

Constitution *and* Canons

Anglican Diocese of the Living Word

Adopted May, 2013
Amended May, 2015
Amended April, 2016
Amended May, 2018
Amended May, 2019
Amended September, 2020
Amended June, 2021
Amended May, 2023
Amended May, 2024
Amended May, 2025
Amended May, 2026

Constitution

Preamble

In the Name of God, the Father, the Son, and the Holy Spirit, Amen. The Diocese is composed of Anglicans united by a common faith in the Lord Jesus Christ and a commitment to the trustworthiness of the Holy Scriptures. As Anglicans, we believe and confess Jesus Christ to be the Way, the Truth, and the Life, and that no one comes to the Father but by Him.

Article I

Fundamental Declarations of the Diocese

The Diocese hereby adopts, receives, and affirms the Global Anglican Future Conference (GAFCON) Statement and the Jerusalem Declaration issued June 29, 2008; and we acknowledge the Fundamental Declarations of the Anglican Church in North America, the Province, as set forth in Article I of the Provincial Constitution. The Thirty-nine Articles of Religion (published in 1571) in all and every Article therein contained, the Book of Common Prayer (the version of 1662), and The Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons, annexed to The Book of Common Prayer of 1662 commonly known as the Ordinal, the texts being read according to their plain and historical sense and being accepted as faithful expressions of the teaching of Scripture, provides the standard for Anglican theology and practice and may be assented unto with a good conscience by all members of the Diocese.

Article II

Order, Governance, and Discipline

The Diocese is a diocese of the Province, and is composed of Congregations, Missions, and clergy, united by a Bishop. The order, governance, and discipline of the Diocese shall be vested in the Bishop as the Ecclesiastical Authority, the Standing Committee, the Synod, and the Ecclesiastical Court of the Diocese in conformity with this Constitution.

Article III

Authority, Composition, and Operation of the Synod

Section 1. Authority

The Synod, as the legislative body of the Diocese, shall have authority to adopt Canons, approve resolutions and budgets, and take any other specific action for the conduct of the affairs of the Diocese.

Section 2. Composition

- A. The Synod shall be composed of the Clerical Order and the Lay Order.
- B. The Clerical Order shall be composed of Clergy Delegates comprising the Bishop or Bishops and all of the Presbyters and Deacons under the authority and license of the Bishop.
- C. The Lay Order shall be composed of the Lay Delegates elected by the Congregations and Missions as defined by Canon.
- D. Each member of the Clerical Order and Lay Order shall have voice and vote.

Section 3. Meetings

There shall be an Annual Meeting of the Synod. As provided by Canon, the Synod may also hold Special Meetings. The Lay Delegates shall serve only for the Annual Meeting of the Synod for which they are elected and for any Special Meetings held prior to the next Annual Meeting, unless other delegates are chosen specifically for any Special Meeting.

Section 4. Quorum for the Transaction of Synod Business

To constitute a quorum for the transaction of business at any Synod meeting, delegates representing a majority of the active clergy of the diocese whose attendance has not been excused by the bishop and a majority of the congregations and missions of the diocese must be present.

Section 5. Presiding Officer of the Synod

The Bishop shall preside at all meetings of the Synod unless he assigns the role of Presiding Officer to a member of the Synod. In the Bishop's absence, the Standing Committee shall assign the role of Presiding Officer to a member of the Synod.

Section 6. Voting

The Synod shall deliberate and vote as one body and, a majority of those voting shall be necessary for a decision. A vote by Orders shall be held as called for by this Constitution and for such other purposes as may be authorized by Canon.

Article IV

Office of the Bishop

Section 1. Nomination and Election

Upon the need for a Bishop (including without limitation a Bishop Coadjutor or a Bishop Suffragan), the Standing Committee shall appoint a Committee on Nominations for Bishop made up of Clergy and Laity. A special Synod shall be called for the purpose of electing a suitable candidate to be the Bishop, and after such election, the name of the candidate so elected shall be sent to the Province's College of Bishops to declare their consent to the election.

Section 2. Vacancy, Disability or Impermissible Absence of the Bishop

If the position of Bishop becomes vacant, or if the Standing Committee should determine upon careful deliberation that the Bishop is under a disability, or is otherwise not performing his duties as Bishop, the Standing Committee will advise in writing the Archbishop of the Province who may provide for episcopal oversight of the Diocese.

Article V

The Standing Committee

There shall be a Standing Committee of the Diocese that shall perform those duties required by the Constitution and Canons of the Province and of the Diocese. The Standing Committee shall comprise of the Bishop and an equal number of clergy and laity elected by the Synod or appointed by the Bishop as provided by Canon.

Article VI

The Officers of the Diocese

In addition to the Bishop, or Bishops, the Officers of the Diocese shall be the Secretary, the Treasurer, the Chancellor, and the Registrar, and such other Officers as may by Canon be established. The selection and duties of the Officers of the Diocese shall be prescribed by Canon.

Article VII

Ecclesiastical Court

Section 1. Ecclesiastical Court Established

There shall be an Ecclesiastical Court of the Diocese for the application of Church discipline in accordance with the Constitution and Canons and to resolve such other disputes and controversies which may by Canon or request of the Bishop be submitted to it.

Section 2. Jurisdiction, Composition, Terms of Office, and Procedures

The jurisdiction, composition, terms of office, and procedures of the Ecclesiastical Court shall be established by Canon.

Article VIII

Concerning Property

Section 1. Of the Diocese

All property, both real and personal, owned by the Diocese now and in the future is and shall be owned by the Diocese, and shall not be subject to any trust interest in favor of the Province, or any other Province of the Anglican Communion, or any other claim of ownership arising out of constitutional, canon law, or any other source of law.

Section 2. Of Congregations and Missions

All property, both real and personal, owned or held by or on behalf of a Congregation or Mission of the Diocese is and shall be owned by the Congregation or Mission, free of any trust interest or other claim in favor of the Diocese, the Province, or any other Province of the Anglican Communion, or any other claim of ownership arising out of constitutional, canon law, or any other source of law.

Article IX

Incorporation

The Diocese may incorporate in accordance with the laws of the State where located or the State where any of its Congregations or Missions are located. The Bishop shall be the President of the corporation and the Standing Committee its Board of Directors. Operation of the corporation shall be as provided by Canon and applicable State law.

Article X

Affiliation and Membership

The Diocese shall be affiliated with the Province. Congregations of the Diocese shall be those Congregations that are members of the Diocese as defined by Canon. Missions of the Diocese shall be those Congregations that are affiliated with the Diocese as defined by Canon. The Congregations and Missions whose representatives participate in the Synod that adopts this Constitution shall be the founding members of the Diocese. Memberships and affiliations between the Diocese and other ecclesiastical organizations shall be voluntary and based on the mutual willingness of both to establish and maintain such membership or affiliation. All

memberships and affiliations shall be formed, maintained, or terminated under such terms as may be set forth by Canon.

Article XI

Adoption and Amendment

Section 1 Adoption

This constitution shall be adopted and become effective upon its approval by a majority vote of the delegates at the inaugural Meeting of the Synod of the Diocese held in May of 2013. Each congregation or mission which by majority vote of its delegation adopts this Constitution at the May 2013 Synod, shall be the initial member congregations and affiliated missions of the Diocese.

Section 2 Amendment

No amendment to this Constitution may be adopted until it has been reviewed by the Bishop and by a committee established according to Canon for the review of proposed amendments to the Constitution, and their recommendations given to the Synod. This Constitution may be amended by a majority vote by Orders at any Annual Meeting of the Synod or any Special Meeting called for purpose of amending the Constitution.

If approved, the amendment shall lie over to the next Annual or Special Meeting of the Synod. If again approved in the same form by majority vote by Orders of the Synod, the Constitution shall then stand amended.

Canons

Title I

Organization and Administration of the Diocese

Canon 1

Order, Governance, and Discipline of the Diocese

The order and governance of, and discipline within, the Diocese shall be vested in the Bishop, the Standing Committee, the Synod, and the Ecclesiastical Court. The distribution of the authority for the order and governance of, and discipline within, the Diocese shall be as follows:

1. The fundamental agencies of mission in the Diocese are the Congregations and the Missions.
2. The Ecclesiastical Authority of the Diocese shall be vested in the Bishop and, in the absence of the Bishop, in the Standing Committee of this Diocese.
3. Ordained ministry in the Diocese shall be exercised only by bishops, presbyters, and deacons duly ordained by or under the authority of the Bishop of the Diocese.
4. The legislative and non-ecclesiastical executive authority of the Diocese shall be vested in the Synod, and in the time between meetings of the Synod, by the Standing Committee.
5. The judicial authority of the Diocese shall be vested in the Ecclesiastical Court.
6. Each member Congregation and Mission may establish and maintain its own governance not inconsistent with the provisions of the Diocesan Constitution and Canons.
7. The Diocese may own its own property and any such property shall be free of any claim of trust or ownership by the any other ecclesiastical entity.

