was heard, together with the transcript, exhibits, and written argument, if any, and record of the Court of Review, certified by the President and the Secretary or Clerk, shall be remitted to the Bishop or the Standing Committee of the jurisdiction in which the trial was had. All records remitted as herein provided shall be deposited and be preserved among the archives of the jurisdiction to which they are sent.

Section 48.15

The Court of Review for the trial of a Presbyter or Deacon shall not pronounce sentence on the affirmation of a conviction. When the appeal is so determined, upon receipt of the record by the Bishop or Standing Committee of the jurisdiction of the Trial Court, the accused shall be sentenced in accordance with Canon 57, the provisions of which shall be complied with.

C. Court for the Trial of a Bishop

Section 48.16

48.16(a) There shall be a Court for the trial of a Bishop constituted as follows: The House of Bishops shall choose one bishop to serve as a judge of said court for a term of three (3) years, one Bishop for a term of six (6) years, and one Bishop to serve for a term of nine (9) years. Thereafter, at each General Synod, the House of Bishops shall choose a Bishop to serve for a term of nine (9) years. Bishops shall also choose three (3) presbyters to serve for a three-year period, with each presbyter to be chosen from a different diocese. In the event that the Bishops of this Church so desire, they may elect a Vicar General of this Church to serve on this court in the place of a Bishop. No presbyter or Vicar General shall be permitted to serve on the Court if the Bishop charged has ever been Bishop of a Diocese wherein the Vicar General or Presbyter has resided. The bishop chosen for a period of three (3) years shall be eligible to serve a six-year term.

Thereafter at each General Synod the House of Bishops shall choose one bishop to serve for a term of nine (9) years. The House of Bishops shall also choose three (3) Presbyters to serve for a three-year period with each Presbyter to be chosen from a different Diocese. The Presbyters shall be selected each three year period. No Presbyter or lay member of the Court shall be permitted to serve on the Court if the Bishop charged has ever been Bishop of the Diocese where the Presbyter or lay person has resided.

48.16(b) In the Court established in Section 15(a) of this Canon, there shall be appointed an individual, by the members of said Court, learned in the law to advise the Court on all legal issues which shall be raised during any trial before the said Court.

48.16(c) The Court is vested with jurisdiction to try a Bishop who is duly charged with any one or more of the offenses specified in Canon 46.

48.16(d) Not less than five of said judges shall constitute a quorum, but any less number may adjourn the Court from time to time.

D. Of Membership in Courts

Section 48.17

48.17(a) No person shall sit as a member of any Court who is a presenter of charges or is related to the accused or either of them by affinity or consanguinity in a direct ascending or descending line, or as a brother, uncle, nephew, or first cousin, nor shall any Bishop, nor any Vicar General, nor any Presbyter, nor any lay person of the Diocese in which the trial was had be competent to sit on an appeal from the decision on such trial, nor shall any Bishop, Vicar General, Presbyter or lay person who for any reason which shall affect the ability of the member to return an impartial decision upon objection made which the court shall sustain if a majority agree that the reason is valid.

48.17(b) The death, permanent disability, resignation, or refusal to serve as a member of any Court or Board of Inquiry shall constitute a vacancy in the Court or Board of Inquiry. Notices of resignation or refusals to serve shall be given as follows:

- (1) By any Bishop chosen to serve as a member of the Court for the Trial of a Bishop; written notice sent to the President of the House of Bishops.

(2) By the President of the Court of Review of the Trial of a Presbyter or Deacon; written notice sent to the President of the House of Bishops.

(3) By a Vicar General or Presbyter of such Court; written notice sent to the President of said Court

(4) By a Vicar General or Presbyter appointed to a Board of Inquiry; written notice sent to the President of the House of Bishops.

48.17(c) If any Vicar General or Presbyter appointed to a Board of Inquiry or to any of the Courts shall become a Bishop, he shall thereby vacate his place as a member of the Board or Court.

Section 48.18

Vacancies occurring in any of the Courts or Boards may be filled as follows:

(1) In the case of disqualification of any Judge of any Court, the remaining Judges of the said Court shall appoint a Judge to take the place of the one so disqualified in that particular case.

(2) In the case of a vacancy in the Court for the Trial of a Bishop the remaining Judges thereafter shall have power to fill such vacancy until the next General Synod when the House of Bishops shall choose a Bishop, a Vicar General, or a Presbyter to fill such vacancy. The Bishop, Vicar General, Presbyter so chosen shall serve during the remainder of the term.

(3) In the case of death, permanent disability, resignation, or refusal to serve, or the removal from this Church of the Bishop appointed as a member of the Court of Review of the Trial of a Presbyter or Deacon, the President of the House of Bishops shall give written notice thereof to the Bishop with jurisdiction senior by consecration. Thereupon the Bishop so notified shall become a member of the Court until a new appointment shall be made. If in a particular case the Bishop so appointed is unable or unwilling to serve as a member of the Court he shall notify the President of the House of Bishops of this fact, who shall thereupon appoint the Bishop with jurisdiction next senior by consecration.

(4) In case a vacancy shall exist in the membership of the Court of Review among the clerical or lay members originally chosen, or in case any of them shall be disqualified or unable to sit in a particular case, the President of the Court shall appoint other

Presbyters or Laymen to fill such vacancy and to sit as members of said Court.

