

# **The Constitution And Canons**



## **The Gulf Atlantic Diocese of The Anglican Church in North America**

**Approved 9 November 2019**

# Constitution

## *Article I*

### **Affiliation**

**Section 1.** The Church in The Gulf Atlantic Diocese is a constituent member of the Anglican Church in North America (ACNA), a participant in the worldwide Anglican Communion, a Fellowship within the One, Holy, Catholic and Apostolic Church, upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer.

**Section 2.** The Gulf Atlantic Diocese consists of congregations and ministries in the states of Alabama, Georgia, Florida, and Mississippi. Additionally, for reasons found satisfactory to any Synod of The Gulf Atlantic Diocese, parishes outside the boundaries of the aforementioned states may be considered for admission into union with The Gulf Atlantic Diocese, and will be afforded membership pursuant to the Canons of the Gulf Atlantic Diocese.

**Section 3.** The Synod shall adopt such canons as are necessary for the conduct of business and the mission of the Diocese consistent with the Canons of the ACNA. When there is a conflict, the Constitution and Canons of the ACNA shall take precedence.

## *Article II*

### **Mission**

The mission of this Diocese shall be to proclaim the transforming Gospel of Jesus Christ in every facet of our faith and life.

- a. To support and encourage the regular worship of God in Word and Sacrament.
- b. To create opportunities for the on-going study of God's Holy Word.
- c. To draw God's people together in loving communities of fellowship.
- d. To show forth the love of God in our care for the poor, the imprisoned, the hungry, and the sick.
- e. To fulfill the Great Commission.

# *Article III*

## **Governance**

**Section 1.** The principal governing body of the Diocese shall be the Synod. There shall be an annual meeting of the Synod between Michaelmas and Advent at such time and at such place within the Diocese as shall be fixed by the preceding Annual Synod. If a need arises, the time and place may be changed with the concurrence of the Bishop and a majority of the Standing Committee.

**Section 2.** Diocesan Council and the Standing Committee shall work together with the Bishop to carry out the decisions of the Synod between meetings, as provided by the Canons of the Gulf Atlantic Diocese.

**Section 3.** The Bishop of the Diocese, as Chief Executive Officer of the Diocese, shall preside, *ex-officio*, in the Synod and shall be entitled to a vote. The Bishop-Coadjutor, when there is one, shall be seated with voice and vote in the Synod, and in the absence of the Bishop, shall preside. In case of vacancy in the Episcopate or in the absence of the Bishop and Bishop-Coadjutor or of their inability to act, the Chair of the Standing Committee shall preside.

**Section 4.** In the event the Bishop of the Diocese is unable to perform his duties, the Standing Committee shall, by two-thirds vote and with the concurrence of the Office of the Archbishop, assume all diocesan responsibilities until the Bishop requests and is granted reinstatement or a new Bishop of the Diocese is elected.<sup>1</sup>

**Section 5.** The Bishop of the Diocese, with concurrence of the majority of the Standing Committee, may convene a Special Synod. When the office of diocesan bishop is vacant, the chair of the Standing Committee, with concurrence of the majority of the Standing Committee, may convene a Special Synod. Notice shall be provided to the diocese of the day, hour, and location of such Special Synod not later than thirty (30) days prior to the convening of said Special Synod. During any Special Synod convened pursuant to this section, only such diocesan business may be transacted as is within the purview of the purpose or purposes stated in the notice. The delegates for a Special Synod shall be those elected to serve at the prior Annual Synod.

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<sup>1</sup> The following amendment to Article III, Section 4 was approved at Synod 2019 and will be submitted for approval at Synod 2020. Upon approval, it shall read as follows: **Section 4.** In the event the Bishop of the Diocese becomes incapacitated or the episcopal relationship between the Bishop and the Diocese becomes imperiled, the Standing Committee may, by two-thirds vote and with the concurrence of the Office of the Archbishop, assume all diocesan responsibilities until such time as the incapacity or imperiled relationship is resolved or a new Bishop is elected, pursuant to any Provincial and Diocesan canons regarding incapacity or imperiled relationship.

# *Article IV*

## **Composition of the Synod**

The Synod shall be composed of clergy and lay delegates, and a Secretary shall be elected, as specified by the Canons of the Gulf Atlantic Diocese.

# *Article V*

## **Property Ownership**

All property, real and personal, owned by member parishes shall be solely and exclusively owned by the individual parish and shall not be subject to any trust or other claim of ownership arising out of Canon law; neither shall the Diocese assert any claim over the property of its member parishes without the express written consent of the Rector, Wardens, and Vestry of the subject parish.

# *Article VI*

## **Alteration of the Constitution**

This Constitution, or any part thereof, may be altered in the following manner only: The proposed amendment shall be submitted in writing to the annual Synod, and if approved by a majority of each Order, shall lie over to the next annual Synod, and if again approved, by a majority of each Order, the Constitution shall then stand amended as proposed.

# THE CANONS OF THE GULF ATLANTIC DIOCESE

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# Canons

## *Canon I*

### **Election of a Bishop**

**Section 1.** Upon notice to and consent from The College of Bishops for the commencement of an election process, Vestries, Ministry Boards, and the Standing Committee shall submit nominations to the Committee on Nominations no later than four (4) months prior to the Electing Synod. All nominations must include an acceptance of the nomination in writing by the nominee. The Electing Synod may be the Annual Synod or a Special Synod.

