

**The Canons  
of the  
Episcopal Church in the Diocese of Northwest Texas  
as of Annual Diocesan Convention, 2017**

**(With “nonsubstantive and technical changes” made by  
the Constitution and Canons Committee in September 2017)**

**October 2017**

**THE CANONS  
OF  
THE EPISCOPAL CHURCH IN THE DIOCESE OF NORTHWEST TEXAS**

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## **CANON 1**

### **Clerical Members of Convention**

Section 1. Clergy List. At least two weeks prior to the meeting of any special or annual Convention of this Diocese, the Bishop, or in the Bishop's absence the Standing Committee, shall cause to be prepared a list of all clergy canonically resident in this Diocese containing the names of their respective congregations or other ministries in which they may be engaged, or in the case of those who are not so engaged their place of residence; but no such clergy while suspended from the ministry shall have a place on such list. There shall be indicated on such list the names of all clergy entitled to seats and votes in the Convention as prescribed by Article III of the Constitution and Canons of this Diocese. A copy of this list shall be sent to the Secretary of the Convention and the Chair of the Committee on Credentials.

Section 2. Disputes. If the right of any clerical member to a seat and vote in the Convention is claimed or disputed, the question shall be determined by the Convention after consideration of the findings and recommendations of the Committee on Credentials.

## **CANON 2**

### **Lay Delegates to Convention**

**Section 1. Lay Delegate Certification.** The election of delegates and alternates to any Diocesan Convention shall be certified in writing by the Rector, Vicar or Priest-in-Charge of the congregation of which they are the representatives or, in the absence of such a person by a Warden or by the Clerk of such congregation. Certification of election shall be upon the form approved by the Committee on Credentials and distributed by the Secretary of the Convention.

**Section 2. Certificates Sent to Committee on Credentials.** The certificates of election shall be delivered to the Chair of the Committee on Credentials not less than ten days prior to the meeting of Convention. From these certificates, the Committee on Credentials shall prepare a list of the lay delegates entitled to seats and votes in the Convention. A copy of such list shall be sent to the Secretary of Convention.

**Section 3. Disputes.** If the right of any lay delegate to a seat and vote in the Convention is claimed or disputed, the question shall be determined by the Convention after consideration of the findings and recommendations of the Committee on Credentials.

**Section 4. Vacancies after Convening of Convention.** In the case of failure of one or more delegates or alternates from any congregation in union with Convention to attend the Convention, the Rector, Vicar or Priest-in-Charge of such congregation shall make such appointment as may assure full representation in the Convention. In the absence of such a person, the power of appointment shall fall to the Wardens in order of precedence. Any such appointments shall be promptly reported to the Committee on Credentials.

**Section 5. Attendance.** It shall be the duty of lay delegates to ensure by their attendance at all sessions of the Convention that the congregation electing them is at all times fully represented.

**Section 6. Acts Binding.** If, for whatever cause, a congregation is not represented at any Convention or during any portion thereof, such congregation shall nevertheless be bound by all acts of the Convention.

**Section 7. Nonrepresentation.** No congregation which shall have failed to pay all of the assessment levied upon it for the preceding fiscal year, or shall have failed to provide to the Bishop's Office by September 1st a copy of the congregation's preceding year's audit, or shall have failed to file on time their required Parochial Report for the previous year, shall be entitled to vote in the Convention; provided, however, that such vote may be granted by resolution of the Standing Committee and with a two-thirds vote of the Convention. The Treasurer of the Diocese shall report all such delinquencies to the Committee on Credentials no later than ten days prior to the day on which the Convention convenes, and the Committee shall report the same to the Convention in its initial report to certify the presence of a quorum.

Section 8. Term. Delegates may be elected by their congregation for a term up to three (3) years. If a term of greater than one (1) year is selected, the congregation shall provide for staggered terms.

Amended 1991, 2001, 2014

## **CANON 3**

### **Secretary of Convention**

**Section 1. General Duties.** The Secretary of Convention shall be the Secretary of the Diocese and shall serve as an ex-officio member of the Committee on Credentials. In addition to the duties prescribed elsewhere in the Constitution and Canons of the Diocese, the Secretary shall have the following duties:

- A. To be responsible for the recording of the minutes of the Convention and when approved by the Committee for the Approval of the Minutes, to enter them in the Journal.
- B. To send the blank certificates of election of the lay delegates as required by Canon 2.
- C. To send to the Secretary of the House of Deputies of the General Convention a proper certificate of the election of clerical and lay Deputies to the General Convention, and to perform such other duties as may be required by the General Convention.
- D. To send to each congregation entitled to representation in the Convention the name of the Chair of the Resolutions Committee and the Canon regarding submission of resolutions.

**Section 2. Journal.** The Secretary of Convention shall attend to the publication, under the supervision of the Bishop, and distribution of a sufficient number of copies of the Journal of the Convention which shall contain a directory of Diocesan officers; committees and commissions; a list of the clergy of the Diocese; a list of all congregations in the Diocese; a list of lay delegates present at the Convention; the Bishop's annual address to the Convention; the minutes of the proceedings of the Convention; the Necrology list; a list of the Record of Licenses of the Diocese; and such reports and other items as may be specified. Distribution of said Journal shall be as follows:

- A. One copy to every member of the clergy canonically resident in the Diocese.
- B. One copy to every lay delegate to the Convention.
- C. One copy to the Parliamentarian.
- D. One copy to the Clerk of each congregation of the Diocese.
- E. Two copies certified to be correct by the Bishop and by the Secretary of the Convention to the Registrar.
- F. *To forward to the Secretary of the House of Deputies, immediately upon publication, two copies of the Journals of the Convention of the jurisdiction,*

*together with episcopal charges, statements, and such other records in paper or electronic format as may show the state of the Church in that jurisdiction, and two copies to the Archives of the Church in a common format as prescribed by the Archivist of the Church* (I.6.5.(a)).

Section 3. Convention and Journal Expenses. The Secretary shall furnish to the Treasurer of the Diocese within one month after the adjournment of the Convention a statement of all special appropriations allowed by the Convention and not included in any approved budget. The Secretary shall also examine and certify to the Treasurer of the Convention the bills for printing and other expenses of the Journal and for any other official work as appropriate.

Amended 1998, 2003, 2010, 2014

## **CANON 4**

### **Business of Convention**

Section 1. Call to Order. At the opening of Convention, the President shall call it to order. In the absence of the Bishop, the President of the Standing Committee shall call the Convention to order and a President pro tempore of the Convention shall be elected from among its members.

Section 2. Quorum. The President shall call for a report from the Committee on Credentials in order to ascertain the presence of a quorum. In the event such a quorum is present, the President shall declare the Convention open and ready for business.

Section 3. Order of Business. The President shall then call for a report from the Committee on Dispatch of Business which shall recommend such changes, if any, as may be appropriate to the Order of Business. For all annual meetings of the Convention, except where there is to be an election of a Bishop, such Order of Business shall include the following:

- A. Announcement of committee and commission appointments.
- B. Nominations from the floor for offices to be filled by the Convention.
- C. Election of officers.
- D. Presentation of annual report by the Bishop.
- E. Reports of officers.
- F. Presentation of the annual budget.
- G. Reports of committees and commissions of the Convention and the Diocese as appropriate.

Section 4. Nominations from the Floor. Nominations from the floor shall be accepted as provided in Canon 5, Section 7.

Section 5. Resolutions. All petitions, memorials and resolutions presented to Convention, other than courtesy resolutions and resolutions from Committees of the Diocese, must be submitted in writing to the Secretary of the Convention at least forty-five (45) days prior to the convening date of the Convention. In the event such petitions, memorials or resolutions are not so received, they may not be considered by the Convention except upon a majority vote permitting same.

Section 6. Reports. All reports must be submitted to the Bishop's Office at least forty-five (45) days prior to the convening of the Convention.

Section 7. Distribution of Reports and Resolutions. Reports, nominations, resolutions, and other items of business for the Convention shall be distributed to the clerical members and the

delegates of Convention at least thirty days prior to the convening of the Convention, except as otherwise provided.

Amended 1989, 1993, 1998, 2014, 2017

## **CANON 5**

### **Committees of Convention**

**Section 1. Appointment.** At least 120 days before the annual meeting of the Convention, the President of the Convention shall appoint the members of those committees enumerated hereafter. Additional committees may be created by the Convention as deemed appropriate. The members of each committee shall serve until their successors are appointed and any vacancies may be filled immediately. The President shall announce the appointments at each annual meeting of the Convention. Except as otherwise indicated, the composition and membership of each committee shall be determined by the President.

**Section 2. Approval of Minutes.** The Committee for the Approval of the Minutes shall review the minutes of the Convention prior to their being printed in the Journal.

**Section 3. Credentials.** The Committee on Credentials shall consider all claims and disputes affecting the right to seat or representative privilege in the Convention. It shall approve the form for the certification of election for lay delegates to the Convention, and it shall be responsible for the list of lay delegates entitled to seat and vote in the Convention. The committee shall certify all changes in the delegations of the Convention. The Secretary of the Convention shall be a member of this Committee.

**Section 4. Dispatch of Business.** The Committee on Dispatch of Business shall assist in arranging the agenda for sessions of the Convention, expedite the transaction of business in an orderly manner and present for consideration of the Convention all unfinished or delayed business.

**Section 5. Elections.** The Committee on Elections shall supervise, in the interest of accuracy and fairness, all elections by ballot of the Convention and also, when requested by the President, determine the results of other voting by the Convention. This committee shall be responsible for the appointment of tellers, who shall be confirmed communicants of a congregation in union with Convention, but they need not be members of the Convention.

**Section 6. Necrology.** The Committee on Necrology shall report to the annual meeting of the Convention a list of clergy and laity who have served at the diocesan level and who since the last annual meeting of Convention have departed this life. The Committee shall offer suitable memorials or resolutions pertaining thereto.

### **Section 7. Nominating Committee.**

- A. The Nominating Committee shall consist of at least one clerical member and at least one lay person, from different congregations, appointed for a term of one year by the Bishop, who shall designate one member as chairperson of the committee.

- B. Nominations, excepting those canonically required to be made by the Bishop, or as otherwise provided, shall be submitted to the chair of the committee on the designated Nomination Form at least sixty days prior to the opening of Convention.
- C. The Nominating Form may include comments from the nominee pertinent to the nomination, and it shall include:
  - (1) The specific office or position for which nomination is made;
  - (2) Name and congregation of nominee;
  - (3) Biography of nominee, including current and present church offices and responsibilities;
  - (4) Comments as to the suitability of the nominee for the nomination;
  - (5) Statement of willingness to serve if elected;
  - (6) Statement signed by proposer that nominee is qualified in conformity with Section 6 of ARTICLE VII, and Section 3 of Canon 15.
- D. The Nominating Committee shall ensure that there be sufficient qualified candidates to fill all elected positions.
- E. Any nomination received after the deadline must be presented in writing at the opening session of the Convention, with all the requirements set forth in Section 7.C.

Section 8. Parliamentarian. The Parliamentarian shall be appointed by the Bishop, and upon request of a committee, shall offer parliamentary assistance to said committee.

Section 9. Resolutions. The Committee on Resolutions shall consider and evaluate such resolutions as shall be referred to it by the President of Convention and shall recommend to the Convention such action thereon as it deems appropriate. The Committee may offer resolutions of courtesy on its own initiative. The resolutions which shall be referred to the Committee on Resolutions shall be those which do not fall within the purview of any other committee or commission of the Convention or the Diocese.

