

CANONS

ANGLICAN DIOCESE OF SAN JOAQUIN

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THE CANONS

TITLE I – The Convention

Canon I – Election of a Bishop

- Sec. 1.01** Whenever, in the Providence of God, it may be necessary to choose a Bishop, the call for an electing convention shall be made by resolution of the Standing Committee, which shall first seek approval to hold an election from the Anglican Church in North America (ACNA) College of Bishops, and then shall give, through its Secretary, notice of the electing convention to all Clergy, Parishes, and Missions of the Diocese. Following such call to election, a Nominations Committee shall be composed by electing one (1) cleric and one (1) member of the laity from each deanery. In addition, the Ecclesiastical Authority may appoint one member. The organization and operation of the Nominations Committee shall be determined by the members. The prayers of the Clergy and Laity shall be bidden, that God may supply a Pastor after His own heart.
- Sec. 1.02** The election of a Bishop shall be made in either the Annual or a Special meeting of the Convention called for that purpose. One hundred and fifty (150) days' notice of the electing convention shall be given to the Diocese by the Secretary of the Standing Committee, through the Secretary of Convention. The Secretary of the Standing Committee shall also make a request for nominations through the Secretary of Convention. The mode of notice shall be consistent with the manner prescribed by Article V, Section 3, of the Constitution.
- Sec. 1.03** Once the notice of the electing convention has been made, members of the Diocese, both clergy and lay, may submit nominations to be considered by the Nominations Committee, in a manner prescribed by the Committee, within 30 days of the date of the notice.
- Sec. 1.04** It is the duty of the Nominations Committee to determine an initial slate of no less than three (3) and no more than five (5) qualified members of the clergy as candidates for the election. This Initial Slate of Candidates must be published a minimum of ninety (90) days prior to the election. The mode of notice shall be in the same manner as the Notice of electing convention.
- Sec. 1.05** After the Initial Slate of Candidates is published, additional nominations may be submitted to the Nominations Committee for 30 days from the date of publication of the Initial Slate of Candidates. These nominations must be made in writing and signed by eight (8) members of the Convention representing at

least four (4) congregations eligible to vote in Convention. The Nominations Committee shall be responsible to subject each additional nominee to the same clearances required of the initial nominees. Each additional nominee that passes the clearances shall be added the Final Slate of Candidates, which shall be published no later than forty-five (45) days prior to the election. The mode of notice shall be in the same manner as the Notice of electing convention.

Sec. 1.06 Once the Final Slate of Candidates is determined, the Nominations Committee will then coordinate and publicize pre-election opportunities for the candidates to visit congregations of the Diocese and make presentations for the benefit of the delegates.

Sec. 1.07 Any Convention where an election of a Bishop is to be held shall open with Divine service. When the Convention has been called to order by its President, prayers shall be offered, together with the reading of appropriate lessons of Holy Scripture, after which, the Final Slate of Candidates having been announced and tellers having been appointed, the Convention shall proceed to ballot.

Sec. 1.08 If two-thirds of all the Clergy entitled to vote be present, and two-thirds of all the Parishes and Missions entitled to vote be represented, then a majority of each order present shall determine a choice. If such two-thirds of the Clergy, Parishes, and Missions be not present, then two-thirds of the votes in each order present shall be necessary to determine a choice. The vote of the Clergy and the Laity shall be taken separately, and a concurrence of the majority of the votes cast in each order shall be required to constitute an election. If there be no election, subsequent ballots may be taken until, by God's Holy Spirit, a Bishop be duly chosen and declared elected. The electing body from the Diocese shall certify the election of a Bishop for consent by the College of Bishops, in accordance with the Canons of the ACNA.

Canon II – Members of Convention

Sec. 2.01 One (1) week before the meeting of any Convention of the Diocese, the Ecclesiastical Authority shall prepare a list of all the Clergy of the Church canonically resident in the Diocese, together with their respective cures and domiciles. Such list shall be laid before the Convention at the opening of the meeting and prefixed to the Journal. In the said list shall be declared the names of those Clergymen entitled to seats and votes in the Convention and such declaration shall be taken as presumptive evidence of the right of those indicated to seats and votes in the Convention. All Clergy licensed by the Ecclesiastical Authority to officiate in the Diocese but not canonically resident shall be entitled to seat and voice without vote.

Sec. 2.02 (a) Lay Delegates and Alternates to Convention shall be communicants in good standing and be elected by the congregation or, should the Congregation fail to elect, by the Vestry or Bishop's Committee, and their appointment shall be certified by the Chairman and Secretary of the meeting at which they were elected, on forms provided by the Secretary of Convention for that purpose. For Annual Conventions the list of Delegates' and Alternates' names and addresses shall be forwarded to the diocesan office by July 1, and for Special Conventions at least twenty-one (21) days prior to the time appointed for the meeting. A copy of this list shall be forwarded to the Secretary of Convention and the appropriate Rural Dean. Said list shall be presumptive evidence of the right to seat, voice, and vote of Lay Delegates in the Convention named therein. Thereafter, a copy of this list shall be available to those who request it.