**Section 2.** The Committee on Nominations shall screen all names placed in nomination to determine whether the nominee meets the criteria established by the Synod and is compliant with ACNA Title III, Canon 8, Section 3. Through a prayerful process of discernment, the Committee shall arrive at a slate consisting of no more than five names. The name or names shall be published to the Delegates at least 60 days prior to the Electing Synod.

**Section 3.** The Committee on Nominations shall create an opportunity for the candidate or candidates to visit Deaneries and make presentations, for the benefit of the Delegates, as the Committee determines.

**Section 4.** At the Electing Synod each candidate and his family shall be excused from the room for the purpose of open and constructive conversation by the Delegates. After no more than one hour of conversation, the candidates and families will be invited into the Synod for a time of prayer and worship.

**Section 5.** Delegates shall vote for one of the candidates presented. If one candidate receives two-thirds of the total delegate vote, he is elected and his name shall be sent to the College of Bishops for confirmation. If no candidate receives two-thirds of the total vote, delegates shall vote by majority to: a) send up to three names to the College of Bishops for their choosing or b) reject all names. If all names are rejected, responsibility reverts to the Committee on Nominations. Within ninety (90) days, the Synod shall be reconvened by the Bishop and Standing Committee for a new vote.

**Section 6.** Candidates from a first slate are not disqualified from inclusion on a second slate.

**Section 7.** Election may be done by Orders (lay and clergy), provided that two-thirds of those voting choose to do so. If voting by Orders, a two-thirds vote in each Order is required for election.

**Section 8.** It is expected that the Bishop, as well as rectors of parishes will, together with the appropriate committees, create and keep current a plan for their succession, whether caused by unanticipated incident or by anticipated departure. Should the Standing Committee act under Article III, Section 4 of the Constitution of the Diocese, the Standing Committee shall proceed in accordance with Title III, Canon 8, Section 7 (Concerning the Incapacity of the Diocesan Bishop) of the ACNA Canons.

## *Canon II*

### **Synod Delegates**

**Section 1.** Clergy, in good standing, who are domiciled in the Diocese and actively engaged in the parochial, missionary, or educational work of the Church, under the Ecclesiastical Authority of the Diocese, shall be members of the Synod. Other clergy, in partnership with the Diocese, may be extended special privileges at the Synod pursuant to Canon III. Clergy in good standing who are retired or inactive may be granted seat and voice.

**Section 2.** Lay delegates shall be elected by the Vestry of the parish or by a meeting of that parish as provided in the parish bylaws. With the exception of the Senior Warden, delegates shall be elected for 3-year terms; and, where the number of delegates permits, their 3-year terms shall be staggered. No delegate who has been elected for two consecutive, 3-year terms shall be eligible for re-election as a delegate until one year after the term has expired.

The number of delegates for each congregation shall be determined on the basis of the congregation's Average Sunday Attendance (ASA) for the previous year as follows:

1. ASA less than 100: Senior Warden only.
2. ASA 100-199: Senior Warden and one additional delegate.
3. ASA 200-299: Senior Warden and two additional delegates.
4. ASA 300-399: Senior Warden and three additional delegates.
5. ASA 400-499: Senior Warden and four additional delegates.
6. ASA more than 499: Senior Warden and five additional delegates.

Each parish shall also elect such number of alternate delegates as it shall deem necessary. Each Rector may appoint a Leader of Delegation whose specific duties shall be determined by the Rector.

Laities from parishes in partnership with this Diocese, as specified in Canon III, shall be elected annually as specified by the formula above.

**Section 3.** The election of lay delegates and lay alternate delegates to the Synod shall be certified in writing by a Warden or two members of the Vestry; and the certificate shall state

the name, address and telephone number of each delegate and alternate and that each delegate and alternate delegate named in said certificate was chosen from the communicants of said parish. The certification form shall list all delegates elected by the parish, whether newly elected or in their second or third year of term and the certificate shall be furnished to the Diocesan office. The Diocesan office will certify all parish delegates to the Secretary of the Synod not later than 30 days prior to the annual Synod. If delegates and alternate delegates are elected to fill vacancies caused by death, resignation, or removal for any cause, the election shall be immediately certified in writing by forwarding an amended certificate to the Diocesan office which will then certify the amendment to the Secretary of the Synod. Any parish failing to furnish the certificate to the Diocesan office by the stated date shall not be entitled to seat, voice or vote at the Synod without permission of the Standing Committee.

**Section 4.** Lay members of the Standing Committee and the Diocesan Council, if they are not delegates to the Synod, shall nonetheless have the privilege of seat, voice, and vote at the Synod.

## ***Canon III***

### **Clergy and Laity in Other Jurisdictions**

Those clergy and laity within the area of The Gulf Atlantic Diocese who are in canonical relationship or partnership with the ACNA but are under other Anglican jurisdictional relationships may be welcomed into partnership with this Diocese upon request to the Bishop or Ecclesiastical authority. They shall be accorded full participation in the shared life and ministry of this Diocese with the exception of serving on the Standing Committee, electing members of the Standing Committee or electing a Bishop and may determine their representation to the Synod up to the limits as prescribed by the Canons.

## ***Canon IV***

### **Secretary of the Synod**

A Secretary, nominated by Diocesan Council, shall be elected by the annual Synod for a term of two (2) years. The duties of the Secretary shall be to take the minutes of the proceedings, and when approved, to enter them in a journal, preserve the journal and records, attest the public acts of the body and faithfully deliver into the hands of successors all books and papers in his or her possession relating to the Synod.