Amended 1989, 1998, 1999, 2003

## **CANON 6**

### **Parliamentary Authority**

The current edition of *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for all matters of procedure not specifically covered in this Constitution and Canons or by specific rules of procedure adopted by the Convention.

Amended 2007

## **CANON 7**

### **Secretary of the Diocese**

In addition to the duties prescribed elsewhere in these Canons or otherwise assigned, the Secretary of the Diocese shall have the following duties:

- A. To serve as Secretary of the Executive Council;
- B. To serve as a member ex-officio of the Credentials Committee;
- C. To give notice of election or appointment of all persons elected or appointed at the Convention or any other time during the year, and in the case of a new or special committee, to send a copy of the resolution creating such a committee;
- D. *To forward to the Secretary of the House of Deputies, immediately upon publication, two copies of the Journals of Convention of the jurisdiction, together with episcopal charges, statements, and such other records in paper or electronic format as may show the state of the Church in that jurisdiction, and two copies to the Archives of the Church in a common format as prescribed by the Archivist of the Church* (I.6.5.(a)).
- E. To discharge all communications and other duties required by the Executive Council and the General Convention.

Amended 2003, 2004, 2014

## **CANON 8**

### **Treasurer of the Diocese**

**Section 1. Duties.** In addition to the duties prescribed elsewhere in these Canons or otherwise assigned, the Treasurer of the Diocese shall have the following duties:

- A. To act as the financial agent of the Diocese for the receipt and disbursement of funds collected under the authority of the Convention, the receipt and disbursement whereof is not otherwise regulated.
- B. As requested, to present to the Executive Council, a report at any meeting thereof as to the financial condition of the Diocese from time to time.
- C. To present annually to the Convention a written account of the several funds in the custody of the Treasurer for the previous fiscal year.
- D. To deliver to a duly elected successor all funds, credit accounts, papers and books belonging to the Diocese and held in custody and to take a proper receipt thereof.
- E. To pay, when due, all regularly budgeted items. The Treasurer shall pay other items only upon warrant of the Executive Council.
- F. To make recommendations to the Convention and the Executive Council as to the handling of diocesan accounts and the keeping of all records thereof.
- G. To report to the Chair of Credentials any congregation which is delinquent in payment of its diocesan apportionment or assessment for the preceding year.

**Section 2. Audit.** The accounts and records of the Treasurer shall be audited annually by an independent certified public accountant approved by the Executive Council.

**Section 3. Bond.** The Treasurer shall be bonded in the amount fixed by the Executive Council.

**Section 4. Assistant Treasurer.** With the approval of the Bishop, the Treasurer may select an Assistant Treasurer whose duties shall be determined by the Treasurer and Executive Council.

Amended 1991, 2003

## **CANON 9**

### **Registrar of the Diocese**

In addition to the duties prescribed elsewhere in these Canons or otherwise assigned, the Registrar of the Diocese shall have the following duties:

- A. To maintain the list of clergy and of Candidates and Postulants for Holy Orders.
- B. To answer proper requests for information; and when authorized by the Ecclesiastical Authority, to issue a certified copy of any statement or any matter of record in the files of the Registrar.
- C. To serve as historiographer of the Diocese and to collect and preserve copies of the Journal of the Diocese and all other important papers and documents which shall pertain to the historical record of the Diocese and the congregations thereof, except such documents which are a proper part of the current files of other officers of the Diocese.
- D. To assist congregations of the Diocese in the process of keeping historical records.

Amended 2014

## **CANON 10**

### **Chancellor and Vice Chancellor of the Diocese**

In addition to the duties prescribed elsewhere in these Canons or otherwise assigned, the Chancellor, and in the absence of or inability of the Chancellor to act the Vice Chancellor, of the Diocese shall have the following duties:

- A. On request of the Ecclesiastical Authority to render opinions as to legal construction of the Constitution and Canons of the Episcopal Church and of the Diocesan Constitution and Canons.
- B. To be the advisor, when requested by each, confidential or otherwise, of the Bishop, the Executive Council, the Standing Committee and the Northwest Texas Episcopal Board of Trustees.
- C. To represent the Diocese, unless unable to do so, in all litigation involving the interest, rights or property of the Diocese.
- D. On request of same, to give advice and assistance to the congregations of the Diocese.
- E. As legal advisor of the Bishop, to be present at any proceedings for the settlement of differences between clergy and their congregation.
- F. *No Chancellor or Vice Chancellor of a Diocese shall serve as Church Attorney in that Diocese. No Chancellor or Vice Chancellor of any Province shall serve as Church Attorney in any Diocese of that Province or any provincial proceeding. Neither the Presiding Bishop's Chancellor nor the Chancellor to the President of the House of Deputies shall serve as Church Attorney in any proceeding. The Church Attorney in any proceeding shall not be from the same law firm as any Chancellor or Vice Chancellor otherwise disqualified under this section* (IV.19.19).

Amended 1989, 1998, 2000, 2014

## **CANON 11**

### **Removal of Officers**

Section 1. Action of Executive Council. If, while the Convention is not in session, a majority of the whole number of the members of the Executive Council shall deem it necessary or expedient to remove from office any of the officers of the Diocese, the reason therefore shall be communicated to the Bishop in writing, and the Bishop thereupon shall call a special meeting of the Standing Committee to consider the matter.

Section 2. Action of Standing Committee. If upon hearing the charges and the defense, if any, the Standing Committee, or a majority of the whole membership thereof, shall find such removal in the best interests of the Diocese, and if the Bishop shall concur in such judgments, such removal shall be ordered by the Bishop.

## **CANON 12**

### **Standing Committee**

In addition to the provisions and duties prescribed elsewhere in these Constitution and Canons and in the Constitution and Canons of the Episcopal Church or otherwise prescribed, the Standing Committee shall have the following duties:

- A. To give approval for the Executive Council to secure short-term loans for budgetary purposes of the Diocese.
- B. To approve the creation of debt by congregations.
- C. To formulate debt policies for the Diocese and the congregations thereof.
- D. To appoint members of the Long Range Planning and Structure Committee.
- E. To approve all loans from the Revolving Loan Fund.
- F. To grant any alleviation of apportionment or assessment to congregations.
- G. To serve as the Diocesan Review Committee in matters of Ecclesiastical Discipline.

Amended 1989, 2003, 2004

## **CANON 13**

### **Executive Council**

**Section 1. Membership.** The Executive Council shall consist of the Bishop or Bishops of the Diocese; the Secretary of the Diocese; the Treasurer of the Diocese; the Chancellor of the Diocese; the Vice-Chancellor of the Diocese; and the President of the Episcopal Churchwomen of the Diocese, members ex-officio. The Canon to the Ordinary shall, ex-officio, have seat and voice but no vote. In addition, there shall be three clerical members and three lay confirmed communicants at least eighteen years of age of the Diocese. At each annual meeting of the Convention one clerical member and one lay person shall be elected to serve for a three-year term. In the event of a vacancy occurring more than sixty days before the Annual Convention, the Executive Council shall fill the vacancy. The Annual Convention shall fill the unexpired term. No elected member of the Executive Council shall be eligible for re-election upon ending a full term of office until one year shall have elapsed. No elected member of the Executive Council shall serve concurrently on the Standing Committee.

**Section 2. Officers.** The officers of the Executive Council shall be a President, who shall be the Bishop; a Vice-President, who shall be appointed by the Bishop from among the members of the Council; a Secretary, who shall be the Secretary of the Diocese; and a Treasurer, who shall be the Treasurer of the Diocese. In the absence of the President, the Vice-President shall be the presiding officer.

**Section 3. Duties.** In addition to the provisions of Article XII of the Constitution and the duties prescribed elsewhere in these Canons, the Executive Council shall have the following duties:

- A. To maintain general supervision of the financial affairs of the Diocese and act as advisor to the Bishop in financial matters and upon request, to act as advisor to the congregations of the Diocese.
- B. To determine annually the amounts to be apportioned to the individual congregations for the support of the Diocese and the Church.
- C. To prepare the annual budget for approval by Convention.
- D. To make adjustments in the Diocesan budget in the interval between Conventions; provided, however, that such adjustments shall not exceed the total amount in the budget as adopted by Convention.
- E. To formulate and initiate programs in accordance with established priorities of the Convention and the General Convention.

Amended 1989, 1990, 1992, 1995, 2001, 2003, 2004, 2013, 2017

**CANON 14**

**Reserved**

## **CANON 15**

### **Committees and Commissions of the Diocese**

**Section 1. Establishment.** To facilitate the work of the Diocese, the Convention or the Executive Council may from time to time establish such committees and commissions with such duties as it may determine, and unless otherwise provided, the Bishop shall appoint members thereto. The Bishop shall be, ex-officio, a member of all committees and commissions established under this Canon, except the Nominations Committee.

**Section 2. Term of Office.** All members of committees and commissions shall serve for the term specified in the Canons or until their successors are elected or appointed.

**Section 3. Qualifications.** Members of all Diocesan committees and commissions shall be clergy canonically resident in the diocese or confirmed communicants in good standing.

**Section 4. Attendance.** A committee or commission shall have the power to declare a vacancy to exist when any member shall have failed to attend three successive regular meetings without presentation of what appears to the committee or commission to be a reasonable cause.

**Section 5. Budget Requests.** All committees and commissions shall make annual budget requests to the Convention through the Executive Council Budget Committee for all programs under their jurisdiction. Committees and commissions may send a representative to meet with the Executive Council Budget Committee concerning such budget request.

**Section 6. Reports.** The committees and commissions shall report their activities and make recommendations to the annual meeting of the Convention next following their appointment or election. All such reports must be submitted to the Diocesan Office no later than forty-five days prior to the opening of Convention.

**Section 7. Quorum.** A majority of the members shall constitute a quorum for the committees and commissions.

Amended 1995, 1998, 2001, 2003, 2014

## **CANON 16**

### **Administrative Committees**

There shall be the following Administrative Committees established under the provisions of Canon 15 and enumerated below. From the members of the committees, the Bishop shall appoint the chair of the committee.

Section 1. Constitution and Canons. The Bishop shall appoint two members each year for a three-year term. The membership of the Constitution and Canons Committee shall consist of six members. The Bishop shall fill any vacancy. The Chancellor of the Diocese shall be an ex-officio member of the committee. The Committee on Constitution and Canons shall review all proposed amendments to the Constitution and Canons of the Diocese for form and canonical consistency. The committee may originate proposed amendments and may recommend adoption or rejection of amendments. The committee shall present to the next succeeding Convention of the Diocese any canonical changes made necessary by action of General Convention. The committee is authorized to make nonsubstantive or technical changes to the Constitution and Canons in the interval between Conventions as may be needed.

Section 2. Convention Planning. The Convention Planning committee shall consist of the Diocesan Administrator, who shall serve as secretary of the committee; the host priest (if any); the host arrangements chair (if any); three members appointed by the Bishop for three-year terms; and the Canon to the Ordinary, who shall serve ex-officio. The Convention Planning Chair shall be appointed by the Bishop. The committee shall plan, coordinate and supervise all arrangements for the Annual Diocesan Convention, as well as any other Diocesan activity requested by the Bishop or the Ecclesiastical Authority.

Amended 1989, 1991, 1993, 1995, 1999, 2006, 2017

**CANON 17**

**Reserved**

## **CANON 18**

### **The Commission on Ministry**

**Section 1. Membership.** At each Annual Convention the Bishop shall nominate and the Convention shall confirm a Commission on Ministry to consist of not fewer than six (6) members, which shall include both clergy and lay persons, and their term of office shall be four (4) years, provided however, that should there be no nomination and confirmation at Convention, they shall continue in office until their successors are nominated and confirmed. Members may be re-appointed at the discretion of the Bishop. A vacancy occurring between annual meetings of the Convention may be filled by appointment of the Bishop until the next annual meeting of the Convention. The Bishop shall be ex-officio a member of the Commission. No more than one person at any time shall simultaneously serve as a member of both the Commission on Ministry and the Standing Committee.