(b) The following definitions pertaining to any use of "Communicant" shall apply throughout these Canons:

- (1) **Definition of Communicant:** All members of this Church who have received Holy Communion in this Church at least three times during the preceding year and who uphold the Doctrine and Discipline of this Province are to be considered communicants of this Church.
- (2) **Definition of Adult Communicant:** All communicants 18 years old or older are considered Adult Communicants of this Church.
- (3) **Definition of Communicant in Good Standing:** All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God, are to be considered communicants in good standing.

Sec. 2.03 All congregations shall be entitled to the following representation, based upon the latest available annual parochial report:

1	-75	average Sunday attendance	2 delegates
76	-125	average Sunday attendance	3 delegates
126	-200	average Sunday attendance	4 delegates
201	-350	average Sunday attendance	5 delegates
351	-500	average Sunday attendance	6 delegates
501	-700	average Sunday attendance	7 delegates
over	700	average Sunday attendance	8 delegates

Sec. 2.04 Alternate Delegates to Convention shall be seated in the absence of the regular appointees in the order in which their names appear on the certificates as described in Sec. 2.02 herein. This order is normally determined by the greater number of votes received at the time of election.

Sec. 2.05 When the right of any person to a seat in Convention is disputed or the right of any Parish or Mission to representation therein, the matter shall be referred to the Bishop, or the Ecclesiastical Authority in the absence of the Bishop..

Canon III – Quorum and Members

Sec. 3.01 A quorum shall consist of one-third (1/3) of all the Clergy entitled to seats and votes, together with at least one (1) Lay Delegate from each of one-third of all the Parishes and Missions entitled to representation. If a quorum be not present at any Convention, no business shall be transacted except that of adjournment from time to time until a quorum shall be present.

Canon IV – Chairman of the Convention

Sec. 4.01 The Bishop shall, ex officio, be the President and Presiding Officer of the Convention.

Sec. 4.02 Chairman

(a) At each Annual Convention, the Presiding Officer may appoint a Chairman who shall hold office from the close of the Convention until the close of the following Annual Convention, and may chair such following Annual Convention and any Special Convention which may be held during such term; provided, however, that the Presiding Officer may choose to chair the Convention at any time.

(b) The appointed Chairman shall be either a Cleric who is a member of the Convention or a Lay Person who is an adult communicant in good standing of a Mission or Parish Church of the Diocese.

Canon V—Regular Committees of Convention

Sec. 5.01 The Bishop or other Presiding Officer shall create and appoint such Committees of Convention as are necessary to its purposes and responsibilities. The Committees of Convention may include, but not be limited to the following:

- (1) A Committee on Arrangements of Convention
- (2) A Committee on Nominations--The Committee shall request from the

Clergy, the Vestries, and the Bishop's Committees the names, parochial connection, qualifications, and availability of potential candidates for the assistance of the Committee in preparing nominations for all offices to be filled. All such names shall be presented to the Committee not less than forty-five (45) days before the Convention. The Committee may nominate candidates if no other nominations are received for a particular office. The report of the Committee shall be presented to each Parish and Mission as soon as possible before the Convention. This procedure shall not preclude further nominations from the floor of Convention, nor does it imply that all names submitted will be accepted by the Committee as nominees.

- (3) A Committee on Resolutions--The Committee shall receive all proposed resolutions not less than sixty (60) days before the Convention. The report of the Committee shall be presented prior to the Convention and shall include the Committee's recommendations. Resolutions from the floor shall be introduced by title and resolve clause and shall require a two-thirds majority approval before hearing and consideration.
- (4) A Committee on Admission of New Parishes and Missions
- (5) A Committee on Constitution and Canons

Canon VI – Order of Business

Sec. 6.01 Each Annual Convention shall open with Divine Service, following which the procedure shall be:

- (1) The call to order
- (2) The appointment of a Secretary
- (3) The taking of the roll, or the announcement of the Secretary that it has been done
- (4) The declaration, if a quorum be present, that Convention is organized for business
- (5) The appointment of regular Committees of Convention and their ratification by Convention
- (6) The admission to seats by resolution
- (7) The Report of the Committee on Nominations and nominations from the floor

Sec. 6.02 The remaining order of business shall be determined by Convention, acting on the recommendations of the President or of the Committee on the Dispatch of Business or on a resolution from the floor.

Sec. 6.03 Unless otherwise specified in the Constitution or Canons of the Diocese, the procedure of Convention shall be governed by *Robert's Rules of Order*, latest revision.

Canon VII -- Elections

Sec. 7.01 The Convention shall vote as one body in all elections unless there is a call for a vote by orders.

Sec. 7.02 Nominations for all offices to be filled by election shall be made after the opening procedures provided in Sec. 6.01. When the nominations are closed the Secretary shall prepare ballots on which shall be listed the nominees in the order of their nominations along with the offices for which they have been nominated. If only one qualified person is nominated for a position, then a vote by voting card may be taken.

Sec. 7.03 The President shall appoint tellers and the polls shall be opened at the direction of the President in a convenient place. When the period for voting shall have expired, the President shall declare the polls closed.

Sec. 7.04 The Secretary shall provide a corrected voting list on which each voter shall be checked as he casts his ballot. The ballots shall be deposited in boxes provided for the purpose. The right of any person to vote, if disputed, shall be referred to the Bishop, or the Ecclesiastical Authority in the absence of the Bishop, and the subsequent decision, made after consulting the Secretary's record, shall be final.

