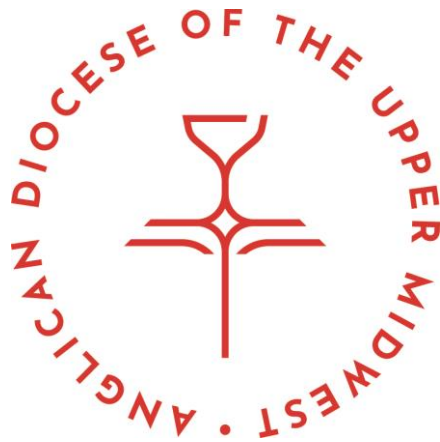


THE ANGLICAN DIOCESE OF THE UPPER MIDWEST
OF THE
ANGLICAN CHURCH IN NORTH AMERICA



CONSTITUTION AND CANONS

Approved June 2013, Anglican Church in North America, Provincial Council
Amended October 2015, Anglican Diocese of the Upper Midwest

WORKING DOCUMENT – CANONS ONLY

TABLE OF CONTENTS TO BE UPDATED AT TIME OF FINAL DRAFT

TABLE OF CONTENTS

Canons of the Anglican Diocese of the Upper Midwest

Preamble	<u>11</u>
TITLE I - ORGANIZATION AND ADMINISTRATION	<u>11</u>
Canon 1: Structure and Authority	<u>11</u>
Canon 2: Of the Diocesan Assembly	2 <u>Synod</u>
	<u>12</u>
Section 1. Powers and Duties	23
Section 2. Membership	<u>34</u>
Section 23 . Meetings of the Diocesan Assembly <u>Synod</u>	<u>45</u>
Canon 3: Of the Bishop's Council	Standing <u>Committee</u>
	<u>45</u>
Section 1. Membership	45
Section 2. Powers and Duties	<u>45</u>
Section 2. Membership	<u>46</u>
Canon 4: Of the Diocesan Council	<u>14</u>
Section 1. Powers and Duties	<u>14</u>
Section 2. Membership	<u>14</u>
Canon 5: Officers of the Diocese	<u>89</u>
Section 1. The Bishop	<u>89</u>
Section 2. Of the Election of a Bishop, Bishop Coadjutor, or Bishop Suffragan	84 <u>105</u>
Section 3. The Bishop Coadjutor	84 <u>106</u>
Section 4. Section 3. The Bishop Suffragan	<u>104</u>
Section 45 . The Chancellor	<u>104</u>
Section 56 . The Secretary	<u>104</u>
Section 67 . The Treasurer	<u>104</u>
Section 78 . The Registrar	<u>114</u>
Section 89 . Terms of Office and Diocesan Assembly <u>Synod</u> Representation	<u>114</u>
Canon 56 : Committees of the Diocese	<u>114</u>
Section 1. Finance Committee	<u>114</u>
Section 2. Committee on Constitution and Canons	<u>114</u>
Section 3. Other Committees	<u>17</u>
Canon 67 : Of Congregations and Parishes	<u>124</u>
Section 1. Application Procedure	<u>134</u>
Section 2. Establishing New Congregations	<u>134</u>

CANONS OF THE ANGLICAN DIOCESE OF THE UPPER MIDWEST

AS AMENDED OCTOBER 2015

Section 3. Appointment of a Rector to an Existing Congregation	<u>1414</u>
Section 4. Governance, Organization and Business Affairs of a Congregation or Parish	<u>1415</u>
Section 5. The Laity and Membership	<u>1516</u>
Canon 78 : The Rector /Senior Pastor and the Pastoral Relationship	<u>1516</u>
Section 1. The Pastoral Relationship	<u>1516</u>
Section 2. Other Clergy	<u>1616</u>
Section 3. Restrictions upon Rector's Resignation and Removal	<u>1616</u>
Section 4. Procedure When Pastoral Relationship Imperiled or Hindered	<u>1617</u>
Section 5. Removal of the Rector/Senior Pastor	<u>1718</u>
Canon 89 : Congregation, Mission and Diocesan Property	<u>1718</u>
Section 1. No Denominational or Diocesan Trust in Congregation Property	<u>1718</u>
Section 2. Diocese Empowered to Own Its Own Property	<u>1718</u>
Canon 910 : Financial Affairs of Congregations and The Dioces	<u>921</u>
Canon 1011 : Cathedral Church of the Diocese	<u>921</u>
TITLE II - WORSHIP AND ADMINISTRATION OF THE SACRAMENTS	<u>1920</u>
Canon 1: Conformity with Provincial Canons	<u>1920</u>
Canon 2: Of Authorized Translations of the Bible	<u>1920</u>
Canon 3: Of Authorized Forms of Public Worship and Authorized Editions of the Book of Common Prayer	<u>1920</u>
Canon 4: Of Christian Marriage	<u>1022</u>
Canon 5: Of Standards of Morality and Ethics	<u>1921</u>
Section 1. Exemplary Style of Life	<u>1921</u>
Section 2. Sanctity of Marriage	<u>2021</u>
Section 3. Sanctity of Life	<u>2021</u>
Section 4. Pastoral Ministry	<u>2021</u>
TITLE III-OF MINISTERS, THEIR RECRUITMENT, PREPARATION, ORDINATION, OFFICE, PRACTICE AND TRANSFER	<u>2122</u>
Canon 1: Of Holy Orders in this Diocese	<u>2122</u>
Section 1. Threefold Pastoral Ministry as Described in Scripture	<u>2122</u>
Section 2. Ministerial Offices of Priest and Bishop Affirmation	<u>2122</u>
Section 3. Canonical Obedience	<u>2122</u>
Section 4. Formulating Requirements Consistent with Scripture	<u>2122</u>
Section 5. Qualifications in Provincial Constitution and Canons	<u>2223</u>
Canon 2: Concerning Ordination and Reception of Ministers	<u>2223</u>
Section 1. Applicant Steps	<u>2223</u>
Section 2. Declaration of Belief	<u>2223</u>
Section 3. Bishop's Satisfaction of Qualifications	<u>2324</u>
Section 4. Receiving Bishops to Serve	<u>2324</u>

CANONS OF THE ANGLICAN DIOCESE OF THE UPPER MIDWEST

AS AMENDED OCTOBER 2015

Canon 3: Of [Licensed](#) Lay Ministry 2324

TITLE IV - ECCLESIASTICAL DISCIPLINE 2426

Canon 1: Church Discipline 2426

Canon 2: [The Ecclesiastical Court](#)

[Canon 3: The Rights of the Resondent](#)

[Canon 4: Canonical Investigations](#)

[Canon 5: The Prosecution of a Presentment or Other Controversy](#)

[Canon 6: Attorneys and Non-attorney Advocates](#)

[Canon 7: Court Rules and Procedures](#) 2727

~~[Canon 3 Compliance with the Applicable Canons of the Church](#)~~ 2727

[Canon 8: Clergy Under Ecclesiastical Authority in Another Jurisdiction](#)

[Canon 9: Of Sentences](#)

TITLE V - ENACTMENT, AMENDMENT, AND REPEAL OF CANONS 2828

Canon 1: Amendments 2828

**THE CANONS OF DIOCESE OF THE UPPER MIDWEST
OF THE
THE ANGLICAN CHURCH IN NORTH AMERICA**

Preamble

Pursuant to the Constitution of the Anglican Church in North America (hereinafter referred to as “the Province”) and the Canons thereof (“Provincial Canons”); and the Constitution of the Diocese of the Anglican Diocese of the Upper Midwest (hereinafter referred to as “the Diocese”), the Diocese, acting in Assembly, hereby adopts these Canons for the purpose of establishing and maintaining its own governance.

TITLE I

ORGANIZATION AND ADMINISTRATION

Canon 1 Structure and Authority

The Diocese is ~~comprised~~composed of Anglican ~~e~~Congregations in the Upper Midwest and is currently organized into ~~four~~three (3) Deaneries: Minnesota, Wisconsin, and the Greater Chicago area, ~~and the Greenhouse net of Congregations.~~

1. ~~The A~~ eCongregation, as defined by the Canons of the Diocese, is the fundamental unit of mission.
2. Congregations are organized into Deaneries and led by Deans who are selected by each respective Deanery ~~in the manner each deems appropriate according to a procedure(s) approved by the Standing Committee, with final appointments subject to the Bishop’s approval. New Deans must be affirmed in council, with the advice and consent of the Bishop and be confirmed by the Bishop, after consulting with the Bishop’s Council. Standing Committee.~~
3. ~~Member congregations shall be represented in the Provincial Assembly by delegates elected by the Synod as provided by Article IV, Paragraph 3 and Article VI, Paragraph 3 of the Provincial the Constitution and by these canons~~Canons of the Province and of this Diocese.
34. The Diocese shall be represented in the Provincial Council and Provincial Assembly by delegates elected by the Synod based upon nominees presented ~~as provided by the Standing Committee, subject to Article IV, Paragraph 6, and Article VII, Paragraph 3 of the Provincial the Constitution and by these Canons, by delegates chosen by the Bishop’s Council, subject to the approval~~Canons of the Bishop. Province and of this Diocese.
45. The Ecclesiastical Authority of ~~this diocese~~Diocese shall be vested in the Bishop and, in the absence of the Bishop, in the ~~Bishop’s Council~~Standing Committee as provided by ~~Article IV, Paragraph 2 of the Provincial the Constitution, Title I, Canon 5, Sections 1 and 3~~Canons of the Provincial Canons, Article III of the Diocesan Constitution and by these canons.the Diocese.
56. The Diocesan Constitution and ~~these canons~~Canons recognize the right of each member eCongregation to establish and maintain its own governance ~~not inconsistent~~consistent with the

provisions of the ~~Provincial and Diocesan~~ Constitution and Canons of the Province and of this Diocese.

