

**CONSTITUTION OF THE DIOCESE OF NORTHWESTERN PENNSYLVANIA**

**Article I. Territory and accession**

Section A. That part of the One Holy Catholic and Apostolic Church known as The Episcopal Church, situated in the northwestern portion of the Commonwealth of Pennsylvania, does hereby establish itself as the Diocese of Northwestern Pennsylvania and does ordain and adopt this constitution for its governance.

Section B. The diocese of Northwestern Pennsylvania consists of all members of the Episcopal Church within the Pennsylvania counties of Cameron, Clarion, Clearfield (except Morris Township), Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango, and Warren.

Section C. The Diocese of Northwestern Pennsylvania is a constituent part of The Episcopal Church and does accede to, recognize and adopt the Constitution and Canons of The Episcopal Church as they now exist or may hereafter be amended and acknowledges their authority over the diocese.

**Article II. Ecclesiastical Authority**

Section A. The Ecclesiastical Authority of the Diocese shall be the Bishop Diocesan.

Section B. If there be no Bishop Diocesan, or if the Bishop Diocesan be unable to act or is absent from the diocese for an extended period, then the Bishop Coadjutor, if there be one, shall be the Ecclesiastical Authority

Section C. If there be neither a Bishop Diocesan nor a Bishop Coadjutor able to act under the provisions of Sections A and B, then the Standing Committee shall be the Ecclesiastical Authority.

**Article III. Convention**

**Section A. Meetings**

1. Meetings of the Convention may take place as in-person, virtual, or hybrid meetings. Virtual meetings are those where arrangements have been made in advance to allow participants to attend the meeting by means of a conference telephone, internet, or similar communication equipment by which all persons participating in a meeting can effectively communicate with each other without needing to be physically present at the same location. Those attending a meeting by such means shall be deemed to be attending virtually. Hybrid meetings include some participants attending the meeting in person and others attending virtually. Any arrangements for holding a virtual or a hybrid meeting will be included in the meeting notice, including details by which a person can attend the meeting virtually. Persons shall be deemed to be present for determination of a quorum by attending either in person or virtually where arrangements for such attendance have been made. Such persons shall be entitled to vote, if qualified to do so, and have arrangements made for voting by secret ballot, where appropriate, and such persons shall be recorded as present in the minutes of the meeting without distinction as to their virtual or in-person attendance.<sup>1</sup>

**2. Annual Convention**

- a) There shall be a regular convention of the church in this diocese to be held annually at a time and place to be fixed by the preceding annual convention. The action of

fixing the time and place of the regular annual convention shall constitute adequate notice of such meeting.

- b) For good and sufficient cause the time or place of meeting of the annual convention may be changed by the ecclesiastical authority. Notice of such a change must be given by regular mail to all canonically resident clergy and to all congregations in union with the convention at least thirty days prior to the convention.

### **3. Special conventions**

- a) Special conventions may be held upon the call of the ecclesiastical authority.
- b) Special conventions shall be called by the ecclesiastical authority upon written petition stating the reason for such convention signed by at least five clergy canonically resident in the diocese and ten adult communicants in good standing of any two or more congregations in the diocese.
- c) The special convention shall be held at a time and place fixed by the ecclesiastical authority.
- d) Notice of such special convention shall be given by regular mail to all the clergy canonically resident in the diocese and to all the congregations in union with the convention at least thirty days prior to the date of such special convention.
- e) The notice shall include the reason for calling such special convention and the business to be done by such special convention.
- f) No business, other than that stated in the notice, shall be transacted at such special convention except by three fourths majority vote of the members of the convention.

### **Section B. Membership in convention**

1. The Convention shall be composed of the following members with voice and vote: The officers of the Convention, at least one lay delegate from each of the congregations in union with the Convention, and all other clergy who have been canonically resident in the diocese for at least six months preceding the convention.
2. The mode of determining the number of lay delegates, of electing lay delegates, and of admitting congregations into union with the Convention shall be prescribed by Canon.
3. The mode of identifying and determining those other clergy (deacons, presbyters, and other bishops) entitled to voice and vote in convention shall be prescribed by Canon.
4. Provision may be made in the Canons for the denial of vote, but not voice, at Convention to the lay delegates from congregations which have failed to submit the Annual Parochial Report.
5. Provision may be made in the Canons for the denial of vote, but not voice, at Convention to the lay delegates from congregations which have failed to provide evidence, adequate to the ecclesiastical authority, of the annual audit required by canon.
6. Provision may be made in the Canons for the denial of vote, but not voice, at Convention to the lay delegates from congregations which have failed to pay assessments levied upon such congregation by the authority of convention.
7. No person under ecclesiastical discipline, whether clergy or lay, shall be entitled to membership.
8. The Convention shall be the sole judge of the election and qualification of its members.

### **Section C. Officers of convention**

#### **1. President of Convention**

- a) The Bishop Diocesan shall be president and presiding officer at all conventions. In the absence of the Bishop Diocesan, the Bishop Coadjutor, if there be one present, shall preside at convention.
- b) If there be no Bishop Diocesan or Bishop Coadjutor to preside as called for in Article III. Section C.1.a, then the senior presbyter present (in order of length of canonical residence in the diocese) shall call the convention to order and preside until the convention shall nominate and elect a president pro-tempore.

**2. Secretary of Convention**

- a) The annual convention shall elect a Secretary of Convention.
- b) The mode of nomination, qualifications for office, duties, and term of office shall be prescribed by canon.

**3. Treasurer of Convention**

- a) The annual convention shall elect a Treasurer of Convention.
- b) The mode of nomination, qualifications for office, duties, and term of office shall be prescribed by canon.

**4. Chancellor of Convention**

- a) The annual convention shall elect a Chancellor of Convention.
- b) The mode of nomination, qualifications for office, duties, and term of office shall be prescribed by canon.

**Section D. Conduct of Convention**

- 1. Quorum:** A quorum for the transaction of business shall consist of one third of the clergy entitled to vote and at least one lay delegate from each of one third of the congregations in union with convention. In the absence of a quorum a majority of those present may adjourn the convention from time to time.
- 2. Voting.** The members shall deliberate in one body and each member with voting privileges shall have one vote. A majority of votes cast shall be required to adopt any measure, unless otherwise specified in this Constitution or in the Canons.
- 3. Voting by orders:** On the call of any five members, not all of whom may represent the same congregation, or when called for in the Constitution or Canons, a vote by orders shall be taken. In a vote by orders the clergy delegates and lay delegates vote separately and a concurrent majority of votes cast in both orders shall be required to adopt any measure, unless otherwise specified in this Constitution or in the Canons.
- 4. Elections:**
- a) All elections to any office under this Constitution or the Canons of this diocese shall be by written ballot.
- b) All delegates must vote for the number of persons to be elected to the various offices.
- c) In order to be elected a person must receive a majority of votes cast unless otherwise specified in this Constitution or in the Canons. When the Constitution or Canons call for an election by the clergy and lay delegates voting separately then, in order to be elected, a person must receive a concurrent majority of votes cast in each order, unless otherwise specified in this Constitution or in the Canons.
- d) If in any election only one person should be nominated for that office, then the election may be had by acclamation and no written balloting is required.

- e) If any office remains unfilled after three ballots the Convention may decide to elect persons to the remaining offices by a plurality of votes cast rather than by requiring a majority of votes cast or may decide to drop from the ballot the person with the lowest number of votes. Any motion to make such alteration in the election process shall require a majority of three fourths.
- f) Any person elected to any office in the Diocese of Northwestern Pennsylvania shall assume office at the close of the convention at which they are elected.
- g) Any person elected or appointed to any office in the Diocese of Northwestern Pennsylvania or in any of its congregations shall continue in office until their successor is chosen and shall at all times well and faithfully discharge the duties of their office to the best of their ability.
- h) Any person elected or appointed to any office in the Diocese of Northwestern Pennsylvania, or in any of its congregations or other organizations, when they leave office shall deliver to their successor all records and documents appertaining to that office in whatever form they may exist.

**5. Other matters**

- a) All actions of convention shall take effect upon the adjournment of that convention unless otherwise provided in the Constitution and Canons or in the act itself.
- b) The convention may make provision in the Canons of the diocese for the adoption and amendment of rules of order to govern and organize the convention for the conduct of its business.

**Article IV. The Standing Committee**

- Section A. The annual convention shall elect persons to serve upon the Standing Committee of the diocese.
- Section B. The Standing Committee shall consist of an equal number of clergy and lay members.
- Section C. The number of members, mode of nomination, qualifications for office, duties, and terms of office shall be prescribed by canon.
- Section D. The Standing Committee shall have authority to fill, for the unexpired term, all vacancies that may occur in its own body.

**Article V. Diocesan Council**

- Section A. The Diocesan Council shall consist of the Bishop Diocesan, the Bishop Coadjutor, if any, the Secretary of Convention, the Treasurer of Convention, the Chancellor of Convention and such other persons, elected by the annual convention, as may be prescribed by canon.
- Section B. The number of members, mode of nomination, qualifications for office, duties, and terms of office shall be prescribed by canon.
- Section C. The Diocesan Council shall have authority to fill, for the unexpired term, all vacancies that may occur in its own body or among the officers of council, other than the bishop, that were elected by the convention.
- Section D. The Diocesan Council shall be the board of directors of the Pennsylvania non-profit corporation known as The Diocese Of Northwestern Pennsylvania and shall have all

the legal powers incident thereto and shall have the power to authorize any person to act on its behalf.

Section E. The Bishop Diocesan will be the chair and president of council and the corporation. A vice president for the council and corporation may be elected by council from among its members. The Secretary of Convention shall serve as secretary of the council and corporation. The Treasurer of Convention shall serve as treasurer of the council and corporation. The Chancellor of Convention shall serve as chancellor of the council and corporation.

Section F. It shall be the duty of the Diocesan Council to develop, prosecute, and oversee the mission and ministry of the church in the diocese, to develop a budget or budgets for the work of the diocese, to fulfill all other duties laid upon the Council by the corporate charter, by the Constitution and Canons, or by resolution of Convention, and to make full reports of its work to the Annual Convention.

## **Article VI. Deputies to General Convention and Provincial Synod**

### **Section A. Deputies to General Convention**

1. The Annual Convention, in the second year preceding that in which a stated meeting of the General Convention will be held, shall elect, by the clerical and lay members voting separately, deputies and alternate deputies to the General Convention.
2. The number of deputies, mode of nomination, qualifications for office, duties, and terms of office shall be prescribed by canon provided that a sufficient number shall be elected so as to assure that the diocese have the full number of deputies permitted by the Constitution and Canons of The Episcopal Church.

### **Section B. Deputies to the Provincial Synod**

1. The Annual Convention shall elect, by the clerical and lay members voting separately, deputies and alternate deputies to the Provincial Synod
2. The number of deputies, mode of nomination, qualifications for office, duties, and terms of office shall be prescribed by canon provided that a sufficient number shall be elected so as to assure that the diocese have the full number of deputies permitted by the Constitution and Canons of The Episcopal Church and the ordinances of the Province.

## **Article VII. Canons**

Section A. Canons, not in conflict with this Constitution, may be adopted by the Convention to implement the provisions of this Constitution and to prescribe the operation of this Diocese. Such proposed Canons or amendments thereto may be adopted, which shall require a two-thirds vote of the members present and eligible to vote at such Convention.

Section B. A Committee on Constitution and Canons is hereby established whose membership, mode of nomination, qualifications for office, duties, and terms of office shall be prescribed in the canons. The Committee on Constitution and Canons shall have authority to fill, for the unexpired term, all vacancies that may occur in its own body.