Sec. 7.05 The tellers shall canvass the election on a tally sheet provided and shall return the same to the Chair, together with all the ballots cast, in making their report. Any doubtful ballot shall be referred to the Chair before it is counted and his decision shall be final. If a ballot be not counted, the reason therefor shall be endorsed on the back.

Sec. 7.06 (a) The Annual Convention of the Diocese may elect both Clerical and Lay Representatives to serve as Delegates to any extra-diocesan convention, synod, or meeting which may be authorized by the Bishop and Standing Committee.

(b) At the same Diocesan Convention there shall be chosen Alternate Delegates,

to serve in place of any Delegate unable to serve.

(c) The number of Delegates and Alternates shall be determined by the Convention with the approval of the Ecclesiastical Authority.

(d) If any elected Delegates or Alternates be unable to serve, the Ecclesiastical Authority shall fill the vacancy by appointment.

(e) If representation should be required between Conventions, the Diocesan Council and Bishop may make interim appointments.

(f) In all other elections anyone receiving a majority of votes, or in case of a vote by orders, a majority of both orders, shall be deemed elected. If more than the required number to be elected to any office receive a majority vote, the candidates receiving the most votes, or if the vote be by orders the largest vote in each order, shall be declared elected. If by reason of a tie it be impossible to decide which candidates for any office are elected, or if the entire number to be elected be not chosen on the first ballot, subsequent ballots shall be taken until the choice of Convention is clear.

Sec. 7.07 At the close of the Convention all ballots cast shall be sealed in envelopes properly endorsed and shall be preserved by the Secretary until the next Annual Convention. The envelopes shall not be opened unless the canvass be questioned. Upon the written request of two (2) Clergy and two (2) Lay delegates, addressed to the Ecclesiastical Authority, the Standing Committee and the Secretary of Convention shall recanvas the ballots in the presence of the Ecclesiastical Authority; and their decision shall be final.

Sec. 7.08 Any contingency in elections not met by the foregoing sections shall be determined by resolution of Convention.

TITLE II – Officers of the Diocese

Canon VIII – The Standing Committee

Sec. 8.01 There shall be a Standing Committee consisting of four (4) Presbyters and/or Deacons and four (4) members of the laity as specified in the Constitution of this Diocese. At each Annual Convention there shall be elected to the Standing Committee one (1) Presbyter or Deacon and one (1) member of the laity whose terms of office shall be four (4) years each. No member of the Standing Committee whose term of office shall have expired shall be eligible for immediate reelection.

- Sec. 8.02** The Standing Committee shall meet at the call of the Bishop as soon as practicable after the adjournment of the Annual Convention and shall organize by the election of a President and Secretary from among its members and thereafter shall meet at the call of the President or the Secretary.
- Sec. 8.03** The powers, functions, and duties of the Standing Committee shall be those prescribed by the Constitution and Canons of the Province and of this Diocese.
- Sec. 8.04** (a) The Standing Committee shall adopt rules governing its procedures. These rules shall not be in conflict with with the Diocesan Constitution or Canons, nor with the Provincial Constitution or Canons.
- (b) Meetings may not be held without the bishop's presence or permission, unless the Standing Committee is acting as the Ecclesiastical Authority, in the absence, incapacitation, or discipline of the bishop; and that meeting minutes must be filed with the bishop or his secretary.
- (c) Standing Committee shall publish their Rules of Procedure no later than 30 days prior to the annual Diocesan Convention.
- Sec. 8.05** The Standing Committee may require from congregations and Diocesan institutions such reports as it shall from time to time deem necessary.
- Sec. 8.06** The Secretary of the Standing Committee shall report to the Committee any member who shall have been absent without excuse, satisfactory to the Committee, for three (3) consecutive meetings, whereupon such office shall be declared vacant. Should any vacancy occur in the Standing Committee through death, resignation, unexcused absence, or through any other cause, the Committee shall fill the vacancy as prescribed in Article VII of the Constitution by election of a qualified person to serve until a successor or successors is or are elected at the next annual Diocesan Convention, who shall serve the balance of any unexpired term. The names of any person so elected or appointed to fill any vacancy shall be immediately certified to the Secretary of Convention.
- Sec. 8.07** The Standing Committee, through its Secretary, shall make a full report of its official acts to each Annual Convention.

Canon IX – The Diocesan Council

- Sec. 9.01** There shall be a Diocesan Council consisting of the Bishop of the Diocese, the Bishop Coadjutor or Suffragan Bishop if there be such, and twelve (12) other members, six (6) of whom shall be presbyters and/or deacons, and six (6) of whom shall be adult lay communicants in good standing within the Diocese. In

addition, the Canon to the Ordinary, if there be such, shall be an ex officio member with seat and voice. Upon the advice and consent of the Council, the Bishop may add ex officio members with seat and voice.

Sec. 9.02 Deanery Members of Council. At each annual Convention of the Diocese or appropriate pre-convention meeting there shall be elected one (1) presbyter and/or deacon from each of two Deaneries. There also shall be elected one adult lay communicant in good standing from each of two other Deaneries. This procedure shall continue annually with four Deaneries electing each year so as to achieve the goal of one (1) clerical and one lay member from each of the six Deaneries, a total of twelve (12) members. Terms of these offices shall be three (3) years. No elected member of the Council whose full term of office has expired shall be eligible for re-election for a period of one year thereafter. A member appointed for less than a full term may be eligible to be re-elected to a full term. The Secretary of Convention shall declare in the Official Notification of Convention as to those Deaneries which are to elect in a given year.