7. ~~The Bishop's Council has legislative, executive and judicial authority of the diocese.~~
8. ~~The Diocesan Assembly has authority to amend the constitution, to adopt or amend canons, and to approve other matter specified by the canons.~~

Canon 2 **Of the ~~Diocesan Assembly~~ Synod**

Section 1. Powers and Duties

~~The Diocesan Assembly has the power to adopt and amend the Diocesan~~ We believe that mission flows from worship. The Synod shall therefore meet annually for prayer, study of the Scriptures, mutual encouragement, and the furtherance of common mission.

The Synod shall be the primary legislative body of the Diocese, and it shall have the following powers and duties:

1. Approve the annual budget;
2. Adopt and Amend the Constitution and Canons;
3. Elect members of the Standing Committee, and to receive the Bishop's Council's admissions of Congregations into the Diocese. It shall also review the vision the Diocesan Council (when required), and the Ecclesiastical Court;
4. Elect representatives to the Provincial Council and value the Provincial Assembly;
5. Under the leadership of the Bishop, further the spread of the gospel through the work of the Diocese;
6. Approve the admission of Congregations to the Diocese;
7. Perform other duties as required by the Constitution and review Canons of the diocesan budget. Diocese; and
8. Adopt Exercise authority not otherwise delegated under the Constitution and Canons;
 - ~~— Approve resolutions;~~
 - ~~— Approve budgets; and~~
 - ~~— Take any other specific action for the conduct of the affairs of the Diocese.~~

~~The Synod shall include all of the Presbyters and Deacons under the authority of the Bishop in the Diocese.~~

~~In order to attain Aa quorum for the transaction of business at Synod, requires that at least two-thirds of the Congregations must be represented and that by one (1) or more representatives, two-thirds of both the Lay Delegates must be present, and two-thirds of the active Clergy must be present. Except The affirmative vote of a majority of all delegates present is required for approval of all actions, except as otherwise provided by the Constitution and Canons of the Diocese. for the election of a Bishop and the amendment of this Constitution, an affirmative vote may be accomplished by a majority vote of all delegates present.~~

Section 2. Membership

All clergy and at least two Lay Leaders from each congregation, chosen in a manner deemed appropriate by each congregation in the diocese shall meet annually for the furtherance of common mission.

The Synod shall be composed of Clergy Delegates and Lay Delegates as defined below.

1. Clergy Delegates

The Clergy Delegates shall include the Bishop and any Assisting Coadjutor or Suffragan Bishops and all of the active Presbyters and Deacons under the authority of the Bishop of the Diocese; provided, however, that no member of the Clergy under ecclesiastical discipline or suspension shall be entitled to a seat included in the Synod.

An official list of all active and duly ordained Presbyters and Deacons under the authority of the Bishop shall be maintained by the Ecclesiastical Authority, kept current by the Registrar, and maintained on file in the central office of the Diocese. The list shall contain the addresses and positions of the active eClergy and shall be published at least 30 days in advance of any meeting of the Synod. Any active member of the eClergy whose name is not on the published list who wishes to vote at the Synod shall may bring the omission to the attention of the Registrar, and the Ecclesiastical Authority shall determine voting status. The official final list shall be available to the Synod on the first day of its meeting.

Every active member of the eClergy under the authority of the Bishop who is not under ecclesiastical discipline or suspension shall attend every meeting of the Synod unless excused in writing by the Ecclesiastical Authority.

2. Elected Lay Delegates

Congregations are entitled to a Lay Delegate or Delegates to the Synod as provided below. Lay Delegates shall be communicants and members in good standing in a eCongregation in the Diocese and shall be elected by the Vestry of each eCongregation or, if by a meeting of the congregation as provided in the bylaws of the eCongregation, by a meeting of the Congregation. The first delegate from each Congregation shall be the Senior Warden or a person elected in the place of the Senior Warden.

The number of delegates for each eCongregation shall be determined on the basis of the eCongregation's average Sunday attendance for the previous calendar year, as follows:

<u>1-49: one delegate</u>
<u>501-99: two (2) delegates</u>
<u>100-199: three (3) delegates</u>
<u>200-299: four (4) delegates</u>
<u>300-399: five (5) delegates</u>
<u>400-499: six (6) delegates</u>
<u>More than 499: seven (7) delegates</u>

Each eCongregation shall also elect such number of alternate delegates as it ~~shall~~deems necessary and certify in writing the names, address, and contact information for each delegate and alternate on a form prepared by the Registrar of the Diocese, no fewer than ~~60~~45 days prior to Synod.

Other Members

The lay members of the Standing Committee shall be ~~ex officio non-voting~~ Lay Delegates to ~~of~~ the Synod and, additionally, each may serve as a voting Delegate of his or her Congregation if so elected.

Section 3. Meetings of the ~~Diocesan Assembly~~Synod

- a. ~~The Diocesan Assembly~~Synod shall meet regularly once a year at a date set by the Bishop after consulting with the Bishop's Council.
- b. ~~Special~~and may also ~~havemeet in a special meeting or~~ meetings may be called by the Bishop, after consulting with the Bishop's Council~~called for a specific purpose.~~

The Bishop, with the advice of the Standing Committee, shall determine the date, time, and place of all meetings of the Synod. The Secretary of the Diocese shall give notice of regular meetings at least ~~180~~90 days in advance, ~~except for good cause as determined by the Bishop and the Standing Committee,~~ and no fewer than 15 days prior to any special meeting, ~~except for good cause as determined by the Bishop and the Standing Committee.~~

The agenda for any regular Synod meeting, ~~and all proposed resolutions,~~ including the proposed rules of order and the proposed annual budget, shall be provided to delegates no fewer than 15 days prior to the meeting. No business shall be transacted at ~~thea regular or special~~ meeting other than that stated in the agenda, unless two-thirds of those present ~~and eligible to vote and voting~~ at the meeting authorize the transaction of such other business.

**Canon 3
Of the ~~Bishop's Council~~Standing Committee**

~~Section 1. Membership~~

~~The Deans of the various Deaneries of the Diocese shall be ongoing members of the Bishop's Council. Two additional members shall be selected from each Deanery in whatever manner each individual Deanery deems appropriate. Fifty percent of the voting members of the Bishop's Council shall constitute a quorum for the transaction of business.~~

~~Section 12. Powers and Duties~~

~~Except as otherwise provided in the Constitution and Canons of the Diocese, the Bishop's Council~~
The Standing Committee of the Diocese shall have the following powers and duties:

- 1. a. Serve as ~~Together with the Bishop and subject to confirmation by the Synod~~ when required, act to accept or deny an application for admission of a Congregation or Mission into the Diocese;

- ~~2. Perform~~ Establish committees and subcommittees as necessary to accomplish the work of the Standing Committee and perform such other duties and responsibilities as may be assigned by the Bishop;
3. Be a council of advice to the Bishop;
- ~~b. Function as the legal Board of Directors of the diocese;~~
- ~~e. Serve as the Ecclesiastical Authority of the diocese~~ Accept or deny, in the absence of a Bishop;
4. ~~d. Consult~~ ~~conjunction~~ Together with the Bishop, act to approve or deny, applications for the approval of new congregations provided herein by Title I, Canon 6 ordination ordinations to the ~~D~~diaconate ~~or~~ ~~and~~ ~~P~~presbyterate;
- ~~e. Unless and until an Ecclesiastical Trial Court of the Diocese is formed, the Bishop's Council shall serve as the Ecclesiastical Trial Court but may also appoint a Trial Court, task force or committee (comprised of members of the Bishop's Council or other communicants in good standing in the diocese) to which it may delegate this responsibility.~~
5. ~~f. Select the members for~~ Nominate individuals to fill vacancies on the Standing Committee, the Ecclesiastical Court, and the Diocesan Council;
6. Nominate individuals to represent the Diocese in the Provincial Council (as per and the Provincial Title I, Canon 1, Section 2: the Bishop, one member of the clergy, and two Laypersons). Assembly;
7. ~~g. Consult with~~ Provide advice and consent to the appointment by the Bishop about ordination of individuals to serve as provided by Title III of these diocesan canons.

