

**The Constitution and Canons**  
**Of**  
**The Diocese of Southeast Florida**  
(revised November 2009)

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**THE CONSTITUTION AND CANONS**

**of the**

**DIOCESE OF SOUTHEAST FLORIDA**

**THE CONSTITUTION**

**ARTICLE 1**

Of Acceding to the General Convention

The diocese acknowledges its allegiance to be due the One, Holy, Catholic and Apostolic Church of Christ, and recognizing the body known as the Protestant Episcopal Church in the United States of America, otherwise known as the Episcopal Church, to be a true branch of that church having rightful spiritual jurisdiction in this country, hereby declares its adherence to the same and accedes to its Constitution and Canons.

## **ARTICLE II**

Of the Boundaries of the Diocese of Southeast Florida

The Diocese of Southeast Florida includes Monroe, Dade, Broward, Palm Beach and Martin Counties and that portion of Hendry County lying east of the west line of range 32.5, east of the prime meridian at Tallahassee in the State of Florida as these exist on October 26, 1973.

## **ARTICLE III**

Of Ecclesiastical Authority

The ecclesiastical authority of the diocese is the bishop. In the case of the bishop's absence or disability, the bishop may, by instrument of writing, place in temporary charge of the diocese as the ecclesiastical authority, the bishop coadjutor, if there is one, a suffragan bishop or an assistant bishop, or the Standing Committee. If the presiding bishop of the Episcopal Church, under the canons of the General Convention, determines that the bishop of this diocese is incapable of designating the bishop coadjutor, if there is one, a suffragan bishop, or the assistant bishop or the Standing Committee as the ecclesiastical authority, the suffragan bishops of this diocese shall be included among the persons from whom the presiding bishop may appoint the ecclesiastical authority. Upon the death of the bishop, and if there is no bishop coadjutor, the suffragan bishop or the assistant bishop having seniority in order of consecration, shall be in charge of the diocese and become temporarily the ecclesiastical authority until such time as a new bishop shall be chosen and consecrated. If no bishop, bishop coadjutor, or suffragan bishop, or assistant bishop be qualified and able to act, the ecclesiastical authority shall be the Standing Committee.

Whenever in the constitution or canons of this diocese provision is made for action by the bishop, such action, except where otherwise specifically provided, shall be taken by the ecclesiastical authority as herein defined.

## **ARTICLE IV**

Of the Annual Diocesan Convention

The convention of the church of this diocese shall assemble annually at a specific date and place as shall have been appointed by the previous annual convention; but for sufficient cause the ecclesiastical authority of the diocese shall have the power to change the time and/or place as emergency may require; provided however, that at least ten days notice of such change shall be given every vestry, every lay delegate, each dean, and to all canonically resident members of the clergy.

## **ARTICLE V**

### **Of Special Meeting of the Convention**

The ecclesiastical authority shall have the power to call a special meeting of the convention at such time and place as it shall determine. The notice of a special meeting of the Convention shall be issued to each canonically resident member of the clergy, to each lay Convention delegate, and to each dean, at least thirty days prior to the time appointed for the meeting, and shall specifically state the business to be transacted; and no other business shall be transacted, unless there is a two-thirds consent of all the delegates voting.

## **ARTICLE VI**

### **Of Members of Convention**

Section 1. The convention shall be composed of bishops, certain clergy and lay persons of the diocese as provided in the following sections of this article.

Section 2. Each canonically resident member of the clergy who is responsible for the regular performance of sacerdotal or pastoral functions shall have seat, voice and vote.

Section 3. Each congregation shall be entitled to two lay delegates. Each congregation in excess of 500 communicants shall be entitled to one additional delegate. Lay delegates and alternates will be elected by the congregation or vestry on or before January 31st for a term of two years and will be certified to the diocese at that time. Delegates shall be charged with the responsibility of making a report to the congregation within thirty days following the convention.

Section 4. Each Diocesan Youth Convention shall elect three of its members to serve as youth members of the subsequent diocesan convention entitled to seat, voice and vote. In cases when the diocesan convention votes by orders, the youth members shall vote with the lay delegates to the convention.

Section 5. Each Deanery shall appoint a Deanery Youth Coordinator who shall have seat and voice at the Diocesan Convention

## **ARTICLE VII**

### **Of Divine Service at Meetings of the Convention**

During the convention there shall be a celebration of the Holy Eucharist. The direction of divine service during the sessions of the convention shall rest with the bishop alone. In the absence of the ordinary or another bishop so designated by the ordinary, all such services shall be under the direction of the president of the Standing Committee.

## **ARTICLE VIII**

### **Of the President of the Convention**

Section 1. The bishop of the diocese shall be, ex officio, president of the convention, with full ecclesiastical authority, but in the case of his absence at the time and place appointed for any session of the convention, and in the absence of the bishop coadjutor or suffragan bishops or assistant bishop, the president or other clerical member of the Standing Committee shall call the convention to order and, if a quorum be present, a presiding officer shall be chosen, as interim, from among the members in attendance; and if the bishop at any time leaves the chair, he may appoint a member to preside in his stead.

Section 2. The president shall be entitled to one vote and, in the case of a tie vote, to the deciding vote. He shall not vote in the election of officers, committees, deputies, or other representatives of the convention.

## **ARTICLE IX**

### **Of Quorum and Methods of Voting in the Convention**

Section 1. A majority of the clergy entitled to vote in the Convention, and lay delegates from a majority of the congregations entitled to representation, when duly assembled, shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

Section 2. The clergy and laity shall deliberate in one body. Every member shall be entitled to one vote, and, except when otherwise expressly provided, a majority of all the votes cast shall determine any question submitted to the convention.

Section 3. If any ten members of the Convention, representing no fewer than six congregations, or any ten members of the clergy shall call for a vote by yea and nay, the secretary shall call the roll of the Convention, and the members shall thereupon announce their votes as their names are called by the secretary. The votes so cast shall be recorded in the journal, and no members shall be excused from voting, unless by unanimous consent.

Section 4. If any ten members of the Convention, representing no fewer than six congregations or any ten members of the clergy, shall demand a vote by orders, the vote of the clergy and lay delegates shall be taken separately, and majority of the votes of each order shall be necessary for an affirmative decision.

## **ARTICLE X**

Of the Secretary, Treasurer and Historian of the Diocese

Section 1. There shall be a secretary, treasurer, and historian whose appointment and duties shall be defined by canon.

Section 2. At any time in the interval between two annual Conventions the Standing Committee may for sufficient cause, of which they shall be the judges, remove the secretary or the treasurer from office; and in such case, or if the secretary or the treasurer die, resign, remove from the diocese, or become incapable of acting, the Standing Committee shall have the power to appoint a secretary or treasurer to act until the next annual convention.

## **ARTICLE XI**

Of the Chancellor of the Diocese

At each annual Convention the bishop shall appoint a chancellor learned in the law, subject to ratification by Convention, who shall be the legal advisor of the diocese. He shall be a communicant of this church and shall be entitled, ex officio, to a seat in the convention, with all the privileges of membership. The bishop may also appoint a vice chancellor with the same qualifications as the chancellor, who, in the absence or inability of the chancellor, shall perform the duties of the office. The bishop may appoint other vice chancellors as the need may require, who shall be entitled ex officio, to seat in the convention with all the privileges of membership, except the right to vote. Such appointments shall be subject to ratification by Convention.

## **ARTICLE XII**

Of Deputies to the General Convention

Section 1. At the annual Convention in the calendar year following that of the regular meeting of the General Convention, four clerical and four lay deputies and four clerical and four lay alternate deputies shall be elected to the General Convention, who shall hold office for three years. The term of office of all deputies and alternate deputies (including deputies and alternate deputies elected prior to the amendment of this section) shall expire upon the election of deputies and alternate deputies pursuant to this section.

Section 2. If any deputy elected discovers his inability to attend the General Convention, he shall immediately notify the ecclesiastical authority of such inability. It shall be the duty of such authority to fill a vacancy for this, or any other cause, up to the time of the meeting of the General Convention, from the list of alternate deputies. In each order the first alternate deputy shall be the person elected first as an alternate.

