



The Canons

of the

Diocese of Easton

Note: The 137th Convention meeting on January 29, 2005, adopted two resolutions which reorganized and renumber the Canons.

Journal of 2005, pp. 10,11 and 82 – 85.

Title I
Of Conventions, Synods, and Related Matters

Canon 101
Of Date and Place of Convention

- Sec. 101.01 **Date, Place, & Time**
 .011 The Annual Convention shall be convened in each year, on such date between the third Sunday in January and the second Sunday in March and at such time and place as the Bishop shall determine and announce at least ninety (90) days prior to the date of Convention.

Journal of 1978, pp. 22, 49: New Canon enacted to reflect constitutional change that provided for time and place of Convention to be set by canon.

Journal of 1985, pp. 51, 73: This Canon was amended to provide flexibility in the date and site of the Annual Convention.

Canon 102
Procedure of Convention

- Sec. 102.01 **President of Convention.**
 .011 **President *Pro Tempore*.** If there be no Bishop of the Diocese present at the opening of the Convention for any reason, the Secretary of the Convention shall call the meeting to order; immediately thereafter, the Convention shall elect, by joint ballot, a priest of the Diocese as president *pro tempore*, who shall preside until the Bishop shall attend; but the Bishop may appoint a president *pro tempore* during his or her temporary absence from any other part of the Convention proceedings.
- .012 **Prerogatives of Office.** Whosoever shall preside
- .012(a) may advise the Convention, as often as he or she may deem expedient, his or her general view of the state of the Church,
- .012(b) may deliver his or her sentiments on any subject after it has been debated, before a vote thereon, but
- .012(c) he or she shall not enter into debate on any question.

- Sec. 102.02 **Joint Vote**
.021 **When Taken.** A vote on any question before the Convention shall ordinarily be determined, unless specifically ordered otherwise by the Constitution or by canon or unless a vote by orders is called for, by a joint vote of both orders, said joint vote may be either *viva voce* or by show of hands; however, a majority of the members then present may call for a roll call vote.
- .022 **Count of Vote.** When a vote shall be taken on any question, or when the election for Convention officers and members of committees be had by joint ballot, the votes, or ballots, of all members of the Convention then present shall be counted together, the clerical with the lay, and a majority of the vote of all members then in attendance and voting shall be necessary to validate the election or to determine the question.
- Sec. 102.03 **Vote by Orders**
.031 **When Taken.** A vote by orders shall be taken on any question in accordance with the provisions of Article VI, Sec. 4 of the Constitution.
- .032 **Count of Vote.** When a vote shall be taken by orders, in an election or to determine a question, it shall be taken in the following manner; clerics, entitled to vote, shall cast one vote each in the clerical order; lay delegates, entitled to vote, shall cast one vote each in the lay order. The vote in the lay order shall be cast and counted separately and the concurrent majority of the votes of the two orders, so cast and counted, shall be necessary to validate an election or to determine the question.
- Sec. 102.04 **Reports and Budgets of Departments and Committees**
.041 **Delivery to Secretary in writing.** All reports of Departments, Commissions and Committees requiring action by Convention shall be submitted in writing, to the Secretary no less than thirty (30) days in advance of the meeting of the Convention. The Secretary shall forward a copy of each of the aforesaid reports to each clerical and lay delegate, each lay alternate, and each parish Registrar no less than fifteen (15) days prior to the meeting of the Convention.
- .042 **Exceptions.** No verbal Committee, Commission or Department report shall be permitted, except in explanation of a proposed action. Any report not submitted within the time prescribed in Sec. 102.041 above, in writing, shall only be considered upon a majority vote of the Convention to do so.

- .043 **Reports filed by Title.** Reports not requiring action by Convention shall be submitted in writing to the Secretary no less than thirty (30) days in advance of the meeting of the Convention and shall be automatically filed by title without discussion or debate.
- .044 **Debate on Reports filed by Title.** There will be provided on the agenda an opportunity for any report filed by Title to be subject to question at the Convention. Any Delegate desiring to question a report shall so signify in writing to the Secretary, so that he or she may be recognized for that purpose at the appropriate time.
- .045 **Reports requiring action.** Each report and proposed budget requiring Convention action will be assigned a specific place on the agenda by the Committee on the Dispatch of Business.

Sec. 102.05

Nomination and Election.

- .051 **Report of Nominating Committee.** The Nominating Committee shall offer no less than one more name in nomination for each office than the number of vacant positions to be filled on the Diocesan Council (excluding seats filled by Convocation nomination), the Standing Committee, as deputy or alternate deputy to the Provincial Synod, and as deputy or alternate deputy to General Convention. Clerical and lay positions shall be considered separate offices. Only one name need be submitted for any other office. No name shall be submitted unless the nominee has previously agreed to serve if elected.
- .052 **Biographical material on nominees.** With its list of nominees, the Nominating Committee shall submit to the Secretary no less than forty-five (45) days in advance of the meeting of the Convention, brief biographical material as to each nominee. The Secretary shall forward copies thereof to each clerical and lay delegate, each alternate, and each Registrar as provided above for copies of the Report.
- .053 **Floor nominations.** Nominations shall be permitted from the floor for any elective office provided the nominee shall have agreed to serve if elected. In making such a nomination, either the nominator or the seconder may have no more than one minute to introduce biographical data regarding the nominee. No other data or remark with respect to any nominee is to be allowed during the nomination and election.

- .054 **Election.** During an election, a nominee, in person or through an authorized spokesman, may withdraw his or her name from further consideration at any time.
- .055 **Results.** The tellers shall announce the tally of each ballot as soon as practicable after the vote. The tally of a ballot must be announced before any required subsequent ballot.
- Sec. 102.06 **Motion or Resolution in Writing**
- .061 **Delivered to Secretary in writing.** No motion or resolution shall be considered by Convention unless a complete copy thereof shall have first been delivered in writing to the Secretary. Each proposed amendment of a pending resolution shall be reduced to writing and delivered to the Secretary before consideration by Convention.
- .062 **Advance Notice of Resolution.** No Resolution for current Convention action shall be received, even if submitted by any Standing, Regular or Special Committee of the Diocese, unless a copy thereof shall have been delivered to the Secretary of Convention at least seven (7) days prior to the Convention. The Secretary shall ensure that each clerical and lay Delegate, each lay alternate, receives a copy of each resolution in their respective convention registration packets.
- .063 **Waiver.** The requirements of this section may be waived only by a majority vote of Convention.
- Sec. 102.07 **Consideration of the Budget.** Budgets shall be considered by the delegates sitting as a Committee of the Whole in the regular Agenda of Convention. The Department of Finance shall present the budget to Convention and shall respond to any questions that may be submitted from the floor. Amendments, additions, or deletions may be offered successively in respective presentations and decided by proper vote of the Delegates. Final action shall be taken thereon following such Committee consideration, by the delegates sitting at Convention.
- Sec. 102.08 **Independence of Delegates.** While Delegates may submit proposed budgets or other questions to their Vestries in order to receive such advice or direction as their vestry may wish to give, such advice or direction shall be advisory and not binding upon the Delegates at Convention.
- Sec. 102.09 **Minutes of Convention.** The Secretary shall complete the minutes of proceedings, and submit a copy to the Bishop who

shall cause it to be mailed to each clerical and lay delegate, each lay alternate, and each Registrar within sixty(60) days of its adjournment.

Sec. 102.10 **Suspension of Procedure of Convention.** The Convention may suspend any provision of Sections 102.04 and 102.06 by majority vote.

Journal of 1966, p. 11: Section 3(b) was amended to conform to the one-half vote given diocesan mission delegates.

Journal of 1970, pp. 17, 37: Section 3(b) was amended to conform to the constitutional change on lay vote set out in Article III, Section 4(b).

Journal of 2000, pp. 175-177: Sections 5 through 11 were added to incorporate the Rules of Procedure adopted in 1986 into the Canons.

Journal of 2001, pp. 76-78: Sections 5 through 11 revised at the instruction of the Convention to more adequately reflect the purposes of the 2000 revision.

CANON 103 Of The Seat of Clerics in Convention

Sec. 103.01 **Certification.** At least two (2) weeks before the meeting of every Convention, the Bishop, or the President of the Standing Committee, if there be no Bishop, shall prepare a list of all clerics canonically resident in the Diocese, with their titles and place of residence, and shall indicate those entitled to vote in Convention. The list shall be recorded by the Secretary of Convention in a book to be kept for that purpose, and shall be laid before the Convention on the first day of meeting, and shall be evidence of the right of all those there indicated to a seat or vote or both as the case may be. Said list shall be printed in the Journal.

Sec. 103.02 **Absence from Convention.** No cleric, parochial or non-parochial, shall absent himself or herself from Convention without the previous consent of the Bishop.

Journal of 1996, pp. 16 & 58: Gender neutral language was adopted.

CANON 104 Of the Election and Certification of Lay Delegates and Their Alternates

Sec. 104.01 **Election.** Lay delegates and alternates of parishes in union with this Convention shall be elected or appointed pursuant to the

Journal of 1977, pp. 25, 59: Section 1A [104.2] added to specify the number of lay delegates to which parishes are entitled in accord with change in Article III, Section 4(b) (ii) of the Constitution, and to change the designation of alternate delegates from being an alternate to a specific delegate to an order of succession for alternates established by the parishes.

Journal of 1978, pp. 23, 50: Section 2(a) [104.31] amended to delete a specific date and to provide a 60 day period prior to Annual Convention for mailing certificates of election by delegates by Secretary of Convention; and providing that completed certificates be returned ten days prior to Convention. Further, subsection 2(b) [104.32] amended to provide wording of certification to be determined by Secretary of Convention.

CANON 105

Of the Committee on Nominations

Sec. 105.01 **Appointment.** The Bishop shall, not less than ninety (90) days before each Annual Convention, appoint a Committee on Nominations. The Committee shall consist of a chairperson, three (3) clergy, one (1) from each Convocation, and five (5) additional lay members, at least one (1) from each convocation.

Sec. 105.02 **Duty of the Committee.** It shall be the duty of such Committee to nominate to the ensuing Convention persons, in their judgment, qualified to execute the offices then required to be filled by election by Convention under either the Diocesan Constitution or Canons, or otherwise.

Sec. 105.03 **Duty of the Chair.** It shall be the duty of the Chair of the Committee on Nominations to certify in writing the accuracy and completeness of the ballot before it is distributed to the voting Delegates of a Diocesan Convention.

Journal of 1985, pp. 52-73: The Canon was amended to consolidate the responsibility for all nominations in a single committee.

Journal of 1995, pp. 15 & 53: The reference to sub-Deans of Convocation was deleted and 3 clergy, one from each Convocation, substituted.

Journal of 2002, pp. 29: Title of Section 2 [105.2] changed from "Duty" to "Duty of the Committee" and a new "Section 3.[105.3] Duty of the Chair" requiring the ballot be certified by the Chair of the Committee on Nominations in writing as to the accuracy and completeness of the ballot before distribution of same to Delegates.

CANON 106

Of Deputies to General Convention

Sec. 106.01 **Election of Deputies.** At the annual Convention next preceding the meeting of General Convention, or at an annual Convention held at least one full year before the meeting of General Convention, as the Convention, by resolution shall determine, there shall be elected four (4) clerical and four (4) lay

deputies to General Convention, or such other number as General Convention may require. Election shall be had by concurrent vote of the clerical and lay members voting hereon separately.

- Sec. 106.02 **Election of Alternates.** An equal number of alternate deputies shall also be elected in like manner; provided, however, that on the ballot which completes the election of clerical or lay deputies, as the case may be, the Convention may, by resolution, declare the election of a sufficient number of the remaining nominees to complete the alternate delegation of that order, in sequence from the highest number of votes cast for the nominees on that ballot.
- Sec. 106.03 **Notification.** Each deputy-elect shall notify the Bishop in writing of his or her ability or inability to attend the General Convention as soon as possible after his or her election, and not less than sixty days prior to the date of the opening of General Convention. If any deputy-elect shall fail so to notify the Bishop of his or her intention within the time prescribed, the Bishop shall consider that a vacancy exists and shall fill the same as hereafter prescribed.
- Sec. 106.04 **Vacancies.** A vacancy occurring, for any reason, among the elected deputies shall be filled from the alternates of the order in which the vacancy shall occur in the order of their election or in sequence from the highest number of votes each received when elected, as the case may be. If there be not sufficient alternates to complete the full number of deputies, the Bishop, with the advice of the Standing Committee, shall appoint the required number.