# *Canon V*

## **Transaction of Business**

### **Section 1.** .

A quorum of any Diocesan Synod or any meeting thereof shall be one-half of the clergy in good standing having cure in the Diocese, and one-half of the duly elected lay delegates, but a smaller number may adjourn.

**Section 2.** The clergy and delegates shall deliberate as one body and shall vote as such: PROVIDED, that a call for vote by Orders (lay and clergy) may be requested by a minimum of five lay and five clergy delegates.

**Section 3.** The affirmative votes of a majority of those present and voting shall decide each question. When voting by Orders a majority vote in each Order is required.

**Section 4.** In the event of a tie vote for any vacancy, a second vote shall be taken by those present for the specific individuals with the tie results for a re-count. The candidate receiving the majority of affirmative votes shall then be presented as the approved candidate.

**Section 5.** Anyone not elected to a vacancy may serve as an alternate (in the order of votes cast) in the event the individual elected to the same position is not able to complete his/her service.

# *Canon VI*

## **Committee on Nominations**

**Section 1.** The Committee on Nominations shall consist of the two (2) Diocesan Council members (one each clergy and lay) scheduled to rotate off in the current year plus the four (4) who have rotated off in each of the prior two years.

**Section 2.** The Committee on Nominations shall be charged with developing a slate of candidates for each office to be filled by election at a meeting of the Synod.

**Section 3.** The Committee on Nominations shall be responsible for receiving and publishing all nominations for offices elected by the Synod and shall be charged with nominating candidates representative of the Diocese.

**Section 4.** The Committee on Nominations shall elect a Chair from among its members at its first meeting after Synod.

# *Canon VII*

## **Committee on Constitution and Canons**

**Section 1.** It shall be the responsibility of the Committee on Constitution and Canons to consider all proposed amendments to the Constitution and Canons of the Diocese as recommended by Diocesan Council (pursuant to Canon XXVI). The Committee on Constitution and Canons shall present proposed amendments to the Synod for vote.

**Section 2.** The Committee on Constitution and Canons shall consist of three (3) clergy and three (3) lay persons appointed by the Bishop with the advice and consent of the Standing Committee. At least one (1) member shall be a practicing attorney. In addition, the Diocesan Chancellor shall be an ex-officio member of the Committee.

**Section 3.** Members of the Committee on Constitution and Canons shall serve 3-year staggered terms. No member who has served for two consecutive, 3-year terms shall be eligible for re- appointment as a member of the Committee until one year after his/her term has expired.

**Section 4.** The Committee on Constitution and Canons shall elect a chair from among its membership.

# *Canon VIII*

## **Standing Committee**

**Section 1.** The Standing Committee shall be a council of advice to the Bishop. If there is no bishop, the Standing Committee shall be the Ecclesiastical Authority of the Diocese.

**Section 2.** The Standing Committee shall be composed of three (3) lay and three (3) clerical members, nominated by the Committee on Nominations and elected by the Synod for 3-year, rotating terms. As terms expire, the Committee on Nominations shall nominate persons for each vacancy. The Synod, at its annual meeting, shall elect one member of the appropriate order to fill each vacancy. No member who has served a full term shall be eligible for re-election until one year after his or her term has expired.

**Section 3.** The lay members of the Standing Committee shall be communicants in good standing in a parish admitted into union with the Diocese and shall be entitled to seat, voice and vote in the Synod of the Diocese.

**Section 4.** The Committee, at its first meeting after the annual Synod, shall choose a Chair from among the clerical members, and a Secretary, either clerical or lay. The Secretary shall

keep a record of the proceedings of the Committee, and all books and papers in his/her possession relative to the Diocese shall be subject to examination by the Bishop and by the Synod.

**Section 5.** The Standing Committee shall fill all vacancies in its own body or in any appointed Committee or elected office that may occur between meetings of the annual Synod. Such persons shall serve until the next annual Synod.

**Section 6.** The Standing Committee and the Bishop shall jointly be responsible for approving candidates for ordination.

**Section 7.** The Standing Committee shall be responsible for an annual review of the work of the Bishop. In the case of serious conflicts within the Diocese, unsuitable behavior or incapacity, on the part of the Bishop, the Standing Committee may, by a two-thirds vote, request a hearing from the College of Bishops of the ACNA.<sup>2</sup>

**Section 8.** The Standing Committee shall have such additional rights, duties and powers as may be conferred by the Canons of the ACNA or of this Diocese duly enacted.

## *Canon IX*

### **Diocesan Council**

**Section 1.** The Diocesan Council shall be an executive body representative of the Church in this Diocese with power and authority to implement the policies and programs adopted by the Synod and to act on behalf of the Synod between meetings of that body. The Council shall have overall responsibility for the Diocesan programs and finances and shall provide for the efficient management of the business of the Diocese.

**Section 2.** The Diocesan Council shall be composed of the Bishop, Secretary of the Synod, Chancellor of the Diocese, the Deans of the Deaneries, Chair of the Standing Committee, the Treasurer, and six (6) members-at-large (three (3) clergy and three (3) lay) elected by the Synod. The terms of at-large members shall be 3-year, staggered terms. No member who has served a full term shall be eligible for re-election until one year after his or her term has expired.

**Section 3.** It shall be the duty of the Diocesan Council to prepare and report to each Synod the mission and proposed budget for the coming year for adoption by the Synod.

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<sup>2</sup> If the Constitutional amendment to Article III Section 4, approved at Synod 2019 and held over until Synod 2020, passes yet again at Synod 2020, this Section shall automatically be amended as follows: **Section 7.** The Standing Committee shall be responsible for an annual review of the work of the Bishop. In the case of incapacity on the part of the Bishop or an imperiled episcopal relationship between the Bishop and the Diocese, the Standing Committee may act pursuant to Article III of the Constitution.