## **Article VIII. Election of bishops**

### **Section A. Call for election and nomination process**

- 222           1. The requirements needed for the call to elect a bishop diocesan, a bishop coadjutor, or a  
223           bishop suffragan together with the method and process for nominating persons to the  
224           office of bishop shall be prescribed by canon.

225       **Section B.   Qualification of voters**

- 226           1. In order to vote in the election of any bishop the members of convention shall meet the  
227           requirements of Article III, Section B, but with the following changes:  
228           a) It is required that all bishops, deacons and presbyters shall have been canonically  
229           resident in the diocese for at least one year preceding the convention.  
230           b) No member who is otherwise qualified shall be denied a vote in the election because  
231           of the provisions of Article III, Section B. subsections 4, 5, or 6.

232       **Section C.   Voting**

- 233           1. Voting shall be by written ballot with the clergy and lay members voting separately.  
234           2. If at least two thirds of the clergy eligible to vote are present and at least two thirds of  
235           the full number of lay delegates are present then a concurrent majority of votes cast in  
236           each order shall be necessary to elect.  
237           3. If a lesser number of clerical or lay delegates are present than are called for in Article  
238           VIII, Section C subsection 2 but a quorum as specified in Article III, Section D  
239           subsection 1 exists then a concurrent majority consisting of three fourths of votes cast  
240           in each order shall be necessary to elect.

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242       **Article IX.       The Cathedral:**

243       Section A.   The Cathedral of St. Paul in the city of Erie, established as such through the  
244       amendments of the Charter of St Paul's Church, Erie, and thus established upon a Cathedral  
245       Foundation, according to the tradition of the Anglican Communion and in conformity with  
246       the laws of the Commonwealth of Pennsylvania, is a constituent part of the church and  
247       convention of the Diocese of Northwestern Pennsylvania. The Cathedral and the Cathedral  
248       Congregation shall be governed by the Chapter in accordance with the Cathedral Charter,  
249       the statutes and by-laws of the Cathedral, the Constitution and Canons of the Diocese of  
250       Northwestern Pennsylvania and the Constitution and Canons of the Episcopal Church.

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252       **Article X.       Ecclesiastical Discipline**

253       Section A.   An Ecclesiastical Court is hereby established in accordance with the Constitution  
254       and Canons of The Episcopal Church. The court's membership, mode of nomination,  
255       qualifications for office, duties, and terms of office shall be prescribed in the canons.

256       Section B.   The Ecclesiastical Court shall have authority to fill, for the unexpired term, all  
257       vacancies that may occur in its own body.  
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259       **Article XI.       Amendments of the Constitution**

260       Section A.   A proposed amendment to the Constitution shall be submitted in writing to the  
261       Secretary of Convention not later than 60 days prior to the meeting of an Annual  
262       Convention.

263       Section B.   The proposed amendment shall be referred to the Committee on Constitution and  
264       Canons which shall report on the proposed amendment at that Annual Convention.

265       Section C.   Voting on a proposed amendment shall be done by a vote by orders.

266           Section D.    If the proposed amendment is approved by a concurrent majority of both orders,  
267                   the proposed amendment shall lay over to the next Annual Convention where its  
268                   consideration shall be one of the first orders of business. If again approved by a concurrent  
269                   majority in both orders voting separately, then the Constitution shall be amended and the  
270                   amendment shall take effect at the end of that Convention.

271           Section E.    The Committee on Constitution and Canons shall review this Constitution during  
272                   the year following every meeting of the General Convention of The Episcopal Church and  
273                   propose amendments to this Constitution as they deem necessary or advisable.  
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CANONS OF THE DIOCESE OF NORTHWESTERN PENNSYLVANIA

**Title I. General Provisions**

**Canon 1. Definition of terms**

The following terms shall for the purposes of these Canons be construed to mean as follows:

**Section A)** "Church" means The Episcopal Church.

**Section B)** "National Constitution" means the Constitution for the government of The Episcopal Church and amendments thereof.

**Section C)** "National Canons" mean the Canons for the government of The Episcopal Church.

**Section D)** "Constitution" means the Constitution of the Church in this Diocese.

**Section E)** "Canons" means the Canons of the Church in this Diocese.

**Section F)** "Cleric" means any one Bishop, Priest, Or Deacon. "Clergy" is the plural of Cleric.

**Section G)** "Canonically Resident" means that a Cleric has been duly received into this Diocese by the Ecclesiastical Authority by acceptance of Letters Dimissory duly recorded, by Ordination, or by some other mode.

**Section H)** "In Good Standing" when applied to any Canonically Resident Cleric means that the Cleric is not under Temporary Inhibition, Inhibition, or Suspension, nor has he been Deposed from the Ministry.

**Section I)** "Ecclesiastical Authority" is as defined in the Constitution.

**Section J)** "Communicant In Good Standing" means a person whose Baptism has been recorded in this Church, who has received Holy Communion in this Church at least three times during the preceding year and who for the previous year has been faithful in corporate worship, unless for good cause prevented, and has been faithful in working, praying and giving for the spread of the Kingdom of God.

**Section K)** "Lay Person in Good Standing" means any Communicant In Good Standing of some Congregation in union with the convention of this Diocese who is not prevented from receiving Holy Communion under the Disciplinary Rubrics of the *Book of Common Prayer*.

**Section L)** "Member" means any Lay or Clergy Member of Convention.

**Section M)** "Adult" means members sixteen years of age and over except in circumstances where the law of the Commonwealth of Pennsylvania requires a vote by persons over the age of eighteen years.

**Section N)** "Vicar" means the Priest-in-Charge of a Mission.

**Canon 2.** Words in the singular number include the plural and in the plural number include the singular.

**Canon 3.** A masculine pronoun or title, whenever used in these canons shall be deemed to include the feminine pronoun or title. A feminine pronoun or title, whenever used in these canons shall be deemed to include the masculine pronoun or title.



**Canon 4. Removal of persons from office<sup>2</sup>**

**Section A)** Any person elected or appointed to any office under these Canons may, for cause, be removed from that office in the following manner only:

- i. If serving on The Disciplinary Board, Commission On Ministry, Diocesan Council, Standing Committee, Committee of Convention, or Vestry by a two-thirds majority vote of all members (including the person proposed to be removed) of such Disciplinary Board, Commission On Ministry, Diocesan Council, Standing Committee, Committee of Convention, or Vestry at a regular or duly called special meeting of such The Disciplinary Board, Commission On Ministry, Diocesan Council, Standing Committee, Committee of Convention, or Vestry
- ii. If serving in an appointed office, by a two-thirds majority vote of the Standing Committee.

**Section B)** Any person so removed must be given written notice that a vote was taken to remove them from office and that they have a right under this canon to appeal the removal. This notice must be sent within 10 days of the vote.

**Section C)** Any person so removed may appeal such removal to the Standing Committee within fifteen (15) days of the date of the notice. The Standing Committee, after hearing from all interested parties, shall vote on the appeal. A two-thirds vote of those members of the Standing Committee present shall be required to sustain the removal.

**Section D)** Any person being removed from the Standing Committee may appeal such removal to the Diocesan Council within fifteen (15) days of the date of the notice. The Diocesan Council, after hearing from all interested parties, shall vote on the appeal. A two-thirds vote of those members of the Diocesan Council present shall be required to sustain the removal.

**Section E)** This canon does not apply to the removal of Priests or Deacons from Congregations, nor the removal of Bishops from the Diocese.

**Canon 5.** <sup>3</sup>If no other provisions are made in the Constitution or Canons, the Standing Committee shall have the power by majority vote to fill for the unexpired term any vacancy that may occur in any office in this Diocese.

**Canon 6.** Meetings of any body under these canons may take place as in-person, virtual, or hybrid meetings. Virtual meetings are those where arrangements have been made in advance to allow participants to attend the meeting by means of a conference telephone, internet, or similar communication equipment by which all persons participating in a meeting can effectively communicate with each other without needing to be physically present at the same location. Those attending a meeting by such means shall be deemed to be attending virtually. Hybrid meetings include some participants attending the meeting in person and others attending virtually. Any arrangements for holding a virtual or a hybrid meeting will be included in the meeting notice, including details by which a person can attend the meeting virtually. Persons shall be deemed to be present for determination of a quorum by attending either in person or virtually where arrangements for such attendance have been made. Such persons shall be entitled to vote, if qualified to do so, and have arrangements made for voting by secret ballot, where appropriate, and such persons shall be recorded as

present in the minutes of the meeting without distinction as to their virtual or in-person attendance. <sup>4</sup>

## **Title II. Of Congregations In The Diocese**

### **Canon 1. Of Congregations**

**Section A)** A Congregation is a group of persons united for the purpose of carrying out the mission of the Church, which includes acknowledging the holiness of God, hearing God's word, offering prayer and worship, celebrating the sacraments and working, praying and giving for the spread of the Kingdom of God.

**Section B)** An Unorganized Congregation is a Congregation which has not been admitted into union with the Convention of the Diocese, but where, with the approval of the Bishop, there are members of this Church who meet for regular services at least four times a year.

**Section C)** A Mission is a Congregation which has been admitted into union with the Convention of the Diocese and does not meet the requirements of a Parish. Two or more Congregations may form a single Mission with the approval of the Bishop and the Diocesan Convention.

**Section D)** A Parish is a Congregation which has been admitted into union with the Convention of the Diocese and<sup>5</sup> which is totally financially self-supporting and has at least 50 adult Communicants In Good Standing and has been granted Parish status by the Diocesan Convention. A Parish also maintains a place of worship, provides an adequate living for a full time priest equivalent to or exceeding the minimum salary and benefits currently required by the Diocese, remains current in payment of its assessment, and pays all its own operating expenses. Two or more Congregations may form a single Parish with the approval of the Bishop and the Diocesan Convention.

### **Canon 2. Of The Organizing Of Missions**

**Section A)** A Congregation which seeks to become a Mission shall make written application to the Bishop, over the signatures of at least ten adult persons who propose to be members thereof. This application must be on the form provided by the Bishop and must include a statement that the Congregation accedes to, will be governed by, and recognizes the authority over them of the National and Diocesan Constitutions and Canons.

**Section B)** If the Bishop consents to the organizing of the Mission as thus applied for, he shall name the congregation. In consultation with the Standing Committee he shall appoint for the first year fit persons to serve as Officers of the Mission.

**Section C)** When a Congregation shall have given notice to the Bishop of its intention to apply for admission into union with the convention as a Mission, has presented to the Diocesan Convention a certificate from the Bishop approving such application, and also a certificate from the Bishop showing that it has ten or more adult Communicants In Good Standing, it may be admitted into union with the Convention by a majority vote of the Diocesan Convention. When thus admitted, it shall be entitled to representation in the Diocesan Convention.

**Section D)** The title to real estate given to or purchased for a Mission shall be vested in The Diocese Of Northwestern Pennsylvania and all trust funds, endowments, or undesignated bequests secured for the benefit of the Mission shall be deposited with the Treasurer Of The Convention.

**Canon 3. Of The Organizing Of Parishes**

**Section A)** A Mission which seeks to become a Parish shall make written application to the Annual Convention. This application shall include proof that:

- i.** the Congregation has at least fifty adult Communicants in Good Standing;
- ii.** the Congregation has supported itself financially, including a full time priest, for three consecutive years;
- iii.** the Congregation accedes to, will be governed by, and recognizes the authority over them of the National and Diocesan Constitution and Canons;
- iv.** evidence that the Congregation will be able to continue to be self-supporting and to pay the diocesan assessment and the minimum salary and benefits of a full time Rector
- v.** a certificate from the Ecclesiastical Authority approving the application of the Congregation.