Section 3. Any vacancy in a deputation to any General Convention existing at the time of its meeting, or occurring during its sessions, or at any special session, may be supplied by the concurrent votes of the remaining deputies from the list of alternate deputies, if practicable; if not, then from other qualified members of the diocese.

## **ARTICLE XIII**

### **Of the Standing Committee**

Section 1. The Standing Committee shall consist of four members of the clergy, one of whom may be a deacon and four lay persons. The convention shall elect annually one or two members of the clergy and one or two lay persons for a term of three years, by concurrent ballot of both orders. Members may not succeed themselves.

Section 2. The clerical members of the Standing Committee must be entitled to seats in the convention of the diocese, and lay members must be communicants of the church domiciled in the diocese.

Section 3. The committee, at its first meeting, shall choose a president from among the priests, and a secretary, either clerical or lay, who shall keep a full record of all transactions of the committee. The records of the Standing Committee, and all papers in their official possession, shall be subject at all times to the examination of the bishop and of the convention. A full report of its acts shall be made at each annual meeting of the convention. Four members of the committee shall be a quorum for the transaction of business. Vacancies in the Standing Committee, occurring by death or otherwise, may be filled by the committee.

Section 4. The standing committee shall be a council of advice to the bishop. The committee shall be summoned by the bishop whenever he shall desire its advice, and the committee may, of its own accord, advise the bishop when the committee thinks it needful so to do. All proceedings of the Standing Committee, when acting as council of advice to the bishop shall be strictly confidential, unless the bishop and committee shall otherwise determine.

Section 5. The lay members of the Standing Committee shall be entitled to all the privileges of membership in the convention except the right to vote.

## **ARTICLE XIV**

### **Of the Election of Officers**

The election of all officers provided for in this constitution and canons shall be by ballot and, in the event of a failure or neglect to elect at any convention, the person or persons already in office shall hold over until their successors shall have been regularly elected and qualified. A majority of votes shall be necessary to elect.

## **ARTICLE XV**

### **Of the Admission of New Congregations**

The convention may admit congregations into union with it, provided they shall have presented to the convention evidence of their compliance with the canon(s) concerning the organization of congregations.

## **ARTICLE XVI**

### **Of the Forfeiture of Parochial Privileges**

Any congregation may, for causes specified by canon, be suspended from representation in the convention or its connection with the convention wholly dissolved, by a vote of two-thirds of those present. The convention may also provide by canon for the readmission into the union with it of any such congregation. The suspension aforesaid shall not absolve the congregation from its obligations to the convention or diocese.

## **ARTICLE XVII**

### **Of the Election of a Bishop**

The election of a bishop shall be made in an annual convention, or in a special convention called by the ecclesiastical authority for that purpose: and of the meeting of such special convention at least thirty days notice shall be given. To the choice of a bishop the concurrent vote, by ballot, of a majority of the clergy and of the lay members present in the convention, voting separately, shall be necessary.

## **ARTICLE XVIII**

### **Of the Cathedral and Other Institutions**

Section 1. The church in the diocese of Southeast Florida hereby acknowledges "Trinity Episcopal Cathedral," Miami, Florida, as the cathedral church of this diocese with the same legal and ecclesiastical jurisdiction, rights, privileges and obligations as any other congregation in union with the convention.

Section 2. The principal institution of the diocese shall be known as the Executive Board.

## **ARTICLE XIX**

### **Of Defects and Insufficiency in the Canons**

All necessary proceedings connected with matters of discipline and not expressly provided for by the canons, are within the authority and jurisdiction of the bishop, acting by and with the advice and consent of the Standing Committee.

## **ARTICLE XX**

### **Of Amendments To This Constitution**

This constitution may be amended by the convention of this diocese by a two-thirds vote of both orders, voting separately. A proposed amendment shall have been submitted to and approved by the previous annual convention. A proposed amendment must be submitted in writing to the committee on Constitution and Canons not less than ninety (90) days prior to the annual convention at which it will be presented for the first vote. Amendments must be submitted to all delegates at least thirty days prior to the annual convention.

The secretary of the diocese shall be authorized to correct article and section designations, punctuation and cross-references and to make such other technical changes to the constitution as may be necessary.

## **CANONS OF THE DIOCESE OF SOUTHEAST FLORIDA**

### **CANON I**

#### **CANON I**

#### **Of the Diocesan Convention**

#### **PLACE AND TIME**

Section 1. The Annual Convention of the Diocese of Southeast Florida be permanently moved to the second weekend of November each calendar year beginning with the year 2007. For sufficient cause the ecclesiastical authority of the diocese shall have the power to change the time and/or place as emergency may require.

### QUALIFIED CLERGY

Section 2. At or immediately prior to the opening of each Convention, a list of clergy, entitled to seats therein, prepared by the ecclesiastical authority of the diocese shall be delivered to the committee on credentials, which committee shall ascertain the number present and report to the convention. No member of the clergy shall take a seat until all canonical reports required of the clergy shall have been made on or before the time specified by canon, unless sufficient reason be given for failure acceptable to the ecclesiastical authority.

### REQUIRED ATTENDANCE

Section 3. It is declared to be the duty of every member of the clergy and lay person entitled to a seat in the convention to attend every meeting thereof and all clergy failing to attend the convention shall be required to give reasons for any absence to the ecclesiastical authority.

## **CANON II**

### Of Evidence of Lay Membership in the Convention

### ELECTION & QUALIFICATIONS

Section 1. The election of lay delegates and alternates to Convention, if by vestry, shall be made at a regular meeting, or at one specifically called for that purpose. If election is made by the congregation, the electors must have the same qualifications and the election must be conducted in like manner as is or shall be prescribed by canon for the election of vestries. Any vacancy that occurs in a lay delegation shall first be filled from alternates so elected at the regular time. If there be no alternate, then a vacancy may be filled by the rector or priest-in-charge. In the event that there be no clergy, it shall be the responsibility of the senior warden to select the delegate for replacement. A lay delegate shall have the same qualification as an elector in a congregation.

In the event a member of the clergy is prohibited, in accordance with Canon 1. Section 2, from taking a seat for failure to make canonical reports on or before the time specified by canon, then the lay delegates in his or her delegation shall also be prohibited from taking a seat at the Convention

### NUMBER OF DELEGATES

Section 2. To apply for an additional delegate, pursuant to Article VI, Section 3, the rector or priest-in-charge of the congregation shall certify to the ecclesiastical authority, no later than January 31<sup>st</sup>, a list of the names of the 500 plus persons who were communicants of the congregation during the previous calendar year. Provided the requirements are met for entitlement to one additional delegate, the ecclesiastical authority will certify such entitlement within 15 days of receipt of the certified list. A communicant is a member of the congregation who has received Holy Communion in the parish at least three times during the calendar year.

(Constitutions and Canons of the Episcopal Church, Canon 1.17.2(a): "All members of this Church who have received Holy Communion in this church at least three times during the preceding year are to be considered communicants of this church".)

ELECTION OF ADDITIONAL DELEGATE

Section 3. Whenever a congregation is entitled to an additional delegate, such delegate will be elected for a term of one year, in the manner set out in Section 1.

CERTIFICATION

Section 4. The secretary of the convention shall annually furnish every parish or congregation entitled to delegates a form of certification as follows: "This is to certify that at a meeting of the rector, wardens and vestry, or of the congregation or parish, held on the \_\_\_\_\_ day of \_\_\_\_\_, the following persons were elected to represent said church in the coming year, to the regular annual convention of the diocese, and such special meetings as may be called during the delegate's two year tenure. Their term of office shall be from 1 February 20\_\_\_\_, through 31 January, 20\_\_\_\_.

_____	_____
_____	_____
_____	_____

The above named persons are communicants in good standing and qualified electors of this congregation." This certificate shall be signed by the rector, senior warden, or secretary of the vestry or congregation making such election, and when filed with the secretary of the convention, shall entitle the delegates therein named to seats in the convention. Said certificate shall be transmitted to the secretary of the convention no later than February 1st, and copies thereof shall be sent at the same time to the bishop and to the rector of the church in which the convention will meet.