Sec. 9.03 Adequate provision shall be made during either the pre-Convention meeting of the Deanery or the Diocesan Convention for each electing Deanery to vote for its member of Council.

Sec. 9.04 The Diocesan Council shall act for the Convention in the interim between its meetings as specified by the Constitution of this Diocese. It shall carry out the instructions of Convention and perform other such duties as may be delegated to it by the Canons. Its acts shall be binding upon the Diocese unless they be modified by the Convention. The Council shall be charged with the collection, disbursement, and disposal of all income received or held by it for any purpose aforesaid. Subcommittees of Finance, Insurance, Missions, and such other subcommittees as may be necessary or desirable may be formed so that the Council may carry out its work.

Sec. 9.05 (a) The Diocesan Council shall meet not less than five (5) times each year and at other such times as the Bishop shall convene it. Special meetings may be called upon the written request of any three (3) members. A majority of the voting members shall constitute a quorum. Recognizing the desirability of having Council members present to participate and communicate with one another during meetings, meeting may also be held by conference telephone, video screen communication, or other communications equipment. Participation in a meeting under this provision shall constitute presence in person at the meeting if all of the following apply:

- (1) Each member participating in the meeting can communicate concurrently with all other members.

- (2) Each member is provided the means of participating in all matters before the Council, including the capacity to propose, or to interpose an objection to, a specific action to be taken by the council.
- (3) The Council has adopted and implemented a means of verifying both of the following:
 - (i) A person participating in the meeting is a member of Council or other person entitled to participate in the meeting.
 - (ii) All actions of or votes by the Council are taken or cast only by the voting members and not by persons who are not members of Council.

(b) In addition any action that the Council is required or permitted to take may be taken without a meeting if all Council members consent in writing to the action. Such action by written consent shall have the same force and effect as any other validly approved Council action. All such consents shall be filed with the minutes of the proceedings of the Council.

Sec. 9.06 The Diocesan Council shall submit to each Annual Convention a proposed balanced budget reflecting revenue and expenditures. Revenue shall be limited to Diocesan tithes, Income from the Foundation, and no more than 5% of the non-restricted assets in a reserve account. A copy of said budget shall be distributed to each parish and mission at least sixty (60) days before the Annual Convention.

Sec. 9.07 The Secretary of the Council shall report to the Council any member who shall have absented himself without excuse, satisfactory to the Council, for three (3) consecutive meetings, whereupon such office shall be declared vacant. Should any vacancy occur in the Council through death, resignation, unexcused absence, or through any other cause, the Council shall fill the vacancy by election of a qualified person to serve until a successor or successors is or are elected at the next annual Diocesan Convention, who shall serve the balance of any unexpired term. The name of any person so elected or appointed to fill any vacancy shall be immediately certified to the Secretary of Convention.

Sec. 9.08 The Diocesan Council may require from congregations and diocesan institutions such reports as it shall from time to time deem necessary.

Sec. 9.09 The Diocesan Council through its officers shall make a full report of its official acts to each Annual Convention.

Sec. 9.10 Policies and Procedures:

(a) Diocesan Council shall provide written Policy and Procedures to govern those matters related to diocesan governance not currently addressed by either the Diocesan Canons or the Provincial Canons. These policies and procedures shall not be in conflict with the Diocesan Constitution or Canons, nor with the Provincial Constitution or Canons.

(b) Committees and commissions of the diocese shall submit their recommended policies and procedures to Diocesan Council.

(c) All policies and procedures shall be published to the Congregations and Clergy of the diocese for 60 days prior to Council's adoption.

(d) Diocesan Council shall publish the Policy and Procedures of the Diocese no later than 60 days prior to the annual Diocesan Convention.

Sec. 9.11 (a) To the fullest extent permitted by law, the Diocese of San Joaquin shall indemnify its directors, officers, employees, volunteers and other persons described in Section 5238(a) et seq. of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that Section, and including any action by or in the name of this entity, by reason of the fact that the person is or was a person described in that Section. "Expenses," as used in this Canon, shall have the same meaning as in Section 5238(a) of the California Corporations Code.

(b) On a written request to the Diocesan Council by any person seeking indemnification under Section 5238(b) or Section 5238(c) of the California Corporations Code, the Council shall promptly determine under Section 5238(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and, if so, the Council shall authorize indemnification.

(c) To the fullest extent permitted by law and except as otherwise determined by the Council in a specific instance, expenses incurred by a person seeking indemnification under Section 9.11(a) above of these Canons in defending any proceeding covered by those Sections shall be advanced by the Diocese before final disposition of the proceeds, on receipt by the Diocese of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the Diocese for those expenses.