**Section B)** The application required above shall be reviewed by the Resolutions Committee of Convention and a proper resolution changing the status of the Mission to that of a Parish shall be prepared.

**Section C)** A majority vote of the Convention shall change the status of the Congregation to Parish.

**Canon 4. Of the Governance of Missions**

**Section A)** The government of a Mission is in the Ecclesiastical Authority, which may appoint as its representative a priest to be Vicar of the Mission who shall conform to the instruction of the Ecclesiastical Authority and be responsible to it. The Bishop shall be the Rector of all Missions, and the Vicar of each Mission shall make such reports as required by the Ecclesiastical Authority.

**Section B) Annual Meetings**

- i.** In every Mission an Annual Meeting shall be held in January or at such other time as the Ecclesiastical Authority may designate. Public notice of the same shall be given at all the services on the two preceding weekends.
- ii.** The Annual Meeting shall be presided over by the Vicar, or if the office be vacant, or if the Vicar be absent, by the Bishop's Warden. When the Annual Meeting is called to order, the qualifications for voters as defined in these Canons shall be read.
- iii.** Lay Persons in Good Standing of the Mission who are physically present, who are at least 18 years of age, who are regular attendants at the services of the local church, and who are regular contributors for the six months preceding the meeting to the support of the local church and to the work of the Diocese and National Church as shown on the books of the Treasurer, shall be entitled to vote at all meetings of the Mission.
- iv.** A quorum for the transaction of business in the Annual Meeting shall consist of 15% of all the persons entitled to vote if they were present.<sup>6</sup>

- 453 v. No Lay Person shall vote or hold office in more than one Mission<sup>7</sup> at the same time.  
454 vi. The Mission may nominate to the Ecclesiastical Authority not less than five nor  
455 more than twelve adult Lay Persons in Good Standing to be appointed as the  
456 Bishop's Committee. The length of one term of office for members of the Bishop's  
457 Committee shall be three years with one third of the members, or as near as may be,  
458 nominated each year at the Annual Meeting of the Mission.

459 **Section C) Of Special Mission Meetings**

- 460 i. A Special Mission Meeting may be held at any time on the written order of the  
461 Ecclesiastical Authority. Such order shall specify the time and place of such meeting  
462 and the business to be considered. At such meeting, no business shall be considered  
463 other than that specified in the call.  
464 ii. Notice of such meeting shall be read publicly in church at all services on two  
465 weekends prior to the meeting. This notice shall specify the time and place of the  
466 meeting and the business to be considered.  
467 iii. The Bishop shall preside over such meeting. At the request of the Ecclesiastical  
468 Authority, the Vicar may preside. At the request of the Ecclesiastical Authority, the  
469 Bishop's Warden may preside.

470 **Section D) Of The Bishop's Committee**

- 471 i. A Bishop's Committee may be appointed by the Ecclesiastical Authority to assist the  
472 Ecclesiastical Authority in governing the Mission. The Bishop's Committee shall  
473 manage and be responsible for the property and material affairs of the Mission in  
474 accordance with directions from the Ecclesiastical Authority.  
475 ii. In accordance with the canon "Of Membership in Convention" the Bishop's  
476 Committee shall annually select delegates to represent the Mission at meetings of the  
477 Diocesan Convention.  
478 iii. The Vicar, if there is one, shall preside at all meetings of the Bishop's Committee.  
479 In the absence of a Vicar, the Bishop's Warden shall preside.  
480 iv. The Lay Officers of a Mission shall consist of the Bishop's Warden, Property  
481 Warden, Clerk, and Treasurer who shall all be adult Lay Persons In Good Standing  
482 of the Mission and at least 18 years of age.  
483 v. The Bishop's Warden and Property Warden shall be appointed annually by the  
484 Ecclesiastical Authority from among the members of the Bishop's Committee.  
485 vi. The Wardens shall see that the financial obligations of the Mission are met and  
486 that the buildings belonging to the Mission are kept in good repair and are  
487 adequately insured. Under the Vicar, they shall see that all things needed for the  
488 orderly worship of God and for the proper administration of the sacraments are  
489 provided. They shall prevent or repress all disturbance of divine worship. In the  
490 absence of a Vicar, they shall, with the advice of the Ecclesiastical Authority,  
491 procure suitable supply for the continuance of the services.  
492 vii. A Clerk shall be appointed by the Ecclesiastical Authority from among the  
493 members of the Bishop's Committee to serve until a successor is appointed. The  
494 Clerk shall be responsible to see that minutes are taken of all Annual and Special  
495 Mission Meetings and of all meetings of the Bishop's Committee and shall attest to  
496 the same in the book of Minutes of the Bishop's Committee, shall maintain in the  
497 said book the annual accounts of the temporal condition of the Mission, shall keep

all original documents, and the list of voters provided for by these Canons. The Clerk shall turn over to his successor all books and documents in his possession that belong to the Mission.

- viii.** A Treasurer, not a Cleric or the spouse of a Cleric, shall be appointed annually by the Ecclesiastical Authority from among the members of the Bishop's Committee. Under the authority of the Ecclesiastical Authority and the Bishop's Committee, the Treasurer shall be responsible to collect, receive, disburse, and account for the funds of the Mission and to present a report on the same to each meeting of the Bishop's Committee. Previous to the Annual Meeting, the Treasurer shall present to the Ecclesiastical Authority and to the Bishop's Committee a full and accurate statement of the financial condition of the Mission. This statement shall also be read at the Annual Meeting. The Treasurer shall furnish such bond as the Ecclesiastical Authority shall require, but the cost of such bond shall be borne by the Mission. The Treasurer shall turn over to her successor all books, documents, and funds in her possession that belong to the Mission.
- ix.** Regular meetings of the Bishop's Committee shall be held at least quarterly.
- x.** Special meetings of the Bishop's Committee may be called at any time at the request of the Ecclesiastical Authority.

**Canon 5. Of the Governance of Parishes**

**Section A)** This Canon supersedes and takes the place of the By-laws of all Parishes in the Diocese.

**Section B) Of The Annual Parish Meeting**

- i.** In every Parish, the Annual Parish Meeting shall be held in January at a time and place designated by the Vestry. Public notice of the Annual Meeting shall be given at all the services on the two preceding weekends. With the consent of the Ecclesiastical Authority, the Annual Meeting may be held during a different month.
- ii.** The purpose of this Annual Meeting shall be to elect members to the Vestry; receive reports from the Vestry, parish officers, and organizations; receive a budget for the new year; and to transact such other business as may properly come before it.
- iii.** Any subordinate entity wholly owned by the Parish which has any paid staff shall have its own bylaws. All such bylaws and any amendments thereto shall first be submitted to the Ecclesiastical Authority and Standing Committee for approval prior to being approved by the Vestry.<sup>8</sup>
- iv.** The Annual Parish Meeting shall be presided over by the Rector or Priest-in-Charge, or if the office be vacant, or if the Rector or Priest-in-Charge be absent, by the Senior Warden. When the Annual Parish Meeting is called to order, the qualifications for voters as defined in these Canons shall be read.
- v.** Lay Persons in Good Standing of the Parish who are physically present, who are at least 18 years of age, who are regular attendants at the services of the local church, and who are regular contributors for the six months preceding the meeting to the support of the local church and to the work of the Diocese and National Church as shown on the books of the Treasurer, shall be entitled to vote at all Parish Meetings.
- vi.** A quorum for the transaction of business in the Annual Parish Meeting shall consist of 25% of the persons entitled to vote if they were present or 25 persons entitled to vote, whichever is less.

- 543           vii. No Lay Person shall vote or hold office in more than one Parish at the same  
544           time.<sup>9</sup>
- 545           viii. <sup>10</sup>Each Parish shall have a Vestry consisting of not less than five nor more than  
546           twelve adult Lay Persons in Good Standing elected by the annual Parish Meeting.  
547           The number of persons to serve on the Vestry of the Parish shall be set by resolution  
548           of two successive Annual Parish Meetings. Upon affirmative vote of the second  
549           Annual Parish Meeting the change in number shall take immediate effect.
- 550           ix. The qualifications of persons to serve on the Vestry shall be the same as the  
551           qualifications to vote at the Annual Parish Meeting as set out above except that the  
552           person to be elected need not be present at the Meeting.
- 553           x. No cleric shall be eligible for election as a member of the Vestry.
- 554           xi. In each Parish the Vestry may by resolution designate the nominating Committee,  
555           otherwise the Rector or Priest-in-Charge together with the Senior Warden and the  
556           Junior Warden shall be the Nominating Committee. The Nominating Committee  
557           shall publish to the parish two weeks prior to the Annual Parish Meeting a ballot  
558           with sufficient qualified nominees to fill the vacancies on the Vestry for the  
559           upcoming year.
- 560           xii. Additional nominations may be made from the floor of the Annual Parish  
561           Meeting. The nominator shall first obtain the consent of the nominee. Any question  
562           of the nominee's qualification to serve shall be resolved by the Rector or Priest-in-  
563           Charge prior to the election of Vestry members. In the absence of a Rector or Priest-  
564           in-Charge, the Senior Warden shall have the responsibility for determining the  
565           qualifications of any person nominated from the floor.
- 566           xiii. Each Annual Parish Meeting shall elect persons to serve on the Vestry replacing  
567           those members whose term in office has ended.
- 568           xiv. The length of one term of office for members of the Vestry shall be three years  
569           with one third of the members, or as near as may be, elected each year at the Annual  
570           Parish Meeting.

571           **Section C) Of Special Parish Meetings**

- 572           i. A Special Parish Meeting may be held at any time on the written order of the  
573           Ecclesiastical Authority or of the Rector or Priest-in-Charge, or by resolution of the  
574           Vestry, or on a petition to the Ecclesiastical Authority if such petition be signed by  
575           not less than one-third of the number entitled to vote at the last Annual Parish  
576           Meeting. All such orders, resolutions, or petitions shall specify the time and place of  
577           such meeting and the business to be considered. At such meeting, no business shall  
578           be considered other than that specified in the call.
- 579           ii. Notice of such meeting shall be read publicly in church at all services on two  
580           weekends prior to the meeting. This notice shall specify the time and place of the  
581           meeting, the business to be considered, and by whose order the meeting is called.
- 582           iii. Such meeting may be presided over by the Bishop. If the Bishop does not  
583           preside, the Rector or Priest-in-Charge shall preside. If there is no Rector or Priest-  
584           in-Charge, the Ecclesiastical Authority may request the Senior Warden to preside.

585           **Section D) Of Vestries**

- 586           i. In accordance with the Constitutions and Canons of The Episcopal Church and of  
587           this Diocese the Vestry shall govern the Parish and shall manage and be responsible

for its property and material affairs; shall further the temporal and spiritual welfare of the Parish; provide a suitable place of worship and see that it is provided with all things necessary to the worship of Almighty God; shall select and call a Rector and provide for the remuneration of the Rector; and shall present to each Annual Parish Meeting a report on its work during the year preceding and a budget for the next year.