**Section 2. Chair.** The Chair of the Commission shall be appointed by the Bishop as soon as practicable following the annual meeting of the Convention.

**Section 3. Duties.** *The Commission shall advise and assist the Bishop:*

- A. *In the implementation of Title III of the Canons of the Episcopal Church.*
- B. *In the determination of present and future opportunities and needs for the ministry of all baptized persons.*
- C. *In the design and oversight of the ongoing process for recruitment, discernment, formation for ministry, and assessment of readiness therefor* (III.2.2).

**Section 4. Discernment.**

- A. *The Bishop and Commission shall provide encouragement, training, and necessary resources to assist each congregation in developing an ongoing process of community discernment appropriate to the cultural background, age, and life experiences of all persons seeking direction in their call to ministry* (III.3.1).
- B. *The Bishop, in consultation with the Commission, may utilize college and university campus ministry centers and other communities of faith as additional communities where discernment takes place. In cases where these discernment communities are located in another jurisdiction, the Bishop will consult with the Bishop where the discernment community is located* (III.3.2).
- C. *The Bishop and Commission shall actively solicit from congregations, schools and other youth organizations, college and university campus ministry centers, seminaries, and other communities of faith names of persons whose demonstrated qualities of Christian commitment and potential for leadership and vision mark them as desirable candidates for positions of leadership in the Church* (III.3.3).

D. *The Bishop, Commission, and the discernment community shall assist persons engaged in a process of ministry discernment to determine appropriate avenues for the expression and support of their ministries, either lay or ordained* (III.3.4).

Section 5. Rules. *The Commission may adopt rules for its work, subject to the approval of the Bishop; provided that they are not inconsistent with the Constitution and Canons of this Church and of the Diocese* (III.2.3).

Section 6. Committees. *The Commission may establish committees consisting of members and other persons to report to the Commission or to act on its behalf* (III.2.4).

Section 7. Education and Training. *The Bishop and Commission shall ensure that the members of the Commission and its committees receive ongoing education and training for their work* (III.2.5).

Section 8. Reports and Minutes. The Commission shall report to each Annual Convention of the Diocese. It shall keep written minutes of its meetings.

Amended 1992, 1998, 2000, 2001, 2003, 2004

**CANON 19**

**Reserved**

## **CANON 20**

### **Commission on Episcopal Schools**

**Section 1. Membership.** There shall be a Commission on Episcopal Schools, established under Canon 15, and composed of the Head of each of the schools of the Diocese or a representative appointed by the Head. The Bishop shall fill any vacancy in the Commission. The Bishop shall serve ex-officio as a member of the Commission and shall appoint the chair.

**Section 2. Certification.** The Commission shall establish and, from time to time, revise minimum standards for the official certification of all Episcopal schools of the Diocese. Only schools so certified, or granted provisional acceptance by the Commission, shall be officially endorsed and recognized by the Diocese and granted the privilege of using the name "Episcopal." Certification of a school may be withdrawn by action of the Commission if any school fails to maintain minimum standards. The Commission may authorize, at any time, an Evaluating Committee to visit an Episcopal school.

- A. Any Parish or diocesan unit desiring to establish an Episcopal school shall notify the Commission. It shall be the responsibility of the Commission to determine the merits of this application and consult with the applicant in an advisory capacity with respect to the establishment of an approved Episcopal school.
- B. Application for certification shall be investigated by a committee, appointed by the Commission, which may recommend certification or provisional acceptance to the Commission.

**Section 3. Definition.** An Episcopal school within the Diocese is defined as any certified school sponsored by (a) a Parish or Mission, (b) a religious community, (c) other recognized Episcopal Church organizations, or (d) a charitably incorporated educational institution, offering the daily curriculum of studies embodying any of the grades from nursery through grade twelve and that practices the faith and worship of the Episcopal Church. The ultimate control of an Episcopal school shall rest (1) with the Rector in the case of a school sponsored by a Parish, (2) with the Head and Board of Directors or Trustees of a charitably incorporated educational institution, (3) with the Head of the community in the case of a religious community or other recognized Episcopal Church organization, or (4) with the Bishop in the case of a Mission.

**Section 4. Bishop's Visitation.** The Bishop shall make an annual visit to each Episcopal school during the school term.

**Section 5. Reports.** Each Episcopal school shall submit an annual report to the Commission and shall submit necessary information at other times upon request.

**Section 6. Guidelines.** The Commission shall establish guidelines for its procedures.

Amended 1998

## **CANON 21**

### **The University of the South**

Section 1. Relationship. The University of the South, at Sewanee, Tennessee, a corporation jointly owned and operated by this and other Dioceses of the Church, is hereby recognized as an educational institution partially supported by the Diocese of Northwest Texas.

Section 2. Trustees. In conformity with the Constitution of the University of the South, the Bishop of this Diocese, and the Bishop Coadjutor if there be one, shall be members of the Board of Trustees of the University ex-officio; and one member of the clergy canonically resident in this Diocese, and two confirmed communicants of this Diocese shall be elected Trustees of the University of the South by the Convention for a term of three (3) years or until their successors are elected. Trustees may be re-elected without interim, and any successors shall be of the same order, clerical or lay. Vacancies shall be filled by appointment of the Bishop or the Ecclesiastical Authority for the unexpired term.

Section 3. Duties of the Trustees. It shall be the duty of the Trustees of the University of the South to:

- A. Attend the meetings of the Board of Trustees.
- B. Promote Church support of and student enrollment in the University.
- C. Make annual report to the Convention on the condition and progress of the University.

Amended 2003

**Canon 22**

**Reserved**

## **CANON 23**

### **Establishment of New Places of Worship**

#### **Section 1. Formation of Mission Congregations.**

A. Petition. Fifteen or more adult baptized persons resident in the Diocese, desiring to have the ministries of this Church, may on their own initiative or in consequence of initiative of the Bishop and Missions Committee petition the Bishop for recognition as a Mission or Congregation of this Church as follows:

- (1) They shall set forth their desire to become a Mission or Congregation, together with their reasons;
- (2) They shall declare their adherence to the doctrine, discipline and worship of this Church, and their willingness to conform to rules which are or may hereafter be established for Missions and Congregations of the Diocese by duly constituted authority;
- (3) They shall affix their signatures and indicate in each case the congregation of their present religious affiliation.

#### **B. Location.**

- (1) The central properties (place of worship) of a new Mission or Congregation may not be located within two (2) miles of the central properties of an existing congregation in union with the Convention, except by consent of the Ecclesiastical Authority and the Vestry or Bishop's Committee of the existing congregation.
- (2) If the proposed Mission or Congregation is within the limits of a town where there is an existing congregation, the Bishop shall give written notice to those in charge of such congregations and each member of the Missions Committee. Within not less than thirty (30) nor more than sixty (60) days following such notice, a public meeting in the presence of the Bishop and members of the Missions Committee shall be held. Opportunity shall be given for those in charge and the communicants of such congregations and the petitioners to be heard.

#### **C. Study.** Following initial approval of the petition by the Bishop and the Missions Committee, a demographic study of the prospective location and an on-site study shall be made by appointed Diocesan representatives.

#### **D. Approval.** The original petition and the results of the studies required in Section 1.C of this Canon shall be forwarded to the Executive Council for approval, along with the recommendations of the Bishop and the Missions Committee. If the Bishop, the

Missions Committee and the Executive Council, after reviewing the petition, studies and supporting documents, approve the formation of the Mission or Congregation, this approval shall be communicated in writing to the petitioners.

- E. Parochial Missions. A Parochial Mission may be formed by the Rector and Vestry of a Parish, in accordance with Section 1.A, B, C, D and E of this Canon. Such Parochial Mission shall be under the jurisdiction of the Parish of which it is a part; its Vicar and Rector's Committee shall be appointed by the Rector with the approval of the Bishop; and it shall be subject, except as otherwise provided, and as applicable, to the provisions of these Canons in regard to Missions. A Parochial Mission shall be organized with the intent that it become a Diocesan Mission within five years.

## Section 2. Admission into Union with Convention.

- A. Time Requirement. A Mission or Congregation shall have been organized in accordance with this Canon for one calendar year before applying for admission into union with Convention.
- B. Review of Documents. Before admission into union with Convention the Missions Committee shall review: the original petition of the Mission or Congregation; the application signed by a majority of the members of the Bishop's or Rector's Committee requesting that the Mission or Congregation be admitted to union with Convention; the customary certificate of election of lay delegates and alternates; a general statement of the financial condition of the Mission or Congregation; and such other documents as may be required. If approved by the Missions Committee, the documents shall be presented to the next annual meeting of Convention.
- C. Vote by Convention. The Convention, after hearing the recommendation of the Missions Committee, may by majority vote admit the Mission or Congregation to union with Convention and give seat and vote to the lay delegates.

Amended 1991, 2003

## **CANON 24**

### **Organization and Recognition of Parishes**

**Section 1. Requirements.** The requirements for the status of a Parish seeking union with Convention are as follows:

- A. It shall be governed by a Rector and a Vestry elected in accordance with these Canons.
- B. It shall have a communicant membership of not less than seventy-five adults of legal age, canonically resident in the Parish.
- C. It shall have been a Mission or Congregation for at least twelve months, during which time it shall have paid its apportioned share of the Diocesan budget, been financially self-supporting and have a current statement of its financial condition.
- D. It shall possess a church building adequate to the current and immediately foreseeable future needs of the congregation.
- E. It shall have provision for the stipend, housing and adequate insurance of the Rector and other clergy of the Parish.
- F. It shall be incorporated under the laws of the State of Texas.

**Section 2. Recognition.** A Mission or Congregation desirous of becoming a Parish shall present to the Bishop a petition requesting such recognition and signed by a majority of the communicants canonically resident in the Mission or Congregation, and documents showing that the requirements of Section 1 above have been satisfied. Such petition shall be signed at a special meeting called by written notice at least one week in advance to consider the petition and elect a provisional Vestry and a provisional Rector.

**Section 3. Certification.** The Bishop shall certify to the Missions Committee and to the Secretary of Convention that the Mission or Congregation, having satisfied the requirements for Parish status, is to be recognized as a Parish as of the date of certification.

**Section 4. Review by Credentials Committee.** Before admission to union with Convention, the Bishop shall submit to the Credentials Committee the petition of the Mission or Congregation and related documents as requested.

**Section 5. Vote by Convention.** The Convention, after hearing the recommendation of the Credentials Committee, may by majority vote admit the newly created Parish into union with Convention.

## **CANON 25**

### **Change of Status of Parish or Mission**

Section 1. Causes. A change of status shall be considered by the Convention for the following reasons:

- A. Failure to pay within three months after the end of the fiscal year the amount of salary agreed upon for a Rector or Vicar; the Church Pension Fund assessments; health and group life insurance premiums (if any); or the full amount of the apportioned share of the Diocesan budget.
- B. Persistent failures to comply with the conditions and requirements for its organization and conduct as a Parish or Mission.
- C. Pursuant to a recommendation of the Bishop in Canon 27, Section 6.B relating to dissolution of a Pastoral relation.

Section 2. Parish. After full investigation of the failures cited in Section 1 of this Canon and upon concurring action of the Bishop and the Standing Committee, said Parish may, by a two-thirds vote of the Convention, either be dissolved in its entirety or declared to be a Mission or Congregation.