Canon 2

Of the Synod

Section 1. Powers and Duties

The Synod, as the legislative body of the Diocese, has the power to adopt and amend the Diocesan Constitution and Canons; approve budgets; establish and oversee the program of the Diocese; confirm Standing Committee admissions of Congregations and Missions into the Diocese; and elect members of the Diocesan Standing Committee, and other elected positions as authorized by Canon.

Section 2. Membership

The Synod shall be composed of the Lay Delegates chosen in accordance with these Canons, the active clergy of the Diocese, and the officers of the Diocese as prescribed by canon.

Section 3. Membership Lists and Mode of Election of Delegates

A. Clergy Delegates

- i. An official list of any duly consecrated bishops in the Anglican Church in North America and all duly ordained presbyters and deacons under the authority of the Bishop shall be maintained by the Ecclesiastical Authority, kept current by the Registrar, and on file in the central office of the Diocese. The list shall be published at least 30 days in advance of any meeting of the Synod. Any active member of the clergy whose name is not on the list who wishes to vote at the Synod shall bring the omission to the attention of the Registrar.
- ii. The official list shall be available to the Synod on the first day of its meeting.
- iii. Every active member of the clergy under the authority of the Bishop shall attend every meeting of the Synod unless excused in writing by the Ecclesiastical Authority.

B. Elected Lay Delegates

- i. Each Congregation of the Diocese and each Mission of the Diocese shall be entitled to two Lay Delegates. In addition, each Congregation having in excess of 200 Eligible Voters shall be entitled to one additional Lay Delegate for each 200 or fraction thereof above the first 200. The number of Eligible Voters shall be based upon the current Annual Report prepared and filed with the Diocese.
- ii. Each Congregation and Mission of the Diocese shall select its delegates according to its respective governing rules with no more than one alternate for each delegate so chosen, and shall report its selection no later than 60 days before the ensuing meeting of the Synod, on a form prepared by the Registrar of the Diocese. Each delegate and alternate shall be an Eligible Voter in the Congregation or Mission represented.
- iii. A list of all duly elected Lay Delegates to the Synod of Congregations and Missions of the Diocese shall be compiled, maintained, and kept current by the Registrar.

Section 4. Meetings of the Synod

- A. The Synod of the Diocese shall meet every year and may also have Special Meetings called for a specific purpose.
 - B. The Bishop with the advice of the Standing Committee shall determine the date, time, and place of all meetings of the Synod. The Secretary of the Diocese shall give notice of Annual Meetings at least 90 days in advance, except for good cause as determined by the Bishop and the Standing Committee, and no less than 15 days prior to any Special Meeting.
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- C. The agenda for any Synod meeting shall be distributed to Synod delegates no fewer than 15 days prior to the meeting.

Section 5. Committees of the Synod

There may be a Synod Committee on Resolutions, Nominations, and such other committees, as the Bishop may deem necessary. The Bishop shall appoint all Synod committee members and committee members shall be current members of the Synod. Each committee shall keep its own records, and all committee recommendations required by the Diocesan Constitution and Canons shall be in writing.

Section 6. The Synod Credentials Committee

A Synod Credentials Committee, appointed by the Presiding Officer of the Synod, shall consist of two Clergy and two Lay Delegates who shall determine the presence of a quorum in accordance with these Canons and hear and resolve any disputes over proper representation in the Synod, subject to appeal to the Bishop by any excluded Clergy, Lay Delegate, Congregation or Mission.

Section 7. Rules of Order

The Bishop with the advice of the Chancellor shall propose Rules of Order for adoption by the Synod at the outset of each Synod meeting.

Section 8. Synod Votes by Order

The Bishop may direct that a vote of the Synod on a particular matter be taken by orders of the clergy and of the laity. The rules of order of the Synod may specify votes on particular matters to be taken by orders. When there is a vacancy in the office of Bishop, the Synod shall elect a Bishop in a vote by orders.

Section 9. Parliamentary

The Bishop may appoint a Parliamentarian to advise the Bishop and the Synod on parliamentary issues. The ruling of the Bishop or the Presiding Officer on any parliamentary matter may be overridden by a vote of two thirds of those present and voting at the Synod.

Section 10. Subdivision of the Diocese into Regions or Districts

When it shall appear to the Bishop that it would advance the administration of the Diocese, the Bishop, with the advice and consent of the Standing Committee, may organize the Diocese into archdeaconries or regions.

Canon 3

Of the Diocesan Standing Committee

Section 1. Standing Committee Established

- A. Eligibility. Lay Members elected to the Standing Committee shall be Eligible Voters in a Congregation or Mission of the Diocese, eligible voters of the Synod or registered alternates in attendance at the Synod at which they are elected and shall have been confirmed or received by a bishop of the Province or another Province of the Anglican Communion. Clergy members of the Standing Committee shall be under the authority of the Bishop.
- B. Composition. The Standing Committee of the Diocese shall be composed of the following members:
 - i. Three clergy and three laity elected by the Synod for staggered three-year terms, with any vacancies on the Standing Committee to be filled by the appointment of the Bishop until the next meeting of the Synod at which meeting any such remaining term shall be filled by election of the Synod;
 - ii. One additional clergy and one additional lay member who may be appointed by the Bishop to serve for a term of one year; and
 - iii. Lay members of the Standing Committee shall be members of the Synod *ex officio*.
- C. Voice, Vote, and Quorum. The Bishop and each member of the Standing Committee elected or appointed shall have voice and vote. Fifty percent of the voting members of the Standing Committee shall constitute a quorum for the transaction of business.

Section 2. Powers and Duties

Except as otherwise provided in the Constitution and Canons of the Diocese, the Standing Committee of the Diocese shall have the following powers and duties:

- A. Serve as a council of advice to the Bishop;
 - B. Together with the Bishop and subject to confirmation by the Synod, act to accept or deny an application for admission of a Congregation or Mission into the Diocese;
 - C. Serve as nominating committee for all offices filled by the Synod;
 - D. The authority of the Synod in between meetings of the Synod, except for the authority to amend the Constitution and the Canons of the Diocese;
 - E. Elect diocesan representatives to the councils of the church beyond the Diocese;
 - F. Perform such other duties and responsibilities, as may be assigned by the Bishop.
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Canon 4

Officers of the Diocese

Section 1. The Bishop

The Bishop shall serve as the Ecclesiastical Authority of the Diocese and the Presiding Officer of the Standing Committee and the Synod, with additional express authorities as set forth in the Constitution and Canons of the Province and the Diocese.

Section 2. The Bishop Coadjutor

The Synod may elect a Bishop Coadjutor, who is intended to succeed the Bishop upon the Bishop's retirement, death or removal. The Bishop shall prescribe the duties and responsibilities of the Bishop Coadjutor.

Section 3. The Bishops Suffragan

The Synod may elect one or more Bishops Suffragan whose duties shall be prescribed by the Bishop.

Section 4. The Chancellor

The Chancellor of the Diocese shall be appointed by the Bishop. He or she shall be learned in the law and licensed to practice law in one of the jurisdictions encompassed by the Diocese. The Chancellor shall have responsibility for the legal affairs of the Diocese and shall serve the Diocese as counsel to the Bishop and the Standing Committee. The Bishop may appoint assistant chancellors as necessary.

Section 5. The Secretary

The Secretary of the Diocese shall be appointed by the Bishop. He or she shall keep the minutes of the Synod, and shall submit such reports as the Bishop may request. The Bishop may appoint assistant secretaries as necessary.

Section 6. The Treasurer

The Treasurer of the Diocese shall be elected by the Standing Committee. He or she shall be the custodian for all of the funds of the Diocese and shall be learned in financial and accounting matters. The Treasurer shall be bonded in such amount as the Standing Committee from time to time shall deem appropriate; shall prepare the annual diocesan budget; and shall file an annual report to the Synod on the financial status of the Diocese, including reports of account for all funds under his or her custody or control, profit and loss statements, and balance sheets. The Treasurer shall also be responsible for the preparation of such periodic financial reports as may be required by the Standing Committee.

Section 7. The Registrar

The Registrar shall be appointed by the Bishop. He or she shall be the custodian of official records of the Diocese and shall issue such certification as may be directed by the Bishop or the Standing Committee.

Section 8. Terms of Office and Synod Representation

The Chancellor, Assistant Chancellors, the Secretary, Assistant Secretaries, and the Registrar shall serve at the pleasure of the Bishop. The Chancellor and Secretary shall be members of the Synod with voice and vote. Any Assistant Chancellors and any Assistant Secretaries shall be members of the Synod, with voice only, but not vote. Any Assistant Chancellors or Assistant Secretaries selected to be delegates at Synod by the Congregation or Mission in which they are members shall also be permitted a vote at Synod on the basis of being delegates. The Treasurer shall serve at the pleasure of the Standing Committee, and be a member of the Synod with voice and vote.