- ii. As to civil matters, the Vestry shall be the corporate Board of Directors. The Rector or Priest-in-Charge shall be a member of and preside over the Vestry and is the President of the corporation. If there is no Rector or Priest-in-Charge then the Senior Warden shall be the President of the Corporation.<sup>11</sup>
- iii. The Vestry, in accordance with the Canon "Of Membership In Convention" shall elect Lay Persons in Good Standing to serve as delegates to the Diocesan Convention.
- iv. The Lay Officers of a Parish shall consist of the Senior Warden, Junior Warden, Clerk and Treasurer who shall all be adult Lay Persons In Good Standing of the Parish and at least 18 years of age. No cleric or spouse of a cleric may serve as an Officer of the Parish.
- v. The Senior Warden shall be elected annually by the Vestry, upon nomination by the Rector or Priest-in-Charge, from among the members of the Vestry. If there be no Rector or Priest-in-Charge of the Parish, the Ecclesiastical Authority shall nominate a Senior Warden from among the members of the Vestry.
- vi. It is the duty of the Senior Warden to work closely with the Rector or Priest-in-Charge, to advise the Rector or Priest-in-Charge on all matters pertaining to the parish upon which the Rector or Priest-in-Charge may wish to consult the Senior Warden, and to inform the Rector or Priest-in-Charge of all matters which the Senior Warden feels the Rector needs to know.
- vii. If there is no Rector or Priest-in-Charge, it shall be the duty of the Senior Warden to assume all the temporal duties of the Rector including, but not limited to, presiding at Vestry meetings, signing documents, filing reports, and maintaining the Parish Register. In addition, it shall be the duty of the Senior Warden to provide for the continuation of Divine Worship.
- viii. The Junior Warden shall be elected annually from among their number by the Vestry. It shall be the duty of the Junior Warden to see to the care of the Parish's physical property making sure that it is being kept clean and in good order and repair. In the absence of the Senior Warden, the Junior Warden is to assume the duties of the Senior Warden.
- ix. The Wardens shall see that the financial obligations of the Parish are met and that the buildings belonging to the Parish are kept in good repair and are adequately insured. Under the Rector or Priest-in-Charge, they shall see that all things needed for the orderly worship of God and for the proper administration of the sacraments are provided. They shall prevent or repress all disturbance of divine worship. In the absence of a Rector or Priest-in-Charge, they shall, with the advice of the Ecclesiastical Authority, procure suitable supply for the continuance of the services.
- x. A Clerk shall be elected annually by the Vestry from among their number to serve until a successor has been chosen. The Clerk shall be responsible to see that minutes

are taken of all Annual and Special Parish Meetings and of all meetings of the Vestry and shall attest to the same in the Book of Minutes of the Vestry, shall maintain in the said book the annual accounts of the temporal condition of the Parish, shall keep all original documents, and the list of voters provided for by these canons. The Clerk shall turn over to his successor all books and documents in his possession that belong to the Parish.

**xi.** A Treasurer, not a Cleric or the spouse of a Cleric, shall be elected annually by the Vestry from among their number. Under the authority of the Vestry, the Treasurer is responsible to collect, receive, disburse, and account for the funds of the Parish. Previous to the Annual Parish Meeting, the Treasurer shall present to the Vestry a full and accurate statement of the financial condition of the Parish. This statement shall also be read at the Annual Parish Meeting before the election of officers. At every meeting of the Vestry the Treasurer shall report the total assets and liabilities of the Parish and the income and expenses of the general operating funds. As directed the Treasurer shall report the income and expenses of any other funds. The Treasurer shall furnish such bond as the Vestry shall require, but the cost of such bond shall be borne by the Parish. The Treasurer shall turn over to her successor all books, documents, and funds in her possession that belong to the Parish.

**xii.** The Vestry shall fill any mid-term vacancies in their number or among the officers of the Parish by majority vote.

**xiii.** Regular meetings of the Vestry shall be held at least quarterly.

**xiv.** Special Meetings of the Vestry may be called at any time at the request of the Rector or Priest-in-Charge, or of any two of the members. Notice of such meeting shall be given to the Rector or Priest-in-Charge, the Wardens, and the members of the Vestry. This notice shall specify the time and place of the meeting and the business to be considered. No other business shall come before such meeting except with the unanimous consent of the Rector or Priest-in-Charge, the Wardens, and the members of the Vestry.

**xv.** At no meeting shall it be competent for the Vestry to transact any business except there be present the Rector or Priest-in-Charge of the Parish, or, in the event of the absence of the Rector or Priest-in-Charge, or if the office be vacant, one of the Wardens; and except there be present a quorum consisting of a majority of the elected members of the Vestry. No action affecting the rights of the Rector or Priest-in-Charge shall be taken at any meeting at which the Rector or Priest-in-Charge has not had the opportunity to be present.

**xvi. Indemnification**

- a.** No member of the Vestry shall be personally liable for monetary damages for any action taken, or any failure to take any action, unless:
- said person has breached or failed to perform the duties of his office prescribed by these canons, and
  - the breach or failure to perform constitutes self-dealing, willful misconduct or recklessness
  - The provisions of this section shall not apply to the responsibility or liability of said person pursuant to any criminal statute, or for the payment of taxes pursuant to local, state, or federal law.



- 678                   b. The Parish shall indemnify any Vestry member and may indemnify any other  
679                   employee or agent, who was or is a party to, or is threatened to be made a party  
680                   to or who is called as a witness in connection with any threatened, pending, or  
681                   completed action, suit or proceeding, whether civil, criminal, administrative or  
682                   investigative, including any action by or on behalf of the Parish by reason of the  
683                   fact that he is or was a member of Vestry, employee, or agent of the parish,  
684                   against expenses, including attorney's fees, judgments, fines and amounts paid in  
685                   settlement actually and reasonably incurred by him in connection with such  
686                   action, suit, or proceeding unless the act or failure to act giving rise to the claim  
687                   for indemnification is determined by the Court to have constituted willful  
688                   misconduct or recklessness. With respect to any such action, the Parish may  
689                   participate therein at its own expense; and the Parish shall be entitled to assume  
690                   the defense thereof, with Counsel selected by the Parish to the reasonable  
691                   satisfaction of the party being indemnified. After notice from the Parish to such  
692                   person of its election to assume the defense thereof, the Parish shall not be liable  
693                   to such person for any legal or other expenses subsequently incurred by such  
694                   person in connection with the defense thereof. Such person shall have the right  
695                   to employ separate Counsel in such action, but the fees and expenses of such  
696                   Counsel incurred after a notice from the Parish of its assumption of the defense  
697                   thereof, shall be at the expense of such person.  
698

699                   **Canon 2.       Official Books, Records, And Reports**

700                   **Section A)       Books and Records**

701                   **i.   Members**

- 702                   a. It shall be the duty of the priest in charge to keep, so far as is practicable, a list of  
703                   the families and individuals within the Congregation to be retained for the use of  
704                   a successor.  
705                   b. In every Congregation, there shall be provided a proper book or books, to be  
706                   called The Parish Register, in which the priest in charge of the Congregation, or,  
707                   if the Congregation be vacant, one of the Wardens, shall record the names of all  
708                   persons baptized, confirmed, married, and deceased within the Congregation,  
709                   with such other facts as to dates, places, and persons as are important matters of  
710                   record, all of which shall be certified by the signature of the person making the  
711                   records together with the names of all persons who are Communicants of the  
712                   Church, with memoranda as to their reception, removal, or death.  
713                   c. Provision shall be made for the due recording of such other items and statistics  
714                   as are required in the Annual Parochial Report prescribed by the National  
715                   Canons.

716                   **ii.   Minutes**

- 717                   a. Every Congregation shall maintain a permanent Minute Book in which the Clerk  
718                   shall record the Minutes of all Annual and Special Parish or Mission Meetings  
719                   and the Minutes of all meetings of the Vestry or Bishop's Committee.

720                   **iii.   Financial**

- 721                   a. Every Congregation shall maintain paper or computer records, with adequate  
722                   backups, of all the financial affairs of the Congregation. Such records shall

include records of all assets and liabilities, income and expenses, and the location of the evidence showing ownership of all assets.

- b. Statements of all investment, banking, and other accounts must be sent to the official mailing address of the Congregation and not to private homes.

**Section B) Preservation**

- i. The Parish Register, Minute Book, and financial records of the Congregation shall be kept in the church, chapel, or other property belonging to the Congregation or Diocese or at such other secure location determined by the Vestry or Bishop's Committee.
- ii. Consideration is to be given to the preservation of all items in case of natural or man made disaster when determining a secure location. Adequate backups and copies should be made and held in a different location.
- iii. Prior to taking any books or records away from the location specified in section 1, the person taking them must notify the priest in charge or Warden of the Congregation. No one may give notice to themselves.
- iv. Books or records may be away from the location specified in Section A for only short periods of time.
- v. Items of historical interest should be collected and preserved in similar secure locations.

**Section C) Reports**

- i. At every visitation of the Bishop, the priest in charge of the Congregation, or the Warden if there be no priest in charge, shall submit the Parish Register to the Bishop for inspection.
- ii. The priest in charge of every Congregation, or if there be no priest in charge, the Warden and the Treasurer shall present the Annual Parochial Report to the Ecclesiastical Authority by the date specified.
- iii. It shall be the duty of the Vestry to see that a report, acceptable to the Ecclesiastical Authority, of the Annual Audit required by the National Canons is sent to the Ecclesiastical Authority on or before September first of each year.

**Canon 3. Of The Reduction And Dissolution Of Congregations**

**Section A)** A Congregation may petition the Diocesan Convention for a change in status of that Congregation. With the assent of the Ecclesiastical Authority, the Diocesan Convention, by majority vote, may grant the petition and change the status of the Congregation.

**Section B)** Any one of the following items shall constitute cause for which the Diocesan Convention may change the status of a Congregation, or suspend or dissolve entirely the union of a Congregation with the Diocesan Convention:

- i. A Congregation without a Rector, Vicar or Priest-in-Charge for three consecutive years
- ii. A Congregation without Officers of the Congregation for three consecutive years
- iii. A Congregation without divine service for one year.
- iv. A Congregation whose church or chapel has become disused and closed.
- v. A Congregation with less than ten adult Communicants for three consecutive years.
- vi. A Congregation failing for two years to pay its assessment in full.

**vii.** A Congregation failing for two years to file its Annual Parochial Report required by the National Canons.

**viii.** A Congregation failing for two years to file the report of their Annual Audit as required by the National and Diocesan Canons.

**Section C)** For any of the causes listed in Section B of this Canon the Bishop, after consulting the Standing Committee, may request Diocesan Convention to change the status of a Congregation to that of a Mission or to that of an Unorganized Congregation.

**Section D)** With the consent of the Standing Committee the Bishop may dissolve an Unorganized Congregation.

**Section E)** When any Congregation shall have been dissolved, its name shall be stricken from the roll of Congregations, all of its records shall be forwarded to the diocesan office, and the title to all its property, real and personal, including money, shall forthwith vest in, and be transferred to, the corporation known as The Diocese Of Northwestern Pennsylvania.

#### **Canon 4. Of Property**

**Section A)** Any Congregation or other institution holding or intending to hold title to real property shall be incorporated. Its form of incorporation shall be in accordance with the laws of the Commonwealth of Pennsylvania and in harmony with the Constitution and Canons of The Episcopal Church and of this Diocese, and the directions of Diocesan Convention.

**Section B)** All property, real and personal, held by or for the benefit of any Congregation of this Diocese is held in trust for the Diocese and The Episcopal Church. The existence of this trust, however, shall in no way limit the power and authority of the Congregation otherwise existing over such property so long as the congregation remains a part of, and subject to, this Church and its Constitution and Canons.

**Section C)** No mortgage, judgment lien, or indebtedness shall be incurred by any Congregation of this Diocese without the consent and approval of the Bishop Diocesan, if there is one, and the Standing Committee and the Diocesan Council. No consent and approval shall be granted unless there is a reasonable plan for the repayment of all such obligations.

