

CONSTITUTION AND CANONS



Adopted and Revised in General Synod of the American Catholic Church

2000 - 2012

CONSTITUTION

AND

CANONS

For the government of the

Diocese of California
American Catholic Church

Otherwise Known as

The American Catholic Church



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THE CONSTITUTION AND CANONS OF THIS CHURCH

The Constitution and Canons are to be used as a guideline and are normative. However, pastoral sensitivity in their application always is to prevail, given subjective and particular contexts and circumstances, and may be modified at the discretion of the Presiding Bishop in concurrence with the College of Bishops and the General Synod, as set forth herein.

LEGISLATIVE HISTORY OF THIS CONSTITUTION AND CANONS PREAMBLE

By the Grace of Almighty God the Creator, Jesus the Christ and the Holy Spirit, this Constitution and Canons is established as the organizational and legal norm for The Diocese of California, American Catholic Church, otherwise known as The American Catholic Church (which name is hereby recognized as also designating the Church), is a Fellowship within the One, Holy, Catholic, and Apostolic Church, of those duly constituted Dioceses, Provinces, and regional Churches, upholding and propagating the historic Catholic Faith and Order as set forth in the recognized books of worship. This Constitution, adopted in General Synod in California in 2000, as amended in subsequent General Synods, sets forth the basic Articles for the government of this Church.

ARTICLE I THE DIOCESE OF CALIFORNIA, AMERICAN CATHOLIC CHURCH

Chapter 1 Name and Jurisdiction

Canon I-1 Official Name

- A) The official name of this Church shall be: Diocese of California, American Catholic Church hereinafter referred to as, the American Catholic Church this Church, or the Church.
- B) Wherever herein The Diocese of California, American Catholic Church is referenced by the form, or the American Catholic Church, this Church, or the Church, such reference shall be as if made to the said Church by its full name.
- C) Formal intercommunion arrangements with other ecclesiastical bodies notwithstanding, this Church is a completely independent; autocephalous (self-governing) Catholic Church.

Canon I-1.1 Jurisdiction and Boundaries

- A) The boundaries of this Church shall be coincident with worldwide boundaries.
- B) In addition to the foregoing, this Church's boundaries shall be construed so as to include all territories, commonwealths, and possessions of the United States of America, including the District of Columbia, Guam, Puerto Rico, the U.S. Virgin Islands, and the Trust Territories of the Pacific; together with such other areas as may be at any time governed by the United States of America or their respective representatives, wherever situated.
- C) Furthermore, all military and naval facilities and vessels of the United States of America, wherever situated, together with the personnel and their families assigned thereto; and all persons acting in an official capacity as representatives of the government of the United States of American together with their families, wherever situated, shall be construed as being within the boundaries of This Church.
- D) This Church shall have jurisdiction anywhere in the world where it chooses to establish a mission.
- E) This Church has jurisdiction everywhere within its boundaries.

Chapter 2 Purpose

Canon I-2 Purpose of this Church

- A) This Church is a voluntary association of the members of Christ's One, Holy, Catholic and Apostolic Church which unites all Christians and exists for the purpose of making known the Gospel of Our Lord Jesus the Christ to all people within its jurisdiction and to provide the Sacraments of this Church and/or other pastoral care to all people.
- B) This Church shall worship the One True Triune God - Father, Son, and Holy Spirit and shall be part of God's Kingdom, unconditionally embracing all persons of faith and all persons seeking to discover or rediscover their faith.
- C) This Church shall establish Diocese, parishes, missions, religious communities and other necessary institutions as necessary to further the purpose set forth above.
- D) This Church declares itself to be an open and affirming inclusive Catholic faith community that particularly welcomes all those who have been injured or disenfranchised through religious bigotry or hatred, fear or ignorance. This Church welcomes individuals and couples who have been divorced and remarried, gays, lesbians, bisexuals, and those of the trans-gendered community, as well as those questioning their sexuality.

Chapter 3 Membership

Canon I-3 Membership defined

- A) Anyone who has validly received the Sacraments of Christian Initiation or received into full membership according to the approved liturgical and sacramental rites of this Church by a Deacon, Priest or Bishop in good standing of This Church is a member of This Church unless they give up such membership.
- B) Anyone who had validly received the Sacraments of Christian Initiation or received into full membership according to the liturgical and sacramental rites approved of herein by a Deacon, Priest or Bishop in good standing of another ecclesiastical communion is and who requests membership and is accepted in This Church, is a member of this Church.
- C) Anyone meeting these criteria who formally affiliates with any parish or mission of this Church by registering as a member of that parish or mission shall be

considered to have membership in This Church.

Canon I-3.1 Limitations of Member's Rights

The Rights of Membership for the various categories of members are set forth in this Constitution. Except as may be specifically provided herein, membership in This Church does not convey the right to vote within the civil corporate structure of This Church; nor does it convey equity in this Church nor in any property, real or personal, owned by This Church, nor that of any Diocese, Parish, or Mission of This Church; nor does it necessarily convey the right to vote in the General Synod or other Councils of this Church.

Canon I-3.2 Categories of Membership

There shall be three categories of membership in This Church: Lay, Religious, and Clergy. These categories exist as organizational conveniences reflecting the diversity of the gifts of the Holy Spirit and do not indicate a hierarchy of rank or privilege.

Canon I-3.2.1 Membership Categories Defined

- A) The Lay membership category shall consist of all members of This Church, who are neither members of the Religious Category nor the Clergy category.
- B) The Religious membership shall consist of all members of This Church, who are members of Religious Orders as defined by this Constitution and their respective Order's Rules and/or Constitution.
- C) The Clergy membership category shall consist of all members of This Church who have received the Sacrament of Holy Orders in the Order of Deacon, Presbyter (Priest), and Bishop according to the norms established in this Constitution and who have been incardinated into This Church.
- D) Members of Religious Orders who are also Bishops, Presbyters, or Deacons are members of both the Religious and Clergy categories. Nevertheless, with regard to membership in the General Synod, such persons are to choose only one (1) category for the purposes of participation and voting in the General Synod.

Chapter 4 The Law of This Church

Canon I-4 The Law of this Church Established

- A) The Supreme Law of this Church is the Law of God, revealed in the Person and Teaching of Jesus the Christ, the Incarnate Son of God; through the Holy Scriptures; and in the Traditions of the One, Holy, Catholic, and Apostolic Church.
- B) Exercising its teaching authority granted to it by Christ through the agency of the College of Bishops, this Church establishes and maintains a Statement of Beliefs which expresses the Revealed Truth entrusted to this Church by Christ and which is binding on all members of this Church.
- C) Exercising its teaching authority, laws and regulations are enacted and/or modified by and for the temporal governance of this Church by its legislative bodies. By enacting such laws, this Church binds all its members to a common body of normative regulations by which the temporal affairs of this Church are ordered and organized.

Canon I-4.1 The Law of this Church and this Constitution

- A) This Constitution comprises the national temporal Law of this Church. As such it is the normative temporal law and standard regulatory document for This Church. All local, regional, and diocesan regulations and all documents of civil incorporation or trust are subordinate to, and must conform to, the provisions of this Constitution.
- B) Whenever there is a conflict between local or diocesan regulations and any provision of this Constitution for any reason, the provisions of this Constitution prevail.
- C) In situations not covered by this Constitution or other legislation, national or diocesan or local, enacted according to the norms established herein, the competent Church authority having jurisdiction may act for their area of responsibility.
- D) Only the bodies established by this Constitution as legislatures for this Church may make or impose policy or define official positions for this Church.
- E) Only the College of Bishops may make public statements which represent official positions of this Church.

Canon I-4.2 Governing Bodies of this Church

- A) The General Synod and the College of Bishops govern and legislate for this Church nationally and in inter-diocesan matters.
- B) The Diocesan Bishop governs, legislates, and adjudicates in all intra-diocesan matters.
- C) The College of Bishops, adjudicates all matters pertaining to those in the Order of Bishop, except as herein defined.
- D) The General Synod hears and adjudicates appeals of judicial and disciplinary actions.

Chapter 5 Changing This Constitution

Canon I-5: Amending or Changing this Constitution

- A) This Constitution may be changed, amended, or replaced upon majority vote of the General Synod.
- B) Except as set forth herein, the content and/or format of the Statement of Belief, made a part of this Constitution by reference, may be altered or amended only by the General Synod.
- C) Notwithstanding the foregoing, neither this Church nor any of its governing body may alter, change, or revise the content of the creedal statements known as the Nicene Creed, the Apostles' Creed and/or the Athanasian Creed.

Chapter 6 Relations With Other Churches

Canon I-6.1 Relations With Other Churches

This Church desires to fulfill its mission and purpose, as herein defines in peaceful charity toward all communities of worship as Christ has taught us (cf John 13:34-35, Mark 9:40). Such extension of fraternal charity does not imply that formal intercommunion relationships exist between This Church and any other ecclesiastical body whatsoever.

Canon I-6.2 Establishing Formal Inter-Communion Relationships with other Churches

- A) It pertains solely to the College of Bishops, acting collegially, to establish formal Intercommunion relationships between This Church and other ecclesial bodies.
- B) Formal Inter-Communion relationships between This Church and any other Church may be established by the College of Bishops when, in the opinion of the said College, the beliefs of the other body are in accord with those of This Church
- C) Nothing in this Chapter shall be construed as encumbering the Diocesan Bishop from entering into informal relationships with other communities that foster the purpose and mission set forth above in Canon 1-6.1.

Canon I-7 Churches in Full Communion

- A) This Church has a relationship of full communion with the Ecumenical Catholic Communion under the terms of the "Intercommunion Agreement," which was adopted by the Presiding Bishop on July 1, 2008 and ratified by the General Synod on January 24, 2009.
- B) This Church has a relationship of full communion with the Reconciliation Old Catholic Church under the terms of the "Intercommunion Agreement," which was adopted by the Presiding Bishop on January 23, 2010 and ratified by the General Synod on January 28, 2012.

ARTICLE II THE BELIEFS AND PRINCIPLES OF THIS CHURCH

Chapter 1- Beliefs of This Church

Canon II-1 Statement of Belief

- A) The College of Bishops, acting in their capacity as successors of the Apostles and teachers of the Holy Faith, shall produce, and maintain a Statement of Beliefs for this Church, confirmed by the General Synod. Notwithstanding the foregoing, neither this Church nor any of its governing body may alter, change, or revise the content of the creedal statements known as the Nicene Creed, the Apostles' Creed and/or the Athanasian Creed.
- B) This Church believes in the Revelation of Jesus the Christ, as found in the Holy Scriptures, and in the Sacred Traditions, and Holy Sacraments of the One, Holy, Catholic and Apostolic Church. This Church accepts as normative statements of

faith the creedal prayers known as the Athanasian, Apostles, and Nicene Creeds. This Church further accepts as normative with regard only to statements of the Christian faith the decrees of the seven Ecumenical Councils of the Undivided Church (Nicea I through Nicea II).

- C) In the charity which binds the Mystical body of Christ into a Royal Priesthood of all believers, the General Synod shall be consulted in regard to the content and format of the Statement of Belief. Embracing with affection and with regard to the voice of the Holy Spirit which may be speaking through the People of God represented in the General Synod, the College of Bishops shall give full consideration to any counsel which the General Synod may offer in this area.
- D) This Church adheres to the principal “in essentials unity, in non-essentials diversity, and in all things charity.”

Chapter 2 Principles of This Church

Canon II-2 Statement of Principles

- A) The General Synod may produce, publish, and maintain a Statement of Principles which may explain the reasons for This Church’s existence as an independent Church, its history, and its position on matters which are not fundamental elements of the Faith. Such Statement may not mitigate, nullify, or change any element of the Statement of Beliefs, nor shall it in any way contradict the Teachings of Christ, the Sacred Scriptures nor the Traditions of this Church.
- B) Such Statement, when published is made a part of this Constitution by reference.

ARTICLE III THE LITURGY AND SACRAMENTS

Chapter 1 General Regulations on the Liturgy and the Sacraments

Canon III-I Regulation of the Liturgy and the Sacraments

- A) All persons within this Church shall celebrate and keep the Lord's Day, commonly called Sunday, by regular participation in the public worship of the Church, by hearing the Word of God read and taught, and by other acts of devotion and works of charity, using all Godly and sober conversation.
- B) It shall be the duty of every Member of the Clergy to see that music is used as an offering for the glory of God and as a help to the people in their worship in accordance with the Missal and as authorized by the rubrics or by the General

Synod of this Church. To this end the Member of the Clergy shall have final authority in the administration of matters pertaining to music. In fulfilling this responsibility the Member of the Clergy shall seek assistance from persons skilled in music. Together they shall see that music is appropriate to the context in which it is used.

- C) The Liturgy is the act of corporate prayer of this Church; Liturgical actions are, therefore, public in their nature even when celebrated without the presence of persons other than the minister.
- D) Whenever feasible the presence and active participation of the People of God in the celebration of the Liturgies and Rites of this Church is directed.
- E) In addition to those Liturgies and Rites authorized herein and as set forth below, it pertains solely to the General Synod to define, approve, and promulgate Liturgies and Rites for the Celebration of the Most Holy Eucharist and the Sacraments throughout this Church and to the Diocesan Bishop to do so for his or her Diocese.
- F) The Use of Gender Inclusive Language:
 - 1) The prayer of this Church is always the prayer of the assembled community and it is not sufficient that a formula handed down from some other time or region should be translated verbatim, even if accurately, for liturgical use. The formula must become the genuine prayer of the congregation, and in it each of its members should be able to find and express themselves.
 - 2) The only language we have for speaking about God is language based on our human experience in which persons are either male or female. But the natural tendency to attribute gender - and other human qualities - to God is derived from the limitations of human understanding and cultural circumstances. Everything we mean by male and female derives from God in whose image we are made. Given this understanding, it is acceptable, and also consistent with the scriptures, to use both male and female imagery for depicting God's dispositions towards ourselves. The words we use to name the three persons of the Holy Trinity are related to the original revelation that God is three distinct persons. The distinction itself is revealed not in the language of gender, but in the language of sending: the one who sends is necessarily distinct from the one who is sent. Jesus speaks of being sent by his Father, and speaks of the Holy Spirit being sent by himself and the Father. The terms "Father, Son and Holy Spirit" are not intended to attribute gender to God; they are the terms Jesus used when speaking of the different divine persons. Nevertheless, it is not inconsistent with scripture or in Jesus' teaching to speak about God as he did with both the ease with which he called God his father, and the ease

with which he used female imagery for illustrating God's dispositions towards us. Women mystics especially, have kept alive this Church's tradition of using female imagery for God. This language flows from deep respect for one another, and which enables us to include all. In this endeavor, this Church requires the use of Gender Inclusive language wherever appropriate and which is consistent with the parameters set forth herein.

Canon III-I.1 Additional regulation of the Sacraments by the Diocesan Bishop

Diocesan Bishops may impose additional regulations to those of this Constitution concerning the celebration of the Sacraments or the Holy Eucharist within their Diocese. They may do so by limitation to Faculties, or by diocesan law or regulation. Such additional regulations may not mitigate or lessen the regulation herein stated except as may have been expressly authorized herein.

Canon III-1.2 Faculties for the Celebration of the Sacraments

By virtue of their office, Diocesan Bishops have Faculties for the celebration of any Sacrament within their own Dioceses. The Presiding Bishop by virtue of their office has Faculties for the celebration of any Sacrament everywhere in this Church.

The application of this Canon shall follow provisions set forth in Canon VI-6.3: Faculties.

- A) Presbyters and Deacons require grant of Faculties from the Diocesan Bishop having jurisdiction over the place of celebration of any Sacrament in all cases except emergencies as defined herein.
- B) In an emergency where there is imminent danger of death and in the absence of a minister of a Sacrament possessing Faculties: any Priest, Deacon, or Bishop may minister the Sacrament of Anointing of the Sick, and/or Viaticum/Holy Communion; and any Priest or Bishop may minister the Sacraments of Reconciliation; for the pastoral good of the person receiving Sacrament regardless of debarment by operation of law, juridical decree, or lack of Faculties.
- C) Diocesan Bishops may grant Faculties to a Priest to minister the Sacrament of Confirmation in general circumstances for sufficient reason.
- D) Faculties may be granted to a Priest for the investiture of candidates into minor orders, and in other areas not prohibited by law or custom.
- E) Deacons may be granted Faculties to administer Holy Eucharist to the Sick and Anointing of the Sick without the Sacrament of Reconciliation. Only a Priest who has been given Faculties may administer the Sacrament of Anointing of the Sick with absolution of sin as a function of the Sacrament.

- F) The Sacraments of Baptism, Confirmation, and Holy Orders cannot be repeated since they impart a character on the human soul. If, after diligent investigation, a prudent doubt still remains whether these Sacraments have been validly conferred, they are to be conferred conditionally (sub conditione).
- G) The primary sacrament of reconciliation is the Eucharist. The Diocesan Bishop in charge bearing in mind the needs of the community she/he serves shall establish the appropriate ages for receipt of the Sacraments of Initiation (Baptism, Holy Eucharist, and Confirmation) in such a fashion as to make the unity of the Rite more clearly understood.

Chapter 2 The Liturgy of the Holy Eucharist

Canon III-2 The Liturgy of the Holy Eucharist

- A) The Liturgy of the Holy Eucharist is the prayer of this Church, by which the Lord Jesus the Christ is made wholly, really, and substantially present body, blood, soul and divinity, among His people under the form of bread and wine. The right and power to confect the Eucharist is imparted to those in the Holy Orders of Presbyter and Bishop by virtue of their ordination. The authority to publicly celebrate the Eucharistic Liturgy is granted by right of office to the Diocesan Bishop and by grant of Faculties to all other clergy from the Diocesan Bishop having jurisdiction over the place of celebration.
- B) Those in the Holy Orders of Presbyter and Bishop shall celebrate the Holy Eucharist, even if privately, at least once each week on Sunday unless prevented from so doing by good cause or operation of law.

Canon III-2.1 The Official Rite for the Celebration of the Liturgy of the Holy Eucharist in This Church

- A) The Official Rite for the Celebration of the Holy Eucharist by clergy of This Church shall be the Rite/s promulgated by the General Synod in the vernacular of the community in whose presence the Liturgy is celebrated. This Rite/s may be used at any celebration of the Holy Eucharist anywhere and at any time in This Church.
- B) The General Synod shall publish and maintain official translations of the Official Rite/s of This Church so as to promote its uniform celebration.

- C) Official Rite(s) used by the clergy of this Church as published by others, may be used freely, i.e. The Roman Catholic Church, The Old Catholic Churches (Union of Utrecht), The Orthodox Churches, The Anglican Communion, except as otherwise prohibited by Church Law.
- D) The use of local adaptations to the Official Rite/s of This Church is permitted with the approval of the Diocesan Bishop.

Canon III-2.2 Additional Rites for the Liturgy of the Holy Eucharist and the Sacraments in This Church

- A) The General Synod may authorize the use of rites other than the Official Rite/s of this Church and those listed in this Canon for the public celebration of the Holy Eucharist for the whole Church. Rites so authorized may be used when permitted by the Diocesan Bishop.
- B) The Diocesan Bishop may authorize the use of rites other than the Official Rite of This Church and those listed in this Canon for the public celebration of the Holy Eucharist within their Diocese.
- C) The use of the Roman Rite (including the Novus Ordo), and the Anglican/Episcopal, Orthodox, and/or Old Catholic (Union of Utrecht) Rites are specifically authorized at any public or private celebration of the Eucharistic Liturgy with authorization of the Diocesan Bishop.

Canon III-2.3 Lectionary

The Lectionary is a book containing the readings from Sacred Scripture employed in the celebration of the Holy Eucharist. The General Synod shall produce or adopt a Lectionary for the Official Rites of This Church. Use of Lectionaries for other approved Rites is permitted with approval of the Diocesan Bishop.

Canon III-2.4 Sacramentary/Missal

- A) The Sacramentary/missal is a book containing the portions of the prayers of the Holy Eucharist which are reserved for the celebrant. This book, also known as an Altar Missal, shall be attractive and seemly in appearance.
- B) When authorized to employ one of the additionally approved Rites, the celebrant shall employ the Sacramentary/Missal appropriate for that Rite.

Canon III-2.5 Calendar

- A) Each Diocese may publish or adopt an official calendar (also known as an ORDO). The ORDO shall specify the Proper to be celebrated on each day of the year and shall include the color of vestments for each celebration.
- B) Publication or adoption of an ORDO shall be made available to all clergy within that Diocese not later than one month prior to the First Sunday of Advent of each year. If no official publication or adoption of an ORDO is made, the clergy may select either the Roman, Anglican/Episcopal, Old Catholic (Union of Utrecht) or Orthodox ORDO for the region nearest them.

Chapter 3 The Holy Sacraments

Canon III-3 The Sacraments of this Church

In God's infinite goodness, the Lord Jesus the Christ left His People signs of His continuing Presence and action in this Church and the world. These signs, called Sacraments, are the means by which this Church ministers most effectively to the People of God by tapping the wellspring of Grace which Christ's Incarnation, Death, and Resurrection have won for His Church. This Church identifies these Seven Sacraments as Baptism, Confirmation, Holy Eucharist (Holy Communion), Reconciliation (Penance or Confession), Matrimony, Anointing of the Sick (Extreme Unction), and Holy Orders.

In Baptism we die with Christ and Rise again in Him as a renewed People of God. In Confirmation we receive the strength and gifts of the Holy Spirit. In the Holy Eucharist Christ nourishes our spirits with His own Body and Blood. In Reconciliation our sins are forgiven. In Matrimony two individuals are joined together for their mutual love and strength, the support of families, and the building of the Kingdom of God on earth. In Holy Orders servants are called forth from the community to minister to God's people. In the Anointing of the Sick those who are ill or injured or dying are strengthened and supported by their Lord and His people.

Canon III-3.1 Celebration of the Sacraments

- A) The General Synod shall define, approve, and promulgate the official Rites and Liturgies for the celebration of the Sacraments of Baptism, Confirmation, Holy Matrimony, Holy Orders, Reconciliation, and Anointing of the Sick for This Church.
- B) Use of the rites of the Roman, Orthodox, Old Catholic (Utrecht) and Anglican/Episcopal communities for the Sacraments is expressly authorized

within This Church except that the Sacrament of Holy Orders may be celebrated only with the Roman or Orthodox Rite, as approved by the General Synod.

- C) The General Synod may authorize the use of additional rites for the entire Church.
- D) The Diocesan Bishop may authorize the use of additional rites within their Diocese in their own discretion.