Canon 4

- ~~Officers of the Diocese and as members of the Ecclesiastical Court, the Finance Committee, and the Committee on Constitution and Canons;~~
8. Authorize staff to establish and implement policies and procedures regarding the day-to-day operations of the Diocese;
 9. Coordinate and communicate with the Deans in the execution of Diocesan functions;
 10. Establish policies and administrative practices governing the operation of the Diocese;
 11. Oversee an annual review of the work of the Bishop conducted by a subcommittee designed by the Standing Committee and chaired by the Chair of the Standing Committee;
 12. Fulfill the duties of the Diocesan Council until such time as the creation of a Diocesan Council may be deemed necessary;
 13. Establish rules, procedures, and notice requirements governing the Standing Committee; and Provide an annual review of the work of the Bishop; and
 14. Perform such other duties as required by the Constitution and Canons of the Diocese.

Section 2. Membership and Operation

The Standing Committee shall be composed of seven (7) members, which shall include the Bishop, three (3) clergy members and three (3) lay members. The three (3) Clergy and three (3) lay members shall be elected by the Synod at its annual meeting, subject to the requirements below.

The Standing Committee, or the Bishop's Council under the prior Diocesan canons for the first Standing Committee election, shall serve as a nominating committee for Standing Committee candidates. Such nominating committee shall, at a minimum, give notice to all Congregations regarding the opportunity and time to nominate candidates for Standing Committee, determine a slate

of nominees to be considered by the Synod, and conduct criminal background checks of all nominees submitted to the Synod. The minimum number of nominees for lay seats shall be the number of open lay seats multiplied by two. The minimum number of Clergy seats shall be the number of open Clergy seats multiplied by two.

Elected Mmembers of the Standing Committee shall be elected at Synod to staggered three-year terms. The initial nominating committee referenced above shall allocate Standing Committee seats as follows: (1) one lay and one Clergy member shall serve one year terms; (2) one lay and one Clergy member shall serve two year terms; and (3) one lay and one Clergy member shall serve three year terms. Each voting Synod delegate may cast as many votes for lay Standing Committee nominees as there are open lay seats. Each voting Synod delegate may cast as many votes for Clergy Standing Committee nominees as there are open Clergy seats. Nominees shall be elected based upon the greatest vote totals within each class of seats. With respect to the initial election, staggered terms for the lay and Clergy members, respectively, shall be determined by lot.

Each Standing Committee member may serve for two consecutive full terms of three years each ~~and retiring members~~(in addition to any partial term). A member who has served the maximum time described above ~~are~~ is ineligible for re-election ~~for to the three~~ Standing Committee for three years from the completion of his or her service. ~~One clergy member and one lay member shall be elected to serve from each Deanery.; none of whom shall be a~~ A Dean may not serve as a Standing Committee member. ~~Multiple nominees (at least two) shall be nominated for each vacancy.~~ The Standing Committee shall fill all vacancies in its own body or any elected office that may occur between meetings of the Synod and such persons shall serve until the next Synod.

A members of the Standing Committee shall certify annually that he or she (1) is a communicants and members in good standing in a eCongregation of the Diocese; (2) submits to the Constitution and ~~shall be~~ Canons of the Diocese; and (3) ascribes to the Jerusalem Declaration. The lay members of the Standing Committee shall be entitled to ~~seat,~~ voice in the Synod as Lay Delegates.

~~All Standing Committee members shall have both voice and vote on all matters decided by the Standing Committee.~~

The Standing Committee shall render its decisions by a majority vote of its members present at a meeting (including the Bishop) and in compliance with Standing Committee rules, procedures, and notice requirements.

At ~~it~~the first meeting after each Synod, the Bishop, as the presiding officer of the Standing Committee, shall choose a Chair for the Standing Committee from among its members. The Standing Committee shall then choose from among its members a Vice-Chair. Except as noted below, the Chair and, in the Chair's absence the Vice Chair, shall preside over all Standing Committee Meetings.

The Bishop shall ~~serve as the Presiding Officer of the Standing Committee, with~~ have a voice but no vote on matters decided by the Standing Committee, except that in the event of a tie the Bishop, ~~as Presiding Officer,~~ may vote on that matter to break the tie. When present at a Standing Committee meeting, the Bishop may ~~also~~ preside, at his sole discretion, over that meeting in lieu of the Chair~~man~~ or Vice Chair~~man~~.

Canon 4 Of the Deaneries

A Deanery constitutes a grouping of Congregations led by a Clergy member serving as a “Dean.” Each Deanery shall have one (1) Dean who is selected by the Deanery according to a procedure(s) approved by the Standing Committee, and whose appointment is subject to the final approval of the Bishop. Deaneries may be formed by the Bishop, with the advice and consent of the Standing Committee. The purposes of a Deanery shall be to support and encourage the ministries of the Congregations within the Deanery and to assist with communications regarding Diocesan initiatives; provided, however, that neither Deaneries nor Deans shall have policy-making authority. Deans shall serve at the discretion of the Bishop.

Section 1. ~~The Bishop~~ Authority, Composition and Organization

Subject to the authority of the Bishop, Deaneries of the Diocese (currently including Minnesota, Wisconsin, and Greater Chicago) are responsible for encouraging the ministry of congregations and the expansion of the ministry of the Church within their respective areas. The formation of new deaneries is encouraged as growth occurs.

The formation of a new deanery shall be recommended by the Dean of the existing deanery of which it is part. The formation of a new deanery must be affirmed by the Bishop with the advice and consent of the Standing Committee.

Section 2. Meetings of the Deaneries

Clergy and lay leaders from each deanery shall meet at least once each quarter (except for the quarter in which the annual Synod occurs) for prayer, study of the scriptures, mutual encouragement and the furtherance of common mission.

Canon 5 Of the Diocesan Council

Section 1. Powers and Duties

The powers and duties of the Diocesan Council shall be exercised by the Standing Committee until such time as the creation of a Diocesan Council may be deemed necessary, inclusive of ~~have the~~ following powers and duties:

1. Implement the decisions made and policies and programs adopted by the Synod;
— ~~Act on behalf of the Synod between meetings of that body;~~
— ~~Oversee Diocesan programs and provide for the efficient management of the business of the Diocese;~~
2. Prepare, under the leadership of the Bishop, an annual report to the Synod regarding the work and mission of the Diocese;
3. Consult with the Treasurer and Finance Committee regarding the annual budget proposed for consideration and adoption by the Synod; and

- ~~— Consult with the Committee on Constitution and Canons regarding amendments proposed for consideration and adoption by the Synod; and~~
4. Perform such other duties as required by the Constitution and Canons of the Diocese.

Section 2. Membership [Reserved]

~~The Diocesan Council shall be composed of the Bishop as Chair, the Deans, the Chair of the Standing Committee, and one clergy member and one lay member from each deanery elected by the Synod at its annual meeting.~~

~~Elected members of the Diocesan Council shall serve staggered three year terms. Each member may serve for two consecutive full terms and retiring members are ineligible for reelection for three years. Multiple nominees shall be nominated for each vacancy.~~

~~The Chancellor, Treasurer, Secretary, Registrar, and the Chair of the Committee on Constitution and Canons shall serve on Diocesan Council with voice but no vote.~~

~~The lay members of the Diocesan Council shall be communicants and members in good standing in a congregation of the Diocese and shall be entitled to seat, voice, and vote in the Synod.~~

Canon 6

Of the Ecclesiastical Court

Section 1. Authority, Composition, and Organization

~~There shall be an four (4) member Ecclesiastical Court of the diocese and Diocese for the Presiding Officer application of church discipline in accordance with the Constitution, Canons and Rules of Court (Procedural and Evidentiary), and to resolve such other disputes and controversies which by canon or request of the Bishop be submitted to it. The jurisdiction, composition, and terms; of office; of the Ecclesiastical Court shall be established by canon, under Title IV of these Canons. and it shall be composed of clergy and lay members.~~

~~Until the adoption of UMD Rules of Court (Procedural and Evidentiary), the Ecclesiastical Court of the Diocese shall operate in accordance with the Rules of Court (Procedural and Evidentiary) as adopted and utilized by the ACNA Provincial Ecclesiastical Court.~~

Canon 7

Officers of the Bishop's Council Diocese

Section 1. The Bishop

~~The Bishop shall serve as the Ecclesiastical Authority of the Diocese and the Chair of the Diocesan Council and Chair of the Synod, Assembly with and shall have the authority and responsibilities as set forth in Article VI of the Constitution of the Diocese and those additional express authorities set forth in the Constitution and Canons of the Province and the Diocese. The Bishop shall may also serve as Dean of his Deanery.~~

Section 2. Of the Election of a Bishop, Bishop Coadjutor, or Bishop Suffragan

~~The Bishop and Bishop's Council~~The process for nominating and electing a ~~b~~Bishop, ~~or b~~Bishop ~~e~~Coadjutor, or ~~b~~Bishop ~~s~~Suffragan shall be as follows:

1. Notice shall be given by the Ecclesiastical Authority to, and consent received from, the College of Bishops for the commencement of an election.
2. The Ecclesiastical Authority shall actively engage all eCongregations in the Diocese to participate in a process of prayer, fasting, education, and discernment leading to the selection of candidates for the office of Bishop.
3. Not later than six (6) months prior to the Synod at which a new Bishop may be elected (the "Electing Synod"), an Electing Assembly, tThe Standing Committee shall appoint ~~one clergy and one (1) lay representative from each dDeanery, and one (1) Deacon within the Diocese,~~ none of whom are on the Standing Committee, to confer with the ~~accompany each Deans and the Chair of the Standing Committee in order- on a nominating retreat~~ to discern ~~seem~~ those qualities sought in individuals to be presented to the Electing Synod as nominees for ~~BishopAssembly~~, including but not limited to core knowledge, skills, abilities, and experience.
4. ~~Following the retreat, those clergy and lay representatives who accompany the Deans on retreat (and not the Deans)-~~Such group shall comprise the Bishop Nominating Committee, ~~who~~and shall call for an Electing Synod~~Assembly~~ not fewer than five (5) months from the date of such notice. The Electing Synod may be held separately or in conjunction with the annual Synod meeting.
5. Lay delegates to the Electing Synod~~Assembly~~ shall be ~~those~~the Lay ~~d~~Delegates to the prior annual Synod and all other delegates shall be determined as otherwise set forth under the Constitution and Canons of the Diocese.
6. Any delegate to the Electing Synod~~Assembly~~ may submit nominations to the Bishop Nominating Committee no later than four (4) months prior to the Electing Synod~~Assembly~~.
7. The Bishop Nominating Committee shall ~~make a retreat to pray over, discern, and establish~~arrive at a slate consisting of no fewer than ~~three~~two (2) and no more than five (5) nominees for Bishop, ~~names~~ and shall publish ~~this~~the list of such names to the Diocese no later than ~~sixty~~thirty days prior to the Electing Synod~~Assembly~~.
8. At the Electing Synod~~Assembly~~, delegates shall vote by ~~Elected Lay and Clergy Delegate groups, respectively,~~ ("Orders") and may vote for one (1) of the candidates presented or may abstain. If one (1) candidate receives the affirmative vote of two-thirds of the total delegates present in each Order, he is elected and his name shall be sent to the College of Bishops for confirmation. If no candidate is elected, delegates shall revote up to four (4) additional times upon request of any delegate. If no candidate is elected following the initial vote and four (4) additional votes, the number of nominees shall be reduced to the two (2) nominees with the greatest number of votes in the most recent vote. ~~t~~The delegates shall then resume voting ~~vote~~ by Order and an affirmative vote of a majority of the total delegates present in each Order shall serve to elect one (1) of the nominees as Bishop. ~~(a) revote; (b) send up to three names-If election by majority vote is not attained within both Orders after three (3) additional votes, such nominees' names shall be submitted to the College of Bishops for their choosing.; or (c) reject all names. If all names are rejected, responsibility reverts to the Bishop Nominating Committee to produce a new slate of candidates within six months~~

Section 3. The Bishop Coadjutor

The Bishop and Standing Committee may create the position of Bishop Coadjutor, who shall is intended to succeed the Bishop upon the Bishop's retirement, death, or removal. -The Bishop

Coadjutor shall be ~~chosen in accordance with~~ elected by ~~the provisions of Article VI, Section 3 of the Diocesan Constitution.~~ an Electing Synod as provided in ~~this~~ the Constitution and Canons of the Diocese. The Bishop shall prescribe the duties and responsibilities of the Bishop Coadjutor during the period in which the Bishop and Bishop Coadjutor concurrently serve.

~~Section 3.~~ Section 4. **The Bishop Suffragan**

The Bishop and ~~Bishop's Council~~ Standing Committee may create one (1) or more Bishops Suffragan to assist the Bishop who shall be ~~chosen~~ elected by ~~the~~ an Electing Synod as provided in accordance with the provisions ~~this~~ the Constitution and Canons of the Diocese. The Bishop shall prescribe the duties and responsibilities of ~~Article VI,~~ a Bishop Suffragan.

~~Section 3 of the Diocesan Constitution and whose duties shall be prescribed by the Bishop.~~

~~5.~~ ~~Section 4.~~ Section 5. **The Chancellor**

The Chancellor of the Diocese, appointed by the Bishop with the advice and consent of the ~~Bishop's Council~~ Standing Committee, shall be (1) a communicant and member in good standing in a Congregation of the Diocese; (2) submit to the Constitution and Canons of the Diocese; and (3) ascribe to the Jerusalem Declaration. ~~a communicant and a member in good standing of a Congregation of this Diocese.~~ He or she shall be learned in the law and licensed to practice law in one of the jurisdictions encompassed by the Diocese. -The Chancellor shall have responsibility for the legal affairs of the Diocese ~~and~~, shall serve the Diocese as counsel to the Bishop and the ~~Bishop's Council~~ Standing Committee, and shall be a voting member *ex officio* of the Committee on Constitution and Canons. The Bishop may appoint assistant chancellors as necessary with the advice and consent of the Standing Committee.

~~Section 5.~~ Section 6. **The Secretary**

The Secretary of the Diocese, appointed by the Bishop with the advice and consent of the ~~Bishop's Council~~ Standing Committee, shall be (1) a communicant and member in good standing in a Congregation of the Diocese; (2) submit to the Constitution and Canons of the Diocese; and (3) ascribe to the Jerusalem Declaration. ~~a communicant and a member in good standing of the Province. a Congregation of this Diocese.~~ He or she shall keep the minutes of the meetings of the ~~Bishop's Council~~ Standing Committee, the Diocesan ~~Assembly~~ Council, and the Synod and shall submit such reports as the Bishop may request. -The Bishop may appoint assistant secretaries as necessary with the advice and consent of the Standing Committee.

Section 7. ~~Section 6.~~ **The Treasurer**

The Treasurer of the Diocese, appointed by the ~~Bishop's Council~~ Bishop with advice and consent of the Standing Committee, shall be (1) a communicant and member in good standing in a Congregation of the Diocese; (2) submit to the Constitution and Canons of the Diocese; and (3) ascribe to the Jerusalem Declaration. ~~a communicant and a member in good standing of the Province. a Congregation of this Diocese.~~ He or she shall be the custodian for all of the funds of the Diocese. -The Treasurer shall prepare the annual diocesan budget and shall ~~file~~ make an annual report to the ~~Diocesan Assembly~~ Synod on the financial status of the Diocese, including reports of account for all funds under his or her custody or control, profit and loss statements, and balance sheets. -The Treasurer shall also be responsible for the preparation of such periodic financial reports as may be required by the ~~Bishop's Council~~ Standing Committee.

Section 78. The Registrar

The Registrar, appointed by the Bishop with the advice and consent of the Bishop's Council Standing Committee, shall be (1) a communicant and member in good standing in a Congregation of the Diocese; (2) submit to the Constitution and Canons of the Diocese; and (3) ascribe to the Jerusalem Declaration. ~~a communicant and a member in good standing of the Province, a Congregation of this Diocese.~~ He or she shall be the custodian of official records of the Diocese and shall issue such certification as may be directed by the Bishop or the Bishop's Council Standing Committee.

Section 89. Terms of Office and Diocesan Assembly Synod Representation

The Chancellor, the Secretary, the Registrar, and the Treasurer shall serve at the pleasure of the Bishop ~~and the Bishop's Council.~~ All Officers of the Diocese shall attend ~~serve as members ex officio~~ of the Diocesan Assembly Synod ~~but shall not have the right to vote at Synod by virtue of his or her office.~~

Canon 58

Committees of the Diocese

Section 1. Finance Committee

The Bishop's Council Bishop shall appoint a Finance Committee of the Diocese— with the advice and consent of the Standing Committee. ~~At least one (1) member of, with at least one representative ex officio from the Standing Finance Committee shall be a Standing Committee member. Each~~ Members of the Finance Committee shall be a communicant and member in good standing in a Congregation of the Diocese; (2) submit to the Constitution and Canons of the Diocese; and (3) ascribe to the Jerusalem Declaration. ~~communicants and members in good standing of Congregations of this Diocese.~~ The Finance Committee shall consult with ~~oversee~~ the Treasurer and function as an audit committee for the diocesan budget. ~~Diocese as may be requested by the Standing Committee from time to time. The Finance Committee shall perform such other duties as may be assigned by the Diocesan Council or Standing Committee.~~

Section 2. Committee on Constitution and Canons

The Bishop's Council may appoint a Committee on Constitution and Canons to review proposed changes to the Constitution and Canons and make recommendation to the Diocesan Assembly. ~~The Bishop shall appoint a Committee on Constitution and Canons with the advice and consent of the Standing Committee. The Committee shall consist of the Diocesan Chancellor, ex officio and three (3) eClergy, and three (3) lay persons, who shall serve three-year staggered terms, at least one (1) member of which shall be a practicing attorney. Each~~ Members of the Committee on Constitution and Canons shall be (1) a communicant and member in good standing in a Congregation of the Diocese; (2) submit to the Constitution and Canons of the Diocese; and (3) ascribe to the Jerusalem Declaration. No member who has served for two (2) consecutive three-year terms shall be eligible for reappointment until one (1) year after his or her term has expired. The Committee shall elect a Chair amongst its members and shall recommend, in consultation with the Diocesan Council and with the consent of the Standing Committee, amendments to the Constitution and Canons of the Diocese to the Synod. Proposed amendments to the Constitution and Canons shall be provided to the delegates to Synod no fewer than 9030 days in advance for comment, with final versions provided no fewer than 15 days in advance.