**Section 4.** The Bishop shall serve as chair of the Diocesan Council. In his absence, the Council may elect a temporary chair.

**Section 5.** The Diocesan Council shall have such additional rights, duties and powers as may be conferred by the Synod through enactment of an appropriate canon.

## *Canon X*

### **Assistance to the Bishop**

The Bishop, with the consent of Diocesan Council, shall have the authority to appoint one or more members of the clergy, and when appropriate, laity, to assist the Bishop with respect to the mission of the Diocese. The duties of the assistant may include, but are not limited to: pastoral and counseling functions, visitations to parishes, development of parishes, planting of new congregations, and relationships with and among parishes and deaneries. Unless such person is a bishop-coadjutor, suffragan bishop, or assistant bishop, such person or persons so appointed may be called a Canon of the Diocese. If the Bishop should desire to appoint an assistant bishop, consent must be granted by majority vote of the Standing Committee. A bishop-coadjutor or suffragan bishop must be elected by the Synod in the same fashion as a diocesan bishop pursuant to Canon I.

## *Canon XI*

### **Treasurer**

**Section 1.** The Treasurer of the Diocese shall be nominated by the Bishop and elected by a majority vote of the Diocesan Council and shall hold office at the pleasure of the Bishop.

**Section 2.** The Treasurer shall receive and disburse all monies collected under the authority of the Diocese as directed by the Diocesan Council.

**Section 3.** Accounts maintained by the Treasurer shall be reviewed not less than annually, as directed by the Diocesan Council.

**Section 4.** The Treasurer shall be bonded in a sum and in the security satisfactory to the Diocesan Council.

**Section 5.** The Treasurer shall have seat and voice, but no vote, at the Synod and on the Diocesan Council.

**Section 6.** The Treasurer, together with the Diocesan Council, shall submit an annual report to the Synod.

**Section 7.** The Treasurer, working together with the Diocesan Council, under the direction of the Bishop, shall submit a mission and budget proposal for the coming year to the Synod delegates no later than thirty (30) days prior to the annual Synod.

**Section 8.** The Diocesan Council shall specify in writing additional duties of the Treasurer.

## ***Canon XII***

### **Chancellor**

The Bishop of the Diocese, with the advice and consent of the Standing Committee, shall appoint a Chancellor of the Diocese and such Vice Chancellors as the Bishop deems advisable, to hold office until their successors are appointed. They shall be lay persons who are licensed attorneys and communicants of a parish in union with the Diocese. The duties of the Chancellor shall be to act as legal counselor to the Bishop, the Standing Committee and other diocesan organizations in matters affecting the interests of the Church. When appointed, Vice Chancellors shall perform such duties as shall be delegated to them by the Chancellor or the Bishop.

## ***Canon XIII***

### **History and Archives of the Gulf Atlantic Diocese**

**Section 1.** The Bishop shall appoint an Archivist who shall administer and maintain the diocesan archives, and perform such other duties as directed by the Bishop or Standing Committee. Upon request, it shall be the duty of the Archivist to issue, on request, proper certification of records in the archives including, but not limited to, Consecration and Ordination. Baptism, Confirmation, Marriage and Burial Records are the responsibility of each parish. (see Canon XVII, Section 8).

**Section 2.** The Bishop shall appoint a Historiographer who shall provide for the safekeeping and preservation of all diocesan records not otherwise under the custody of the Archivist, and perform such other duties as directed by the Bishop or Standing Committee.

**Section 3.** A member of the diocesan staff may serve as the Archivist and/or the Historiographer.

# *Canon XIV*

## **Budget and Financial Administration**

**Section 1.** The Bishop shall have authority and responsibility for budgetary and fiscal management. The Bishop, with the consent of Diocesan Council, shall have the authority to appoint a Finance Committee to develop regulations and govern the financial systems of the Diocese including, but not limited to: collection and handling of funds; authorization of obligations and payment thereof; accounting; budgetary control; appointment, compensation and conditions of service of staff; pension arrangements; procurement and handling of equipment, materials and supplies; custody of funds; control of capital assets; human resources; diocese and congregation internal review policies and, delegation of authority for such matters. There shall be at least three(3) members of the Finance Committee, appointed by the Bishop for a 3-year rotating term with one- third of the members rotating off and replaced by the Bishop each year in January. Members may be reappointed for additional terms.

**Section 2.** The Finance Committee, in partnership with the Bishop, shall cause to be prepared for review by the Diocesan Council and submission to the Synod for its approval, a comprehensive budget for the coming year. Such budget shall be based on clearly specified ministry objectives, evaluation of program accomplishment, and priorities established by the Synod.

**Section 3.** All parishes shall provide support for the Office of Bishop. The level of support from each parish shall be determined by each parish, and all other contributions to the Diocese shall be voluntary.

# *Canon XV*

## **Business Methods in Church Affairs**

The Diocesan Finance Committee shall have oversight of the business and financial control methods of all parishes and congregations in the diocese. In every congregation and institution associated with this Diocese, including the Diocese, the following standard business methods shall be observed:

**Section 1.** Funds held in trust, endowment and other permanent funds, and securities represented by physical evidence of ownership or indebtedness, shall be deposited with a National or State chartered Bank, or with an agency approved in writing by the Diocesan Council, under a deed of trust, agency or other depository agreement providing for at least two (2) signatures on any order of withdrawal of such funds or securities.