CANON 107

Of Deputies to the Provincial Synod

- Sec. 107.01 **Election of Deputies.** The Convention shall, at the annual meeting next preceding the meeting of the Synod, elect by joint ballot for a three (3) year term, one (1) clerical and two (2) lay deputies to the Provincial Synod, or such other number as the Synod shall require.
- Sec. 107.02 **Election of Alternates.** An equal number of alternate deputies shall also be elected in like manner; provided, however, that on the ballot which completes the election of clerical or lay deputies, as the case may be, the Convention may, by resolution,

declare the election of a sufficient number of the remaining nominees to complete the alternate delegation of that order, in sequence from the highest number of votes cast for the nominees on that ballot.

Sec. 107.03 **Notification and Vacancies.** Deputies-elect shall make the same notification to the Bishop required of deputies-elect to General Convention, and vacancies occurring among the deputies-elect shall be filled in the same manner as that prescribed for the filling of vacancies of deputies-elect to General Convention.

Journal of 1995, pp. 15 & 54: A 3 year term and composition of 1 cleric and 2 lay in Section 1 [107.1] made to reflect changes required by the Provincial Synod.

Title II Of Officers of the Convention and Diocese

CANON 201 Secretary of Convention

Sec. 201.01 **Duties.** It shall be the duty of the Secretary of Convention:

- .011 To take down and record the minutes of the proceedings of the Convention;
- .012 To assemble and preserve in permanent form the minutes, journals, and all other books and records of the Convention;
- .013 To give notice by mail to all clerics, all lay delegates and their alternates, if known, to the registrar of every parish and similar officer of each mission, with or without a rector, and to all persons entitled to a seat in the Convention, of all meetings thereof, annual and special;
- .014 To prepare from the parochial certifications of lay delegates and alternates a tentative roll of delegates;
- .015 To supervise the registration of all clerical and lay delegates and alternates who attend the Convention;
- .016 To publish and mail to every cleric and lay delegate, and to such other persons as may be entitled thereto, Convention Journal as soon as practicable after the adjournment of the annual Convention;
- .017 To exchange Convention Journals each year with the Registrars or Secretaries of other Dioceses, and those received shall be the property of the Diocese;

- .018 To make and prepare, each year jointly with the chairperson of the Department of Finance a tabulation of vital and financial statistics of the parishes, not less than thirty (30) days prior to the date of the annual Convention of the Diocese;
- .019 To forward to the Secretary of the House of Deputies of the General Convention, as soon as practicable, such copies of the latest Journal of the Diocesan Convention as may be required;
- .0110 To sign all official documents requiring the signature of the Secretary of the Convention and affix the Convention seal;
- .0111 To deliver into the hands of his or her successor all minutes, journals, records, documents and all other books and papers concerning the Convention of which he or she may have possession;
- .0112 To perform such other duties as the Convention may from time to time delegate to or require of him or her; as well as such duties as may be required by the Constitution of the Diocese or any general diocesan canon.

Sec. 201.02 **Assistant Secretaries.** At each annual Convention one or more Assistant Secretaries may be appointed by the Secretary with the consent of the Bishop. An Assistant Secretary shall assist the Secretary in the performance of his or her duties. In the absence or inability of the Secretary to act for any reason whatever, the aforementioned duties shall devolve upon an Assistant Secretary, including the affixing of his or her signature to official documents requiring the signature of the Secretary of Convention.

Journal of 1961, p. 20: Sec. 2 [201.02] amended to provide more than one Assistant Secretary, and the method of appointment.

Journal of 1992, p. 109: Section of 1(b) [201.18] amended to reflect what was formerly a Committee is now a Department as defined in Canon 13 [403].

CANON 202 Of the Treasurer of Convention

Sec. 202.01 **Duties.** The Treasurer of the Convention shall receive and disburse all moneys received or collected for the account of the Diocese, and shall have such other powers and perform such other duties as the Convention or the Diocesan Council may from time to time require of him or her, and as may be required by the Constitution of the Diocese and General or Diocesan Canon. He or she shall deliver into the hands of his or her successor all account books and moneys, and other property of the Convention, then in his or her custody.

- Sec. 202.02 **Deposits.** All monies received by the Treasurer shall be deposited in the name of the Convention, or his or her name as Treasurer thereof, in such depositories as he or she may select, or such as the Convention or the Diocesan Council may from time to time direct.
- Sec. 202.03 **Accounts.** The Treasurer shall keep a detailed account of the receipts and disbursements of all diocesan funds in books of account provided for that purpose, and shall prepare and present to the Diocesan Council a quarterly account of his or her transactions and a report of the financial state of the Diocese, and shall make a like accounting and report to the Convention at each annual or special meeting thereof.
- Sec. 202.04 **Bond.** The Treasurer shall give corporate surety bond for the faithful performance of his or her duties in such penalty as the Convention or the Diocesan Council may from time to time require, the premium thereon to be paid by the Diocesan Council.
- Sec. 202.05 **Assistant Treasurers.** At each annual Convention one or more Assistant Treasurers may be appointed by the Treasurer with the consent of the Bishop. An Assistant Treasurer shall assist the Treasurer in the performance of his or her duties. In the absence or inability or the Treasurer to act for any reason whatever, the aforementioned duties shall devolve upon an Assistant Treasurer.

Journal of 1961, p. 20: Added last clause to first sentence of Section 1 [202.01] and the entirety of section 5 [202.5].

Journal of 1984, p. 33: Sections 1 [202.01], 3 [202.3] and 4 [202.04] of Canon 6 were amended to reflect a merger of the office of Treasurer of the Convention.

CANON 203 Of the Chancellor of the Diocese

- Sec. 203.01 **Duties.** In addition to such duties as may be prescribed elsewhere in these Canons, or in the Constitution of the Diocese of Easton, it shall be the duty of the Chancellor of the Diocese:
- .011 To act as Parliamentarian at meetings of Convention;
- .012 To furnish advice to the Bishop, officers of Convention, the Standing Committee, the Diocesan Council, the Board of Managers of Trust Funds and other Diocesan officers, Committees, Commission and Trustees, on questions of law

affecting the performance of their respective official duties or pertaining to their respective areas of responsibility;

.013 Upon written request of any Rector or Vestry to render written opinions concerning the interpretation of Subtitle 3, Religious Corporations of the Corporations and Associations Article of the General Public Laws of Maryland, the Charter of the Diocese, and the Constitution and Canons of the General Church and of this Diocese, provided, however, that:

.013(a) If any such request shall involve the rights or interest of more than one Parish, the request for an opinion shall be submitted by proper authorities of both or all of the Parishes affected;

.013(b) If any request shall concern the legality of parochial by-laws or amendments thereof, the request shall be referred to the Committee on Constitution and Canons, pursuant to the provisions of Section 405.05 of Canon 405; and

.013(c) If any such request shall concern the legality of a proposed amendment to the Diocesan Constitution or Canons, the request shall be referred to the Committee on Constitution and Canons, pursuant to the provisions of Section 405.06 of Canon 405.

Sec. 203.02 **Record of Opinions:** Whenever the Chancellor shall render a written opinion pursuant to the provisions of Section 203.013 of this Canon, he or she shall make a record of the same, and shall report the same from time to time to the Committee on Constitution and Canons. The Chancellor may also, in his or her discretion, report to said Committee any written opinions furnished pursuant to of Section 203.012 of this Canon.

Journal 1961, pp. 20, 75, 76: New Section added, defining duties of Chancellor.

Journal 2005, pp. : Section 1(c) [203.013] amended to reflect that by virtue of Chapter 308, Acts of 1999 of the General Assembly Maryland, the provisions of The Vestry Act (Article 23 of the Annotated Code of Maryland, 1957) were repealed and a new religious corporation law for the Diocese of Easton enacted.

CANON 204 Of the Registrar of the Diocese

Sec. 204.01 **Duties.** It shall be the duty of the Registrar of the Diocese to enter and record in a book provided for that purpose; a record of all consecrations and ordinations held in this Diocese; a record of all letters dimissory received and issued; a record of all clerical changes in the Diocese, including acts of suspension and degradation performed by the Bishop; a record of the

consecration and secularization of Church buildings or Church Property; and a record of the establishment or dissolution of parishes.

CANON 205
Of the Archivist of the Diocese

- Sec. 205.01 **Appointment.** At each annual Convention, the Bishop shall appoint an Archivist of the Diocese, subject to confirmation by the Convention.
- Sec. 205.02 **Duties.** It shall be the duty of the Archivist of the Diocese:
- .021 To preserve copies of the Journals and all other publications and documents relating to the history of the Church in the Diocese, and to keep a record or list thereof, as well as such other documents and manuscripts as may be presented to the Diocese, noting thereon the name of the Donor;
- .022 So to label, arrange or file and index the list of such Journals, publications, documents and manuscripts that each may be easily referred to; and to store such of them as may be valuable in a safe place at the expense of the Diocese:
- .023 To make an annual report to the Convention.

Journal of 1990, p. 150: Title of Historiographer changed to Archivist.

Title III
Of Standing Committee, Diocesan Council,
& Diocesan Budget

CANON 301
Of the Standing Committee

- Sec. 301.01 **Organization.** As soon as practicable after the adjournment of the annual Convention, the Standing Committee shall choose one of its members to be its president, and a member from the opposite order to be secretary; vacancies in either office or in the membership of the Standing Committee shall be filled promptly by the Committee.
- Sec. 301.02 **Presiding Officer - Quorum.** The president shall preside at all regular and special meetings of the Committee; and not less than four (4) of its members, the whole membership having been

notified to meet, shall constitute a quorum, and a majority of the quorum shall be competent to take action on all matters presented, unless otherwise specifically ordered.

- Sec. 301.03 **Meetings.**
- .031 **Regular.** Regular meetings shall be held in June and in December of each year.
- .032 **Special.** Special meetings may be called from time to time by the president or by the Bishop, at such time and place as the convener shall determine.
- Sec. 301.04 **Secretary.** The secretary shall keep an accurate record of the proceedings of the Committee, and shall present to each annual Convention an abstract thereof accounting from the last annual Convention. The secretary shall also notify the Bishop and the Secretary of Convention promptly of the election of its officers and of any change in the membership of the Committee.

Journal of 1996, pp. 16 & 58: Section 1 [301.01] amended to take out requirement that president will be a cleric and require that the 2 officers will be 1 from each order.

CANON 302 Of the Diocesan Council of the Diocese

- Sec. 302.01 **Organization.**
- .011 **Officers.** As soon as practical after the adjournment of convention, the Council shall annually elect from among its membership a Vice-President and shall also elect a Secretary. Its Treasurer shall be the Treasurer of the Convention.
- .012 **Departments of Council.** There shall be the following departments in the Diocesan Council:
- .012(a) A Department of Missions;
- .012(b) A Department of Finance; and
- .012(c) Such other departments as the Diocesan Council may from time to time deem necessary or expedient.
- .013 **Chairpersons of Departments.** The Bishop may, if he or she so desires, be chairperson of any department, and shall be chairperson of the Department of Missions. If the Bishop shall elect not to exercise the aforesaid prerogative, he or she shall so notify the Diocesan Council at the next meeting after each annual Convention and shall, with the approval of the Council, appoint chairperson for the departments so vacated.