Canon X – Commission on Ministry

- Sec. 10.01** There shall be a Commission on Ministry which shall advise the Bishop concerning the guidance, pastoral care and continuing education of Candidates and Postulants for Holy Orders.
- Sec. 10.02** The Commission shall be composed of eight (8) persons who shall serve for a term of office of four (4) years each. Four (4) shall be Presbyters and or Deacons, and four (4) shall be adult lay communicants in good standing who shall be appointed by the Bishop and approved by the Annual Convention. One (1) Presbyter and or Deacon and one (1) communicant in good standing shall be appointed by the Bishop at each Annual Convention. No person shall be eligible for re-appointment until one (1) year shall have elapsed from the end of the four-year term.
- Sec. 10.03** Should vacancies occur in the Commission, the Bishop shall appoint replacements with the advice and consent of the Standing Committee. The person or persons so appointed and ratified shall serve for the unexpired term of the member creating such vacancy.
- Sec. 10.04** The Commission shall make an annual report of its activities to each Annual Convention with due respect to necessary confidentiality.

Canon XI – The Secretary of the Diocese

- Sec. 11.01** In addition to the duties prescribed by the Convention and elsewhere in these Canons, the Secretary of the Diocese shall record minutes of the proceedings of the Convention, which when certified, shall be entered in the Journal. He shall send to the Registrar-Historiographer a copy of the Journal of Convention.
- Sec. 11.02** It shall also be his duty to ensure that all Journals of this Diocese are faithfully preserved or turned over to his successor. He shall provide for proper distribution of the Journal as may be required.

Canon XII – The Treasurer of the Diocese

- Sec. 12.01** A treasurer shall be appointed annually by the Ecclesiastical Authority with the consent of the Diocesan Council. The Treasurer of the Diocese shall have custody of all funds belonging to the Diocese including those vested in the Corporation Sole, and shall invest and disburse them only as instructed by the Canonical Authorities. Subject to the approval of the Diocesan Council the Treasurer

may nominate a salaried Assistant who may be authorized to sign checks for budgeted administrative needs.

- Sec. 12.02** The Treasurer shall make, through the Diocesan Council, a complete report to each Annual Convention. Such report shall be audited by a method approved by the Diocesan Council.
- Sec. 12.03** In addition to the responsibilities specified in these Canons, the Treasurer shall perform such other duties, in such manner as may be prescribed by the Diocesan Council or Convention.
- Sec. 12.04** The Treasurer shall be bonded in an amount to be determined annually by the Diocesan Council and shall be fully relieved of all future responsibilities under the provision of his bond and duties of office when he has transferred and placed with the designated officer of the The Anglican Diocese Holding Corporation of the Anglican Diocese of San Joaquin all such monies or funds in his hands that have been allocated to said Trust and has received in return a Trust Certificate of Beneficial Interest in the equivalent amount.
- Sec. 12.05** When not a delegate to the Convention the Treasurer shall, ex officio, be entitled to seat and voice in the Convention, but not to a vote. The Treasurer shall present at each Annual Convention a written statement of his account with the several funds of the Diocese for the previous year. He shall close his several accounts as of December 31st of each year

Canon XIII – The Registrar-Historiographer

- Sec. 13.01** A Registrar-Historiographer shall be appointed by the Bishop for a term not to exceed three (3) years, and thereafter may be reappointed at the Bishop's discretion. The duties of the Registrar-Historiographer shall be those prescribed by the Canons of this Diocese together with such duties as may devolve upon him by the Bishop or by resolution of the Convention.
- Sec. 13.02** It shall be the duty of the Registrar-Historiographer to collect, prepare, and preserve all special, historical, and biographical matter, printed or manuscript, pertaining to the Diocese, its Parishes, Missions, or other Institutions; as well as to formulate procedures, forms, and other means of recording and maintaining sacramental Parish and Mission records, with the approval of the Bishop.
- Sec. 13.03** The Registrar-Historiographer shall, with the approval of the Bishop, have authority to appoint assistants, who may be members of the Clergy or the Laity.

Sec. 13.04 It shall be the duty of the Registrar-Historiographer to present a full report to each Annual Convention.

Canon XIV – Diocesan Departments and Commissions

Sec. 14.01 The Bishop, in consultation with the Diocesan Council and Standing Committee, shall establish and appoint such Diocesan Departments and Commissions as may be required by the Canons of this Diocese and may establish and appoint such other Departments and Commissions deemed necessary and useful to the mission of the Diocese.

Canon XV – Official Records Open to Inspection

Sec. 15.01 The records of the Secretary, the Registrar-Historiographer, and the books of the Treasurer shall at all times be open to the inspection of the Bishop, the Standing Committee, or the Diocesan Council.

TITLE III – Organization of the Diocese

Canon XVI – Canon to the Ordinary and Deaneries

Sec. 16.01 A Canon to the Ordinary may be appointed by the Bishop, and shall perform such duties as the Bishop may assign, including that of General Missionary under the Bishop, and his tenure shall be at the Bishop's pleasure. He shall be an ex officio member of the Diocesan Council, and of each Deanery with seat and voice.

Sec. 16.02 To promote missionary efficiency and inter-parochial cooperation, the Diocese may be divided by the Bishop into Deaneries. The Bishop may appoint a Rural Dean for each Deanery. The Dean shall preside at Deanery meetings and shall perform such other duties as the Bishop may assign.

Sec. 16.03 At a time reasonable and convenient prior to the regular annual meeting of the Diocesan Convention, each Rural Dean shall call for a pre-Convention meeting of his respective Deanery to be held within the Deanery. Composition of the membership of the Deanery pre-Convention meeting shall be as provided in Section 16.04. As part of the business of such meeting, the election of the Deanery's representative to Diocesan Council may be held when appropriate.