**Section D)** No real property titled to any Congregation or other institution of this Diocese shall be sold, given away, deliberately destroyed,<sup>12</sup> or otherwise alienated or encumbered without the consent and approval of the Bishop Diocesan, if there is one, and the Standing Committee and the Diocesan Council.

**Section E)** All Congregations, institutions, and other entities belonging to this Diocese or any of the Congregations of this Diocese shall be adequately insured with property and liability insurance that shall conform to a minimum standard for insurance established by the Diocesan Council and shall provide to the Diocese a certificate of insurance showing the Diocese of Northwestern Pennsylvania to be an “additional insured” on said property.

#### **Canon 5. Of The Priest In Charge Of A Congregation**

**Section A)** The priest in charge of a Congregation shall have, subject only to the rubrics of the Book of Common Prayer, the National and Diocesan Constitutions and

Canons, and the godly counsel of the Bishop, the exclusive charge of all things pertaining to the spiritual interests of the Congregation. The priest shall order and direct the services of worship and music of the church and all that pertains thereto and shall have the spiritual direction and general oversight of the church school, the altar guild, and of all organizations connected with the Congregation. The priest may appoint persons to perform, under Clergy supervision, such duties pertaining to the services and to the care and decoration of the church as are properly performed by lay members.

**Section B)** The priest shall at all times have free access to the church or chapel and to the church hall, to open and use the same as shall be required for religious services and offices and for such parochial occasions and objects as the priest shall deem necessary. The priest may arrange, modify, or improve the furnishings, ornaments, appointments, and conveniences of the church or chapel as the priest shall deem necessary. The priest shall have control of the use of the church hall. In the exercise of these rights and duties, however, the priest shall not disturb the fabric of the building or involve the Congregation or the Diocese in any expenditure of funds not authorized by the Ecclesiastical Authority or by the Officers of the Parish.

**Section C)** All employees of any Congregation, and all other Clergy in any Congregation, are selected by, work under the supervision of, and may be terminated by the priest in charge of that Congregation.

**Section D)** The priest shall preside, with the right to vote, at all meetings of the Vestry or Bishop's Committee, and no such meeting shall be held unless the priest has been duly notified of the same at least twenty-four hours previous thereto.

**Section E)** The priest shall at all times have and exercise such other rights and shall perform such duties as pertain to this office under the laws and usages of The Episcopal Church.

**Section F)** The priest shall keep such records and make such reports as may be directed by National or Diocesan Canons or by order of the Diocesan Convention.

**Section G)** The priest in charge of a Congregation shall give to the proper Officers thereof and to the Ecclesiastical Authority at least one month's notice, in writing, of her intent to resign such charge.

**Section H)** No Cleric shall officiate within the bounds of this Diocese, either by preaching, reading prayers, administering sacraments, or any other sacred functions, within the parochial, missionary, or other cure of a priest, unless the Cleric have received express permission for that purpose from the priest in charge of the cure, or, in the absence of the priest in charge, from the church Wardens or a majority of the Vestry. In the case of a vacant Mission, permission shall be obtained from the Ecclesiastical Authority. Nor shall any Cleric, not Canonically Resident, officiate within the bounds of the Diocese in a vacant Congregation without the consent of the Ecclesiastical Authority.

**Section I)** A Cleric serving a Congregation may enter into a contractual agreement with another Congregation for pastoral services. Said contract shall cover all services to be provided by the Cleric to the contracting Congregation and all financial arrangements between the contracting Congregation and the Cleric. Said contract must be approved by both Vestries and the Ecclesiastical Authority.

**Section J)** The priest in charge of a Mission is known as a Vicar.

**Canon 6. Of The Election And Call Of A Priest For A Parish**

**Section A)** When the Rector or Priest-in-Charge of a Parish retires, resigns, becomes incapacitated or dies, the Wardens shall promptly notify the Ecclesiastical Authority and, with the advice of the Ecclesiastical Authority, make due provision for services, the cost thereof to be paid by the Parish.

**Section B)** In the absence of a Rector or Priest-in-Charge, the Wardens shall take care that the church building be kept from all secular and other uses not authorized by the Church. They shall make and certify all entries in the Parish Register required by these Canons and shall make out and present to the Ecclesiastical Authority the Annual Parochial Report.

**Section C)** The Vestry shall elect a priest to be Rector of the Parish. The said election shall be subject to the following provisions:

- i. It shall be the prerogative of the Ecclesiastical Authority to submit to the Vestry the name or names of priests to be considered by them.
- ii. No election shall be had until background checks, according to criteria established by the Ecclesiastical Authority, have been satisfactorily completed.
- iii. No election shall be had until the name of the priest whom it is proposed to elect has been made known to the Ecclesiastical Authority. The Ecclesiastical Authority shall have sixty days in which to communicate with the Vestry. No election may be had until the Vestry meets in special session to consider the comments of the Ecclesiastical Authority.
- iv. The election being made, a written notice of the election, signed by the Wardens of the Parish, a copy of the call to the Rector-elect, and a copy of the letter from the Rector-elect accepting the call shall be sent to the Ecclesiastical Authority.

**Section D)** The call of the Rector shall be in writing, signed by the Wardens and Clerk of the Vestry for the Parish. It must express distinctly any special conditions, together with the stipulation of salary or support and provision for residence, which shall conform, at a minimum, with any resolutions regarding minimum salary and benefits. The salary may be increased or decreased as the parties may from time to time agree, due notice of which shall be given to the Ecclesiastical Authority by the Clerk of the Vestry.

**Section E)** Any priest appointed by the Ecclesiastical Authority to minister to a Parish as the Priest-in-Charge, but not elected by the Vestry thereof, is sent by the Ecclesiastical Authority upon such terms as to financial support, and for such a period of time, as may have been agreed upon by the Ecclesiastical Authority, the priest, and the Vestry of the Parish. This appointment and agreement shall be in writing.

**Section F) Assistants**

- i. Prior to the calling of an Assistant, the Rector of the calling Parish shall submit the name of the priest he proposes to call to the Ecclesiastical Authority. The Ecclesiastical Authority shall have 60 days to communicate with the Rector and Vestry about the Cleric they propose to call.
- ii. The Ecclesiastical Authority may accept Letters Dimissory for the Assistant or may grant the Assistant annual license to function within this Diocese.

- 903                   iii.     The provisions of Section D of this canon as to a written agreement on salary and  
904                   conditions of call apply to the calling of an Assistant.  
905

906     **Canon 7.     Of The Parish Alms Fund**

907         **Section A)**         Every congregation shall have a special monetary fund called the Alms  
908                   Fund.

909         **Section B)**         The purpose of the Alms fund is to care for the poor and needy and to  
910                   provide scholarships to church related camps, conferences, and events.

911         **Section C)**         The Alms Fund shall be funded by:

912             i.     Special gifts for the relief of the poor and needy and

913             ii.    Regular contributions:

914                 a.   by a monthly deposit from the regular budgeted operating funds of the  
915                   congregation or

916                 b.   by the loose offering taken at all services on one weekend a month.

917         **Section D)**         Every congregation shall have an Almoner who shall oversee and  
918                   distribute these funds for appropriate purposes. .

919             i.     If there are clergy attached to the congregation, all of the clergy shall be Almoners.

920             ii.    If there are no clergy attached to the congregation then the Vestry or Bishop's  
921                   Committee shall elect annually a suitable Lay Person in Good Standing to be the  
922                   Almoner.

923         **Section E)**         The Alms Fund may not be used to pay for or reimburse any business or  
924                   personal expenses of any Almoner or the family of any Almoner.

925         **Section F)**         Records of the income and expenses of the Alms Fund are confidential  
926                   but not secret.

927         **Section G)**         Reports on the usage of the Alms Fund shall be made to the Vestry or  
928                   Bishop's Committee at least quarterly and annually to the Annual Meeting of the  
929                   Congregation. These reports shall include income by category, expenses by category,  
930                   and current balance of the Alms Fund.

931         **Section H)**         Like all congregational funds, the Alms Fund is subject to and shall be  
932                   included in the Annual Audit required by these canons.  
933

934     **Canon 8.     Of Deaneries**

935         **Section A)**         The diocese shall be divided into four Deaneries as follows:

936             i.     The Northwest Deanery comprising the Congregations in Erie County and the city of  
937                   Meadville in Crawford County;<sup>13</sup>

938             ii.    The Northeast Deanery comprising the Congregations in Warren County, Forest  
939                   County and McKean County;

940             iii.   The Southwest Deanery comprising the Congregations in Crawford County  
941                   except for the city of Meaville, Mercer County, Lawrence County, Venango County  
942                   and Foxburg Borough of Clarion County;

943             iv.    The Southeast Deanery comprising the congregations in Jefferson County; Elk  
944                   County; Cameron County; Clarion County, except for Foxburg Borough; and  
945                   Clearfield County, except for Morris Township.

946         **Section B)**         At each annual Convention the Ecclesiastical Authority shall appoint a  
947                   Priest in Good Standing from each Deanery to be the Dean thereof.

**Section C)** The purpose of Deaneries is to engage in mutual education, foster fellowship and communication among the Clergy and Laity within the Deanery, and to work and pray for the spread of the Kingdom of God.

**Section D)** The Bishop shall have the power to confer upon the Deans and upon any member of the Diocese such ecclesiastical title and assign duties appropriate thereto as the Bishop shall deem proper. The Bishop may designate the regalia to be worn by the recipient of the title.

## **Title II. Of Diocesan Convention**

### **Canon 1. Of Membership In Convention**

#### **Section A) Clergy Members**

- i.** The Bishop Diocesan, Bishop Co-Adjutor, if any, and Bishop Suffragan, if any, shall have seat, voice and vote in the Clergy order at any Diocesan Convention.
- ii.** All Priests in Good Standing in the Diocese shall have seat, voice and vote in the Clergy order at any Diocesan Convention.
- iii.** All Deacons in Good Standing in the diocese shall have seat, voice and vote in the Clergy order at any Diocesan Convention.

#### **Section B) Lay Members**

- i.** All Lay Members of Diocesan Convention must be Lay Persons In Good Standing of some Congregation in union with the Diocesan Convention.
- ii.** Every Congregation admitted into union with the Convention of the Diocese is entitled to send to any Diocesan Convention two lay delegates who will have seat, voice and vote and be Lay Members thereof unless otherwise limited by canon.
- iii.** Any Congregation with an Average Sunday Attendance shown in the Annual Parochial Report of 75 to 149 is entitled to send to any Diocesan Convention three lay delegates who will have seat, voice and vote and be Lay Members thereof.
- iv.** Any congregation with an Average Sunday Attendance shown in the Annual Parochial Report of 150 or greater is entitled to send to any Diocesan Convention four lay delegates who will have seat, voice and vote and be Lay Members thereof.
- v.** In order that they may be fully represented in Convention, all Congregations may select Alternate Delegates in the same manner and with the same qualifications as Delegates. Substitution of an Alternate Delegate for a Lay Member of Convention must be certified to the Credentials Committee by the priest in charge of that Congregation. If there is no priest in charge, then a previously certified Lay Member from that Congregation shall certify the substitution.
- vi.** All Delegates to Convention shall be certified to the Credentials Committee on the form provided by the Committee and no later than March first.
- vii.** Lay Members from any Congregation which has failed to submit the Annual Parochial Report due not less than six weeks prior to the start of any Diocesan Convention shall not be entitled to vote at that Convention.
- viii.** Lay Members from any Congregation which has failed to provide evidence, adequate to the Ecclesiastical Authority, of the Annual Audit required by National

Canon due not less than six weeks prior to the start of any Convention shall not be entitled to vote at that Convention.