Section 3. Mission. After full investigation of the failures cited in Section 1 of this Canon and upon concurring action of the Bishop and the Missions Committee, said Mission may, by a two-thirds vote of the Convention, either be dissolved in its entirety or declared to be a Congregation.

Section 4. Conveyance of Property and Records. In the event that a Parish or Mission is to be dissolved in its entirety, such property as it may own shall be delivered and conveyed to the Northwest Texas Episcopal Board of Trustees prior to dissolution. In the case of a Parish, the corporation shall be dissolved following conveyance of its property. All records shall be delivered to the Registrar of the Diocese.

Section 5. Governance. In the event the new status shall be a Mission or Congregation, its members shall be governed in accordance with the provisions relating to same contained in these Canons.

Amended 1993, 2014

## **CANON 26**

### **The Filling of Vacant Cures**

#### **Section 1. Rectors.**

- A. *When a Parish is without a Rector, the Wardens or other officers shall promptly notify the Ecclesiastical Authority in writing. If the Parish shall for thirty days fail to provide services of public worship, the Ecclesiastical Authority shall make provision for such worship* (III.9.3(a)(1)).
- B. *No Parish may elect a Rector until the names of the proposed nominees have been forwarded to the Ecclesiastical Authority and a time, not exceeding sixty days, given to the Ecclesiastical Authority to communicate with the Vestry, nor until any such communication has been considered by the Vestry at a meeting duly called and held for that purpose* (III.9.3(a)(2)). A Rector shall be elected by a two-thirds vote of the Vestry, voting by ballot, after open nomination at a meeting of the Vestry duly convened.
- C. *Written notice of the election of a Rector, signed by the Wardens, shall be forwarded to the Ecclesiastical Authority. If the Ecclesiastical Authority is satisfied that the person so elected is a duly qualified Priest and that such Priest has accepted the office to which elected, the notice shall be sent to the Secretary of the Convention, who shall record it. Race, color, ethnic origin, sex, national origin, marital status, sexual orientation, disabilities or age, except as otherwise specified by the Canons of the Episcopal Church, or the Diocesan Canons, shall not be a factor in the determination of the Ecclesiastical Authority as to whether such a person is a duly qualified Priest. The recorded notice shall be sufficient evidence of the relationship between the Priest and the Parish* (III.9.3(a)(3)).
- D. *Rectors may have a letter of agreement with the Parish setting forth mutual responsibilities, subject to the Bishop's approval* (III.9.3(a)(4)). The Call of a Rector-elect shall be in writing and must express distinctly any special condition, together with stipulations of salary or support; which call, when accepted and when the Priest is in residence, shall be a legal contract, and the salary as accrued shall be a debt of the Parish recoverable by process of law if necessary; provided, however, that the amount may be increased or diminished as the parties may from time to time agree in writing and record in the minutes of the Vestry.

**Section 2. Priests-in-Charge. After consultation with the Vestry, the Bishop may appoint a Priest to serve as Priest-in-Charge of any congregation in which there is no Rector. In such congregations, the Priest-in-Charge shall exercise the duties of Rector outlined in Canon III.9.6 subject to the authority of the Bishop** (III.9.3(b)).

**Section 3. Assistants. A Priest serving as an assistant in a Parish, by whatever title designated, shall be selected by the Rector, and when required by the Canons of the Diocese,**

*subject to the approval of the Vestry, and shall serve under the authority and direction of the Rector. Before the selection of an assistant the name of the Priest proposed for selection shall be made known to the Bishop and a time, not exceeding sixty days, given for the Bishop to communicate with the Rector and Vestry on the proposed selection. Upon resignation by the Rector, death of the Rector, or in the event of the dissolution of a pastoral relationship between the Rector and the Vestry, an assistant may continue in the service of the Parish if requested to do so by the Vestry under such conditions as the Bishop and Vestry shall determine. An assistant may continue to serve at the request of a new Rector. Assistants may have a letter of agreement with the Rector and the Vestry setting forth mutual responsibilities and containing a clearly articulated dissolution clause, subject to the Bishop's approval (III.9.3(c)).*

Amended 1998, 2004

## **CANON 27**

### **Dissolution of the Pastoral Relation**

Section 1. Resignation or Removal of Rector. *Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a Parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed there from by the Vestry against the Rector's will, except as hereinafter provided (III.9.15(a)).*

Section 2. Pre-Dissolution Mediation. *When the pastoral relationship in a parish between a Rector and the Vestry or Congregation is imperiled by disagreement or dissension, and the issues are deemed serious by a majority vote of the Vestry or the Rector, either party may petition the Ecclesiastical Authority, in writing, to intervene and assist the parties in their efforts to resolve the disagreement. The written petition shall include sufficient information to inform the Ecclesiastical Authority and the parties involved of the nature, causes, and specifics of the disagreements or dissension imperiling the pastoral relationship. The Ecclesiastical Authority shall initiate such proceedings as are deemed appropriate under the circumstance for that purpose by the Ecclesiastical Authority, which may include the appointment of a consultant or licensed mediator. The parties to the disagreement, following the recommendations of the Ecclesiastical Authority, shall labor in good faith that the parties may be reconciled. Whenever the Standing Committee is the Ecclesiastical Authority, it shall request the Bishop of a neighboring Diocese to perform the duties of the Ecclesiastical Authority under this Canon (III.9.14). No expense shall be incurred by the parties without prior express written agreement. Nothing determined herein shall be binding on the parties without their express written consent.*

Section 3. Disagreement. *If for any urgent reason a Rector or majority of Vestry based on a vote at a duly-called meeting, desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese with a copy available to the Rector or Vestry. Such notice shall include sufficient information to inform the Ecclesiastical Authority and all parties involved of the nature, causes, and specifics requiring the dissolution of the pastoral relationship. If the parties have participated in mediation or consultation processes under III.9.14, a separate report from the mediator or consultant will be submitted to the Ecclesiastical Authority with copies available to the Rector and Vestry. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon (III.9.15(b)).*

Section 4. Mediation. *Within sixty days of receipt of the written notice, the Bishop Diocesan or the Bishop exercising authority under this canon may initiate further mediation and reconciliation processes between Rector and Vestry in every way which the Bishop deems proper. The Bishop may appoint a committee of at least one Presbyter and one Lay Person, none of whom may be members of or related to the Parish involved, to interview the Rector and Vestry and report to the Bishop on the cooperation and responsiveness of the parties involved in the processes required by the Bishop. A copy of this report shall be available to the Vestry and Rector (III.9.15(c)).*

Section 5. Procedures. *If the differences between the parties are not resolved after completion of the mediation or other reconciliation efforts or actions prescribed by the Bishop, the Bishop shall proceed as follows:*

- A. *The Bishop shall give written notice to the Rector and Vestry that a godly judgment will be rendered in the matter after consultation with the Standing Committee and that either party has the right within ten days to request in writing an opportunity to confer with the Standing Committee before it consults with the Bishop. The Bishop's written notification shall inform the Standing Committee and the parties involved of the nature, causes, and specifics of the unresolved disagreements or dissension imperiling the pastoral relationship.*
- B. *If a timely request is made, the President of the Standing Committee shall set a date for the conference, which shall be held within thirty days.*
- C. *At the conference, each party shall be entitled to attend, be represented, and present its position fully.*
- D. *Within thirty days after the conference or after the Bishop's notice if no conference is requested, the Bishop shall confer with and receive the recommendation of the Standing Committee; thereafter the Bishop, as final arbiter and judge, shall render a written godly judgment.*
- E. *Upon the request of either party, the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties. Either party may request the explanation be in writing.*
- F. *If the pastoral relation is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Rector and the Vestry.*
- G. *If the relation is to be dissolved:*
  - (1) *The Bishop shall direct the Secretary of the Convention to record the dissolution.*
  - (2) *The judgment shall include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate.*
- H. *In either event, the Bishop shall offer appropriate supportive services to the Priest and the Parish (III.9.15(d)).*

Section 6. Compliance with Terms. *In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set*

*forth in the Constitution and Canons of the Diocese; and in default of any provisions for such penalties therein, the Bishop may act as follows:*

- A. *In the case of a Rector, suspend the Rector from the exercise of the priestly office until the Priest shall comply with the judgment.*
- B. *In the case of a Vestry, invoke any available sanctions including recommending to the Convention of the Diocese that the Parish be placed under the supervision of the Bishop as a Mission until it has complied with the judgment (III.9.15(e)).*

Section 7. Extension of Time. *For cause, the Bishop may extend the time periods specified in this Canon, provided that all be done to expedite these proceedings. All parties shall be notified in writing of the length of any extension (III.9.15(f)).*

Section 8. Statements and Charges. *Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Title IV, provided that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible (III.9.15(g)).*

Section 9. Expenses. Except as provided in Section 2, any expense incurred under this Canon shall be borne by the Diocese, the Parish and the Rector in such percentages or wholly, as the Chancellor of the Diocese shall in his or her sole discretion find. If the Rector is to be charged all or part of the expenses, the Chancellor shall direct the Vestry to withhold such sums from any last payment to be made by the Vestry to the Rector.

Amended 1991, 2000, 2007, 2010, 2014

## **CANON 28**

### **Clergy and their Duties**

Section 1. Worship and Spiritual Jurisdiction. *The Rector or Priest-in-Charge shall have full authority and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of the Episcopal Church, and the pastoral direction of the Bishop* (III.9.6(a)(1)).

Section 2. Church and Parish Buildings. *For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Rector or Priest-in-Charge shall at all times be entitled to the use and control of the Church and Parish buildings together with all appurtenances and furniture, and to access to all records and registers maintained by or on behalf of the congregation* (III.9.6(a)(2)).

Section 3. Assistant Clergy. *A Priest serving as an assistant in a Parish, by whatever title designated, shall be selected by the Rector, and when required by the Canons of the Diocese, subject to the approval of the Vestry, and shall serve under the authority and direction of the Rector. Before the selection of an assistant the name of the Priest proposed for selection shall be made known to the Bishop and a time, not exceeding sixty days, given for the Bishop to communicate with the Rector and Vestry on the proposed selection. Upon resignation by the Rector, death of the Rector, or in the event of the dissolution of a pastoral relationship between the Rector and the Vestry, an assistant may continue in the service of the parish if requested to do so by the Vestry under such conditions as the Bishop and Vestry shall determine. An assistant may continue to serve at the request of a new Rector. Assistants may have a letter of agreement with the Rector and the Vestry setting forth mutual responsibilities and containing a clearly articulated dissolution clause, subject to the Bishop's approval* (III.9.3(c)).

Section 4. Missionary Cure. In a Missionary Cure, the control and responsibility belong to the Priest who has been duly appointed to the charge thereof, subject to the authority of the Bishop. Such Priest shall be ex-officio the chair of the Bishop's Committee. The Bishop may at any time discontinue the appointment of the Priest or Priest-in-Charge of a Mission or Congregation.

Section 5. Jurisdiction. No Member of the Clergy shall officiate in any capacity or activity within the cure of any other member of the clergy without the request or permission of the incumbent; or, in the case of his or her absence or incapacity, of the Wardens of the Parish, Mission, or Congregation; and if said member of the clergy be not canonically resident in the Diocese and in good standing, without the consent of the Ecclesiastical Authority.

Section 6. Records. All ministers in charge of a congregation shall keep the records required by the Diocesan Constitution and Canons and the Constitution and Canons of the Episcopal Church.