COMMITTEE ON CREDENTIALS

Section 5. The committee on credentials shall ascertain the presence at convention of such delegates and report same at the opening session of the convention.

SPECIAL MEETINGS

Section 6. The delegates elected for the term specified shall be the delegates to all special meetings for the diocesan convention.

**CANON III**

Of the Secretary of the Diocese

APPOINTMENT & DUTIES

Section 1. The secretary shall be appointed by the bishop subject to ratification by the Convention. The secretary shall continue to serve until a successor has been ratified by the convention. The duties of the secretary shall be to take minutes of the proceedings of the Convention, to prepare and have printed and distributed, the annual journal of the convention; to preserve its journals and records and other documents; to attest the public acts of the body; and to deliver faithfully into the hands of a successor all property, monies, books, and papers relative, or belonging, to the diocese, which may be in the possession of the secretary. It shall be the duty of the secretary to give thirty days notice to each member of the clergy and lay delegate, of the time and place appointed for the meeting of the succeeding or any special convention. The secretary shall prepare the roll of lay delegates entitled to seats in the convention, before the opening of the convention. The secretary shall transmit to each officer and to each member of the clergy of the diocese, a copy of the journal of the convention. The secretary shall, prior to 15 December of each year, transmit to each congregation forms of parochial reports with the instructions that one copy be returned to the secretary and one copy to the ecclesiastical authority, on or before the 31st day of January.

#### GENERAL CONVENTION & SYNOD

Section 2. The secretary shall transmit to the proper officers a certificate of the election of deputies and alternates to the General Convention, and of deputies to the provincial synod.

#### DUTIES OF OTHER OFFICERS, COMMITTEES & BOARDS

Section 3. Immediately upon the close of each Convention, the secretary shall transmit to every officer or committee or board, a certified copy of all acts of the convention bearing upon & the duty of such officer, committee, or board, as may have been enacted.

#### ADDITIONAL DUTIES & COMPENSATION

Section 4. The secretary shall perform such other duties as may be incumbent on the office or as may be provided for by the convention or executive board, and shall receive such compensation for services as the convention may determine. However, the secretary shall not be an employee of the diocesan office.

#### ASSISTANT SECRETARY

Section 5. The Secretary may request the approval of the Executive Board for permission to employ an assistant secretary to help in the performance of the duties of the office.

## **CANON IV**

### Of Resolutions to the Convention

## DEFINITION

Section 1. Resolutions are motions submitted in writing made in the course of Convention business which summarize a specific attitude or action and require a vote of the Convention for their ratification. Special resolutions are those resolutions to be considered by an annual Convention which are made in advance of a Convention, by groups of no less than ten (10) communicants, which reflect a concern, sentiment or call for action which require a vote of the convention for ratification.

## SPECIAL RESOLUTIONS IN ADVANCE

Section 2. All special resolutions to be considered by the clergy and lay delegates to the Convention shall be submitted to the secretary of the Convention forty-five (45) days prior to the date of the convention. The secretary of the convention shall distribute such resolutions to the clergy and lay delegates with the names of the proposers and endorsers no less than thirty (30) days prior to the date of the Convention. The deans of the convocations shall insure that such resolutions are made known to the convocations and the vestries of the congregations within their deaneries in sufficient time for those bodies to give the resolutions due consideration. Any resolution submitted to the secretary of the convention shall bear the names of those who proposed the same and shall bear no less than ten (10) endorsements. Resolutions in response to the business of the convention may be introduced at appropriate times during the proceedings and may be submitted by one so authorized by the bishop.

## COMMITTEE ON SPECIAL RESOLUTIONS & DUTIES

Section 3. The bishop shall appoint a committee on special resolutions subject to ratification by the Convention. The committee on special resolutions shall meet no less than forty (40) days prior to the date of the convention for the purpose of combining and amalgamating similarly proposed resolutions. Such combined resolutions shall be submitted to the clergy and lay delegates as provided in Section 2.

## SPEAKING AT CONVENTION

Section 4. Each speaker to address the Convention in support of or in opposition to any special resolution shall be limited to a total of five (5) minutes, with no one person speaking more than twice on the same issue.

## SPECIAL RESOLUTIONS AT CONVENTION

Section 5. A special resolution presented in a manner other than as authorized by this canon may be considered by a two-thirds vote of the convention to which it is presented.

# **CANON V**

## **Of Elections**

## ELECTION PROCEDURES

Section 1. With reference to article XIV of the constitution of the diocese, the following election procedures are in effect: if there is not an election resulting from ballots lawfully cast, the three nominees receiving the lowest number of votes shall be dropped from the next succeeding ballot except that the number of nominees shall never be reduced to fewer than double the number of offices to be filled; and should the total number of nominees to any office or group of offices exceed ten, then the seven nominees receiving the lowest number of votes cast shall be dropped in the next succeeding ballot. The number of nominees shall never be reduced to fewer than double the number of offices to be filled.

Section 2. Special procedures for the election of a bishop, under article XVII, shall be adopted by the electing convention.

## **CANON VI**

### Of The provisions of the Treasurer of the Diocese

## APPOINTMENT, TERM, DUTIES, EXECUTIVE BOARD, BOND

Section 1. The treasurer of the diocese shall be appointed by the bishop, subject to ratification by the convention. The treasurer shall continue to serve until a successor has been ratified by the convention. The duty of the treasurer shall be to receive and disburse all monies of the diocese under the authority of the convention of which the collection and distribution shall not be otherwise provided for, and shall publish at least three times a year, and may publish in each issue of the official organ of the diocese an account of the indebtedness to the diocese of each congregation; it shall be the duty of the treasurer to collect from any predecessor, or the estate of the predecessor, any balance due from said predecessor. The treasurer shall pay no money except upon due authority. The treasurer shall be subject to the direction of the Executive Board in relation to the mode and place of depositing funds received by the treasurer, manner of paying them; and the accounts of the treasurer shall at all times be subject to the inspection of the Executive Board. Before assuming the duties of the office, the treasurer shall give bond to the diocese in such penalty and with such security as the Executive Board shall direct, conditioned for the faithful performance of the duties of the treasurer, and for the delivery to a successor of all funds, securities, books, and papers pertaining to the office.

## ANNUAL REPORT & COMPENSATION

Section 2. The treasurer's accounts shall be rendered annually to the convention, and the executive board shall have the books audited annually, at least 60 days prior to the date set for the convention. The Executive Board may pay the treasurer such compensation as it deems just. The treasurer in no case shall be an employee of the diocesan office.

### CONVENTION & DELINQUENT CONGREGATIONS

Section 3. On or before the opening day of the diocesan Convention, the treasurer shall prepare for, and hand to, the president of the Convention and the committee on credentials, a list of all congregations delinquent in full payment of the diocesan obligations.

# **CANON VII**

## **Of the Executive Board**

### **GENERAL DUTIES & PROGRAM**

Section 1. The Executive Board, as hereinafter constituted, subject to the constitution and canons of the diocese and the direction of the convention, shall be responsible for the planning aspects of the mission of the diocese and for the financial aspects, and such other responsibilities as may be assigned to it by the convention. The Executive Board shall be responsible for the establishment of diocesan policies, and for the implementation, control and evaluation of programs. The bishop shall be the executive head of all such work, and shall delegate necessary authority and responsibility to the deans for carrying out the programs of the diocese.

### **MEMBERS**

Section 2. The Executive Board shall be composed of the bishop, bishop coadjutor and or bishop suffragan or assistant bishop, if there be any, the deans, the secretary, the treasurer, the chancellor, the president of the Standing Committee, two lay persons and one member of the clergy from each deanery, the president of the Episcopal Church Women, and a representative from the Diocesan Youth Commission.