(5) In the case of a vacancy for any cause in the Board of Inquiry the President of the House of Bishops shall appoint another Presbyter or another layman, as the case may be, to act as a member of the Board, who, upon acceptance of appointment, shall become a member of the Board.

All of the provisions of the Canons relating to persons originally appointed as members of the several Courts or Boards of Inquiry or commissions, shall apply to those persons appointed in succession to the persons originally appointed, and all proceedings which may have been taken on any cause pending at or prior to such appointment, shall have the same force and effect as if the appointee had been a member of the Court, Board, or commission, when such cause was commenced, and such appointee may participate in the continuing hearing and determination of the said cause unless the appointee has not been present when evidence was produced or argument made.

If the term for which a member of a Court, Board, or Commission was chosen shall have expired during the course of a hearing or trial, said member shall notwithstanding be competent to act in the cause until the termination of the trial or hearing.

E. Of Procedure

Section 48.19

48.19(a) The procedure in Diocesan Courts shall be as provided by the Canons of the respective Dioceses.

48.19(b) The Court for the Trial of a Bishop shall from time to time elect from its own membership a Presiding Judge who shall hold office until the expiration of the term for which he was chosen Judge. If in any proceeding before said Courts the Presiding Judge is disqualified or is for any cause unable to act, the Court shall elect a Bishop as Presiding Judge Pro tempore.

48.9(c) The several Courts shall appoint clerks and if necessary assistant clerks, who shall be Presbyters of this Church, to serve during the pleasure of the Court.

48.9(d) The several Courts may appoint not less than two nor more than three lay communicants of this Church, learned in the law, as assessors. They shall have no vote. It shall be their duty to give the Court an opinion on any question, not theological, upon

which the Court or any member thereof, or either party, shall desire an opinion. If a question shall arise as to whether any question is theological, it shall be decided by the Court by a majority of the votes. The several Courts may adopt rules of procedure not inconsistent with the Constitution and Canons of this Church, with power to alter or rescind the same from time to time.

Section 48.20

In the conduct of investigations preliminary to presentments, as well as in all trials, the laws of the civil jurisdiction in which such investigation or trial is had, so far as they relate to evidence, shall be adopted and taken as the rules by which said Board of Inquiry, Commission, or Court, shall be governed, and trials shall be conducted according to the principles of the common law as the same is generally administered in the United States, including the requirement that the accused shall be entitled to the right to due process as said term is defined in the Constitution of this Church, except in those Dioceses where Ecclesiastical Courts are provided for by Constitution or Statute in the state in which the trial shall be held, in which case the same shall govern.

No determination or judgment of any Court shall be disturbed for technical errors not going to the merits of the cause.

The Several Courts shall keep a record of all their proceedings. All trials shall be public, and open to anyone who wishes to observe the same.

Section 48.21

The various Courts shall permit the accused to be heard in person or by counsel of his own selection, provided every such counsel shall be a communicant of this Church. The President, or any other member of the several Courts, shall, upon application of either the Church Advocate or the accused, issue subpoenas for witnesses.

When the several Courts are not in session, if there is a vacancy in the office of the President, the Bishop who is senior by consecration shall perform the duties of the office of President. In the event that there is no other bishop on the court other than the President, then the Presbyter who is senior by date of consecration shall perform the duties of the President.

If in the course of a trial it becomes necessary to take the testimony of absent witnesses, it may be taken upon a commission as such commissions are authorized by the common law in the jurisdiction in which the trial takes place, and in case there is ground to suppose that the attendance of a witness at the forthcoming trial cannot be obtained, it

shall be lawful for either party to apply to the Court if in session, or, if not, to any member thereof, who shall thereupon appoint a Commissioner to take the deposition of such witness; and such party desiring to take such depositions shall give the opposite party reasonable notice of the time and place of taking depositions, accompanying such notice with the interrogatories to be propounded to the witness, whereupon it shall be lawful for the other party within six days after such notice to propound cross interrogatories and such interrogatories and cross interrogatories, if any be propounded, shall be sent to the Commissioner, who shall thereupon proceed to take the testimony of such witness and transmit it under seal to the Court. Such testimony shall be preceded by a written declaration of the witness similar to that of a witness testifying in person before the court for the Trial of a Bishop. However, should the party taking the testimony desire to be present and examine the witness personally, he shall so notify the president of the court in which the matter is pending and the other party of this fact. Unless the other party shall establish good cause why this should not be done, financial expense not being a good cause, the Court shall permit the examination being as above set forth. At this time the president of the court shall approve the individual who shall transcribe the deposition application of the party requesting to take the oral deposition.

In any Diocese where the trial shall take place in which the Civil Government shall have authorized the Ecclesiastical Courts therein to issue subpoenas for witnesses or to administer an oath, the Court shall act in conformity to such law.

Section 48.22

Where a presentment of a Bishop is made by any one Bishop of this Church exercising jurisdiction, they may select a Church Advocate as legal adviser. The President of the House of Bishops upon the receipt of written charges or written demand under the provisions of Section 48.3 or 48.4 of Canon 48 shall at the same time that the Board of Inquiry is appointed as provided in Section 48.5. of said Canon 48 appoint a Church Advocate to act as the legal adviser of the Board.