Canon III-3.2 General Regulations on the Celebration of the Sacraments

- A) Except for the Sacrament of Holy Orders, reception of the Sacraments from This Church is available to anyone who requests it and is properly inclined, subject to the regulations imposed by this Constitution together with such additional regulations as may be imposed by the Diocesan Bishop.
- B) The Sacraments of Baptism, Confirmation, and Holy Orders, when validly received may not be repeated as they impart a permanent Charism. If there is reasonable doubt as to the validity of the Sacrament, the Rite may be conditionally repeated to assure validity. Utmost discretion is to be employed in the use to avoid the creation of an erroneous impression as to their permanent character.
- C) Divorce and remarriage shall not be grounds for refusal of the Sacraments of this Church, especially the Holy Eucharist, to any person. However, the specific requirements of this Constitution for each Sacrament shall be met in all cases.
- D) Except in emergencies or when dispensed by the Diocesan Bishop, ministers shall wear vestments appropriate to their Order during the celebration of each Sacrament according to the norms and rubrics of the rite employed.

Canon III-3.2.1 Regulation of the Sacrament of Baptism

- A) Baptism is the Sacrament by which one is admitted into the People of God, the Mystical Body of Christ: and into the fellowship with this Church. It is the path by which all sin, Original and Actual, is remitted and our Original Blessing in that we are made in the image and likeness of God and are God's children through Christ is affirmed.
- B) The Ordinary Minister of the Sacrament of Baptism is a Bishop, Presbyter, or Deacon. However, in an emergency where there is a danger of death, any person may baptize.

- C) Each adult candidate for Baptism shall evidence to the pastor an understanding and acceptance of the Statement of Beliefs of This Church appropriate for their level of education, and maturity.
- D) In infant/child Baptisms the Sponsors and/or parents of the child shall profess and accept the Beliefs of this Church in the name of the child. If the child has reach an age of reason as determined by the Pastor, the child shall evidence to the Pastor an understanding and acceptance of the Statement of Beliefs of This Church appropriate for their age, level of education, and maturity
- E) Except in emergencies, Baptism is to be administered using Rites approved by the General Synod or the Diocesan Bishop.
- F) The Trinitarian formula "I baptize you in the Name of the Father, and of the Son, and of the Holy Spirit" while immersing the one baptized in water or pouring water on their head, shall be used.
- G) Except in emergencies or other exceptional circumstances, the water used in Baptism is to be blessed in accordance with prescribed Rites.
- H) Except in emergencies or other exceptional circumstances, Baptism shall take place within the parish church. Generally, the Sacrament shall take place during a celebration of the Liturgy of the Holy Eucharist, preferably on Sunday especially at the Easter Vigil, unless prevented for good cause.
- I) Unless a serious reason prevents it, an adult who receives Baptism should be immediately confirmed and receive First Eucharist on the same day. Children, who have attained the age of reason but are not yet old enough for Confirmation, should receive First Eucharist on the same day.
- J) In the case of Baptism of a child under eighteen (18) years of age, the consent of at least one parent or guardian is required.
- K) For purpose of this Canon, infants include all persons born alive from birth to the age of reason.
- L) Except in emergencies each person to be baptized shall have at least one sponsor who must be a Baptized Christian who has been baptized with a Trinitarian formula and water similar to that set forth above.
- M) Each parish shall keep a permanent record of each Baptism which it performs.

Canon III-3.2.2 Regulation of the Sacrament of Confirmation

- A) The Sacrament of Confirmation is the path by which the Christian Initiation of the faithful is completed, granting to the recipient the Seal and Gifts of the Holy Spirit.
- B) The Ordinary Minister of the Sacrament of Confirmation is a Bishop. The Diocesan Bishop may grant Faculties for Confirmation to Presbyters for pastoral reasons.
- C) The ordinary minimum age for the Sacrament of Confirmation shall be established by each Diocesan Bishop. The Diocesan Bishop, in consultation with the pastor may waive this requirement.
- D) Unless a waiver is obtained, each candidate for Confirmation shall evidence to the pastor an understanding of the Statement of Beliefs of this Church appropriate for their age, level of education, and maturity.
- E) Chrism used in the Sacrament must be blessed by the Bishop even if the Rite is celebrated by a Presbyter.
- F) Each candidate for Confirmation shall be accompanied by a sponsor(s) who must be Baptized Christian(s) who also has been raised in the catholic tradition and who will continue to sponsor the candidate in the Catholic faith.
- G) Adults and those who have reached the prescribed age, who receive the Sacrament of Baptism should, usually be Confirmed on the same day.
- H) Each parish shall keep a permanent record of each Confirmation which is performed by This Church in its name.
- I) Confirmations shall occur during the celebration of the Holy Eucharist unless prevented for good cause.

Canon III-3.2.3 Regulation of the Sacrament of Reconciliation

- A) Only persons in the Holy Order of Bishop or Presbyter with proper Faculties may minister the Sacrament of Reconciliation. In the case of emergencies where there is danger of death, any Priest or Bishop may grant absolution regardless of Faculties or debarment by operation of law or juridical decree for the pastoral good of the penitent.
- B) The Sacrament of Reconciliation always includes a confession of sin. Such confession may be made publicly or privately and may be general or particular. Public confession is always general in nature and is usually celebrated in conjunction with a liturgical rite (e.g. the Penitential Rite during the Liturgy of the

Holy Eucharist or a special Penitential Service). Private confession may be general, covering one's entire life or a portion thereof, or it may be particular. Particular confession covers specific sinful acts which are told expressly to the Priest or Bishop.

- C) In all cases the Bishop or Priest, when acting as a minister of the Sacrament of Reconciliation, act in the place of Christ and not as individuals. Therefore, all matters discussed within the Sacrament of Reconciliation are absolutely and without exception confidential and sealed. No person receiving any information whatsoever during the Sacrament of Reconciliation whether as penitent or minister, may ever reveal such information to any other person whatsoever. Neither the penitent nor the minister may waive this seal.
- D) Violation of this Seal of Confession by any Member of the Clergy of This Church shall constitute a grave breach of canonical obedience. Upon conviction of this violation, the mandatory penalty shall be release from the clergy of This Church. No person expelled for this reason may ever again be admitted to the clergy of This Church.
- E) The Sacrament of Reconciliation commences with the request of the penitent for the Sacrament, either expressed or implied, and continues until the dismissal of the penitent by the minister.
- F) Private matters elicited in ordinary counseling which is not Sacramental are to be held confidential to the extent that the civil law requires and enjoins. Clergy are cautioned that they may be required to report certain matters to appropriate civil law enforcement authorities if such matters come to their attention outside the Sacrament of Reconciliation.
- G) In circumstances which may be unclear as to whether they fall under the area of ordinary counseling or the Sacrament of Reconciliation the determining factor shall be whether Sacramental Absolution, regardless of formula, was granted. If Sacramental Absolution was granted at any point by the minister, the entire conversation shall be deemed to be within the Sacrament of Reconciliation.
- H) Any formula of absolution which includes the expression of the intent of the minister to absolve the sins of the penitent, whether in active or passive voice, is acceptable and efficacious for the Sacrament. It is recommended that the formulas employed in a recognized rite be used.
- I) No minister of this Sacrament may absolve any penitent with whom he/she shares culpability in the offense to be absolved.
- J) Unless General Absolution is prohibited in a Diocese by the Diocesan Bishop, any minister of the Sacrament of Reconciliation may grant absolution to any

group in their presence at any time. General Absolution may especially be granted as part of the Penitential Rite of the Liturgy of the Holy Eucharist.

- K) Private auricular confession of sin is not required, but is permitted.
- L) Absolution is to be granted to any Baptized Christian who expresses remorse for his/her sins and requests absolution.
- M) The decision to impose a penance on a penitent during private auricular confession is at the discretion of the confessor.

Canon III-3.2.4 Regulation of the Holy Eucharist

- A) In all cases, the Sacred Body and Blood of the Lord Jesus the Christ, present in the Holy Eucharist, shall be treated with the utmost reverence.
- B) Each parish wishing to reserve the Holy Eucharist shall do so as prescribed herein,
- C) Rites for the celebration of the Holy Eucharist are authorized by this Constitution, by the General Synod.
- D) Only those in the Holy Order of Presbyter or Bishop may celebrate the Holy Eucharist.
- E) The Ordinary minister of Holy Communion is a Deacon, Presbyter, and Bishop. Extraordinary Ministers of Holy Communion are permitted in the discretion of the Pastor with the concurrence of the Diocesan Bishop.
- F) Bread for the Eucharist must be made of wheat and not corrupt. The use of gluten-free hosts is permitted with the authorization of the Diocesan Bishop when health reasons require its use. Wine must be made from the juice of grapes only and not corrupt. The use of non-alcoholic wine is permitted in the discretion of the Diocesan Bishop.
- G) The celebration of the Holy Eucharist is to be done in a sacred place unless circumstances prevent this. In all cases the Eucharist shall be celebrated in a respectable place.
- H) General Absolution is to be offered at each Mass.

Canon III-3.2.4.1 Regulation on the Reception of the Holy Eucharist

- A) Any properly disposed Baptized Christian who approaches the table of the Lord reverently shall be permitted to receive the Lord in the Holy Eucharist.
- B) Unless the recipient is demonstrating irreverence or otherwise manifests improper disposition in such a manner as to be beyond doubt, those distributing the Holy Eucharist will presume those approaching this Holy Sacrament to be eligible to receive it. If doubt exists as to the motives or state of the recipient, the presumption shall be that they are eligible to receive the Sacrament if they approach it reverently.
- C) The Sacred Body of Christ may be received on the tongue or in the hand of the recipient. If received in the hand, the Body of Christ shall be consumed immediately, within a few feet from the spot on which it was received.
- D) Holy Communion is to ordinarily be given under both the form of bread and wine, unless there are extraordinary circumstances which prevent it. In such a case, at a minimum the form of bread must be used. . Except in extraordinary circumstances for persons who cannot swallow solids, Holy Communion may not be given wine only.
- D) Holy Communion under both forms may be done by intinction or by receiving first the Body of Christ and then by drinking the Blood of Christ from the cup.

Canon III-3.2.4.2 Regulation on the Storage and Transport of the Holy Eucharist

- A) In all places where the Holy Eucharist is stored it shall be kept in a vessel of appropriate dignity in a locked or secured place and in a container of sturdy material. Access to this container shall be restricted to those authorized by this Constitution to be ministers of the Holy Eucharist, either Ordinary or Extraordinary.
- B) The Holy Eucharist shall be transported from place to place only when necessary for the pastoral good of the People of God. When in transit, the Holy Eucharist shall be kept in a secure location on the person of an authorized minister as defined by this Constitution. The vessel containing the Holy Eucharist shall be appropriate dignity and reserved for this use.
- C) In all places where the Most Holy Eucharist is reserved in a church facility, a special lamp shall be kept continuously burning as a sign of the Presence of Christ. The use of electric lights for this purpose is permitted in the discretion of the pastor or Priest in charge of each location.

Canon III-3.2.4.3 Regulation on the Worship of the Holy Eucharist Outside Mass

It is desirable and permitted for the Holy Eucharist to be periodically exposed for the worship and praise of the People of God. Whenever such adoration takes place the Pastor shall see that the Blessed Sacrament is exposed in a vessel of appropriate dignity, is never left unattended, that the environment is appropriate, and that the Holy Sacrament is secure from theft or profanation.

Canon III-3.2.4.4 Extraordinary Minister of the Holy Eucharist

Worthy Lay and Religious Members of This Church may be selected for the function of distributing the Holy Eucharist to the People of God, especially the sick, the elderly, and those prevented from attending Mass.

Canon III-3.2.4.4.1 Training of Extraordinary Ministers of the Holy Eucharist

The Pastor or Priest-in-charge shall see to the correct training of the persons selected for the Sacred task as Extraordinary Ministers of the Holy Eucharist, imparting to them the highest possible respect and reverence for this ministry and instructing them in their duties and in the limitations of their office.

Canon III-3.2.4.5 Regulation of First Eucharist

- A) The ordinary age of First Reception of the Holy Eucharist shall be determined by the pastor upon determining if the candidate has obtained sufficient maturity and use of reason to understand what is transpiring and the solemnity and importance of the act.
- B) Each candidate for First Eucharist shall evidence to the pastor an understanding of the nature of the Sacrament and the Statement of Beliefs appropriate for their age, education, and maturity.

Canon III-3.2.4.6 Holy Communion of the Sick and Dying

- A) In general, Holy Communion of the Sick and Viaticum (i.e. Holy Communion of the Dying) shall be given only in the form of the Sacred Body of Christ. However, if the patient is unable to swallow solids but can swallow liquids, the Precious Blood of Christ may be used.
- B) Holy Communion shall not be given to the unconscious.

- C) Holy Communion is to be given only by mouth. The use of an eye dropper for administration of Holy Communion under the form of wine is permitted, when necessary, provided that it can be properly purified after use.

Canon III-3.2.5 Regulation of the Sacrament of Matrimony

- A) Only Clergy in the Holy Order of Deacon, Presbyter, or Bishop with valid Faculties may officiate at the Sacrament of Matrimony in this Church. Deacons may officiate at the Sacrament of Matrimony only when permitted by civil law. Where required by civil law, each person intending to officiate at the Sacrament of Matrimony shall obtain whatever licensing or certification the civil authority may require of marriage officiants prior to officiating at any marriage.
- B) Persons seeking to be married must have attained legal age as defined for the civil jurisdiction in which the Sacrament will be celebrated. Where no minimum age is defined in civil law the minimum age for marriage shall be 18 years.
- C) Only those persons who have never been married, are widowed, or who possess a civil divorce or annulment of a prior marriage, and who conform to the requirements of this Constitution and any regulations and requirements imposed by the Diocesan Bishop having jurisdiction in the place of celebration of the Sacrament may receive the Sacrament of Matrimony from this Church.
- D) Wherever required by civil law, those seeking Matrimony shall present a license, valid for the place in which the marriage will be celebrated, from the civil authority having jurisdiction prior to the celebration of the Sacrament.
- E) Clergy may witness and bless Holy Union commitments or officiate at the Sacrament of Matrimony between partners of the same gender. Where in civil law members of the same gender are not recognized or permitted to enter into a Marriage union, this does not prevent the Sacrament of Marriage to be recognized by this Church and is of equal standing sacramentality as those of opposite genders.
- F) Simultaneous Marriage and Holy Unions to more than one partner is prohibited.
- G) Any authorized officiant of the Sacrament of Matrimony for this Church may decline to officiate at the Sacrament in individual circumstances in their discretion without stating a reason.
- H) Each Marriage celebrated by the clergy of This Church shall be recorded in the parish register of the parish to which the clergy is assigned or for those clergy members without a parish assignment, the Marriage or Holy Union shall be recorded in the diocesan register of the Diocesan to which the clergy member is assigned.

Canon III-3.2.5.1 Regulations Respecting Holy Matrimony: Concerning Preservation of Marriage, Dissolution of Marriage, and Remarriage

- A) When marital unity is imperiled by dissension, it shall be the duty, if possible, of either or both parties, before taking legal action, to lay the matter before a Member of the Clergy; it shall be the duty of such Member of the Clergy to act first to protect and promote the physical and emotional safety of those involved and only then, if it be possible, to labor that the parties may be reconciled.
- B) Any member of this Church whose marriage has been annulled or dissolved by a civil court may apply to the Bishop or Ecclesiastical Authority of the Diocese in which such person is legally or canonically resident for a judgment as to his or her marital status in the eyes of this Church. Such judgment may be recognition of the nullity, or of the termination of the said marriage; Provided, that no such judgment shall be construed as affecting in any way the legitimacy of children or the civil validity of the former relationship.
- C) Every judgment rendered under this Canon shall be in writing and shall be made a matter of permanent record in the Archives of the Diocese.
- D). No Member of the Clergy of this Church shall solemnize the marriage of any person who is currently the husband or wife of any other person then living, nor shall any member of this Church enter into a marriage when either of the contracting parties is currently the husband or the wife of any other person then living.
- E) The Member of the Clergy shall be satisfied by appropriate evidence that the prior marriage has been annulled or dissolved by a final judgment or decree of a civil court of competent jurisdiction.
- F) The Member of the Clergy shall have instructed the parties that continuing concern must be shown for the well-being of the former spouse, and of any children of the prior marriage.
- G) The Member of the Clergy shall consult with and obtain the consent of the Bishop of the Diocese wherein the Member of the Clergy is canonically resident or the Bishop of the Diocese in which the Member of the Clergy has Faculties to officiate prior to, and shall report to that Bishop, the solemnization of any marriage under this Canon.
- H) If the proposed marriage is to be solemnized in a jurisdiction other than the one in which the consent has been given, the consent shall be affirmed by the Bishop of that jurisdiction.
- I) All provisions of Canon III-3.2.5 shall, in all cases, apply

Canon III-3.2.6 Regulation of the Sacrament of the Sick

- A) The Ordinary Minister of the Sacrament of Anointing the Sick is a Bishop or a Presbyter. However, the Diocesan Bishop may grant Faculties to Deacons to celebrate this Sacrament within certain restrictions as set forth herein. Extraordinary Ministers of the Holy Eucharist may not be granted Faculties for this Sacrament but are encouraged to participate in community with the Sick and the Minister of the Sacrament.
- B) The Sacrament of Anointing the Sick is for the living only. Those who have died may not receive the Sacraments. As actual death and clinical death may not be synonymous in all cases, it is left to the pastoral judgment of the ministers of this Sacrament to determine whether death has occurred in individual cases.
- C) A sick person may receive the Sacrament of Anointing of the Sick as often as it seems pastorally wise to do so, but not more than once per day.

Canon III-3.2.7 Regulation of the Sacrament of Holy Orders

This Church recognizes all of the Sacraments have come to us historically through the Roman Catholic and the Eastern Orthodox Churches. This Church is considered a sister church to these other Catholic churches as well as the Old Catholic Churches (Union of Utrecht). This Church establishes that no ordination shall take place without the presence of a Bishop who is in full historic apostolic succession.

- A) Both males and females shall be eligible to receive the Sacrament of Holy Orders in This Church.
- B) Only persons in the Holy Order of Bishop may ordain.
- C) It pertains solely to the Diocesan Bishop to select and mandate the ordination of candidates to the Holy Order of Deacon and Presbyter for their own Diocese after the candidates have followed the prescribed formation process as established by the Vicar of Vocations and Formation as approved by the Executive Committee. It pertains to the Diocesan Bishop, College of Bishops, and the people of God to select candidates for election to the Holy Order of Bishop under procedures herein described. Once elected it pertains to the Diocesan Bishop of the Bishop-elect to mandate the ordination of the Bishop-elect to the Order of Bishop.
- D) By virtue of their office, Diocesan Bishops have Faculties for the Sacrament of Holy Orders for the ordination of Presbyter and Deacon.
- E) By virtue of their office all members of the College of Bishops have Faculties for the Sacrament of Holy Orders for Ordination of Bishops. However, no person

shall be ordained a Bishop in This Church unless there exists a duly executed mandate for such ordination from the Diocesan Bishop for the Bishop-elect approved by the Presiding Bishop in conjunction with the College of Bishops of this Church.

- F) Each Diocese shall maintain a register of all persons receiving the Sacrament of Holy Orders for This Church within their boundaries and reported to the national Church as herein defined.
- G) Ordination to Holy Orders in This Church shall be solely by Rites approved for use in this Church by the General Synod in order to assure absolute validity in the Historical Apostolic Succession.
- H) Except when prevented by extraordinary circumstances the consecration of a Bishop in This Church shall be accomplished by not less than three Bishops: a principal consecrator and two co-consecrators and such principal consecrator and two co-consecrators must be Bishops of This Church. In extraordinary circumstances and when authorized by the College of Bishops, the co-consecrating Bishops may be Bishops of another communion having valid Historical Apostolic Succession. The participation of additional consecrating Bishops from This Church and Bishops of other churches holding valid Historic Apostolic Succession is encouraged as a visible sign of the One, Holy, Catholic and Apostolic Church.
- I) Bishops shall be consecrated and/ or installed in office within one hundred eighty (180) days of their election unless the College of Bishops shall extend that deadline.
- J) Each candidate for ordination to the diaconate of This Church shall have previously received the Sacraments of Christian Initiation, installed in the ministries of Reader and Acolyte, and shall meet the qualifications for the Order of Deacon contained herein. Candidates for the Ordination to the Permanent Diaconate shall state in their Candidacy letter that they are seeking candidacy to the Permanent Diaconate
- K) Each candidate for Ordination to the Presbyterate of This Church shall have previously received the Sacraments of Christian Initiation, installed in the ministries of Reader and Acolyte, the Sacrament of Holy Orders in the Order of Deacon, and shall meet the qualifications for the Order of Presbyter contained herein.
- L) Each Candidate for Ordination to the Episcopacy (the "Order of Bishop") of This Church, shall have previously received the Sacraments of Christian Initiation, installed in the ministries of Reader and Acolyte, the Sacrament of Holy Orders of Deacon and of Presbyter and shall meet the qualifications for the Order of Bishop contained herein.

- M) In the discretion of the Diocesan Bishop, candidates for Holy Orders in the Order of Deacon may be required to receive the traditional ministries of Porter, Exorcist, and Sub-Deacon prior to Ordination to the Order of Deacon.
- N) Transitional Deacons who decline advancement to the Presbyterate may not be forbidden the exercise of their Order for that reason alone, nor shall this preclude their advancement to Presbyterate at a future date.
- O) With regard to all persons who are certified as insane or who suffer from untreated debilitating mental illness; persons who are addicted to chemical substances other than tobacco; persons who have a documented history of violent behavior; persons who have been convicted of a misdemeanor having a penalty in excess of one (1) year of incarceration or persons convicted of a felony; all such persons are impeded from the valid reception of the Sacrament of Holy Orders in This Church without explicit dispensation from the College of Bishops.
- P) This Church's Bishops may participate as consecrator in consecrations of Bishops or as Ordaining Bishop for Presbyters and/or Deacons for ecclesiastical communions other than This Church in which there is a formal Intercommunion Agreement with that church.

Canon III-3.3 Vessels for use in Liturgy and the Sacraments

All chalices, ciborium (ciboria), patens, and other vessels used in the Sacred Liturgy shall be constructed of non-absorbent material appropriate for their function decorated and styled in a dignified manner so as to enhance the worship of the people of God. Ceramic material which has been rendered non-absorbent may be used. Metallic vessels shall be maintained against tarnish and corrosion.

Canon III-3.4 Funerals

- A) Any properly disposed Christian may officiate at a Funeral Service, except they may not exercise any ministry reserved for those in Holy Orders.
- B) Either burial or cremation of the remains of deceased faithful is permitted. Burial or interment of the remains or of the ashes of those cremated may be in earth or in bodies of water and shall be accomplished in accordance with the regulations of civil authorities.