- .014 **Organization of Departments.** The chairperson of each department shall have power to appoint, subject to confirmation by the Council, additional members of the department, who shall vote in the department, but shall not have a seat or vote in the Diocesan Council unless otherwise qualified. The chairperson of each department shall promptly organize his or her department and report its proposed membership to the secretary of the Diocesan Council who shall report such appointments to the next meeting of the Diocesan Council for confirmation.
- .015 **Authority of Departments.** The Diocesan Council shall determine the scope and work of each department and prescribe the manner and means by which each department shall conduct its affairs under these canons.
- .016 **Budgets.** All Committee funds shall be budgeted exclusively through the department to which the particular Committee shall be responsible, as part of the department budget. If the Committee is expressly recognized as an independent entity by Diocesan Constitution or Canon, or by resolution of Convention, then that Committee shall submit its budget through the Department of Finance.
- Sec. 302.02 **Meetings.**
- .021 **Regular Meetings.** Regular meetings of the Diocesan Council shall be held at least once in each quarter of each year at such time and place as the president may determine.
- .022 **Special Meetings.** Special meetings may be held from time to time at the call of the president, or by a quorum of members entitled to vote, ten (10) days notice of such being given to all members.
- .023 **Notice.** For any meeting of the Diocesan Council, unless at least ten (10) members of the Council in writing waive this requirement, each member of the Diocesan Council shall receive, at least ten (10) days prior to the meeting, with the notice of the meeting, an agenda and written material setting out the essential elements of the particular substantive proposal or proposals to be considered.
- Sec. 302.03 **Duties of the Secretary.** The secretary of the Council shall keep a full and accurate record of the proceedings of the Council, and shall present to each annual meeting of the Convention an abstract thereof, accounting from the last annual

meeting of the Convention, and shall also make the complete records available for inspection by the Convention, if the Convention so requires.

- Sec. 302.04 **Duties of the Treasurer.** It shall be the duty of the Treasurer of the Convention, with the aid and assistance of the Department of Finance, to collect the financial pledge from each of the parishes, to disburse such funds, as well as such other moneys as may be received from whatever source or otherwise accumulated, for the purpose specified in the budget in accordance with the direction or order of the Diocesan Council and under the supervision thereof.
- Sec. 302.05 **By-laws.** The Diocesan Council shall have the right to adopt such by-laws, rules and regulations for its government, and the government of its various officers, agents and departments at it may deem necessary.
- Sec. 302.06 **Reports of Chairpersons of Departments.** The chairperson of each department of the Diocesan Council, organized under Section 302.012 of this canon, shall submit a report of its work to the Diocesan Council at its stated meetings. In addition, he or she shall annually submit to the Secretary of Convention, in writing and not later than thirty (30) days before the next Annual Convention, a report of the work and progress of the department during the last preceding calendar year, together with an accounting of its funds. The report of a subcommittee of a department shall be made to the chairperson of that department, who shall incorporate such report into the report of the department.

Journal of 1961, p. 20: Amended Section I [302.0 1] to provide for an assistant treasurer. The amendment also, perhaps unintentionally, required the secretary and treasurer (but not the assistant treasurer) to be clergy (corrected in 1972).

Journal of 1971, p. 22: Amended Section 2(a) [302.21] to increase meetings of the Diocesan Council (formerly Executive Council); deleted from Section 1(b) [302.22] references to Departments of Christian Education and of Christian Social Relations, and substituted the Department of Health, Education and Welfare; changed Section 6 [302.6] for the date of Departmental reports; and made a number of clarifying changes which were not intended to make changes of substance.

Journal of 1972, pp. 18, 45: Section 1 (b) was again amended, to divide the responsibilities of the Department of Health, Education and Welfare into the Departments of Christian Education and of Christian Social Relations and Health.

Journal of 1973, pp. 19, 40: Section 1 (a) was amended to remove the requirement that the Vice-President of the Diocesan Council be a clergy member.

Journal of 1977, pp. 25, 61: Section 2 was amended to change the frequency of meetings from the second Monday in each month except July and August and the month of Convention, to at least once in each quarter.

Journal of 1984, p. 33: Sections 1 (a) and 4 of Canon 11 were amended to reflect merger of the office of Treasurer of Diocesan Council into that of Treasurer of the Convention. Section 2 (c) was added to assure time for prior consideration of complex proposals.

Journal of 1985, pp. 52, 74: Section 1 (f) was added to clarify the budget process.

Journal of 1987, p. 53: Section 6 was amended to prevent sub-committees from reporting directly to Convention.

Journal of 1990, p. 149: Section 1 (b) was amended to remove identifying departments of Diocesan Council other than those required by Canon. Diocesan Council has authority to create departments as needed.

Journal of 2002, pp10 and 28: Delete reference to "apportionments" and substitute "askings" and remove the designation "Church's Program Budget."

Journal of 2007, pp. and . In 302.041 "pledge" was substituted for "askings."

CANON 303

Of the Budget of the Diocese

Sec. 303.01 Budget Process.

- .011 Presentation. The Diocesan Council shall present the proposed Diocesan Budget to the annual Diocesan Convention.
- .012 Preliminary Budget. The Department of Finance each year shall prepare for the Diocesan Council a preliminary Diocesan Budget and a request for financial apportionment from each parish. The preliminary budget shall include all anticipated expenses and income.
 - .012(a) Expenses are to be projected based upon budget requests submitted by the various Departments, Commissions and Committees.
 - 012(b) Parish Pledges. The Department of Finance shall prepare a requested apportionment from each parish, using such equitable system as may from time to time be proposed by the Department of Finance, recommended by Diocesan Council and established by resolution of Convention. Each parish shall be requested to consider the apportionment and to confirm its pledge to the Diocese by a date specified by Council.
 - .012(c) Income is to be projected on the basis of anticipated investment revenues and pledges from the parishes. For the preliminary budget the anticipated pledges will be based on Vestry approved pledges received from the parishes or, if not available, the parish shall supply an estimate of the pledge.

- .013 Preliminary Review. The Diocesan Council shall review, revise and approve the preliminary budget and shall schedule meetings of the three (3) Convocations at which the parishes shall be provided an opportunity to comment on the preliminary budget.
- .014 Proposed Budget. After receiving all parish pledges and reviewing any changes in anticipated expenses and income, the Department of Finance will make such changes as may be necessary to bring the budget into balance and propose the resulting budget to Diocesan Council for approval. Upon approval of the proposed budget, Diocesan Council shall schedule meetings of the Convocations to review a draft of its proposed and balanced budget and a listing of pledges from each parish. Then Council shall prepare and approve a final draft balanced budget, reflecting all parish pledges received to that date, and shall present this final draft to the Annual Diocesan Convention for consideration and adoption. Within the context of this canon, a balanced budget is defined as one in which Total Expenses are within + or – 1% of Total Income.
- .015 Budget Schedule. The budget schedule is established to provide sufficient time for Diocesan Council and parish review.
- Finance Department requests budget data
 - At least 30 days later budget data or estimates thereof are supplied to Finance Department
 - Finance Department prepares preliminary budget and presents to Diocesan Council for approval
 - Preliminary budget approved by Diocesan Council sent to parishes not less than two weeks prior to Convocation meetings
 - Convocation meetings review and comment on preliminary budget
 - All vestry approved pledges received from the parishes at date set by Diocesan Council
 - Finance Department balances the budget based on final pledges received and submits the draft proposed budget to Diocesan Council for approval
 - Draft proposed budget approved by Diocesan Council sent to parishes not less than two weeks prior to Convocation meetings
 - Convocation meetings review proposed draft budget and listing of pledges from each parish
 - Not more than ten days prior to convention Diocesan Council approves final draft balanced

budget for presentation to the Annual Diocesan Convention

- Presentation to the Annual Diocesan Convention

Sec. 303.02 **Final Budget.** The Diocesan budget, as finally adopted by Diocesan Convention, shall become the final budget and establish Diocesan financial appropriations for that year subject to the authority of the Diocesan Council prescribed under Section 6, Article X, of the Diocesan Constitution.

Sec.303.03 **Expenditure.** The sums so levied shall be paid to the Treasurer of the Convention, and he or she shall expend such funds, as well as such other moneys as may be received from whatever source, for the purpose specified by the Convention under the supervision of the Diocesan Council.

Sec.303.04 **Payment of Pledge.** Each parish shall be requested to pay its annual pledge to the Diocese in installments during the budget year and to complete payment of said pledge by no later than March 1 of the following year.

Journal of 1987, p. 51: Canon 14 [303] was repealed and re-enacted in its entirety, with substantial revisions to recognize the current budgetary process. The system for allocating the shares of responsibility among the various parishes, missions, and other congregations, prescribed by Sec. 1(b) above, is contained at p.54 of the 1987 Journal.

Journal of 1992, page 109: Section 1(f) amended to make clear from when the 30 days is measured.

Journal of 2000, pp. 180-181: The canon was rewritten to establish the new unified budget process.

Journal of 2003, pp. 31-34: The canon was amended at the request of the Department of Finance to provide a more realistic schedule for preparing, considering, and approving Diocesan Budget by Diocesan Council and to define the meaning of "balanced budget" within the context of this canon.

Journal of 2007, pp. and . Canon 303 was rewritten at the request of the Department of Finance to conform to the current budget process.

Title IV Of Departments, Commissions, Committees, Boards, Etc.

CANON 401 Of Committee Structure

Sec.401.01 **Chairperson.** Unless otherwise provided by the Diocesan Constitution or Canons, the Bishop shall appoint the Chair of each Committee which is not a Committee of a Department.

The chairperson of a Department in consultation with the Bishop shall appoint the chairperson of each Committee of that Department, when he or she organizes the Department and its Committees as provided by Canon 302. In the event that a Committee or Department is responsible for the disbursement of funds, such Committee or Department shall, promptly after its appointment, elect a Treasurer from its members, who shall not be the same individual as the chairperson.

Sec. 401.02 **Tenure.** No chairperson of a Committee or Department shall serve more than four (4) consecutive years. After one (1) year has elapsed from the expiration of his or her last year of service as chairperson, however, such person shall be eligible for appointment as chairperson.

Sec. 401.03 **Convocation Representation.** If practicable, each Committee and Department shall have at least one (1) member from each Convocation. Each Convocation may, at its option, recommend to the chairperson one or more persons for appointment to that particular Committee or Department.

Journal of 1977, pp. 25, 61: Canon 25 [401] added.

Journal of 1985, pp. 52, 74: Section I [401.01] was amended to clarify the responsibility for appointment of chairmen and members of committees. Section 3 [401.03] was added to encourage broad representation on the committees.

CANON 402

Of the Department of Missions

Sec. 402.01 **Composition.** The Department of Missions shall consist of the Bishop, who shall be chairperson thereof, the Deans of Convocation, and such other clerical and lay members as may be appointed by the Bishop and approved by the Diocesan Council. Upon its organization, the Department of Missions shall elect from among its clerical members a Vice chairperson who shall have authority to call meetings of the Department and to preside at such meetings in the absence of the Bishop and while the Episcopate is not vacant. In the event of a vacancy in the Episcopate, the Vice chairperson shall have authority to call meetings of the Department and to preside thereat in the absence of the President of the Standing Committee.

Sec. 402.02 **Vacancy in the Episcopate.** In the event of a vacancy in the Episcopate, the President of the Standing Committee shall become chairman ex-officio and the last members appointed

shall remain in office until the succeeding Bishop shall make his or her own selection. Vacancies occurring during the interim in the department shall be filled by the remaining members, subject to confirmation by the Diocesan Council.

- Sec. 402.03 **Duties of Department.** In addition to such matters as may be referred to the Department of Missions or required of it from time to time by the Diocesan Council or the Convention, to the Department shall be referred:
- .031 All matters concerning the unification, development and prosecution of missionary work and Church extension in the Diocese, for study and report or action as the Diocesan Council may require;
- .032 All requests for aid to parishes, separate congregations and missions, for study and report to the Diocesan Council, or in an emergency, for appropriation within the limit of its budget;
- .033 All applications for the establishment of mission congregations, for study and report to the Diocesan Council or to the Convention as the case may require.
- Sec. 402.04 **Report of Aided Parishes.** The Bishop shall require of each parish, receiving financial aid from the Diocese a report to be made by the rector, priest in charge and at least one (1) member of the vestry or of the board of trustees of a mission; and said report shall be made annually and in person and shall set forth the disposition of the funds so received.