Section 7. Episcopal Church Canons. Additional powers and duties of Rectors, Vicars and of all other members of the clergy officiating in this Diocese shall be those set forth in the Constitution and Canons of the Episcopal Church.

Amended 1998, 2002, 2004, 2007

## **CANON 29**

### **Licensed Ministries**

Section 1. Licensed Ministries. A *confirmed communicant in good standing or, in extraordinary circumstances, subject to guidelines established by the Bishop, a communicant in good standing, may be licensed by the Ecclesiastical Authority to serve as Pastoral Leader, Worship Leader, Preacher, Eucharistic Minister, Eucharistic Visitor, Evangelist, or Catechist. Requirements and guidelines for the selection, training, continuing education, and deployment of such persons, and the duration of licenses shall be established by the Bishop in consultation with the Commission on Ministry* (III.4.1(a)).

Section 2. Licenses.

- A. *The Member of the Clergy or other leader exercising oversight of the congregation or other community of faith may request the Ecclesiastical Authority with jurisdiction to license persons within that congregation or other community of faith to exercise such ministries. The license shall be issued for a period of time to be determined under Section 1 of this Canon and may be renewed. The license may be revoked by the Ecclesiastical Authority upon request of or upon notice to the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith.*
- B. *In renewing the license, the Ecclesiastical Authority shall consider the performance of the ministry by the person licensed, continuing education in the licensed area, and the endorsement of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith in which the person is serving.*
- C. *A person licensed in any Diocese under the provision of this Canon may serve in another congregation or other community of faith in the same or another Diocese only at the invitation of the Member of the Clergy or other leader exercising oversight, and with the consent of the Ecclesiastical Authority in whose jurisdiction the service will occur* (III.4.2).

Section 3. Pastoral Leader. A *Pastoral Leader is a lay person authorized to exercise pastoral or administrative responsibility in a congregation under special circumstances, as defined by the Bishop* (III.4.3).

Section 4. Worship Leader. A *Worship Leader is a lay person who regularly leads public worship under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith* (III.4.4).

Section 5. Preacher. A *Preacher is a lay person authorized to preach. Persons so authorized shall only preach in congregations under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith* (III.4.5).

Section 6. Eucharistic Minister. *A Eucharistic Minister is a lay person authorized to administer the Consecrated Elements at a Celebration of Holy Eucharist. A Eucharistic Minister should normally act under the direction of a Deacon, if any, or otherwise, the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith (III.4.6).*

Section 7 Eucharistic Visitor. *A Eucharistic Visitor is a lay person authorized to take the Consecrated Elements in a timely manner following a Celebration of Holy Eucharist to members of the congregation who, by reason of illness or infirmity, were unable to be present at the Celebration. A Eucharistic Visitor should normally act under the direction of a Deacon, if any, or otherwise, the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith (III.4.7).*

Section 8. Catechist. *A Catechist is a lay person authorized to prepare persons for Baptism, Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and shall function under the direction of the Member of the Clergy or other leader exercising oversight of the congregation or other community of faith (III.4.8).*

Section 9. Evangelist. *An Evangelist is a lay person who presents the good news of Jesus Christ in such a way that people are led to receive Christ as Savior and follow Christ as Lord in the fellowship of the Church. An Evangelist assists with the community's ministry of evangelism in partnership with the Presbyter or other leader exercising oversight of the congregation, or as directed by the Bishop (III.4.9).*

Amended 1998, 2000, 2004, 2014

## **CANON 30**

### **Parish Meetings**

Section 1. Annual Meetings. A meeting of every Parish shall be held annually in January for the election of members of the Vestry, for the election of delegates and alternates to the Convention, for the reception of reports and for the transaction of other business which may legally and canonically come before the meeting.

Section 2. Special Meetings. A special meeting of a Parish may be held at any time on the call of the Rector, on the call of the Vestry if there is no member of the clergy in residence, or upon the written request of the Vestry. Notice of such special meeting shall be given in accordance with the provisions of Section 3. Such notice shall set forth the business for which the meeting has been called, and no other business than that specified in the call shall be in order except by a two-thirds vote of those present.

Section 3. Notice of Meetings. Notice of all Parish meetings shall be given at the regular services of the Church on the two Sundays preceding such meeting. If there be no services on such Sundays, the Wardens shall notify the members of the congregation by mail of the time and place of meeting not less than seven days preceding the date of such meeting.

Section 4. Officers. The Rector shall preside at all Parish meetings; provided, however, that in the absence of a Rector, the Wardens, according to seniority by title, shall preside. The Clerk of the Vestry shall be the Clerk of the Parish and shall discharge the duties of that office at any meeting of the Parish but, in the case of the Clerk's absence or disability, the voters shall elect a Clerk to serve for that meeting.

Section 5. Elections. All elections shall be by ballot, and no person shall be permitted to vote by absentee ballot or by proxy.

Section 6. Qualified Voters. The qualified voters at a Parish meeting shall be adult communicants in good standing of the congregation as shown by the Parish Register.

Section 7. Quorum. At any meeting of the Parish, the presence of ten percent of qualified voters of the Parish shall constitute a quorum for the transaction of business; provided, however, that a Parish may increase the percentage of qualified voters to constitute a quorum.

Amended 2003

## **CANON 31**

### **The Vestry**

**Section 1. Membership.** The Vestry shall consist of not less than five and not more than fifteen members who shall be confirmed lay communicants in good standing of at least eighteen years of age, canonically resident in the Parish, and who were financial contributors to the Parish in the preceding year as shown on the records of the Treasurer, and who will subscribe 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 do solemnly engage to conform to the doctrine, discipline and worship of The Episcopal Church.

**Section 2. Election.** The Vestry shall be elected at the annual Parish meeting by a majority vote of the qualified voters present and voting; provided, however, that if the requisite number of persons are not elected by majority vote on the initial ballot, the Presiding Officer shall, on motion and two-thirds vote of those present and voting prior to any subsequent ballot, declare that the remaining Vestry positions will be filled by plurality vote. In the absence of such motion and two-thirds vote prior to any ballot after the initial ballot, such ballot shall require a majority vote.

**Section 3. Term of Office.** A member of the Vestry shall be elected for a term of three years, and one-third of the Vestry shall be elected annually. No member of the Vestry after serving a full term in office shall be eligible to serve on the same Vestry for a full year after such service.

**Section 4. Vacancies.** The Vestry shall have the power to fill any vacancy in their number, and members of the Vestry shall continue in office until their successors are elected. The power of the Vestry to fill any vacancy shall be until the next annual meeting at which time an election shall be held to fill the unexpired term, unless otherwise provided by Parish bylaws.

**Section 5. Quorum.** A quorum for a meeting of the Vestry shall consist of a majority of all the members, all having been given due notice thereof.

### **Section 6. Meetings.**

- A. The Vestry shall meet at least every other month, and it shall be the duty of every member of the Vestry to attend regularly the meetings of the Vestry.
- B. Special meetings may be called by the Rector, and shall be called by the Rector at the written request of three members of the Vestry, including one Warden. Notice of such special meeting shall be in writing to the members of the Vestry not later than twenty-four hours prior to the hour fixed for the meeting; provided, however, that a Vestry meeting may be held at any hour without notice with the consent of the Rector and the presence of all members of the Vestry.

C. There shall be no meeting of the Vestry unless the Rector, if there be one, and a majority of the Vestry be present, provided; however, that if the Rector be absent from the Diocese for a period of sixty days, or if when duly notified of such meeting the Rector shall decline or neglect to be present, the Vestry shall be competent to transact business if a majority, including one Warden, be present.

D. ***The Rector, or such other member of the Vestry designated by the Rector, shall preside in all the meetings of the Vestry*** (I.14.3).

Section 7. Duties. The Vestry shall have charge of the temporalities and shall attend to all business matters of the Parish, including the providing and keeping in good order a house of worship and all the necessary furniture and appointments of the same and the payment of all Parish obligations and dues. ***The Vestry shall be agents and legal representatives of the Parish in all matters concerning its corporate property and the relations of the Parish to its Clergy*** (I.14.2).

Amended 2000

## **CANON 32**

### **Wardens and Vestry Officers**

Section 1. Time of Appointment or Election. Wardens and Vestry officers shall be appointed or elected at the first Vestry meeting held after the annual meeting of the Parish.

Section 2. Senior Warden. A Senior Warden, who shall be an elected member of the Vestry, shall be appointed by the Rector or elected by the Vestry, as provided in the Parish Bylaws or by resolution of the annual meeting.

Section 3. Duties of Wardens.

- A. In the absence of the Rector, and in a period of vacancy in the Rectorship, the Senior Warden, or in his or her absence the Junior Warden, shall be in charge of the Parish.
- B. It shall be the duty of the Wardens to supervise the care, protection and maintenance of the Church and other buildings of the Parish, to see that they are kept in decent repair and to guard them from use prohibited by law of the Church. They shall also see that all things needed for the orderly worship of God and for the proper administration of the sacraments are provided at the expense of the Parish, and they shall discharge such other duties as may devolve upon them by provisions of the law of the Church.

Section 4. Junior Warden. The Vestry shall elect from its number a Junior Warden.

Section 5. Treasurer. The Vestry shall elect a Treasurer who may or may not be a member of the Vestry. The Treasurer shall perform the usual functions of such office as well as other duties as may be prescribed by the Parish.

Section 6. Clerk. The Vestry shall elect a Clerk from among its members. The Clerk shall be the secretary to the Vestry and the annual meeting and shall perform the duties required of such office as well as other duties as may be prescribed by the Parish.

Section 7. Chancellor. The Vestry may elect a Chancellor from the communicant membership who shall be the legal advisor to the Vestry and the Parish, and who may or may not be a member of the Vestry.

## **CANON 33**

### **Mission and Congregation Meetings**

Section 1. Meetings. A meeting of the members of every Mission and Congregation of this Diocese shall be held annually as set forth in Canon 30 of these Canons, as applicable to the congregation. The qualifications for voters shall be the same as prescribed by these Canons for voters in the election of a Vestry of a Parish and, so far as may be applicable, the manner of giving notice of and the conduct of meetings of Missions and Congregations shall be the same as prescribed by these Canons for the meetings of Parishes, except as otherwise provided.

Section 2. Presiding Officer. The Priest-in-Charge of the Mission or Congregation shall be, ex-officio, chair of the meeting and shall preside unless the Bishop is present, but in the absence of both the Priest-in-Charge and the Bishop, the Bishop's Warden shall serve as chair pro tempore; provided, however, that if the congregation is without a Priest-in-Charge, the Bishop may appoint a chair pro tempore.

## **CANON 34**

### **Bishop's Committees of Missions and Congregations**

Section 1. Bishop's Committee. In the case of a Mission other than a Parochial Mission, the Bishop shall annually appoint in January a Bishop's Committee to consist of not less than four and not more than ten members. The Bishop shall designate one member of the Committee as Bishop's Warden and one member of the Committee as Junior Warden.

Section 2. Congregations. In the case of a Congregation, the Bishop shall appoint a Bishop's Warden and such other members of the Bishop's Committee as he or she deems appropriate.

Section 3. Discontinuance of Appointment. The Bishop may at any time remove from office any member or members of the Bishop's Committee and appoint others in their place.

Section 4. Vacancy. A vacancy in a Bishop's Committee shall be filled by the Bishop.

Section 5. Quorum. A quorum of the Bishop's Committee shall consist of a majority of the members thereof.