ARTICLE IV NATIONAL GOVERNING BODIES OF THIS CHURCH

Chapter 1 The General Synod

Canon IV-1 The General Synod

The General Synod is the solemn plenary assembly of the Bishops, clergy, and Laity of This Church meeting in council to legislate for this Church on a national level or to hear judicial appeals from this Church.

Canon IV-1.1 The Members of the General Synod

- A) The members of the General Synod are those members of This Church who are authorized to vote in the General Synod on matters before it.
- B) The members of the General Synod shall consist of the following categories:
 - 1) All members of the College of Bishops as herein defined
 - 2) All members of the Clergy in the order of Presbyter and Deacon as herein defined
 - 3) Religious Order representatives for each Religious Order or Religious Community in accordance with the terms set forth in their Order or Community as herein defined
 - 4) Lay representative/s from each parish or mission in This Church in accordance with the terms set forth herein
- C) The process by which Lay Representatives shall be selected is at the discretion of the Diocesan Bishop of each Diocese. However, there must be at least one (1) Lay representative per parish or mission and such representative must be a member of this Church and at least eighteen (18) years of age. Each Parish or Mission shall provide authenticating Credentials for their Lay Representative. .
- D) Religious and Lay Members of the General Synod may be female or male. Each Religious Orders or Community shall provide authenticating Credentials for their Representative(s)
- E) The members of the General Synod may not concurrently vote in more than one voting category.

- F) The rule of “dialogue” shall be employed at every level of Governance so as to include the maximum amount of input by the widest body of voting members of the General Synod whenever practical and reasonable to do so.
- G) All Bishops are to work in a collegial manner, including and hearing the voices of Members of the Clergy and the Laity whenever and wherever possible and appropriate.
- H) All Bishops, clergy and Laity have rights of automatic appeal to the authority of the General Synod for all judicial or legislative actions as set forth herein.

Canon IV-1.2 Power and Scope of Authority of the General Synod

- A) The General Synod is the national legislature and supreme appellate judicial tribunal of This Church. In this capacity the General Synod legislates for this Church as a whole, acting in national and inter-diocesan matters. The Synod also receives and adjudicates appeals of disciplinary tribunals from anywhere in this Church.
- B) Actions by the General Synod whether legislative or judicial, are final and do not require confirmation nor are they subject to review or veto by any person or group within or without This Church, except in severe cases where there is a sense of grave error, the College of Bishops may veto with a two-thirds vote of said College.
- C) Except in those areas defined as excluded from the General Synod's competence by this Constitution, all permanent legislation applicable to the entire Church must be enacted by General Synod in the manner described.
- D) All legislation enacted by the General Synod is effective immediately and is binding under canonical obedience.
- E) As a Diocesan Bishop possesses all Legislative Authority necessary for the conduct of their office, nothing in this Chapter shall be construed so as to preclude a Diocesan Bishop from enacting and enforcing such legislation and/or appropriate; provided that such legislation and/or regulations shall conform to any constraints imposed by this Constitution.
- F) When acting as the appellate judiciary for this Church, the General Synod is the supreme judicial tribunal for this Church. The decisions and judgments of the General Synod in judicial matters are final and not subject to further appeal within this Church.
- G) When acting as appellate judiciary, if the appeal is sustained, all penalties imposed upon the appellant are immediately and as an operation of law nullified

and the appellant is immediately reinstated to all rights and privileges which were denied by the disciplinary action under appeal. If the appeal is not sustained all disciplinary actions under appeal are immediately and as an operation of law reinstated and active.

Canon IV-1.2.1 Areas beyond the competence of the General Synod

- A) By virtue of their consecration, Bishops, as successors of the apostles, receive the fullness of the teaching authority of this Church. It pertains, therefore, to the Bishops who, working together with the representative members of the General Synod, to define matters of faith for this Church and to regulate the Holy Sacraments and the Liturgies of this Church.
- B) The General Synod may not enact legislation or take other action which would have the effect of adding to, altering, or removing anything contained in the Statement of Beliefs without the College of Bishops; nor may the General Synod modify or in any way alter any regulation alone and without the College of Bishops regarding the regulation of the Holy Sacraments or the Liturgies of this Church.
- C) Except for appeals of disciplinary actions and other circumstances as may be specifically provided in this Constitution, matters internal to the function and regulation of individual Diocese are beyond the competence of the General Synod.

Canon IV-1.3 Meetings of the General Synod in ordinary circumstances

- A) The General Synod shall assemble in solemn council at least once a year, unless extraordinary circumstances deem the necessity of meeting more frequently, in which case an Extraordinary Session of the General Synod may be called by the Presiding Bishop as set forth below. The General Synod shall be summoned into session by the Presiding Bishop of This Church, who shall make known to the members of the General Synod the date and place that the General Synod shall meet at least Sixty (60) days prior to the scheduled meeting.
- B) Prior to concluding business at each General Synod the members of the General Synod shall select a preliminary site and date for the next General Synod. It shall, then, be the duty of the Presiding Bishop of This Church to make the necessary arrangements for the next General Synod and make known the necessary information to the members of the General Synod as set forth in this Canon.

Canon IV-1.4 Meetings of an Extraordinary Session of the General Synod in extraordinary circumstances

- A) If the General Synod has not been called into session by the Presiding Bishop by the date which was decided at the prior General Synod, the most senior next Bishop, by date of membership into This Church shall set a date and summon the General Synod into session.
- B) Should circumstances require action by the General Synod during the period between regular sessions of the General Synod, an Extraordinary Session of the General Synod shall be called by the Presiding Bishop. Circumstances which may require calling the General Synod into Extraordinary Session include, but not limited to, the need to hear appeal of a judicial process, and other circumstances which in the opinion of the Presiding Bishop or the Executive Committee require such a session.
- C) The circumstances which, in the opinion of the majority of the College of Bishops warrant the summoning of an extraordinary session of the General Synod, if the Presiding Bishop refuses to convene the General Synod, the General Synod may be called into session by a simple majority of the College of Bishops.

Canon IV-1.5 Attendance at sessions of the General Synod Required

- A) All members of the General Synod shall attend each General Synod unless excused for sufficient reason.
- B) Diocesan Bishops or heads of Religious Orders may be excused from attending the General Synod for good cause by the Presiding Bishop.
- C) Lay Representatives who are unable to attend the General Synod shall be replaced by procedures established by the Diocesan Bishop.
- D) Members of the Clergy who fail to attend the General Synod without proper excuse from their Ordinary shall be guilty of minor canonical disobedience. Such Clergy shall have a right to due process and hearing regarding their guilt or innocence on such a matter.
- E) Clergy who fail to attend two (2) consecutive General Synods without excuse from their Ordinary shall be deemed to have voluntarily resigned from the clergy of This Church. Before such resignation is to be instituted, such clergy shall have a right to due process and hearing regarding their guilt or innocence on the matter

Canon IV-1.6 Quorum Requirements for the General Synod

In order for the General Synod to act on any matter, a quorum consisting of at least 33% of the active members of the College of Bishops as herein defined, and at least one (1) Member of the Clergy in the Order of Presbyter or Deacon from each Diocese of this Church and at least one (1) member of the laity from each Diocese of this Church shall be present.

Canon IV-1.7 Agenda of the General Synod

- A) The Presiding Bishop shall prepare and distribute an agenda for each session of the General Synod. Such agenda shall be approved by simple majority vote by the Executive Committee and shall be distributed to all members of the General Synod at least thirty (30) calendar days in advance of the scheduled starting date of the General Synod.
- B) In preparing the agenda for the General Synod, the Presiding Bishop shall solicit input from the College of Bishops, the Heads of all Religious Orders, the clergy and representative members of the laity of This Church, and Parishes through their Diocesan Bishops.
- C) Any item requested to be placed on the agenda shall be accommodated.
- D) All interim legislation which may have been enacted by the Executive Committee in the period since the last General Synod must be placed on the agenda for review and consideration by the General Synod.
- E) The General Synod may remove any proposed item from the agenda.

Canon IV-1.8 Minutes of the Meetings of the General Synod

The Presiding Bishop of this Church shall have recorded a detailed summary of the discussion, votes and other actions which transpire during a meeting of the General Synod. The minutes shall distribute to the members of the General Synod through the Diocesan Bishop within sixty (60) days of the conclusion of the General Synod. The Minutes shall be archived in safe storage as a permanent record of the actions of the General Synod.

Canon IV-1.9 Events requiring a vote by the General Synod

- A) Any permanent legislation applicable to the entire Church must be voted upon by the members of the General Synod during open session of the General Synod in the manner prescribed herein.
- B) In addition to legislation, matters which require a vote of the members of the General Synod include appeals of judicial proceedings and such other matters as the General Synod may define.

Canon IV-1.10 Procedures for consideration and action during sessions of the General Synod

- A) Proposals for action by the General Synod, or detailed charges and findings of disciplinary tribunals, shall be provided in writing to the members of the General Synod present by the Presiding Bishop at least twenty-four (24) hours in advance of their presentations to the General Synod.
- B) Each measure to be voted upon shall be discussed and debated in open session of the General Synod for a period not longer than one (1) hour at the conclusion of which the General Synod take whatever action it deems necessary by simple majority vote.
- C) Limitations on debate duration imposed by this Canon may be waived, extended, or reduced upon approval of the members of the General Synod then present on an issue-by-issue basis.

Canon IV-1.11 Procedures for consideration and action outside sessions of the General Synod

- A) In the event that a situation shall arise which requires immediate legislation at a time when the General Synod is not in formal session and which does not, in the opinion of the Executive Committee, warrant the convocation of an extraordinary session of the General Synod; the Executive Committee, by simple majority vote, shall take whatever measures they shall deem appropriate in response to such need.
- B) Any action taken in these circumstances by the Executive Committee shall remain in effect until the next General Synod, expiring as an operation of law with the convocation of the immediately subsequent General Synod. The situation which prompted such action shall then be reviewed by the General Synod and it shall take whatever action it deems appropriate,

- C) Appeals by clergy of disciplinary actions always require a special session of the General Synod and may never be heard outside a session of the General Synod.

Canon IV-1.12 Procedures for votes by the members of the General Synod

- A) Only those members of the General Synod actually present at the time a vote is taken may cast a vote on any matter before the General Synod.
- B) Upon conclusion of discussion/debate and upon a seconded motion from the floor that the matter to be voted upon, a vote on the matter shall be taken.
- C) When acting as the appellate judiciary for This Church voting by the General Synod shall be by secret ballot.
- D) When not acting as the appellate judiciary for This Church, all voting by the General Synod shall be by show of hands. Such show of hands shall be recording in the written minutes.
- E) A matter being voted upon shall be deemed accepted by the General Synod upon receiving a simple majority of the votes cast. Matters not receiving majority of the votes cast are rejected.

Canon IV-1.13 Voting rights of the members of the General Synod

- A) Each member present at the time a vote is taken, by virtue of their status, casts a single vote in the General Synod in their own right. Only in cases of extreme emergency and under special circumstances (sickness etc.) may the right to vote be given, or transferred to any other person as a proxy vote.
- B) Any member of the General Synod may abstain from any vote without divulging a reason for such abstention. As membership in The General Synod is a solemn trust, the decision to abstain should be undertaken only after serious consideration.

Canon IV-1.14 Voting methods prohibited for the General Synod

Unless expressly set forth above for cases of extreme emergency and/or special circumstances such as illness, the following are prohibited:

- A) Voting by "absentee ballot".
- B) Voting by proxy.

- C) Voting by voice telephone or by other means essentially synonymous with voice telephone.
- D) Voting by mail or by electronic means essentially synonymous with mail.

These prohibitions apply only to voting methods for the General Synod. Nothing in this Canon shall be interpreted as prohibiting the use of these or other voting methods by the College of Bishops or such other Groups, Committees, or Commissions as may be established from time to time by This Church. Such groups may establish whatever methods for voting on matters before them that they deem appropriate in their sole judgment.

Canon IV-1.15 Committees of the General Synod

The General Synod may establish committees to perform tasks between sessions of the General Synod. In creating such committees, the General Synod shall specifically define their role, membership and scope of authority.

Canon IV-1.15.1 Permanent Committees of the General Synod

The following are permanent standing Committees of the General Synod whose duties are as indicated:

- A) History of this Church - which shall see to the creation and maintenance of a historical record of This Church.
- B) Constitution and Canons -- which shall consider and propose changes, updates and revisions to this Constitution and Canons for submission to the General Synod for enactment.

Chapter 2 The College of Bishops and its Officers

Canon IV-2 The College of Bishops

- A) All persons who have received the Sacrament of Holy Orders in the Order of Bishop who are incardinated into or are part of This Church. Those Bishops who are active and are not on leave of absence are voting members of the College of Bishops. All members of the College of Bishops have voice in the College and the General Synod.
- B) The College of Bishops shall enact and maintain procedures for the conduct of its business, including methods and procedures for voting on matters before it.

- C) Decisions by the College of Bishops shall be made by a simple majority of votes cast on any matter before the College.
- D) A Bishop may not resign jurisdiction without the consent of the College of Bishops.
- E) Upon attaining the age of seventy-two years a Bishop shall offer to resign from all jurisdiction in this Church.
- F) Retired members of the College of Bishops shall have voice in the College and in the General Synod of this Church

Canon IV-2.1 Authority of the College of Bishops

- A) By virtue of their Sacred Order, the members of the College of Bishops, working with the General Synod, possess the right to define matters of Faith for this Church. In this Sacred Role, the College of Bishops is the guardian of the True Catholic Faith.
- B) College of Bishops, working with the General Synod, regulates and defines Rites for the celebration of the Holy Sacraments and the Sacred Liturgies of this Church.
- C) Between sessions of the General Synod, the College of Bishops, as members of the Executive Committee, is entrusted with the day-to-day care and administration of This Church. In this capacity, the College of Bishops may impose interim action and/or legislation in response to circumstances which are national or inter-diocesan in scope and which arise between sessions of the General Synod. All such actions or legislation expire with the convocation of the next General Synod unless the General Synod expressly acts to continue them.
- D) The College of Bishops is the official spokespeople for this Church. Only the College, or its designated representative(s), may make official statements regarding Church business.

Canon IV-2.2 Duties, Rights and Privileges of the College of Bishops

- A) The duties of members of the College of Bishops include all those inherent in the Order of Bishops.
- B) With concurrence and approval of the General Synod, it is the right, duty and privilege of the College of Bishops to elect the Presiding Bishop of This Church, define matters of Faith for this Church, and regulate the Holy Sacraments.

- C) It shall be the duty of the College of Bishops to supervise and adjudicate matters pertaining to the clerical discipline of those in the Order of Bishop.
- D) Great independence is granted by virtue of the office of Diocesan Bishop. The conduct of this sacred trust affects not only the People of God in their immediate care, but also the entire Church. Therefore, it is the duty of the College of Bishops to assure effective and orthodox leadership in all Dioceses of this Church.
- E) Additional duties are assigned to the College of Bishops by this Constitution.

Canon IV-2.2.1 Initiation of matters for Consideration by the College of Bishops

- A) Any member of the College of Bishops may initiate legislation or bring other matters before the College of Bishops for their consideration and vote by providing the proposal in typewritten form together with a ballot for voting on the measure to the President of the College of Bishops. The President of the College of Bishops shall be the Presiding Bishop of This Church.
- B) The President of the College of Bishops shall reproduce sufficient copies of the proposal and ballots for the membership of the College and distribute them for action by the membership, and shall receive, tally, and announce the results of the voting.

Canon IV-2.3 The President of The College of Bishops

- A) The Chief Executive Officer of This Church is the President of the College of Bishops and is called the Presiding Bishop, titled Primate of the Church. The President of the College of Bishops is responsible for the administrative functions and record keeping of this Church and for maintaining a flow of communications within This Church, and for communicating with such other bodies as may be directed by the College of Bishops and/or the General Synod.
- B) The President of the College of Bishops is elected to office by the College of Bishops with concurrence of the General Synod without limitation as to number of terms. Each term of office shall be five (5) years.
- C) The President of the College of Bishops may be removed from office at any time by a two-thirds (2/3) vote of the voting eligible members of College of Bishops, and a two-thirds (2/3) concurrence of the General Synod if in session or by a two-thirds vote of the Executive Committee when the General Synod is not in session.

Canon IV-2.3.1 Duties of the President of the College of Bishops

- A) The President of the College of Bishops shall summon the General Synod into session and preside at its sessions.
- B) The President of the College of Bishops shall maintain a flow of communication between the parishes and Diocese of This Church.
- C) The President of the College of Bishops shall maintain a registry of the clergy, and be custodian of the official archives of This Church.
- D) The President of the College of Bishops shall receive and tally all votes of the General Synod, and shall make requisite notifications of the results of such voting. If the vote is being taken for the election of President of the College of Bishops and the incumbent is a candidate for that office, then the vote shall be received and tallied by the most senior Bishop of the College of Bishops (by date of consecration to the episcopacy) who is not a candidate for the office or the a member of the General Synod so selected by the General Synod for that purpose.
- E) The President of the College of Bishops shall perform other administrative duties as required.
- F) The President of the College of Bishops shall maintain all tithes, donations or other funds entrusted to it of This Church in financial support of their office separate from all other funds. He shall steward these funds through the Treasurer, using them for any purpose which the Presiding Bishop deems appropriate in the conduct of Church business. . The Presiding Bishop shall annually render an accounting for these funds to the General Synod.
- G) The President of the College of Bishops shall annually prepare a proposed budget for the conduct of his/her office for the year for approval by the College of Bishops.
- H) The President of the College of Bishops shall accomplish all duties and tasks assigned by this Constitution and by action of the General Synod in a timely manner and without undue delay. Repeated failure to promptly fulfill their duties shall be cause for removal from office.
- I) Whenever the President of the College of Bishops shall leave office for any reason, he/she shall see to the immediate transfer of all Church records in his/her possession to his/her successor. All records of This Church, in the possession of the President of the College of Bishops are the sole property of This Church, and must be surrendered on demand of the College of Bishops.

Canon IV-2.4 The Chancellor of This Church

- A) The President of the College may appoint a Chancellor for This Church who shall be a qualified member in good standing of this Church, herein defined.
- B) The duties of the Chancellor of This Church shall be to administer this Constitution and render opinion on the meaning and content of its Canons.
- C) The Chancellor of This Church shall preside at all national ecclesiastical courts and shall render judgment in all circumstances except those reserved to other bodies by this Constitution.
- D) The Chancellor shall serve an indefinite term of office at the pleasure of the President of the College of Bishops.

Canon IV-2.5 Archivist of This Church

- A) The President of the College of Bishops shall appoint an Archivist for This Church who maintains an archive of all official documents of this Church.
- B) The Archivist should be a confirmed member of This Church in good standing.
- C) The Archivist of This Church shall serve an indefinite term of office at the pleasure of The President of the College of Bishops.

Canon IV-2.6 The Administrative Secretary of This Church

- A) The President of the College of Bishops shall appoint an Administrative Secretary.
- B) The duties of the Administrative Secretary shall be to supervise and be responsible for all communications within and without This Church, and all administrative matters pertaining to the operation and functioning of this Church's national temporal responsibilities under the direction of the President of the College of Bishops.
- C) The Administrative Secretary may be a Member of the Clergy, Religious or laity of This Church or may be a non-member of This Church employed or volunteering for this purpose.
- D) The Administrative Secretary shall serve an indefinite term of office at the pleasure of the President of the College of Bishops.

Canon IV-2.7 The Treasurer of This Church

- A) The President of the College of Bishops shall appoint one of the members of the clergy to serve as Treasurer.
- B) The duties of the Treasurer shall be to supervise and be responsible for all financial matters of this Church's national temporal responsibilities under the direction of the President of the College of Bishops.
- C) The Treasurer shall serve an indefinite term of office at the pleasure of the President of the College of Bishops.

Canon IV-2.8 Vicar General of This Church

- A) The Presiding Bishop, in consultation with the College of Bishops, shall appoint a Clergy member to serve as the Vicar General for this Church.
- B) The duties of the Vicar General include acting as the principal deputy of the College of Bishops for this Church for the exercise of its administrative authority, including the authority of the Chancellor. The Vicar General exercises the College of Bishops' ordinary executive power as its agent over the entire Church for administrative matters, and when acting as agent for the Chancellor, exercises the ordinary judicial power of governance exercised in the ecclesiastical court.
- C) The Vicar General ordinarily serves for the duration of the Presiding Bishop's term and serves at the pleasure of the Presiding Bishop.

Canon IV-2.9 Vicar of Vocations and Formation for This Church

- A) The Presiding Bishop shall appoint a clergy member to serve as the Vicar of Vocations and Formation for this Church. This Office may be divided into two with one clergy member serving as Vicar of Vocations and another one as Vicar of Formation as determined by the Presiding Bishop.
- B) The duties of the Vicar(s) of Vocations and Formation is responsible for the recruiting, mentoring, and screening of qualified candidates for Priestly formation and establishing and implementation of a proper seminary program for each Candidate, including Holy Scriptures and Tradition, Christian Theology, Church History, Christian Ethics, Pastoral Care, Liturgics, and the Theory and Practice of Ministry . The Vicar(s) of Vocations and Formation is responsible to the College of Bishops and to the Diocesan Bishop to whom the Candidate is under his/her

care. The Vicar(s) of Vocations and Formation should consult with the Diocesan Bishop in matters of major concern.

- C) The Vicar(s) of Vocations and Formation ordinarily serves for the duration of the Presiding Bishop's term and serves at the pleasure of the Presiding Bishop.

Canon IV-2.9 The Executive Committee of this Church

- A) The Executive Committee shall exercise the day-to-day supervision of this Church.
- B) The Executive Committee may act in all matters pertaining to the temporal operation of this Church which do not require a vote of the General Synod as defined in this Constitution.
- C) Minutes of each meeting of the Executive Committee shall be maintained of such meetings.
- D) Action on matters before the Executive Committee shall be taken on simple majority vote of its members.
- E) Meetings of the Executive Committee shall be as frequent as the President of the College of Bishops shall direct. Meetings may be conducted by phone or in person
- F) Reviews and approves the program set forth by the Vicar(s) of Vocations and Formation for each Candidate for Holy Orders.