Journal of 1965, p. 38: Last sentences added to Section I [402.11] to provide Vice chairperson.

Journal of 2005, pp. : Section 3(c) [401.033] amended by removing the semi-colon (;) and the word "and" for the end of the sentence and replacing with a period (.). Section 3(d) eliminated in its entirety.

CANON 403

Of the Department of Finance

- Sec.403.01 Composition.** The Department of Finance shall consist of a lay or clerical Chairperson, three (3) clerical and six (6) lay members, plus the Treasurer of Convention. The Chairperson shall be appointed by the Bishop for up to four (4) one year terms. Each year the Bishop, in consultation with the Chairperson, shall appoint one (1) clerical and two (2) lay members for a term of three (3) years.
- Sec.403.02 General Duties.** The Department of Finance shall:

- .021 Have and perform the duties imposed by the canon of General Convention, Title 1 Canon7, "Of Business Methods in Church Affairs."
- .022 Exercise general supervision of the financial affairs of the Diocese to assure proper collection and disbursement of all diocesan funds and cooperation between the several officers, committees and other personnel with respect to financial matters;
- .023 Act as financial advisor to the Bishop, and upon request, as financial advisor to any vestry in the diocese: and
- .024 Perform such other duties relating to the financial affairs of the Diocese as may be referred to it from time to time.

Sec.403.03 Specific Duties.

- .031 **Preparation of Budget.** The Department of Finance shall prepare annually the Diocesan Budget pursuant to the provisions of Canon 303.
- .032 The Department of Finance, through its chairperson, shall, with the cooperation of the Secretary of Convention, make and prepare a tabulation of vital and financial statistics of the parishes of the Diocese based upon the annual parochial reports for submission to the Convention and for incorporation into the Journal.
- .033 The Department of Finance shall keep an accurate record of its proceedings and report the same to the Convention, if and when required.
- .034 The Department of Finance shall cause the accounts of the treasurer of the Convention to be audited.
- .035 The Department of Finance shall see to it that adequate insurance is maintained on the property of all Churches in the Diocese

Journal of 1978, pp. 23, 51: In Section 3, terms "Convention Fund" and "Shared Objective" changed to "Diocesan Fund" and "Church's Program," respectively.

Journal of 1984, p. 34: Sections 1 and 3(d) amended to reflect merger of the office of Treasurer of Diocesan Council into that of Treasurer of Convention.

Journal of 2000, pp. 178-179: The canon was rewritten to establish the new unified budget process.

Journal of 2005, pp. : Section 1 (403.01) amended to clarify and make more efficient the recruiting and composition of the Department of Finance. The composition was enlarged by one person from each Order, provide for terms of members and change the appointment process.

Journal of 2007, pp. and . Canon 403 was rewritten at the request of the Department of Finance to conform to the current organization and procedure.

CANON 404
Of the Board of Managers of Trust Funds

- Sec. 404.01 **Powers.** The Board of Managers of Trust Funds, except as otherwise provided, shall have full responsibility for all property, real and personal donated for the benefit or use of the Convention of the Protestant Episcopal Church in the Diocese of Easton, any function of the Diocese of Easton, or any parish, congregation or institution thereof, including property in trust, delivered to the Convention, Diocese or Board of Managers of Trust Funds for investment or safekeeping. The Board of Managers of Trust Funds shall have full power and authority to combine these various assets in one or more common funds, to invest and change the investments of principal and any undistributed income therefrom, including the power and authority to sell, grant, convey, assign and deliver the same, in their discretion, subject only to the limitations and conditions imposed by the Convention or by these Canons. The Board shall collect and receive the income from its investments and pay over this income, after deducting all proper expenses incurred by the Board, to the several beneficiaries entitled to receive such income.
- Sec. 404.02 **Investments.** All securities purchased by the Board of Managers of Trust Funds must be invested in securities appropriate for trust accounts under Maryland Law and mortgages or ground rents of real estate. Investments in mortgages and ground rents shall be first liens in an amount not exceeding 50 % of the value of the real property as determined by an appraisal submitted to the Board. In addition, the Chancellor of the Diocese, or an attorney or title company selected by him, must certify or insure that the title to the real estate is clear and unencumbered. All registered securities held by the said Board may be in the name of a nominee or nominees as permitted by Maryland Law.
- Sec. 404.03 **Investment Agent.** The custody and investment management of the property described in Section 404.01 of this Canon shall be delegated to a financial institution selected by said Board, and exercising powers in Maryland as a corporate fiduciary. The Board shall, for and on behalf of the Convention, enter into a written agreement with the financial institution granting it the powers conferred upon the Board of Managers by this Canon, provided that such financial institution shall first secure the written approval of a majority of the members of the Board of Managers of Trust Funds before any investments, sales or

changes of investments may be made, unless an investment, sale or change of investment shall be in conformity with written guidelines previously adopted by the Board of Managers. Nothing contained in the agreement shall be inconsistent with this Canon 404. Upon execution of the agreement with the financial institution, the Board of Managers shall be free and discharged of all future liability for the custody and investment management of the assets delivered to the financial institution by the Board, provided, however, that the financial institution regularly furnish it a list of investments comp*-rising the fund together with a complete accounting of its dealings with respect thereto. The financial institution shall distribute the net income and principal in its hands to such beneficiaries and in such manner as the majority of the members of the Board of Managers of Trust funds shall direct in writing. The financial institution shall rely on the instructions from the Board as to distribution and shall not be responsible for seeing to the application of funds so distributed. Said agreement shall be revocable by the Board of Managers or by the Convention. Revocation by the Convention must take place at a regular or extra-ordinary meeting thereof and must be evidenced by a certified resolution stating that the revocation was adopted by a vote of the majority of the delegates, both clerical and lay, in attendance thereat. The financial institution shall be excused from the necessity of giving bond for the faithful performance of its duties unless required by the Board or the Convention.

Sec. 404.04

Clergy Fund

.041

The Board of Managers of Trust Funds shall administer the assets of the Clergy Fund for the benefit of aged and disabled clerics; and for the widows, orphans, and other dependents of clerics canonically resident in this Diocese.

.042

The Board of Managers may receive bequests, gifts, and other donations, and so much of the annual income as shall not have been expended during the year in a permanent Clergy Fund is to be invested in securities as defined by Section 404.02 of this Canon, subject to withdrawal only in the event of a need for funds in an emergency which cannot be otherwise cared for, and then only as authorized by the Bishop and Standing committee of the Diocese.

.043

The Board shall disburse of the income from such permanent fund, as directed by the Bishop and Standing Committee in their discretion shall determine.

- Sec. 404.05 **Secretary.**
- .051 **Appointment:** In addition to the chairperson of the Board, who shall be the person designated by Article XI of the Constitution of this Diocese, the Board shall annually appoint a Secretary, who may, but need not be, one of the trustees, other than the chairperson.
- .052 **Duties:** It shall be the duty of the Secretary to take down and record the minutes of the Board, and together with the Chairman of the Board, to sign all official documents, including all agreements, contracts, deeds of trust or other instruments between it and an investment agent, or a parish, congregation or diocesan or parochial institution, or any other person or corporation with whom it may be lawful for the Board to transact business.
- Sec. 404.06 **Meetings.** The Board shall hold such meetings in each diocesan year as it shall deem necessary. It shall hold at least one meeting within sixty (60) days prior to the annual meeting of the Convention, at which the Board shall consider and determine such matters, if any, as should be reported to the ensuing Convention.

Journal of 1978, pp. 23, 51: Section 6, "Previous Agreements." deleted. The 1977 Convention revoked the Agency Agreement under which Mercantile Safe Deposit & Trust was handling the Diocesan Endowment. Section 6 which expressly preserved that Agreement was accordingly superfluous.

Journal of 1984, p. 31: Canon 20 was amended to the above in order to conform the language arid to current standards.

Journal of 1993, page 98: A new Section 4 was added and existing Section 4 and Section 5 renumbered Section 5 and Section 6 respectively to reflect the repeal of Canon 21 and the assignment of the responsibilities for the Clergy Trust Fund to the Board of Managers of Trust Funds.

CANON 405
Of the Committee on Constitution and Canons

- Sec. 405.01 **Appointment.** The Committee on Constitution and Canons shall be comprised of the Chancellor and six (6) other members, three (3) of whom shall be clerics, and three (3) laypersons resident in the Diocese, who may or may not be members of Convention. The Bishop shall at each Annual Diocesan Convention, with the advice and consent of Convention, appoint one (1) clerical and one (1) lay member, each of whom shall serve a term of three years and until the respective successor shall be duly appointed.

- Sec. 405.02 **Vacancies in Committee.** A vacancy in the Committee shall be filled by the Bishop, the appointee to serve for the remainder of the term of the one whose membership has terminated.
- Sec. 405.03 **Organization.** The Committee shall meet as soon as practicable after the adjournment of the Convention and shall organize by selecting a chairperson and a secretary, both of whom shall serve for one (1) year, or until their successors have been elected. Their duties shall be those normally required of such officers.
- Sec. 405.04 **Meetings - Time and Place.** The Committee shall meet upon the call of the chairperson.
- Sec. 405.05 **Parochial By-laws.** All parochial by-laws and amendments thereto shall be submitted to the Committee on Constitution and Canons for its opinion as to their legality under the laws of Maryland and the Constitution and Canons of the General Convention and of this Diocese.
- Sec. 405.06 **Amendments to Constitution and Canons.** The Committee shall meet not less than ninety (90) days before the meeting of the next Annual Diocesan Convention. Notice of said meetings shall be sent to each member of the Committee, to the Bishop, to the rector and registrar of each parish, to the Secretary of the Diocesan Council, and to the Secretary of the Standing Committee, notifying them that:
- .061 All parish by-laws and amendments thereto adopted during the preceding year should be sent to the Committee as required by Section 405.05 of this Canon;
- .062 All proposed amendments to the Constitution or Canons of the Diocese must be submitted to the Committee before the date of said meeting; and
- .063 No proposed amendment to either the Constitution or the Canons shall be considered by the Annual Convention unless the proposal has been submitted to the Committee prior to this meeting. All interested persons shall submit to the chairperson of the Committee any and all amendments to the Constitution and Canons proposed to be acted upon at the next annual meeting of the Convention. The Committee shall present all such proposals for amendments together with the Committee's recommendations thereon to the Annual Convention

Journal of 1973, pp. 19, 41: Section I was amended to remove a requirement that a layperson must have resided for three years in the Diocese immediately prior to appointment.

Journal of 1975, pp. 30, 55: Section 6 was amended to substitute August for February to conform to the November date of Convention.

Journal of 1978, pp. 23, 50: Section 1 amended to specify three year terms for members of committee with one clerical and one lay member being appointed at each Annual Convention. Section 6 amended to tie the period prior to Annual Convention for submission of proposed amendments to the date of Convention, rather than a specific date.

Journal of 2000, pp. 183-184: Sections 4, 5 and 6 amended to clarify ambiguity about specified dates and to clearly require the prior submission of any proposed amendments to the Constitution and Canons to the Committee.

CANON 406 **Of the Commission on Ministry**

Sec. 406.01 **Composition.** The Commission on Ministry shall consist of twelve (12) members appointed by the Bishop and approved by Convention. Of this number, at least half (1/2) shall be clergy canonically resident in this Diocese. All lay members shall be communicants in this Diocese.

Sec. 406.02 **Selection - Tenure.** The term of each member shall be three (3) years. A member may be reappointed only once, unless a period of one (1) year shall have elapsed following the expiration of the most recent term of office. The Bishop shall submit the number of names equal to one-third (1/3) of the membership to Annual Convention for its approval. In the event of a vacancy for the remainder of the unexpired term, the Bishop shall appoint a qualified person to fill the vacancy for the remainder of the unexpired term without the necessity of approval by Convention.