#### Section 6. Meetings.

- A. The Bishop's Committee shall meet at least every other month, and it shall be the duty of every member of the Committee to attend regularly the meetings of the Bishop's Committee.
- B. Special meetings may be called by the Bishop, Vicar, or Priest-in-Charge, and shall be called at the written request of three members of the Bishop's Committee, including one Warden. Notice of such special meeting shall be in writing to the members of the Bishop's Committee not later than twenty-four hours prior to the hour fixed for the meeting; provided, however, that a meeting of the Bishop's Committee may be held at any hour without notice with the consent of the Bishop, Vicar or Priest-in-Charge and the presence of all members of the Bishop's Committee.
- C. There shall be no meeting of the Bishop's Committee unless the Bishop or Vicar or Priest-in-Charge, if there be one, and a majority of the Bishop's Committee be present; provided, however, that if the Vicar or Priest-in-Charge or Bishop be absent from the Diocese for a period of sixty days, or if when duly notified of such meeting the Vicar, Priest-in-Charge or Bishop shall decline or neglect to be present, the Bishop's Committee shall be competent to transact business if a majority, including one Warden, be present.

Amended 2014

## **CANON 35**

### **The Wardens and Bishop's Committee Officers**

Section 1. Bishop's Wardens. The Bishop shall designate one member of the Bishop's Committee as the Bishop's Warden and one member of the Bishop's Committee as Junior Warden. So far as is applicable, the Wardens shall perform the duties of Parish Wardens as set forth in Canon 32 of these Canons and as interpreted by the Bishop.

Section 2. Treasurer. The Bishop's Committee shall elect a Treasurer, who may or may not be a member of the Bishop's Committee. If so directed by the Bishop, the Treasurer of a Mission or Congregation, or the Wardens in case of disability of the Treasurer, shall make monthly reports to the Bishop of the financial condition of the Mission or Congregation, showing receipts, disbursements, resources and liabilities and perform such other duties as may be prescribed.

Section 3. Clerk. The Bishop's Committee shall elect a Clerk from among its members. The Clerk shall serve as secretary to the Bishop's Committee and shall perform the duties required of the office as well as such others duties as may be prescribed.

## **CANON 36**

### **Parish Registers and Parochial Reports**

**Section 1. Parish Register.** A Parish Register shall be provided for every congregation in this Diocese by the Vestry or Bishop's Committee.

- A. **Every Rector or Priest-in-Charge of a congregation or Warden when there is no Rector or Priest-in-Charge shall keep the Parish Register and shall ensure the proper entries are made therein as required by the Canons of the Church (III.9.6(c)).**
- B. Upon dissolution of a congregation, the Register shall immediately become the property of the Diocese, and the Bishop shall take charge thereof.
- C. **The Register shall be examined by the Bishop during his official visitation to the congregation (III.9.6(b)(5)).**
- D. Failure to keep proper and complete records in the Parish Register shall be cause of removal from office by action of the Ecclesiastical Authority in the instance of Vicars and Wardens, of censure of Rectors with action toward removal if failure is persistent.

**Section 2. Parochial Report.**

- A. *A report of every Parish and other Congregation of this Church shall be prepared annually for the year ending December 31 preceding, in the form authorized by the Executive Council and approved by the Committee on the State of the Church, and shall be filed not later than March 1 with the Bishop of the Diocese, or, where there is no Bishop, with the ecclesiastical authority of the Diocese. The Bishop or the ecclesiastical authority, as the case may be, shall keep a copy and submit the report to the Executive Council not later than May 1. In every Parish and other Congregation the preparation and filing of this report shall be the joint duty of the Rector or Member of the Clergy in charge thereof and the lay leadership; and before the filing thereof the report shall be approved by the Vestry or bishop's committee or mission council (I.6.1).*
- B. *These reports, or such parts of them as the Bishop may deem proper, shall be entered in the Journal of the convention (I.6.3).*
- C. Failure to comply with the requirements in Section 2.a of this Canon may result in nonrepresentation by the congregation's lay delegates at the Annual Diocesan Convention (see Canon 2.7).

Amended 2000, 2002, 2004, 2014

## **CANON 37**

### **Northwest Texas Episcopal Board of Trustees**

**Section 1. Membership.** The voting membership of the Board shall consist of five lay confirmed communicants elected by the Convention for a term of five years on a rotating basis, the Treasurer, and the Bishop of the Diocese of Northwest Texas, who shall be the President. The Bishop may appoint one of the Trustees to serve as Vice President. In the absence of the Bishop, the Vice President shall be the presiding officer. A vacancy may be filled by the remaining Trustees until the next Convention.

**Section 2. Ex-Officio Members.** The Chancellor and the President of the Standing Committee, or the President's designated representative, shall be ex-officio members of the Board without vote. The Bishop may appoint a Secretary, who shall serve as a member exofficio, without vote.

**Section 3. The Bishops' Temple- Quarterman Fund of the Protestant Episcopal Church in Northwest Texas.** The net annual income for the Fund shall, as and when distributed in the discretion of the Northwest Texas Episcopal Board of Trustees, be used for supporting mission work of the Church and the Diocese of Northwest Texas, subject to the approval of the Annual Convention of the Diocese. The capital appreciation of this Fund will be retained in the Fund and reinvested.

**Section 4. Duties.** The Trustees of the Northwest Texas Episcopal Board of Trustees or a successor entity shall have the rights, duties, obligations and powers granted to Trustees by the Texas Trust Act subject to the Uniform Management of Institutional Funds Act, as each may be amended from time to time. Whenever legally possible the terms of Canon 38 of these Canons shall apply.

**Section 5. Limitations.** This canon shall not confer upon the Trustees the power of the Finance Committee of the Diocese, which is reserved to the Executive Council.

**Section 6. Dissolution.** Should the Diocese of Northwest Texas cease to exist as a Diocese under the Canons of the Episcopal Church or be otherwise dissolved or discontinue existence, then, in such event, all of the property of the Diocese, real, personal or mixed, of whatever character and kind, and wheresoever situated after payment and satisfaction of all debts and obligations of the Diocese, shall be given, transferred and conveyed to the gaining Diocese of the Episcopal Church, or should there be no gaining Diocese to other charitable, educational, or religious organizations duly qualified as a charitable organization under Section 501(c )(3) Internal Revenue Code of 1954 as amended, as selected by the Northwest Texas Episcopal Board of Trustees of such corporation in Northwest Texas, such Trustees being hereby authorized to execute any and all instruments necessary to accomplish these actions.

Amended 1989, 1990, 1995, 2003

## **CANON 38**

### **Real Property, Investments and Incorporation**

**Section 1. Custodian.** The Diocesan corporation known as the "Northwest Texas Episcopal Board of Trustees" is hereby constituted the custodian of the real property and investment funds of the Diocese and the Missions and Congregations thereof, and of the schools and institutions, and shall have charge of all monies and properties collected, bestowed, devised or provided for the support of the Episcopate and the other work of the Church; provided, however, that other wholly owned corporations may be created and given custody of appropriate portions of the real property and the funds. Beneficial ownership of the real property and investment funds of the Missions and Congregations shall be in said Missions and Congregations.

**Section 2. Conveyance of Land.** When any conveyance of land to the corporation shall be made for a particular purpose, such land shall be held for such purpose; and the proceeds thereof shall not be diverted therefrom either permanently or temporarily, until the said purpose no longer exists, which fact shall be ascertained and declared by the Executive Council at a regular meeting, and shall be reported to the following annual meeting of the Convention.

**Section 3. Trust and Permanent Funds.** **All trust and permanent funds belonging to this Diocese or any unincorporated Parish thereof shall, if the same can lawfully be done, be deposited and thereafter left with one or more trust companies or banks organized under the laws of the United States of America or this State and authorized to receive the same, or with the corporation known as the "Northwest Texas Episcopal Board of Trustees"** (1.7.1(b)), and a full and detailed statement of all such trust or permanent funds shall be presented annually to the Convention upon a form to be prescribed by the Executive Council. The Northwest Texas Episcopal Board of Trustees shall from time to time make rules and regulations with respect to the deposit of such trust funds and the management thereof as shall be proper and shall report such rules and regulations so adopted by it annually to the Convention.

**Section 4. Insurance of Real Property.** All real property and improvements thereon belonging to the Diocese or any Parish thereof shall be adequately insured against fire and vandalism, such insurance to include extended coverage. The amount of insurance thereof shall be determined in the first instance by the proper officers of the Diocese or Parish owning such property, but subject thereafter to the direction of the Executive Council, and to that end, the Executive Council is hereby vested with general authority to compel the adequate insurance of such real property by the Diocese or any Parish thereof.

**Section 5. Audit.** ***All accounts of the Diocese shall be audited annually by an independent Certified Public Accountant*** (I.7.1(f)), as shall be authorized by the Executive Council.

### **Section 6. Incorporation of Parishes.**

- A. Any Parish giving evidence to the Bishop and Standing Committee of its ability for self-support shall, subject to the approval of the Bishop and the Standing Committee, incorporate under the laws of the State of Texas.

- B. The Board of Directors of such Parish, when incorporated, shall consist of the Rector and the Wardens and Vestry members of such Parish duly elected according to these Canons. The Board of Directors shall be presided over by the Rector of the Parish, or in the Rector's absence, by the Senior Warden. The Rector shall be the President of the corporation.
- C. *No Vestry, Trustee, or other Body, authorized by Civil or Canon law to hold, manage, or administer real property for any Parish, Mission, Congregation, or Institution, shall encumber or alienate the same or any part thereof without the written consent of the Bishop and Standing Committee of the Diocese of which the Parish, Mission, Congregation, or Institution is a part, except under such regulations as may be prescribed by Canon of the Diocese* (1.7.3).

Section 7. Mission Property.

- A. The title to real estate, given to or purchased by a Mission, or any property acquired by a Mission shall be vested in the Northwest Texas Episcopal Board of Trustees, until such time as the Mission becomes a Parish.
- B. No property of a Mission shall be sold or mortgaged without the consent of the Bishop. Missions must comply with Section 6.C of this Canon.
- C. No purchase or donation of a church site shall be made for a Mission without the consent of the Bishop.
- D. No property of a Mission shall be rented for any purpose without the consent of the Bishop.

Section 8. Real Property. *All real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for this Church and the Diocese thereof in which such Parish, Mission or Congregation is located. The existence of this trust, however, shall in no way limit the power and authority of the Parish, Mission or Congregation otherwise existing over such property so long as the particular Parish, Mission or Congregation remains a part of, and subject to, this Church and its Constitution and Canons* (I.7.4).

Amended 1996, 1998, 2003, 2014

## **CANON 39**

### **Insurance**

**Section 1. Participation.** It shall be the duty of this Diocese and of the Parishes, Missions, congregations and other Ecclesiastical organizations therein to participate in and contribute financially for their respective employees to the Denominational Health Plan administered by the Church Pension Fund and to any other insurance programs as may be adopted and approved by the Executive Council and Annual Convention. These programs may benefit:

- A. All active clergy, and lay employees who are scheduled to work a minimum of 1,500 hours annually, and their dependents;
- B. All retired clergy who at the time of their retirement received their principal compensation from a Parish or Mission or who were canonically resident within this Diocese, and their dependents;
- C. Surviving spouses (who have not remarried) of all such active or retired clergy, and their dependents;
- D. Full-time lay employees who receive their principal compensation from Parishes and Missions, and their dependents.
- E. Such others as may be provided in the Church Pension Fund's provision for the administration of the Denominational Health Plan.

**Section 2. Authority.** The Executive Council shall comply with the guidelines of the Church Pension Fund's provisions for the Denominational Health Plan, and shall oversee any options offered under the Plan. In other insurance matters the Executive Council shall have the authority to determine the type of such program and prescribe the qualifications of the beneficiaries thereof and to determine the terms and conditions of the obligations of the congregations of the Diocese.