Section 3. Other Committees

The ~~Bishop's Council~~Bishop may appoint other Committees as necessary with the advice and consent of the Standing Committee.

Canon 69

Of Congregations and Missions ~~and Parishes~~

Section 1. Congregation Defined

1. Any group may seek to affiliate with the Diocese as a Congregation as provided in this Canon. A Congregation is a community of worshippers that meets the following criteria:
 - a. Meets the requirement for a "congregation" under the Provincial Canons;
 - b. Has a Vestry under the authority of the Bishop;
 - c. Conducts weekly worship in a public space in accordance with the doctrine and forms of worship recognized as Anglican in form and substance by the Anglican Communion and as permitted by the Bishop;
 - d. Has enabled ministries for prayer, evangelism, discipleship, service, fellowship, and Bible study;
 - e. Is financially self-supporting, maintains adequate insurance, has the ability to fund its own operations, and contributes to the support of the Diocese; and
 - f. Is organized in accordance with these Canons.
2. Any group not meeting the above requirements that wishes to be recognized as a Congregation may apply to the Standing Committee for a waiver of one or more of these requirements subject to any conditions established by the Standing Committee.
3. Any group not meeting the requirements for a Congregation may apply to be recognized as a Mission.

~~Any group of the faithful may seek to affiliate as a Congregation. A Congregation normally shall consist of a group of the faithful meeting together regularly for worship. A Parish may consist of one or more Congregations united for common mission within a Deanery.~~

Section 2. Mission Defined

Any group of Christians worshipping or planning to worship on a regular basis separately from a Congregation who wish to be associated with the Diocese, and who are not recognized as a Congregation, may be recognized as a "Mission" under the following circumstances: 1) a church-plant or similar undertaking, the goal of which is to become a Congregation; or 2) an innovative outreach designed to provide opportunity for full participation in the Diocese outside of a Congregation's regular worship service(s). All Missions must be affiliated with a Congregation and under the supervision of such Congregation's Vestry. A Mission's affiliation with a Congregation shall be subject to Diocesan approval as set forth in Section 3 below. For Diocesan purposes, a Mission's church attendance shall be included in the church attendance of the Congregation with which the Mission is affiliated.

Section 3. Designations upon Enactment of Canons

The following designations shall be effective upon enactment of the Canons notwithstanding any other provision of this Canon 9. The existing Diocesan congregations listed under Section A in the

Recognition of UMD Congregations document presented at the December 2023 Diocesan Assembly are hereby recognized without further action as Congregations. The congregations listed under Section B in the Recognition of UMD Congregations document presented at the December 2023 Diocesan Assembly are hereby recognized without further action as Congregations for a period of six (6) months. The church plants not yet recognized as Congregations listed under Section C in the Recognition of UMD Congregations document presented at the December 2023 Diocesan Assembly are hereby recognized as Missions under the supervision of the designed Congregations.

Section 41. Application Procedure Establishing New Missions and Congregations

The Diocese encourages the establishment of new Missions and Congregations. The establishment of new Missions and Congregations are significant undertakings to be pursued only with a foundation of prayer and planning.

~~a. Any group of the faithful seeking to affiliate as a Congregation, or a Congregation desiring to establish a Mission, shall submit its a request to the appropriate Dean to be affirmed by the Deans in council Bishop, who shall consult with the Bishop, and confirmed by the Standing Committee. Upon the approval of the Bishop after consulting and the Bishop's Council. All Standing Committee, a new congregations shall be received Mission or Congregation may be provisionally admitted to membership in the Diocese, provided that the admittance of a new Congregation is subject to final confirmation at the next Diocesan Assembly. Synod. A congregation Congregation joining the Diocese shall agree in writing to become subject to the authority of the Bishop and the Constitution and Canons of the Province and the Diocese and shall be assigned to a Deanery.~~

Section 5. Accepting Congregations from other Dioceses

~~b. A Congregation attached to another Diocese or Cluster of the Province, desiring to become a member Congregation of this Diocese, shall follow the procedure outlined above in Section 4a-3 of this Canon. The Canon. Prior to such application, the Congregation must receive the consent of the Bishop of the jurisdiction diocese to which it has been attached.~~

Section 2. Establishing New Congregations

The Diocese encourages the establishment of new congregations Congregations:

- ~~1. a. Under the authority and with the consent of the Bishop, a Priest or Deacon may plant a new Congregation and then shall follow the procedure outlined above in Section 1a of this Canon canon.~~
- ~~2. b. A layperson may lead in the establishment of a new congregation under the guidance of a Rector/Senior Pastor or his designate, and then may follow the procedure outlined above in Section 1a of this canon in conjunction with their Parish Rector.~~

Section 6. Disassociation from the Diocese

1. A Congregation may disassociate from the Diocese either upon the action of a Congregation or upon the joint action of the Bishop and the Standing Committee. The term disassociation includes, but is not limited to, the transfer of a Congregation to another ACNA Diocese.

2. If a Congregation desires to disassociate from the Diocese, the Rector and Senior Warden shall first meet with the Bishop and the Chair of the Standing Committee for the purpose of resolving pending concerns. If such concerns are not resolved, the Congregation may adopt a "Resolution of Concern" by a majority vote of its Vestry. The Resolution of Concern shall be addressed to the Bishop and must contain a brief statement of the reasons for the proposed disassociation; such resolution shall also contain a request that the Bishop consult with the Vestry and Rector of a Congregation. Upon receipt of a Resolution of Concern, the Bishop shall transmit the resolution to the Standing Committee. The Bishop and the Chair of the Standing Committee shall then promptly meet in-person with the Vestry and Rector of the Congregation. If the Congregation does not withdraw the Resolution of Concern within 15 days of such conference, the relationship between the Diocese and the Congregation may be dissolved at the election of either the Diocese or the Congregation.
3. The Diocese may choose to expel a Congregation by a two-thirds vote of the Standing Committee and approval by the Bishop.

Section 73. Appointment of a Rector to an Existing Congregation

1. a. A Congregation's governing body or other duly constituted team selected by the Congregation for such purpose Congregation's Vestry may shall select the Rector/Senior Pastor of a Congregation when the need arises.
2. b. A prayerful process and due diligence shall be undertaken in consultation with the Bishop and Dean in the search and calling of a Rector/Senior Pastor to a Congregation. The Vestry may appoint a search committee to consider appropriate candidates to be considered for election and call as Rector by the Vestry. The names of the candidates shall be submitted to the Bishop for his advice and consent.
3. e. Before extending an offer to a candidate, the Congregation's governing body Vestry must obtain the written approval of the Dean and Bishop.

Section 84. Governance, Organization and Business Affairs of a Congregation or Parish

Each ~~parish~~ Congregation shall have a governing body, often referred to as the Vestry or Parish Council, which governing body is referred to as a Vestry in the Constitution and Canons of the Diocese, and hereafter in this document referred to as the Parish Council, ~~and which member Congregations and Parishes in their own setting may call whatever they deem appropriate under the discretion of the Rector/Senior Pastor.~~ Each Congregation shall operate under by-laws approved by the Diocesan Chancellor following consultation with the Bishop.

1. a. The Rector/Senior Pastor shall chair preside over the Parish Council Vestry in accordance with a Congregation's by-laws. with Vestry members and officers shall be chosen by the Congregation or Parish under rules that each Congregations or Parishes may establish for that purpose. In addition to the Rector/Senior Pastor and a Senior and Junior Warden, a Congregation may have select such other officers as allowed by its governing documents.
2. b. The Parish Council Vestry shall be responsible for the financial oversight of the Congregation or Parish in accordance with Provincial and Diocesan the Constitution and Canons of this the Diocese, and it the Vestry may or may not task an additional create a Finance Committee to be responsible for preparation of the annual budget.

3. ~~e.~~ Each Congregation ~~or Parish~~ shall have a Treasurer, who shall be a member of the Finance Committee ~~ex officio~~, if the Congregation ~~or Parish~~ has a Finance Committee. The Treasurer shall be the custodian of the funds of the Congregation and shall perform such other duties as required by the ~~Parish Council~~ Vestry.
- ~~d.~~ Congregations and/or Parishes with multiple Congregations shall develop documents that articulate their structure for governance and organization, and shall comply with the laws of the jurisdiction where they are located.
4. Every member of the ~~Parish Council~~ Vestry shall affirm the following declaration and promise:
“I do believe the Holy Scriptures of the Old and New Testament to be the Word of God and to contain all things necessary for salvation and I do yield my hearty consent to the doctrines, discipline and worship of Christ as the Anglican Church in North America has received them. I promise that I will faithfully lead and serve as I am called as a member of this local Congregation to the best of my ability.”
5. Each member of the Vestry shall be (1) a communicant and member in good standing in a Congregation of the Diocese; (2) submit to the Constitution and Canons of the Diocese; and (3) ascribe to the Jerusalem Declaration.