### **DEANERY REPRESENTATIVES, TERMS, QUALIFICATIONS & VACANCY**

Section 3. Executive Board members elected by the deaneries shall serve three year terms, and may not succeed themselves. One-third of the elected deanery member terms shall expire each year. These members shall be elected in their respective deaneries by the convention delegates of the deanery at a convocation of the deanery, and those elected must be ratified by the convention. Lay persons elected to the Executive Board must possess the qualifications of an elector of the diocese. A lay member of the Executive Board who is not a delegate to the convention, shall be entitled to seat and voice at the convention. In the event of a vacancy occurring on the Executive Board from a deanery, the deanery in which the vacancy occurs shall elect a replacement at a special meeting within thirty days of the occurrence of the vacancy. This meeting shall be called by the dean. A lay person must replace a lay person and a priest must replace a priest. The Executive Board shall ratify the election. The newly elected replacement delegate will serve to the end of the unexpired term. At the conclusion of that term the replacement delegate is eligible to be elected to a regular three-year term.

### **TERMS OF OTHERS**

Section 4. Members of the Executive Board, other than deanery members, shall serve terms in accordance with those specified by their office.

#### VICE CHAIRMAN, BOARDS & COMMITTEES

Section 5. The president of the Standing Committee shall be the vice chairman and shall preside in the absence of the bishop. The Executive Board may appoint from among its own members and other qualified electors of the diocese, continuing or temporary boards and committees for effectively carrying out the programs of the diocese.

#### HEARINGS, QUORUM, SPECIAL MEETINGS

Section 6. The Executive Board shall meet six times per year, one meeting of which shall occur immediately prior to, during, or immediately after the diocesan convention. A quorum shall consist of a majority of the membership. Special meetings may be called by the bishop or by 2/3 of the Executive Board.

#### DEANERY BOUNDARIES

Section 7. The Executive Board shall be responsible for the establishment of deanery boundaries.

#### BOARDS OF DIOCESE OF SOUTH FLORIDA

Section 8. It shall be the responsibility of the Executive Board to select representatives of this diocese to serve on various boards of the former diocese of South Florida as still defined by the committee on division of the diocese.

#### DUTIES IN REGARD TO PROPERTY & ASSETS

Section 9. All deeds, mortgages, insurance policies, property, and other assets of the diocese and the conservation thereof shall be the responsibility of the Executive Board. All documents relating to these items and their safekeeping shall be the responsibility of the secretary.

#### FINANCIAL DUTIES IN REGARD TO PROPERTY

Section 10. The Executive Board through the chancellor shall be responsible for any taxes, special assessments, improvement liens, and other obligations levied against the property of the diocese.

#### BUDGET

Section 11. The Executive Board shall be responsible for submitting to the diocesan Convention, one budget incorporating all of the work and the program of the diocese. The proposed budget shall be distributed to all convention delegates at least thirty days prior to the first day of the convention. Upon approval of the budget by the convention, the Executive Board shall establish effective procedures for collecting this money from the congregations and other sources. It shall be the responsibility of the Executive Board to assist the treasurer in collection of this amount.

## FUNDS & EXPENDITURES

Section 12. The Executive Board shall be responsible for disbursing of all funds through the treasurer. Authority for expenditures shall come from the budget and other acts of the convention. The treasurer shall be the fiscal officer and shall disburse only those funds approved by the Executive Board. He shall maintain the necessary accounts and distribute such financial information that the Executive Board requires. The treasurer shall make an annual report to the convention regarding the receipt and expenditure of monies under the control of the Executive Board.

## MINUTES & REPORTS

Section 13. The Executive Board shall keep an accurate record of its proceedings, and the proceedings of the committees, boards, and other organizations responsible to it. All such activity shall be reported to the annual convention. A resume of all major acts and policy decisions shall be published semi-annually to the delegates of the convention.

## PROCEDURES

Section 14. The Executive Board shall have the authority to establish by-laws, rules and regulations for its government and the government of its various officers, committees, boards and other organizations responsible to it. The time and place of regular meetings and special meetings shall be established by the Executive Board, except where specifically provided for by canon.

Section 15. All clergy paid in full or in part by the diocese shall be appointed by the bishop. The stipends and other allowances received by these clergy shall be authorized by the Executive Board. The bishop shall have the sole responsibility of assignment and reassignment of clergy paid in full or in part by the diocese, and shall be responsible for informing the Executive Board of any acts in these matters at the next meeting of the Executive Board occurring after such an act has taken place.

## INDEBTEDNESS

Section 16. No officer, member, or any other person employed by the Executive Board shall incur any obligation on behalf of the Executive Board except upon written authority of that body.

## CONFLICT OF INTEREST

Section 17. No person except the President of the Standing Committee shall hold membership on both the Executive Board and the Standing Committee, at the same time provided, however, that this restriction shall not apply to ex officio membership, as may be provided elsewhere in the Canons. (Formerly Section 7 of Canon XX (Of Business Methods.)

## **CANON VIII**

### Of The Cathedral

#### CONCORDAT

Section 1. The concordat entered into between the vestry of Trinity Episcopal Church, Miami, Florida, and the Executive Board of the Diocese of Southeast Florida as it existed on September 9, 1970, shall control the relationship between the diocese and the cathedral church until further order shall be taken by the bishop and the convention and by the cathedral chapter.

#### CATHEDRAL & THE BISHOP

Section 2. The cathedral shall be at the disposal of the bishop for all diocesan and missionary purposes of his appointment therein, and for such preaching, administering of the sacraments, and other spiritual offices as the bishop may desire to perform in the cathedral.

#### CONGREGATION

Section 3. The cathedral shall be a congregation of the diocese with the dean as rector, the cathedral chapter as vestry, and shall enjoy all the legal and ecclesiastical rights, privileges, and duties of any congregation in the diocese.

#### DOCUMENTS OF GOVERNMENT

Section 4. The contents of the concordat aforementioned, the articles of incorporation of Trinity Episcopal Cathedral, Inc., the by-laws of the cathedral chapter, together with the constitution and canons of the Episcopal Church and the Diocese of Southeast Florida shall constitute the documents of government for the cathedral and shall establish its relationship to the convention.

## **CANON IX**

### Of the Deaneries

#### BOUNDARIES

Section 1. The diocese shall be divided geographically for administrative purposes and representation of the Executive Board into three or more deaneries: the number and boundaries of which shall be determined from time to time by the Executive Board. The program of the diocese shall be administered on a deanery basis through the deans as representatives of the bishop.

Section 2. There shall be a deanery convocation.

### CONVOCATION MEMBERS

(a) The deanery convocation shall be composed of all clergy canonically resident in the deanery who are entitled to seat, vote, and voice at the diocesan convention, lay delegates to the convention from each congregation within the deanery, lay representatives to the Executive Board from the deanery, and one representative chosen by each of the deanery youth board and the deanery Episcopal Church Women, all of whom shall have seat, vote, and voice. All qualified electors of each congregation within the deanery may be entitled to seat and voice.

### MEETINGS

(b) The convocation shall meet at least twice each year, once within 30 days prior to each meeting of the convention and at other times at the call of the dean or of the ecclesiastical authority.

### DUTIES

(c) The deanery convocation shall have the responsibility for the planning and financial aspects of the deanery and such other responsibilities as may be assigned to it by the Executive Board. It shall also be the responsibility of the convocation to study the needs and opportunities of the church and to evaluate diocesan programs; to elect deanery representatives to the Executive Board and to elect the dean; and to assist through the year all diocesan officers, the deans and the Executive Board in the work and mission of the church.

### EXECUTIVE

(d) The dean shall be the executive head of all such work and shall delegate necessary authority and responsibility as the dean deems necessary to carry out the work. The deanery convocation shall elect from among its own members a vice-chairperson, to preside at meetings in the temporary absence of the dean, and a secretary to record all actions and maintain such records in a permanent form.

### QUORUM

(e) A majority of the clergy entitled to vote in the convocation and lay delegates from a majority of the congregations entitled to representation, when duly assembled, shall constitute a quorum for the transaction of business.

### EXECUTIVE COUNCIL

(f) The dean and the clerical and lay representatives to the Executive Board from that deanery shall constitute the executive council, with authority to carry on the work and program of the deanery as proposed at and between meetings of the deanery convocation.