**Section 3. Duty.** It shall be the duty of this Diocese and of the Parishes, Missions, Congregations and other Ecclesiastical organizations therein to inform the Executive Council, or its nominee, promptly of such facts and information as may be required by the Executive Council for the proper administration of such insurance programs as may be so adopted and approved and to cooperate with the Executive Council in such other ways as may be necessary in order that the Executive Council may discharge its obligations in accordance with such programs.

**Section 4. Payment.** It shall be the duty of this Diocese and of the Parishes, Missions, Congregations and other Ecclesiastical organizations therein through their Treasurer or other proper official to pay promptly such sums as may be required under the terms and provision of

the Denominational Health Plan and such other insurance programs as may be so adopted and approved by the Convention.

Amended 2010

## **CANON 40**

### **Church Pension Fund**

**Section 1. Duty.** It shall be the duty of this Diocese and of the Parishes, Missions, Congregations and other Ecclesiastical organizations therein, each through its Treasurer or other proper official, to inform the Church Pension Fund of the salaries and other compensations paid to qualified lay employees and to members of the clergy by the Diocese, Parishes, Missions, Congregations or other Ecclesiastical organizations for services rendered, currently or in the past, prior to their becoming beneficiaries of said Fund, and changes in such salaries and other compensations as they occur, and to pay promptly to the Church Pension Fund the pension assessments required thereon under the Canons of the Episcopal Church, and in accordance with the rules of said Fund.

**Section 2. Participant Duties.** It shall be the duty of qualified lay employees and of every member of the clergy canonically resident in or serving in this Diocese to inform the Church Pension Fund promptly of such facts as the Trustees thereof may deem necessary for its proper administration, and to cooperate with said Fund in such other ways as may be appropriate to assist the Fund in the discharge of its canonical obligations.

**Section 3. Executive Council Duty.** It shall be the duty of the Executive Council to provide for the annual payment to the Church Pension Fund of the premiums payable on behalf of all Bishops, Priests, Deacons and qualified lay employees under contract with the Diocese.

**Section 4. Definition.** For the purpose of this Canon, “qualified lay employees” shall refer to employees who are scheduled to work a minimum of 1,000 hours annually for any domestic Diocese, Parish, Mission or other Ecclesiastical organization or body subject to the authority of the Church, and who do not opt out of such coverage under the provisions provided by General Convention and the Church Pension Fund.

Amended 2010, 2017

## **CANON 41**

### **Apportionments and Offerings**

Section 1. Diocesan Apportionments. The pro rata share of each Parish, Mission or Congregation of the total apportionment for the support of Diocesan programs and fulfillment of Diocesan obligations of support of the program of the Episcopal Church shall be determined by the annual meeting of the Convention upon the recommendation of the Executive Council.

Section 2. Bishop's Discretionary Fund. The undesignated plate offering at the official visitation of the Bishop shall be remitted to the Bishop to be disbursed for such needs as may be presented. The items of expenditure in the Discretionary Fund shall not be reported, but the total amount received and expended during the fiscal year shall be reported to the Convention.

Section 3. Clergy Discretionary Funds. *The alms and Contributions, not otherwise specifically designated, at the Administration of the Holy Communion on one Sunday in each calendar month, and other offerings for the poor, shall be deposited with the Rector or Priest-in-Charge or with such Church officer as the Rector or Priest-in-Charge shall appoint to be applied to such pious and charitable uses as the Rector or Priest-in-Charge shall determine. When a Parish is without a Rector or Priest-in-Charge, the Vestry shall designate a member of the Parish to fulfill this function. When a Mission or Congregation is without a Vicar or Priest-in-Charge, the Bishop's Committee shall designate a member of the Mission or Congregation to fulfill this function* (III.9.6(b)(6)). The items of expenditure from such funds shall not be reported, but the total amount received and expended during the fiscal year shall be reported at the annual meeting of the congregation and at each meeting of the Vestry or Bishop's Committee.

Section 4. Convention and General Convention Requirements. All clergy in charge of congregations in the Diocese and all Wardens, Vestries and Bishop's Committees, in the absence of such clergy, shall conform to the requirements of the Convention and the General Convention as to raising of monies for missionary or other work of the Church.

Amended 2007, 2014

## **CANON 42**

### **Business Methods in Church Affairs**

**Section 1. Business Methods.** *In every Province, Diocese, Parish, Mission and Institution connected with this Church, the following standard business methods shall be observed:*

- A. *Funds held in trust, endowment and other permanent funds, and securities represented by physical evidence of ownership or indebtedness, shall be deposited with a National or State Bank, or a Diocesan Corporation, or with some other agency approved in writing by the Finance Committee or the Department of Finance of the Diocese, under a deed of trust, agency or other depository agreement providing for at least two signatures on any order of withdrawal of such funds or securities. But this paragraph shall not apply to funds and securities refused by the depositories named as being too small for acceptance. Such small funds and securities shall be under the care of the persons or corporations properly responsible for them. This paragraph shall not be deemed to prohibit investments in securities issued in book entry form or other manner that dispenses with the delivery of a certificate evidencing the ownership of the securities or the indebtedness of the issuer.*
- B. *Records shall be made and kept of all trust and permanent funds showing at least the following:*
  - (1) *Source and date.*
  - (2) *Terms governing the use of principal and income.*
  - (3) *To whom and how often reports of conditions are to be made.*
  - (4) *How the funds are invested.*
- C. *Treasurers and custodians, other than banking institutions, shall be adequately bonded, except treasurers of funds that do not exceed five hundred dollars at any one time during the fiscal year.*
- D. *Books of account shall be so kept as to provide the basis for satisfactory accounting.*
- E. *All accounts of the Diocese shall be audited annually by an independent Certified Public Accountant. All accounts of Parishes, Missions or other institutions shall be audited annually by an independent Certified Public Accountant, or independent Licensed Public Accountant, or such audit committee as shall be authorized by the Diocesan Executive Council and as directed in Chapter VI ("Audit Guidelines for Congregations") in the Episcopal Church *Manual of Business Methods in Church Affairs*.*

- F. *All reports of such audits, including any memorandum issued by the auditors or audit committee regarding internal controls or other accounting matters, together with a summary of action taken or proposed to be taken to correct deficiencies or implement recommendations contained in any such memorandum, shall be filed with the Bishop or Ecclesiastical Authority not later than 30 days following the date of such report, and in no event, not later than September 1 of each year, covering the financial reports of the previous calendar year.*
- G. *All buildings and their contents shall be kept adequately insured.*
- H. *The Diocesan Executive Council may require copies of any or all accounts described in this Section to be filed with it and shall report annually to the Convention of the Diocese upon its administration of this Canon.*
- I. *The fiscal year shall begin January 1 (I.7.1).*

Section 2. Alienation of Property. No Vestry, Trustee, or other Body, authorized by Civil or Canon law to hold, manage, or administer real property for any Parish, Mission, Congregation, or Institution, shall encumber or alienate the same or any part thereof without the written consent of the Bishop and Standing Committee of the Diocese of which the Parish, Mission, Congregation, or Institution is a part, except under such regulations as may be prescribed by Canon of the Diocese (I.7.3).

Amended 1998, 2014

## **CANON 43**

### **Church and Diocesan Debt**

Section 1. Approval. No indebtedness shall be incurred by a congregation without the approval of both the Bishop and the Standing Committee.

Section 2. Indebtedness for Permanent Improvement. Indebtedness for permanent improvement, replacements or additions to real estate or equipment for the amount of such indebtedness, plus indebtedness of every kind already existing, shall not exceed three hundred percent of the average annual receipts of the congregation for the past three years.

Section 3. Indebtedness for Current Expenses. Indebtedness for current expenses where the amount of such indebtedness, plus all indebtedness heretofore incurred for current expenses and still existing, shall not exceed twenty percent of the total current receipts of such congregation during the preceding fiscal year; and the payment of all such indebtedness shall be provided for in the budget of the next ensuing fiscal year with reasonable expectation of its payment out of the receipts of the next two years.

Section 4. Exceptions. In computing receipts under Sections 2 and 3 of this Canon, amounts from or for endowments or from or by bequests, except income therefrom not specifically designated and receipts for expenditures other than parochial, shall not be included. Rectories which are separate property from the church shall be excepted from computation of congregation debt.

Section 5. Amortization. Under any circumstances under which approval is required, it shall be granted only when the payment of all indebtedness shall be provided for in a plan of amortization or other method of payment to be submitted to and approved by the same authority.

Section 6. Executive Council. To meet expenses, the Executive Council may borrow no more than five percent of the annual apportionment; provided, however, that with the approval of the Standing Committee, no more than fifteen percent of the apportionment may be borrowed, and any such loan shall be repaid within six months.

Section 7. Revolving Loan Fund. With the approval of the Standing Committee loans may be made from the Revolving Loan Fund to a congregation or a member of the clergy only for the purchase or improvement of real estate. No more than one-half of the corpus of the Fund shall be loaned to clergy. Separate funds shall be maintained for clergy loans and church loans.

Section 8. Refinancing. This Canon shall not apply to the refinancing of existing loans.

## **CANON 44**

### **Ecclesiastical Discipline**

**Section 1. Canonical Basis.** Ecclesiastical Discipline of a priest or deacon shall be governed by and in conformity with the Constitution and Canons of the Episcopal Church, and specifically as governed by Title IV of the Canons of the Episcopal Church as same exist at any given time; and in the event the Diocesan Canon(s) with regard to Ecclesiastical Discipline of a priest or deacon at any time conflict with, and are not in conformity with, Title IV of the Canons of the Episcopal Church, any such conflict and/or nonconformity shall be resolved by adherence to and acceptance of Title IV of the Canons of the Episcopal Church.

**Section 2. Citations, References and Definitions.** All canonical citations, references and definitions applicable hereto shall be related to and governed by Title IV of the Canons of the Episcopal Church; and further, all capitalized terms found and used herein shall have the same meaning and definition, where applicable, as is found for said term or terms in Title IV of the Canons of the Episcopal Church.

#### **Section 3. Disciplinary Board.**

- A. There shall be in this Diocese a Disciplinary Board consisting of seven (7) members, four (4) of whom shall be clergy canonically and geographically resident in this Diocese, and three (3) of whom shall be adult Communicants in Good Standing within this Diocese.
- B. The members of the Disciplinary Board are to be nominated by the Bishop; and after nomination, the members of the Disciplinary Board shall be elected at the annual Diocesan Convention for a three (3) year term, with terms staggered. In the event of a vacancy in the membership of the Disciplinary Board, the vacancy shall be filled by appointment of the Bishop, until the next annual Diocesan Convention, at which time the appointment shall be a nomination for the appointee to fill the unexpired term of the person for which the vacancy appointment was necessary. In that event, the term of such member shall be the unexpired term of the member being replaced.
- C. Any member of the Disciplinary Board shall be eligible to serve two (2) successive three (3) year terms, but no member shall be eligible for reelection to the Disciplinary Board for one (1) year after the end of his or her designated second successive three (3) year term.
- D. A member of the Disciplinary Board may be removed from office by the Bishop, following consultation with and ratification by the Standing Committee, when in the judgment of the Bishop the best interests of the Diocese would be served thereby.

Section 4. President and Clerk of Disciplinary Board.