Section 95. The Laity and Membership

The people of God are ~~the chief agents of the mission of the Church~~ called to extend the Kingdom of God by so presenting Jesus Christ in the power of the Holy Spirit that people will come to put their trust in God through Him, know Him as Savior, and serve Him as Lord in the fellowship of the Church. The effective ministry of the Church is the responsibility of the Laity no less than it is the responsibility of the Bishop and the Presbyters and Deacons. It is incumbent for every Lay member of the Church to become an effective minister of the gospel of Jesus Christ, one who is spiritually qualified, gifted, called, and mature in the Faith.

1. ~~a.~~ The Diocese recognizes that the ministry of the laity is indispensable to the work of the Diocese and that lay ministry originates within each Congregation. It is the responsibility of all Clergy and Congregations of the Diocese to equip the laity for ministries in their communities. Congregations and/or Parishes are encouraged to equip the ministry of the Laity.
2. ~~b.~~ Congregations ~~may~~ shall establish their own discipleship process designed to prepare people for membership in the Church and help members become fully devoted followers of Jesus Christ who are fully incorporated into the Body of Christ. The discipleship process is encouraged to include instruction of all candidates for membership in the doctrine, discipline, and worship of Christ as the Church has received them.

~~Canon 7~~

Canon 10-9

The Rector/~~Senior Pastor~~ and the Pastoral Relationship

Section 1. The Pastoral Relationship

~~A prayerful process of discernment, including due diligence, shall be undertaken in the calling of a Rector/Senior Pastor to a Congregation or Parish. The Parish Council or designated search committee shall obtain the approval of the Dean and Bishop before extending an offer to a candidate.~~

The relationship between the Rector/~~Senior Pastor~~ and the Congregation is one of mutual trust and dependence in carrying out the ministry of the Congregation. In all matters the Rector/~~Senior Pastor~~

and the Congregation shall observe the principles of mutual submission called for by the Apostle Paul in Philippians 2:3 and Ephesians 5:22. For the purposes of the Canons of this Diocese, the term “Rector” shall mean a member of the Clergy who has charge of a Congregation.

Section 2. Other Clergy

The Rector/~~Senior Pastor~~, in consultation with the ~~Parish Council~~ Vestry, shall select all assistant or associate ~~e~~Clergy and paid staff who shall serve at the pleasure of the Rector. ~~Senior Pastor.~~ Whenever matters of disagreement develop, it is incumbent on all parties to approach one another with patience, understanding, ~~of the views of all parties,~~ and Christian charity to avoid having the relationship imperiled or hindered.

~~Section 3. Restrictions upon Rector’s Resignation and Removal~~

~~Except for reason of age or disability, a Rector/Senior Pastor may not resign as Rector/Senior Pastor without giving the remainder consent of the Congregation’s governing body such notice as it may require. Vestry. A Rector/Senior Pastor may not be removed against his will except as hereinafter provided or as provided in Canon 7 of this Title.~~

Section 34. Procedure When Pastoral Relationship Imperiled or Hindered

Whenever a Rector/~~Senior Pastor~~ or a majority of the ~~Congregation’s governing body~~ Vestry believes the pastoral relationship between the Rector/~~Senior Pastor~~ and the Congregation to be imperiled or hindered ~~by reason of dissension~~, either or both may present the matter to the ~~Dean and~~ Bishop.

- ~~1. a.~~ Upon notification of such imperilment or hindrance by the Rector or the Vestry, the Bishop shall promptly seek reconciliation by whatever means he believes appropriate, that is not inconsistent with Holy Scripture. The Bishop, or his appointee, shall may hold conferences with the Rector/~~Senior Pastor~~ and the ~~remainder of the Congregation’s governing body~~ Vestry, who shall both participate cooperatively in the process. The Bishop may issue such interim recommendations directives appropriate to the cause before issuing a final judgment. Prior to issuing a final judgment, the Bishop shall consult with the Deans, the Bishop’s Council and the Chancellor of the Diocese. with the Standing Committee and the Chancellor of the Diocese. The Standing Committee may schedule a conference with the Vestry and the Rector/Senior Pastor before rendering its advice to the Bishop. At such conference, the parties may be heard and be represented by a person or persons of their choice.
- ~~2. b.~~ The Bishop shall make the final judgment after praying over the matter and taking into consideration the recommendations of the Congregation’s Parish Council and consulting with the Deans and the Bishop’s Council. The recommendations Bishop may include: 1) a leave of absence with pay for the Rector/Senior Pastor; 2) a continuation of refusal to dissolve the pastoral relationship on a provisional basis; 3) restorative directives; or 4) a dissolution of the pastoral relationship. Such judgment may also include terms and conditions applicable to one (1) or more parties, and may also include financial settlement terms but only if approved by all parties.
- ~~e.~~ If the relationship is to be dissolved, the terms of judgment may include terms and conditions for compliance by both parties and may include an equitable financial settlement that is just and compassionate to be determined at the discretion of the Bishop. The Rector/Senior Pastor or the remainder of the Congregation’s governing body Vestry may petition the Bishop to review

~~and/or modify of the financial terms of the judgment. The Bishop shall in all cases render ensure that pastoral support is rendered to the Rector/Senior Pastor.~~

~~3. d. If at the time of a need for the Bishop's intervention in the relationship between a Rector/Senior Pastor and a Vestry there is no Bishop, or the Bishop refuses to act within a reasonable time period thirty days, the Standing Committee or Vestry may appeal to the Archbishop for action.~~

~~4. d. If for any reason either the Vestry or the Rector/Senior Pastor shall refuses to comply with the judgment of the Bishop, the Bishop may suspend the Rector/Senior Pastor from the exercise of the ministry of a Presbyter until he complies with the judgment— or, in the case of the Vestry, the Bishop may call a eCongregational meeting for the purpose of notifying the Congregation of the Vestry's noncompliance with the judgment. The Bishop may requestpetition the SynodStanding Committee to remove the Congregation from the Diocese in the event of continued noncompliance by the Vestry.~~

Section 5. Removal of the Rector/Senior Pastor

~~A Congregation or Parish may only request the removal of the Rector/Senior Pastor from his office, for cause, with the consent of the Bishop after showing that cause for removal exists. If the Parish Council desires the Bishop to remove the Rector/Senior Pastor for cause, it shall consult with the Dean and Bishop prior to any action in the circumstances. As used in this Canon, the term "cause" shall mean the Rector/Senior Pastor has been convicted of a crime involving moral turpitude, or the Congregation's governing body has been presented with evidence that it deems substantial and credible of any of the following: (i) the commission of a crime involving moral turpitude, (ii) habitual insobriety or drug addiction, (iii) dishonest or fraudulent conduct, (iv) embezzlement, theft or intentional destruction of property, or (v) sexual misconduct.~~

Canon 8

~~Congregation, Mission and Diocesan Property~~

Canon 101

Congregation and Diocesan Property

Section 1. No Denominational or Diocesan Trust in Congregation Property

All real and personal property owned by or held for the benefit of a Congregation shall belong exclusively to that Congregation, free of any trust or other claim by the Diocese or the Province.

Section 2. Diocese Empowered to Own Its Own Property

The Diocese may own its own property to be held in whatever form determined by the ~~Bishop's Council~~Standing Committee, and any such property shall be free of any claim of trust or ownership by the Province.

Canon ~~9~~12

Financial Affairs of Congregations and the Diocese

The ~~Office of the~~ Bishop in consultation with the ~~Deans and Bishops Council~~Standing Committee ~~shall~~may develop and maintain a suitable Customary on Guidelines for Financial Affairs of Congregations and the Diocese consistent with the teaching of Holy Scripture, the Constitution of this Diocese, and the Constitution and Canons of the ~~Church~~Province.

Canon ~~1013~~

Cathedral Church of the Diocese

A Congregation and the Bishop, with the advice and consent of the Standing Committee, may agree to the designation of that Congregation as the Diocesan Cathedral under such terms as both approve.

~~The Church of the Resurrection in Wheaton, Illinois, shall be the sole and permanent cathedral of the Diocese of the Upper Midwest. The bishop of the Diocese of the Upper Midwest~~The Bishop ~~shall be resident at the Cathedral, serve as its chief pastor, and personally exercise all the duties of the office of rector~~Rector ~~that he does not delegate to one or more individuals of his choosing with the advice and consent of the vestry of that Church.~~

TITLE II

WORSHIP AND ADMINISTRATION OF THE SACRAMENTS

Canon 1
Conformity with Provincial Canons

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

Canon 2
Of Authorized Translations of the Bible

The Lessons used in services of public worship shall be read from translations of the Holy Scriptures as authorized by the Bishop of the Diocese ~~in consultation with the Deans in council~~.