Canon IV-2.9.1 Membership of the Executive Committee

- A) Certain offices of This Church are ex-officio members of the Executive Committee. Permanent membership on the Executive Committee pertains to the office and not to the person who may, at any time, hold that office. Ex-officio members are:
 - 1) The Presiding Bishop, who shall also be the President of the College of Bishops and Chair of the Committee, of this Church in the role as Spiritual leader of this Church
 - 2) The Chancellor of This Church- who shall be Vice-Chair of the Committee
 - 3) The Administrative Secretary of This Church
 - 4) The Treasurer of This Church
 - 5) The Vicar General of This Church
 - 6) The Vicar(s) of Vocations and Formation of This Church

- B) Certain Members of the Executive Committee are elected to serve on the Committee. Such elected members shall be elected to this duty at regular sessions of the General Synod and may be expanded to reflect the wider church as it deems necessary. Their term of office is five (5) calendar years from date of election and shall coincide with the regular meetings of the Synod. Elected Members are:
- 1) A representative of the College of Bishops who is not already an ex-officio member of the Executive Committee, elected by majority vote of the College of Bishops
 - 2) A representative from the Members of the Clergy in the Holy Orders of Deacon or Presbyter, elected by the members of the clergy of those Orders.
 - 3) A lay member from each Diocese of This Church, elected by the members of the lay representatives to the Diocesan Synod.

Canon IV-2.10 Other Committees of the General Synod

- A) The General Synod may establish committees to perform tasks or research issues before the General Synod and make recommendations to the General Synod for action.
- B) The President of the College of Bishops and the Chancellor, if there be one, of This Church are ex-officio member of all committees of the General Synod.

Canon IV-2.10.1 Permanent Standing Committees of the General Synod

The following committees are permanent standing committees of the General Synod to meet at least annually:

- A) Liturgy: This shall see to the creation, review and update of the Liturgy.
- B) Ecumenism: This shall see to the relations with other ecclesial bodies.
- C) Formation: That shall see to the proper formation of all levels of clergy within this Church

ARTICLE V CHURCH ORGANIZATION

Chapter 1 Jurisdictions within this Church

Canon V-I Internal Jurisdictions of this Church

Internal to this Church are several jurisdictional areas which are regulated by this Constitution. These areas are Diocese, Vicariates, parishes, and Residences of Religious Orders

Canon V-1.1 Diocese

- A) A Diocese is a portion of the People of God which is entrusted for pastoral care to a Diocesan Bishop. With the cooperation of the Clergy, and adhering to its pastor and gathered by them in the Holy Spirit through the spread of the Gospel and the Eucharist, it constitutes a particular church in which the one, holy, catholic, and apostolic church is truly present and operative.
- B) As a rule, that portion of the People of God which constitutes a Diocese is limited to a definite territory so that it comprises all the members of This Church who inhabit that territory.
- C) A Diocese comes into existence by direction by the College of Bishops either upon the request of the People of God or upon the perception of need by the Diocesan Bishop or the College of Bishops.
- D) When the People of God request that a Diocese be created, they do so by written petition to the College of Bishops. Generally, any such request which is reasonable should be honored.
- E) When for any suitable reason, a Diocesan Bishop determines the need to create a Diocese from some portion of their See, she/he may do so by Episcopal Decree after obtaining the concurrence of the College of Bishops.
- F) When the College of Bishops perceives the need for a Diocese, they may create a Diocese on their own initiative upon majority concurrence by the Executive Committee.
- G) If the area of a proposed Diocese is part of an existing Diocese, the concurrence of the Diocesan Bishop having jurisdiction in that area to the creation of the Diocese is required, in this regard, Mission Territories and Apostolic Vicariates do not comprise an existing Diocese.
- H) A Diocese may be suppressed, i.e. its existence may be terminated by action of the College of Bishops when there is no current Diocesan Bishop for the Diocese and when, in the judgment of the College, there no longer exists a viable Diocesan community which would warrant the election of a new Diocesan Bishop. If the Diocese is suppressed, the territory of that Diocese reverts to mission status as an Apostolic Vicariate. The nearest Diocesan Bishop assumes pastoral responsibility for the area as Apostolic Vicar.

- I) A Diocesan Bishop must reside within the boundaries of their Diocese. If a Diocesan Bishop relocates their residence outside their Diocese, they cease to be Diocesan Bishop immediately and as an operation of law the Diocesan See is vacant.

Canon V-1.2 Ethnic, National, Liturgical or Language based Diocese

- A) The College of Bishops may establish Diocese of ethnic, national, Liturgical, or Language based communities in order to meet the pastoral or liturgical needs of the People of God. These Dioceses may be differentiated by the use of Eastern or Latin Rites, national origins, native language, or other causes.
- B) Such Diocese, if erected, shall be headed by a Diocesan Bishop who shall be elected as defined herein. Such Diocesan Bishops shall exercise jurisdiction only in and for their ethnic, national, liturgical, or language community.
- C) Such Diocese may be geographically coincident with Diocese for this Church in general or for other ethnic, national, liturgical, or language groups. When such coincidence exists, each Diocesan Bishop has jurisdiction within and for their own community only.
- D) Procedures for the erection and/or suppression of a Diocese as defined herein shall be followed in erecting Diocese of this type, including the concurrence of the Diocesan Bishop currently having jurisdiction if an ethnic, national, liturgical, or language based Diocese is to be created from or coincident with an existing Diocese.

Canon V-1.3 Archdiocese and Metropolitan Sees

Archdiocese and/or Metropolitan Sees do not exist as unique organizational entities within This Church.

Canon V-1.4 Parishes of this Church

- A) Every Congregation of this Church shall belong to the Church in the Diocese in which its place of worship is situated; a Member of the Clergy serving a Cure having Congregations in more than one jurisdiction shall have such rights, including vote, in the Diocesan Synod of the jurisdiction in which the Member of the Clergy has canonical residence as may be provided in the Canons of that Diocese and may be granted seat and voice in the jurisdiction(s) in which the Member of the Clergy does not have canonical residence.

- B) The ascertainment and defining of the boundaries of existing Parishes or Parochial Cures, as well as the establishment of a new Parish or Congregation, and the formation of a new Parish within the limits of any other Parish, is left to the action of the several Diocesan Synods.
- C) Until a Canon or other regulation of a Diocesan Synod shall have been adopted, the formation of new Parishes, or the establishment of new Parishes or Congregations within the limits of existing Parishes, shall be vested in the Bishop of the Diocese, acting by and with the advice and consent of the Executive committee thereof, and, in case of there being no Bishop, of the Ecclesiastical Authority.
- D) Where Parish boundaries are not defined by law, or settled by Diocesan Authority under this Canon, or are not otherwise settled, they shall be defined by the civil divisions of the State as follows: Parochial boundaries shall be the limits as fixed by law, of a village, town, township, incorporated borough, city, or of some division of any such civil district, which may be recognized by the Bishop, acting with the advice and consent of the Standing Committee, as constituting the boundaries of a Parish.
- E) If there be but one Church or Congregation within the limits of such village, town, township, borough, city, or such division of a civil district, as herein provided, the same shall be deemed the Parochial Cure of the Member of the Clergy having charge thereof. If there be two or more Churches or Congregations therein, it shall be deemed the Cure of the Members of the Clergy thereof.
- F) This Canon shall not affect the legal rights of property of any Parish or Congregation.
- G) Each Parish of this Church shall be incorporated in the State in which it resides unless that State does not allow incorporation in such case the Parish will be incorporated in a State that does allow incorporation.

Canon V-1.4.1 Parish Council

- A) In every Parish of this Church the number, mode of selection, and term of office of Wardens and Members of the Parish Council, with the qualifications of voters, shall be such as the State or Diocesan law may permit or require, and the Wardens and Members of the Parish Council selected under such law shall hold office until their successors are selected and have qualified.
- B) Except as provided by the law of the State or of the Diocese, the Parish Council shall be agents and legal representatives of the Parish in all matters concerning its corporate property and the relations of the Parish to its Clergy.

- C) Unless it conflicts with the law as aforesaid, the Pastor, or such other member of the Parish Council designated by the Pastor, shall preside in all the meetings of the Parish Council.

Canon V-1.5 Vicariates

The area of responsibility of a Vicar is called a Vicariate. In This Church there are several types of Vicariates. The most commonly applied types are the Apostolic Vicariate and the Diocesan or Episcopal Vicariate.

Canon V-1.5.1 Apostolic Vicariates

- A) An Apostolic Vicariate is a certain portion of the People of God which is not yet established as a Diocese due to particular circumstances and whose pastoral care is entrusted to a Diocesan Bishop or an Auxiliary Bishop attached solely to this Church acting as an Apostolic Vicar. The Apostolic Vicar governs the Vicariate in the name of this Church and is the Bishop Ordinary for the Vicariate.
- B) Apostolic Vicars assume their role in an Apostolic Vicariate as an operation of law based on their appointment by the Presiding Bishop.
- C) It is desirable that the territory comprising the Apostolic Vicariate be expressly established by the College of Bishops to avoid confusion.

Canon V-1.5.2 Diocesan Vicariate

In order to foster pastoral care through common action or due to the special needs (e.g., the need to minister in a specific national language or ethnic rite) several parishes may be grouped together under the leadership of an Episcopal or Diocesan Vicar at the discretion of the Diocesan Bishop.

Canon V-1.6 Mission Territories

Any portion of the Jurisdiction of This Church which is not organized into a Diocese shall be considered to be Mission Territory and be organized as an Apostolic Vicariate.

Canon V-1.7 Monasteries, Convents and Residences of Religious Orders

Wherever there is established a monastery, convent or other residence house of a Religious Order, such residence shall be governed and organized as the Rule or Form of Life of the Order may direct. If no specific regulation exists within a Rule or Form of

Life of any Order, the residence shall be governed and organized as the head of the Order may direct. All such residences are under the direct control of the lawful superiors of the Order and are subject to overall supervision by the Presiding Bishop.

Canon V-2 Securing an Accurate View of the State of This Church

- A) A report of every Parish and other Congregation of this Church shall be prepared annually for the year ending December 31 preceding, in the form authorized by the Executive Council, and shall be filed not later than January 15 with the Bishop of the Diocese, or, where there is no Bishop, with the ecclesiastical authority of the Diocese. The Bishop or the ecclesiastical authority, as the case may be, shall keep a copy and submit the report to the Executive Committee not later than January 15. In every Parish and other Congregation the preparation and filing of this report shall be the joint duty of the Pastor or Member of the Clergy in charge thereof and the lay leadership; and before the filing thereof the report shall be approved by the Parish Council or Bishop's committee or mission council. This report shall include the following information: the number of baptisms, confirmations, marriages, and burials during the year; the total number of baptized members, the total number of members in good standing, and the total number of members in good standing under 16 years of age.
- B) An annual summary of all the receipts and expenditures.
- C) Such other relevant information as is needed to secure an accurate view of the state of this Church, as required by the approved form.
- D) Every Bishop, Presbyter, or Deacon whose report is not included in a parochial report shall also report on the exercise of such office, and if there has been none, the causes or reasons which have prevented the same.
- E) These reports, or such parts of them as the Bishop may deem proper, shall be entered in the Journal of the Diocesan Synod.
- F) Likewise, a report of every Diocese shall be prepared annually for the year ending December 31st preceding, in the form authorized by the Executive Committee and shall be filed, not later than January 15, with the Executive Committee. It shall include information concerning implementation by the Diocese of resolutions of the previous General Synod which have been specifically identified by the Administrative Secretary.
- G) It shall be the duty of the Secretary of the Synod of every jurisdiction to forward to the Administrative Secretary of this Church, immediately upon publication of the Journals of the Synod of the jurisdiction, together with episcopal charges, statements, and such other records in paper or electronic format as may show

the state of the Church in that jurisdiction, and a copy to the Archives of the Church in a common format as prescribed by the Archivist of the Church.

- H) It is desirable this Church develop and maintain a centralized electronic data system for the collection and storage of all records as mentioned in the above as to provide an up to date view of the status of this Church. Every Diocese and every parish or mission or every Diocese of this Church shall submit said records on an ongoing basis. Each Pastor or Priest in Charge of a parish or mission shall adhere to this Canon in every respect.

A Committee shall be appointed following the close of each General Synod, to serve *ad interim*, and to prepare and present to the next meeting of the General Synod a report on the State of the Church and sent to the College of Bishops.

ARTICLE VI THE CLERGY

Chapter 1 General Regulations of the Clergy

Canon VI-1 The Clergy defined

All members of This Church who have received the Sacrament of Holy Orders in the Order of Deacon, Presbyter or Bishop, including those who are incardinated, and who good standing, are members of the Clergy.

Canon VI-1.1 Regulation of the Clergy

- A) Members of the Clergy are subject to the regulations of this Constitution and such other regulations as their lawful superior may impose.
- B) All members of the Clergy shall be incardinated within a Diocese of This Church in order to exercise their ministry.
- C) All Clergy accused of civil criminal conduct, except minor traffic citations, shall immediately disclose such accusation to their Diocesan Bishop, or to the College of Bishops if the accused is a Diocesan Bishop. All details of the accusation against the Member of the Clergy must be made known to the Diocesan Bishop or to the College of Bishops for those in the office of Diocesan Bishop. Discretion is advised here and the confidential character of the Sacrament of Reconciliation shall be made known to all parties.
- D) This Church's Clergy, even if they receive some financial compensation, generally serve in a voluntary capacity and are not employees of This Church. This Church, therefore has no duty to supervise its Clergy as an employer nor is it responsible for their conduct; nor does This Church, have a duty to collect or account for taxes for its Clergy; nor does This Church, have an obligation to

provide employment benefits or unemployment, workers compensation or other insurance.

Canon VI-1.1.1 Titles and Rank of the Clergy

The Titles and Ranks of the Clergy are: Deacon, Presbyter, Priest, Bishop, Auxiliary Bishop, Presiding Bishop, Primate, Pastor or those granted by the Presiding Bishop, College of Bishops or Diocesan Bishops (e.g. Canon ,Pastor, etc.), or authorized for an office in a Religious Order (e.g., Minister General, Superior General Novice Master, Abbot, etc.)

Canon VI-1.2 Celibacy and Chastity of the Clergy

- A) The right to marry is Divinely Granted. This Church imposes no requirement of celibacy or permanent chastity on its Clergy. Members of the Clergy of This Church who are unmarried, as defined by civil law, may marry or refrain from marriage.
- B) Except within a lawful union, Clergy are called to the same Chastity as are all Christians.
- C) Marriage shall not be an impediment to the valid reception of the Sacrament of Holy Orders in This Church nor to incardination into any jurisdiction of This Church; nor shall marriage be required for the reception of Holy Orders or incardination.
- D) Holy Orders shall not be an impediment to the valid reception of the Sacrament of Matrimony in This Church.
- E) No person shall impose or require; as a condition of the Sacrament of Holy Orders, of granting Faculties to Clergy, or of incardination of Clergy in any jurisdiction; that any person shall be required to promise, vow or live in a state of celibacy or permanent chastity nor that they be either married or remain unmarried.
- F) In all cases, members of the Clergy shall refrain from sexual intimacy which is abusive in nature or which is outside the Law of God.

Canon VI-1.3 Financial Compensation of the Clergy

- A) Except as set forth herein, no Member of the Clergy shall accept payment of money or other valuable consideration in payment for celebration of any

Sacrament (e.g. Simony is expressly forbidden and renders the Sacrament null and void). Donations may be accepted so long as the said donation is voluntary. It is permitted, when asked, for the Clergy to indicate an exact amount which is appropriate for such donation.

- B) Freely given stipends or gifts, regardless of type, may be accepted as a gratuity for the special celebration of the Mass so long as they are not in any way a condition for the celebration of the Sacraments or the Mass.
- C) When necessary and appropriate, travel, food and lodging expenses of the Clergy maybe paid by those for whom a Sacrament is celebrated.
- D) The Clergy may receive salary and/or other formal compensation from any Diocese or Parish or Mission they serve. Salary and/or other compensation and all stipends and gratuities received must be reported to the appropriate civil authorities for tax purposes. All Members of the Clergy are to be considered as Independent Contractors and as such, this Church is not responsible for the actions of any Members of the Clergy or for withholding of any taxes for monies received by the Members of the Clergy.

Canon VI-1.3.1 Employment of the Clergy

- A) Each Member of the Clergy is responsible for providing such personal income as may require for themselves and their family through lawful means. These means may include compensation by the Parish or Diocese which the Member of the Clergy serves, personal savings or investments and/or employment in a secular job or profession.
- B) All secular employment shall be in a place and of a type seemly and appropriate for a Member of the Clergy. The decision of whether such employment of a Member of the Clergy is seemly and appropriate shall be in the discretion of the Diocesan Bishop for those in the Orders of Deacon and Presbyter, and in the discretion of the College of Bishops for those in the Holy Order of Bishop.
- C) No Bishop shall require that a Member of the Clergy change their employment without giving them a full explanation of their reasons for such requirement, and without giving them adequate time to make a transition to new employment.
- D) In requiring a Member of the Clergy to seek new employment, a minimum period of one calendar year shall be granted for such change. Such period shall be extended when warranted by economic or other circumstances.

Canon VI-1.3.2 Financial Obligations of the Diocese to This Church

Each Diocese and the parishes, missions and other subordinate jurisdictions thereunder, of This Church shall provide financial support to the conduct of the temporal administration of this Church in a manner and amount to be determined annually by the General Synod by majority vote but under no circumstances shall be more than 10% of tithes taken in by each respective Diocese, Parish, special ministry, missions, and/or other subordinate jurisdictions thereunder.

Canon VI-1.4 Possession of Church Property by members of the Clergy

- A) All property, which may be managed and held in the trust by a Member of the Clergy which was purchased or otherwise obtained by this Church, Parish, or any subordinate jurisdiction of this Church is the sole property of this Church, Parish, or subordinate jurisdiction for which it was purchased and not the private or personal property of the Member of the Clergy unless specifically set forth differently in a mutually assented to writing. However, property purchased solely by a Member of the Clergy and in their possession which may be used by this Church shall remain and be the sole possession of that Clergy member.
- B) The foregoing notwithstanding, the Clergy may own and retain as real and personal property, chapels, private chapels in their place of residence, or other suitable private location as well as vestment, chalices and other liturgical supplies, etc. which were purchased with their own funds or which they received as gifts.

Canon VI-1.5 Resignation of the Clergy

Members of the Clergy may resign from the Clergy of This Church at any time without stating a reason. Resignation shall automatically excommunicate the Member of the Clergy and shall release them from the Clergy of This Church.

Canon VI-1.6 Leave of Absence of the Clergy

- A) A Members of the Clergy may request a Leave of Absence at any time from their Diocesan Bishop. Such request shall be accepted in all cases. Furthermore, a Diocesan Bishop may place a Member of the Clergy under their control on any Involuntary Leave of Absence.
- B) The duration of a Leave of Absence as well as any conditions which must be met in order for the Member of the Clergy to return to active status is in the discretion of the Diocesan Bishop.

- C) It belongs solely to the Diocesan Bishop to determine whether or not to accept the return from a Leave of Absence of a member of their Clergy.
- D) The Chancellor of This Church, if there be one or the Vicar General if there is not a Chancellor, may place Diocesan Bishops, The President of the College of Bishops (Presiding Bishop), on Voluntary Leave of Absence on their request. In such circumstances, the Chancellor of This Church shall determine the duration, circumstances and conditions under which they may return from the Leave of Absence.
- E) The College of Bishops may impose an Involuntary Leave of Absence on any Bishop if the said College determines such leave to be necessary for the good of this Church, or the spiritual welfare of the respective Bishop, or as the result of disciplinary action. Except as may be provided elsewhere herein, the College shall determine the duration of the leave, the conditions of the leave and when and under what circumstances the person so placed on leave may return to active status.
- F) During a Leave of Absence, members of the Clergy, regardless of Order or position, shall not function in any clerical capacity for This Church and all Faculties which the Member of the Clergy then possessed shall be revoked for the duration of the leave.
- G) At the conclusion of the Leave of Absence, the Member of the Clergy regardless of Order or position, must either return to active status, resign from the Clergy of This Church or be released from the Clergy of This Church.

Canon VI-1.7 Canonical Obedience of the Clergy

Each Member of the Clergy shall, on the occasion of their ordination to each Order and/or their Incardination into This Church solemnly and publicly promise obedience to this Constitution and to their lawful superior(s).

Canon VI-1.7.1 Information to be supplied by the Clergy to competent authority

Each Member of the Clergy in the Holy Order of Deacon and Presbyter shall provide certain information to his/her Diocesan Bishop. Each Bishop shall provide similar information to the President of the College of Bishops. Such information shall be maintained as current by the respective Member of the Clergy. The required information is as follows:

- A) A residence address to be defined as the street address, including apartment number where applicable, in which s/he physically resides, in this regard, a Post

Office Box or any address essentially similar in nature to a Post Office Box, shall not be sufficient. Use of such Boxes is permitted but only in addition to the required address.

- 1) A telephone number at which the Member of the Clergy may be customarily reached.
- 2) The name of the Member of the Clergy's employer and a description of type of work performed.
- 3) Their current marital status.

Canon VI-1.8 Incardination of Clergy

- A) The process by which Clergy from one ecclesiastical jurisdiction are brought under the authority of another jurisdiction is called Incardination.
- B) By virtue of the Sacrament of Holy Orders, any person receiving Ordination to the Order of Presbyter or Deacon is automatically incardinated into the Diocese for which they are ordained.
- C) Installation in the office of Diocesan Bishop automatically incardicates the one installed into the Diocese they are to serve and concurrently excardicates them from all other jurisdictions.

Canon VI-1.8.1 Incardination from a Diocese of This Church

- A) Any Priest or Deacon desiring to be incardinated into a Diocese of This Church from another Diocese of This Church shall present a letter from his/her current Diocese excardinating him/her from that Diocese and containing a statement that, at the time of Excardination, the person was a Member of the Clergy in the Order that they possess in good standing.
- B) Any Diocesan Bishop may, upon request by a Member of the Clergy possessing a letter of Excardination, incardinate or decline to incardinate any Member of the Clergy into their Diocese from any Diocese of This Church.
- C) In general and especially in cases where the request for Incardination is prompted by change of employment or transfer incumbent or incident to employment, requests for Incardination should be denied only for serious reasons relating to the character or conduct of the person requesting incardination.

Canon VI-1.8.2 Incardination from Churches in Communion with This Church

- A) The procedure to be followed for Incardination of Clergy from Churches in Communion with This Church is the same as that for Incardination from another Diocese of This Church.
- B) In this context, the term "Churches in Communion with This Church" shall be defined as those ecclesiastical bodies which established formal intercommunion agreements with This Church and are approved for this purpose by the College of Bishops and confirmed by the General Synod.