### THE DEAN

Section 3. The presiding officer of the convocation shall be a dean elected by the convocation from two or more priests nominated by the bishop for this office.

### TERM

(a) The term of office shall be for three years. The office may not be filled by the incumbent in succession.

### VACANCY

(b) In the event that the dean resigns or leaves office before the expiration of the canonically designated term, the ecclesiastical authority shall call a special convocation of the deanery for the purpose of electing a new dean who will serve for the remainder of the unexpired term. The new dean shall be elected from two or more priests nominated by the bishop.

### UNEXPIRED TERM

(c) A dean elected to fulfill an unexpired term shall be eligible for election to a full term at the end of the unexpired term for which the replacement incumbent was elected.

### STANDING COMMITTEE PROHIBITED

(d) No dean shall be a member of the Standing Committee while serving in the office of dean.

## **CANON X**

### Of Ministry to Higher Education and Campus Church Centers

#### ESTABLISHMENT OF CHAPLAINCIES

Section 1. The Executive Board shall have the authority to establish chaplaincies at colleges and universities within the diocese.

#### APPOINTMENT AND TERM

Section 2. Chaplains shall be appointed by the bishop and shall remain in office until the relationship is dissolved by the bishop.

#### VESTRY COMMITTEE & BUDGET

Section 3. On those campuses where a church center is provided, a vestry committee shall be appointed by the bishop or elected by the congregation and approved by the bishop. The vestry committee shall be subject to Canon XIV, "Of Wardens, Vestrymen, and Electors." The congregation, if recognized as such by the diocese, shall be represented at the diocesan convention in accordance with Canon II, "Evidence of Lay Membership in the Convention."

The budget and financial matters of the congregation will be established and maintained by the chaplain and the vestry committee with the approval of the bishop, the commission on ministry to higher education, and the Executive Board, where appropriate.

#### ADVISORY COMMITTEE

Section 4. On campuses where there is not an established center, the bishop shall appoint annually an advisory committee for the purpose of aiding the chaplain in his work. Recommendations for membership shall be made to the bishop by the chaplain.

#### SUPERVISION

Section 5. The work of all ministers in higher education within the diocese shall be supervised by the bishop.

#### CHAPLAINCIES WITHOUT A CAMPUS CENTER; DUTIES & FINANCIAL SUPERVISION

Section 6. Chaplains appointed to minister on a campus without a center shall be assigned to a congregation within the diocese, which congregation shall serve to represent the interests of that ministry and chaplain at the convention of the diocese. Diocesan financial assistance for ministry under the supervision of such chaplains will be directed through the parish church where the chaplain is assigned. Chaplains will be assigned to congregations with the approval of the rector and the vestry, and, if there is no other designated member of the clergy assigned to the congregation, with the approval of the vestry in mutual consultation and agreement with the bishop.

## **CANON XI**

### Of Congregations

#### CONGREGATIONS DEFINED

Section 1. Congregations. A congregation shall be defined as a parish: an organization of more than twenty-five (25) communicants, in good standing, of sixteen years of age and upwards, which is chartered under the laws of this state, and which has assumed full financial support for all buildings and other properties as well as support of a rector, other members of the clergy, and employees with all temporalities appertaining to the cure. There shall be a vestry, elected by the congregation at an annual meeting, who shall be responsible for the day-to-day operation of the parish business. A congregation

may be represented in the diocesan convention as defined in Canon II, "Evidence of Lay Membership in the Convention."

#### SUBSIDIZED CONGREGATIONS DEFINED

Section 2. Subsidized congregations. A congregation that is subsidized shall be defined as an aided parish; an organization of more than twenty-five (25) communicants in good standing, of sixteen years of age and upwards, which is chartered under the laws of this state, which congregation is aided through allocation in the budget of the diocese for partial support of the buildings, other properties, clergy and employees in order that the ministry of the Episcopal Church may be maintained in the community served by the congregation. The priest-in-charge of a subsidized congregation may be appointed and removed at the discretion of the bishop after consultation with the vestry and other representatives of the congregation. There shall be a vestry, elected by the congregation at an annual meeting. Such election shall be subject to ratification by the bishop. It shall be responsible for day-to-day operation of the parish business. A subsidized congregation may be represented in the diocesan convention as defined in Canon II, "Evidence of Lay Membership in the Convention."

#### MISSION CONGREGATION DEFINED

Section 3. Mission congregation. A mission congregation shall be defined as an organization of more than twenty-five (25) communicants in good standing, of sixteen years of age and upwards, which is chartered under the laws of this state, which congregation is aided through allocation in the budget of the diocese for partial support of the buildings, other properties, vicar and other employees. Such financial aid shall be given on a declining schedule over a period of not more than seven (7) years, at which time the congregation shall either be fully self-supporting, or shall cease to exist as a recognized mission congregation. The vicar of the mission congregation may be appointed and removed at the discretion of the bishop after consultation with the vestry of the congregation. There shall be a vestry, elected by the congregation at an annual meeting. Such election shall be subject to ratification by the bishop. They shall be responsible for day-to-day operation of the congregation's business. A mission congregation may be represented in the diocesan convention as defined in Canon II, "Evidence of Lay Membership in the Convention."

#### UNORGANIZED CONGREGATIONS DEFINED

Section 4. Unorganized congregations. An unorganized congregation shall be defined as a group of not more than twenty-five (25) communicants in good standing, of sixteen years of age and upwards, which is in communion with the diocese but which has not applied for union with the diocese through representation at the diocesan convention. The appointment of a minister to an unorganized congregation shall be with the approval of the bishop. The governing committee of an unorganized congregation shall be under the

pastoral direction of the bishop who shall ratify elected members of the committee.

## **CANON XII**

### **Of Diocesan Assessments**

#### **ANNUAL ASSESSMENT**

Section 1. Every congregation, as described in Canon XI, "Of Congregations," section 1 and 2, shall be assessed annually on a proportionate basis for the diocesan budget.

#### **SCHEDULE**

Section 2. The Executive Board shall submit to the annual convention for its approval and adoption, a diocesan budget for the ensuing year. The Executive Board shall also submit to the convention a schedule of assessments on the congregations to cover the amount of the proposed budget.

#### **MODIFICATION**

Section 3. It shall be the right of any congregation to apply through its delegates for modification of its assessment for the coming year and to present its case to the Executive Board for a decision by that body, however, modifications involving amendments to parochial reports shall be governed by Canon XV, Of Parochial Registers and Reports.

#### **PAYMENT**

Section 4. It shall be the duty of every congregation to forward to the treasurer of the diocese, on or before the twentieth day of each month, one-twelfth of its assessment.

#### **TREASURER**

Section 5. The treasurer of the diocese shall, within twenty days after the adjournment of the Convention, transmit to the wardens of each congregation a statement of the assessment imposed on the same for the ensuing year, and a calendar of all the canonical offerings to be made.

#### **FAILURE TO PAY**

Section 6. If a congregation (1) does not accept its annual assessment, (2) is six months or more in arrears in the payment of its annual assessment, or (3) is six months in arrears in the re-payment of a Diocesan loan pursuant to the terms and conditions thereof, the bishop, with the concurrence of the Standing Committee and the Executive Board, may declare the congregation a subsidized congregation. At such time as the congregation's (1) full assessment is paid, (2) the repayment of the loan is brought current pursuant to the terms and conditions thereof or (3) an adjustment is agreed upon by

the Executive Board, the bishop, with the concurrence of the Standing Committee and the Executive Board, may declare that the subsidized congregation has been reinstated to the status of congregation.

## **CANON XIII**

### **Of Rector and Other Ministers**

#### **THE BISHOP, THE CLERGY**

Section 1. The clergy shall function under the guidance and direction of the bishop, to whom they shall be subject in all matters pertaining to this canon.

#### **VACANCY**

Section 2. a) Upon the organization of any new congregation in this diocese, or on the occurrence of any vacancy in the rectorship of any existing congregation, it shall be the duty of the wardens or other officers of such congregation to give immediate notice of the same to the bishop, and, until provision is made for the supply of the same, the bishop may cause it to be supplied, at his discretion, by missionary services or otherwise.