Canon 3
Of Authorized Forms of Public Worship
and Authorized Editions of the Book of Common Prayer

It is the prerogative of the Bishop, ~~in consultation with the Deans in council~~ to determine that the forms used in Public Worship and the Administration of the Sacraments do not contradict the Anglican Faith and Order and that nothing be established that is contrary to the Word of God as revealed in the Holy Scriptures.

Canon 4
Of Christian Marriage

The Diocese affirms our Lord's teaching that the Sacrament of Holy Matrimony is in its nature a union lifelong and permanent of one (1) man and one (1) woman. -Christian marriage in this Diocese shall be in conformity with Title II, Canon 7 of the Provincial Canons. -The Bishop, ~~in consultation with the Deans in council~~, shall prescribe

1. Minimum required preparation for marriage, and
2. Requirements for a person who has received a civil divorce to be married in the Church.

Canon 5
Of Standards of Morality and Ethics

Section 1. Exemplary Style of Life

Clergy and laity of this Diocese are called to be exemplary in all spheres of morality. -This is a condition of being appointed to or remaining in a position or office of leadership.

TITLE II

Section 2. Sanctity of Marriage

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

Section 3. Sanctity of Life

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

Section 4. Pastoral Ministry

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

TITLE III
OF MINISTERS, THEIR RECRUITMENT, PREPARATION,
ORDINATION, OFFICE, PRACTICE AND TRANSFER

Canon 1
Of Holy Orders in this Diocese

~~The Congregation and/or Parish and Deanery, in which an aspirant for Holy Orders is a member, shall engage in the discernment of aspirants for Ordination under the oversight of the Bishop, and the Bishop's Council, and the Deans of the Diocese Standing Committee.~~

Section 1. Threefold Pastoral Ministry as Described in Scripture

This Diocese affirms what Anglicanism has always held in common, namely the normality and sufficiency of the threefold pastoral ministry of Bishop, Presbyter, and Deacon as described in Holy Scripture. Persons shall be admitted to the office of Bishop, Presbyter, or Deacon in this Church, and allowed to exercise any of these offices, who have been called, examined, and ordained according to an authorized ordinal of this Church or ordained in some church whose orders are recognized and accepted by this Church.

Section 2. Ministerial Offices of Priest and Bishop Affirmation

This Diocese affirms the scriptural teaching and historic tradition of the Church that the Christian ministerial offices of priest (presbyter - πρεσβύτερος) and bishop (ἐπίσκοπος) are male (1 Timothy 3:1-7; Titus 1:5-9).

Section 3. Canonical Obedience

Any person who has received authority to be a Presbyter or Deacon in this Church owes canonical obedience in all things lawful and honest to the Bishop having jurisdiction, and the Bishop of this Diocese owes canonical obedience in all things lawful and honest to the Archbishop of the [Church Province](#).

Section 4. Formulating Requirements Consistent with Scripture

The Deans and the ~~Bishop's Council~~ [Standing Committee](#) shall assist and advise the Bishop in formulating the needs and requirements for the present and future ministry in the Diocese, regarding the manner of selection of persons for ministry, and regarding the guidance of all postulants and candidates for ordination to Holy Orders. -The recruitment, preparation, ordination, office, practice, and transfer of Ministers, shall be consistent with the teaching of Holy Scripture (especially, but not limited to, 1 Timothy 3:1-13; 5:17; and Titus 1:6-9), the Constitution of this Diocese, and the Constitution and Canons of the [Church Province](#).

Section 5. Qualifications in Provincial Constitution and Canons

The qualifications for persons seeking ordination into Holy Orders in this Diocese shall, except as provided herein, conform to the standards of ordination for clergy that have already been established in the Constitution and Canons of the Church Province.

Canon 2

Concerning Ordination and Reception of Clergy Ministers

Section 1. Applicant Steps

Persons desiring to be ordained in this Diocese, and ministers from other jurisdictions who seek to be received into this Diocese, ~~shall apply in writing to the Bishop or those to whom the Bishop delegates such authority.~~ Applicants shall be provided a copy of this Canon 2 and, should they wish to continue seeking ordination or reception, they should seek the discernment of others to confirm that call. ~~Initially, the applicant should notify the Rector/Senior Pastor of a Congregation in this Diocese.~~ The Rector/Senior Pastor and the applicant shall follow the process outlined by the Bishop which, at a minimum, shall: (a) call for the applicant to complete an application for Holy Orders on the form required by the Bishop; (b) include affiliation of the applicant with a single Congregation in this Diocese for at least ~~two~~ one (1) years; (c) must submit to the Constitution and Canons of this Diocese, and subscribe in writing to the Jerusalem Declaration prior to ordination and annually thereafter; and (d) subject the call to the decision of a Discernment Committee of the Vestry of that same or another Congregation.

Upon the favorable recommendation of the Discernment Committee and of the Rector/Senior Pastor, the Vestry by at least two-thirds vote shall determine whether to recommend the applicant to the Bishop for admission to postulancy, and, if it so determines, shall submit their recommendation to the Bishop. The recommending Congregation shall serve as the applicant's "Sponsoring Congregation."

Upon the recommendation of a Sponsoring Congregation, applicants shall follow the process established by the Bishop and those to whom the Bishop delegates such authority and in accordance with these ~~canons~~ Canons. The ordination or reception process shall include an independent background check covering the following: the checking of all references and previous employers for the previous ten (10) years, credit reports, the checking of records from Departments of Motor Vehicles, and a complete criminal records check to include the Sexual Predators Directory.

Section 2. Declaration of Belief

No person shall be received as eClergy in this Diocese until they shall have subscribed in writing and agree to annually re-subscribe to the following declaration:

I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of Christ as this Church has received them. ~~SEP~~ And I do promise, here in the presence of Almighty God and of the Church, that I will pay true and canonical

obedience in all things lawful and honest to the Bishop of the Diocese of the Upper Midwest, and his successors, so help me God.

Section 3. Bishop's Satisfaction of Qualifications

The Bishop, being fully satisfied of a person's theological and other qualifications, and soundness in the faith, and upon successful completion of examination as provided in ~~the any~~ Customaries for Ordination, Transfer, or Reception may, with the advice and consent of the Standing Committee, ordain persons in this Diocese, or receive eclergy from other churches or jurisdictions into this Diocese as provided in this Canon 2-

Section 4. ~~Receiving Bishops to Serve~~ Active and Inactive Clergy

For the purposes of the Canons of this Diocese, "Active Clergy" shall mean Clergy who: (1) regularly serve at a Congregation or who are serving in an ordained capacity within the Diocese in accordance with the approval of the Bishop; (2) regularly attend Synod meetings unless excused by the Bishop; (3) are not under Ecclesiastical discipline and (4) meet such other requirements as established by the Bishop in consultation with the Standing Committee.

Active Clergy may become inactive upon such Clergy's written request that he or she be designated as inactive, or upon the Bishop's determination that such Clergy is no longer Active Clergy under the foregoing criteria.

~~The Bishop, being fully satisfied of a person's theological and other qualifications, and soundness in the faith, may receive bishops from other jurisdictions of the Church into this Diocese, with or without examination, to serve as Rector/Senior Pastor of a Congregation or as a Bishop in Residence in a Congregation, or to serve in a ministry of this Diocese. A bishop so received shall owe canonical obedience in all things lawful and honest to the Bishop of this Diocese.~~

~~Canon 3~~ Of Licensed Lay Ministry

~~The Diocese recognizes that the ministry of the Laity is indispensable to the work of the Diocese and that this ministry originates within each Congregation and Mission. All clergy, and Congregations and Missions of the Diocese are strongly encouraged to equip the laity for ministries in their communities. To this end, Rectors and clergy overseeing Congregations may approve members asseek the Bishop's license for Lay Church Planters, Lay Evangelists, Lay Pastors, Lay Preachers, Lay Catechists, Lay Readers, and Lay Eucharistic Ministers for ministry in the local Congregation or Mission. Those exercising these ministries need to be spiritually mature, of sound character, have received adequate training, and have regular oversight. The Standing Committee shall establish minimum standards for training and licensing and the Bishop shall ensure adequate oversight of such lay ministers.~~

TITLE IV

ECCLESIASTICAL DISCIPLINE

Canon 1
Church Discipline

~~Every member of the~~All eClergy canonically resident in this Diocese ~~or licensed by the Bishop to exercise ministry in this Diocese~~ shall be subject to the disciplinary provisions of Title IV of the Canons of the ~~Church~~Province and to the provisions of these Canons. Every member of the laity of this ~~d~~Diocese shall be subject to the disciplinary rubrics of the Book of Common Prayer authorized by the Bishop and in use in the layperson's Congregation. The responsibility for investigating and disciplining members of the laity belongs to the Rector of the affected Congregation.