Canon 5

Committees of the Diocese

Section 1. Finance Committee

- A. Establishment. There shall be a Finance Committee of the Diocese, appointed by the Bishop with the advice and consent of the Standing Committee, with at least one representative from the Standing Committee. The Treasurer shall also serve as an *ex officio* member with voice and vote.
- B. Duties. The Finance Committee shall oversee the Treasurer; assist in preparing the annual Budget of the Diocese; and shall issue guidelines for audits and investment management, and Congregations' and Missions' annual financial reviews. The Finance Committee shall oversee the insurance and benefits programs for the Diocese, its clergy, and lay personnel.
- C. Reporting. The Finance Committee shall cause the records and accounts of the Diocese to be compiled or reviewed by an independent accountant when requested by the Finance Committee, the Standing Committee, the Synod, or the Bishop, but which shall be conducted at an interval of not more than three years since the last compilation or review. The Finance Committee shall issue periodic reports to the Bishop and the Standing Committee on the financial condition of the Diocese.

Section 2. Committee on Constitution and Canons

- A. Establishment. There shall be a Committee on Constitution and Canons, which shall consist of three members plus the Chancellor as an *ex officio* member. Members shall be appointed by the Bishop after consultation with the Chancellor.
 - B. Duties. All proposed amendments to the Diocesan Constitution or Canons shall be submitted to the Standing Committee no fewer than 15 days prior to the next Synod meeting.
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Section 3. Committee on Safeguarding the Church

- A. Establishment. There shall be a Committee on Safeguarding the Church, which shall consist of at least three and up to five members. Members shall be appointed by the Bishop after consultation with the Chancellor and the Standing Committee. At least one member of this committee shall be clergy. At least one member of this committee shall be a laity. At least one member of this committee should either have experience or training in human resources or be admitted to practice law in at least one state in the United States. The Bishop and the Chancellor shall not be eligible to serve on the committee. The majority of the persons serving on this committee shall be lay members or clergy of a Congregation, Mission or Church Plant within the Diocese.
 - B. The quorum for meetings of the Committee on Safeguarding of the Church shall be a majority of the members.
 - C. Members. The members so appointed shall hold office for a definite term not to exceed three years, and shall be eligible for reappointment. The Bishop may remove any person so appointed, provided that the removal is approved by a two-thirds majority of the Standing Committee.
 - D. Powers and Duties.
 - i. The committee shall annually audit the policies for the protection of children and adults of at least twenty percent of Congregations within the Diocese. For the purposes of this policy, 'Congregation' shall include any Congregation, Mission or Church Plant affiliated with the Diocese. Each Congregation shall be subject to an audit at least each five years. The purpose of the audit shall be:
 - a. to verify that each Congregation has a policy in place for the protection of adults and children that meets the minimum requirements of the ADLW and ACNA;
 - b. to verify that the policies of every Congregation meet the minimum requirements of the state in which that Congregation is located;
 - c. to verify that every Congregation is adhering to the policies that each Congregation has adopted for the protection of adults and children;
 - d. to verify that the policies are effective in achieving the aim of protecting adults and children within that Congregation;
 - e. to determine if changes, modifications or additions need to be made to the policies of each Congregation it audits.
 - ii. The Rector, Wardens and Vestry of each Congregation, Mission or Church Plant that is audited shall be provided with a complete audit report upon completion. Within 120 days of receiving the report any Congregation, Mission or Church Plant that is found by the Committee on Safeguarding the Church to require changes, modifications or additions to
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its policies, shall amend its policies accordingly and resubmit the updated policy to the Committee on Safeguarding the Church.

- iii. The committee shall prepare an annual Audits Report of the Committee on Safeguarding the Church, which shall be provided by May 1 of each year to the Bishop and his office, the Chancellor and Standing Committee. This report shall be kept as a permanent record of the Diocese. Within this report the findings for each Congregation it has audited shall be included. This report shall comment, in as much detail as the committee deems appropriate, on its findings, including all recommendations for changes, modifications or additions to the policies.
- iv. On a biannual basis, in odd numbered calendar years, this committee shall review, and include within the Audits Report of the Committee on Safeguarding the Church, a report concerning the Child Protection Policy and Adult Protection Policy that have been adopted by the Diocese. To the extent the committee deems appropriate it shall recommend changes to the Child and Adult Protection Policies.
- v. In conducting this review and preparing this report, the committee shall determine:
 - a. if there are any legally or provincially mandated changes that need to be made to these policies;
 - b. if these policies are being followed (and if not being fully followed explain how they are not being followed);
 - c. whether the policies are effective in achieving the aim of protecting adults and children in the Diocese.

Canon 6

Interpretation and Application of the Constitution and Canons

Section 1.

The Constitution and Canons of the Diocese shall be interpreted and applied to be consistent with the Constitution and Canons of the Province insofar as there is no conflict between the diocesan canons and the provincial canons. In the event of a conflict between the Constitution and Canons of the Diocese, and the Constitution and Canons of the Province, those of the Diocese shall take precedence over those of the Province.

Section 2.

When the Diocese interprets or applies any Constitution and Canons, whether diocesan or provincial, such interpretation or application shall not be subject to any appeal to any secular court nor to any of the courts or other entities of the Province.

Title II

Organization and Administration of Congregations and Missions

Canon 1

Congregations and Missions

Section 1. Congregations Defined

A. All Congregations of the Diocese and any group which seeks to affiliate with the Diocese as a Congregation as provided in this Canon shall comply with the provisions of this Canon. All Congregations of the Diocese and any community of worshipers seeking to join the Diocese as a Congregation shall meet the following criteria:

- i. Have a Vestry of laity consisting of wardens and vestry members, chaired by a rector or his alternate as prescribed by the bylaws of the Congregation, under the authority of the Bishop;
- ii. Conducts weekly worship in a public space in accordance with the doctrine, discipline and worship of God as the Diocese has received them, as permitted by the Bishop;
- iii. Has enabled ministries for prayer, evangelism, discipleship, service, fellowship, and Bible study;
- iv. Is financially self-supporting and has the ability to fund its own operations, and to contribute to the support of the Diocese; and
- v. Is organized in accordance these Canons.

B. Any group not meeting the above requirements that wishes to be recognized as a Congregation may apply to the Standing Committee for a waiver of one or more of these requirements.

C. Any group not meeting the requirements for Congregations may apply to be recognized as a Mission.

Section 2. Missions Defined

A group of worshiping Christians which is not yet fully in conformity with the Anglican order of worship or governance and yet which seeks affiliation with the Diocese, may with the consent of the Bishop apply to become a Mission.

The Bishop may permit whatever degree of autonomy and deviation from the usual Anglican order of worship or governance which he deems appropriate for the particular group, and upon acceptance of such Mission by the Synod, such group shall be a Mission in the same manner as any other Congregation of the Diocese.

Section 3. Application Procedure to Join the Diocese or to Affiliate with the Diocese

- A. Any group of the faithful seeking to join or affiliate as a Congregation or Mission shall submit its application to the Registrar on forms and in accordance with standards prescribed by the Standing Committee. The Standing Committee, with the approval of the Bishop, may issue provisional affiliation or membership in the Diocese subject to confirmation by majority vote of the next Synod. Upon confirmation by the Synod, the Bishop shall receive the Congregation or Mission into the Diocese.
- B. A Congregation or Mission attached to another diocese of the Province, desiring to become a member of or affiliated with the Diocese, shall make application to the Bishop and, with the consent of the bishop of the jurisdiction to which that Congregation or Mission is currently attached, may be received into the Diocese.

Section 4. Discontinuing Membership and Disaffiliation from the Diocese

- A. A Congregation or Mission may discontinue membership or disaffiliate from the Diocese, either upon the action of the Congregation or Mission, or the action of the Bishop and the Diocese.
 - B. A Congregation or Mission seeking to discontinue membership or disaffiliate from the Diocese shall adopt a Resolution of Concern by a majority vote of its vestry or governing board. The Resolution of Concern shall be addressed to the Bishop, and shall contain a brief statement seeking to consult with the Bishop for termination of membership or affiliation, setting forth the reasons for the proposed action, and shall contain a request to the Bishop to consult with the vestry or other governing board and the clergy in charge of the Congregation or Mission. Upon receipt of any such Resolution of Concern the Bishop shall transmit such resolution to the Standing Committee. If after the consultation with the Bishop the vestry or other governing board desires to terminate membership or disaffiliate, a Resolution of Membership Termination or Resolution of Disaffiliation shall be prepared and adopted by either the vestry or governing board by a two-thirds vote or by the membership of the Congregation or Mission by a majority vote. This resolution shall be transmitted to the Bishop and all relationship of Membership or Affiliation shall be dissolved.
 - C. A Congregation or Mission may be removed from membership or disaffiliated from the Diocese. If such action is contemplated, the Bishop shall write a Letter of Concern to the rector or other clergy in charge and its vestry or governing board. The Letter of Concern shall contain a brief statement seeking to commence a discussion with the Congregation or Mission, and setting forth the reasons for the possible need for removal or disaffiliation, and shall contain a request to the vestry or other governing board and the clergy in charge of the Congregation or Mission to consult with the Bishop regarding the need for such action. If after such consultation or the refusal of the Congregation or Mission to consult with the Bishop, the Bishop determines that to discontinue membership or disaffiliate is in the interest of the Congregation or Mission, and in the interest of the Diocese, a Resolution of Membership Discontinuance or a Resolution of Disaffiliation shall be prepared and
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submitted to the Standing Committee, and transmitted to the rector or other clergy in charge, and the vestry or other governing board. Upon the adoption of the resolution by the Standing Committee, all relationship of Membership or Affiliation shall be dissolved.