Sec. 406.03 **Function.** The Commission on the Ministry shall have such authority and responsibility as may be placed in the Commission by the National Constitution and Canons, or by Diocesan Convention. It shall also consider such matters as may be referred to it by the Bishop or Diocesan Convention.

Journal of 1977, pp. 25, 61: A new Canon 24 added to provide for a Diocesan body required by National Canon III-I.

Journal of 1995, pp. 15 & 52: The number of members was increased from 9 to 12 and Section 2 was amended accordingly.

CANON 407
Of the Committee on Camp Wright

- Sec. 407.01 **Composition** The Committee on Camp Wright shall consist of not less than ten (10) members. At least two (2) members shall be priests, and the rest shall be laypersons, resident in the Diocese. At all times each Convocation shall be represented.
- Sec. 407.02 **Tenure**. The Bishop shall at each Annual Convention, with the advice and consent of Convention, appoint the members of the Committee, each of whom shall serve a term of three (3) years and until his or her respective successor shall be appointed. In his or her original appointment of members, however, the Bishop shall designate approximately one-third of the members for a one year (1) term, and approximately one-third for a two (2) year term, in order to establish a rotation of membership on the Committee. No person, however, may serve more than two (2) consecutive terms, but, after a one (1) year interval, that person will be again eligible for appointment.
- Sec. 407.03 **Vacancies**. In the event of a vacancy for any reason, the Bishop shall, with the advice and consent of the Diocesan Council, appoint a successor, who shall serve the remainder of the vacant term.
- Sec. 407.04 **Function**. The Committee shall be responsible for the use, maintenance, preservation, and improvement of the property on which Camp Wright is located, and the policy and plans of all the various programs there offered. To this end the Committee shall formulate, subject to the approval of Convention, a long range plan for the property, including changes in and additions to physical facilities and equipment, and of the uses and functions to which the property may be put. The Committee shall be responsible for the organization, staffing, and operation of the camping experience commonly known as Camp Wright. The Committee, with the approval of the Diocesan Council, shall adopt rules, regulations, requirements, and standards, on the basis of which the Camp Wright camping program and the physical facilities on the site will operate and be made available. The Committee, or its designated agent, shall have complete authority to set fees and charges, to enforce each and all its rules, regulations and standards, and to take such disciplinary measures as may be deemed necessary in the circumstances. The Committee shall also have the authority to rent the physical facilities, when not otherwise required for its own functions, and to rent its farmland for no more than a single year at a time, for

such reasonable return and under such reasonable conditions as the Committee may establish. In every aspect of its availability and operation, Camp Wright shall function without regard to the race, sex, creed or national origin of any person seeking or enjoying its offerings.

Sec. 407.05 **Organization.** The chairperson of the Committee shall be selected by the Bishop from its members. The chairperson shall appoint a Secretary and a Treasurer, neither of whom need be a member. The Committee shall establish an Executive Committee, and such other sub-committees as it may deem desirable for its efficient functioning, and may assign thereto such responsibilities and authorities as it deems proper. The Committee may select a Director and other appropriate leaders to direct and administer the camping program, and shall establish a procedure to solicit applications and supervise admissions to the camp. The committee may select also a manager to direct the use, maintenance and care of its physical property and facilities. The Committee may establish and pay compensation and benefits for the Director and the leaders and other employees, within budgetary limits.

Sec. 407.06 **Finances.** The Committee each year shall submit a proposed budget of its revenues and disbursements for its projected operations and capital requirements to the Diocesan Council. Such budget shall be reviewed by the Department of Finance and shall be submitted to the Convention in the form and amount recommended by the Diocesan Council for approval and funding. Except for a petty cash fund, all funds shall be received and disbursed by the Treasurer of the Convention. The Committee shall make a full annual financial report to the Department of Finance and to the Convention.

Sec. 407.07 **Title and Authority.** Since the Diocese owns the property, and the camping experience known as Camp Wright is a function of the Diocese, all authority not expressly granted hereby to the Committee on Camp Wright with regard thereto is reserved to this Convention and to the Diocesan Council between Conventions.

Journal of 1988, p. 60: Section 5 was amended to confirm the ability of the Camp Wright Committee to delegate authority to its sub-committees.

Journal of 1985, pp. 53, 74: This Canon was added in recognition of the magnitude of the Camp Wright operation. The Committee, with its chairperson as its chief officer, is intended to have complete authority to operate Camp Wright, within budget and policy guidelines established by Diocesan Council and Convention. At the same Convention, resolutions were adopted creating the Committee on Strategic Planning and the Committee on Clergy Compensation as standing committees, but without canonical stature.

Title V
Of Convocations, Cathedral, & Parochial Units

CANON 501
Of Diocesan Convocations

- Sec. 501.01 **Convocational Bounds.** The Diocese shall be divided into three convocations: the Northern Convocation to consist of Cecil and Kent Counties; the Middle Convocation to consist of Dorchester, Queen Anne's, Caroline and Talbot counties; and the Southern Convocation to consist of Somerset, Wicomico and Worcester Counties.
- Sec. 501.02 **Objectives of Convocation.** The principal objectives of Convocation shall be to facilitate conference and cooperation among the clergy and laypersons of the several parishes within a specified geographical area, and to provide means and opportunity:
- .021 For mutual assistance and cooperative action upon matters of common concern to the several parishes within the Convocation, and
- .022 For the effective implementation within the Convocation of such activities as may come within the scope of the work and organization of the Convocation, as well as such other activities as may have the approval of the Bishop.
- .023 The program of the Convocation shall include the development and implementation of the Diocesan program of Christian Education within the Convocation, and the discharge of such other responsibilities and programs as may be requested of Convocation by the Bishop and the Diocesan Council.
- Sec. 501.03 **Membership.** All clergy having an assigned cure within the Convocation and all clergy and lay persons whose church membership shall be located within the Convocation shall be members of the Convocation with the right of voice in all Convocational meetings. Each cleric shall have a vote in Convocation. Each parish shall have the same number of lay votes in Convocation as the parish had in the last previous Diocesan Convention. Such lay votes may be cast individually by representatives designated by the parish. A vote by orders may be called for by any two members of the Convocation, in which case a concurrent majority of both orders is necessary on the

matter before the Convocation. There shall be no voting by proxy in any case.

Sec. 501.04 **Meetings.** There shall be an annual meeting of each Convocation, at least 30 days prior to Diocesan Convention, at a time and place determined by the Dean in consultation with the Bishop. The Dean, in consultation with the Bishop, may call other convocational meetings at such times and places as he or she may determine. Each convocational meeting shall be open to the entire membership of the Convocation. The Dean shall give public notice of the time and place of each convocational meeting at least two weeks prior to such meeting, together with the agenda for such meeting. The time, and place and agenda of such meeting shall also be announced at each church service within the Convocation during the period between the issuance of notice by the Dean and the particular convocational meeting.

Sec. 501.05 **Officers and Election of Officers.** The Bishop shall appoint from clergy resident in a convocation its Dean. The Convocation shall elect from its lay members a Secretary-Treasurer. The Convocation shall nominate representatives to the Diocesan Council in accordance with Article X of the Diocesan Constitution.

Sec. 501.06
 .061 **Duties of Officers.**
 Dean. The Dean shall be the chief executive and administrative officer and shall be responsible for the program of the Convocation. He or she shall preside at all convocation meetings, in the absence of the Bishop shall institute new rectors and shall be responsible for all other activities of Convocation. He or she shall duly report to Diocesan Convention each year on Convocation activity.

 .062 **Secretary-Treasurer:** The Secretary-Treasurer shall be responsible for the minutes of all convocational meetings, and such other meetings as the Dean may direct, for correspondence of the Convocation, and for all financial records and accounting of the Convocation, and shall receive and disburse all monies of the Convocation. In the event of the resignation, death or incapacity of the Secretary-Treasurer, the Bishop may appoint a Secretary-Treasurer for the remainder of his or her unexpired term.

 .063 **Term:** The Dean shall serve at the pleasure of the Bishop. The Secretary-Treasurer shall serve a term of one (1) year from his or

her election, and until his or her successor shall be elected and qualified.

Sec. 501.07 **By-laws.** The Convocation shall adopt such by-laws for its government as it may require, not in conflict with statutory law, or the Constitution and Canons of general Convention or of this Diocese.

Journal of 1973, pp. 19, 41: Canon 33 was entirely rewritten to increase convocation responsibilities, and to provide for organization.

Journal of 1988, p. 59: Section 3 was amended to define who have voice in Convocation and how many votes each parish can cast. Sections 5 and 6 were amended to provide for nomination of a clerical representative on the Diocesan Council, for direct appointment of Dean and Sub-Dean by the Bishop, and to define the terms of Convocation Officers.

Journal of 1992, page 112: Section 5, Section A(a), and Section 6(c) were amended, Section 6(b) deleted, and existing Section 6(c) and Section 6(d) renamed Section 6(b) and Section 6(c) respectively, to reflect that experience since 1988 (when the Dean was no longer the convocational representative on Council) has shown the position of sub dean to be neither needed nor useful. Section 6(e) was deleted as it was inconsistent with Section 6(d). Section 8 was deleted because it was redundant. The same definition occurs in Canon 78, Section 2(k).

Journal of 1993, page 99: Section 5 amended to reflect changes made in Section 1, Section 2, and Section 3 of Article X of the Diocesan Constitution regarding membership of the Diocesan Council.

CANON 502 Of the Cathedral of the Diocese

Sec. 502.01 **Name.** The name of the Cathedral of the Diocese of Easton dedicated to the Triune God, the Father, the Son and the Holy Ghost, shall be Trinity Cathedral.

Sec. 502.02 **Purpose.** The purpose of the Cathedral is threefold:

.021 It shall be a house of prayer for all people forever free and open, welcoming all who enter its doors to hear the glad tidings of the Kingdom of Heaven, and to worship God in spirit and in truth;

.022 It shall be the Bishop's Church of which he or she shall be the rector, and where he may have free and full opportunity to discharge the responsibilities of his sacred office; and

.023 It shall be the people's Church of the Diocese, maintaining and developing under the direction of the Bishop, the fourfold fields of worship, missions, education and service.

.024 Inasmuch as its sphere is above and beyond that of a parish, the work of the Cathedral shall not be in the main that of a parish church, concerned primarily with parochial affairs, but shall be an inspiration to all parishes of the Diocese by setting an

example of constant and well-ordered worship, effective preaching, of missionary zeal, of religious education, for youth and adults, and of Christian social service.

Sec. 502.03 **Membership.** Every member of the Protestant Episcopal Church in the Diocese of Easton, by virtue of membership in his or her parish or congregation, shall be a member of the Cathedral.

Sec. 502.04 **Government.**
.041 **Cathedral Chapter.** The government of the Cathedral shall be vested in a Cathedral Chapter, which shall consist of the Bishop, the Dean of the Cathedral, and thirteen members.

.042 **Appointment - Tenure of Members.** Three (3) members shall be appointed by the Bishop from the Diocese at large, with the advice and consent of Convention, and shall each serve for a period of three (3) years. Ten (10) members, who shall be persons enrolled as members of the Cathedral and not enrolled in any other congregation, shall be elected by the Cathedral congregation at its annual meeting, and shall each serve for a period of three (3) years. A vacancy among the members shall be filled by appointment or election, whichever the original selection process may be, for the remainder of that particular term. In the initial establishment of the Chapter, however, the terms shall be one (1) year or two (2) years where required in order to establish a rotation of approximately one third of the members each year.

.043 **Organization of Chapter.** The Bishop, as rector of the Cathedral, shall be President of the Chapter. The Dean of the Cathedral shall function as president in the absence of the Bishop. The Chapter itself shall appoint annually a Bishop's Warden, a People's Warden, a Treasurer, and a Registrar. The Chapter may establish committees, and designate the chairperson therefore, for such purposes and with such responsibilities as the Chapter may from time to time determine.