Sec. 16.04 At meetings of each Deanery, all Clergy canonically resident in the diocese and officially functioning or domiciled within the Deanery shall have a seat

and vote therein, and each Parish and Mission within the Deanery shall be entitled to Lay representation who shall be the elected delegates of each Parish and Mission. No Deanery may allow greater proportional Lay representation in its Deanery meetings than that provided for the Annual Convention in Canon II, Section 2.03. Attendance of Lay people shall be encouraged at Deanery meetings.

Canon XVII – The Cathedral

Sec. 17.01 Saint James' Anglican Cathedral, Fresno, shall be the Cathedral Church of this Diocese.

Sec. 17.02 The Congregation worshiping regularly in Saint James' Cathedral shall be subject to all the duties and enjoy all the rights, privileges, and responsibilities accorded to Parishes in these Canons.

Canon XVIII – Congregations

Sec. 18.01 New congregations may be formed only with the consent and under the direction of the Bishop of the Diocese. The Bishop shall have the right to form or welcome in a congregation at any place where there are a sufficient number of persons requiring the ministrations of the Church and willing to contribute to the maintenance thereof.

Sec. 18.02 Until such time as a congregation formed under the direction of the Bishop can qualify to be admitted as a Mission Church in union with the Convention of the Diocese, it shall be conducted as an Unorganized Mission and the Bishop shall from time to time appoint such Ministers, Officers, and Committees as its affairs require.

Sec. 18.03 (a) Whenever the Bishop shall decide there is an opportunity and need for Church extension within the boundaries of an existing Parish or Mission, he may take such means as he deems proper to meet such need. Specifically, with the advice of the Diocesan Council.

(b) After opportunity for a hearing from the Parish or Mission involved, he may establish a church school and/or congregation, maintain services, and organize a Mission within the boundaries of such existing Parish or Mission. Lay communicants living within the area of the new Mission, who are not active members of another congregation, shall be encouraged by all proper means to assist in developing it, and the cooperation of all Clergy involved shall likewise be sought by all Godly means.

Sec. 18.04 Established Congregations may apply to the Diocesan Convention of the Anglican Diocese of San Joaquin, with the permission of the Bishop, to be accepted as a parish or mission in union with the Convention of this Diocese and the Bishop of San Joaquin.

Sec. 18.05 Application shall be made to the Convention to read:

(a) A letter addressed to the President of the Convention to read:

“We the undersigned, residents of _____, County of _____, State of _____, respectfully petition to be received as an organized Parish/Mission in union with the Convention of the Anglican Diocese of San Joaquin, under the name of _____.”

(b) Carry out the requirements for the admission of a Parish as enumerated in Canon XX (20) of the Canons of the Anglican Diocese of San Joaquin.

Canon XIX – Missions

Sec. 19.01 A congregation may become an Organized Mission Church in the following manner:

(a) Application shall be made to the Bishop of the Diocese in the following form:

"Right Reverend and Dear Sir: We the undersigned, residents of _____, County of _____, within the Anglican Diocese of San Joaquin, desiring to establish in our midst the regular and permanent Ministrations of the Church and to be numbered with those who share in the fellowship and work of the Convention of said Diocese, do respectfully petition to be received into your spiritual charge and direction to be organized as a Mission Church in union with the Convention of the Anglican Diocese of San Joaquin, under the name of _____.

"We do severally and collectively promise to provide for the maintenance of said Mission Church as the Bishop or other canonical authority shall from time to time require, and to work faithfully and harmoniously to promote its influence in our neighborhood.

"We do severally and collectively promise to work toward the establishment of an adequate compensation for the Vicar in keeping with the standard minimum compensation established by the Diocesan Council.

"We promise conformity to the Doctrine, Discipline, and Worship of the

Church and to the Constitution and Canons of the Convention of the Anglican Diocese of San Joaquin."

To this petition shall be attached the signatures of a majority of the members of said congregation and only such persons as are baptized and have attained their canonical voting age.

(b) If the Bishop approves the establishment of a congregation as an Organized Mission, he shall give his consent thereto in writing, and shall appoint a provisional Bishop's Committee to serve until the first regular annual meeting of the congregation.

(c) There shall be an annual meeting of the congregation of each Mission Church after November 1 and before January 31. Special meetings of the congregations may be held with the consent of the Bishop. Notice of all meetings shall be given as provided for a Parish (see Canon XX, Section 20.02).

(1) The Presiding Officer at all annual and special meetings of the Organized Mission shall be the Bishop or his representative.

(2) The qualifications for voters shall be the same as are, or may be prescribed by these Canons, for voters in the election of the Vestry of a Parish.

(d) At the time of each annual meeting, the Bishop shall, after consultation with the Minister-in-Charge, if there be one, appoint a Bishop's Committee of not less than five (5) confirmed adult communicants in good standing to serve until the next annual meeting.

(1) From the members of the Bishop's Committee shall be chosen annually a Bishop's Warden and a Junior Warden, each of whom shall be a confirmed adult communicant in good standing of the Church. The Vicar shall nominate to the Bishop the Bishop's Warden and the Bishop's Committee shall nominate to the Bishop the Junior Warden, Clerk, and Treasurer; in case there be no Vicar, the Bishop's Warden shall be appointed by the Bishop in consultation with the Bishop's Committee.