Section 5. Governance of Congregations

A. Governing Body of Congregation Defined and How Elected

The Rector and Vestry shall be the governing body of the Congregation.

B. Governing Documents and Structure

i. Each Congregation shall adopt governing documents in conformity the Constitution and Canons of the Diocese and shall operate in accordance with the same. Each Congregation shall furnish to the Chancellor a copy of its governing documents, and such governing documents of each Congregation shall be kept by the Registrar.

ii. Duties. The Vestry shall at a minimum have the following duties:

- a. Provide for the financial support of the Rector and exercise fiduciary oversight of the Congregation's finance. No monies of the congregation shall be paid out except pursuant to a budget adopted by the vestry or upon authorization of the vestry.
- b. Pray regularly for the Rector and the Congregation;
- c. Support the Rector in all aspects of his ministry, including ensuring the Christian formation, biblical literacy, and spiritual maturity of the members of the Congregation;
- d. Provide an adequate place for regular worship;
- e. Provide for the compensation of paid staff members;
- f. Establish an adequate insurance program for the Congregation that includes, at a minimum, property damage, liability, personal injury, and errors and omissions;
- g. Support biblically-based financial giving by members of the Congregation;
- h. Ensure that the Congregation shares in the financial support of the Diocese; and
- i. Strive for unity and adopt principles for resolving conflict.

iii. Vestry Oath. Every person elected a Vestry member shall take the following oath of office:

"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary for salvation through Our Lord Jesus Christ, and I do yield my hearty consent to the Constitution and Canons of the Diocese. I promise, with God's help, that I will faithfully execute the duties of the office of Vestry member of this Congregation to the best of my ability, that I will live a life of holiness and integrity,

ordering my conduct according to the teaching of Holy Scripture, providing a godly example to this congregation, and will faithfully execute the duties of the office of Vestry member of this Congregation.”

- iv. Vestry Elections. Every Congregation shall have an annual meeting in keeping with its governing documents at which meeting new Vestry members shall be elected.
 - C. Finance Committee. The Vestry of each Congregation shall provide for a Finance Committee, which shall prepare a budget for adoption by the Vestry. The Finance Committee shall make regular financial reports to the Vestry. No Congregation may operate on a deficit budget without adequate reserves to cover such deficit.
 - D. Treasurer. Each Congregation shall have a Treasurer, elected by the Vestry, who shall be a member of the Finance Committee *ex officio*, and be bonded in such sum and with such surety as the Vestry from time to time shall determine. The Treasurer shall be the custodian of the funds of the Congregation and shall perform such other duties as required by the Vestry.
 - E. Officers of the Congregation. In addition to the Rector, the Wardens, and the Treasurer, a Congregation may have such other officers as allowed by its governing documents.
 - F. Investments. All investments of congregational funds shall be under the oversight of the Vestry and shall be made with due regard to applicable State law for fiduciaries. The Vestry may consult with the Diocese for guidance with regard to investments. Investment funds shall be deposited in banks or other financial institutions where such deposits are adequately insured, or in such other conservative investments appropriate for the management of monies by a fiduciary.
 - G. Audits and Reviews. The Vestry shall cause the accounts of its Treasurer and all other custodians of funds or securities to be reviewed and reported annually in accordance with the standards to be prescribed by the Finance Committee of the Diocese.
 - H. Members and Eligible Voters. The Rector and Wardens shall maintain a current list of the Members and Eligible Voters of the Congregation. Any person who believes he or she is entitled to be included on the list of Eligible Voters may appeal to the Vestry for its determination.
 - I. Sacramental Registers and Vestry Minutes. The Rector and Wardens shall maintain a register of official acts such as worship services, baptisms, confirmations, weddings, funerals, and visitations of bishops and other clergy, the register shall include the date and name of the service, the name of the officiant, the name of the preacher, the number of attendees of each such service and the number of communicants at each such service. Minutes of all meetings of the Vestry shall be kept in permanent form.
 - J. Annual Report. The Rector and Wardens shall submit to the Secretary of the Diocese an Annual Report on a form to be prescribed by the Standing Committee.
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- K. Child and Adult Protection Policies. Every Congregation, Mission or Church Plant within the Diocese shall by December 31, 2025, adopt and immediately adhere to a Child Protection Policy and an Adult Protection Policy that meet the minimum requirements set forth within the diocesan Child Protection and Adult Protection Policies, along with any additional legally mandated requirements set forth by the state or civil jurisdiction within which the Congregation, Mission or Church Plant is located. Until a Congregation, Mission or Church Plant shall have adopted its own Child Protection Policy and Adult Protection Policy, that Congregation, Mission or Church Plant shall follow the diocesan Child Protection Policy and Adult Protection Policy, along with any additional legally mandated requirements set forth by the state or civil jurisdiction within which the Congregation, Mission or Church Plant is located.

Section 6. Mergers of Congregations and Missions

With the consent of the Bishop, two or more Congregations or Missions of the Diocese may merge to form a single Congregation or Mission upon the consent of the Vestry of each such Congregation or Mission which is a party to the merger. The Standing Committee of the Diocese with the approval of the Bishop may issue provisional affiliation or membership with the Diocese of the merged Congregation or Mission subject to a majority vote of the next Synod to receive such merged Congregation or Mission.

Canon 2

The Rector and the Pastoral Relationship

Section 1. The Pastoral Relationship Defined

A prayerful process of discernment, including due diligence, shall be undertaken in the calling of a Rector to a Congregation, and the Vestry shall gain the Bishop's consent before extending an offer to a candidate. The relationship between the Rector and the Congregation, with the support of the Bishop, is one of mutual trust and dependence in carrying out the ministry of the Congregation. As the spiritual leader of the Congregation, the Rector requires the full cooperation and support of the Vestry. The Rector, in consultation with the Bishop and with the approval of the Vestry, shall select all assistant and associate clergy. All assistant and associate clergy shall serve at the pleasure of the Rector and the Vestry. The Rector, with the consent of the Vestry, shall select all lay employees, who shall serve at the pleasure of the Rector and the Vestry.

Section 2. Search Committee

The Vestry may serve as the Search Committee to consider appropriate candidates for election and call as Rector, having first consulted with and received a list of proposed candidates from the Bishop. The Vestry may alternatively establish a different search committee, but the Vestry shall have the sole authority in the Congregation to call a Rector. The names of the final candidates shall be submitted to the Bishop for his advice. No person may be elected and called as Rector

without the approval of the Bishop. A Rector shall be elected by the affirmative votes of two-thirds of the Vestry. The call of the Rector shall be in writing in a letter of agreement between the Rector and the Vestry and signed by the Bishop. It must distinctly express job description and any special conditions, together with the stipulations of salary and other benefits offered to the Rector.

Section 3. Appointment of A Vicar by the Bishop

In the absence of a Rector in any Congregation or Mission, the Bishop may upon the request of the wardens of such Congregation or Mission appoint a Vicar to lead worship and to perform such other functions of Congregational or Mission leadership which is carried out by clergy.

Section 4. Canonical Residence and Licensing by the Bishop

All clergy ministering in the Diocese for a period in excess of 60 days shall be either canonically resident in the Diocese or licensed by the Bishop. Canonical residence shall be established by ordination in the Diocese, by the acceptance by the Bishop of letters dimissory, or by other reception authorized by the Bishop. Clergy serving as rectors of a Congregation of the Diocese must be canonically resident in the Diocese. Clergy other than rectors canonically resident in another Anglican jurisdiction recognized by the Bishop must be licensed by the Bishop to minister in the Diocese.

Section 5. The Selection of an Assistant Minister

If the Vestry of a Congregation agrees that a vacancy occurs for Assistant Clergy, the Rector shall first consult with the Bishop. The names of the final candidates shall be submitted to the Bishop for his advice. No person may be elected and called as Assistant Clergy without the approval of the Bishop. The Rector and vestry must agree upon the final candidate before a call is offered. The call of Assistant Clergy shall be in writing in a Letter of agreement between Assistant Clergy and the Vestry and signed by the Bishop. It must distinctly express job description and any special conditions, together with the stipulations of salary and other benefits offered to the Assistant Clergy.

Section 6. Restrictions upon Rector's Resignation and Removal

A Rector may not resign as Rector without consulting the Vestry and the Bishop. A Rector may not be removed except as hereinafter provided. No Rector, Vicar, or Priest in Charge may be called or dismissed from a Congregation without the consent of the Bishop and then only as provided by these Canons.

Section 7. Resolving Conflicts in the Pastoral Relationship

A. Whenever matters of disagreement develop, it is incumbent on all parties to approach one another with patience, understanding of the views of all parties, and Christian charity to avoid having the relationship imperiled or hindered.