#### **CALLING OF A RECTOR**

b) No member of the clergy may be called as rector by the vestry of any congregation without the approval of the bishop.

#### **CALL OF AN ASSISTANT**

c) No member of the clergy may be called as an assistant by any rector without the approval of the vestry of that congregation and the bishop.

#### **OTHER WORKERS; LAY READERS, PERMANENT DEACONS**

Section 3. a) Such persons as may be appointed lay readers, or ordained as permanent deacons by the bishop shall function under the direction of the rector or priest-in-charge of the congregation to which they have been assigned by the bishop.

#### **OTHERS**

b) The rector or priest-in-charge may appoint fit persons to perform, under his supervision and direction, such duties relative to the service and decoration of the church as may properly be done by lay persons.

#### **DUTIES OF RECTOR OR PRIEST-IN-CHARGE**

Section 4. The rector, or priest-in-charge, of the congregation has exclusive charge, under the constitution and canons, of all things affecting the spiritual interests of the congregation. The rector or priest-in-charge shall have full charge of all services in the church and spiritual direction of the congregation.

#### **WORSHIP**

a) It shall be the duty of the rector or priest-in-charge to give direction concerning the worship of the church, together with all that appertains thereto.

#### REGULAR SCHEDULE

b) The rector or priest-in-charge shall be responsible for regularly scheduled public worship and the use of authorized occasional offices as they may be required.

#### CHURCH SCHOOLS & OTHER ORGANIZATIONS

c) The rector or priest-in-charge shall have control of all church schools and all other organizations connected with the congregation.

#### PROPERTY

Section 5. The rector or priest-in-charge shall at all times be entitled to the use and control of the church itself and all other buildings belonging to the congregation with the appurtenances and furniture thereof, for the above purposes and such other activities as an incumbent may deem suitable.

#### VESTRY

Section 6. The rector or priest-in-charge of any congregation is, ex officio, president of the vestry, or vestry committee and of the congregation and has the right to vote at all times.

#### TEMPORARY ABSENCE

Section 7. Every member of the clergy who temporarily vacates that cure shall arrange in advance with the vestry for the supply of services and the care of the congregation during any time of absence. Any member of the clergy who is paid wholly or in part by the diocese shall receive permission of the ecclesiastical authority in advance of such absence.

#### LICENSE TO OFFICIATE

Section 8. No member of the clergy of this church shall officiate other than on a special occasion by preaching, ministering the sacraments, or holding any public service, within the limits of this diocese, without a license from the ecclesiastical authority.

## **CANON XIV**

Of Wardens, Vestry, and Electors

#### ANNUAL MEETING OF ELECTORS

Section 1. In every congregation of this diocese there shall be an annual meeting of the electors. This meeting shall convene within sixty (60) days before or on, the thirty-first (31st) day of January. The congregation shall be

placed on notice of the impending meeting no less than the fifteenth (15th) day before the meeting is scheduled. In the absence of the rector of the congregation, the senior warden shall preside over the meeting.

#### ELECTION OF A VESTRY

Section 2. At the annual meeting there shall be the election of a vestry by ballot of the electors present, provided there is a quorum of electors as set forth in the congregation's charter or by-laws. The vestry shall consist of no fewer than five (5) members and may number as many as may be fixed by the charter of the congregation. Those elected shall continue in office until their successors are elected and qualified. Nominations may be submitted to an appointed committee prior to the meeting and also may be made from the floor. No person may cast the ballot of an elector who is not present.

#### MAJORITY VOTE, WARDENS, TERMS

Section 3. In such election a majority of votes shall decide the choice of the persons so chosen. One shall be appointed senior warden by the rector and one shall be elected by the vestry to serve as junior warden. Nothing contained herein shall prevent a congregation from establishing terms of office from one to three years, provided the terms of at least one third of the members of the vestry shall expire each year. No member of a vestry shall be eligible for re-election until at least one year shall have elapsed since the last previous service.

#### SUBSIDIZED OR AIDED CONGREGATIONS AND MISSIONS

In case of aided congregations, the election shall be construed as nominating to the bishop for appointment. The bishop shall have the authority to appoint or remove members of the vestry of aided congregations.

#### QUALIFICATIONS OF ELECTORS

Section 4. Only communicant members in good standing of a congregation who are sixteen years of age and over, whose names are duly enrolled as such in the register of the said congregation, and who are regular in their attendance upon its services and make stated contributions of record to its general support are electors and shall be entitled to voice and vote at the annual election of the vestry thereof. The voice and vote of no person shall be questioned unless his or her right shall be first challenged by a qualified elector. In the event of such a challenge, the right of such person shall be passed upon by a committee of three previously nominated by the rector (or in the event there should be no rector, then by the senior warden), and the findings of such committee shall be final and binding.

#### VESTRY QUALIFICATIONS

Section 5. No person shall be eligible as a warden or vestryman who is not a communicant in good standing and a qualified elector in the congregation.

#### DUTIES OF WARDENS AND MEETINGS OF THE VESTRY

Section 6. It shall be the duty of the warden to protect the church property and to see that all things needed for the orderly worship of God and for the administration of the sacraments and ordinances of the church be provided. In the absence of the rector, the senior warden shall preside at the meetings of the vestry. In the absence of both, the junior warden shall preside. Meetings of the vestry shall be held annually, to receive reports of officers and committees, pass on the same, and turn over affairs of the congregation to the newly elected vestry. Other meetings may be provided for at regular times or be called by the rector, or in absence of the rector, by the senior warden, or at the request of two members of the vestry; and the bishop may, at his discretion, call a meeting of the vestry of any parish and preside at such meeting.

#### DUTIES OF THE VESTRY

Section 7. It shall be the duty of the vestry to take charge of the property of the church and keep the same fully insured, to prepare a budget providing for the necessary requirements and expenditures of the congregation, to regulate all its temporal concerns, to elect and, with the approval of the bishop, call a rector, to provide for maintenance, to keep order in the church during the celebration of divine worship, and, in general, to act as helpers to the rector in whatever is appropriate to lay persons for the furtherance of the welfare of the church.

#### REAL PROPERTY

Section 8. It shall not be lawful for any congregation as defined in these canons, or the corporate officers or congregation thereof, to encumber, sell, alienate, transfer or convey any real property, the title to which is held by and for the use of the parish, without the consent of the Executive Board. Provided further, that should the transaction involve any church or chapel which has been used solely for divine worship, the previous consent of the bishop acting with the advice and consent of the Standing Committee shall be procured.

#### CLERK & TREASURER

Section 9. The vestry shall annually elect a clerk, whose duty it shall be to take and record the minutes of its proceedings, attest the public acts of the vestry, preserve all records and papers belonging to the congregation, perform such other duties as shall be legally assigned to the clerk, and faithfully deliver into the hands of the clerk's successor all books and documents of the congregation that may be in the clerk's possession. The vestry shall also annually elect a treasurer to perform the duties incumbent upon that office. The parish books and accounts shall be audited annually and at any other time the vestry may direct. The offices of clerk and treasurer may both be held by the same person.

Section 10. In the event that any parish organization shall, for any reason, cease to exist, or shall be disbanded, or shall fail to function, any and all funds of that organization shall automatically become the property of the vestry of the parish.

#### TERMS OF OFFICE

Section 11. All lay officers of a congregation shall hold their respective offices until the election or appointment and qualification of their successors.

## **CANON XV**

### Of Parochial Registers and Reports

#### **BAPTISMS, WEDDINGS, BURIALS, COMMUNICANTS & REPORTS TO SECRETARY OF CONVENTION**

Section 1. In every congregation the church wardens shall provide a register, in which the rector or some other member of the clergy, or if there be none present, one of the wardens, shall record the name and date of the birth of each person baptized, and, if a child, the names of its parents and sponsors, the names of the persons married or buried, and the dates of such marriages and burials, together with a list of communicants in the congregation, with the date of every event recorded, all of which shall bear the signature of the person recording. From this register there shall be annually presented to the secretary of the Convention, on forms provided by the secretary, on or before the 28th day of February preceding the meeting of the Convention, by a member of the clergy, or if there be none, by one of the wardens, an accurate statement of affairs of the congregation, as required by said form.