**Section 2.** Records shall be made and kept of all trust and permanent funds showing at least the following:

- a. Source and date.
- b. Terms governing the use of principal and income.
- c. To whom and how often reports of conditions are to be made.
- d. How the funds are invested.

**Section 3.** Treasurers and custodians, other than banking institutions, shall be adequately bonded, except treasurers of funds that do not exceed five hundred dollars (\$500.00) at any onetime during the fiscal year.

**Section 4.** All accounts of the Diocese, of parishes and of other institutions of the Gulf Atlantic Diocese shall be reviewed annually using the “Internal Review Checklist for Churches” provided by the Diocese based on the following “Level of Review”.

| <b>Annual Parish Gross Income</b> | <b>Level of Review</b>   |
|-----------------------------------|--|
| Up to \$250,000                   | Approved Third Party for Year 1<br>Diocese Review Committee (DRC) for Year 2 |
| \$250,000 to \$750,000            | Approved Third Party for Year 1<br>Diocese Review Committee (DRC) for Year 2 |
| \$750,000 and higher              | Approved Third Party for Year 1<br>Professional Review for Year 2            |

Signed review reports are due to the Review Committee chairperson by September 15<sup>th</sup> of each year. The Review Committee will subsequently submit a Status Report to the Secretary of Synod 30 days prior to the Annual Synod summarizing the financial status of each parish and the Diocese.

**Section 5.** All buildings and contents shall be kept adequately insured.

**Section 6.** All parishes and congregations are required to have current sexual misconduct insurance coverage at all times per Diocesan Sexual Misconduct Policies and Procedural Manual.

## ***Canon XVI***

### **Deans and Deaneries**

**Section 1.** The Diocese shall be divided into deaneries for the purpose of common ministry, communication, pastoral care, accountability, and fellowship. Under the direction of the

Bishop, the Deans will work collaboratively with the Rectors and clergy of their deanery to lead them in support of the mission and ministry of the Gulf Atlantic Diocese. They will provide support for the Canon to the Ordinary and Canon for Ordination Preparation in discernment and preparation of candidates for ordained ministry. They will report regularly to the Bishop, keeping him informed of challenges and opportunities in the deanery and providing advice.

**Section 2.** The number of deaneries and respective areas shall be determined by the Bishop, in consultation with the Diocesan Council. The presiding officer of each deanery shall be a Dean appointed by the Bishop to serve for two (2) years. Deans of deaneries shall serve as members of the Diocesan Council.

**Section 3** There shall be regularly scheduled meetings of the clergy in each deanery. This Deanery Clericus shall be scheduled by the Dean to discuss the affairs of the Diocese, concerns of the deanery and for prayer and mutual encouragement.

**Section 4.** There may be a Deanery Council composed of one (1) lay and one (1) clergy representative from each parish in the deanery, appointed by the Rector of each parish. The work of the Council shall be for the common ministry of the deanery as determined by the Deanery Council.

## *Canon XVII*

### **Parishes**

**Section 1.** A parish is a legally incorporated worshiping community, governed by by-laws and led by a Rector and Vestry. A parish may consist of one or more worshiping congregations of various sizes.

**Section 2.** To be admitted as a parish of the Diocese, a congregation shall submit a written request for admission, along with its Articles of Incorporation and bylaws, to the Bishop and the Standing Committee no later than two months prior to the annual meeting of the Synod. A recommendation for admission of a congregation shall be submitted in writing by the Bishop and the Standing Committee to the Secretary of the Synod and, if approved by a majority vote of the Synod, the congregation shall be admitted into union with the Diocese as a parish. A congregation shall not be admitted into union with the Diocese if the Articles of Incorporation or the bylaws of the parish are in conflict either with the Constitution and Canons of the Gulf Atlantic Diocese or the



Constitution and Canons of the ACNA. An exception may be granted by petition as provided in Canon XXVII.

**Section 3.** The secular affairs of each parish shall be conducted by a Vestry of not less than five nor more than twelve persons to be elected according to the bylaws of such parish.

**Section 4.** The Vestry shall consist of baptized and confirmed members who actively participate in the life of the Church. Vestry membership shall not be restricted with regard to gender.

**Section 5.** No amendments to the Articles of Incorporation or bylaws of any parish shall be made unless approved by a majority of the members of the parish qualified to vote for members of the Vestry, and who are present at a meeting called with due notice.

**Section 6.** If a parish wishes to transfer to another Diocese or to disaffiliate from the Church, it shall first consult with the Bishop prior to any action being taken. If, after consultation with the Bishop, a parish still wishes to transfer to another Diocese or to disaffiliate from the Church, it shall provide notice to the Bishop and the members of the parish at least thirty (30) days before any Vestry vote is taken to transfer to another Diocese or disaffiliate from the Church.

If a parish wishes to transfer from one Diocese to another Diocese of the Church, such notice shall include (1) a request to transfer, (2) the Diocese with which the parish proposes to affiliate, (3) confirmation that the Diocesan Bishop of the requested Diocese is aware of the request, and (4) the reasons for the request. In order for a parish to transfer to another ACNA Diocese, both the Gulf Atlantic Bishop and the Diocesan Bishop of the requested Diocese must concur with the request. Should disagreement arise between a parish and the Bishop regarding such transfer, either party may request that the Archbishop mediate a resolution.

If a parish wishes to disaffiliate from the Church, such notice shall include the reasons therefore.