Canon VI-1.8.3 Incardination from other Churches

- A) In addition to a letter of Excardination from this Church that they are leaving, Clergy desiring Incardination from Churches not in Communion with This Church must submit documents attesting to the valid reception of the Sacrament of Holy Orders to the highest Order they have attained, and documentation which proves the valid Apostolic Succession of the person who ordained them to each Order.
- B) A Diocesan Bishop may, upon request by a Presbyter or Deacon possessing a letter of excardination and other required documentation, and who meets the qualifications for their Holy Order established in this Constitution, incardinate or declines to incardinate that Member of the Clergy into their Diocese from any Church.
- C) Persons in the Holy Order of Bishop may be incardinated into This Church only with the concurrence of the College of Bishops by majority vote. The role such Bishop shall exercise within this Church shall also be established by majority vote of the College of Bishops.
- D) Documentation of Apostolic Succession need trace Succession only as far as the Roman Catholic or Orthodox Church. Standard reference materials which sustain the claim of Apostolic Succession may be employed in validating Succession.
- E) Persons whose Orders or Succession cannot be validated may receive the Orders of Deacon or Presbyter sub-conditione in the discretion of the Diocesan Bishop receiving them into their Diocese.
- F) Persons in the Order of Bishop may be consecrated sub-conditione only with the concurrence of the College of Bishops.
- G) Candidates for incardination into This Church in the Order of Bishop from other Catholic Communion, generally, shall not receive sub-conditione or re-consecration in This Church unless in the opinion of the College of Bishops,

there is grave reason to believe that the candidate for incardination is, indeed, not validly consecrated as a Bishop.

Canon VI-8.4 Incardination of Bishops and Clergy of Jurisdictions Uniting with this Church

- A) The Presiding Bishop, along with the Executive Committee of this church, upon a finding of mutual interest in the uniting of another Catholic jurisdiction not currently under its jurisdiction, shall enter into discussions with said jurisdiction and develop a Declaration of Unity Agreement which shall establish all the terms upon which the unification shall take place.
- B) Upon the mutual written execution of the Declaration of Unity Agreement, unless otherwise stated and stipulated to therein, all Clergy members of said jurisdiction shall be incardinated into the American Catholic Church and all laity and religious shall be accepted as full members of each respective category into the American Catholic Church.

Canon VI-1.9 Excardination

- A) A Member of the Clergy desiring to be excardinated from any Diocese of This Church shall be given a Letter of Excardination. Such Letter shall state their highest Holy Order held and shall also state whether they are in good standing, on Leave of Absence, deposed, or released/expelled from the Clergy of This Church.
- B) The act of expelling or releasing someone from the Clergy of This Church, automatically, and as an action of law, excardinates that person from all jurisdictions of This Church, in which they were then incardinated.

Canon VI-1.9.1 Excardination because of Resignation

If a Member of the Clergy of This Church, resigns from the Clergy of This Church, or ceases to perform their duties as a Member of the Clergy in a manner analogous to resignation, he or she shall be given a Letter of Excardination. Such action shall automatically terminate all Faculties and release that person from the Clergy of This Church.

Canon VI-1.10 Conduct and Discipline of the Clergy

- A) Because of the great trust placed in the Clergy by the People of God, This Church has the right to ecclesiastically discipline and to censure any Member of the Clergy whose public conduct is such that it may bring discredit upon this Church. This Church may also ecclesiastically discipline or censure Clergy of This Church who violate any provision of this Constitution or who are disobedient in matters canonical to their lawful superior, regardless of their rank or position in This Church.
- B) The public conduct of the Clergy is to be above reproach. They are to avoid places and entertainment which would scandalize the People of God, they are to restrain their use of profanity, and they are to be examples of Christian Charity and Love to all. They are to scrupulously adhere to the Divine Law, this Constitution and the Civil Law.
- C) Conduct by the Clergy which is contrary to the Law of God or this Constitution is never sanctioned by this Church. When such conduct is discovered, immediate action shall be taken to address the misconduct.
- D) Whenever a violation of appropriate public conduct or a violation of canonical obedience to a lawful superior or of this Constitution is alleged against any Member of the Clergy, that person's Diocesan Bishop shall convene a tribunal to adjudicate the matter and in which evidence in support and refutation of the allegation shall be presented. If the accused is a Bishop, the allegation shall be referred to the College of Bishops for similar adjudication.
- E) When there is reason to believe that a Member of the Clergy is suffering from a mental illness or an addiction which is affecting their performance as a Member of the Clergy, a judicial tribunal shall be convened to determine the attendant facts under procedures defined herein.
- F) Misconduct on the part of the Clergy is the sole responsibility of that person. This Church does not employ Clergy and has no obligation as an employer in regard to its Clergy.
- G) Any Clergy who has left a position in this Church without having received a call to a new ecclesiastical position and who desires to continue the exercise of the office of Priest shall notify the Ecclesiastical Authority of the Diocese in which the Clergy person is canonically resident and shall advise the Bishop that reasonable opportunities for the exercise of the office of the Clergy person exist and that use will be made of such opportunities. After having determined that the person will have and use opportunities for the exercise of the office of the Clergy person, the Bishop, with the advice and consent of the Executive Committee, may approve the Clergy person's continued exercise of the office on condition that the Clergy person report annually in writing, in a manner prescribed by the Bishop, as

provided in Canon I.6.2.

Canon VI-1.10.1 Dress of the Clergy

Whenever they are acting in their capacity as Clergy of This Church, the Clergy shall wear appropriate clerical clothing.

- A) Members of Religious Orders may wear the Habit appropriate for their Order. The color and style of the habit of Religious Orders shall be determined by the Order with the concurrence of the College of Bishops (for national Orders) or the Diocesan Bishop (for Diocesan Orders).
- B) Clergy who are not members of Religious Orders, and Clergy who are Religious at times when they are not wearing the Habit of their Order shall wear clerical garb appropriate to their activity.
- C) The color of all formal street clerical attire in The American Catholic Church is black. Other colors are permitted for informal or day-today wear.

Canon VI-1.10.2 Judicial Tribunals for the Clergy

- A) Whenever a Member of the Clergy violates the provisions of this Constitution, commits an offense against the unity of this Church, including but not limited to, heresy, apostasy or schism; fails to render canonical obedience to a lawful superior, or is convicted or pleads guilty to a civil misdemeanor punishable by more than 1 year incarceration or felony, they shall be subject to disciplinary action by This Church.
- B) Whenever disciplinary action or action due to mental illness or addiction is contemplated against a Member of the Clergy, a formal inquiry into the facts of that allegation shall be conducted as quickly as practical.
- C) Clergy in the Order of Deacon or Presbyter shall be entitled to due process and shall be judged within law and equity by a tribunal consisting of three Clergy in the Order of Presbyter or Bishop. The Diocesan Bishop shall preside. The evidence in support of the allegation shall be presented in open session by a Member of the Clergy. The accused shall have the right to present evidence which is exculpatory, to confront his accuser, and the right to compel testimony in his/her behalf. The three judges shall decide if the evidence presented sustained the allegation by vote. The Diocesan Bishop shall impose penalty for those found guilty of misconduct or determine actions for those found to be mentally ill or addicted.

- D) If sufficient Clergy cannot be obtained to form a tribunal as described in the foregoing, the Diocesan Bishop may hear the matter alone or with reduced numbers of Clergy so long as the rights of those under inquiry are sustained. Tie votes shall be adjudged in the favor of the one under inquiry.
- E) Clergy in the Order of Bishop shall be judged by the College of Bishops. The Chancellor, or if there be none the Vicar General, of This Church shall preside. The evidence in support of the allegation shall be presented in open session by a Member of the Clergy. The accused shall have the right to present evidence which is exculpatory, to confront his accuser, and the right to compel testimony in their behalf. The College of Bishops, by vote, shall determine if the evidence presented sustained the allegation and shall impose penalty for those found guilty of misconduct or determine actions for those found to be mentally ill or addicted. Tie votes shall be adjudged in the favor of the one under inquiry.
- F) A detailed record of the evidence presented in a tribunal both for and against the accused shall be made and maintained by the Diocesan Bishop, for Presbyters and Deacons, and by the College of Bishops for Bishops. This record shall be made available to the General Synod in the event of an appeal of the findings and/or penalty by the accused.

Canon VI-1.10.2.1 Disciplinary Penalties of the Clergy

The penalties which may be assessed against a Member of the Clergy found guilty of misconduct may be if deemed appropriate in the tribunal documents: Informal Reprimand, Formal Reprimand, Involuntary Leave of Absence from the Clergy, removal from office, and/or expulsion from the Clergy of This Church.

Canon VI-1.10.2.1.1 Minor Canonical Offenses by the Clergy

Those found guilty by a tribunal of a minor offense against this Constitution, or of a minor instance of willful canonical disobedience to a lawful superior may be subject to the following potential penalties: Informal Reprimand, Formal Reprimand, and if deemed appropriate in the tribunal documents placed on an Involuntary Leave of Absence from the Clergy of This Church for a period of not more than three (3) months.

Canon VI-1.10.2.1.2 Serious Canonical Offenses by the Clergy

Those found guilty by a tribunal of a serious offense against this Constitution, serious willful canonical disobedience to a lawful superior, or a serious offense against the unity of this Church may be deposed from all offices which they then hold and may incur if deemed appropriate any of the following penalties: Formal Reprimand, and/or Involuntary Leave of Absence from the Clergy of This Church for a period of not more

than two (2) years.

Canon VI-1.10.2.1.3 Grave Canonical Offenses by the Clergy

Those found guilty by a tribunal of a grave offense against this Constitution, grave willful canonical disobedience to a lawful superior, or a grave offense against the unity of this Church may be released from the Clergy of This Church, removed from all Church offices that they then hold, excardinated from all jurisdictions in which they serve, and all Faculties for their celebration of the Sacraments shall be revoked.

Canon VI-1.10.2.1.4 Actions in Cases of Alleged Civil Criminal Conduct by the Clergy

- A) Those accused of civil felonies or of misdemeanor(S) with total penalty in excess of one (1) year incarceration, shall be automatically placed on an Involuntary Leave of Absence from the Clergy of This Church until such time as their civil case is adjudicated.
- B) Those found guilty or pleading guilty to any misdemeanor(S) with total penalty in excess of one (1) year incarceration, shall be deposed from any offices which they then hold and may be placed on Involuntary Leave of Absence until such time as their civil penalty is concluded and their Diocesan Bishop or the College of Bishops may reinstate them.
- C) Those found guilty or pleading guilty of any civil felony may be released from the Clergy of This Church, deposed from all Church offices that they then hold, excardinated from all jurisdictions in which they serve, and all Faculties for their celebration of the Sacraments may be permanently revoked.

Canon VI-1.10.2.1.5 Actions in Cases of Mental Illness and Addiction in the Clergy

- A) If it is determined by a tribunal that a Priest, Deacon or Auxiliary or Coadjutor Bishop is mentally ill or addicted in any way, except to tobacco, the Diocesan Bishop having jurisdiction shall place the individual on Involuntary Leave of Absence.
- B) If it is determined by the College of Bishops that a Diocesan Bishop or the Presiding Bishop is mentally ill or addicted in any way, except to tobacco, the College of Bishops may remove them from Office and shall place the individual on Involuntary Leave of Absence.

Canon VI-1.10.3 Right of Appeal

- A) Any Member of the Clergy on whom a penalty of release from the Clergy of This Church or removal from Office is assessed under this Constitution and any Member of the Clergy who is placed on an Involuntary Leave of Absence due to alleged misconduct, mental illness and/or addiction shall have the right to appeal.
- B) Appeals of disciplinary action against Clergy are first heard by the Chancellor/Ecclesiastical Advisor of This Church, in their role as arbiter of this Constitution. They may sustain or reject the appeal. Rejected appeals may be further appealed to the General Synod.
- C) The General Synod, acting in this appellate role, may render its decision by review of the record of a tribunal or may take testimony.
- D) The Chancellor/Ecclesiastical Advisor shall preside at all appeals of disciplinary action to the General Synod.
- E) During the appeal, all actions against the appellant except Involuntary Leave of Absence shall be held in abeyance. A Simple majority vote of those voting shall be sufficient to sustain or reject the appeal.
- F) The decision of the General Synod is final and binding.

Canon VI-1.11 Ordinary and Delegated Authority

- A) Clergy have authority to perform their duties according to the needs of their office. Certain authority is ordinary in nature meaning that it results from the possession of an office or a duty (e.g. the Diocesan Bishop has ordinary authority to administer any Sacrament within their Diocese.) Delegated power or authority is granted by authorization of another who possesses ordinary authority (e.g. a Diocesan Bishop grants Faculties to a Presbyter to administer Confirmation because those who are to be Confirmed are located at a distance which does not permit the Diocesan Bishop to administer the Sacrament themselves.)
- B) One who has ordinary power or authority may delegate it in their discretion subject to any restrictions imposed by Sacramental requirements or this Constitution.

Canon VI-1.11.1 The Ordinary

Whenever herein the term "Ordinary" is used as a proper noun referring to a person, such usage shall be defined as one who is exercising the role of Diocesan Bishop, with

all rights and privileges appertaining thereto, whether as head of his/her own Diocese or Apostolic Vicar.

Chapter 2 The Presiding Bishop of This Church,

Canon VI-2 The Presiding Bishop

This Church shall have one Presiding Bishop who shall act as the spiritual guide of this Church.

Canon VI-2.1 Duties, Rights and Privileges of the Presiding Bishop

- A) The duty of the Presiding Bishop of This Church shall be to exercise a ministry of inspiration and leadership to the People of God in This Church, Lay, Religious, and Clergy. The Presiding Bishop shall inspire and lead by example and exhortation, so as to build up the Kingdom of God on earth.
- B) As Christ established Peter as leader of the Apostles, but did not give him power to command them, so the Presiding Bishop may not command their fellow Bishops nor do they owe them obedience in their role as Presiding Bishop. However, as Peter led the Apostles and this Church by example and teaching, so the Presiding Bishop leads the Bishops and This Church, by example and teaching, and as the Apostles followed Peter in charity and fraternal support, so the Bishops and this Church follow the Presiding Bishop as the Presiding Bishop leads them in building the Kingdom of God on earth.
- C) It shall be the particular duty of the Presiding Bishop to act as advocate and guardian of the Sacraments, assuring their continual integrity and conformance to Sacred Tradition. The Presiding Bishop shall exercise this function by referring his/her concerns in this area to the College of Bishops for their action.
- D) During the Presiding Bishop's term of office, the Presiding Bishop shall be welcomed in all territories of This Church.
- E) The Presiding Bishop shall have voice and vote in the General Synod and the College of Bishops but may not veto any action of either body. The concurrence or confirmation of the Presiding Bishop is not required for the validity of legislation.
- F) As the role of the Presiding Bishop is to be that of a spiritual leader, the Presiding Bishop has no administrative authority or duties in This Church except those that may pertain to their role in their own Diocese, if any and their role as President of the College of Bishops.

- G) The Presiding Bishop, acting alone, may not impose legislation on this Church, nor may the Presiding Bishop assume supreme powers in this Church. Such actions, if attempted, shall constitute a crime against the unity of this Church.

Canon VI-2.2 Qualifications of the Presiding Bishop

- A) The Presiding Bishop shall have been a Diocesan, Coadjutor, or Auxiliary Bishop in This Church, for at least three (3) years and shall have been elected to the office of Presiding Bishop in accordance with the procedures set forth herein.
- B) The College of Bishops may waive any requirement for the office of Presiding Bishop in individual cases except that they are a validly consecrated Bishop in good standing and incardinated into This Church at the time of their installation.

Canon VI-2.3 Election of the Presiding Bishop

- A) Whenever there is a vacancy in the office of Presiding Bishop, regardless of cause, the College of Bishops shall within sixty (60) days of the date the office of Presiding Bishop fell vacant, assemble a commission consisting of one (1) Member of the Clergy and one (1) lay representative from each Diocese which shall be called the Primatial Selection Commission of the General Synod of this Church.
- B) The members of this Commission shall select a candidate or candidates for Presiding Bishop from among those eligible for the office of Presiding Bishop. The procedure by which they shall conduct their business is in their discretion. The senior Member of the Clergy on the Commission, by date of ordination to their current Order, shall act as leader of the Commission.
- C) No member of the Primatial Selection Commission of the General Synod may nominate themselves for the office of Presiding Bishop nor may they collude with other members to cause their own nomination. However, membership on the Primatial Selection Commission does not disqualify one from candidacy for the office of Presiding Bishop if otherwise eligible.
- D) Upon making their nomination(S), the Commission shall inform the College of Bishops of the identity of the nominee(S).
- E) Once the Primatial Selection Commission of the General Synod has made known its candidate(S), the College of Bishops, acting corporately, shall elect the Presiding Bishop by simple majority vote.

- F) If none of the candidates receives a majority vote, the Primatial Selection Committee of the General Synod shall reconsider the nominees, adding or removing nominees, or selecting other candidate(S) as necessary and submitting them for vote to the College of Bishops as required by this Canon. This process shall continue until a new Presiding Bishop is elected.
- G) Until such time as a new Presiding Bishop is chosen, the most senior Bishop of the College of Bishops, by date of consecration to the episcopacy, shall perform the duties of Presiding Bishop.

Canon VI-2.4 Installation of the Presiding Bishop

The Presiding Bishop shall be installed, and their term of office commence immediately after their election. The term "immediately" shall be construed to mean: "as soon as practical and without undue delay."

Canon VI-2.5 Term of Office of the Presiding Bishop

The Term of Office of the Presiding Bishop shall be five (5) calendar years dated from the date of election. The Presiding Bishop may succeed their self in office as often as they are re-elected to this position.

Canon VI-2.6 Resignation, Incapacity and Removal from Office of the Presiding Bishop

- A) The Presiding Bishop may resign their office at any time without stating a reason for such resignation by so notifying the College of Bishops in writing. The approval of such resignation must be approved by the College of Bishops and shall be effectively immediately approval by said College of Bishops after concurrence by the Executive Committee or if in secession, the General Synod.
- B) The College of Bishops may, by a two-thirds (2/3) vote and concurrence by a two-thirds (2/3) vote of the Executive Committee, remove the Presiding Bishop from office for crimes against the unity of this Church, apostasy, heresy, and schism for violations(s) of the provisions of this Constitution, for reason of physical health or mental illness which, in the opinion of the College of Bishops and the concurrence of the Executive Committee, impairs the performance of his/her duties, or for reason of conviction of civil crime as defined in this Constitution.
- C) The Presiding Bishop may also be removed from office for failure to competently and faithfully perform the duties of their office as required by this Constitution.

- D) The Presiding Bishop is fully subject to the provision of this Constitution for the conduct and discipline of the Clergy.

Chapter 3 The Bishops of This Church

Canon VI-3 The Bishop

- A) A Bishop is one who has received the Sacrament of Holy Orders in the Order of Bishop from another Bishop who possesses valid Apostolic Succession. In the conferral of this Holy Order, Bishops receive the fullness of the Sacrament of Holy Orders, are made pastors of Christ's Church, successors of the Apostles, and teachers of the Holy Faith
- B) As Christ established twelve (12) Apostles and not just one, so it is that each Bishop, as successors to the Apostles, exercises a ministry which is theirs by right of ordination and not as a delegation of some other prelate.

Canon VI-3.1 Qualifications of the Bishops

- A) A Bishop in This Church may be male or female.
- B) No person shall be a Bishop in This Church who has not attained thirty (30) years of age.
- C) No person shall be a Bishop in This Church, who has not validly received the Sacraments of Christian Initiation, been installed in the institutes of Reader and Acolyte, Holy Orders in the Order of Deacon and the Order of Presbyter.
- D) No person shall be a Bishop in This Church, who has not functioned in the Order of Presbyter for at least three (3) years.
- E) No person shall be a Bishop in This Church, who has not served in a Pastoral ministry in This Church for at least three (3) years.
- F) No person shall be a Bishop in This Church who has not been elected to the Order of Bishop by the College of Bishops and confirmed by the General Synod or if between the times of the General Synod by concurrence of the Executive Committee of this Church.
- G) No person shall be a Bishop in This Church who has been convicted of a civil crime, except minor traffic violations, without the express review and approval of

the candidate for Orders by College of Bishops to whom all such candidacies shall be referred.

- H) No person shall be a Bishop in This Church who is actively addicted in any way, except to tobacco.
- I) No person shall be a Bishop in This Church who has an active mental illness.
- J) No person shall be a Bishop in This Church who is given to violent behavior.
- K) No person shall be a Bishop in This Church who has demonstrated an inability to manage their personal and professional affairs.
- L) The College of Bishops may waive any requirement for the office of Bishop for individual candidates except for the valid reception of the Sacraments of Christian Initiation and Holy Orders in the Order of Deacon and Presbyter and the confirmation of the General Synod.

Canon VI-3.2 Election of Bishops

- A) A Bishop is elected to their office. They may be elected by the College of Bishops or by the People of God. If elected by the People of God, the College of Bishops shall confirm the election, either by vote or by expiration of the time-limit for such confirmation imposed by this Constitution.
- B) Procedures for election to Episcopal duties of those already in the Holy Order of Bishops are exactly the same as those who are not yet in that Order except that they shall require only ceremonial installation in their new office and do not require Consecration.
- C) In the context of these procedures, the term "People of God" shall be construed to include all persons who are members of This Church; Lay, Clergy and Religious; who shall be under the care of the candidate if they are elected. In this context, persons who are not members of This Church, even if they receive ministry from This Church, Clergy and/or persons who will not receive pastoral care from the candidate if they are elected, may not initiate or vote in the Election of a Bishop.
- D) Actions in connection with the election of a Bishop herein assigned to any individual or group shall be performed as a Sacred Trust to be accomplished expeditiously, fairly and without prejudice, vindictiveness, malice, favoritism, or preference. Failure to perform these sacred roles in a manner in keeping with the spirit of this Constitution shall be deemed a serious violation of canonical obedience.

- E) Actions in connection with the election of a Bishop herein assigned to the College of Bishops shall be performed by the said College corporately by vote and not by any individual or officer of the said College, nor by the Presiding Bishop, acting along.
- F) A candidate for Bishop may decline election without stating a reason.
- G) The election of a candidate to the Order of Bishop by the People of God ought not to be rejected by the College of Bishops except for serious cause. Therefore, grounds for rejection of a Bishop-elect by the College of Bishops shall be limited to; proven moral turpitude, heresy, apostasy, schism, suspension or other disciplinary action imposed by This Church in effect at the time of election, allegation or conviction of a civil felony or misdemeanor with a penalty in excess of one (1) year incarceration, proven coercion or fraud in the election, or lack of qualification of the candidate for the Order of Bishop as defined herein.
- H) The confirmation of the election by the People of God of a candidate to the Order of Bishop by the College of Bishops, whether by express action or by expiration of the time limit for their action is final and not subject to confirmation or veto by any person or group whatsoever. The election of a Bishop must be confirmed by the General Synod if in secession or by the Executive Committee during times in between the time of the General Synod.
- I) Signatures on a Document of Election which are fraudulent coerced, or which cannot be verified shall be void and the total of the vote shall be adjusted as if they were not cast. However, they shall not, individually invalidate the entire election. The election shall be invalid only if a simple majority of the votes cast are determined to be invalid or fraudulent or if the candidate was complicit in the fraud or coercion.
- J) A Document of Election of a Bishop shall include a request that a Bishop be consecrated or installed in a named position (e.g. Diocesan Bishop) and must name a specific candidate. The request, position and candidate's name shall appear on each page of the Document of Election. The Document will include space for each person voting to sign their name, print their name, and include their telephone number and address. It will also include space for the person voting to indicate their acceptance or rejection of the candidate.