- B. If after reasonable attempts at reconciliation, either the Rector or a majority of the Vestry believe the pastoral relationship to be imperiled or hindered by reason of dissention, either or both shall present the matter to the Bishop.
- C. Upon such notification the Bishop shall promptly seek reconciliation by whatever means he believes appropriate that is not inconsistent with Holy Scripture. Both the Rector and the Vestry shall participate cooperatively in the process. The Bishop may issue such interim directives appropriate to the cause before issuing a final judgment. Prior to issuing a final judgment, the Bishop may consult with the Chancellor.
- D. After consulting with the vestry the judgment of the Bishop may include a leave of absence for the Rector, a refusal to dissolve the pastoral relationship, or a judgment of dissolution.
- E. If the relationship is to be dissolved, the judgment may include terms and conditions for compliance by both parties. If a dissolution of the pastoral relationship is necessary, the Bishop may dissolve the pastoral relationship but only upon receipt of a resolution adopted by the Vestry by two thirds vote. The Bishop shall in all cases render pastoral support to the Rector. Upon issuing such judgment, the Bishop shall direct the Registrar to record the dissolution.
- F. If at the time of a need for the Bishop's intervention in the relationship between a Rector and a Congregation there be no Bishop or the Bishop refuses to act within a reasonable time period, the Vestry may appeal to the Standing Committee for action.
- G. If the Bishop and a member of the clergy involved in a controversy or dispute over the pastoral relationship both agree to submit the controversy or dispute to the Ecclesiastical Court, such controversy or dispute may be submitted to the Ecclesiastical Court for its adjudication. The Bishop may at any time remove any such controversy or dispute from the Court and proceed to administer the case in accordance with these Canons.

Canon 3

Congregation and Mission Property

Section 1. No Denominational or Diocesan Trust in Congregation and Mission Property

All real and personal property owned by or held for the benefit of a Congregation or Mission shall belong exclusively to that Congregation or Mission free of any trust or other claim by the Diocese, the Province, and all other ecclesiastical entities both in the United States and beyond.

Section 2. Ownership of Congregation and Mission Property

A Mission may own real and personal property both before and after it becomes a Congregation.

Title III

Worship and Administration of the Sacraments

Canon 1

Worship

Worship and the Administration of the Sacraments in the Diocese shall be in conformity with these Diocesan Canons.

Canon 2

Of Authorized Translations of the Bible

The lessons used in services of public worship and the order of a lectionary of each Congregation and Mission shall be read from translations of the Holy Scriptures as authorized by the Bishop.

Canon 3

Of Authorized Forms of Public Worship and Authorized Editions of the Book of Common Prayer

The Bishop shall ensure that the forms used in Public Worship and the Administration of the Sacraments be in accordance with Anglican Faith and Order and that nothing be established that is contrary to the Word of God as revealed in the Holy Scriptures.

Canon 4

Of Christian Marriage

Section 1. Christian Marriage in the Diocese

The Diocese affirms our Lord's teaching that Holy Matrimony is in its nature a covenantal union, permanent and lifelong, of one man and one woman. No marriage or other conjugal union of persons shall take place in any of the Congregations or Missions of the Diocese, or with the participation of the clergy of the Diocese except in accordance with these Canons.

Section 2. Procedure for Divorced Person to Seek Permission to Be Married in the Diocese

Should a man and a woman, one or both of whom have been divorced, wish to be married to one another in the Diocese, or by any of the clergy of the Diocese, the couple must first secure the Bishop's consent by submitting an application on a form prescribed by the Bishop for such purpose. Within 30 days from the date of receipt of the application signed by the couple and the

proposed officiating clergy, the Bishop shall communicate in writing his determination of the application.

Section 3. Clergy to Officiate at Weddings

The clergy of the Diocese shall not officiate at nor in any way participate in any weddings at any location except in accordance with the Canons.

Canon 5

Of Standards of Morality and Ethics

Section 1. Exemplary Morality

Clergy and laity of the Diocese are called to be exemplary in all spheres of morality. This is a condition of being appointed to or remaining in a position or office of leadership or holding any license from the Bishop.

Section 2. Sanctity of Marriage

In view of the teaching of Holy Scripture, the Lambeth Conference of 1998, and the Jerusalem Declaration, the Diocese upholds faithfulness in marriage between one man and one woman in lifelong union; believes that abstinence from sexual relations is right for those who are not called to marriage; cannot legitimize or bless same-sex unions or ordain persons who engage in homosexual behavior. Sexual relations should take place only between one man and one woman who are married to each other.

Section 3. Sanctity of Life

God, and not man, is the creator of human life. The unjustified taking of life is sinful. Therefore, all clergy and laity are called to promote and respect the sanctity of every human life from conception to natural death.

Section 4. Pastoral Ministry

Clergy and laity are called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent and receive forgiveness, and offering the ministry of healing to all who suffer physically or emotionally as a result of such sin.

Section 5. Protection of Children, Young People and Adults

Clergy and laity are stewards responsible for the nurturing and care of children, young people or adults who participate in the life of the Congregation. There is no tolerance for engaging in or remaining silent about inappropriate sexual language or advances toward or abuse of children, young people or adults.

Title IV

Of Ministers: Their Recruitment, Preparation, Ordination, Office, Practice, and Transfer

Canon 1

Of the Ordination Committee and Examining Chaplains

There shall be a Diocesan Ordination Committee comprising of clergy and laity appointed by the Bishop. The Ordination Committee shall assist the Bishop with the identification, selection, examination, interviewing, and other screening of applicants for admission as postulants and as candidates for ordination to Holy Orders. The Ordination Committee shall also assist and advise the Bishop in formulating the needs and requirements for the present and future ministry in the Diocese, regarding the manner of selection of persons for ministry. The Bishop may appoint Examining Chaplains from among the bishops, presbyters, deacons and laity of the Diocese for the purpose of assisting the Bishop with oversight of postulants and candidates for ordination and their assessment for ordination.

Canon 2

Of Candidates for Holy Orders

Section 1. Seeking Holy Orders

- A. Any person who has been confirmed or received by a bishop of the Diocese, or the Province or another province of the Anglican Communion, who believes they are called by Almighty God to ordained ministry in the Church, should seek the discernment of others to confirm that call.
 - B. Any applicant to be a deacon must be a man or woman who at the time of ordination shall be not less than 23 years of age, has made a public commitment of their faith in Christ, has lived their Christian faith in an exemplary manner for some time and has been a part of a Congregation or Mission of the Diocese for not less than one year, except for good cause.
 - C. Any applicant to be a presbyter must be a man who has been a deacon for not less than twelve months, except such period may be shortened by good cause shown, has made a public commitment of his faith in Christ and has lived his Christian faith.
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Canon 3

Of Deacons and Their Ordination

Section 1. Concerning Prerequisites for Ordination

No person shall be ordained a deacon in this Diocese until that person shall have completed satisfactory assessment conducted by those appointed by the Bishop for this purpose, and shall have demonstrated sufficient knowledge of Holy Scripture, the Doctrine, Discipline, and Worship of this Church; and any other topics the Bishop shall deem necessary for the Office and Ministry of Deacon, and shall have subscribed without reservation to the declaration set forth in Section 2 of this Canon.

Section 2. Concerning the Required Declaration of Ordinands

No person shall be ordained a deacon in the Diocese until such person shall have subscribed without reservation to the following declaration:

“I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform and subscribe to the Fundamental Declarations of the Diocese, and the Doctrine, Discipline, and Worship of Christ as this Church has received them.”

Canon 4

Of Presbyters and Their Ordination

Section 1. Ordination Following Period of Diaconate

No man shall be ordained a presbyter in the Diocese unless he shall have first been ordained a deacon. No deacon may be ordained as presbyter prior to twelve months from the date of his ordination to the diaconate. The period of required service as a deacon may for a good cause be shortened by the Bishop.

Section 2. Theological Requirements and Assessment of Candidates for Ordination

No deacon shall be ordained a presbyter in the Diocese until he shall have passed a satisfactory assessment prescribed by the Bishop.

Section 3. Concerning the Required Declaration of Presbyters

No man shall be ordained a presbyter in the Diocese until he shall have subscribed without reservation to the following declaration:

“I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform and subscribe to the Fundamental

Declarations of the Diocese, and the Doctrine, Discipline, and Worship of Christ as this Church has received them.”

Canon 5

Active and Inactive Clergy

All clergy holding the Bishop’s license shall be the active clergy of the Diocese, unless, any such clergy requests that they be designated as inactive, or such clergy is absent from attendance at two consecutive Synods of the Diocese without having been excused by the Bishop, or such clergy be under ecclesiastical discipline. Inactive clergy may not function in an ordained capacity without first becoming active. Inactive clergy may become active by notifying the Bishop and the Registrar and complying with the credentialing requirements for active clergy.

Canon 6

Of Licensed Lay Orders

The Diocese recognizes that the ministry of the laity is indispensable to the work of the Diocese and that this ministry originates within each Congregation and Mission. All clergy are strongly encouraged to equip the laity of the Congregations and Missions of the Diocese for ministries in their communities. To this end, Rectors and clergy overseeing Congregations and Missions may seek the Bishop’s license for Lay Church Planters, Lay Evangelists, Lay Pastors, Lay Preachers, Lay Catechists, Lay Readers, Lay Eucharistic Ministers and such other lay ministers as the Bishop may establish and license for ministry with the local Congregation or Mission as seems helpful in bearing fruit for the Kingdom of God. Those exercising these ministries need to be spiritually mature, of sound character, have received adequate training, and have regular oversight.