Any Vestry vote to transfer to another Diocese or to disaffiliate from the Church must take place in a Vestry meeting among the members present, with two-thirds of the total Vestry membership being in favor, even if not all are in attendance. The Rector shall not vote because the Rector is a member of the Diocese. If the Vestry votes to transfer or disaffiliate, the transfer or disaffiliation is immediate. The Vestry shall submit written notice of transfer or disaffiliation to the Bishop, Diocesan Council, and the members of the parish, with the signatures of the Vestry members present and the voting results. Approval by the Diocese of disaffiliation is not required. The next Synod shall take all necessary administrative actions to remove the parish from the diocesan rolls.

Should the Bishop and the Diocese see the need to disaffiliate from any parish, the Diocesan Council shall provide written notice to the parish at least two (2) weeks prior to the Annual Synod. The Synod shall approve any such dissolution by a two-thirds vote and shall then take all necessary administrative actions to remove the parish from the diocesan rolls. In this case, dissolution of the relationship between the Diocese and the parish shall become effective

immediately at the closure of Synod.

In any case of disaffiliation, parish clergy shall retain their membership in the Diocese unless additional actions are taken. Diocesan clergy may only serve in non-diocesan congregations with permission of the Bishop.

**Section 7.** It shall be the duty of the Diocesan Council to report to the Secretary of the Synod, before August 1 of each year, any change that may have occurred since the last Synod in the status of any parish under Section 6.

**Section 8.** Baptism, Confirmation, Marriage and Burial Records are the responsibility of each parish.

**Section 9.** It is the doctrine of the Gulf Atlantic Diocese that, in accordance with our Lord's teaching, Holy Matrimony is in its nature a covenantal union, permanent and lifelong, of one man and one woman. Christian marriage in this Diocese shall be in conformity with Title II, Canon 7 of the Provincial Canons.

In view of the teaching of Holy Scripture, the Lambeth Conference of 1998, and the Jerusalem Declaration, this Diocese upholds faithfulness in marriage between a man and a woman in lifelong union, believes that abstinence from sexual relations is right for those who are not married, and cannot legitimize or bless same-sex unions. Those who teach or preach shall do so in accordance with this understanding. This Diocese shall not knowingly ordain or employ, nor shall parishes or ministries within the Diocese knowingly employ, clergy or staff who engage in sexual relationships outside of Holy Matrimony as it is described in this canon.

**Section 10.** Worship Rites and the administration of the Sacraments in this Diocese shall be in conformity with Title II of the Provincial Canons. The lessons used in services of public worship shall be read from the translations of the Holy Scriptures authorized by the Bishop of the Diocese. Forms used in public worship and the administration of the Sacraments shall be in accordance with Anglican Faith and Order and nothing shall be established that is contrary to Holy Scripture.

**Section 11.** In the case of the dissolution of a Parish, all Parish records shall be turned over to the Bishop of the Diocese within 30 days of the final service. Said records shall include, but shall not be limited to:

- a. Parish membership;
- b. Record of services;
- c. Attendance;
- d. Baptismal;
- e. Confirmation and/or Reception;
- f. Matrimonial;
- g. Burial;
- h. Vestry minutes;
- i. All financial records

# *Canon XVIII*

## **Other Congregations**

**Section 1.** Any person or group seeking to organize a worshiping community that is not a part of a parish within the Diocese must submit a request in writing, following consultation with the deanery, to the Bishop and the Standing Committee indicating the clear intention of this ministry to function under the Ecclesiastical Authority of this Diocese, and under the worship, doctrine, and discipline of this Church.

**Section 2.** All such congregations must be partnered with a local parish or deanery for support, encouragement, and guidance. All funds received must be administered through an existing parish or a 501(c)(3) charity equivalent, legally incorporated in the state where it is based.

**Section 3.** Canon XVII Sections 9 and 10 apply to all congregations of the diocese.

# *Canon XIX*

## **Vestries**

**Section 1.** The Vestry shall work with the Rector in overseeing the temporal concerns of the parish and providing godly leadership for the Church's mission.

**Section 2.** In every parish there shall be a Vestry composed of no fewer than five (5) members, and no more than twelve (12). Members of the Vestry shall be elected or selected according to the bylaws of the parish at a congregational meeting (or meetings, as the case may be) and be approved or affirmed by the congregation.

**Section 3.** Members of the Vestry shall be baptized and confirmed members (18 years or older) who have been active in the parish for a minimum of 6 months.

**Section 4.** The Rector shall act as the Chair of the Vestry with voice and vote. The Rector shall appoint the Senior Warden, and the Vestry shall elect the Junior Warden from among its number. The Vestry shall elect a Secretary and Treasurer and such other officers as deemed necessary. The duties of the officers shall be determined by the Rector and Vestry.

**Section 5.** There shall be at least one meeting of the Vestry in each quarter of the year; however, the Rector, Senior Warden, or Junior Warden may call a meeting at any time upon the request of one-third of the members of the Vestry. The Rector and all members of the Vestry shall be given due notice of all meetings of the Vestry.

**Section 6.** When a parish becomes vacant in the office of Rector, the Wardens shall notify the Bishop. The Vestry, in cooperation with the Bishop, shall assume the responsibilities of the Rector's office, or, with the Bishop's permission, appoint an interim priest to assume such duties, until such time as a new rector can be called.

**Section 7.** The Vestry shall elect a rector for the parish subject to the approval of the Bishop pursuant to Canon XX.

**Section 8.** The Vestry does not have the authority to remove a rector from office. If there is conflict between the Rector and Vestry, the Bishop should be notified. The Bishop, in godly conversation with the Rector and Vestry, will seek to bring a peaceable resolution to the conflict.