- A. Within sixty (60) days following the annual Diocesan Convention, and at the call of the Bishop, the Disciplinary Board shall convene to elect a President from among its members to serve for the following calendar year. In addition and at the same time, the Disciplinary Board shall elect a Clerk, who may be, but is not required to be, a member of the Disciplinary Board; and the Clerk's term of office shall be the same as the President. The President and the Clerk must be different persons.
- B. Upon referral of an intake report by an Intake Officer, the President of the Disciplinary Board shall appoint members of the Disciplinary Board to Conference Panels(s) and Hearing Panel(s), in his or her discretion.

Section 5. Intake Officer(s). An Intake Officer or Officers shall be appointed by the Bishop and shall serve at the pleasure of the Bishop. More than one (1) Intake Officer may be appointed according to the needs of the Diocese, and the name or names and contact information of the Intake Officer or Officers shall at all times be published and made known, on an ongoing basis, throughout this Diocese, with the intention that all persons in the Diocese can easily determine the identity and contact information of same.

Section 6. Investigator. In consultation with the President of the Disciplinary Board, the Bishop shall appoint an Investigator, and the Investigator is not required to be a member of the Episcopal Church. The position of Investigator shall be filled at all times.

Section 7. Church Attorney(s).

- A. The Bishop shall appoint, on an annual basis, an attorney or attorneys to serve as Church Attorney(s), subject to approval and ratification by the Diocesan Convention on an annual basis. Such an appointment shall be for the calendar year following the annual Diocesan Convention, and an attorney or attorneys so appointed and approved and ratified may be reappointed, subject to approval at the Diocesan Convention, for successive years. The Church Attorney(s) must be an adult Communicant in Good Standing in this Diocese and a member in good standing of the State Bar of Texas. In the course and scope of his or her duties, the Church Attorney may consult and confer with the President of the Disciplinary Board.
- B. No Chancellor, Vice-Chancellor, Advisor, Conciliator, Intake Officer or Investigator, nor any person affiliated in the practice of law or otherwise with any such person or persons, shall be eligible to serve as Church Attorney.
- C. Any Church Attorney may be removed from office for cause by the Bishop, acting in consultation with the Standing Committee of the Diocese, and after the Church Attorney has had an opportunity to be heard by the Standing Committee.
- D. A vacancy in the office of Church Attorney shall be filled by the Bishop until the next annual Diocesan Convention.

Section 8. Advisor(s). The Bishop may appoint an Advisor for the Injured Party and Advisor for the Respondent on an as needed basis and/or at the request of either party. Persons serving as Advisors shall hold no other appointed or elected position under this Canon, and shall not include the Chancellor or any Vice-Chancellor of the Diocese, or any person likely to be called as a witness in any such proceeding.

Section 9. Pastoral Response Coordinator.

- A. The Bishop may appoint a Pastoral Response Coordinator to serve at the pleasure of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Title IV of the Canons of the Episcopal Church and the Canons of this Diocese. The Pastoral Response Coordinator may be the Intake Officer, but shall not be a person serving in any other appointed or elected capacity hereunder.
- B. Nothing found herein shall diminish, restrict or prohibit the ability and authority of the Bishop to issue a Pastoral Directive as needed.

Section 10. Records.

- A. Records of active proceedings before the Board, including during the period of any pending appeal, shall be preserved and maintained in confidence in the custody of the Clerk, if there be one; otherwise by the Secretary of the Diocese.
- B. The Bishop shall make provision for the permanent storage of records of all proceedings under this Canon at the Diocesan offices and at the Archives of The Episcopal Church, as prescribed and required under Title IV of the Canons of the Episcopal Church.

Section 11. Conflict of Interest. In any proceeding under this Canon, if any member of a Conference Panel or Hearing Panel of the Disciplinary Board shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the Disciplinary Board and request a replacement member of the Panel. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subject of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that proceeding. If that determination is that the challenged Panel member is disqualified, he or she shall no longer participate on the Panel in that proceeding; and in that event, a replacement member shall be named and appointed by the President to serve on such Panel.

Section 12. Extension of Terms of Office. The term of office of any member of a Reference Panel whose original term expires while a matter is pending before that Panel shall be extended until the matter is referred by that Panel or the Panel decides to take no action other than an appropriate pastoral response. The term of office of any member of a Conference Panel whose original term expires while a matter is pending before that Panel shall be extended until thirty

(30) days after the entry of an Accord or Order by that Panel. The term of office of any member of a Hearing Panel whose original term expires while a matter is pending before that Panel shall be extended until forty (40) days after entry of an Order by that Panel. The term of office of an Investigator whose original term expires while a matter is pending before him or her shall be extended until the delivery to the Reference Panel of his or her report of findings and any supplemental report. The term of office of a Church Attorney whose original term expires while a matter is pending before him or her shall be extended until forty (40) days after the entry of an Order by the Hearing Panel, unless earlier removed.

Section 13. Costs and Expenses.

- A. The reasonable costs and expenses of the Disciplinary Board, the Intake Officer, the Investigator, the Church Attorney, the Board Clerk and the Pastoral Response Coordinator shall be the obligation of the Diocese, subject to such budgetary constraints as may be established by the Diocesan Executive Council.
- B. In the event of a final Order dismissing the complaint, or by provisions of an Accord or Covenant approved by the Bishop, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by the Diocese, subject to such budgetary constraints as may be established by the Diocesan Executive Council.

Section 14. Conduct of Meetings. Any meeting required under this Canon, other than a hearing at which evidence may be taken or examined, may be conducted in person or through telephonic or other electronic communication equipment which will allow and accommodate all persons participating in such meeting to hear each other and all that is said at the same time.

Section 15. Appointments. In appointing members of a Hearing Panel, the President of the Disciplinary Board shall be mindful of the need and shall endeavor to ensure an adequate level of legal expertise among its members.

Section 16. Conformity with Canons of The Episcopal Church.

- A. All actions taken and proceedings conducted under this Canon shall, in all respects and all times, be in conformity with and in compliance to the terms, conditions and provisions of Title IV of the Canons of the Episcopal Church as same exist at any given time, including, but not necessarily limited to, terms, conditions and provision dealing with and/or related to confidentiality and/or privilege in said proceedings.
- B. All persons appointed and/or elected to any office, position and/or role under and pursuant to this Canon, shall function and serve in conformity with and in compliance to the terms, conditions and provisions of Title IV of the Canons of the Episcopal Church as same exist at any given time, and shall have the duties, responsibilities, and authority described and indicated therein for such office, position and/or role.

Amended 1998, 1999, 2001, 2003, 2004, 2006, 2010, 2014

## **CANON 45**

### **Nomination and Election of Bishops**

**Almighty God, Giver of every good gift: Look graciously on your Church, and so guide the minds of those who shall choose a bishop for the Diocese of Northwest Texas, that we may receive a faithful pastor who will care for your people and equip us for our ministries: through Jesus Christ our Lord. Amen. (818, BCP)**

**Section 1. Committee for the Nomination of Bishops.** Whenever the Ecclesiastical Authority of the Diocese shall call for the election of a Bishop, Bishop Coadjutor, or Suffragan Bishop and the Convention, where required, shall have given its consent thereto, the Standing Committee shall appoint a nominating committee consisting of the Chancellor of the Diocese, serving ex - officio, and between twelve (12) and eighteen (18) members representing the diversity of the diocese. Half of the members shall be clergy canonically resident in this diocese and half shall be confirmed communicants in good standing in this Diocese.

**Section 2. Vacancies.** Prior to the first meeting of the committee vacancies shall be filled by the Standing Committee from the constituency from which they were selected and in the order which they represent. Vacancies occurring after the first meeting will not be filled.

**Section 3. Terms of Members.** All members of the Committee shall continue as members thereof until the close of the Convention at which the Episcopal election shall have been accomplished, or until the Committee shall have been discharged by action of the Convention.

**Section 4. Chair and Secretary of the Committee.** Before the first meeting of the Committee the Standing Committee shall appoint a chair and vice chair, one of whom shall be lay and one of whom shall be ordained. The secretary of the Committee shall be elected by the Committee and need not be a member of the Committee.

**Section 5. Committee Shall Call for Names.** The Committee shall call for, receive, and may propose names of members of the Clergy who may lawfully be elected to the Episcopal office to be filled, and shall fix the time within which such suggested names may be filed with the Committee, but in no event shall the limiting date so fixed be fewer than sixty days prior to the date set for the Convention at which the election is to be held. Any member of the Committee whose name shall be proposed for consideration as a candidate for the Episcopal office may withdraw from such consideration. If that member shall not so withdraw, resignation from the Committee is required.

**Section 6. Committee Report.** After due consideration, the Committee shall select not fewer than three nor more than five persons whom it deems qualified for such office. The Committee shall prepare a report to the Convention giving the names of the persons so selected, together with biographical information and a photograph of each nominee. Copies of the report shall be mailed to voting Clerical and Lay delegates to Convention as provided in ARTICLE III. Section 2.D of the Constitution of the Diocese of Northwest Texas at least thirty (30) days prior to the convening date of the Convention.

Section 7. Nomination by Committee. The presentation of the report of the Committee at the Convention shall constitute a nomination of each of the candidates therein named.

Section 8. Nomination from the Floor. Nominations may be made from the floor provided that the same written information and photograph as is required of the Committee nominations has been submitted at least forty-five days prior to the opening day of the electing Convention. Any nomination from the floor must have the consent of the nominee.

Section 9. Seconding Speeches. No seconding speeches are in order at a Convention to elect a Bishop.

Section 10. Voting. In order to be elected, a candidate must receive a majority of votes of each order, voting concurrently.

Section 11. Convention Eucharist. Upon the conclusion of all preliminary business and all initial nominations, the Convention shall recess for a celebration of the Holy Eucharist.

Section 12. Reconvene and Election. Upon conclusion of the Holy Eucharist, the Convention shall reconvene and proceed to an election. Each ballot shall be preceded by a period of silent prayer.

Adopted 1993; Amended 1995, 2007, 2013

## **CANON 46**

### **Record of Constitution and Canons**

Section 1. Book. The Registrar of the Diocese shall procure and keep a suitable book, entitled "The Constitution and Canons of the Diocese of Northwest Texas," in which shall be recorded the Constitution and Canons of the Diocese, with a certificate of their adoption signed by the President and Secretary of Convention.

Section 2. Recordation. All Constitutions and Canons, and all amendments thereof and additions thereto, hereafter adopted by the Convention shall be certified by the President and Secretary of the Convention, as having been duly adopted, and shall, with the certification of adoption, be recorded in said book and said book shall be taken and regarded as evidence of the due adoption and correctness of all papers recorded therein pursuant to this Canon.

## **CANON 47**

### **Amendment of Canons**

An amendment to these Canons shall be referred in writing to the Committee on Constitution and Canons as provided in Canon 16, Section 1 of these Canons. If adopted by a majority of each of the two Orders voting thereon separately, said amendment shall become effective upon adjournment of Convention, unless a future date shall be specified in the amendment itself.

Adopted, November 3, 1984

Amended:

October 1985	October 2000
October 1986	October 2001
October 1987	October 2002
November 1988	October 2003
October 1989	October 2004
October 1990	October 2005
October 1991	October 2006
November 1992	October 2007
October 1993	October 2010
October 1994	October 2013
October 1995	August 2014
October 1996	October 2014
October 1997	October 2017
October 1998	
October 1999	

## **Appendix 1**

### **Definitions**

Section 1. Communicant. *All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered communicants of this Church* (I.17.2(a)).

Section 2. Adult Communicants. *For the purposes of statistical consistency throughout the Church, communicants sixteen years of age and over are to be considered adult communicants* (I.17.2(b)).

Section 3. Communicants in Good Standing. *All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working praying, and giving for the spread of the Kingdom of God, are to be considered communicants in good standing* (I.17.3).

Adopted 2003