Title V

Ecclesiastical Discipline

Canon 1

General Principles

Section 1. Pastoral Resolution

The Bishop has a general duty whenever it is appropriate to endeavor to reconcile the parties involved in any dispute and achieve an outcome within the Diocese accepted by all the parties. When a report of clergy misconduct is received by the person appointed for that purpose, and consultation made with the Bishop, the Bishop should fulfill this pastoral function expeditiously.

The Bishop may initiate a process of conciliation or mediation, or any other process of reconciliation or resolution he may think appropriate. Nevertheless, not all reports of clergy misconduct are appropriate for such pastoral resolution, especially reports of misconduct involving physical violence, sexual assault, abuse of the vulnerable, conduct amounting to an imminent threat to another individual, or other conduct amounting to a felony under the relevant criminal law.

Section 2. Pastoral Care

The well-being of the whole Diocese is the Bishop's responsibility, and the Bishop is the chief pastor of all within the Diocese, whether laity or clergy. Consequently, pastoral care is an important aspect of the disciplinary process, and may be appropriate for a reporting Party, a respondent, and others concerned. Since the Bishop is also responsible for administering discipline over clergy in the Diocese, it is essential that the Bishop should avoid being seen to be taking sides. This means that although the Bishop is responsible for ensuring the availability of appropriate pastoral care, he shall not personally give pastoral care to anyone connected with a report of clergy misconduct. This is in the interests of fairness to all, and will reduce the risk that the Bishop's impartiality could be or appear to be compromised.

Section 3. Duty to Cooperate

Every Bishop, every member of the clergy, and every lay member of the Anglican Diocese of the Living Word must cooperate fully with the disciplinary processes provided for under the provincial and diocesan canons, and provide such information, explanations, documents, and computer and other electronic records as any court, tribunal, or other disciplinary body of the Province or Diocese may consider necessary to enable it to carry out its duties. Failure to cooperate fully may constitute a basis for ecclesiastical discipline.

Canon 2

Definitions

Unless the context requires otherwise, in this title:

“clear and convincing evidence” means evidence that produces in one's mind a firm belief or conviction as to the truth of the matter sought to be established; it is evidence so clear, direct, weighty, and convincing as to enable one to come to a clear conviction;

“legally qualified” means that a person has a degree or license in canon law, was or is a judge in the United States, or has been licensed to practice law for at least 5 years in any part of the United States;

“non-adversarial” means an occasion for hearing from one person, without any other person who may be adversely interested being given notice or having an opportunity for contestation;

“presentment” means a report that has been formulated by the Reports Investigation Committee and referred by it to the Ecclesiastical Court in accordance with this title;

“prima facie case” means that there is sufficient proof to support a finding that a canonical offense has been committed, if evidence to the contrary is disregarded; and that taking the evidence as a whole, there is a rational basis to think a canonical offense has been committed;

“proper interest” means that someone has personal knowledge or experience of, or has received information regarding, the circumstances that are the grounds for a report; or else holds an office for which one of the duties is making a report whenever that person knows of, or has reason to suspect, allegations that could be the grounds for a report;

“reasonable grounds” means a rational and objective basis for believing based on the face of the report that an offense under Title V, Canon 3 has been committed, and the reasonableness of this belief is assessed in light of the totality of the circumstances, including but not limited to the reporting party’s basis of knowledge, the consistency of the report, and any corroboration of the report by other reports;

“report” means any complaint or allegation touching or apparently touching upon the conduct (whether by act or omission), behavior, performance, or affairs of any member of the clergy or laity in respect of an offense under Title V, Canon 3;

“reporting party” means a person who brings a report to the attention of a Reports Receiver; and

“respondent” means any member of the clergy or layperson in respect of whom a presentment has been referred to the Ecclesiastical Court.

For the purposes of this title, the term **“member of the clergy”** refers to a presbyter or deacon domiciled in the Anglican Diocese of the Living Word.

Canon 3

Offenses

To the end that all those in holy orders may by their life and doctrine declare God’s glory and set forward the salvation of all people, a person in holy orders is liable to disciplinary action upon committing one or more of the following offenses:

- (a) Teaching or espousing any doctrine contrary to the doctrine of this Church (in particular such doctrine is to be found in the Fundamental Declarations of the Province and the Thirty-Nine Articles of Religion); abandoning the Christian faith; or removing oneself from the communion of the Christian Church.
 - (b) Willful or negligent dereliction of any duty of the clergy. Such conduct includes, but is not limited to, any duty established by:
 - the canons of the Province;
 - the canons of this Diocese;
 - an ordination vow, including the oath of conformity;
 - an admonition;
 - an order issued by a provincial or diocesan court, tribunal, or other disciplinary body; or
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- a sentence of suspension, deprivation, or deposition.
- (c) Conduct unbecoming to the sacred calling of one in holy orders. Such conduct includes, but is not limited to:
- violent or aggressive harm to another person, such as physical assault, habitually abusive language, harassment, or slander;
 - unchastity, such as adultery, indecency, or other sexual immorality;
 - financial malfeasance, such as theft, embezzlement, fraud, or the diversion of church funds or property for one's own gain;
 - any action or behavior in any capacity that, if known, would give just cause for scandal within the Church or for the Church to be brought into disrepute.
- (d) The commission of any other canonical offense by means of an abuse of ecclesiastical office.

A layperson in a leadership position in a Congregation, Mission or Church Plant of the Diocese, or a layperson who holds any license from the Bishop, is liable to disciplinary action for conduct (whether by act or omission), behavior, performance, or affairs that would, if committed by a person in holy orders, amount to an offense under (a), (b), or (c) of this canon.

Canon 4

Disciplinary Bodies of the Diocese

Section 1. Ecclesiastical Court

A. The Ecclesiastical Court of the Diocese shall consist of the following members:

- i. an attorney licensed in a least one state within which the Diocese has a congregation who shall be appointed by the Bishop with the consent of the Standing Committee or an Assistant Chancellor who shall be appointed by the Bishop with the consent of the Standing Committee; the Chancellor is not eligible and shall not serve as a member of the Ecclesiastical Court.
- ii. three clergy members and three lay members elected by the Synod for staggered three-year terms, with any vacancies on the Court of the elected clergy or laity (as the case may be) to be filled by the appointment of the Bishop until the next meeting of the Synod, at which Synod any such remaining term shall be filled by election of the Synod; and
- iii. one additional clergy member and one additional lay member who may be appointed by the Bishop to serve for a term of one year.

The attorney appointed by the Bishop or the Assistant Chancellor appointed by the Bishop shall be the presiding judge.

- B. The lay members elected to the Ecclesiastical Court shall be eligible voters in a Congregation or Mission of the Diocese, eligible voters of the Synod or registered alternates in attendance at the Synod at which they are elected. The lay members elected shall have been confirmed or received by a bishop of the Province or by a bishop of another Province of the Anglican Communion. Clergy members of the Ecclesiastical Court shall be under the authority of the Bishop.
- C. The Ecclesiastical Court is granted jurisdiction over, and its jurisdiction is limited to, proceedings authorized by Title V, Canon 7. Any member of the clergy, any layperson in a leadership position in a Congregation, Mission or Church Plant of the Diocese, or any clergyperson or layperson who holds any license from the Bishop, is subject to the jurisdiction of the Ecclesiastical Court.

Section 2. Reports Investigation Committee

The Reports Investigation Committee shall consist of at least three and up to five members appointed by the Bishop, in consultation with the Standing Committee. At least one member of the Reports Investigation Committee shall be a member of the clergy, and at least one shall be a lay member. The Bishop must ensure by his appointments that at least one member of the Reports Investigation Committee is legally qualified. The members so appointed shall hold office for a definite term not to exceed three years, and shall be eligible for reappointment.

The quorum for meetings of the Reports Investigation Committee shall be a majority of the members. Any meeting of the Reports Investigation Committee at which a quorum is present shall be competent to exercise all the functions and powers conferred upon the Committee by this title.

The Reports Investigation Committee may delegate any or all of its functions and powers to subcommittees of its own members as it may consider appropriate. Any subcommittee so formed shall comprise at least one member of the clergy and one layperson and shall, in the exercise of the functions and powers so delegated, conform to any regulations that may be imposed on it by the Reports Investigation Committee.

The Reports Investigation Committee shall select a chairperson from among its members.

Section 3. Reports Receiver

The Bishop, in consultation with the Standing Committee, shall appoint two persons on such terms and subject to such conditions as he may think fit to be the Reports Receivers for the purposes of this title. The persons so appointed shall be either human resource practitioners or legally qualified or otherwise suitably qualified persons. No person may be appointed as a Reports Receiver who is otherwise an employee of the Province, the Chancellor or an assistant Chancellor of the Diocese, a member of the standing committee of the Diocese, a member of the ecclesiastical court of the Diocese or a member of the clergy. The Bishop may remove any

person so appointed, provided that the removal is approved by a two-thirds majority of the Standing Committee.