#### **SERVICE RECORDS**

Section 2. In every congregation, the church wardens shall provide a proper book in which the clergy, or, if there be none, one of the wardens shall record all services held in the congregation, which shall show the date, time, place, and kind of service held, the number of persons present and if the service be that of the Holy Eucharist, the number making their communion. Any amendments to the parochial reports shall be submitted to the secretary of the convention no later than June 30th preceding the convention.

## **CANON XVI**

### Of the Establishment of New Congregations and Relocations

#### **EXECUTIVE BOARD**

Section 1. It shall be the duty of the Executive Board, with the approval of the bishop to establish or relocate congregations whenever and wherever they deem suitable. They may set standards for such congregations as may be indicated by current circumstances.

#### **FIVE-MILE RULE**

Section 2. When the establishment of new congregations or relocation is contemplated each rector and vestry of existing congregations within five (5) miles of the proposed location shall be notified and requested to record their approval or disapproval with the secretary of the Executive Board. A majority of the rectors and vestries of these existing congregations shall be required to record their approval or disapproval.

### NEW CONGREGATION & THE BISHOP

Section 3. When a new congregation is established, the bishop shall assign the priest-in-charge and appoint for one year terms a senior warden, junior warden, clerk, treasurer and others who will constitute the initial vestry of such congregation.

### LESS THAN 25 MEMBERS

Section 4. Whenever the number of communicants in good standing of the membership list of a congregation falls below twenty-five (25), the Executive Board, with the consent of the bishop, may declare such congregation dormant or to be an unorganized congregation.

### BISHOP'S REPORT

Section 5. The bishop shall, in his annual address, report to the convention the establishment of new congregations and, should there be any, the dormancy of others.

## **CANON XVII**

### Of Ecclesiastical Discipline

Section 1. Title IV, of the Canons of the Episcopal Church Ecclesiastical Discipline, is adopted by the diocese for the discipline of bishops, priests and deacons and is incorporated by reference into these canons.

### Ecclesiastical Trial Court

Section 2. (a) As required under canon 4(a) sec. 2 of title IV of the canons of the Episcopal Church, an ecclesiastical trial court is created for the trial of all priests or deacons subject to the jurisdiction of this diocese. The ecclesiastical trial court shall have five members, two of whom shall be lay persons meeting the qualifications of an elector in a congregation of this diocese, and three of whom shall be priests or deacons canonically resident in this diocese. The members of the court shall be elected by the convention of the diocese. At the 1995 convention, one lay member of the court shall be elected for a three-year term and one for a two-year term. In addition, the 1995 convention shall elect one priest or deacon for a three-year term, one for a two-year term and one for a one-year term. Thereafter, as the term of each member expires, and each year thereafter, the convention shall elect for a three-year term the replacement for the member whose term then expires. No member may serve more than two consecutive three-year terms. All terms shall begin upon election and end upon the election of the replacement except that a member whose term is expiring shall continue in office but only with respect to any proceeding in which a trial has already begun and shall continue until the proceeding has reached its conclusion before the court by dismissal, entry of final judgment and sentence, or by the accused's voluntary submission to discipline.

(b) Vacancies, other than for cause under canon 4(a) sec. 8 of Title IV of the Canons of the Episcopal Church, occurring in the ecclesiastical trial court shall be filled, by majority vote of the remaining members of the court, from persons otherwise qualified for election. Vacancies filled by the court shall be from the same order as the person whose vacancy is to be filled, determined at the time that such person was first elected to the court. The person so elected by the court shall serve for the remainder of the unexpired term of the member replaced. At the end of that term, the replacement is eligible to be elected to two consecutive three year terms.

#### Election of Presiding Judge

Section 3. Within two months after each diocesan convention, the ecclesiastical trial court shall elect, by majority vote, one of its members as presiding judge to serve for a term of one year or until the successor is elected.

#### Church Attorney

Section 4. The Standing Committee, by majority vote, shall appoint a church attorney to serve at the pleasure of the Standing Committee. The church attorney shall have the duties, responsibilities and authority granted by Title IV. The church attorney shall not be from the same law firm as the chancellor or a vice chancellor of the diocese.

## **CANON XVIII**

### Of the Church Pension Fund

#### THE FUND

Section 1. In conformity with the legislation adopted by the general convention of 1913, pursuant to which the church pension fund was duly incorporated, and in conformity with the canon of the General Convention, "Of The Church Pension Fund," a corporation created by Chapter 97 of the Laws of 1914 of the State of New York as subsequently amended, is accepted and acknowledged as the authorized and approved pension system for the clergy of this diocese and for their dependents.

#### ADMINISTRATION

Section 2. The administration of the affairs of the church pension fund in this diocese shall be by the Executive Board of the diocese whose duties shall be as follows:

(a) To be informed of, and to inform the clergy and laity of the diocese of the pension system created by the General Convention and committed by it to the trustees of "The Church Pension Fund," in order that the ordained clergy of the church may be assured of pension protection for themselves in the event of old age or total and permanent disability and for their widows and minor orphan children in the event of death.

(b) To receive reports from the church pension fund, from time to time, on the status of the pension assessments payable to said fund, under its rules and as required by canon law, by the diocese and by the parishes, missions, and other ecclesiastical organizations therein.

(c) To cooperate with the church pension fund in doing all things necessary or advisable in the premises to the end that the clergy of the diocese may be assured of the fullest pension protection by said fund under its established rules.

#### DUTY OF DIOCESE & CONGREGATIONS

Section 3. It shall be the duty of the diocese and of the congregations, and other ecclesiastical organizations therein, each through its treasurer or other proper official, to inform the church pension fund of salaries and other compensation paid to members of the clergy by the diocese, congregations and other ecclesiastical organizations for services rendered, currently or 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 canon of the general convention and in accordance with the rules of said fund.

#### DUTY OF CLERGY

Section 4. It shall be the duty of every member of the clergy canonically resident in or serving in the diocese to inform the church pension fund promptly of facts, such as dates of birth, or ordination or reception, of marriages, births of children, deaths, and changes in cures or salaries, as may be necessary for its proper administration and to cooperate with the fund in such other ways as may be necessary in order that said fund may discharge its obligations in accordance with the intention of the General Convention in respect thereto.

## **CANON XIX**

### Of the Committee on Constitution and Canons

#### MEMBERSHIP & DUTIES

There shall be a committee of not more than seven appointed by the bishop or presiding officer, consisting of not more than three members of the clergy, and not more than four lay persons of this diocese, to whom shall be referred for consideration and report thereon all matters relating to the constitution and canons, and such committee shall hold office for three (3) years with power to sit between sessions of the convention. Members of the committee may succeed themselves at least once. Members of the committee shall rotate in a manner as to assure continuity among the members.

#### VACATIONS

Provided: That during any sessions of the convention the presiding officer shall, and during any interim the presiding officer may, supply by temporary appointment, the place upon said committee left by any member through absence or inability to act.

## **CANON XX**

### Of Business Methods

#### FUNDS

Section 1. The diocese, its congregations of all classifications listed under Canon XI, and all other institutions of the diocese shall deposit all trust, endowment and other permanent funds, and securities represented by physical evidence of ownership or indebtedness, with a banking institution chartered by the State of Florida or the United States of America or with a diocesan corporation or some other agency approved in writing by the finance committee 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 fund or securities. The first sentence of this section 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. Also, the first sentence shall not 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.

## AUDIT

Section 2. All accounts of the diocese, parishes, aided congregations or other institutions shall be audited annually by a certified public accountant independent of the organization being audited or by such audit committee as shall be authorized by the treasurer of the diocese except in the case of the diocese which must be audited by a certified public accountant. 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 treasurer of the diocese or the ecclesiastical authority not later than September 1st of each year. Such report shall cover the financial activity and reports thereof for the previous calendar year.