Canon VI-3.2.1 Election of a Bishop Initiated by the College of Bishops

- A) When the College of Bishops perceives the need for a Bishop, the College of Bishops may elect a Bishop. A candidate is elected if a simple majority of the College of Bishops agrees to their election. The Diocesan Bishop of the Candidate shall immediately notify the Bishop-elect of their election and obtain their consent of the election. Said election by the College of Bishops must

receive concurrence of the General Synod or if the General Synod is not in session by the Executive Committee.

- B) If the Bishop-elect accepts election and is a Presbyter, the Bishop-elect shall then with the Bishops from the College of shall set a mutually agreeable date for their consecration. Such date shall occur as soon as practical after the election of the Bishop. The Presiding Bishop shall serve as presider and consecrator of the Bishop-elect.
- C) If the Bishop-elect accepts election and is already a Bishop, the Presiding Bishop shall preside at their liturgical installation.

Canon VI-3.2.2 Election of a Bishop in Ordinary Circumstances

In most circumstances the election of a Bishop is not initiated solely by the College of Bishops but is initiated due to events in the life of this Church. These events include the vacancy in the office of Diocesan Bishop in a new Diocese or upon the death, resignation, deposition, or retirement of a Diocesan Bishop. The procedures herein governing such circumstances will be followed.

Canon VI-3.2.2.1 Election of a Diocesan Bishop

When there is a vacancy in the office of Diocesan Bishop for any cause, in the absence of a Coadjutor Bishop with right of succession; the Diocesan Executive Committee as herein defined shall select a candidate from among the eligible Presbyters or Bishops of the Diocese and initiate the election of a Bishop. The election shall be initiated within thirty (30) days of the office becoming vacant or the creation of the Diocese and will follow the procedures defined herein for the election of a Bishop by the People of God.

Canon VI-3.2.2.2 Election of Coadjutor and Auxiliary Bishops

When a Diocesan Bishop perceives the need for a Coadjutor or Auxiliary Bishop, they select a candidate for the position from among their Presbyters or Bishops and initiate an election of a Bishop which shall conform to the procedures for election of a Bishop by the People of God herein defined.

Canon VI-3.2.2.3 Election of a Bishop Initiated by the People of God

When the People of God determine a need which is confirmed by the College of Bishops, for a Bishop to serve them, they may elect a Bishop on their own initiative by following the procedures herein specified.

Canon VI-3.2.2.4 Conduct of the Election of a Bishop

- A) Except when a Bishop is elected solely by the College of Bishops, each Bishop shall be elected by vote of the People of God.
- B) Each election of a Bishop by the People of God shall be confirmed by the College of Bishops and the General Synod or in the event the General Synod is not in secession by the Executive Committee of this Church.
- C) To accomplish an election of a Bishop in ordinary circumstances, a Document of Election shall be created specifying the candidate by name and the position or office they shall fill as Bishop. A copy of this Document of Election shall be made available in all parishes and missions the candidate will serve as Bishop at each Sunday Mass for four consecutive Sundays for the consideration and vote by the People of God.
- D) To vote, each person voting signs the Document of Election. Each person voting must sign their full name, print their full name, and include their home telephone number or mailing address.
- E) Only those persons who are confirmed adult, that is at least eighteen (18) years of age, communicant members of This Church who will be served by the proposed Bishop, may vote in the election of a Bishop.
- F) At the conclusion of the time for voting, the Document(s) of Election shall be forwarded to the Diocesan Bishop or Diocesan Executive Committee. It is their duty to assure themselves of the fairness and accuracy of the election. The specific procedure they shall follow to accomplish this is.
- G) The Diocesan Bishop or Diocesan Executive Committee shall tally all valid votes for and against the candidate. This tally shall be completed within ten (10) calendar days of the conclusion of the election. A candidate is elected if a simple majority of the verified signatures on the Document of Election agree to their election as Bishop.
- H) If the voting resulted in the election of a Bishop, the Diocesan Bishop or Diocesan Executive Committee will certify authenticity and results of the election to the College of Bishops immediately. If the tally of votes does not result in an election, they will return the Document of Election to its point of origin, certifying that there were insufficient votes for election.
- I) The College of Bishops shall have ten (10) calendar days from the date of notification of a valid election to accept or reject the election of the Bishop-elect by a simple majority vote. If the College of Bishops rejects the election, they shall notify the People of God through the Diocesan Bishop or Diocesan Executive

Committee of their decision and shall include an appropriate explanation for their decision. Only grave reasons should prevent the College of Bishop to reject a duly elected candidate for Bishop.

- J) If the College of Bishops fails to reject the election within the specified period, the election results become final pending the acceptance of election by the Bishop-elect. No further confirmation of the election by any person is required.
- K) The Diocesan Bishop or Diocesan Executive Committee will immediately notify the Bishop-elect of the confirmation of their election and obtain their consent to the election.
- L) If the Bishop-elect declines election, the election results shall be void and the Diocesan Bishop or Diocesan Executive Committee shall so notify the People of God and reinitiate the process of election.
- M) If the Bishop-elect accepts election and is a Presbyter, the Bishop-elect with the College of Bishops shall arrange a mutually agreeable date for the Consecration ceremony which shall occur as soon as practical after the election of the Bishop and not later than one hundred and eighty (180) calendar days from the date of election of the Bishop-elect. The Presiding Bishop will be the Presiding Bishop of the ordination and consecration of the Bishop-elect, unless unable to do so and will thus delegate this to the most senior Bishop of the College of Bishops by date of consecration.
- N) If the Bishop-elect accepts election and is already in the Holy Order of Bishops (e.g. one who was incardinated from another Communion or in circumstances where an Auxiliary or Coadjutor Bishop in another Diocese is elected to be Diocesan Bishop of a Diocese not their own etc.), the Presiding Bishop shall preside at their liturgical installation. The installing Bishop shall be the Diocesan Bishop for their Coadjutor and/or Auxiliary Bishops.

Canon VI-3.3 Consecration/Ordination of Bishops

- A) All Bishops of This Church shall be Ordained to the Order of Bishop (i.e., Consecrated) according to Rites approved for This Church by the General Synod.
- B) Consecration to the Episcopacy imparts a permanent Charism. While a Bishop may resign, retire, be deposed, and/or removed from exercising their ministry, they nevertheless, never cease to be a Bishop once validly consecrated.
- C) This Church's Bishops may participate as Consecrator in consecrations of Bishops or as Ordaining Bishop for Presbyters and/or Deacons for other

ecclesiastical communions who are in full communion with this church. If the other ecclesiastical communion is not in full communion with this church, the General Synod if in secession or if not in secession the Executive Committee must approve that Bishop's participation.

Canon VI-3.4 Duties, Rights and Privileges of Bishops

- A) Bishops have the duty to minister the Sacraments for which they are the ordinary minister (i.e. in addition to those of the Presbyter Order, Confirmation and Holy Orders.)
- B) Bishops have the duty to lead, guide and shepherd the People of God.
- C) Bishops have the duty to celebrate the Holy Eucharist as often as possible for the intention of the People of God under their Episcopal Care.
- D) Bishops have the duty to teach the Gospel.
- E) Bishops have the duty to consecrate articles and implements used in worship.
- F) Bishops have the duty to preside in ecclesiastical disciplinary proceedings of Presbyters and Deacons to judge in disciplinary proceedings of Bishops and to affix penalty to all who are found guilty in either type proceeding.
- G) Bishops have the duty to vote as a member of the College of Bishops in matters of their jurisdiction.
- H) Within the scope of their jurisdiction, Bishops have the duty to implement this Constitution and all legislation enacted by the General Synod.
- I) Bishops have the unrestricted right to be heard and consulted in all matters concerning the governance of this Church. According to their assigned ministry, they may have additional rights, authority and privileges.
- J) By virtue of their ordination to the Orders of Presbyter and Deacon, Bishops retain all rights, privileges and duties of those Orders.

Canon VI-3.5 The Diocesan Bishop

- A) The head of a Diocese is the Diocesan Bishop. The Diocesan Bishop is also known as the Ordinary. By virtue of office, the Diocesan Bishop possess all ordinary, proper and immediate power necessary for this pastoral office within their Diocese, except for those powers reserved for the General Synod and other ecclesiastical offices. The actions, legislation, and decisions of the Diocesan

Bishop are subject to review and revocation only by the College of Bishops for just cause.

- B) Whenever herein the term Diocesan Bishop applies to some duty, right or privileges appertaining to that office, such reference shall equally apply to an Apostolic Vicar within and for their Vicariate.
- C) A Diocesan Bishop shall reside within the boundaries of their Diocese. If a Diocesan Bishop relocates their residence to a place which is outside their own Diocese, he/she ceases to be a Diocesan Bishop as an operation of law and in doing so, they relinquish all duties, rights and privileges appertaining to the office of Diocesan Bishop which are not granted by right of Sacramental Ordination.
- D) If the new residence of a former Diocesan Bishop who has relocated their residence outside their prior Diocese is within the boundaries of another Diocese, they immediately become subordinate to the Diocesan Bishop of the Diocese into which they have relocated and may exercise ministry there only with grant of Faculties from the Diocesan Bishop having jurisdiction.
- E) If the new place of residence of a former Diocesan Bishop who has relocated their residence outside their own Diocese is within an Apostolic Vicariate, they immediately assume duties as Apostolic Vicar, replacing the current Apostolic Vicar as an operation of law, and may petition the College of Bishops to erect the Vicariate, or a portion thereof, as a Diocese.
- F) The place of residence of a Diocesan Bishop shall be defines as that location which is their residence for purposes of civil law. Such residence shall be reported and maintained current with the President of the College of Bishops.
- G) No person shall hold the office of Diocesan Bishop in more than one Diocese simultaneously. However, Diocesan Bishops may function as Ordinary in a Diocese other than their own while remaining Diocesan Bishop when they are acting as Diocesan Executive Committee during a vacancy in the office of Diocesan Bishop of another Diocese, or in the capacity of Apostolic Vicar in an area not incorporated into a Diocese.
- H) By virtue of office, Diocesan Bishops possess Faculties for all Sacraments within their own Diocese.
- I) Diocesan Bishops are ranked by their date of consecration and are next behind the President of the College of Bishops in precedence. Within their own Diocese, however, the Diocesan has right of precedence over all Bishops except the Presiding Bishop.
- J) A Diocesan Bishop is elected to their post by the procedures contained in this Constitution for such election.

- K) The Diocesan Bishop has the duty to select and train worthy candidates for Holy Orders. To this end, each Diocesan Bishop shall create and maintain a program of initial and continuing education for candidates for, and Members of the Clergy.
- L) By virtue of office, the Diocesan Bishop has the unrestricted right to ordain any male or female person meeting the qualifications contained in this Constitution to the Order of Presbyter or Deacon within and for their own Diocese and subject to review by no other.
- M) The term of office of a Diocesan Bishop shall be the remainder of the Bishop's life until he or she shall offer to resign at the age of seventy-two (72), unless the Bishop shall earlier resign, retire or be deposed.
- N) By virtue of their office, the Diocesan Bishop possesses all legislative and judicial authority necessary of the performance of their duties and for their own Diocese. Therefore, Diocesan Bishops possess the right to enact and enforce such legislation and regulations for use in their own Diocese as they may deem necessary and appropriate. All such regulations and legislation are subject to such restrictions as maybe placed upon such actions by this Constitution and by national legislation enacted by the General Synod. All disciplinary actions remain subject to appeal to the General Synod. The Diocesan Bishop shall cause to be elected, an Executive Committee to assist in the governing of the Diocese.
- O) In and for their own Diocese, Diocesan Bishops possess the right to appoint and depose subordinates to/from their respective duties and ministries, subject to such restrictions as may be imposed on such appointments and depositions by this Constitution and such national legislation as may be enacted by the General Synod.
- P) Additional duties are imposed by this Constitution on Diocesan Bishops.

Canon VI-3.5.1 Vacancy in the Office of Diocesan Bishop

- A) When the office of Diocesan Bishop falls vacant for any cause whatsoever, the Coadjutor Bishop with right of succession automatically assumes the office of Diocesan Bishop as a matter of right and by operation of law.
- B) In the absence of a Coadjutor Bishop, the most senior Auxiliary Bishop, by date of consecration to the Episcopacy, assumes the duties of head of the Diocesan Executive Committee who shall proceed to elect a new Diocesan Bishop, according to procedures set forth herein for the election of a Diocesan Bishop, within thirty (30) calendar days of the date on which the office of Diocesan Bishop fell empty.

- C) In the absence of an Auxiliary Bishop, the nearest Diocesan Bishop shall assume the duties of head of the Executive Committee and shall proceed to elect a new Diocesan Bishop, according to procedures set forth herein for the election of a Diocesan Bishop, within thirty (30) calendar days of the date on which the office of Diocesan Bishop fell empty.

Canon VI-3.7 Coadjutor Bishop with Right of Succession

- A) A Coadjutor Bishop with right of succession is appointed by the College of Bishops upon a request by and with the concurrence of the Diocesan Bishop and the Executive Committee of the Diocese. If the candidate is not already an Auxiliary Bishop of the Diocese, they shall be elected to the Order of Bishops according to the procedures for the election of Auxiliary Bishops defined herein.
- B) The Coadjutor is subordinate to the Diocesan Bishop and the duties of the Coadjutor Bishop are assigned and Faculties granted to the Coadjutor by the Diocesan Bishop.
- C) Coadjutor Bishops are ranked by their date of consecration. Regardless of their date of consecration, Coadjutor Bishops rank in precedence after Diocesan Bishop.
- D) As a matter of right, if the Diocesan Bishop becomes incapacitated, the Coadjutor assumes the duties of the Diocesan Bishop, with all rights and privileges appertaining thereto, until such time as the Diocesan Bishop may again be able to fulfill his/her duties. If the Diocesan dies, resigns, retires, or is deposed, the Coadjutor becomes Diocesan Bishop automatically as a matter of right.
- E) The term of office of a Coadjutor Bishop shall be the remainder of the Bishop's life until he or she shall offer to resign at the age of seventy-two (72), unless the Bishop shall earlier resign, retire or be deposed.

Canon VI-3.8 Auxiliary Bishops

- A) Auxiliary Bishops may be appointed by the Presiding Bishop for this Church or by a Diocesan Bishop for the Diocese with the concurrence of the College of Bishops. The procedures for the election of an Auxiliary Bishop in this Constitution shall be followed.
- B) Auxiliary Bishops are ranked by their date of consecration. Regardless of their date of consecration, Auxiliary Bishops rank in precedence after Diocesan and Coadjutor Bishops.

Canon VI-3.9 Suffragan Bishops

- A) Suffragan Bishops may be appointed by the Presiding Bishop for this Church with the concurrence of the College of Bishops at the pleasure of the Presiding Bishop without geographical territory. The procedures for the election of a Suffragan Bishop in this Constitution shall be followed.
- B) Suffragan Bishops are ranked by their date of consecration. Regardless of their date of consecration, Suffragan Bishops rank in precedence after Diocesan, Coadjutor and Auxiliary Bishops.
- C) Suffragan Bishops are subordinate to the Presiding Bishop and the duties of assigned by the Presiding Bishop and are assigned and Faculties granted by the Presiding Bishop.
- D) The term of office of a Suffragan Bishop shall be the remainder of the Bishop's life, until he or she shall offer to resign at the age of seventy-two (72), unless the Bishop shall earlier be reassigned, resign, retire, or be deposed.

Chapter 4 Vicars of This Church

Canon VI-4 General Definition of Vicars

- A) A Vicar is one who acts as the representative of another with the power and authority of the one in whose name the Vicar acts.
- B) The General Synod, the College of Bishops, a Diocesan Bishop, and the Head of a Religious Order may create Vicars.
- C) In the creation of a Vicar, the person so creating the Vicar delegates some portion of their ordinary authority and power to the Vicar for the purpose of fulfilling some role or duty. The degree and terms of such delegation is at the discretion of the person creating the Vicar.
- D) Vicars have order of precedence except that conferred by their Holy Orders. Vicars may not exercise Sacramental Powers which are not theirs by right of Holy Orders.

Canon VI-4.1 Apostolic Vicars

- A) In Apostolic Vicariates, the Apostolic Bishop assumes the pastoral care of an area in which there is, as yet, no Diocese.
- B) Apostolic Vicars exercise all duties, rights and privileges pertaining to Diocesan Bishops in and for the Vicariate.
- C) Apostolic Vicars assume this role as an operation of law based on their appointment to the Apostolic Vicariate which they serve at the pleasure of the Presiding Bishop.
- D) It is desirable that the territory of the Vicariate of an Apostolic Vicar be expressly established by the College of Bishops to avoid confusion.

Canon VI 4.2 Vicar General

- A) The Vicar General includes acting as the principal deputy of the College of Bishops for this Church for the exercise of its administrative authority, including the authority of the Chancellor.
- B) The Vicar General exercises the College of Bishops' ordinary executive power as its agent over the entire Church for administrative matters, and when acting as agent for the Chancellor, exercises the ordinary judicial power of governance exercised in the ecclesiastical court.
- C) The Vicar General is appointed by the Presiding Bishop and serves at the pleasure of the Presiding Bishop.

Canon VI-5 Pastors Defined

A Pastor is one who possesses at least the Sacrament of Holy Orders in the Order of Presbyter and who has been given the responsibility of leading the People of God within a certain portion of a Diocese or Apostolic Vicariate called a Parish or Mission.

Canon VI-5.1 Duties, Rights and Privileges of Pastors

- A) Pastors have the duty to lead, guide, and shepherd the People of God within their care.
- B) Pastors have the duty to minister the Sacraments for which they are the ordinary minister i.e., in addition to those of the Diaconate Reconciliation, and Anointing the Sick.

- C) Pastors have the duty to celebrate the Holy Eucharist at least once each week on Sunday for the intention of the People of God under their Pastoral Care.
- D) Pastors have the duty to teach the Gospel.
- E) Pastors have the duty, within the scope of their authority, to implement this Constitution and all legislation enacted by the General Synod.
- F) Pastors possess all ordinary, proper and immediate power and authority necessary for their office, except those powers and authority reserved to some other ecclesiastical office and subject to Faculties granted by the Diocesan Bishop.
- G) Pastors possess the unrestricted right to be heard by their Diocesan Bishop
- H) Pastors rank in precedence next by date of their ordination to the Presbyter.
- I) All duties, rights and privileges pertaining to Priests apply to Pastors as well. Additional duties are assigned to Pastors by this Constitution.

Canon VI-5.2 Appointment of Pastors

- A) Pastors are appointed to their office by the Diocesan Bishop. The term of office of a Pastor is the remainder of their life until he or she shall offer to resign at the age of seventy-two (72), unless they are reassigned, resigns, retires, or is deposed in accordance with the provisions of this Constitution.
- B) In selecting Priests for the office of Pastor, the Diocesan Bishop shall seek candidates who are proven shepherds, persons of tact, holiness, skill, and love of God, God's People and the Sacraments.
- C) The local parish in seeking a pastor should begin a search through a selected search committee or by the parish council from available candidates.

Canon VI-5.3 Installation of Pastors

After their Appointment, Pastors shall be ceremonially installed in their office by the Diocesan Bishop or their designated representative.

Chapter 6 Priests of this Church

Canon VI-6 Priests Defined

- A) A Priest is one who has received the Sacrament of Holy Orders in the Order of Presbyter.
- B) Ordination to the Order of Presbyter imparts a permanent Charism. While a Priest may resign, retire, be deposed and/or removed from exercising their ministry, they nevertheless, never cease to be a Priest once ordained.
- C) Priests possess all ordinary, proper and immediate power and authority necessary for their duties, except those powers and authority reserved to some other ecclesiastical office and subject to Faculties granted them by their Diocesan Bishop.
- D) By virtue of their ordination to the Order of Deacon, Priests retain all duties, rights and privileges of that Order.
- E) Priests are appointed to their duties by their Diocesan Bishop. In appointing a Priest to a duty, the Diocesan Bishop shall not impose any financial, spiritual, familial, or other burden upon the Priest without their free consent. The Diocesan Bishop may reassign Priests to other duties at any time, subject to the foregoing restriction.
- F) Priests of This Church shall be ordained by rites approved by the General Synods for use in This Church.

Canon VI-6.1 Duties, Rights and Privileges of Priests

- A) By virtue of their ordination, Priests who are in good standing have the right to celebrate the Sacraments of which they are the Ordinary Minister subject to the Faculties granted by their Diocesan Bishop, herein defined.
- B) Priests may not celebrate the Sacraments in a Diocese not their own without the approval of the Diocesan Bishop having jurisdiction in that place. Such approval may be verbal or written and, when granted, constitutes temporary Faculties. The Diocesan Bishop will determine any restrictions as to time, place, or Sacrament for which he grants such temporary Faculties. Permission to publicly celebrate any Sacrament may be withheld by the Diocesan Bishop from any Clergy without explanation.