- ix.** Lay Members from any Congregation which has failed to pay the assessment levied upon that Congregation shall not be entitled to vote at that Convention unless that Congregation has been granted relief by the Diocesan Council and is current on that agreement. A Congregation shall be considered to have failed if their assessment is not paid current through the end of the month that occurs no less than 15 days prior to the start of any Convention.

**Canon 2. Of Officers Of The Convention**

**Section A)** The Officers of Convention shall consist of a President, Secretary, Treasurer and Chancellor.

**i. President**

- a.** The Bishop Diocesan, if there is one, will be President of and preside at meetings of the Diocesan Convention.
- b.** If there is no Bishop Diocesan then the person to preside at the Convention is chosen in accordance with the provisions in the Diocesan Constitution.

**ii. Secretary**

- a.** Upon nomination by the Ecclesiastical Authority, each annual Convention shall elect either a Cleric in Good Standing or a Lay Person in Good Standing to be Secretary of Convention and to serve until a successor is elected. Upon assuming office, the Secretary is granted seat, voice, and vote in Convention.
- b.** The Secretary shall be responsible to take minutes and to produce a journal of the proceedings of every Diocesan Convention. This journal shall be available to the Congregations of the Diocese not more than 120 days after the adjournment of the Convention.
- c.** The Secretary shall faithfully fulfill all the duties imposed on the Secretary of Convention by the National Constitution and Canons and by the Diocesan Constitution and these Canons.
- d.** The Secretary shall deliver to his successor all papers and materials in his possession which belong to the Diocese.

**iii. Treasurer**

- a.** Upon nomination by the Ecclesiastical Authority, each annual Convention shall elect either a Lay Person in Good Standing or a Cleric in Good Standing to be Treasurer of Convention and to serve until a successor is elected. Upon assuming office, the Treasurer is granted seat, voice, and vote in Convention.
- b.** The Treasurer shall be responsible, under the direction of the Diocesan Council, for the collection, investment, and distribution of all money and securities due to, held by, or payable by the Diocese and for the proper accounting thereof. The Treasurer shall make a full report of all assets and liabilities of the Diocese and income and expense reports of all funds under the control of the Diocese or its officers to the Annual Convention. The Treasurer shall make a full report of all assets and liabilities of the Diocese and the income and expenses of the general operating funds to every meeting of the Diocesan Council and, as directed by



Diocesan Council, the income and expenses of all other funds under the control of the Diocese or its officers.

c. The Treasurer shall faithfully fulfill all the duties imposed on the Treasurer of Convention by the National Constitution and Canons and by the Diocesan Constitution and these Canons. The Treasurer and any assistants to the Treasurer may be bonded with the expense being paid by the Diocese.

d. The Treasurer shall deliver to her successor all papers and materials in the her possession which belong to the Diocese.

**iv. Chancellor**

a. Upon nomination by the Ecclesiastical Authority, each annual Convention shall elect either a Cleric in Good Standing or a Lay Person in Good Standing who is licensed to practice law in the Commonwealth of Pennsylvania to be Chancellor of Convention and to serve until a successor is elected. Upon assuming office, the Chancellor is granted seat, voice, and vote in Convention.

b. Upon nomination by the Ecclesiastical Authority, the Diocesan Council may elect one or more Vice Chancellors, qualified as above, as may from time to time appear necessary.

c. The Chancellors shall function as the solicitor for and the legal advisor to, in the following order: the Ecclesiastical Authority of the Diocese, the Diocesan Council, and the Convention of the Diocese.

d. The Chancellors shall be responsible to see that the Diocese follows and obeys the National Constitution and Canons and the Diocesan Constitution and these Canons. The Chancellor shall interpret the meaning and application of these Constitutions and Canons. His rulings may be appealed to the Diocesan Convention or to the National Church as appropriate.

e. The Chancellors shall faithfully fulfill all the duties imposed on the Chancellor of Convention by the National Constitution and Canons and by the Diocesan Constitution and these Canons.

f. The Chancellors shall deliver to their successors all papers and materials in their possession which belong to the Diocese.

**Canon 3. Of Committees of Convention**

**Section A) Credentials**

i. A Credentials Committee shall be nominated by the Ecclesiastical Authority and elected by each annual Diocesan Convention.

ii. The Credentials Committee shall consist of one Clergy Member and one Lay Member of Convention.<sup>14</sup>

iii. The Credentials Committee shall determine the right of persons to seat, voice, and vote at Convention and shall recommend to Convention persons to whom the Convention should grant seat and voice.

iv. Any person denied a seat, voice or vote by the Credentials Committee may appeal such denial to the Convention which shall make the final determination by a majority vote.

**Section B) Dispatch of Business**

- i. A Dispatch of Business Committee shall be nominated by the Ecclesiastical Authority and elected by each annual Diocesan Convention.
- ii. The Dispatch of Business Committee shall consist of one or more Members of Convention.
- iii. The Dispatch of Business Committee shall assist the President of Convention in seeing that all the business of Convention is done in an efficient and expeditious manner. The Dispatch of Business Committee shall assist the President of Convention in developing an agenda and rules of order for the Convention.

**Section C) Resolutions**

- i. A Resolution Committee shall be nominated by the Ecclesiastical Authority and elected by each annual Diocesan Convention.
- ii. The Resolutions Committee shall consist of two Clergy and two Lay Members.<sup>15</sup>
- iii. The Resolutions Committee shall give due consideration to all resolutions submitted to it and shall present all such resolutions to the Diocesan Convention.
- iv. The Resolutions Committee shall develop any resolutions of courtesy to be considered by the Convention.
- v. The Resolutions Committee shall recommend to Convention a place and date to hold the next Annual Diocesan Convention.<sup>16</sup>

**Section D) Nominations**

- i. A Nominations Committee shall be nominated by the Ecclesiastical Authority and elected by each annual Diocesan Convention.
- ii. The Nominations Committee shall consist of three Clergy and three Lay Members.
- iii. The Nominations Committee shall be responsible to present a ballot with sufficient nominees for each office to be filled by Convention.<sup>17</sup>

**Section E) Judges of Election**

- i. Judges of Election shall be nominated by the Ecclesiastical Authority and elected by each annual Diocesan Convention.
- ii. Three Members of Convention shall be elected to be the Judges of Election.
- iii. The Judges of Election shall oversee the distribution and counting of ballots for each election as instructed by the President of the Convention.

**Canon 4. Of Nominations**

**Section A)** Any Cleric or Lay Person may, and all are encouraged to, nominate qualified persons to fill the various offices to be chosen at each annual Convention.

**Section B)** The Nominations Committee of Convention shall give notice of the need for such nominations and shall set a final date for receiving of the same which shall be not less than thirty days prior to Convention.<sup>18</sup>

**Section C)** Any person submitting a nomination shall do so on such form provided and give such information as the Nominations Committee shall determine. Such information shall include at least the name and contact information for each nominee; their consent to serve if elected; a current digital photograph; and other relevant information.

**Section D)** A list of all nominees shall be published and distributed to all Delegates at least two weeks prior to the meeting of Convention.

**Section E)** Additional nominations may be made from the floor of Convention. The nominator shall first obtain the consent of the nominee and may present a short statement.

**Canon 5. Of Resolutions**

**Section A)** Resolutions properly considered by the Convention are those:

- i. Submitted by a Cleric in Good Standing.
- ii. Submitted by a Lay Person in Good Standing.
- iii. Submitted by some Congregation of this Diocese.
- iv. Submitted by the Diocesan Council.
- v. Submitted by some other committee mentioned in these Canons.

**Section B)** All resolutions must bear the name of the individual or organization submitting the resolution.

**Section C)** All resolutions must be submitted to the Secretary of Convention at least forty-five days prior to any Convention. Resolutions submitted less than forty-five days in advance may be considered on a two-thirds vote of the Convention.<sup>19</sup>

**Section D)** All resolutions submitted which would amend the Constitution or Canons of this Diocese are to be considered by the Constitution and Canons Committee. The Constitution and Canons Committee will review the resolution and

- i. Put the resolution in proper form to bring about the intent of the submitter
- ii. Report the resolution to Convention with:
  - a. A recommendation to adopt the resolution
  - b. A recommendation to defeat the resolution
  - c. A recommendation to be released from any further consideration of the resolution

**Section E)** Resolutions not affecting the Constitution and Canons submitted by persons named in Section A i, ii, or iii of this Canon shall be considered by the Resolutions Committee of Convention. The Resolutions Committee will review the resolution and

- i. Put the resolution in proper form to bring about the intent of the submitter
- ii. Report the resolution to Convention with:
  - a. A recommendation to adopt the resolution
  - b. A recommendation to defeat the resolution
  - c. A recommendation to be released from any further consideration of the resolution

**Section F)** Resolutions not affecting the Constitution and Canons submitted by Diocesan Council or other committees will be reported to Convention by the Diocesan Council or the committee and are assumed to have a recommendation that Convention adopt the resolution.

**Title III. Of Constitutional Committees**

**Canon 1. Of the Standing Committee**

**Section A)** Each annual Convention shall elect one Priest in Good Standing and one Lay Person in Good Standing to serve a term of four years on the Standing Committee. The election shall be done on a vote by orders.

**Section B)** The Standing Committee shall fulfill all duties prescribed for Standing Committees in the National Constitution and Canons and in the Constitution of this Diocese and in these Canons.

**Section C)** The Standing Committee shall elect from their own body a President of the Standing Committee. The Standing Committee shall elect from their own body a Secretary.<sup>20</sup>

**Section D)** The Standing Committee shall meet upon the call of the Bishop and from time to time in conformity with their own rules. They shall keep a record of their proceedings.

**Section E)** When a duty is to be performed, or a power exercised, by the Standing Committee a majority of the members shall be a quorum and a majority of the quorum so convened shall be competent to act, unless the contrary is expressly required by the National Constitution or Canons or the Constitution of this Diocese or these Canons.

**Section F)** <sup>21</sup> Members of the Standing Committee may be elected to and serve on the Disciplinary Board.<sup>22</sup>

## **Canon 2. Of the Diocesan Council**

### **Section A) Members**

- i.** The Bishop Diocesan, the Secretary of Convention, the Treasurer of Convention, and the Chancellor of Convention shall have seat, voice, and vote on the Diocesan Council.
- ii.** The Lay Members of each annual Convention shall elect one Lay Person in Good Standing to serve a term of four years on the Diocesan Council with seat, voice, and vote.
- iii.** The Priests in Good Standing at each annual Convention shall elect one Priest in Good Standing to serve a term of four years on the Diocesan Council with seat, voice, and vote.
- iv.** The Deacons in Good Standing at every fourth annual Convention shall elect a Deacon in Good Standing to serve a term of four years on the Diocesan Council with seat and voice but no vote.

### **Section B) Officers**

- i.** The Bishop Diocesan, if there is one, shall preside at, and be the President of, the Diocesan Council. The Secretary of Convention shall be the Secretary of the Diocesan Council. The Treasurer of Convention shall be the Treasurer of the Diocesan Council. The Chancellor of the Convention shall be the Chancellor of the Diocesan Council.
- ii.** If there is no Bishop Diocesan, the Diocesan Council shall elect annually one of the members of Council to be the President of the Diocesan Council.
- iii.** The Diocesan Council shall elect each year one of the members of the Council to serve a one year term as Vice President of the Council.