In all trials and upon all appeals the several Courts may appoint a Church Advocate with or without assistants, all of whom shall be learned in the law, and communicants of the Church, to appear on behalf of the Church upon such trial or appeal. The Church Advocate shall then be considered the party on one side, and the accused the party on the other. No one in Holy Orders, nor any Chancellor of any Diocese or of the General Synod may accept appointment as Church Advocate.

Section 48.23

The necessary charges and expenses of the Court of Review of the Trial of a Presbyter or Deacon, including the necessary expenses of the Church Advocate and lay Assessors, shall be a charge upon the Church and shall be paid by the Treasurer of the General Synod of such upon the order of the President of the House of Bishops. Similar charges in the case of the trial of a Bishop shall be paid by the Treasurer of the General Synod upon the order of the President of such Courts.

The necessary expenses of Boards of Inquiry or Commissions appointed under the Canons of this Church to make preliminary investigation and to report upon charges presented, including therein the necessary expenses of Church Advocates appointed to assist such Boards or Commissions, shall be a charge upon the General Synod, or the Diocese, as the case may be. They shall be paid by the Treasurer of the General Synod, or of the Diocese, upon the order of the President of the several Courts.

CANON 49 Of Presentments

A. Presentment of a Presbyter or Deacon

Section 49.1

The mode of presentment of a Presbyter or Deacon shall be that provided by the Canons of the Diocese wherein the accused is canonically resident.

B. Presentment of a Bishop

Section 49.2

A Bishop may be presented by any Bishop of this Church exercising jurisdiction, for holding and teaching publicly or privately and advisedly, doctrine contrary to that held by this Church. Such presentment shall be in writing, signed and verified by the Bishop presenting, and shall be delivered to the President of the House of Bishops.

Section 49.3

A Bishop may be charged with any one or more of the offenses specified in Canon 46, other than that of holding and teaching doctrine contrary to that held by this Church by one Bishop and ten (10) or more communicants of this Church in good standing, of whom at least two shall be Presbyters; one Presbyter and not less than six communicants

shall belong to the Diocese of the accused, or, in case the accused has no jurisdiction, to the Diocese in which he has domicile. Such charges shall be in writing, signed by all the accusers, sworn to by two or more of them, and shall be presented to the President of the House of Bishops of the Church. The ground of accusation must be set forth with reasonable certainty of time, place, and circumstance(s) for such presentment.

Section 49.4

Whenever a Bishop shall have reason to believe that there are in circulation rumors, reports, or allegations affecting his personal or official character, he may, acting in conformity with the written advice and consent of any other Bishop of this Church, demand in writing of the President of the House of Bishops that investigation of said rumors, report, and allegations be made.

Section 49.5

The President of the House of Bishops, upon the receipt of such written charges or such written demand, shall summon one Bishop, and ten (10) or more communicants of this Church in good standing, of whom at least three shall be Presbyters. One Presbyter and not less than six communicants shall belong to the diocese of the Bishop making the request and unless a majority of them shall determine that such charges, if proved, would constitute no canonical offense, they shall select a Board of Inquiry of not more than five Presbyters and five Laymen, none of whom shall belong to the Diocese of the accused, of whom a majority shall form a quorum.

The Board of Inquiry shall investigate such charges, or the said rumors or reports, as the case may be. In conducting the investigation, the Board shall hear the accusations and such proof as the accusers may produce and shall determine whether, upon matters of law and of fact, as presented to them, there is sufficient ground to put the accused Bishop on his trial. The testimony shall be stenographically reported, and shall be preserved in the custody of the President of the House of Bishops or in the archives of the House of Bishops. The proceedings of the Board of Inquiry shall be private and confidential.

Section 49.6

If in the judgment of the majority of the whole Board of Inquiry, there is sufficient ground to put the said Bishop upon trial, they shall cause the Church Advocate to prepare a presentment, which shall be signed by such of the Board as shall agree thereto, and which shall be transmitted with the certificate of the determination of the Board to the President of the House of Bishops. If a majority of the whole Board shall determine that there are not sufficient grounds to present the accused Bishop for trial, it shall forward the charges and a certificate of the finding thereon to the President of the House

of Bishops. He shall send the same to the Secretary of the House of Bishops, by him to be deposited in the archives of the House; and a true copy of these papers shall be given to the accused Bishop. No further proceeding shall be had by way of presentment on such charges, except that any communicant of this Church in good standing may make and present to the President of the House of Bishops his affidavit alleging the discovery of new evidence as to the facts charged and setting forth what such evidence is. Upon the receipt thereof the President of the House of Bishops shall decide whether the affidavit does or does not state grounds which in his opinion are sufficient for reopening the case. If the President of the House of Bishops shall be of the opinion that the affidavit states grounds sufficient to justify reopening the case, he shall reconvene the Board, which shall determine, first, whether as a matter of fact the evidence set forth in such affidavit is really new evidence and not merely cumulative. If the Board shall find that the evidence so tendered is new, it shall proceed to receive and to consider such evidence, and any further evidence that it may deem proper to receive. In the light of all the evidence the Board shall determine whether there are sufficient grounds for presentment. If the Board, by a majority of its members, shall decide that there is any such sufficient ground, it shall certify its decision as in this Canon heretofore provided.

Section 49.7

In case a majority of the whole Board shall fail to find either that there is, or that there is not, sufficient ground to present the accused Bishop for trial, it shall certify the fact of its inability to agree upon any such finding to the President of the House of Bishops, who, at the request of the accused Bishop, may select a new Board in the manner provided in Section 5, who shall consider the case De Novo.