Canon VI-6.2 Pastors and Priests-in-Charge and Their Duties:

- A) The Pastor or Priest-in-Charge shall have full authority and responsibility for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the Rubrics of established of forms of worship, the Constitution and Canons of this Church, and the pastoral direction of the Bishop.
- B) For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Pastor or Priest-in-Charge shall at all times be entitled to the use and control of the Church and Parish buildings together with all appurtenances and furniture, and to access to all records and registers maintained by or on behalf of the congregation.
- C) It shall be the duty of the Pastor or Priest-in-Charge to ensure all persons in their charge receive Instruction in the Holy Scriptures; in the subjects of doctrine, discipline, and worship of this Church; and in the exercise of their ministry as baptized persons.
- D) It shall be the duty of Pastors or Priests-in-Charge to ensure that all persons in their charge are instructed concerning Christian stewardship, including:
 - 1) Reverence for the creation and the right use of God's gifts;
 - 2) Generous and consistent offering of time, talent, and treasure for the mission and ministry of the Church at home and abroad;
 - 3) The biblical standard of the tithe for financial stewardship.
- E) It shall be the duty of Pastors or Priests-in-Charge to ensure that persons be prepared for Baptism. Before baptizing infants or children, Pastors or Priests-in-Charge shall ensure that sponsors be prepared by instructing both the parents and the Godparents concerning the significance of Holy Baptism, the responsibilities of parents and Godparents for the Christian training of the baptized child, and how these obligations may properly be discharged.
- F) It shall be the duty of Pastors or Priests-in-Charge to encourage and ensure the preparation of persons for Confirmation, Reception, and the Reaffirmation of Baptismal Vows, and to be ready to present them to the Bishop with a list of their names.
- G) On notice being received of the Bishop's intention to visit any congregation, the Pastor or Priest-in-Charge shall announce the fact to the congregation. At every visitation it shall be the duty of the Pastor or Priest-in-Charge and the Wardens, the Parish Council or other officers, to exhibit to the Bishop the Parish Register and to give information as to the state of the congregation, spiritual and temporal, in such categories as the Bishop shall have previously requested in writing.

- H) The Alms and Contributions, not otherwise specifically designated, at the Administration of the Holy Communion on one Sunday in each calendar month, and other offerings for the poor, shall be deposited with the Pastor or Priest-in-Charge or with such Church officer as the Pastor or Priest-in-Charge shall appoint to be applied to such pious and charitable uses as the Pastor or Priest-in-Charge shall determine. When a Parish is without a Pastor or Priest-in-Charge, the Parish Council shall designate a member of the Parish to fulfill this function.
- I) Whenever the College of Bishops shall publish a Pastoral Letter, it shall be the duty of the Pastor or Priest-in-Charge to read it to the congregation on some occasion of public worship on a Lord's Day, or to cause copies of the same to be distributed to the members of the congregation, not later than thirty days after receipt.
- J) Whenever the College of Bishops shall adopt a Position Paper, and require communication of the content of the Paper to the membership of the Church, the Pastor or Priest-in-Charge shall so communicate the Paper in the manner set forth in the preceding section of this Canon.
- K) It shall be the duty of the Pastor or Priest-in-Charge to record in the Parish Register all Baptisms, Confirmations, Marriages and Burials.
- L) The registry of each Baptism shall be signed by the officiating Member of the Clergy.
- M) The Pastor or Priest-in-Charge shall record in the Parish Register all persons who have received Holy Baptism, all members, all persons who have received Confirmation, all persons who have died, and all persons who have been received or removed by letter of transfer. The Pastor or Priest-in-Charge shall also designate in the Parish Register the names of:
 - 1) Those persons whose domicile is unknown,
 - 2) Those persons whose domicile is known but are inactive, and
 - 3) Those families and persons who are active within the congregation.
- N) The Parish Register shall remain with the congregation at all times.

Canon VI-6.3 Faculties

- A) No Priest shall preach, minister the Sacraments, or hold any public service, within the limits of any Diocese other than the Diocese in which the Priest is canonically resident for more than two months without Faculties from the Ecclesiastical Authority of the Diocese in which the Priest desires to so officiate. No Priest shall be denied such Faculties on account of the Priest's race, color,

ethnic origin, sex, national origin, marital status, sexual orientation, disabilities, or age, except as otherwise provided in these Canons. Upon expiration or withdrawal of Faculties, a Priest shall cease immediately to officiate.

- B) No Priest shall preach, read prayers in public worship, or perform any similar function, in a congregation without the consent of the Pastor or Priest-in-Charge of that congregation, except as follows:
- 1) In the absence or impairment of the Pastor or Priest-in-Charge, and if provision has not been made for the stated services of the congregation or other community of faith, a Warden may give such consent.
 - 2) If there be two or more congregations or Churches in one Cure consent may be given by the majority of the Priests-in-Charge of such congregations, or by the Bishop; Provided, that nothing in this Canon shall prevent any Member of the Clergy of this Church from officiating, with the consent of the Pastor or Priest-in-Charge, in the Church or place of public worship used by the congregation of the consenting Pastor or Priest-in-Charge, or in private for members of the congregation; or in the absence of the Pastor or Priest-in-Charge, with the consent of the Wardens or Trustees of the congregation; Provided further, that the Faculties of the Ecclesiastical Authority, if required, be obtained.
 - 3) This Canon shall not apply to any Church, Chapel, or Oratory, which is part of the premises of an incorporated institution (Religious Order) created by legislative authority, Provided that such place of worship is designated and set apart for the convenience and use of such institution, and not as a place for public or parochial worship.
 - 4) No Pastor or Priest-in-Charge of any congregation of this Church, or if there be none, no Wardens, Members of the Parish Council, or Trustees of any congregation, shall permit any person to officiate in the congregation without sufficient evidence that such person have valid Faculties and ordained and in good standing in this Church; *Provided*, nothing in these Canons shall prevent:
- C) The General Synod, by Canon or otherwise, from authorizing persons to officiate in congregations in accordance with such terms as it deems appropriate; or
- D) The Bishop of any Diocese from giving permission:
- 1) To a Member of the Clergy of this Church, to invite Clergy of another Church to assist in the Rites of Holy Matrimony or of the Burial of the Dead, or to read Morning or Evening Prayer, in the manner Specified;
 - 2) To Clergy of any other Church to preach the Gospel, or in ecumenical settings to assist in the administration of the sacraments; or
 - 3) To Godly persons who are not Clergy of this Church to address the Church on special occasions.

- 4) To the Member of the Clergy or Priest-in-Charge of a congregation or if there be none, to the Wardens, to invite Clergy ordained in another Church in communion with this Church to officiate on an occasional basis, provided that such clergy are instructed to teach and act in a manner consistent with the Doctrine, Discipline, and Worship of this Church.
- 5) If any Member of the Clergy or Priest-in-Charge, as a result of impairment or any other cause, shall neglect to perform regular services in the congregation, and refuse, without good cause, to consent to any other duly qualified Member of the Clergy to perform such services, the Wardens, Parish Council, or Trustees of the congregation shall, upon providing evidence to the Ecclesiastical Authority of the Diocese of such neglect or refusal and with the written consent of the Ecclesiastical Authority, have the authority to permit any duly qualified Member of the Clergy to officiate.
- 6) Any Priest desiring to officiate temporarily outside the jurisdiction of this Church but in a Church in communion with this Church, shall obtain from the Ecclesiastical Authority of the Diocese in which the person is canonically resident, a testimonial which shall set forth the person's official standing, and which may be in the following form:

I hereby certify that A.B., who has signified to me the desire to be permitted to officiate temporarily in churches not under the jurisdiction of The Diocese of California American Catholic Church, yet in communion with this Church, is a Priest of _____ in good standing, and as such is entitled to the rights and privileges of that Order.

(Date) _____ (Signed) _____

Such testimonial shall be valid for one year and shall be returned to the Ecclesiastical Authority at the end of that period. The Ecclesiastical Authority giving such testimonial shall record its issuance, the name of the Priest to whom issued its date and the date of its return.

Canon VI-6.4 Resignation

- A) On reaching the age of seventy-two (72) years, a Priest shall offer to resign from all positions of in this Church, and the resignation shall be accepted. Thereafter, the Priest may accept any position in this Church, including, with the permission of the Ecclesiastical Authority, the position or positions from which resignation pursuant to this Section has occurred; *Provided:*
 - 1) Tenure in the position shall be for a term of not more than twelve months, which term may be renewed from time to time,
 - 2) Service in the position shall have the express approval of the Bishop of the Diocese in which the service is to be performed, acting in consultation

with the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident.

- 3) Anything in this Canon to the contrary notwithstanding, a Priest who has served in a non-stipendiary capacity in a position before resignation may, at the Bishop's request, serve in the same position for a term not to exceed twelve months thereafter, and this term may be renewed.

Canon VI-6.5 Renunciation of the Ordained Ministry

- A) If any Priest of this Church shall declare, in writing, to the Bishop of the Diocese in which such Priest is canonically resident, a renunciation of the ordained Ministry of this Church, and a desire to be removed there from, it shall be the duty of the Bishop to record the declaration and request so made. The Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, assigned or known, which do not affect the Priest's moral character, shall lay the matter before the clerical members of the Executive Committee, and with the advice and consent of a majority of such members the Bishop may pronounce that such renunciation is accepted, and that the Priest is released from the obligations of the Ministerial office, and is deprived of the right to exercise the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordination. The Bishop shall also declare in pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, if desired, give a certificate to this effect to the person so removed from the ordained Ministry.
- B) A Priest who would be permitted under this Canon to renounce the exercise of ordained office, who desires to enter into other than ecclesiastical employment, may declare in writing to the Ecclesiastical Authority of the Diocese in which the Priest is canonically resident a desire to be released from the obligations of the office and a desire to be released from the exercise of the office of Priest. Upon receipt of such declaration, the Ecclesiastical Authority shall proceed in the same manner as if the declaration was one of renunciation of the ordained Priesthood under this Canon.
- C) If a Priest making the aforesaid declaration of renunciation of the ordained Ministry be under Presentment for any Offense, or shall have been placed on Trial for the same, the Ecclesiastical Authority to whom such declaration is made shall not consider or act upon such declaration until after the said Presentment shall have been dismissed or the said Trial shall have been concluded and the Priest judged not to have committed an Offense.
- D) In the case of the renunciation of the ordained Ministry by a Priest as provided in this Canon, a declaration of removal shall be pronounced by the Bishop in the presence of two or more Priests, and shall be entered in the official records of the Diocese in which the Priest being removed is canonically resident. The Bishop

who pronounces the declaration of removal as provided in this Canon shall give notice thereof in writing to every Member of the Clergy, each Parish Council, the Secretary of the Synod and the Executive Committee of the Diocese in which the Priest was canonically resident; and to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Presiding Bishop, and the College of Bishops.

E) Reconciliation of Disagreements Affecting the Pastoral Relationship

When the pastoral relationship in a parish between a Pastor and the Parish Council or Congregation is imperiled by disagreement or dissension, and the issues are deemed serious by a majority vote of the Parish Council or the Pastor, either party may petition the Ecclesiastical Authority, in writing, to intervene and assist the parties in their efforts to resolve the disagreement. The written petition shall include sufficient information to inform the Ecclesiastical Authority and the parties involved of the nature, causes, and specifics of the disagreements or dissension imperiling the pastoral relationship. The Ecclesiastical Authority shall initiate such proceedings as are deemed appropriate under the circumstances for that purpose by the Ecclesiastical Authority, which may include the appointment of a consultant or licensed mediator. The parties to the disagreement, following the recommendations of the Ecclesiastical Authority, shall labor in good faith that the parties may be reconciled. Whenever the Executive Committee is the Ecclesiastical Authority, it shall request the Bishop of a neighboring Diocese to perform the duties of the Ecclesiastical Authority under this Canon.

F) Dissolution of the Pastoral Relation

- 1) Except upon mandatory resignation by reason of age, a Pastor may not resign as Pastor of a parish without the consent of its Parish Council, nor may any Pastor canonically or lawfully elected and in charge of a Parish be removed there from by the Parish Council against the Pastor's will, except as hereinafter provided.
- 2) If for any urgent reason a Pastor or majority of Parish Council based on a vote in a duly-called meeting, desires dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese with a copy available to the Pastor or Parish Council. Such notice shall include sufficient information to inform the Ecclesiastical Authority and all parties involved of the nature, causes, and specifics requiring the dissolution of the pastoral relationship. If the parties have participated in mediation or consultation processes under the Canons, a separate report from the mediator or consultant will be submitted to the Ecclesiastical Authority with copies available to the Pastor and Parish Council. Whenever the Executive Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon.

- G) Diocese to perform the duties of the Bishop under this Canon.
- 1) Within sixty (60) days of receipt of the written notice, the Diocesan Bishop or the Bishop exercising authority under this canon may initiate further mediation and reconciliation processes between Pastor and Parish Council in every way which the Bishop deems proper. The Bishop may appoint a committee of at least one Presbyter and one Lay Person, none of whom may be members of or related to the Parish involved, to interview the Pastor and Parish Council and report to the Bishop on the cooperation and responsiveness of the parties involved in the processes required by the Bishop. A copy of this report shall be available to the Parish Council and Pastor.
 - 2) If the differences between the parties are not resolved after completion of mediation or other reconciliation efforts or actions prescribed by the Bishop, the Bishop shall proceed as follows:
 - a) The Bishop shall give written notice to the Pastor and Parish Council that a Godly judgment will be rendered in the matter after consultation with the Executive Committee and that either party has the right within ten (10) days to request in writing an opportunity to confer with the Executive Committee before it consults with the Bishop. The Bishop's written notification shall inform the Executive Committee and the parties involved of the nature, causes, and specifics of the unresolved disagreements or dissension imperiling the pastoral relationship.
 - b) If a timely request is made, the Executive Committee shall set a date for the conference, which shall be held within thirty (30) days.
 - c) At the conference, each party shall be entitled to attend, be represented, and present its position fully.
 - d) Within thirty (30) days after the conference or after the Bishop's notice if no conference is requested, the Bishop shall confer with and receive the recommendation of the Executive Committee; thereafter the Bishop, as final arbiter and judge, shall render a written Godly judgment.
 - e) Upon the request of either party, the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties. Either party may request the explanation be in writing.

- f) If the pastoral relation is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Pastor and the for the Parish Council.
 - g) If the relation is to be dissolved:
 - (i) The Bishop shall direct the Secretary of the Synod to record the dissolution.
 - ii) The judgment shall include such terms and conditions as shall seem to the Bishop just and compassionate.
 - h) In either event, the Bishop shall offer appropriate supportive services to the Priest and the Parish.
- 4) In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set forth in the Constitution and Canons of the Diocese; and in default of any provisions for such penalties therein, the Bishop may act as follows:
- a) In the case of a Pastor, suspend the Pastor from the exercise of the priestly office until the Priest shall comply with the judgment.
 - b) In the case of a Parish Council, invoke any available sanctions including recommending to the invention of the Diocese that the Parish be placed under the supervision of the Bishop as a Mission until it has complied with the judgment.
- 5) For cause, the Bishop may extend the time periods specified in this Canon, provided that all be done to expedite these proceedings. All parties shall be notified in writing of the length of any extension.
- 6)
- a) Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings provided that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.
 - b) In the course of proceedings under this Canon, if allegations of misconduct are made by the Parish Council against the Pastor that could constitute an Offense, all proceedings under this Canon with respect to such allegations shall be suspended until the allegations have been resolved or withdrawn.

Canon VI-6.6 Missionaries

A Missionary is a Member of the Clergy who is assigned the particular duty of bringing the Gospel of Christ to those who are not members of His Mystical Body or one who functions within Mission Territories. All duties, responsibilities and privileges appertaining to Pastors and Priests apply to Missionaries.

Canon VI-6.7 Parochial Vicars

- A) A Parochial Vicar is a Priest who has been assigned to assist a Pastor in the care of the People of God. This office is also known as Assistant Pastor or Curate. A Parochial Vicar is appointed to this role by the Diocesan Bishop and serves at the discretion and is subordinate to the Pastor. All duties, responsibilities and privileges appertaining to Priests apply to Parochial Vicars.
- B) As the appointment of Pastors is solely at the discretion of the Diocesan Bishop, the office of Parochial Vicar does not possess or imply a right of succession to the office of Pastor.

Canon VI-6.8 Qualifications and Training of Priests

- A) Priests in This Church may be male or female.
- B) No person shall be a Priest in This Church who has not attained his 25th year.
- C) No person shall be a Priest in This Church who has not validly received the Sacraments of Christian Initiation, installed in the ministries of Reader and Acolyte, ordained in Holy Orders in the Order of Deacon.
- D) No person shall be a Priest in This Church who has not completed a course of study prescribed by the Vicar of Vocation and Formation and approved by the Executive Committee. Such course of study shall at a minimum require theological training in the areas of Holy Scripture and Tradition, Church History, Liturgics, Christian Theology, Christian Ethics/Moral Theology, Ecumenism/Cross-Cultural Pastoral Training, Pastoral Care, and Practical Ministerial Training, Spiritual Development and Discipline. It is preferable that the Candidate has, at a minimum, a Bachelor's degree and attain at the end of their training the equivalent of a Master's degree in some area of theology or divinity.
- E) No person shall be a Priest in This Church who has not been found worthy of the Order of Presbyter by due trial and examination.

- F) No person shall be a Priest in This Church who has been convicted of a civil crime, except minor traffic violations, without the express review and approval of the candidate for Orders by the College of Bishops to who all such candidates shall be referred.
- G) No person shall be a Priest in This Church who is actively addicted in any way, except to tobacco.
- H) No person shall be a Priest in This Church who has an active mental illness.\
- J) No person shall be a Priest in This Church who is given to violent behavior.
- K) No person shall be a Priest in This Church who has demonstrated an inability to manage his/her personal and professional affairs.

Canon VI-6.9 Selection for Ordination to the Priesthood

The Diocesan Bishop possesses the right of selection of qualified candidates for the Order of Presbyter. The foregoing notwithstanding, no person may be selected for ordination to the Order of Presbyter who does not, at a minimum, possess the qualifications established herein.

Chapter 7 Deacons of this Church

Canon VI-7 Deacons Defined

- A) A Deacon is one who has received the Sacrament of Holy orders in the Order of Deacon. Deacons may be permanent or transitional. Deacons are subordinate directly to the Diocesan Bishop only, unless assigned duties which are subordinate to another.
- B) Deacons are appointed to their duties by their Diocesan Bishop. In appointing a Deacon to a duty, the Diocesan Bishop shall not impose any financial, spiritual, family, or other burden upon the Deacon without their free consent. The Diocesan Bishop may reassign Deacons to other duties at any time subject to the foregoing restriction.
- C) Deacons shall be ordained by rites approved by the General Synod for use in This Church.
- D) Deacons serve directly under the authority of and are accountable to the Bishop, of the Diocese in which they are canonically resident or in the absence of the

Bishop, the Ecclesiastical Authority of the Diocese.

Canon VI-7.1 Duties, Rights and Privileges of Deacons

Deacons serve directly under the authority of and are accountable to the Bishop, or in the absence of the Bishop, the Ecclesiastical Authority of the Diocese. Deacons canonically resident in each Diocese constitute a Community of Deacons, which shall meet from time to time. The Bishop may appoint one or more of such Deacons as Archdeacon(s) to assist the Bishop in the formation, deployment, supervision, and support of the Deacons or those in preparation to be Deacons, and in the implementation of this Canon. The Bishop may establish a Council on Deacons to oversee, study, and promote the Diaconate.

The Bishop, after consultation with the Deacon and the Member of the Clergy or other leader exercising oversight, may assign a Deacon to one or more congregations, other communities of faith or non-parochial ministries. Deacons assigned to a congregation or other community of faith act under the authority of the Member of the Clergy or other leader exercising oversight in all matters concerning the congregation.

- A) Subject to the Bishop's approval, Deacons may have a letter of agreement setting forth mutual responsibilities in the assignment, and, if such a letter exists, it is subject to renegotiation with the Parish Council after the resignation of the Pastor or the Priest-in-Charge.
- B) Deacons shall report annually to the Bishop or the Bishop's designee on their life and work.
- C) Deacons may serve as administrators of congregations or other communities of faith, but no Deacon shall be in charge of a congregation or other community of faith.
- D) Deacons may accept chaplaincies in any hospital, prison, or other institution.
- E) Deacons may participate in the governance of the Church and possess the unrestricted right to be heard by their Diocesan Bishop.
- F) For two years following ordination, new Deacons shall continue a process of formation authorized by the Bishop under the direction of the Vicar of Formation.
- G) The Bishop or the Bishop's designee, in consultation with the Vicar for Formation, shall assign each newly ordained Deacon a mentor Deacon where a suitable mentor Deacon is available. The mentor and Deacon shall meet regularly for at least one year to provide guidance, information, and a sustained dialogue about diaconal ministry.

- H) Deacons are ministers of Service, Word and Sacrament and those duties include:
- 1) Ordinary minister of Holy Communion.
 - 2) Preparation the altar and the elements for the celebration of the Holy Eucharist.
 - 3) Minister the chalice during the celebration of the Holy Eucharist.
 - 4) Solemnize baptisms when granted Faculties.
 - 5) Officiate at Marriages where permitted by civil law and when granted Faculties.
 - 6) Proclaim the Gospel solemnly.
 - 7) Preach when granted Faculties by the Diocesan Bishop and permitted by the Pastor.
 - 8) Celebrate the Sacraments of which they are the Ordinary Minister subject to Faculties granted by their Diocesan Bishop.
 - 10) Obey their lawful superior(s) in all matters pertaining to This Church.

Canon VI-7.2 Transitional Deacons

Transitional Deacons are those Deacons preparing to advance to the Order of Presbyter.

Canon VI-7.3 Permanent Deacons

Permanent Deacons, generally, do not advance to the Order of Presbyter but remain in the Order of Deacon for life.

Canon VI-7.4 Qualifications and Training of Deacons

- A) Persons shall be a Deacon in This Church who is either male or female.
- B) No person shall be a Deacon in This Church who has not attained the age twenty-one (21).
- C) No person shall be a Deacon in This Church who has not validly received the Sacraments of Christian Initiation and having been installed in the ministries of Reader and Acolyte.
- D) No person shall be a Deacon in This Church who has not completed a course of study prescribed by the Vicar of Vocation and Formation and approved by the Executive Committee. Such course of study shall at a minimum require theological training in the areas of Holy Scripture and Tradition, Christian Theology, Practical Training in the area of Diakonia and the Diaconate, and Spiritual Development and Discipline. It is preferable that the Candidate has at a

minimum a Bachelor's degree and attain at the end of their training the equivalent of a Certificate in some area of theology or divinity

- E) No person shall be a Deacon in This Church who has not been found worthy by trial and examination of the Order of Deacon: who has been convicted of a civil crime, except minor traffic violations, without the express review and approval of the candidate for Orders by the Diocesan Bishop, who is actively addicted in any way, except to tobacco, has an active mental illness, is given to violent behavior, has demonstrated an inability to manage his/her personal and professional affairs.

Canon VI-7.5 Selection for Ordination to the Diaconate

The Diocesan Bishop selects candidates for the Order of Deacon. The foregoing notwithstanding, no person shall be selected for the Order of Deacon who does not possess the qualifications defined.

Canon VI-7.6 Faculties of Deacons

The right to publicly celebrate the Sacraments or Preach by Deacons is granted by the Diocesan Bishop. No Deacon shall presume to publicly celebrate the Holy Sacraments without Faculties from the Diocesan Bishop having jurisdiction over the place of celebration. Faculties are granted by the Diocesan Bishop.