(2) The Wardens, Clerk, and Treasurer shall perform the duties usually pertaining to like offices in a Parish. The Treasurer shall be bonded.

(3) The Bishop may reject any and all nominations for any office or position and appoint others in their places. In the event of a vacancy in any of these offices, on whatever occasion, appointment is the sole prerogative of the Bishop.

(4) The Bishop, if present, shall preside in the meetings of the Bishop's

Committee; in his absence the Minister-in-Charge; and in the absence of both, the Bishop's Warden.

(e) The application, together with a copy of the written consent of the Bishop to the organization of the Mission according to the Canons of this Diocese, a copy of the minutes of the First Annual Election of the Mission showing the names of the duly elected Wardens, Clerk, Treasurer, and other officers, if any; a certificate from the Bishop of the Diocese as to the property of the Mission, if any, held by them, and a certificate from the Diocesan Council recommending admission of the Mission into union with the Diocese, shall be submitted to the Convention or to the Committee on Admission of Organized Missions to be accepted into union with Convention. Such documents shall be certified by the Warden and Clerk and be authorized by the Vicar or by the Bishop.

Sec. 19.02 A Mission may apply to Convention for Parish status when the following requirements can be met:

- (1) Provision for the compensation (stipend, housing and utilities) of the clergy at an amount not less than the standard minimum established by the Diocesan Council; provision also being made for pension, travel allowance, and health insurance;
- (2) Housing or rental allowance;
- (3) Normal expenses of operation, including acceptance and payment of the Diocesan tithe as authorized by Convention;
- (4) The petitioning Mission shall be granted a period of not less than one (1) year to qualify. During the interim, the petitioning Mission shall remain under the financial and pastoral oversight of the Ecclesiastical Authority.

Sec. 19.03 A Parochial Mission may be established and organized by a Parish, or Parishes acting together, with the consent of the Bishop and the Standing Committee. The organization shall be effected in the same manner as provided in Section 19.01, except that appointment shall be made by the Rector of the sponsoring Parish.

Sec. 19.04 No Parochial Mission shall be entitled to representation in the Convention, but any Parochial Mission may apply to become an Organized Mission.

Sec. 19.05 A Parochial Mission may be dissolved by the action of the Vestry of the sponsoring Parish with the consents of the Bishop and the Standing Committee, and its property shall revert to the sponsoring Parish for such beneficial use of said Parish as its Vestry shall deem appropriate.

Canon XX – Parishes

- Sec. 20.01** (a) To entitle a Church to admission as a Parish in union with the Church in this Diocese as represented in Convention, the Vestry or Bishop's Committee of said Church shall submit to the Convention a certificate of organization or incorporation or a copy thereof, certified by an officer of the Vestry or Bishop's Committee.
- (b) There shall also be submitted a certificate of the Bishop that the organization or incorporation of such Church had received his consent before such act of organization or incorporation and that such Church is duly and satisfactorily established.
- (c) The Bishop shall receive satisfactory evidence that such Church will pay its Rector at least such compensation as may be fixed by the Diocesan Council as the minimum compensation which must be paid to the Rector of an organized Parish in this Diocese. In the event that such congregation does not continue to pay said minimum compensation to its Rector, such procedures as necessary to achieve minimum compensation shall be enacted by the Diocesan Council. Inability (1) to achieve minimum compensation by this process, (2) to meet canonical Diocesan financial obligations, or (3) to conform to the Constitution and Canons of the Diocese shall result in the reversion of such congregation to Diocesan Mission status, after due process by the Bishop and Council.
- (d) Satisfactory testimony by a certificate of the Vicar, Missionary, or Church Warden, or otherwise, shall be given that not less than twenty-five (25) persons of canonical voting age who are members of such Church have habitually, for at least twelve (12) months preceding such application, attended Divine Service in such Church or congregation.
- (e) The application for admission shall be in writing and shall be accompanied by a copy of the resolution adopted by the Vestry subsequent to organization. The proposed Parish shall organize by adopting a Constitution and Bylaws, which shall include, among other things, the name by which the Parish shall be legally known and the promises made in the application to the Ecclesiastical Authority; and by election of a Vestry, from which shall be chosen two (2) Wardens.
- (f) The Rector of the Parish shall be a member and the President of the Vestry. The Parish, if incorporated, shall be as the Articles of Incorporation and the Bylaws provide. The Parish Bylaws shall further provide that the Constitution and Canons in the Anglican Diocese of San Joaquin be incorporated in said Bylaws and be a part thereof; and said Bylaws shall provide that in case of conflict, the Constitution and Canons of the Diocese shall prevail. A copy of said Bylaws shall be certified by the

Secretary or Clerk and shall be kept on file by the Registrar-Historiographer of the Diocese.

(g) All property of an incorporated Parish is irrevocably dedicated for religious (education, health and welfare) purposes, and upon the complete dissolution of the operation and the non-functioning of the congregation, all residual properties, investments and assets shall be conveyed to the Anglican Diocese Holding Corporation, to be held in trust by it or to be disposed of at its discretion.