### **Section C) Work of the Diocesan Council**

- i. The Diocesan Council shall oversee the program and priorities of the Diocese and make a report thereon to the annual Convention of the Diocese.
- ii. The Diocesan Council shall serve as the board of directors of the corporation known as The Diocese of Northwestern Pennsylvania.
- iii. The Diocesan Council shall develop and present to each annual Convention a budget and schedule of assessments for the ensuing year.
- iv. The Diocesan Council may provide a means of relief to Congregations that are having difficulty paying their assessment.
- v. The Diocesan Council shall develop and present to each annual Convention minimum stipends and allowances for Clergy serving in the Diocese.

**Section D) Committees**

- i. Diocesan Council may appoint such committees as it deems necessary to carry out its work.
- ii. All committees shall have a definite term of existence and a stated purpose determined by the council.
- iii. Committees shall consist of at least one member of Diocesan Council and such other persons as Council may decide. These additional persons shall have seat, voice and vote only as to the business of the committee. The member of Council on each committee shall serve as liaison between the committee and Council.
- iv. The member of Council shall call the first meeting of each committee. Thereafter each committee may effect its own organization provided that a quorum for the transaction of business shall consist of a majority of all members of the committee.

**Section E) Meetings**

- i. The Diocesan Council shall meet on a regular basis and at least once per calendar quarter.
- ii. Special meetings of the Council may be called by the President or Vice President of the Council.
- iii. A majority of the members of the Diocesan Council shall constitute a quorum for the transaction of business.

**Section F) Indemnification**

- i. No member of Diocesan Council shall be personally liable for monetary damages for any action taken, or any failure to take any action, unless:
  - a. said person has breached or failed to perform the duties of his office prescribed by these canons, and
  - b. the breach or failure to perform constitutes self-dealing, wilful misconduct or recklessness.
  - c. The provisions of this section shall not apply to the responsibility or liability of said person pursuant to any criminal statute, or for the payment of taxes pursuant to local, state, or federal law.
- ii. The Diocese shall indemnify any Council member and may indemnify any other employee or agent, who was or is a party to, or is threatened to be made a party to or who is called as a witness in connection with any threatened, pending, or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, including any action by or on behalf of the Diocese by reason of the fact that she is

or was a member of Council, employee, or agent of the Diocese, against expenses, including attorney's fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit, or proceeding unless the act or failure to act giving rise to the claim for indemnification is determined by the Court to have constituted willful misconduct or recklessness. With respect to any such action, the Diocese may participate therein at its own expense; and the Diocese shall be entitled to assume the defense thereof, with Counsel selected by the Diocese to the reasonable satisfaction of the party being indemnified. After notice from the Diocese to such person of its election to assume the defense thereof, the Diocese shall not be liable to such person for any legal or other expenses subsequently incurred by such person in connection with the defense thereof. Such person shall have the right to employ separate Counsel in such action, but the fees and expenses of such Counsel incurred after a notice from the Diocese of its assumption of the defense thereof, shall be at the expense of such person.

**Canon 3. Of the Constitution and Canons Committee**

**Section A)** Each annual Convention shall elect one Priest in Good Standing and one Lay Person in good standing to serve terms of three years on the Constitution and Canons Committee.

**Section B)** The Bishop Diocesan and a Chancellor of the Diocese shall be members ex-officio of the Constitution and Canons Committee but shall not be counted in the determination of a quorum.

**Section C)** The Constitution and Canons Committee shall effect its own organization.

**Section D)** The Constitution and Canons Committee shall review and report to Convention on all proposals to amend the Constitution or Canons of this Diocese.

**Section E)** The Constitution and Canons Committee shall review these Canons during the year following every meeting of the General Convention of The Episcopal Church and propose such amendments to these Canons as they deem necessary or advisable.

**Canon 4. Of the Commission On Ministry**

**Section A)** This diocese shall share a Commission On Ministry with the Diocese of Western New York.<sup>23</sup>

- i. The shared Commission on Ministry is to have a total of nine members, two Clergy in Good Standing and two Lay Persons in Good Standing from each Diocese; and an Archdeacon of one of the Dioceses, provided the Archdeacon is in Deacon's Orders.
- ii. Each person on the Commission On Ministry shall serve a four year term.
- iii. Upon nomination by the Ecclesiastical Authority each annual Convention shall elect one Cleric in Good Standing or one Lay Person in Good Standing as the case requires, to replace the person whose term is expiring.
- iv. At the end of the Archdeacon's term serving on the Commission, the Archdeacon from the other Diocese will serve a term.

**Section B)** The chair of the Commission shall be appointed from among its members by the Ecclesiastical Authority.

**Section C)** The Commission shall effect its own organization.

**Section D)** The Commission shall faithfully fulfill all duties laid upon such Commissions by the Nation Constitution and Canons and by the Constitution of this Diocese and by these Canons.

**Section E)** Additional persons may be co-opted by the Commission from time to time because of their expertise or special knowledge. Any such co-opted members are given seat and voice at meetings of the Commission but do not have a vote on Commission business. Co-opted members will not be counted towards a quorum.

**Canon 5. Of the Examining Chaplains**

**Section A)** Upon nomination by the Ecclesiastical Authority each Annual Convention shall elect three Clergy in Good Standing to be Examining Chaplains. The Examining Chaplains shall assist the Bishop in determining whether persons seeking ordination have knowledge, in accordance with the National Canons, sufficient for the Order they seek.

**Canon 6. Of the Ecclesiastical Court<sup>24 25</sup>**

**Section A)** General

i. By virtue of Baptism, all members of the Church are called to holiness of life and accountability to one another. The Church in this Diocese shall support its members in their life in Christ and work to resolve conflicts by promoting healing, repentance, forgiveness, restitution, justice, amendment of life and reconciliation among all involved or affected. This Canon applies to the clergy who have by their vows at ordination accepted additional responsibilities and accountabilities for doctrine, discipline, worship and obedience.

a. In accordance with the National Canons the Ecclesiastical Court in this diocese shall be known as the Disciplinary Board.

b. All proceedings under this canon shall be conducted in accordance with Title IV of the National Canons.

ii. Should this Diocese enter into any written agreement with one or more other dioceses to share Disciplinary Boards, as provided for in the National Canons, then that written agreement will be appended to these canons and, to the extent it varies any of the following provisions of this Canon, it shall have the full force and effect of this canon; but to the extent any of the provisions of this Canon are not varied by the aforesaid agreement, OR should there be no such agreement, then the Disciplinary Board of this Diocese shall be governed by the remainder of this Canon.<sup>26</sup>

\*\*\*Such an Agreement, entitled “Regional Disciplinary Board” was entered into by Convention 2020 and became effective January 1, 2021. See “Regional Disciplinary Compact” appended to these Canons.\*\*\*

**Section B) Membership**

i. The Disciplinary Board shall consist of five Clergy in Good Standing and four Adult Confirmed Lay Persons in Good Standing.<sup>27</sup>

ii. By May first of each year the Ecclesiastical authority shall nominate and the Standing Committee shall elect three persons to serve on the Disciplinary Board for

a term of three years. Persons elected shall be from each order as required to maintain the required make up of the Disciplinary Board.

- iii. The term of office of each member of the Disciplinary Board shall commence on July first of the year they are elected.

**Section C) Vacancies**

- i. Vacancies occurring within the membership of the Disciplinary Board shall be filled by majority vote of the Standing Committee upon nomination by the Ecclesiastical Authority.
- ii. Persons elected to fill a vacancy must be from the same order as the person they replace and meet the same requirements.
- iii. Vacancies must be filled within three months of notification of the vacancy unless sooner required by other provisions of National or Diocesan canons.
- iv. Persons elected to fill vacancies, other than pursuant to a challenge as provided below, shall serve out the unexpired term of the person they replace.
- v. With respect to a vacancy resulting from a challenge, the replacement member of the Board shall serve only for the proceedings for which the elected Board member is not serving as a result of the challenge.

**Section D) Preserving Impartiality**

- i. In any proceeding under this Canon, if any member of a Conference Panel or Hearing Panel of the Board shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the Board and request a replacement member of the Panel.
- ii. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subjects of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that proceeding.

**Section E) President:** By June 30 of each year the Standing Committee shall nominate and the Disciplinary Board for the ensuing year shall elect a President of the Board to serve for the year.

**Section F) Intake Officer(s):** An Intake Officer shall be appointed by the Bishop. Additional Intake Officers, as needed, may be appointed from time to time in the same manner. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the diocese.

**Section G) Investigator:** The Bishop may appoint an Investigator in consultation with the Reference Panel and the Church Attorney.. The Investigator need not be a member of the Episcopal Church.

**Section H) Church Attorney:** The Bishop, with the consent of <sup>28</sup> the Standing Committee, shall appoint each year an attorney to serve as Church Attorney. The person so appointed must be a duly licensed attorney but need not reside within the diocese.

**Section I) Advisors:**

- i. In each proceeding under this Canon, the Bishop shall appoint an Advisor for the Complainant and an Advisor for the Respondent. The Complainant and the Respondent have the right to reject these Advisors and to name other persons as



Advisors. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Canon, and shall not include Chancellors or vice chancellors of this or any other diocese or any person likely to be called as a witness in the proceeding.

- ii. **WARNING TO RESPONDENTS:** no Advisor, Panel, or other officer named in this canon has yet been granted confidentiality by the civil authorities. Anything told to such a person or panel may be used against you in a civil court. Only your licensed attorney and your confessor have such immunity.

**Section J) Clerk:** The Board shall appoint a Clerk to assist the Board with records management and administrative support. The Clerk may, but need not, be a member of the Board.

**Section K) Removal:** The Bishop, with the consent of the Standing Committee, may remove from office for cause any person appointed or serving under this canon.

- i. **Costs:** The reasonable costs and expenses of the Board, Intake Officer(s), Investigator, Church Attorney, Advisors appointed by the Bishop, Clerk and those providing pastoral care as directed by the Bishop shall be the obligation of the Diocese.

**Section L) Records of Proceedings**

- i. Records of active proceedings before the Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Diocesan Office.
- ii. Records of all proceedings under this Canon shall be permanently preserved in the archives of the diocese and in the Archives of the Episcopal Church as prescribed in Title IV of the National Canons.

#### **Title IV. Miscellaneous**

##### **Canon 1. Of Special Offerings**

###### **Section A) Bishops' Alms Fund**

- i. The Diocese shall have a special monetary fund called the Bishops' Alms Fund.
- ii. The purpose of the Bishops' Alms Fund is to care for the poor and needy and to provide scholarships to seminaries, church related camps, conferences, and events.
- iii. The Bishops' Alms Fund shall be funded by:
  - a. Special gifts for the relief of the poor and needy and
  - b. Regular contributions:
    - by a monthly deposit from the regular budgeted operating funds of the diocese or
    - by the loose offering taken at all services when a Bishop visits a Congregation.
- iv. The Ecclesiastical Authority shall be the Almoner who shall oversee and distribute these funds for appropriate purposes.
- v. The Bishops' Alms Fund may not be used to pay for or reimburse any business or personal expenses of any Almoner or the family of any Almoner.
- vi. Records of the income and expenses of the Bishops' Alms Fund are confidential but not secret.