Canon VI-7.7 Resignation

- A) On reaching the age of seventy-two (72) years, a Deacon shall offer to resign from all positions of active service in this Church, and the resignation shall be accepted. The Bishop may, with the consent of the Deacon, assign a resigned Deacon to any congregation, other community of faith or ministry in another setting, for a term not to exceed twelve months, and this term may be renewed.
- B) If any Deacon of this Church shall declare, in writing, to the Bishop of the Diocese in which such Deacon is canonically resident, a renunciation of the ordained Ministry of this Church, and a desire to be removed there from, it shall be the duty of the Bishop to record the declaration and request so made. The Bishop, being satisfied that the person so declaring is acting voluntarily and for causes, assigned or known, which do not affect the Deacon's moral character, shall lay the matter before the clerical members of the Executive Committee, and with the advice and consent of a majority of such members the Bishop may pronounce that such renunciation is accepted, and that the Deacon is released from the obligations of the Ministerial office, and is deprived of the right to exercise the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordination. The Bishop shall also declare in

pronouncing and recording such action that it was for causes which do not affect the person's moral character, and shall, if desired, give a certificate to this effect to the person so removed from the ordained Ministry.

- C) If a Deacon making the aforesaid declaration of renunciation of the ordained Ministry be under Presentment for any Offense, or shall have been placed on Trial for the same, the Ecclesiastical Authority to whom such declaration is made shall not consider or act upon such declaration until after the said Presentment shall have been dismissed or the said Trial shall have been concluded and the Deacon judged not to have committed an Offense.
- D) In the case of the renunciation of the ordained Ministry by a Deacon as provided in this Canon, a declaration of removal shall be pronounced by the Bishop in the presence of two or more Members of the Clergy, and shall be entered in the official records of the Diocese in which the Deacon being removed is canonically resident. The Bishop who pronounces the declaration of removal as provided in this Canon shall give notice thereof in writing to every Member of the Clergy, each Parish Council, the Secretary of the General Synod and the Executive Committee of the Diocese in which the Deacon was canonically resident; and to all Bishops of this Church, the Ecclesiastical Authority of each Diocese of this Church, the Presiding Bishop, and the College of Bishops.

ARTICLE VII RELIGIOUS ORDERS

General Regulation of Religious Orders

Canon VII-1_Religious Orders and Other Christian Communities

- A) A Religious Order of this Church is a society of who voluntarily commit themselves for life, or a term of years: to some extent, holding their possessions in common or in trust; to a celibate life in community; and obedience to their Rule and Constitution.
- B) To be officially recognized, a Religious Order must have at least three professed members, and must be approved by the College of Bishops.
- C) Each Order shall have a Bishop Visitor or Protector, who need not be the Bishop of the Diocese in which the Order is established. If, however, the Bishop Visitor or Protector is not the Bishop of the Diocese in which the Mother House of the Order is situated, the Bishop Visitor or Protector shall not accept election without the consent of the Bishop of that Diocese. The Bishop Visitor or Protector shall be the guardian of the Constitution of the Order, and shall serve as an arbiter in

matters which the Order or its members cannot resolve through its normal processes.

- D) Any person under vows in a Religious Order, having exhausted the normal processes of the Order, may petition the Bishop Visitor or Protector for dispensation from those vows. In the event the petitioner is not satisfied with the ruling of the Bishop Visitor or Protector on such petition, the person may file a petition with the Presiding Bishop, who shall review the petition and who shall have the highest dispensing power for Religious Orders, and whose ruling on the petition shall be final.
- E) A Religious Order may establish a house in a Diocese only with the permission of the Bishop of the Diocese. This permission once granted shall not be withdrawn by the Bishop or any succeeding Bishop.
- F) The Constitution of every Religious Order shall make provision for the legal ownership and administration of the temporal possessions of the Order, and in the event of dissolution of the Order, or should it otherwise cease to exist, shall provide for the disposition of its assets according to the laws governing non-profit (religious) organizations in the State wherein the Order is incorporated.
- G) It is recognized that a Religious Order is not a Parish, Mission, Congregation or Institution of a Diocese.
- H) A Christian Community of this Church under this Canon is a society of Christians who voluntarily commit themselves for life, or a term of years, in obedience to their Rule and Constitution.
- I) To be officially recognized such a Christian Community must have at least three full members in accordance with their Rule and Constitution, and must be approved by the College of Bishops.
- J) Each such Christian Community of this Church shall have a Bishop Visitor or Protector, who need not be the Bishop of the Diocese in which the community is established. If, however, the Bishop Visitor or Protector is not the Bishop of the Diocese in which the Mother House of the Community is situated, the Bishop Visitor or Protector shall not accept election without the consent of the Bishop of that Diocese. The Bishop Visitor or Protector shall be the guardian of the Constitution of the Community, and shall serve as an arbiter in matters which the Community or its members cannot resolve through its normal processes.
- K) Any person under full commitment in such a Christian Community, having exhausted the normal processes of the Community, may petition the Bishop Visitor or Protector for dispensation from that full commitment. In the event the petitioner is not satisfied with the ruling of the Bishop Visitor or Protector on such

petition, the person may file a petition with the Presiding Bishop of the Church, who have the highest dispensing power for Christian Communities, and who's ruling on the petition shall be final.

- L) Each such Christian Community may establish a house in a Diocese only with the permission of the Bishop of the Diocese. This permission once granted shall not be withdrawn by the Bishop or any succeeding Bishop.
- M) The Constitution of each Christian Community shall make provision for the legal ownership and administration of the temporal possessions of the Community, and in the event of dissolution of the Community, or should it otherwise cease to exist, shall provide for the disposition of its assets according to the laws governing nonprofit (religious) organizations in the State wherein the Community is incorporated.
- N) It is recognized that a Christian Community is not a Parish, Mission, Congregation or Institution of a Diocese.
- O) Any Bishop receiving vows of an individual not a member of a Religious Order or other Christian Community, shall record the following information with the College of Bishops: the name of the person making vows; the date of the service; the nature and contents of the vows made, whether temporary or permanent; and any other pastoral considerations as shall be deemed necessary.

Canon VII-2 Lay Institutes, Third Orders and Oblates

Members of the Laity of this Church may affiliate in confederations which seek to advance holiness of the members while not requiring profession of vows as in a Religious Order or Community. These groups may be independent Lay Institutes, or be affiliated with an existing Religious Order (a "Third" Order or Oblate status). Procedures for establishing such institutes are the same as that for Religious Orders or Communities.

ARTICLE VIII THE LAITY OF This Church

Chapter 1 The Laity of This Church

Canon VIII-1 The Laity of This Church Defined

All members of This Church who are not members of the Clergy or Religious Orders are Lay members of This Church also known as the Laity.

Canon VIII-1.1 Rights of the Laity

- A) All persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in this Church or in another Christian Church, and who's Baptisms have been duly recorded in this Church, are members thereof.
- B) Members sixteen years of age and over are to be considered adult members.
- C) It is expected that all adult members of this Church, after appropriate instruction, will have made a mature public affirmation of their faith and commitment to the responsibilities of their Baptism and will have been confirmed or received by the laying on of hands by a Bishop of this Church or by a Bishop of a Church in communion with this Church. Those who have previously made a mature public commitment in another Church may be received by a Bishop of this Church, through a Rite prescribed and received into this Church.
- D) Any person who is baptized in this Church as an adult and receives the laying on of hands by the Bishop at Baptism is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; also, Any baptized person who received the laying on of hands at Confirmation (by any Bishop in apostolic succession) and is received by a Bishop of this Church is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed; and also, Any baptized person who received the laying on of hands by a Bishop of this Church at Confirmation or Reception is to be considered, for the purpose of this and all other Canons, as both baptized and confirmed.
- E) All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered members of this Church.
- F) For the purposes of statistical consistency throughout the Church, members sixteen years of age and over are to be considered adult members.
- G) All members of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God, are to be considered members in good standing.
- H) A member of this Church removing from the congregation in which that person's membership is recorded shall procure a certificate of membership indicating that

that person is recorded as a member (or adult member) of this Church and whether or not such a member:

- 1) Is a member;
 - (2) Is recorded as being in good standing;
 - (3) Has been confirmed or received by a Bishop of this Church or a Bishop in communion with this Church. Upon acknowledgment that a member who has received such a certificate has been enrolled in another congregation of this or another Church, the Member of the Clergy in charge or Warden issuing the certificate shall remove the name of the person from the parish register.
- I) The Member of the Clergy in charge or Warden of the congregation to which such certificate is surrendered shall record in the parish register the information contained on the presented certificate of membership, and then notify the Member of the Clergy in charge or Warden of the congregation which issued the certificate that the person has been duly recorded as a member of the new congregation. Whereupon the person's removal shall be noted in the parish register of the congregation which issued the certificate.
- j) If a member of this Church, not having such a certificate, desires to become a member of a congregation in the place to which he or she has removed, that person shall be directed by the Member of the Clergy in charge of the said congregation to procure a certificate from the former congregation, although on failure to produce such a certificate through no fault of the person applying, appropriate entry may be made in the parish register upon the evidence of membership status sufficient in the judgment of the Member of the Clergy in charge or Warden.
- K) Any member of any Church in communion with this Church shall be entitled to the benefit of this Canon so far as the same can be made applicable.
- L) No one shall be denied rights, status or access to an equal place in the life, worship, and governance of this Church because of race, color, ethnic origin, national origin, marital status, sex, sexual orientation, disabilities or age, except as otherwise specified by Canons.
- M) A person to whom the Sacraments of the Church shall have been refused, or who has been repelled from the Holy Communion under the rubrics, or who has been informed of an intention to refuse or repel him or her from the Holy Communion under the rubrics, may appeal to the Bishop or Ecclesiastical Authority. A Priest who refuses or repels a person from the Holy Communion, or who communicates to a person an intent to repel that person from the Holy Communion shall inform that person, in writing, within fourteen days thereof of (i)

the reasons therefore and (ii) his or her right to appeal to the Bishop or Ecclesiastical Authority. No Member of the Clergy of this Church shall be required to admit to the Sacraments a person so refused or repelled without the written direction of the Bishop or Ecclesiastical Authority. The Bishop or Ecclesiastical Authority may in certain circumstances see fit to require the person to be admitted or restored because of the insufficiency of the cause assigned by the Member of the Clergy. If it shall appear to the Bishop or Ecclesiastical Authority that there is sufficient cause to justify refusal of the Holy Communion, however, appropriate steps shall be taken to institute such inquiry as may be directed by the Canons of the Diocese; and should no such Canon exist, the Bishop or Ecclesiastical Authority shall proceed according to such principles of law and equity as will ensure an impartial investigation and judgment, which judgment shall be made in writing within sixty days of the appeal and which shall also specify the steps required for readmission to Holy Communion.

- N) No unbaptized person shall be eligible to receive Holy Communion in this Church.
- O) Any person accepting any office in this Church shall well and faithfully perform the duties of that office in accordance with the Constitution and Canons of this Church and of the Diocese in which the office is being exercised.
- P) The Laity have the right to select representatives (1 per 25 persons in a Parish or Mission) to be members of the General Synod.
- Q) The Laity have the right to control matters pertaining to the financial affairs of the Parish and/or Diocese as herein defined.
- R) The Laity have the right to membership in Lay Institutes, Third Orders and as Lay members of Religious Orders subject to the Rule and Regulations approved for those institutes and Orders by the General Synod.
- S) The Laity have the right to full intellectual and spiritual freedom.

Canon VIII-1.2 Ministries of the Laity

The Laity may participate in the Liturgical Ministries of Alter Server, Acolyte, Lector, Reader, and Extraordinary Eucharistic Minister. Additional ministries as Catechist, Visitors to the Sick and Homebound, and Evangelist are also available to the Laity.

Canon VIII-1.2.1 Altar Servers

An Altar Server is one who assists the Priest and/or Deacon in the celebration of Liturgy by performing tasks at the Altar. An Altar Server must have the Sacraments of Christian

Initiation, have received First Holy Eucharist, be at least seven (7) years of age, and possess a nature and dedicated attitude to their duties. They may be female or male.

Canon VIII-1.2.2 Lectors/Reader

A Lector/Reader may be either instituted ministry or non-instituted ministry of this Church, proclaims the First and/or Second Readings during Celebrations of the Holy Eucharist and other Liturgical Rites. A Lector/Reader may not, in the presence of a Deacon or Priest, proclaim the Holy Gospel at such Rites. Lectors/Reader must have received the Sacraments of Christian Initiation, have received First Holy Eucharist, be confirmed, communicate in good standing, be persons of clear speaking voice and have adequate reading and presentation skills so as to be readily understood by the hearer. They may be male or female.

Canon VIII-1.2.3 Acolyte

An Acolyte one of the instituted ministries of the Church is one who assists the Priest and/or Deacon in the celebration of Liturgy by performing tasks at the Altar. An Acolyte must have received the Sacraments of Christian Initiation, have received First Holy Eucharist, be confirmed, communicate in good standing, and possess a nature and dedicated attitude to their duties. They may be female or male.

Canon VIII-1.2.4 Extraordinary Ministers of the Holy Eucharist

A Pastor, in his/her sole judgment, may select members of his/her Parish or Mission community to serve in the role of Extraordinary Minister of the Holy Eucharist.

Canon VIII-1.2.5 Catechists and Evangelists

- A) Persons with skills as teachers may be employed in the role of Catechist to teach the message of Christ to their brothers and sisters, to those who are preparing to receive the Sacraments of Christian Initiation, those who are inquiring into this Church, and to the Faithful who are already members of this Church.
- B) Evangelists are those who seek to bring the Good News of Christ and the story of This Church to those who have not heard it or responded to it. While all Christians and Members of This Church are called to this role, members of the Laity are particularly valuable in this capacity. Canon VIII-1.3.5 Visitors to the Sick, Elderly and Prisoners

The Gospel of Matthew, Chapter 25:31-46 enjoins all Christians to care for their

brothers and sisters for, in doing so, they are caring for Christ. Each Parish and Mission should take special care to establish a program of visitation to the sick, elderly, homebound, and prisoners who reside in and near the Parish and who accept such visits. Furthermore, each Parish and Mission should establish a committee to administer and coordinate charitable activities by the Parish.

ARTICLE IX CHURCH ADMINISTRATION

Chapter 1 Administrative Agencies

Canon IX-1 Administration Agencies of this Church

All temporal organizations must be administered to assure the efficient operation of the organization. While recognizing that This Church's first duty is to extend the Kingdom of God on earth, it is also true that the temporal affairs of This Church must be tended. To accomplish that function, in addition to the administrative functions of the General Synod, the Diocesan Bishops and the Pastors, is the role of the College of Bishops, the President of the College of Bishops, Diocesan Offices, and Parish Offices.

Canon IX-1.1 Duties of the Diocesan Office

- A) This Canon shall comply with all provision and be in harmony of Canon V-2 Securing an Accurate View of the State of This Church. The Diocesan Bishops shall create and maintain records of all actions relating to his/her Diocese. He/she shall arrange for the proper disposition of all documents relating to his/her tenure as Diocesan Bishops upon their death or upon leaving his/her office for any cause. At a minimum, he/she shall maintain a record of all ordinations and incardinations / excardinations in or for the Diocese and shall inform the President of the College of Bishops of all ordinations, incardinations and/or excardinations and all disciplinary actions occurring within their Diocese.
- B) The Diocesan Bishops shall annually issue credentials to all Clergy under their authority who are in good standing and shall revoke and retrieve such credentials from all Clergy who are not in good standing. Credentials shall be provided to Clergy in good standing by the 3rd Sunday of Advent each year for this Church Year then in progress.
- C) If a Diocese is suppressed by action of the College of Bishops, all records of the Diocese shall be transferred to the care of the President of the College of Bishops.
- D) All Dioceses shall maintain financial records which are sufficient to satisfy the U.S. Internal Revenue Service's regulations. Funds for all Dioceses shall be maintained in accounts separate from those for any other purpose. Except for

salary, parsonage, expense reimbursement, and other formal compensation which it may pay, funds of the Diocese shall not inure to the benefit of any person associated with the Diocese without the written concurrence of the Diocesan Bishops and either the Vicar General, or the Senior Priest of the Diocese (by date of Ordination), whichever is applicable.

- E) The Diocese shall take possession of and retain all records for any Parish or Mission under its control which ceases to exist.

Canon IX-1.2 Duties of Parishes and Missions

This Canon shall comply with all provision and be in harmony of Canon V-2 Securing an Accurate View of the State of This Church.

- A) Pastors shall maintain records of all those who shall receive the Sacraments of Christian Initiation and/or Matrimony within their Parish. The name of the celebrant of each of these Sacraments shall be included in such records.
- B) All Parishes and Missions shall maintain financial records which are sufficient to satisfy the U.S. Internal Revenue Service's regulations.
- C) Funds for all Parishes and Missions shall be maintained in accounts separate from those for any other purpose.
- D) Except for salary, parsonage, expense reimbursement, and other formal compensation which it may pay, funds for the Parish shall not inure to the financial benefit of any person associated with the Parish without written concurrence of the Pastor.
- E) If any Parish or Mission ceases to exist as an ecclesiastical entity, its records shall be transferred to the Diocesan Office.

Canon IX-1.3 Parish Councils and other Committees

This Canon shall comply with all provision and be in harmony of Canon V-2 Securing an Accurate View of the State of This Church. Each Parish shall establish such lay boards and/or committees to direct the temporal affairs of the Parish as the Diocesan Bishop shall direct. This board shall be called a Parish Council. It shall comprise representatives of both Lay and Clergy members of that a parish. If a parish is also a Cathedral, said board shall be referred to as a Cathedral Chapter.

Canon IX-1.4 Ownership of Real Estate add other Church Property

This Canon shall comply with all provision and be in harmony of Canon V-2 Securing an Accurate View of the State of This Church.

- A) Real Estate may be owned by This Church. Real Estate may be owned by Diocese and/or Parishes/Missions of This Church in accordance with the procedures herein.
- B) Each Diocese and/or Parish/Mission and/or Religious Order seeking to own Real Estate and purchased with Church funds shall do so by means of a Corporation or Trust, established to hold title to the said property for the respective jurisdiction.
- C) Property owned by any jurisdiction of This Church shall not be sold, given or transferred to any other person, entity or jurisdiction without the approval of the Board of Directors of the respective Corporation or Board of Trustees of the respective Trust, in accordance of the IRS Code for Churches; 501(c).
- D) Funds derived from the sale or transfer of Church property shall be deposited into the account of the jurisdiction which sold the property and shall not inure to the benefit of an individual person except lien holders of record.
- E) Documents establishing a trust or corporation which holds real estate for the jurisdiction of This Church shall establish ownership rights, if any, to the property by members of the jurisdiction purchasing the property.
- F) Property held by any jurisdiction is the sole property of that jurisdiction and not of this Church nor any other jurisdiction of this Church unless such property was on loan to that jurisdiction by another jurisdiction of This Church.
- G) In any jurisdiction withdraws from This Church, its property, whether real or personal, remains the property of that jurisdiction.
- H) If any jurisdiction ceases to exist, its property, both real and personal, shall be disbursed as its governing documents may direct. In the absence of express instructions for the disbursements of the property of any jurisdiction in such circumstances, title and ownership of the said property shall pass to the jurisdiction which assumes pastoral care of its area of responsibility automatically and as an action of law.

Canon IX-1.5 Corporations and Trusts

- A) This Church shall exist as a Civil Corporation. The Board of Directors of that Corporation shall be members of the Executive Committee of this Church. The President of that Corporation shall be the President of the College of Bishops. Officers of that Corporation, other than the President, shall be elected by the Board of Directors.
- B) Diocese, Parishes and Missions must incorporate in the state of their location and is required by civil law. All Diocese, Parishes and Missions desiring to purchase real estate must be incorporated and establish a trust. If the civil law of the jurisdiction in which the Diocese, Parish or Mission exists does not permit Churches to incorporate then such incorporation shall be done in another state which does permit such incorporation or the Diocese, Parish or Mission may form a Legal Trust.

Chapter 2 Fund Raising Activities

Canon IX-2 Fund Raising

- A) Each jurisdiction of This Church is responsible for raising funds for its own needs. Any fund raising technique which is in accordance with civil law in the competent civil jurisdiction is permitted.
- B) Funds for operation of the Office of President of the College of Bishops shall be provided by the Clergy, Parishes, Missions, Religious Orders and Diocese of This Church in a manner and amount to be annually determined by the General Synod.

ARTICLE X ENACTMENT AND IMPLEMENTATION OF THIS CONSTITUTION

Chapter 1 Enactment of this Constitution

Canon X-I Enactment

- A) This Constitution may be enacted by simple majority vote of the General Synod under procedures for such vote in effect at the time of such vote.
- B) This Constitution shall become effective immediately upon enactment.
- C) Upon enactment, this Constitution immediately, and as an operation of law, supersedes and replaces all previous Constitutions of This Church rendering

such predecessors void and invalid and absolving all persons bound to obey them from all requirements for such obedience.

- D) The confirmation and approval of enactment of this Constitution by any person whatsoever is not required for this Constitution to become effective nor may its enactment be vetoed by any person whatsoever. Chapter 2 Canonical Obedience to this Constitution

Canon X-2 Canonical Obedience Required

- A) All persons who shall be ordained to the Holy Orders of Deacon, Presbyter or Bishop, or who shall be admitted to profession in any Religious Order, or who shall be incardinated in any capacity into This Church shall, on the occasion of each such ordination, profession or incardination, solemnly and publicly promise canonical obedience to this Constitution and to their lawful superior(S).
- B) Upon enactment of this Constitution, all persons then bound to Canonical Obedience shall be immediately obligated to render obedience to the provisions of this Constitution. Specifically, all members of the Clergy as well as members of Religious Orders who have professed the Evangelical Counsels shall be so bound. It shall not be necessary for any person already bound to Canonical Obedience to formally reaffirm obedience to this Constitution. However, failure to conform to the provision of this Constitution shall subject the person so failing to the penalties prescribed herein.

Chapter 3 Implementation of this Constitution

Canon X-3 Responsibility to Implement the Constitution

- A) It shall be the duty of the General Synod and in particular the College of Bishops to assure the full implementation of this Constitution within This Church. It shall be the duty of each Diocesan Bishop to fully implement this Constitution in their respective Diocese. It shall be the duty of the Head of each Religious Order or Community to fully implement this Constitution in their respective Orders.
- B) Willful refusal to implement the provisions of this Constitution shall constitute grave canonical disobedience and shall subject those failing to implement this Constitution to the procedures for Clerical and Religious discipline contained herein.