## *Canon XX*

### **Clergy In Parishes**

**Section 1.** The Rector of a parish has, by virtue of office, the exclusive charge and care of all the spiritual concerns, music and ritual observances of the parish, subject and answerable only to the Bishop. A deacon, with permission of the Bishop, may serve as Rector.

**Section 2.** For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Rector or Minister-in-Charge shall, at all times, be entitled to the use and control of the church and parish buildings with the appurtenances and furnishings thereof.

**Section 3.** The Rector shall have full control and direction of all Guilds, Societies and Associations within the parish as well as the hiring and firing of parish staff. Unless otherwise provided by the bylaws of the parish, the Rector or Minister-in-Charge may call meetings of the Vestry and congregation as the Rector shall deem appropriate, and shall serve as ex-officio Chair of the same, and is entitled to speak and vote on all questions before these bodies. The Rector shall call a meeting of the Vestry when requested to do so by a majority of the members of the parish.

**Section 4.** The annual salary and other compensation of full-time, resident clergy is recommended to be no less than the minimum established in the Clergy Compensation Guide which is approved by the annual Synod.

**Section 5.** Once per year, all congregations and parishes shall report to the Diocesan office the compensation and benefits provided to each of its clergy, whether full or part-time employees.

**Section 6.** A Rector or Minister in Charge shall not be dismissed by the Vestry without

the consent and concurrence of the Bishop of the Diocese. When conflicts in the pastoral relationship develop and reasonable attempts at reconciliation have been unsuccessful, if either the Rector, Minister in Charge or a majority of the Vestry believe the pastoral relationship to be imperiled or hindered, either or both shall present the matter to the Bishop.

## *Canon XXI*

### **Parishes Without Rectors**

**Section 1.** When the Vestry is notified by the Rector of an intent to resign, the Bishop shall simultaneously be notified. Once the Rector has departed, the Bishop shall assume ecclesiastical oversight of the vacant parish. If there is no Bishop, the Standing Committee shall assume oversight.

**Section 2.** The Bishop shall have the authority to examine any parish records that would assist in evaluating the condition of the parish. The Vestry shall furnish the Bishop such information as the Bishop deems necessary to assist the parish in the selection of a new rector, including, but not limited to parish goals, parish profile and desired clergy qualifications.

**Section 3.** In the event of a Rector's departure, the Bishop shall take such action as the Bishop deems appropriate to supply said parish for appropriate services, and such supply expenses shall be borne by said parish.

**Section 4.** A Priest domiciled in this Diocese, without a parish, may not assume pastoral relations with, nor officiate for longer than one month, in a parish unless he or she shall have obtained a written license from the Bishop. If such license is refused, by and with the advice and consent of a majority of all the members of the Standing Committee, and if the Priest, without such license, officiates in a parish, or attempts to assume pastoral relations, the Priest shall, thereafter, not be in good standing in this Diocese until he or she obtains approval from the Bishop. Any subsequent Synod of this Diocese may dissolve its union with the offending parish, provided the Standing Committee shall, at least 30 days prior to such Synod, provide written notice to the Vestry, or to a Warden of such parish, that the action will be reported to the Synod.

## *Canon XXII*

### **Mode of Election of Rector or Other Member of the Clergy**

**Section 1.** Before a parish proceeds to call a new rector, it shall consider the Diocesan Congregations in Search Guidelines. A list of candidates shall be proposed by the Bishop for

initial consideration. The Vestry may reject all of the proposed names after due research and shall thereupon notify the Bishop. The Vestry may then ask the Bishop for additional names and may reject all of these. They may then proceed to consider other names. The Vestry's choice shall be communicated to the Bishop in writing together with documentation evidencing the qualifications of the candidate to meet the parish's requirements for priestly leadership. The Bishop shall have 30 days to respond. The Bishop shall have the option of approving, or, after consultation with the Standing Committee, rejecting the proposed candidate. If the candidate is rejected, the Vestry may proceed to consider other candidates.

In the event that the Bishop and the Vestry cannot resolve their differences over clergy selection, the Bishop shall thereafter consult with the Standing Committee and the Vestry to effect the final disposition of the issue in the most satisfactory and Godly manner possible.

**Section 2.** A member of the clergy shall not be recognized by the Bishop as the Rector of the parish until said member of the clergy has been canonically transferred to this jurisdiction. The said member of the clergy shall not, with or without the consent of the Vestry of said parish, perform any of the rites or ceremonies of the Church except with the special permission of the Bishop of this Diocese, until the Bishop or the Ecclesiastical Authority has certified to the Vestry that such member of the clergy has been canonically transferred to this jurisdiction. The certificate of the Bishop or Ecclesiastical Authority shall be entered upon the Vestry minutes.

**Section 3.** No member of the clergy shall be allowed to officiate in a parish, congregation, or institution of the Diocese unless he or she shall first produce satisfactory evidence that establishes him or her as an authorized Minister of God's Church, and unless he or she shall have been licensed by the Bishop of the Diocese for such ministry.

## *Canon XXIII*

### **Ecclesiastical Trial Court**

#### **Section 1. Organization**

- a. An Ecclesiastical Trial Court (The Court) for the Gulf Atlantic Diocese of the ACNA is hereby established for the trial of any priest or deacon subject to its jurisdiction.
- b. The Court shall consist of four (4) members of the clerical order and three (3) members of the lay order. Clerical members must be domiciled and in good standing within the Diocese and lay members must be communicants in good standing of a parish of the Diocese.
- c. Beginning with the second annual Synod of the Gulf Atlantic Diocese

meeting in November 2010, and on each even numbered annual Synod thereafter, four (4) members of the clergy and three (3) members of the laity shall be elected to serve a term of two (2) years. No member of the Standing Committee shall be eligible to serve as a member of The Court.