Section 4. Oath Requirement

The Reports Receiver and each member of the Ecclesiastical Court and the Reports Investigation Committee shall not be capable of performing any of the duties of office until having signed the following declaration:

I, _____, *[do solemnly declare that I am a baptized, confirmed, and communicant member of a Congregation, Mission or Church Plant in the Anglican Church in North America, and]*¹ being fully sensible how important it is that Reports involving members of the clergy and laity of the Anglican Diocese of the Living Word be adjudicated in a fair and impartial manner in accordance with proper procedures, undertake that I will duly and faithfully and to the best of my knowledge and power perform my duties *[as the Reports Receiver or as a member of _____]* without fear or favor or affection or ill-will towards any person, and that I will uphold the Constitution and Canons of the Anglican Diocese of the Living Word for the glory of God, the good of his church, and the welfare of his people. So help me God.

Canon 5

Processing of Reports

Section 1. Any person who has a proper interest may bring to the attention of a Reports Receiver by means of a written submission any report in respect of a member of the clergy, a layperson in a leadership position in a Congregation, Mission or Church Plant of the Diocese, or a clergyperson or layperson who holds any license from the Bishop. If a Reports Receiver receives an allegation in a manner other than a written submission, that the Reports Receiver may, in his or her absolute discretion, choose to deem the allegation to be a report and treat it accordingly.

Section 2. Where a report is made against a member of the clergy, a Reports Receiver shall, in the first instance, consult with the Bishop and together they shall determine whether reasonable grounds have been disclosed to believe that the member of the clergy is liable to disciplinary action under Title V, Canon 3. If they are of the opinion that the report discloses no reasonable grounds, then, subject to obtaining the approval of the Standing Committee or its designate, a Reports Receiver may dismiss the report. Such a dismissal shall not be a defense to a subsequent report in relation to the same or substantially the same matters. If, however, either a Reports Receiver or the Bishop is of the opinion that the report discloses reasonable grounds, or if the Standing Committee or its designate does not give its approval, the report may not be dismissed.

¹ The words in brackets shall be omitted when the declaration is made by a member of the clergy in the Anglican Church in North America.

Section 3. Unless a report has been dismissed for lack of reasonable grounds, or the Bishop has already determined that pastoral resolution is not possible or not appropriate, a Reports Receiver shall convey details of the report to the Bishop to seek prompt pastoral resolution in accordance with Title V, Canon 1.

Section 4. If and when the Bishop determines that pastoral resolution is not possible or not appropriate, a Reports Receiver shall convey the report made to the Reports Investigation Committee.

Canon 6

Investigation of Reports

Section 1. Where a report has been conveyed to it by a Reports Receiver, the Reports Investigation Committee shall investigate the report in order to decide whether or not a prima facie case has been made out that the member of the clergy or layperson concerned is liable to disciplinary action under Title V, Canon 3.

Section 2. Before reaching a decision as to whether or not such a prima facie case has been made out, the Reports Investigation Committee shall provide to the member of the clergy or layperson concerned:

- (a) a fair synopsis of the report prepared by the Reports Receiver;
- (b) brief details of the material then before the Reports Investigation Committee and upon which it proposes to base its decision as to whether or not a prima facie case has been made out; and
- (c) an opportunity to make such written representations to it as the member of the clergy or layperson concerned may consider appropriate to the deliberations of the Reports Investigation Committee.

Section 3. In addition to the opportunity to make written representations, the Reports Investigation Committee may, in its absolute discretion, give the member of the clergy or layperson concerned, the Reports Receiver, and the reporting party a non-adversarial opportunity to be heard before it. If the Reports Investigation Committee gives this opportunity to any of such persons, it shall offer a like but separate opportunity to each of them.

Section 4. If a member of the clergy or layperson concerned (or as the case may be, a respondent) declines to make or otherwise provide a statement during the investigation of a report, the adjudication of a presentment, or the appeal of a finding and/or order, that choice, without more, does not constitute a failure to cooperate under Title V, Canon 1.

Section 5. The Reports Investigation Committee may communicate with additional persons who might have relevant information concerning the conduct alleged in the report, and it may give such additional persons an opportunity to make written representations to it. In addition, if a non-adversarial opportunity to be heard before the Reports Investigation Committee has been provided under section 3 of this canon, the Reports Investigation Committee may, in its absolute discretion, provide to any of such additional persons a like but separate opportunity.

Section 6. The Reports Investigation Committee may contract for additional expertise and services, provided that:

- (a) any such contracts must be approved by the Standing Committee; and
- (b) the Reports Investigation Committee itself is solely responsible to make the determination whether a prima facie case has been made out.

Section 7. If the Reports Investigation Committee is of the opinion that a prima facie case has not been made out in respect of any report, it shall so notify in writing the member of the clergy or layperson concerned, the Bishop, the Reports Receiver who received the report, and the reporting party.

Section 8. If the Reports Investigation Committee is of the opinion that a prima facie case has been made out, it shall in its absolute discretion:

- (a) refer the report to the Ecclesiastical Court as a presentment in terms formulated by the Reports Investigation Committee;
- (b) recommend to the Bishop a different resolution, such as mediation to be completed by a date certain, or deferral of consideration of the whole or part of the report on specified terms and conditions; or
- (c) refer part of the report to the Ecclesiastical Court as a presentment in terms formulated by the Reports Investigation Committee, and recommend to the Bishop with respect to other parts of the report a different resolution, such as mediation to be completed by a date certain, or deferral of consideration of the whole or part of the report on specified terms and conditions.

The Reports Investigation Committee shall notify in writing the member of the clergy or layperson concerned, the Bishop, the Reports Receiver, and the reporting party that a prima facie case has been made out against the member of the clergy or layperson concerned, and which course of action, of those listed in this section, the Reports Investigation Committee intends to take.

Section 9. If a different resolution is recommended to the Bishop, he shall choose, in his absolute discretion, whether to pursue the recommended resolution, or some other resolution, or else to direct the Reports Investigation Committee to refer the whole or part of the report to the

Ecclesiastical Court as a presentment in terms formulated by the Reports Investigation Committee.

Section 10. The details of a report and of any subsequent investigation shall be maintained in appropriate confidence until the report is dismissed for no reasonable grounds in accordance with Title V, Canon 5, Section 2, the Reports Investigation Committee takes action under Section 7 or 8 of this canon, or the Bishop takes action under Section 9 of this canon.

Section 11. Except as noted below in this section, no presentment shall be referred to the Ecclesiastical Court, whether under Section 8(a) or 9 of this canon or otherwise, for any offense unless it shall have been committed within 5 years prior to the date of the report.

- (a) A presentment for an offense involving the sexual or physical abuse of a child under the age of 18 years may be referred to the court at any time until 20 years after the child victim reaches the age of majority.
- (b) A presentment that includes allegations that a member of the clergy or layperson willfully concealed evidence or otherwise obstructed the discovery of misconduct or investigation into reported misconduct, may with the written approval of the Bishop be referred to the Court, notwithstanding any limitation imposed by this section.
- (c) In the event of a criminal conviction or final civil judgment against a member of the clergy or layperson, a presentment for an offense under Title V, Canon 3 involving the same conduct may be referred to the Court within one year of such conviction or judgment, notwithstanding any limitation imposed by this section.

Section 12. If the Reports Investigation Committee refers a presentment to the Ecclesiastical Court, the investigation committee may appoint one of its members as a diocesan advocate to present evidence and argument in support of the presentment, or it may appoint another person to be the diocesan advocate on its behalf.

Canon 7

Adjudication and Sentencing

Section 1. All powers and duties of the Ecclesiastical Court specified in this title may be exercised by a panel. A panel shall consist either of the presiding judge and two other members of the Court selected by the presiding judge, or the presiding judge alone.

Section 2. The panel shall give the diocesan advocate, as well as the respondent or any advocate for the respondent, the opportunity of:

- (a) attending and being heard at the hearing of the presentment;
-

- (b) calling witnesses to give relevant evidence (including any reporting party, if desired by the diocesan advocate);
- (c) cross-examining witnesses; and
- (d) introducing other relevant evidence or testimony.

Section 3. The panel may determine whether evidence is relevant, and it may exclude otherwise relevant evidence, including testimony by witnesses, if it concludes that its probative value is substantially outweighed by a danger of confusion of issues, undue delay, waste of time, or needless presentation of cumulative evidence, or to protect a witness from harassment or intimidation. If the panel concludes that there is an undue risk of one or more of these dangers, instead of excluding testimony, the panel may, in its absolute discretion, regulate the mode and order of examining witnesses.

Section 4. The panel may, on the application of the diocesan advocate, agree to the amendment of the terms of a presentment, provided it is satisfied that the respondent would not be unfairly prejudiced thereby.