## INSURANCE

Section 3. All church buildings and personal property owned by the church shall be insured in a reliable insurance company, for an amount to be determined by the vestry or other governing body having ownership or supervision of the property. Compliance with this canon shall be reported in the annual report made by each congregation.

## REPORTS

Section 4. The convention shall have power to call for reports and financial statements from every congregation, school, orphanage, home, and other institutions and corporations of the church within the diocese.

## BOARD

Section 5. The treasurer of every fund in excess of two thousand (\$2,000.00) shall be placed under adequate bond, the amount to be determined by the executive board.

## INCORPORATION

Section 6. No organization, parochial or diocesan, shall be incorporated under the laws of the state, nor its charter amended, until it shall have first secured the consent of the bishop and Executive Board and the Standing Committee.

## RELATED ORGANIZATIONS

Section 7. No corporation or other organization shall use the name of this church or claim to be a church-related organization without first having secured the approval of the bishop, the Executive Board, and the Standing Committee. Prior to the granting of any such approval, the organization or corporation seeking the approval shall provide one permanent space on its board of

directors or other governing body to be filled by appointment of the Executive Board. The person appointed by the Executive Board shall make a written report to the Executive Board at least once a year, preferably immediately following the annual meeting of the corporation or organization on whose board that person sits.

It shall not be lawful for any such organization or corporation or the corporate officers thereof to encumber, sell, alienate, transfer, or convey any real property, the title of which is held by and for the use of the organization, without the consent of the Executive Board. Nor shall any aforesaid approval imply any authority on the part of the corporation or organization to incur any liability of any kind against the diocese.

## **CANON XXI**

### **Of the Commission on Ministry**

#### **MEMBERS AT LARGE, EX OFFICIO MEMBERS & CHAIRMAN**

Section 1. (a) At each annual convention the bishop shall nominate and the annual convention shall confirm a Commission on Ministry, to consist of not less than three (3) clergy and five (5) lay persons to serve not more than five years on a rotating basis as members-at-large on the Commission on Ministry; provided that should there be no nomination at the annual convention, they shall continue in office until their successors are nominated and confirmed.

(b) The bishop, the bishop coadjutor, suffragan bishop if there be such, the president of the Standing Committee, the chairperson of the screening and review committee, the chairperson of the examining chaplains, the chairperson of the continuing education committee and the chairperson of the committee on the ministry of the laity shall be ex officio members of the commission with seat, voice and vote. The canon to the ordinary or the canon's designate shall be a member

ex officio with seat, voice and no vote. The ex officio members of the commission shall continue in office until their successors are nominated by the bishop and confirmed by the convention.

(c) The chairperson of the Commission on Ministry shall be selected by the commission, which selection shall be approved by the bishop.

## DUTIES, COMMITTEES EXAMINATIONS

Section 2. (a) It shall be the duty of the Commission on Ministry to assist the Bishop in matters pertaining to the development and affirmation of the ministry of all baptized persons in the church and in the world, and specifically in matters pertaining to the recruitment, selection, training, education, pastoral care, examination, evaluation and deployment of aspirants, postulants and candidates for Holy Orders; in matters pertaining to the continuing education and development of the clergy of the diocese, all bishops, priests and deacons; and in supporting the development, training, utilization and affirmation of the ministry of the laity in the world.

(b) Subject to the canons of General Convention and of this diocese, and subject further to the approval of the bishop, the Commission on Ministry shall have authority to appoint committees from and beyond its membership as it may find necessary to act on its behalf. There shall be at least these committees: (1)Screening and Review, (2)The Examining Chaplains,(3)Continuing Education, (4)Ministry of the Laity.

(c) The Commission on Ministry in consultation with the bishop, and through the examining chaplains, shall provide for the conduct of the examinations of candidates for Holy Orders required by the General Convention canons in the following subject matters: (1)the Holy Scriptures, (2)church history, (3)Christian theology, (4)Christian ethics and moral theology, (5)studies in contemporary society, (6)liturgics, (7)theory and practice of ministry, and (8)canon law (required for the diaconate only).

## INTERVIEWS & FINDINGS

Section 3. (a) The Commission on Ministry, under the guidance and oversight of the bishop, shall interview each aspirant prior to acceptance as a postulant, each postulant prior to acceptance as a candidate, each candidate prior to ordination, alike to the diaconate and priesthood.

(b) The Commission on Ministry shall report in writing and without delay the findings of these interviews to the bishop and the Standing Committee.

Section 4. The Commission on Ministry shall report to each annual convention of the diocese.

## **CANON XXII**

### Of the State of the Church

#### COMMITTEE APPOINTMENTS & DUTIES

A committee on the state of the church, consisting of one member of the clergy and one lay person from each of the deaneries shall be appointed by the bishop to hold office for three years, with authority to convene between sessions of the convention. The bishop shall submit to this committee the annual reports of the congregations furnished him. Based on the reports, and all other sources of information, the committee shall study the spiritual and material condition of the church in the diocese and report to the convention annually, making its recommendation as deemed advisable for furtherance of the church's work. One-third of the member terms shall expire each year, and no member shall serve successive terms.

## **CANON XXIII**

### Of Schools

#### CONSENT & APPROVAL

Section 1. No school providing secular education for young people equivalent to that provided by kindergartens or any of the first twelve grades of the public school systems and claiming to be with or under the control, auspices or approval of this church, shall be established by any congregation (or other institution) in this diocese without first obtaining the consent and approval of the bishop and Executive Board nor shall any such school be operated or maintained by any congregation (or other institution) in this diocese without the continued approval of the bishop and executive board.

#### MINIMUM STANDARDS

Section 2. The bishop and the Executive Board are hereby authorized to make and provide minimum standards and requirements for the establishment, the approval, and the accreditation of such schools, including reasonable probationary periods. Any school failing to meet the minimum standards may be closed by the bishop and Executive Board.

#### REPORTS

Section 3. The bishop and the Executive Board may require reports from all such schools and specify the information to be disclosed by such reports and shall have the right to inspect, or cause to be inspected, such school at any time.

## **CANON XXIV**

### Of Church Architecture

#### MEMBERSHIP & DUTIES

There shall be a Commission on Church Architecture and Allied Arts, members of which shall be appointed by and serve at the pleasure of the Executive Board. It shall be the duty of the commission to review all plans for new churches, chapels, parish houses, rectories, and other parochial or diocesan buildings and to advise congregations and the diocese on matters of architecture and allied arts and significant alterations thereto and to make its recommendations to the Executive Board.

## **CANON XXV**

### Of the Historian

#### DUTIES & RESPONSIBILITIES

Section 1. There shall be an historian of the diocese whose duties are to prepare a narrative account of the diocese during the term of office during which the historian serves. When that account is approved by the convention it will become a permanent part of the official history of the diocese.

Section 2. It shall be the duty of the historian to collect and preserve those instruments which reflect the significant historical events of the diocese and to preserve those instruments in appropriate archives, which shall be designated by the bishop or the bishop's representative.

Section 3. It shall be the responsibility of the historian to receive and preserve those articles of historical significance in the diocese and to make them available for display in a diocesan museum should such be available.

## **CANON XXVI**

### Of Terminology used in these Canons

The intent of the language in these canons is to include men and women equally in all positions and deliberations described herein.

## **CANON XXVII**

### Of Alterations and Amendments

Section 1. These canons may be amended at any annual convention of the diocese by a two-thirds (2/3) vote, provided that the amendment has been submitted in writing to the Committee on Constitution and Canons not less than ninety (90) days prior to the annual convention and to all delegates not less than thirty (30) days prior to the annual convention.

Section 2. The Secretary of the diocese shall be authorized to correct canon and section designations, punctuation, and cross references and to make such other technical changes to the canons as may be necessary.

## **CANON XXVIII**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the diocese in all cases to which they are applicable to the extent a rule is not inconsistent with the Constitution and Canons of the Episcopal Church, the Constitution and Canons of the Diocese of Southeast Florida and any special rule of order the Diocese may adopt.