Section 49.8

In case any presentment shall be made to the President of the House of Bishops as hereinbefore provided, he shall at once transmit the same to the President of the Court for the Trial of a Bishop, and shall cause a true copy of the presentment to be served upon the accused Bishop, in the manner provided in Canon 47. Additionally, the President of the House of Bishops shall notify the members of this Church of the fact that there may be a trial of a bishop and the allegations of the presentment.

Section 49.9

In case the President of the House of Bishops shall be either an accuser or the accused, or shall otherwise be disabled, his duties under this Canon shall be performed by the Vice President of the House of Bishops.

CANON 50 Of the Trial of a Bishop

Section 50.1

50.1(a) When the President of the Court for the Trial of a Bishop shall receive a presentment, he shall call the Court to meet at a certain time and place, said time not to be less than two nor more than six calendar months from the day of mailing such notice, and at a place within the Diocese of the accused Bishop, unless the same be of such difficult access, in the judgment of the President of the Court, that reasonable convenience requires the appointment of another place; and in case the accused has no jurisdiction, at a place within the Diocese in which he has his domicile. With said notice, he shall send to each member of the Court a copy of the presentment.

50.1(b) He shall also summon the accused to appear at the same time and place to answer the said presentment, and shall also give notice of the said time and place to the Church Advocate.

Section 50.2

50.2(a) At the time and place appointed, a quorum of the Court being present, the President shall declare the Court open for hearing the case. When thus open, he shall direct the clerk to call the names of the Church Advocate and the accused. If both appear, he shall then cause the Clerk to read the presentment.

50.2(b) The accused shall then be called upon by the Court to plead to the presentment and his plea shall be duly recorded. On his neglect or refusal to plead, the plea of not guilty shall be entered for him, and the trial shall proceed. For sufficient cause the Court may adjourn from time to time, provided also, that the accused shall, at all times during the trial, have liberty to be present, and in due time and order to produce his testimony and to make his defense.

50.2(c) If the accused fails or refuses to appear in person, according to the notice served on him as aforesaid, except for reasonable cause to be allowed by the Court, it shall pronounce him in contumacy, and give him notice that sentence of suspension or deposition will be pronounced against him by the Court at the expiration of three months, unless at that time he shall appear and take his trial upon the presentment. If he does not so tender himself for trial, sentence or suspension, or of deposition from the Ministry, may be pronounced upon him by the Court.

Section 50.3

The accused being present and the trial proceeding, it shall be conducted in accordance with Sections 20, 21, and 22 of Canon 48. The accused shall in all cases have the right to be a witness on his own behalf, subject to cross-examination in the same manner as any other witness. No testimony shall be received at the trial, except from witnesses who have signed a declaration in the following words, to be read aloud before the witness testifies and to be filed with the records of the Court:

"I, A.B., a witness on the trial of a presentment against the Right Reverend _____, a Bishop of the Anglican Church in America, now pending, do most solemnly call God to witness that the evidence I am about to give shall be the truth, the whole truth, and nothing but the truth, so help me God."

Section 50.4

All witnesses shall be examined orally, both on direct and cross-examination and by the Court.

Section 50.5

The Court, having fully heard the allegations and proofs of the parties, and having deliberately considered the same after the parties have withdrawn, every member of the Court sitting in the cause shall declare whether in his opinion the accused is guilty or not guilty, and with respect to each particular charge and specification contained in the presentment; and the accused shall be deemed not guilty upon every charge and specification upon which he shall not be pronounced guilty by a majority of the members of the Court sitting in the cause.

Section 50.6

The decision of the Court as to all the charges and specifications shall be reduced to writing, and signed by those who assent to it, and the Court shall also, if the accused is found guilty of any charge or specification, determine and embody in the written decision the penalty which it shall adjudge should be imposed upon the accused, which penalty may be admonition or suspension or deposition from the ministry, as shall be by the Court adjudged; and the decision so signed shall be recorded as the judgment of the Court, and shall be judgment nisi until it becomes final as hereinafter stated .

Section 50.7

A Bishop found guilty upon a presentment for crime or immorality shall not, after the rendering of such judgment, and while the same continues un-reversed, perform any

Episcopal or ministerial functions, except such as relate to the administration of the temporal affairs of his Diocese and this done with the consent of his Standing Committee.

Section 50.8

If the accused shall be found guilty of any charge or specification, he may file a motion for a new trial and for a modification of penalty. Any such motion or motions shall be filed within 30 days from the date of the filing of the decision, and the motion shall set forth all the reasons therefore, and no other shall be relied on at the hearing of the motion without the consent of the Court.

However, if the trial transcript had not been prepared when the motion for a new trial was made, upon receipt of the trial transcript which shall be filed with the court by the Bishop, the Bishop shall be entitled to file an amendment to his motion within forty-five (45) days of the filing of the transcript and all other evidence which shall have been admitted in the court below.