Section 5. If, during the course of hearing a presentment, it becomes apparent to the panel that the respondent may be liable to disciplinary action under Title V, Canon 3, in relation to matters not the subject matter of the presentment, it may amend the terms of the presentment to include those additional matters or it may bring those matters to the attention of a Reports Receiver. If the panel decides to amend a presentment, it may, on the application of the respondent or the diocesan advocate, adjourn the hearing for such period of time as may seem fit in the circumstances.

Section 6. If a majority of the panel finds that the presentment has been proved in whole or in part by clear and convincing evidence, it shall make a finding to that effect; but if it finds that the presentment has not been proved by clear and convincing evidence, it shall dismiss the presentment.

Section 7. The panel may take notice of any criminal conviction or civil judgment against respondent, and any final conviction or final judgment shall be regarded as conclusive proof of his or her having committed that crime or civil violation, provided that he or she is given a reasonable opportunity to be heard as to any matters in extenuation and mitigation.

Section 8. If the panel makes a finding that a presentment has been proved in whole or in part, it may recommend to the Bishop any one of the following orders against the respondent, choosing the sentence it considers appropriate having regard to the office and duties of the respondent, the panel's views as to the nature and seriousness of the presentment, any previous report in respect

of which a finding and/or order have been made against the respondent, and any other circumstances that the panel considers relevant:

- (a) an order deposing the respondent from all rights, responsibilities, and duties of holy orders;
- (b) an order permanently depriving the respondent of his or her particular office or appointment;
- (c) an order suspending the respondent for a definite period, not to exceed five years, either from performing all ministerial functions or the functions of a particular office or appointment;
- (d) an order rebuking the respondent;
- (e) an order that no further action be taken on the presentment.

Section 9. In addition to the recommended sentencing order, the panel may recommend to the Bishop an order requiring the respondent to do or to refrain from doing an act, and it may recommend other measures for restoration of the respondent, a reporting Party, and/or other persons.

Section 10. Upon receiving any such recommendation, the Bishop shall promptly impose a sentence, and shall give notice of the sentence to the Office of the Archbishop, the Reports Receiver who received the report, the Standing Committee, and all members of the clergy.

Section 11. At any point between the referral and/or recommendation by the Reports Investigation Committee under Title V, Canon 6, Section 8 and the pronouncement of sentence, the Bishop may, with the consent of the respondent, confessing the truth of the allegations and submitting to the discipline of the Church, and after consultation with the reporting party, impose such sentence as he thinks fit in accordance with the sentences in Section 8 of this canon. From such sentence there is no appeal.

Section 12. The disciplinary process in this title does not limit other forms of inquiry or action, such as an episcopal visitation or an inquiry by the Bishop or the Standing Committee (or their designates) into the spiritual and temporal state of a Congregation, Mission or Church Plant of the Diocese, including but not limited to obtaining information about the well-being and the effective administration of Congregations, Missions or Church Plants of the Diocese.

Canon 8

Admonitions and Inhibitions

Section 1. Admonitions

Nothing in this title may be interpreted as limiting the ability of the Bishop to warn and instruct a member of the clergy under his authority as to performance of pastoral responsibilities or official duties.

The Bishop may issue an admonition to a member of the clergy under his jurisdiction. Before issuing an admonition, the Bishop must meet with the member of the clergy or layperson concerned to discuss the basis for the admonition, unless there are exceptional circumstances that prevent such meeting and those circumstances are fully described in the admonition. The admonition must specify the matter complained of and the canonical or theological basis for the warning, and must provide a reasonable time for the member of the clergy to take any required action.

An admonition may be issued alone or together with an inhibition.

Section 2. Inhibitions

After a report is made against a member of the clergy, the Bishop may inhibit the member of the clergy concerned as follows.

If the Bishop considers that great scandal is likely to arise from the member of the clergy against whom a report has been made continuing to perform the duties of office, or there is imminent danger to the reporting party or to a third person, the Bishop may inhibit the member of the clergy concerned for up to 90 days. An inhibition must be in writing, and it must state the reasons why it issued, state its terms specifically, and describe in reasonable detail the act or acts restrained or required. Any member of the clergy so inhibited shall be entitled to that member of the clergy's full stipend for the period of the inhibition. If required by the Bishop, however, the member of the clergy must deliver up all keys, passwords, access codes, credentials for electronic systems and any other property, other than a parsonage or rectory, held by virtue of that member of the clergy's office.

With the approval of the Standing Committee of the Diocese, any such inhibition may be extended in increments of up to 90 days, with or without amendments.

An inhibition of a member of the clergy is terminated as soon as one of the following occurs:

- (a) The Bishop issuing the inhibition chooses to lift it before its expiration;
 - (b) The inhibition expires by its own terms; or,
 - (c) With respect to the matter of the inhibition,
 - a report is dismissed for lack of a prima facie case,
 - the inhibited member of the clergy consents to a sentence,
 - a presentment is found not proven, or
-

- a presentment is found proven in whole or in part and a sentencing order is pronounced.

Any temporary disqualification of a member of the clergy from exercising some or all ministerial functions, other than a sentence of suspension, requires an inhibition issued pursuant to this section.

An inhibition may be issued alone or together with an admonition.

Canon 9

Other Provisions

Section 1. Confidentiality

The details of a report and of any subsequent investigation shall be maintained in appropriate confidence until the report is dismissed for no reasonable grounds in accordance with Title V, Canon 5, Section 2, or the Reports Investigation Committee takes action under Title V, Canon 6, Section 8.

Section 2. Membership in Multiple Disciplinary Bodies

No person may be a member of the Reports Investigation Committee and the Ecclesiastical Court at the same time. Nor may any person be a member of the Reports Investigation Committee and the Ecclesiastical Court and at the same time be a Reports Receiver or a member of the Standing Committee.

Section 3. Indemnity

A Reports Receiver and the members of the Ecclesiastical Court and Reports Investigation Committee shall be indemnified by the Diocese from all losses and expenses incurred by them in or about the discharge of their respective duties, except for any loss or expense as happen from their own respective intentionally dishonest conduct, fraud, willful violations of law, or criminal misconduct.

No member of the Ecclesiastical Court and Reports Investigation Committee shall be liable for any act, omission, or default of any other member of the Ecclesiastical Court and Reports Investigation Committee unless the same happens from his or her own intentionally dishonest conduct, fraud, willful violations of law, or criminal misconduct.

Appendix A: Form of Report

To the Reports Receiver of the Anglican Diocese of the Living Word:

I, ____ *[name]*, of ____ *[place]*, [am a member of ____ *[parish]* in the Anglican Diocese of the Living Word, and agree to cooperate with the investigation, and] make the following report of misconduct by a member of the clergy of the Diocese, or by a layperson in a Congregation or Mission of the Diocese. As a Reporting Party, I have personal knowledge of or have received information concerning the matters alleged below and they are true and correct to the best of my knowledge and belief:

[state the factual basis of the Report]

As a Reporting Party, I seek the following relief:

[state the relief sought]

Signed: _____

Name: _____, Reporting Party

Date: _____

Appendix B: Form of Presentment

In the Ecclesiastical Court of the Anglican Diocese of the Living Word

In the Matter of the Rev. _____
Respondent

We, the members of the Reports Investigation Committee of the Anglican Diocese of the Living Word, have investigated certain allegations against the Respondent, and conclude that there is sufficient proof to support a finding that a canonical offense has been committed, disregarding any evidence to the contrary; and, taking the evidence as a whole, we further conclude that there is a rational basis to think the Respondent has committed a canonical offense. We therefore refer the following charge to the Ecclesiastical Court for action in accordance with Title V, Canon 7 of the Canons of the Diocese.

Charge

In that _____ [*Respondent's name*] did, at or near _____ [*place of offense*], on or about _____ [*date or time period of offense*], _____ [*specific allegations*], in violation of Canon V.3.____ of the Provincial Canons [*specify offense*], to wit: [*concise details of allegations*].

On behalf of the Reports Investigation Committee,

Signed: _____
Name: _____, chairperson
Date: _____

Title VI

Adoption and Amendment

Canon 1

Adoption to the Canons

These canons shall be adopted and become effective upon their approval by a majority vote at the inaugural Meeting of the Synod of the Diocese held in May of 2013.

Canon 2

Amendment to the Canons

The Canons of the Diocese may be amended by the Synod at any Annual Meeting or any Special Meeting called for that purpose. No amendment may be adopted until it has been reviewed by the Constitution and Canons Committee and its recommendations given to the Synod.

Notwithstanding any provision in these Canons to the contrary, the Synod may by a two thirds majority allow the consideration of proposed amendments to the Diocesan Canons.

Canon 3

Clerical Errors and Grammatical Corrections

The Chancellor may correct any clerical and grammatical errors in the Canons, make changes to punctuation and capitalization for consistency, and modify or insert titles before canon sections with the consent of the Committee on Constitution and Canons. No such corrections or changes shall be made or permitted which would alter the meaning or intent of any canon. After any such corrections are made or errors are corrected, a copy of the Canons showing the corrections or corrected errors comparing the original version of the Canons to the corrected version of the Canons shall be retained by the Committee and be made available upon request to the Congregations, Missions and Church Plants of the Diocese.