- d. Vacancies occurring within the membership of The 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 classification, clergy or lay, as the person they replace, and shall serve the remainder of the unexpired term.
- e. Within two (2) months following the annual Synod, The Court shall elect from among themselves one person to serve as Presiding Judge.
- f. All persons elected to The Court are eligible for re-election upon expiration of their term.
- g. The Court shall appoint a Clerk who shall be responsible for recording all proceedings.

**Section 2. Charges and Procedures** Charges for which a clergy person may be presented and tried and the procedures for adjudicating such charges are contained in Title IV of the Canons of the ACNA, and by reference, are made a part of the Canons of this Diocese.

**Section 3. Additional Procedures**

- a. The Presiding Judge of The Court shall, within not more than three (3) calendar months from the receipt of the Presentment, summon the Respondent to answer before The Court.
- b. In all Ecclesiastical Trials, the Chancellor for the Diocese shall appear on behalf of the Diocese. In the event the Chancellor is unavailable, another attorney may be appointed by the Bishop. The Respondent and alleged victims or complainants may be accompanied by counsel of their own choosing.
- c. After all evidence has been presented, and after hearing all arguments, The Court shall retire for prayer, discussion, and vote.
- d. An affirmative vote of two-thirds of the members of The Court shall be necessary to render a guilty verdict; failing such a vote, the Presentment shall be dismissed. The decision of The Court shall be delivered immediately, and in writing, to the Respondent, the alleged victim or complainants, and the Bishop.
- e. The Bishop (or such Bishop having jurisdiction to whom sentencing

authority has been delegated by the Diocesan Bishop pursuant to Provincial canons, if any) shall not proceed to Sentence before the expiration of 30 days after he is served with notice of a verdict of guilty. If an appeal is made to the Provincial Tribunal, the Sentence shall not be pronounced until the appeal is final.

## *Canon XXIV*

### **Provincial Assembly**

Upon notification of the date for Provincial Assembly, the Synod meeting prior to the Assembly shall elect delegates in number and order as determined by ACNA Title I, Canon 2, Section 3.

## *Canon XXV*

### **Provincial Council**

The Synod shall elect one (1) clergy and two (2) lay to serve 5-year terms as members of the Provincial Council. The member of the clergy nominated must be serving either on the Standing Committee or the Diocesan Council at the time of nomination.

## *Canon XXVI*

### **Amendments and Resolutions**

**Section 1.** The Canons may be amended in the following manner only: Amendments must be proposed in writing to Diocesan Council no less than 60 days prior to the annual Synod. Council shall review the proposal and may refer it to the Committee on Constitution and Canons. The Committee on Constitution and Canons shall present the amendment to the Synod for a vote. If the amendment is defeated, it may be referred to the Committee on Constitution and Canons for study, rework and future proposal.

**Section 2.** Resolutions will not be entertained by the Synod.



# *Canon XXVII*

## **Noncompliance with Constitution and/or Canons**

Section 1. If a parish or ministry is out of compliance with any provision of the Constitution and/or Canons of the Gulf Atlantic Diocese, it may petition the Standing Committee for an extension of time within which to comply.

Section 2. The Standing Committee may authorize a period of up to one (1) year for the petitioning parish or ministry to comply with all canonical requirements.

Section 3. If a parish or ministry fails to present satisfactory evidence of compliance within the approved time period, the Standing Committee may, within no more than 3 months following determination of noncompliance, take such action as it deems necessary.

# **Rules of Order**

These Rules of Order shall be established by the Synod of The Gulf Atlantic Diocese for conducting the business of the Synod. These rules shall not be amended, suspended or repealed except by an affirmative vote of a majority of the members present.

## *Parliamentary Procedure*

1. No motion shall be considered or debated until it is seconded, and, when seconded, it shall be stated by the President before debate begins.
2. If the motion in debate contains several distinct propositions, any member may have the same divided.
3. When a motion is under consideration, no further motion shall be received unless to lay upon the table, postpone indefinitely, postpone to a certain time, commit, or amend; and motions for any of these purposes shall have precedence in the order herein named. If the motion to lay upon the table carries, the Synod shall proceed as if no such motion had been offered. A motion to lay on the table or adjourn shall be decided without debate. The motion to adjourn shall always be in order. At the conclusion of debate, and prior to vote being taken, the motion in its final form shall be stated by the Secretary.
4. On a question being put by the President, it shall be determined by voice vote for or against it; but any member may require the count of votes, and Tellers for that purpose shall be

appointed by the President. A majority of the members present may, previous to a decision by count, require the ayes and nays to be taken, which shall be done by calling the names of the clerical members and then the names of the lay delegates of each parish, and all votes by ayes and nays shall be entered upon the minutes.

5. A question, once decided, shall not be reconsidered during the same session without an affirmative vote of two-thirds, nor without a motion for that purpose being made by one of the majority on the prior decision; nor shall any question be reconsidered more than once.

6. All decisions determined by vote within the Synod shall be by simple majority with the exception of the election of a bishop (Canon I) or unless an exception be made by a two-thirds vote of the delegates, or unless otherwise established by Canon or by the Rules of Order.

7. All questions of order shall be decided by the President, subject to an appeal to the Synod. A simple majority is required to overrule the President.