The President of the Court shall set a place and time for hearing the motion and shall reconvene the Court to hear and determine the same. However, no hearing shall be scheduled until the testimony of the witnesses shall have been transcribed by an official court reporter of the jurisdiction in which the trial shall have been held and the same presented to the court along with all other documentary and physical evidence. The accused may have an extension of up to one hundred and eighty (180) days from the date the transcript originally was due in which to file the transcript which was originally due thirty (30) days from the date of docketing this appeal. Upon application by the accused, the President of the Court for a trial of a Bishop may grant an extension for a lesser time. The court may extend the extension for up to the one hundred and eighty (180) days from the date the trial transcript was originally due to be filed.

The Court may in the interest of justice grant a new trial or modify the penalty. If the motion for a new trial is granted, the President of the Court shall set a time and place for the new trial, and notify the parties and the members of the Court of such time and place. If the motion for a new trial is overruled, the judgment nisi as to the guilt of the accused shall become final, but the Court in the exercise of its discretion may modify or change the penalty, and shall in writing signed by a majority of the Court direct what penalty is to be incorporated in the final judgment to be recorded by the Clerk. If no motion for a new trial or for modification of sentence shall be filed within the time limit for filing such motions, the Clerk of the Court shall on the next secular day enter, as final, the judgment of a Court for the Trial of a Bishop and provide a copy of the same to

the President of the House of Bishops, who shall provide a copy of the judgment to the Presbyters of all parishes and missions of this church who shall, within ten (10) days of his receipt of the decision, advise his congregation of the language of the decision by advising all members of his vestry and reading the entire language of the decision during all services on the next Sunday after receipt of the judgment.

After the entry of final judgment, the President of the Court shall appoint a time and place not less than sixty (60) days thereafter for pronouncing sentence. At the time and place appointed, the President of the Court or a member thereof designated in writing by a majority of the members thereof to do so, shall in the presence of the accused, if he shall see fit to attend, pronounce the sentence which has been adjudged by the Court, and direct the same to be recorded by the Clerk.

Section 50.9

50.9(a) During the trial, exceptions may be made orally by either side to the admission or exclusion of evidence, or to any ruling of the Court, and such exceptions shall form part of the record of the case. All exceptions shall be noted in the trial transcript by the Court Reporter.

50.9(b) Such record shall be kept by the Clerk, and inserted in a book to be attested by the signature of the President and Clerk. The record shall be in the custody of the Clerk and kept in the depository of the Registrar of the General Synod, and shall be open to the inspection of every member of this Church.

CANON 51

Of a Minister in any Diocese Chargeable with an Offense in Another Diocese

Section 51.1

If a Minister belonging to any Diocese shall have conducted himself in any other Diocese in such a way as to be liable to presentment under the provisions of Canon 46, the Ecclesiastical Authority thereof shall give notice of the same to the Ecclesiastical Authority where he is canonically resident, exhibiting, with the information given, reasonable ground for presuming its truth. If the Ecclesiastical Authority, after due notice given, shall omit, for the space of three months, to proceed against the offending Minister, or shall request the Ecclesiastical Authority of the Diocese which the offense or offenses are alleged to have been committed, to proceed against him, it shall be within the power of the Ecclesiastical Authority of the Diocese, within which the offense or offenses

are alleged to have been committed, to institute proceedings according to the mode provided by the said Diocese.

Section 51.2

If a Minister shall come temporarily into any Diocese, under the imputation of having elsewhere been guilty of any of the offenses within the provisions of Canon 46, or if any Minister, while sojourning in any Diocese, shall so offend, the Bishop, upon probable cause, may admonish such Minister and inhibit him from officiating in said Diocese. And if, after such inhibition, the said Minister so officiate, the Bishop shall give notice to all the Ministers and Congregations in said Diocese, that the officiating of said Minister is inhibited; and like notice shall be given to the Ecclesiastical Authority of the Diocese to which the said Minister belongs, and to the Recorder. And such inhibition shall continue in force until the Bishop of the first named Diocese be satisfied of the innocence of the said Minister, or until he be acquitted on trial.

Section 51.3

The provisions of the last Section shall apply to Ministers ordained in foreign lands by Bishops in Communion with this Church; but in such case notice of the inhibition shall be given to the Bishop from whose jurisdiction the Minister shall appear to have come, and also to all the Bishops exercising jurisdiction in this Church, and to the Recorder.

CANON 52 Of Renunciation of the Ministry

Section 52.1

52.1(a) If any Minister of this Church in good standing shall apply for admission into any religious body not in formal communion with the same; or declare, in writing, to the Ecclesiastical Authority of the Diocese in which he is canonically resident, his renunciation of the Ministry of this Church, and his desire to be removed there from, it shall be the duty of the Ecclesiastical Authority to record the declaration and request so made. The Bishop, being satisfied that the person so declaring is not amenable for any canonical offense, and that his renunciation of the Ministry is not occasioned by foregoing misconduct or irregularity, but is voluntary and for causes, assigned or known, which do not affect his moral character, shall defer formal action upon the declaration for three months, and meanwhile shall lay the matter before the clerical members of his Standing Committee and with their advice and consent he may pronounce that such renunciation is accepted, and that the Minister is released from the obligation of the Ministerial office, and that he is deprived of the right in this Church to exercise the gifts

and spiritual authority as a Minister of God's Word and Sacraments conferred on him in his Ordination.

52.1(b) In this case, the Bishop or Ecclesiastical Authority shall also declare in pronouncing and recording such action that it was for causes which do not affect the man's moral character, and shall, if desired, give a certificate to this effect to the person so removed from the Ministry.