Canon 2
The Ecclesiastical Court

~~The Ecclesiastical Court shall consist of fourtwo (2) eClergy and fourtwo (2) lay members, all appointed by the Bishop with the advice and consent of the Standing Committee, nominated by the Standing Committee and elected by the Synod, at least one (1) of whom is a practicing attorney. Such members shall serve four-year terms. Within two (2) months of the appointment of the Court, the Court shall elect one (1) person among its members to serve as the Ppresiding Jjudge. The Bishop may appoint attorneys at law to advise the Court as to its procedures. The Court shall appoint a recorder of proceedings, which recorder mayshall be a court reportingreporter agency- not affiliated with the Diocese or shall make an audio recording (including a video recording if so desired) of all court proceedings.~~

Canon 3
Accusations and Investigations of Presbyters and Deacons~~**The Rights of the Respondent**~~

Section 1. Accusations

1. An accusation or accusations of conduct believed by an accuser(s) to be in violation of Provincial Canon IV.2 (as renumbered from time to time) may be brought against a Presbyter or Deacon. Whenever possible the Bishop shall meet with the accuser(s) in person to assess their credibility and the credibility of the accusation(s).
2. Any charges or accusations made against a Presbyter or Deacon must be in writing and indicate the date, time, and person(s) involved in the alleged act or omission. Such charges or accusations shall be in a writing that contain the facts supporting the allegations of wrongdoing and shall be signed and sworn to by the accuser(s) and delivered to the Bishop. Such charges or accusations must contain a written statement describing the steps undertaken to honor the provisions of Matthew 18:15-20 or the reasons why such steps are

not appropriate under the circumstances. Any person against whom an investigation or disciplinary measures are initiated (an “Accused”) shall be presumed innocent until he or she has been determined guilty according to the provisions and procedures described herein. However, the Bishop may take whatever action he deems necessary to protect any vulnerable individual during the course of an investigation or further disciplinary action. All disciplinary procedures shall be undertaken speedily in a manner consistent with principles of fairness, due process, and natural justice.

3. If the Bishop deems the accuser(s) or the accusation(s) to be credible, he shall cause an investigation to be made by a canonical investigator. If the Bishop deems the accuser(s) not to be credible and the accusation(s) to be without any merit, he shall inform the accuser(s) of his determination and the accuser(s) shall have 30 days after such determination by the Bishop to appeal his decision to the Standing Committee. The Standing Committee shall then have 30 days to determine whether the accuser(s) and the accusation(s) are credible, or to affirm the Bishop’s decision. If the Standing Committee reverses the Bishop’s determination, in whole or in part, the Standing Committee shall cause an investigation to be made by a canonical investigator.
4. Whenever the Bishop believes he cannot fairly assess the credibility of the accuser(s), the accusation(s), or the accused, or fairly impose sentence, he shall recuse himself and delegate the investigation, presentment, and/or sentencing to another bishop having jurisdiction.
5. During the pendency of the investigation, the details of the accusation(s) and the investigation shall be maintained in confidence by the elected members of the Standing Committee and the canonical investigator. The accusation(s) and the pendency of an investigation shall be made known to the Accused.

Section 2. Concerning Voluntary Submission to Discipline

At any time after the receipt of an accusation(s), the Respondent may confess to the truth of the allegation(s) and submit to the discipline of the Church.

Section 3. Canonical Investigation, Presentment, and Trial

1. Following the appointment of a canonical investigator, the Accused shall be entitled to notice of an ongoing investigation. The Accused has the right to retain legal counsel or another representative and may submit his or her defense in writing to the canonical investigator.
2. The canonical investigator shall report the findings and make a recommendation to the Bishop and Standing Committee within a reasonable time.
3. If it is determined by the Bishop or Standing Committee that a trial should occur, then a presentment shall be prepared in accordance with the requirements of this Title IV and the norms of ecclesiastical law. Such rules and procedures shall acknowledge the presumption of innocence of the accused and the right to representation by counsel, shall be consistent with principles of fairness, due process and natural justice, and shall require expeditious handling consistent with those principles. No new rule of procedure shall be made while a matter is pending that affects such matter.

4. The Presbyter or Deacon accused in the presentment has the right to a trial within a reasonable time, unless personally waived.

Section 4. The Requirements for a Presentment

1. When, after investigation of an accusation, the Bishop or Standing Committee has determined that the matter should proceed forward, Articles of Presentment shall be prepared as set forth below, filed with the Ecclesiastical Court, and personally served within a reasonable time upon the Presbyter or Deacon against whom the accusation(s) has been made.
2. If Articles of Presentment are to be prepared, the Bishop, in consultation with the Standing Committee, shall appoint a person (lay or ordained) responsible for the drafting of such articles and the presentation of the same to the Ecclesiastical Court.
3. The Articles of Presentment shall be made in writing, presented in conformity with the Upper Midwest Diocese Rules of Court, and signed by a representative of the Diocese setting forth all particulars of time, place, and the circumstances alleged. ~~Any person against whom disciplinary measures are initiated (Respondent) shall be presumed innocent until he or she has been determined guilty according to the provisions and procedures described herein, but the Bishop may take all necessary action to protect any vulnerable individual during the course of the investigation or inquiry. All disciplinary procedures shall be undertaken speedily in a manner consistent with principles of fairness, due process, and natural justice.~~

Canon 4

Canonical Investigations

The Bishop may appoint a canonical investigator to ascertain the merit of any accusations made against any person of the Diocese and to make a recommendation to the Bishop as to whether further juridical process should be pursued, or such role may be carried out by referral of a presentment or accusation directly to the Court for inquiry and judicial process.

Canon 5

The Prosecution of a Presentment or Other Controversy

The Bishop may appoint an attorney or non-attorney advocate who may have the responsibility of preparing all presentments and presenting the evidence to the Court on behalf of the Diocese, or alternatively if no attorney or non-attorney advocate is appointed, the Court may proceed to formulate a presentment from the facts of an accusation and may then conduct its inquiry with respect to the proof of any presentment or other controversy before the Court.

Canon 6

Attorneys and Non-attorney Advocates

~~The Respondent shall have the right to an attorney or a non-attorney advocate to participate in any inquiry of any presentment or other controversy. The Respondent may select his or her attorney or non-attorney advocate of choice to participate in the proceedings.~~

Canon 47
Court Rules and Procedures

~~Consistent with these Canons and those of The rules governing proceedings in the Church, the Trial Court shall develop and maintain its own Customary on Rules and Procedures for are set forth in Appendix A to these Diocesan Canons. The Ecclesiastical Court shall develop and maintain a customary on rules and procedures which is consistent with the Canons of the Diocese. Such rules and procedures shall constitute the “Upper Midwest Diocese Rules of Court” (Procedural and Evidentiary), as referenced in Article V of the Constitution. With respect to trial proceedings in the Ecclesiastical Court, the Federal Rules of Evidence shall be persuasive authority regarding the admissibility of evidence. However, the Ecclesiastical Court may establish such rules and procedures as it deems appropriate.~~

Canon 58
Clergy Under Ecclesiastical Discipline, Authority in Another Jurisdiction

Canon 3
Compliance with the Applicable Canons of the Church

~~In conducting a trial, the Trial Court shall comply with all applicable Canons of the Church.~~

~~Regardless of whether any member of the eClergy under the authority of the Bishop is also under the authority of another bishop, whenever it is believed that such a member of the eClergy may have committed a canonical offense in this Diocese, the same shall be reported by the Bishop to the other bishop or archbishop who also has ecclesiastical authority over such member of the eClergy. Such member of the eClergy shall be subject to disciplinary proceedings in this Diocese in accordance with these Diocesan Canons.~~

Canon 69
Of Convictions and Sentences

~~Any conviction under this Title requires the affirmative vote of a majority of the Ecclesiastical Court. Upon any conviction, the Bishop shall pronounce sentence, which may include the authority of the Bishop to prohibit the convicted member of the eClergy or laity from serving in the Diocese.~~

TITLE V

ENACTMENT, AMENDMENT, AND REPEAL OF CANONS

Canon 1

Amendments Action on Agenda Items

The ~~Diocesan Assembly~~ Canons of the Diocese may be enacted, amended, or repealed by a majority vote of the Synod at any regular meeting or any Special Meeting called for ~~that such~~ purpose(s) ~~may amend the Canons of the Diocese.~~ No enactment, amendment, or repeal may be ~~approved~~ adopted ~~until unless~~ it has first been reviewed by the ~~Deans~~ Committee on Constitution and the Bishop, and the Bishop ~~Canons Committee, in consultation with the Bishops~~ Diocesan Council, and approved by the Standing Committee. Notwithstanding the foregoing, modifications made by the Synod to a proposed Canon or amendment previously approved by the Standing Committee may be ratified by the Standing Committee following the Committee on Constitution and Canons' review. ~~its recommendations given to the Diocesan Assembly for approval~~ Synod.

Canon 2

Consideration of and Action on Off-Agenda Items

Notwithstanding any provision in these ~~canons~~ Canons to the contrary, the ~~Diocesan Assembly~~ Synod may by two-thirds majority allow the consideration of, ~~and by majority vote approve, the enactment, proposed amendments, or repeal of to the diocesan~~ Canons, subject to ratification by the Standing Committee following the Committee on Constitution and Canons' review.