.044 **Authority of Chapter.** The Chapter shall have the powers, rights, duties and functions of a parish vestry, including the right to adopt bylaws, the obligation to adopt annually, subject to the approval of the Diocesan Department of Finance, an operating and capital budget for its ongoing operations and financial obligations, to solicit, to collect, and to disburse funds from its own bank account in accordance with that budget, to acquire and maintain real and personal property, to seek funds and

receive gifts for major capital and other purposes approved by the Diocesan Council, and generally to operate and function as the Church of the Diocese. Title to all real and tangible personal property shall remain in the Diocese. The Chapter shall not have the ability to call a Dean. The Chapter shall also have such additional powers, rights, duties, limitations, and functions as may from time to time be delegated by Convention.

.045 **Dean of the Cathedral.**

.045(a) **Powers and Term.** The Dean of the Cathedral shall have charge of the worship and work of the Cathedral under the supervision of the Bishop. He or she shall serve at the pleasure of the Bishop but may not serve beyond the period of service of the Bishop. If requested to do so by the ecclesiastical authority, the Dean of the Cathedral may continue in his or her office of Dean for a period not to exceed six (6) months following the period of service of the Bishop. Under any circumstances, the Dean shall have a grace period not to exceed one (1) year from the date of termination of the service of the Bishop at full salary and benefits within which to seek and to accept a new calling.

.045(b) **Selection and Search Committee.** Upon a vacancy in the office of the Dean of the Cathedral, the Bishop shall appoint from among enrolled members of the Cathedral congregation a Search Committee of at least nine (9) persons. The Search Committee shall give a reasonable opportunity to the members of the Cathedral congregation to make suggestions of possible candidates for its successor Dean. Within one (1) year of its appointment the Search Committee shall submit to the Bishop a list of at least three (3) candidates for the Office of the Dean of the Cathedral, together with its recommendation of its choices among the candidates. The Bishop shall appoint the successor Dean from among the recommended list, unless he or she requests the Search Committee to make a further search for candidates.

.045(c) **Interim Dean.** If the Bishop deems it appropriate, he or she may select an interim Dean of his or her own choice to serve for the period of time after the end of service of the previous Dean and prior to the arrival of the new Dean. The interim Dean shall have all the authority of the Dean of the Cathedral during his or her period of service.

.046 **Canons.** The Chapter may, upon nomination of the Bishop, elect clergy of the Diocese, not exceeding three (3) in number as Canons, to do special work for the Diocese under the direction of the Bishop.

Journal of 1962; pp. 17, 21: Sections 3 and 4 were amended to conform the canon to transfer of the Cathedral to the Diocese.

Journal of 1964; p. 15: Reference to resident canon added in Section 4.

Journal of 1969; pp. 18, 31: Section 4(b) added to establish the Cathedral Council.

Journal of 1986; pp. 40, 47: Section 4 was repealed and re-enacted in order to consolidate the Cathedral Chapter and the Cathedral Council, and to establish the membership, organization and authority of the resulting Cathedral Chapter. In addition, the authority and term of the Dean of the Cathedral was defined, and his or her selection process was established.

CANON 503 Of Chapels and Preaching Stations

Establishment. It shall be the joint responsibility of the rector and vestry of a parish to extend the work of the Church into all parts of a parish. To discharge this responsibility, the several parishes, wherever and whenever practical, may establish chapels and preaching stations.

CANON 504 Of Diocesan Missions

Sec. 504.01 **Definition.** For purposes of statutory law, and the Constitution and Canons of this Diocese, the word "mission" shall mean a congregation, having a regular place and program of worship, of sufficient members and with sufficient financial resources and demonstrated vitality to justify independent recognition, but not having the permanent resources to be wholly self-supporting as in the case of a parish, which congregation has been formally designated as a mission as hereinafter provided.

Sec. 504.02 **Establishment of Mission.** To establish a mission with the rights and responsibilities thereof under the Constitution and Canons of this Diocese, the Bishop shall determine whether, in his or her judgment, the particular congregation has attained the level of viability, or in the case of a parish seeking to dissolve its corporate status and become a mission whether the parish congregation has a level of viability, warranting its formal establishment as a mission. If he or she so determines, he or she shall report the facts supporting his or her conclusion in writing to Diocesan Convention, and shall designate such congregation as a mission, subject to approval by Convention. If the convention, by a concurrent vote of both orders, approves such designation, the congregation shall thereafter be a mission, until it shall become a parish or until its status as a mission shall be

terminated by concurrent vote of both orders in Convention upon recommendation of the Bishop. A mission shall be a unit of the Diocese, within the Department of Missions, and shall not incorporate until it shall advance to parish status in the manner provided by these Constitution and Canons.

Sec. 504.03 **Property.** The Diocese shall hold title to all real and personal property intended or used at any time by or for the benefit or purpose of a mission, so long as mission status shall continue. If such property is transferred to the parish when the particular mission becomes a parish, all such property shall revert to the Diocese if the parish shall later become non-functioning. If mission status shall be otherwise terminated, such property shall remain the property of the Diocese. While such property is held by the Diocese, it may be assigned or transferred as other property of the Diocese, subject to the fiduciary interest of the mission in the benefits thereof. All funds of a mission shall be deposited and kept in a bank account, approved by the Department of Missions, and shall be disbursed only by check in conformity with the approved mission budget or with specific approval of the Department of Missions.

Sec. 504.04 **Mission Meetings.** There shall be an annual meeting of the mission congregation, at a time and place designated by the Bishop, not more than ninety days prior to Diocesan Convention. There may be special meetings at a time and place designated in the notice thereof, on the call of the Bishop, the Department of Missions, a majority of the Bishop's Committee or ten members who are entitled to vote at a meeting of the mission congregation. There shall be at least ten days prior written notice of each annual and special meeting of the mission congregation to each member of the mission congregation entitled to vote at such meeting, to the Bishop, and to the Department of Missions, giving the time and place of the meeting and the matters to be placed before the meeting. A member of the mission congregation shall be entitled to vote at such meeting if he or she is over 18 years of age, an enrolled member of the mission for at least six months, and who has shared in the work of the mission.

Sec. 504.05 **Mission Organization.**
 .051 **Bishop's Committee.** The temporal affairs of a mission, including an annual Every-Member Canvass, the preparation of its annual budget, and the custody and care of all mission property, shall be conducted by and be the responsibility of a Bishop's Committee of whom except for the Vicar each shall be

a lay member of the mission qualified to vote at a meeting of the mission congregation. The Vicar shall be a member of the Bishop's Committee by reason of his or her office. The Bishop, on the advice of the mission congregation and the Department of Missions, shall establish the number of members of the Committee which shall be not less than five (5) nor more than seven (7). Each lay member shall serve a term of two (2) years from the annual meeting at which he or she shall be nominated, and until his or her successor is appointed. Terms of lay members shall be staggered so that approximately half the lay members shall be appointed each year. Each lay member shall be nominated, by election at the annual meeting of the mission congregation, to the Bishop for appointment as a member of the Bishop's Committee. The Bishop shall appoint each lay member of the Bishop's Committee from the nominees so elected unless, on the recommendation of the Department of Missions, he or she shall determine that some other lay member of the mission congregation should be charged with the responsibility.

- .052 **Senior and Junior Warden.** On the recommendation of the Bishop's Committee the Bishop shall designate from lay members of the Bishop's Committee a Senior Warden and a Junior Warden each of whom shall serve for a period of one (1) year from the annual meeting and until his or her respective successor shall be appointed. The Bishop if he or she be present, or the Vicar in his or her absence, shall preside over meetings of the Bishop's Committee. The Senior Warden shall be the chief lay officer of the mission, and shall also have the authority and responsibility of a churchwarden within the mission. In the absence of the Senior Warden or in the event of his or her resignation or death, the Junior Warden shall have all his or her authority and responsibility.
- .053 **Secretary-Treasurer.** The Bishop's Committee shall elect from the members of the mission congregation a Secretary and a Treasurer, each of whom shall serve for one (1) year and until his or her successor shall be elected and qualified. The Secretary shall keep the minutes of the Bishop's Committee and the non-financial records of the mission required by statutory law, and by the Constitution and Canons of the National Convention and of this Diocese. The Treasurer shall receive and disburse all funds of the mission, shall keep all required financial records, and shall complete and file all reports required of the mission. The Treasurer shall render a quarterly financial report to the Department of Missions, in addition to regular reports to the Bishop's Committee. The offices of Secretary-Treasurer may be

combined in a single person in the discretion of the Bishop's Committee.

.054 **By-laws.** The Bishop's Committee may adopt by-laws establishing sub-committees for the functioning of the mission and defining the respective responsibilities and authority of each sub-committee. Such by-laws shall be submitted for approval to the Committee on Constitution and Canons as required by Canon 405.

Sec. 504.06 **Budget.** The Bishop's Committee shall prepare an annual budget, showing anticipated receipts and expenditures, including diocesan assessment and apportionment, for submission to and approval by the Bishop and the Department of Missions, and shall annually conduct an Every-Member Canvass. To the extent that the mission may not be financially self-sufficient, the Diocesan Convention shall have fiscal authority on the extent to which the Diocesan funds shall supply any deficiency.

Sec. 504.07 **Clergy.** The Bishop shall be the rector of each mission, but with respect to any mission the Bishop may delegate such part of his or her authority and responsibility as he or she may determine to a vicar whom he or she may designate.

Sec. 504.08 **Preaching Stations.** This canon shall not limit the authority of the Bishop, with the advice and support of the Department of Missions, from establishing preaching stations, nor any parish from establishing chapels, to further the missionary effort of the church.

Journal of 1973, p. 19, 43: Canon 63 is a new canon to provide for the organization, duties and authorities of a diocesan mission. There is a requirement of formal designation of a mission, before this mission has the privileges and responsibilities of a mission under other provisions of the Diocesan Constitution and Canons. The canon distinguishes such mission from a mission not have achieved formal status, and also permits an existing vestry to dissolve and become a mission.

Journal of 1988, p. 102: The name of the governing body of a diocesan mission was changed to Bishop's Committee, and the officers to Senior and Junior Warden.

Journal of 1992, page III: Section 4 amend to reflect the change made by the General Assembly of Maryland in 1990 by revision of the Vestry Act by removing the requirement that a member be "a resident of this state".

CANON 505
Of Separate Congregations

Sec.505.01

Procedure.

- .011 **Application.** A group of confirmed persons having sufficient capacity to support and sustain of a church within an existing parish, and desiring to form a separate congregation may file an application with the Bishop to be received as a a separate congregation into union with the Convention of the Diocese of Easton. The application shall set forth in detail (i) the reasons why such approval is desirable, (ii) a plan to become and maintain the functions of a a separate congregation including financial viability (see Canon 508 Of Non-Functioning Parishes), and to meet the requirements of the laws of Maryland governing religious corporations, (iii) draft articles of incorporation as a Maryland religious corporation for acceptance and recording with the State of Maryland, (iv) draft by-laws, (v) consent of the parish within whose boundaries the applicant lies (Diocesan Constitution Article XIII, Sec. 2), and (vi) designate a Registrar .
- .012 **Preliminary Investigation.** The Bishop shall review the application with the Department of Missions and lay it before the Committee on Admission of New Parishes. This Committee shall study the application in detail, especially the portions dealing with financial viability, maintaining the functions of a parish, and meeting the requirements of the Religious Corporations subtitle of the Annotated Code. The Committee shall make its report and recommendation to the next Convention.
- .013 **Action of Convention.** Convention shall consider the application and the Committee Report. It may accept, reject, or tentatively accept with conditions, the application. The Secretary of Convention shall notify the Registrar of the Applicant of the action of Convention.
- .014 **Following Approval by Convention.** Upon the approval of its application by Convention and receipt of the notification of such action, the applicant shall prior to the next annual Diocesan Convention:
- .014(a) Comply with the conditions of any tentative acceptance of the Committee Report under Sec. 505.013 above.
- .014(b) Comply with all requirements of the laws of Maryland pertaining to religious corporations.