Section 52.2

In all other cases of Renunciation of the Ministry, where there may be a bona fide question of foregoing misconduct or irregularity, but no presentment has been made, the Bishop shall not pronounce sentence of Deposition save with the advice and consent of the Standing Committee of his Diocese. The Bishop shall give due notice of every such Removal or Deposition from the Ministry, in the form in which the same is recorded, and in accordance with the provisions of Canon 56, Section 3(b).

52.2(a) Where the Bishop to whom such declaration shall have been made finds it appropriate, and with the advice and consent of his Standing Committee, a Presbyter or Deacon in this Church not under presentment may be removed simply from the rolls of the Clergy therein and his resignation accepted. The Bishop or Ecclesiastical Authority shall thereupon pronounce that the Minister is released from the obligation of the Ministerial office, and that he is deprived of the right to exercise in this Church the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred on him in his Ordination. The Secretary of the General Synod and of the affected Diocese shall remove his name from the rolls of the Ministers of this Church. In this case, the Declaration and Certificate referred to in Section 52.1(b) herein above shall not be made nor issued.

The standard for determining the appropriateness of such acceptance and simple removal shall be whether or not there is a reason to suppose that simple removal of the cleric making the declaration would cause scandal among the faithful, or otherwise jeopardize the good order and well being of the Church.

52.2(b) If the Bishop or Ecclesiastical Authority to whom such declaration is made shall have ground to suppose that the cleric making the same is liable to presentment for any canonical offense such that simple removal from the rolls of the clergy of this Church could scandalize the faithful or otherwise place in jeopardy the good order and well being of the Church, such cleric may, at the discretion of the said Ecclesiastical Authority, be placed upon trial for such offense notwithstanding his declaration of renunciation of the Ministry.

Section 52.3

If a Minister making the aforesaid declaration of renunciation of his Ministry be under presentment for any canonical offense, or if he shall have been placed on trial for the same, the Ecclesiastical Authority to whom such declaration is made, shall not consider or act upon such declaration until after the said presentment shall have been dismissed, or the said trial shall have been concluded and sentence, if any, pronounced.

CANON 53 Of the Abandonment of the Communion of this Church by a Bishop

Section 53.1

If a Bishop abandon the communion of this Church, either by an open renunciation of the Doctrine, Discipline, or Worship of the Church, or by formal application for admission into any religious body not in formal communion with the same, or in any other manner, it shall be the duty of the Standing Committee of the Diocese of said Bishop to certify the fact to the President of the House of Bishops, and with certificate to send a statement of the acts or declarations which show such abandonment, which certificate and statement shall be recorded by the President of the House of Bishops.

The President of the House of Bishops, with the consent of the two senior Bishops having jurisdiction in this Church shall then suspend the said Bishop from the exercise of his Office and Ministry until such time as the House of Bishops shall investigate the matter.

Section 53.2

The President of the House of Bishops shall forthwith give notice to the said Bishop of such suspension, and that unless he shall, within six months, make declaration that the facts alleged in said certificate are false, and shall demand a trial, he will be liable to deposition from the Ministry. And if such declaration be not made within six months, as

aforesaid, it shall be the duty of the President of the House of Bishops to convene the House of Bishops to consider the case; and if the said House, by a majority of the whole number of Bishops entitled to vote, shall give their consent, the President of the House of Bishops shall depose the said Bishop from the Ministry, and pronounce and record in the presence of two or more Bishops, that he has been so deposed.

CANON 54

Of the Abandonment of the Communion of this Church by a Presbyter or Deacon

Section 54.1

If any Presbyter or Deacon shall, without availing himself of the provisions of Canon 52, abandon the communion of this Church by an open renunciation of the Doctrine, Discipline, or Worship of this Church, or by formal application for admission into any religious body not in formal communion with the same, or in any other way, it shall be the duty of the Standing Committee of the Diocese in which said Presbyter or Deacon is canonically resident to certify the fact to the Bishop or, if there be no Bishop, to the Bishop of an adjacent Diocese, and with such certificate to send a statement of the acts or declaration which show such abandonment; which certificate and statement shall be recorded, and shall be taken and deemed by the Ecclesiastical Authority as an equivalent to a renunciation of the Ministry by the Minister himself; and the said Bishop shall then suspend the said Minister for six months. Notice shall then be given by the said Bishop to the Minister so suspended that, unless he shall within six months transmit to the Bishop a retraction of such acts, or make declaration that the facts alleged in said certificate are false, he will be deposed from the Ministry.

Section 54.2

If such retraction or declaration be not made within six months, as aforesaid, it shall be the duty of the Bishop to depose the said Minister from the Ministry, and to pronounce and record, in the presence of two or more Presbyters, that he has been so deposed.

Section 54.3

A Priest or Deacon charged under this Canon shall retain the right to trial under Canon 48.

CANON 55
Of a Minister Absenting Himself from His Diocese
or Abandoning the Work of the Ministry

Section 55.1

If a Minister shall have been absent for more than two years from the Diocese in which he is canonically resident without having given reasons satisfactory to the Bishop thereof; or if he shall engage in any secular calling or business without the consent of such Bishop, and shall refuse to engage in the work of the Ministry at the call of his Bishop, coupled with reasonable provision for his support, it shall be the duty of the Standing Committee of the Diocese, or of any two Presbyters of the same jurisdiction, the case being brought to their attention by the written statement of the Bishop, to present the offending Minister for trial for violation of his Ordination vows.

