

Proposed Amendments to the Constitution and Canons  
May 2025

# Constitution

## Article III

### Authority, Composition, and Operation of the Synod

#### Section 4. Quorum for the Transaction of Synod Business

~~In order to~~ 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 ~~one half of the Congregations and Missions~~ must be present.

# Canons

Proposed Amendment to Title I, Canon 5 to add:

## 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 Diocesan Bishop and the Diocesan 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.
  - a. 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:
    - i. 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;
    - ii. to verify that the policies of every congregation meet the minimum requirements of the state in which that congregation is located;

- iii. to verify that every congregation is adhering to the policies that each congregation has adopted for the protection of adults and children;
  - iv. to verify that the policies are effective in achieving the aim of protecting adults and children within that congregation;
  - v. to determine if changes, modifications or additions need to be made to the policies of each congregation it audits.
- b. 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 its policies, shall amend its policies accordingly and resubmit the updated policy to the Committee on Safeguarding the Church.
- c. 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, 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.
- d. 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.
- e. In conducting this review and preparing this report, the committee shall determine:
  - i. if there are any legally or provincially mandated changes that need to be made to these policies;
  - ii. if these policies are being followed (and if not being fully followed explain how they are not being followed);

- iii. whether the policies are effective in achieving the aim of protecting adults and children in the diocese.

Proposed changes to Title II, Canon 1, Sec 5 to add:

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.

Proposed amendment to Title V to have two Reports Receivers as required by the ACNA

Title V

Ecclesiastical Discipline

### Canon 3

Offenses

(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 of the diocese, 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

D. 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 of the diocese, is subject to the jurisdiction of the Ecclesiastical Court.

### Section 3. Reports Receivers

The bishop, in consultation with the Standing Committee, shall appoint ~~a 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 ~~the a~~ Reports Receiver who is otherwise an employee of the province, a chancellor or 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 Receivers 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 the 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 plants of the diocese, or a clergyperson or layperson who holds any license from the bishop of the diocese. If the a Reports Receiver receives an allegation in a manner other than a written submission, the that 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, the 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, the 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 the 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.

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, the 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, the 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 the 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

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.

## Canon 7

### Adjudication and Sentencing

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 the 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 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 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 or of the diocese, including but not limited to obtaining information about the well-being and the effective administration of congregations, missions or church plants or of the diocese.

## Canon 9

### Other Provisions

#### 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 the a Reports Receiver or a member of the Standing Committee.

#### Section 3. Indemnity

~~The~~ 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.