- .014(c) File articles of incorporation as a Maryland religious corporation for acceptance and recording with the State of Maryland, and obtain and maintain good standing as a Maryland religious corporation.
- .014(d) Elect a Vestry and adopt by-laws.
- .014(e) Complete any necessary transfer of property.
- .014(f) The Registrar of the new Parish shall notify the Secretary of Convention that all of the above have been completed.

Journal of 2005, pp. : Section 1(d)(i) [505.014(a)] amended to strike reference to Article 23, Sec. 309(c) of the Annotated Code of Maryland 1957 (the Vestry Act Affecting the Diocese of Easton) and inserting after "provisions of" the phrase "the applicable laws of Maryland;"

Journal of 2006, pp. and . This Canon was completely revised to update an archaic provision.

CANON 506 Of the Alteration and Adjustment of Parish Bounds

- Sec. 506.01 **Joint Application of Parishes.** If any contiguous parishes shall desire to effect a change in the bounds between said parishes, application to that effect shall be filed with the Secretary of the Convention. Such application shall set forth in detail:
- .011 the reasons why such action is desirable,
 - .012 the terms and provisions of the agreement between the parishes affected,
 - .013 a survey or particular description of the proposed boundary, and
 - .014 an agreement to effectuate the transfer of all Church property.
 - .015 The said application shall be signed by a majority of the Vestry of each parish and by the rectors thereof. The Secretary of Convention shall present the application to the next meeting of the Convention, which shall consider the same and authorize such alteration and adjustment of the bounds affected as to the Convention may seem proper and expedient.
- Sec. 506.02 **Disputed Bounds.** If the bounds of contiguous parishes be in dispute or uncertain for any reason, and the vestries of the parishes affected cannot agree on a settlement, then a majority of the vestry of any parish affected may file an application in writing with the Committee on Metes and Bounds, setting forth in detail the nature of the dispute or uncertainty together with such other information as may appear to be relevant for a

determination of the issue. The Committee on Metes and Bounds shall act as arbiter in the dispute until agreement between the vestries affected is reached or until the next meeting of the Convention. If an agreement shall have been reached, the agreement shall be reported to the Convention, and the Convention shall make such adjustments in the bounds as may be required. If agreement shall not have been reached, the Committee on Metes and Bounds shall report its findings and recommendations to the Convention, and the Convention, after hearing the report and the case of the disputants, shall determine and definitely establish such disputed or uncertain bounds.

Sec. 506.03
.031

Application by One Vestry.

If any parish shall desire to enlarge its bounds by annexing contiguous areas outside the bounds of an existing parish or the area or any part thereof included within the bounds of a defunct parish, the vestry of the parish so desiring to enlarge its bounds, shall file application in writing with the Committee on Metes and Bounds and with the Department of Missions. Said applications shall set forth in detail the reasons why such action is desirable, as well as particular descriptions of the bounds of (a) the present parish and (b) the area proposed to be annexed .

.032

The application shall be signed by the rector and by a majority of the Vestry. The Committee on Metes and Bounds and the Department of Missions shall make a joint report on the merits of the application to the next meeting of the Convention. The Convention shall consider the application and the report, and shall authorize such enlargement of the bounds as it shall deem proper and expedient.

CANON 507

Of the Division or Union of Parishes

Sec. 507.01

Approval of Convention. No parish shall be divided or united with another parish without the approval of two successive Conventions, who shall judge of the necessity and expediency of such action.

Sec. 507.02
.021

Division of Parish.

Application. Any number of persons, but not less than one hundred (100) adult confirmed persons residing in a parish or in contiguous portions of two or more parishes desiring to form a new parish shall file an application with the Bishop for the action sought, setting forth in detail the reasons why such action

is desirable and including a particular description of the proposed bounds.

- .022 **Preliminary Investigation.** The Bishop shall lay the application before the Committee on Admission of New Parishes, who shall examine the merits of the same and make report to the next Convention, which report of the Committee shall contain an estimate of the probability of the proposed parish to be or to become financially self-supporting, together with such other information as may be relevant.
- .023 **First Action of Convention.** The Convention shall consider the application and the report, and approve or reject the application as the case may require. If the Convention shall give its first approval, the application shall be referred back to the Committee on Admission of New Parishes.
- .024 **Final Report to Convention.** The Committee on Admission of New Parishes, before the next meeting of the Convention, shall:
- .024(a) Define precisely the proposed bounds of the area or areas affected, and if there be any disagreement as to the boundary lines of the proposed parish, the Committee shall make the application to the Committee on Metes and Bounds contemplated in Canon 506, Sec, 506.01, and the procedure therein directed shall be followed;
- .024(b) Instigate such proceedings as will ensure that the provisions of the applicable laws of Maryland are complied with;
- .024(c) Obtain from the vestry or vestries affected consent to the transfer of any and all Church property within the new bounds to the vestry of the new parish when it shall be elected; and
- .024(d) Report to the next Convention the results of its findings.
- .025 **Final Action of Convention.** The Convention shall again consider the application and the findings of the Committee, and shall approve or reject the application as the case may require.
- .026 **Notifications.** The Secretary of Convention shall notify at least three of the applicants and the registrars of the parishes affected of the action of the Convention. If the action shall be favorable, the registrar of the new parish shall notify officially the Secretary of Convention and the Registrar of the Diocese of the election of the vestry.

Sec. 507.03 **Union of Parishes.** Application for the union of two or more parishes shall be made to the Bishop by the Joint request of a majority of each of the vestries affected. The procedure

thereafter shall be the same as that provided for the division of a parish.

Journal of 2005, pp. : Section 2(d)(ii) [507.024(b)] amended to strike reference to Article 23, Sec. 309(c) of the Annotated Code of Maryland 1957 (the Vestry Act Affecting the Diocese of Easton) and inserting after "provisions of" the phrase "the applicable laws of Maryland;"

CANON 508
Of Non-Functioning Parishes

- Sec. 508.01 **Minimum Functions of Non-Functioning Parishes.** A parish shall be deemed to have abandoned the minimum functions of a parish if any of the following conditions exist:
- .011 Holy Communion has not been celebrated in the parish on at least three different days during the last prior calendar year.
 - .012 There has not been an annual congregational meeting during the last prior calendar year.
 - .013 The Vestry of the parish has not met at a formal meeting with duly recorded minutes during the last prior calendar year.
 - .014 The parish does not have two Wardens, a Registrar and a Treasurer, and no action to fill any vacancy has taken place within the last prior calendar year.
 - .015 The Parish Records, consisting of a Parish Register, a Parish Minute Book, and a Record of Parish Accounts, are not current, and have not been made reasonably current during the last prior calendar year.
 - .016 The parish assessment for the Diocesan Fund Budget for three successive years is due and in arrears, and the parish has made no satisfactory arrangement for payment of the deficiency.
- Sec. 508.02 **Ecclesiastical Discretion.** The definition of minimum functions in Section 508.01 shall not preclude the ecclesiastical authority to recommend to Diocesan Convention a finding of non-functioning parish if he or she shall have cause to believe that such parish is in fact a viable and functioning religious corporation, which should continue in that capacity.
- Sec. 508.03 **Time Limit.** If the ecclesiastical authority takes over and administers the affairs of a non-functioning parish and exercises supervision and control over the parish property, he or she must

terminate the temporary operation by not later than the end of the calendar year next following the year in which it stated; either:

- .031 By restoring responsibility to a duly constituted religious corporation, or
- .032 Transferring the property to the Diocese of Easton to be operated as a mission or to be preserved for future use, or
- .033 By liquidating the property.
- .0324 The purpose of this time limit is to establish definite responsibility for the preservation, use or sale of church property when the corporate body which previously owned it no longer exists, thus avoiding long lapses of time when there is no legal responsibility for its use or disposition. The ecclesiastical authority shall annually report to Convention his or her actions and the status of each non-functioning parish until the temporary operation has been concluded.

Journal of 1972, p. 17: This new section was adopted to define guidelines for application of Section 3 10 of the Vestry Act with respect to a non-functioning parishes.

Journal of 1978, pp. 23, 51: In Section 1(f) the term Convention Fund was changed To Diocesan Fund Budget.

Journal of 2005, pp. : Section 1 [508.011] amended by striking "within the meaning of the Vestry Act".

Journal of 2005, pp : Section 3 amended by striking "as provided in the Vestry Act,".

Title VI Of Parochial Matters

CANON 601 Parochial Reports

Sec. 601.01 **Annual Reports.** Each Parish shall file with the Bishop through the Secretary of Convention the annual parochial report as required by Title I, Canon 6, Sec. 1, of the National Constitution and Canons, and such other annual reports as may be required by the applicable canons of the National Church and of this Diocese, on or before March 1 in each year for the prior calendar year, provided, however, that for good cause shown the

Secretary may extend the time for filing for an additional period not to exceed two weeks.

Journal of 1971, pp. 24, 44: This new canon was adopted to establish a date for reporting and payment to eliminate ambiguity caused by the change in date of Convention.

Journal of 1974, pp. 25, 51: Section I was amended to ease the mandatory filing date. It was the sense of Convention, however, that the penalty for failure to file, under Constitution III-4(b)(iii), should be retained, to permit the Diocese in turn to comply with the reporting requirements of National Canon 1-5.

Journal of 1976, pp. 22, 53, 55: Section 3 was added specifying the penalty because of failure to file the annual parochial report within the time specified in Section 1.

Journal of 1978, pp. 23, 51: In Section 2, the terms Convention Fund and Shared Objective changed to Diocesan Fund Budget and Church's Program Budget, respectively.

Journal of 2000, p. 182: Sec. 1 amended to conform to National Canons. Sections 2 & 3 providing for assessments, apportionments and penalties deleted upon adoption of the voluntary unified budget.

CANON 602 Of the Record of Families and Adult Persons

- Sec. 602.01 **Maintenance of Records.** In addition to the record of baptisms, confirmations, marriages and burials, the rector of every parish shall also make out and continue, as far as practicable, a list of all families and adult persons within his or her cure. All families or adult persons now on the parish register, but domiciled outside of the rector's cure;
- .011 Who shall not report that they have made their Communion at Eastertide or at least once yearly, or
- .012 Who shall make no contribution to the parish church where their membership is recorded for a period of two years, or
- .013 Whose address is lost or is not known, shall be deemed to be dormant or inactive members, and shall not be reported as communicants, but their names shall not be erased from or canceled on the parish register.

Journal of 2005, pp. : The opening paragraph [602.011] amended by striking "the provisions of the Vestry Act Affecting".

CANON 603
Of the Calling of a Rector

Sec. 603.01 **Documentation.** Whenever a priest shall be elected and called to be rector or assistant rector of a parish, pursuant to Canon III.9.iiiia of the Canons of the Protestant Episcopal Church in the United States of America, as the same may now exist or hereafter be amended, and when a copy of the original contract, duly executed by both parties is filed with the Ecclesiastical Authority of the Diocese, then the Ecclesiastical Authority of the Diocese, if the priest is acceptable, shall license him or her to officiate as such Rector or Assistant Rector.

Journal of 1965; pp. 38, 42: Revised to clarify and conform

Journal of 2005, pp. 10-11 and 86: Canon amended by striking "and to Section 304(e), Article 23; Annotated Code of Maryland (1957) (the Vestry Act)" and "pursuant to the provisions of the Vestry Act,".

CANON 604
Of Controversies Between a Rector and Assistant Minister and Vestry

Sec. 604.01 **Rector, Assistant Minister and Vestry.** If the terms of the contract with the Rector or Assistant Minister shall so provide, or if the Rector, Assistant Minister and Vestry, independent of any contract, shall mutually agree to arbitration, the Bishop, or if the Episcopate be vacant, the Standing Committee, shall be the arbiter in any controversy arising between a Rector or an Assistant Minister and the Vestry of his or her parish or congregation which they cannot themselves resolve.