Section 55.2

Whenever a Minister of this Church shall have been absent from the Diocese for a period of more than one year, so that his whereabouts are unknown, or has failed to report in writing, annually, to the Bishop his occasional services and other ministerial actions or services, or if there have been none, the reasons which have prevented the same, such minister shall be deemed no longer in good standing and the Bishop must send the name of such Minister to the Secretary of the House of Bishops of the Church, who shall keep a list of such Ministers; but upon application of either the Bishop or the Minister himself, or at the discretion of the President of the House of Bishops, he shall be placed again upon the Diocesan list. While the Minister's name remains upon the list of the Secretary of the House of Bishops he shall not be considered as canonically connected with the Diocese.

Section 55.3

Any Minister who desires to have his name removed from the rolls of the Clergy in good standing of this said Church, shall be permitted to do so, upon a voluntary renunciation or resignation from the ministry of this Church, should the Bishop Ordinary of the Diocese of which the said Minister is a member, approves the said action.

CANON 56 Of Sentences

Section 56.1

Whenever the penalty of suspension shall be inflicted on a Bishop, Presbyter, or Deacon, in this Church, the sentence shall specify on what terms and on what conditions and at what time the penalty shall cease.

Section 56.2

Whenever a Minister is deposed from the Sacred Ministry, he is deposed there from entirely, and not from a higher to a lower Order in the same.

Section 56.3

56.3(a) If a Presbyter or Deacon is liable to sentence upon conviction by a Trial Court or upon affirmance of such conviction by a Court of Review, sentence shall be imposed by the Bishop of the jurisdiction in which the original trial of the accused was had, or in case such Bishop is disqualified or there be no Bishop of that jurisdiction, by another Bishop by the request of its Standing Committee, and it shall be lawful for the Bishop of the jurisdiction or for such other Bishop in his discretion to pronounce a lesser sentence than adjudged by the Court, upon explaining in writing to the members of the Standing Committee why such sentence was imposed rather than the sentence imposed by the court within thirty (30) days of the imposition of the new sentence. Said writing shall not include any electronic means of communication. The Bishop to act shall appoint a time and place for the pronouncing of such sentence and shall cause notice thereof in writing to be served upon the accused in the manner provided in Canon 47 at least thirty (30) days before the time appointed.

56.3(b) In the case of renunciation of the Ministry by a Minister as provided in Canon 52, and in case of the abandonment of the communion of this Church by a Presbyter or Deacon as provided in Canon 53, sentence of Removal or Deposition shall be pronounced in the presence of two or more Presbyters, and shall be entered in the official records of the Diocese in which the Presbyter or Deacon being removed or deposed is canonically resident. The Bishop who pronounces sentence of Removal or Deposition as provided in Canon 53 or Canon 57 shall give notice thereof in writing to the President of the House of Bishops, the Recorder, and the Secretary of the House of Bishops, the Secretaries of the Houses of Clergy and Laity and the members of the Diocesan Standing Committee. In giving such notice the Bishop who pronounces sentence of Removal or Deposition may request, for reason to be stated by him, that the sentence be held in

confidence until the regular date of the next ensuing publication of the list of ordained Clergy of this Church. Unless the President of the House of Bishops shall disapprove in writing, within thirty days, of the request that the sentence be held in confidence, the relief requested shall be granted and those notified as above provided of the sentence of Removal or Deposition shall not publish or notice given of the same, but shall record the sentence in confidence in the official records kept by each of those to whom notice is sent as above provided.

56.3(c) If the sentence to be pronounced upon a Presbyter or Deacon be deposition, the Bishop acting in the matter shall pronounce and record the same in the presence of two or more Presbyters.

56.3(d) In case an accused Presbyter or Deacon confesses the truth of the charges made against him, and in writing waives the right to a trial and submits himself to disciplinary action, the Bishop may in his discretion proceed at once to pronounce sentence. After a Presbyter or Deacon shall have been convicted by a Trial Court of a crime or immorality rendering him liable to canonical sentence, the Bishop of the Diocese shall have the right to suspend him from all public ministrations. Such suspension shall continue until a final judgment upon the case. When the sentence is of a suspension or deposition, the Bishop who pronounces the same shall without delay give notice thereof in writing to every Minister and Vestry in the Diocese in which the accused was canonically resident; to all the Bishops of the Church, and where there is no Bishop, to the Standing Committee of the Diocese; to the Recorder; and to the Secretary of the House of Bishops, who shall deposit and preserve such notice among the archives of the House. The notice shall specify under what Canon the said Minister has been suspended or deposed.

Section 56.4

No sentence shall be pronounced until an opportunity shall have been given to the accused either on conviction or on confession to show cause, if any, why sentence should not be pronounced, and to offer any matter in excuse or palliation for the consideration of the Bishop to pronounce sentence.

Section 56.5

When a Bishop is liable to sentence under a judgment of a Trial Court or under a judgment of a Court of Review of the Trial of a Bishop on an appeal to said Court of Review, the sentence to be imposed, the Bishop to pronounce the same, and the procedure to be followed in imposing sentence shall be as provided in the several Canons governing the procedure of said Courts.