- 1433                    **vii.**     Reports on the usage of the Bishops' Alms Fund shall be made to the Diocesan  
1434                    Council at least quarterly and annually to the Diocesan Convention. These reports  
1435                    shall include income by category, expenses by category, and current balance of the  
1436                    Bishops' Alms Fund.  
1437                    **viii.**     Like all funds, the Bishops' Alms Fund is subject to and shall be included in the  
1438                    Annual Audit required by these canons.  
1439

1440                    **Canon 2.     Of the Historiographer**

- 1441                    **Section A)**        The Ecclesiastical Authority shall appoint a Historiographer at each  
1442                    annual Convention who shall continue in office until a successor is appointed.  
1443                    **Section B)**        The Historiographer shall have charge of all documents belonging to the  
1444                    Diocese which relate to its history or that of any Congregation of the Diocese, of the  
1445                    Journals of all Conventions of this Diocese, and of all books and papers committed to  
1446                    him by the Convention or Ecclesiastical Authority.  
1447                    **Section C)**        In the event of the dissolution of a Congregation of this Diocese, the  
1448                    books, records, and historical information of that Congregation shall be delivered into  
1449                    the custody of the Historiographer.  
1450                    **Section D)**        All books, papers and documents, in whatever form they may exist, held  
1451                    by the Historiographer shall be kept in good condition and in such place as designated  
1452                    by the Diocesan Council.  
1453                    **Section E)**        The Historiographer shall issue proper certificates based upon the records  
1454                    in his charge  
1455                    **Section F)**        Subject to the exclusions provided in the Canons, all books, papers and  
1456                    documents, in whatever form they may exist, shall be open to the inspection of the  
1457                    Bishop Diocesan, the Chancellor, the Standing Committee, the Diocesan Council, and  
1458                    any committee of the Convention.  
1459

1460                    **Canon 3.     Of the Cathedral**

- 1461                    **Section A)**        The Parish church of St. Paul in Erie, Pennsylvania is hereby designated  
1462                    as the Cathedral of the Diocese of Northwestern Pennsylvania.  
1463                    **Section B)**        Governance of the Cathedral<sup>29</sup>  
1464                    **i.**     The Cathedral shall be governed by a Cathedral Charter, Statutes and Bylaws not in  
1465                    conflict with the National Constitution and Canons, the Constitution of this Diocese  
1466                    or these Canons.  
1467                    **ii.**     Amendments may be made to the Cathedral Charter, Statutes and Bylaws in the  
1468                    following manner:  
1469                    **a.**     Proposed amendments shall be submitted to the Ecclesiastical Authority and the  
1470                    Standing Committee for their advice and consent.  
1471                    **b.**     Consent of both the Ecclesiastical Authority and the Standing Committee having  
1472                    been received, the proposed amendment shall be submitted to a meeting of the  
1473                    Cathedral Congregation. A majority of two thirds of those present shall be  
1474                    required to adopt the amendment.  
1475                    **Section C)**        The Cathedral Congregation shall be entitled to representation in the  
1476                    Convention of this Diocese in accordance with the Canon on Membership in  
1477                    Convention.

**Canon 4. Of The Election Of A Bishop**

**Section A)** On the call by the Bishop Diocesan for the election of a successor, or of a Bishop Co-Adjutor or of a Bishop Suffragan or upon the death, resignation, or permanent disability of the Bishop Diocesan, the Standing Committee shall appoint nine persons to serve as a Search Committee and the Diocesan Council shall appoint nine persons to serve as a Transition Committee. The persons appointed to these committees may be any Cleric in Good Standing or any Lay Person in Good Standing.

**Section B)** The Search Committee shall conduct all tasks necessary to select and nominate to the electing Convention one or more <sup>30</sup>persons to be a Bishop in this Diocese.

i. There will be no nominations permitted from the floor.

ii. Additional persons may be nominated by written petition signed by at least three Clergy in Good Standing and ten adult Lay Persons in Good Standing. Such written petition must be submitted by a deadline established by the Search Committee.

iii. All persons nominated must comply with, and be qualified for office by, the National Constitution and Canons, by the Constitution of this Diocese and by these Canons.

**Section C)** The Transition Committee shall conduct all tasks necessary for the consecration, welcome, and transition to a new Bishop.

**Canon 5. Of The Election Of Deputies To The General Convention**

**Section A)** The annual Convention, in the second year preceding that in which a stated meeting of the General Convention will be held, shall elect, by the Clergy and Lay Members voting separately, four Priests in Good Standing and four Confirmed Adult Lay Persons in Good Standing to be Deputies to the General Convention.

**Section B)** After the election of Deputies as prescribed in Section A, additional ballots shall be taken, with the Clergy and Lay members voting separately, to elect four Priests and four Lay Persons, qualified as above, from among the remaining nominees to be Alternate Deputies to the General Convention.

**Canon 6. Of The Election Of Deputies To The Provincial Synod**

**Section A)** The Annual Convention following each triennial meeting of The General Convention of The Episcopal Church shall elect, by the Clergy and Lay Members voting separately, one Priest in Good Standing and two Confirmed Adult Lay Persons in Good Standing to be Deputies to the Provincial Synod.

**Section B)** After the election of Deputies as prescribed in section a, an additional ballot shall be taken, with the Clergy and Lay Members voting together, to elect and rank those remaining nominees to be Alternate Deputies to the Provincial Synod.

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<sup>1</sup> Convention 2021, subsequently approved by Convention 2022, adopted all of subsection 1 of Article III.A. Prior to this, there was no provision for hybrid or virtual meetings in these Constitutions and Canons.

<sup>2</sup> Convention 2013 adopted Canon 4 and Canon 5 in order to establish a procedure to remove persons

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- who move, die, resign, or fail to fulfill their obligations under Article III,D,iv,g. Prior to this, there were no such provisions in these Constitution and Canons.
- 3 Convention 2013 adopted Canon 4 and Canon 5 in order to establish a procedure to remove persons who move, die, resign, or fail to fulfill their obligations under Article III,D,iv,g. Prior to this, there were no such provisions in these Constitution and Canons.
- 4 Adopted by Convention 2021 to permit meetings to be other than in person
- 5 Convention 2015 inserted the words “which has been admitted into union with the Convention of the Diocese and” in order to make clear that a Parish has to be admitted in union with the Convention just like a Mission and to conform the language to the previous section about Missions.
- 6 Adopted by Convention 2021. Previously there was no quorum specified. This was an oversight in the original Canon. Without this change a quorum would be 51%+1 which is basically impossible.
- 7 Convention 2015 changed the word “Congregation” to “Mission.” The Canons of the Diocese define a congregation separately from the terms Mission and Parish, thus implying that no matter what status a group of people are, they can refer to themselves as a Congregation so long as they meet the expectations of Canon II.1.A. Canon II.1.C allows for multiple congregations to form one mission and Canon II.5.B.vii allows for multiple congregations to form one parish. However, the canon referring to eligibility of a lay person to vote or hold office these merged congregations mistakenly use the term ‘congregation’ and not ‘mission’ or ‘parish’ when restricted lay people to voting in only one mission or parish. This would make it canonically impossible for multiple congregations to form a leadership body for one shared mission or parish. This resolution corrects this oversight in the canons.
- 8 Convention 2013 added this section to deal with congregations that have quasi independent entities such as schools or day care
- 9 Convention 2015 changed the word “Congregation” to “Parish.” See note iv above for explanation.
- 10 Convention 2010 adopted Section vii and following in order to clarify the previous version of the canon and to provide for a nominating process.
- 11 Convention 2009 added “Priest-in-Charge” to make clear that a Priest-in-Charge is the president of the Corporation and presiding officer.
- 12 “Deliberately destroyed” was added by Convention 2010
- 13 Meadville changed from SW Deanery to NW by Convention 2012
- 14 Convention 2010 changed the number of members for the Credentials Committee from three clergy and three lay members to one from each order.
- 15 Convention 2010 changed the number of members for the Resolutions Committee from three from three clergy and three lay members to two from each order.
- 16 Convention 2010 did away with a separate Site of the Next Convention Committee and gave this responsibility to the Resolutions Committee.
- 17 Convention 2009 changed “slate of” to “ballot with sufficient” to clarify that the committee's task is to present sufficient nominees for each office and not to recommend particular persons.
- 18 Convention 2009 changed the deadline for nominations from no less than 60 days before convention to not less than 30 before the meeting of convention
- 19 Convention 2009 changed the deadline for resolutions from 60 days to 45 before the meeting of convention.
- 20 Convention 2014 deleted Section D which had provided for the Standing Committee to elect a Church Attorney. This was in conflict with the Canon concerning the Disciplinary Board which provided a different procedure.

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- 21 Convention 2013 removed Section G which prohibited members of the Standing Committee from serving simultaneously on Diocesan Council, The Disciplinary Board and the Commission on Ministry. Since the Standing Committee is no longer part of the disciplinary process there is no longer a conflict in people serving on both bodies. As for all three bodies the voters can decide if people should serve on more than one at a time.
- 22 Convention 2013 added this new section G permitting members of the Standing Committee to serve on the Disciplinary Board. Canons of the Episcopal Church require explicit permission for members of the Standing Committee to so serve.
- 23 Convention 2019 adopted changes to the membership of the Commission On Ministry in order to effectuate the Agreement with the Diocese of Western New York to share a Commission On Ministry. The previous Section A on Membership read as follows: Upon nomination by the Ecclesiastical Authority each annual Convention shall elect nine persons to serve one year terms on the Commission On Ministry. These persons may be any Cleric in Good Standing or Lay Person in Good Standing.
- 24 Convention 2010 adopted an entirely new Canon 6 “Of The Ecclesiastical Court” to bring us into compliance with the National Church disciplinary canons which take effect July 1, 2011. The old Canon 6 remains in effect through June 30, 2011 and follows here:

**Canon 6. Of The Ecclesiastical Court**

- Section A)** The Ecclesiastical Trial Court shall consist of five Clergy in Good Standing and four Lay Persons in Good Standing.
- Section B)** Each annual Convention shall elect three persons to serve on the Ecclesiastical Trial Court for a term of three years. Persons elected shall be from each order as required to maintain the required make up of the Ecclesiastical Trial Court.
- Section C)** Vacancies occurring within the membership of the Ecclesiastical Trial Court shall be filled by majority vote of the remaining members of the Court. Persons elected to fill a vacancy must be from the same order as the person they replace. Vacancies must be filled within three months of notification of the vacancy unless sooner required by other provisions of National or Diocesan canons.
- Section D)** Within two months following each annual Diocesan Convention the members of the Ecclesiastical Trial Court shall elect from among themselves by majority vote one person to serve as Presiding Judge for a one year term.
- Section E)** Charges for which a Cleric may be made to stand trial are contained in the National Canons.
- Section F)** The mode and manner of making charges, securing presentments, and of conducting trials shall be as established in the national Canons.
- Section G)** The powers, duties and procedures of the Ecclesiastical Trial Court and the definition of terms used herein shall be governed by Title IV of the National Canons.
- Section H)** The Standing Committee shall serve as the Review Committee.

- 25 In the Fall of 2019 the Standing Committee signed an agreement with the Diocese of Western New York so that the two dioceses might share disciplinary resources. The agreement provides that when forming Conference Panels and Hearing Panels the Presidents of the respective Disciplinary Boards can use members from either or both Boards to form such Panels.

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26 This section ii added by Convention 2020

27 Convention 2013 removed words prohibiting members of the Standing Committee from serving on the Disciplinary Board.

28 Convention 2014 changed the wording of this Canon by deleting “in consultation with” and adding “with the consent of.” This was to make clear that the Standing Committee would have to vote on the appointment.

29 Section B was changed by Convention in 2009 to add subsection ii so as to provide a way for the Cathedral Charter, Statutes and Bylaws to be amended.

30 Changed by Convention 2021 to make it possible to have only one candidate if, for instance, we choose to have a Bishop Provisional. Originally this read ‘three to five persons.’”