Sec. 604.02 **Vicar and Trustees of Mission Congregation.** The Bishop, or if the Episcopate be vacant, the Standing Committee, shall be the arbiter in any controversy arising between such Vicar and such Trustees which they cannot themselves resolve. The judgment of the Bishop, or as the case may be, of the Standing Committee, as to whether or not such controversy can or cannot be resolved between the Vicar and the Trustees, shall be conclusive on all parties.

Journal of 1965; pp. 13, 38: Section 2 added.

Journal of 1966; pp. 13, 37: Section I amended to add reference to Assistant Minister.

**Title VII
Of Clerical Discipline**

**CANON 701
Of an Ecclesiastical Court**

- Sec. 701.01 **Establishment.** There shall be an Ecclesiastical Court for the trial of such charges as may be brought against any priest or deacon in this Diocese. The Ecclesiastical Court shall function in accordance with the provisions of Title IV of the Canons of the Episcopal Church.
- Sec. 701.02 **Election.** The Ecclesiastical Court shall consist of three (3) members of the clergy canonically resident in the Diocese of Easton and two (2) lay communicants in good standing, to be elected by Diocesan Convention. One (1) member will be elected at each Annual Convention to serve a term of five(5) years. (The first Diocesan Convention to elect court members will elect 2 lay and 3 clerical judges of separate terms of 1,2,3, 4 and 5 years.)
- Sec. 701.03 **Court Appointments.** The members of the Court shall convene within two (2) months following the Diocesan Convention. They shall elect one (1) of their members as Presiding Judge. The Court shall appoint a Clerk who shall serve at the pleasure of the Court. The Court shall appoint a Reporter who shall provide for the recording of the proceedings and who shall serve at the pleasure of the Court.
- Sec. 701.04 **Vacancy in the Court.**
 .041 A vacancy in the membership of the Court, other than from challenge as provided in Title IV, Canon 4, sec. 8, shall be filled by the Diocesan Council at a meeting presided over by the Vice-President of the Diocesan Council, such appointee to serve until a successor is elected by the Annual Convention. The person chosen to fill a vacancy by the Annual Convention shall serve the balance of the unexpired term of the office which was vacated.
- .042 The members of the Court, upon receiving notice of the date set for a trial, shall notify the Presiding Judge of their ability or inability to attend the sessions thereof. If any member be unable to attend or be canonically disqualified, the Presiding Judge shall consider a vacancy to exist and notify the Diocesan Council of the need to fill the same in accordance with Sec. 701.041 above.

- Sec. 701.05 **Lay Assessors.** The court shall appoint two Lay Assessors. Lay Assessors shall have no vote. It shall be their duty to give the Trial Court their opinion on any question of law, procedure or evidence. The Chancellor shall not serve as a Lay Assessor.
- Sec. 701.06 **Church Attorney.** The Bishop and Standing Committee, acting together, shall appoint one or more Church Attorneys. The Church Attorney shall be charged to investigate matters of ecclesiastical discipline on behalf of the Standing Committee, to represent the Church in an appeal to the Court of Presentments against Priest or Deacon and the represent the Church in an appeal to the Court of Review of a Trial of a Priest or Deacon. The Church Attorney shall not be from the same law firm as the Chancellor of the Diocese, the Chancellor to the Presiding Bishop, or a Lay Assessor.
- Sec. 701.07 **Attorney for the Defense.** A Defense Attorney will be selected by the member of the clergy accused of the offense. A fund shall be made available by the Diocese to cover one half of the cost for a Defense Attorney, the other half to be borne by the defendant. If charges are dropped or if the defendant is found innocent of all charges, the Diocese will pay the full cost of Defense Attorney.
- Sec. 701.08 **Rules of Procedure, Roles of Officials.** In all proceedings before the Ecclesiastical Court, the provisions of Title IV of the National Canons of the Episcopal Church shall govern procedure, law, evidence, and the roles of all persons involved in the trial.

Journal of 2000, pp. 184-186: Canon 40 was amended to bring diocesan canons into conformity with national canon

Title VIII Of Miscellaneous Matters

CANON 801 Of Parliamentary Procedure

- Sec. 801.01 **Rules of Order.** Except where it is in conflict with the Constitution and Canons of this Diocese, the latest edition of Roberts Rules of Order shall govern parliamentary procedure of Diocesan Conventions, meetings of the Standing Committee,

meetings of the Diocesan Council, and meetings of all Departments, Boards, Commissions and Committees of this Diocese.

Journal of 1984, p. 35: This new Canon was adopted to codify pre-existing informal procedure.

CANON 802
Of Amendments to the Religious Corporations Subtitle of the Corporations
and Associations of the Annotated Code of General Public Laws of
Maryland

Sec.. 802.01 **Procedure.** No amendment to the General Public Laws of Maryland dealing with Religious Corporations shall be proposed to the General Assembly of Maryland by the Convention except as follows:

Sec. 802.02 **Initial Proposal.** A proposed amendment shall be introduced in writing at any annual or special meeting of the Convention, and if, after consideration, it shall be approved by a majority vote of the members of Convention entitled to vote, it shall be tabled for the time being, and an exact copy of the proposed amendment shall be transmitted by the Secretary of the Convention to the vestries of each of the parishes entitled to representation in the Convention at least sixty (60) days before the next annual meeting or special meeting called for that purpose.

Sec. 802.03 **Final Action.** At the next meeting of the Convention, or a special meeting called for the purpose, as the case may be, following the meeting at which such proposed amendment was initially introduced, approved and temporarily tabled, it shall be introduced again, and if it shall be approved again by a majority vote of the members of Convention entitled to vote, such proposed amendment shall be delivered by the Secretary of Convention to a member of the Senate or House of Delegates with the request that he introduce such proposed amendment in the General Assembly of Maryland to be enacted into law.

Journal of 2005, pp. : The title and opening paragraph [802.01] amended to delete reference to the Vestry Act and substitute references to the current statutory law.

CANON 803
Of Amendments to the Canons

- Sec. 803.01 **Proposal.** A proposed amendment or other alteration to the Canons shall be submitted to the Committee on Constitution and Canons in writing at least ninety (90) days before a meeting of the Convention. All proposals for amendments shall be considered by the Committee, appropriate recommendations made, and said proposals and recommendations, together with such other amendments as may be initiated by the Committee shall be sent to the vestry of each parish at least sixty (60) days before the meeting of the Convention.
- Sec. 803.02 **Action of Convention.** The Committee on Constitution and Canons shall submit all proposals for amendment and alteration made to the Committee together with their recommendations thereon. The Convention shall consider the same, and if approved by a majority of those entitled to vote, an amendment shall become effective.

Journal of 1966, p. 11: Section I was amended to add the reference to the Cathedral and Diocesan missions.

CANON 804
Of the Interpretation of Words and Phrases

- Sec. 804.01 **As used in the Constitution and Canons of this Diocese.**
As used in the Constitution and Cannons of this Diocese, the words and phrases shall have the meaning set forth in this Canon, except as otherwise expressly provided or may result from necessary implication.
- Sec. 804.02 **As used in the Constitution and Canons of this Diocese.**
The following words and phrases shall have the following meanings except as otherwise expressly provided or as may result from necessary implication:
- .021 **Bishop:** means the ecclesiastical authority as defined in Article II of the Constitution.
- .022 **Chapel:** means an unincorporated congregation, whose affairs are administered by or under the direction of the vestry of the parish in which it is located.
- .023 **Charter:** means a special act of the General Assembly of Maryland creating a body corporate, and also a certificate of

incorporation duly executed and recorded in accordance with the terms of a general law granting authority therefor.

- .024 **Cleric:** means a person who has been ordained either priest or deacon.
- .025 **Communicant:** means a person meeting the definition of "Communicant in good standing" as set forth in Section 3, Canon 16, of the Canons of the Protestant Episcopal Church in the United States of America.
- .026 **Layperson:** The use of the word contains no implication of gender in the Constitution or Canons, except when so required by the Constitution or Canons of General Convention.
- .027 **Parish:** means a geographical area, the bounds of which have been set apart and delimited for the purpose of Church organization and administration. Where the context so requires, the word shall also include and mean not only each vestry of this Diocese, but also each separate congregation in union with this Convention, each Diocesan mission, and the enrolled members of Trinity Cathedral who are members of no other congregation.
- .028 **Presbyter:** means a person ordained as priest in this Church.
- .029 **Registrar:** means an official of the vestry elected pursuant to the provisions of National Constitution and Canons of this Church, the Constitution and Canons of this Diocese, the by-laws of the parishes and separate congregations and whose duties are therein prescribed; it may and frequently does mean an officer of the Trustees of a mission congregation under whatever name, who performs similar duties.
- .0210 **Vestry:** means the governing body of a parish or separate congregation, and may, and often does, include the trustees of a mission and the Chapter of Trinity Cathedral.
- .0211 **Year:** means, for purposes of calculating the terms provided by the Diocesan Constitution and Canons, for a delegate to Diocesan Convention, a member of any committee, or any diocesan officer, that period of time which shall elapse between adjournment of an Annual Diocesan Convention and adjournment of the next annual Diocesan Convention.
- .0212 **Convention Year:** means the period of time between the annual meetings of the Convention of the Diocese.

- .0213 **Mission Congregation:** means an unincorporated congregation, without parochial organization, whose affairs are administered by a Board of Trustees appointed by the Bishop.

- .0214 **National Constitution and Canons:** means the latest version of the Constitution and Canons for the government of the Protestant Episcopal Church in the United States of America otherwise known as the Episcopal Church, adopted by General Convention.

- .0215 **Standing Committee:** means that committee of the Diocese created to exercise certain specified ecclesiastical duties, powers and privileges either in conjunction with the Bishop or in his place and stead under some circumstances.

- .0216 **Church's Program Fund:** means a fund for the missionary work of the General Church and of the Diocese and other expenses of the Diocesan Council apportioned to the parishes, separate congregations, and missions of the Diocese.

Journal of 1962, p. 18: Amended Section 2(d) to refer definition to General Canons.

Journal of 1968, p. 16: Added Section 2(p).

Journal of 1977, pp. 26, 62: Amended to add a definition of "Bishop" to make clear who has authority in the absence of the Bishop of Easton, where Constitution or Canon refers only to the Bishop.

Journal of 1978, pp. 11, 50, 51: In subsection Sections 2(f), 2(g), 2(n) and 2(o) the terms Convention Fund and Shared Objective were changed to Diocesan Fund and Church's Program, respectively. Section 2(r) defining "Year" was added to clarify when terms of office began and ended.

Journal of 1990, p. 149: Section 2(k) was amended to expand definition of parish to include all forms of organization in which a congregation functions. The resolution also authorized removal of the reiteration of these organizational forms by editing the Constitution & Canons to incorporate the new definition.

Journal of 1992, p. 108: Section 2(s) was added because National Canons are being continually revised. Reference by number is the Diocesan Canons are out of date. The referenced Canon would be identified by description.

Journal of 1992, p. 110: Section 2(d) amended so as to conforms to the current wording of Section 2(i) of this Canon.

Journal of 2002, pp 10 and 28: Deleted (f) Diocesan Fund, (g) Diocesan Fund Budget, (n) Church's Program Fund, and (o) Church Program Budget in their entirety. Amended (®) Year to delete reference to the Vestry Act. Re-lettered the remaining paragraphs accordingly.

Journal of 2005, pp. : Section 1 [804.011] amended by striking reference to the Vestry Act.

Journal of 2005, pp. : Section 2(i) [804.021(a)(vii)] amended by striking reference to the Vestry Act.

Journal of 2005, pp. : Section 2(k) [804.021(a)(ix)] amended by striking "the Vestry Act Affecting the Diocese of Easton" and substituting "NATIONAL Constitution and Canons of this Church, the Constitution and Canons of this Diocese, the by-laws of the parishes and separate congregations."

CANON 805
Of the Repeal of Former Canons

Repeal of Former Canons. All former Canons of this Diocese adopted before the 4th day of May, 1960 are hereby repealed.

This was completed using the Constitution and Canons published in the 2001 Journal as a base. It is updated through 2007. Please forward any corrections or changes to David Bryan at dcb1@goeaston.net or 410-822-6872.