Section 56.6

In the case of the suspension or deposition of a Bishop it shall be the duty of the President of the House of Bishops to give notice of the same to the Ecclesiastical Authority of every Diocese of this Church, to the Recorder and the Secretary of the House of Bishops, to all Bishops and all Presiding Bishops of Churches in communion with this Church.

Section 56.7

A Bishop found guilty upon a presentment for a crime or immorality shall not, on the rendering of such judgment, and while the same continues unreversed, perform any Episcopal or ministerial functions, except such as relate to the administration of the temporal affairs of his Diocese with the consent of his Standing Committee.

CANON 57 Of the Remission or Modification of Judicial Sentences

Section 57.1

The House of Bishops may remit and terminate any judicial sentence which may have been imposed upon a Bishop, or modify the same so far as to designate a precise period of time, or other specific contingency, on the occurrence of which such sentence shall utterly cease, and be of no further force or effect; Provided, that no such remission or modification shall be made except at a meeting of the House of Bishops, during the session of some General Synod, or at special meeting of the said House, which shall be convened by the President of the House of Bishops on the application of any Bishops, who shall not have been involved in any of the proceedings against the Bishop convicted and sentenced, three months' notice, in writing, of the time, place and object of the meeting being given to each Bishop, all members of the Executive Council, and all members of the Standing Committees. Provided, also, that such remission or modification be assented to by not less than a majority of the whole number entitled at the time to seats in the House of Bishops; and Provided, that nothing herein shall be construed to repeal or alter the provisions of Canon 56.

Section 57.2

A Bishop of this Church may, for reasons which he shall deem sufficient, remit and terminate any sentence of deposition or removal pronounced in his jurisdiction upon a Minister; but he shall exercise this power only upon the following conditions:

- (1) That he shall act with the advice and consent of two thirds of all the members of the Standing Committee
- (2) That he shall submit his proposed action, with his reasons therefore, to the judgment of two of the Bishops of this Church, one of whom's diocese is nearest to his own, and shall receive in writing, from both of the said Bishops, their approval of the said remission, and their consent thereto
- (3) That before remitting such sentence, he shall require the person to be restored to the Ministry to subscribe to the declaration required in Article V of the Constitution

Section 57.3

In case such person was deposed for abandoning the communion of this Church, or, having been deposed by reason of his renunciation of the Ministry of this Church, or for other cause, he have also abandoned its communion, the Bishop, before granting such remission, shall be satisfied that such person has lived in lay communion within this Church for three (3) years next preceding his application for such remission.

Section 57.4

In case the person applying for such remission shall be domiciled beyond the Diocese in which he was deposed, the Bishop, before granting such remission, shall be furnished with written evidence of the approval of such application by the Bishop of the Diocese in which such person is domiciled.

Section 57.5

Whenever a Bishop shall remit and terminate any sentence of deposition, he shall, without delay, give due notice thereof under his own hand, sending said notice in a sealed envelope to the Ecclesiastical Authority of every Diocese of this Church and to the Recorder, giving, with the full name of the person restored, the date of the deposition and the Order of the Ministry to which he is restored.

TITLE V - CANONICAL LEGISLATION

CANON 58

Of Enactment, Amendment, and Repeal

Section 58.1

No new Canon shall be enacted, or existing Canon be amended or repealed, except by concurrent resolution of the three Houses of the General Synod, provided that the same shall be agreed to by at least two thirds of the members of all the Houses present and voting on the question. Such resolution may be introduced first in any House, and shall be referred in each House to the Committee on Canons thereof, for consideration, report, and recommendation, before adoption by the House; provided, that in any House the foregoing requirement of reference may be dispensed with by a three fourths vote of the members present.

Section 58.2

Whenever a Canon which repealed another Canon, or part thereof, shall itself be repealed, such previous Canon or part thereof shall not thereby be revived or re-enacted, without express words to that effect.

Section 58.3

In all cases of future enactment, the same, if by way of amendment of any existing provision, shall be in substantially the following form: "Canon....(or Section..., or Clause....of Section....,of Canon....) is hereby amended to read as follows: (here insert the new reading)". And in the event of insertion of a new Canon, or of a new Section, or Clause, in a Canon, or of the repeal of an existing Canon, or of a Section or Clause, the numbering of the Canons, or of divisions of a Canon, which follow shall be changed accordingly.

Section 58.4

58.4(a) The Committee on Canons of each House of the General Synod shall, at the close of each regular meeting of the General Synod, appoint two of its members to certify the changes, if any, made in the Canons, including a correction of the references made in any Canon to another, and to report the same, with the proper arrangement thereof, to the Secretary, who shall publish them in the Journal.

58.4(b) The Committee on Amendments to the Constitution of each House of the General Synod shall, at the close of each regular meeting of the General Synod appoint a

similar committee of two of its members to certify in like manner the changes, if any, made in the Constitution, or proposed to be made therein under the provisions of Article IX of the Constitution, and to report the same to the Secretary, who shall publish them in the Journal.

Section 58.5

All canons enacted during the General Synod of 1991 shall take effect at the time of their enactment. Thereafter all amendments and repeals of Canons then or thereafter made, unless otherwise expressly ordered, shall take effect on the first day of January following the adjournment of the General Synod at which they were enacted or made.

Section 58.6

Anything in these Canons to the contrary notwithstanding, the General Synod in the triennial meeting of 1996 may amend these Canons by a majority of each House of the General Synod.