Sec. 20.02 There shall be an Annual Parish Meeting for the election of Vestry Members and the transaction of other business held in each Parish and Mission after November 1st and before January 31st. Notice of the Annual Meeting shall be given during Divine Service on the Sunday preceding the date appointed and on the Sunday following names of the Vestry members elected and the nature of the business transacted shall be announced. The Annual Meeting shall be called by the Minister-in-Charge, or in the case of his incapacity, or if there be none, by the Vestry or the Bishop's Committee.

Sec. 20.03 Special Parish meetings may be held at any time at the call of the Priest-in-Charge, or if there be no incumbent, at the call of the Bishop or Senior Warden, PROVIDED notice of the meeting and of the nature of the business to be transacted be announced during Divine Service on the Sunday at least one (1) week previous to the date appointed for the meeting. The nature of the business transacted shall be announced on the Sunday following the meeting.

Sec. 20.04 (a) All elections of Vestry members shall be by ballot. Every confirmed adult communicant in good standing shall be entitled to vote.

(b) At the request of three (3) adult lay communicants a voting list shall be prepared, certified by the Priest-in-Charge and the Treasurer of the Parish, and none shall be allowed to vote save those whose names are on such voting list.

Sec. 20.05 The ballots cast for the election of Vestry members shall be preserved together with the report of the tellers and the voting list, if there be one, until the next annual meeting and shall be open only to the Ecclesiastical Authority.

Sec. 20.06 Any question of procedure in the meetings or the election not covered by these Canons shall be decided by the majority vote of the members present, but should canvass of an election be questioned after the close of the meeting, it shall be referred for decision to the Bishop acting with the advice of the Standing Committee of the Diocese.

- Sec. 20.07** Should any congregation desire to have boundaries established, the Clergy in charge may make application to that effect to the Bishop and Standing Committee, setting forth the boundaries desired and the reasons therefore. Any boundaries so established may be changed, modified, or removed, by the Bishop and Standing Committee, or by subsequent application by the congregation, with the approval of the Bishop and Standing Committee.
- Sec. 20.08** With the consent of the Diocesan Council and Standing Committee any Parish financially able to meet its parochial and Diocesan expenses may become incorporated. Thirty days written notice to all Clergy and Congregations of the Diocese shall be given prior to the consideration of consent. The articles of incorporation shall be approved by the Chancellor of the Diocese and the Diocesan Council. Whenever a Parish becomes incorporated it shall be competent to hold title to property belonging to the Congregation.
- Sec. 20.09** No Congregation, either Mission or Parish, shall locate or change the location of its buildings without the previous consent of the Diocesan Council.

Canon XXI – The Vestry

- Sec. 21.01** Each Parish may determine for itself the number of Vestry members, PROVIDED, that they shall not be less than five (5) nor more than fifteen (15), all of whom, excepting the Rector, who shall be a member, and Presiding Officer thereof, ex officio, shall be Lay Persons, qualified to vote in the Parish meetings and that such Lay Persons shall be confirmed adult communicants in good standing whose names have been on the Treasurer's books as contributors of record for at least three (3) months prior to the election. Each Parish shall provide for the rotation in office of the Vestry members, in such manner that at least one (1) new member shall be chosen each year and that no Vestry member shall be eligible for immediate reelection. Interim vacancies may be filled until the next succeeding election by the Vestry; provided, that such interim appointee shall be eligible for immediate election by the Parish. The term of office for a member of the Vestry shall not exceed three (3) years.
- Sec. 21.02** As soon as practicable after the Annual Parish Meeting, the Vestry shall meet for organization. From its members the Rector shall appoint a Senior Warden and the Vestry shall elect a Junior Warden. If there be a vacancy in the rectorship, both Wardens shall be elected. The Rector shall preside at all Vestry and Parish meetings, but if he be absent or unable to act, the Senior Warden, or in case of his disability, the Junior Warden shall preside. No meetings of the Vestry shall be valid unless the Rector or one of the Wardens be present.

- Sec. 21.03** The Vestry shall elect annually a Clerk and Treasurer who shall serve until their successors are chosen, and if not Vestry members, they shall have seats without votes at the Vestry meetings. Their election shall take place at the Vestry organizational meeting held after the annual Parish meeting. A vacancy in the office of Clerk or Treasurer shall be filled for the unexpired term by the Vestry.
- Sec. 21.04** The Treasurer of each Parish shall give such bond for the faithful discharge of his duties as may be required by the Diocesan Council. He shall make such reports as these Canons or resolutions of the Vestry shall require. At the close of the year all accounts of the Parish shall be audited as permitted by the Finance Committee of the Diocese. A complete copy of the audit shall be forwarded to the Ecclesiastical Authority of the Diocese before September 1st of the next year. When a treasurer or other person managing Parish money leaves office, accounts under their previous responsibility shall be audited using one of the prescribed methods.
- Sec. 21.05** The Vestry shall fix and hold at least ten (10) stated monthly meetings annually. Special meetings may be called by the Rector, or in his absence or inability to act, by the Senior Warden, upon written request of two (2) other members. To constitute a quorum there must be present either: the Rector and at least a majority of the Wardens and Vestry members or one (1) Warden and one more than a majority of Vestry members.
- Sec. 21.06** If a Parish be incorporated, the Vestry shall be the Directors, or other officers authorized by law to manage the affairs of the Corporation.
- Sec. 21.07** It shall be the duty of the Vestry to prepare a tentative budget of its proposed expenditures for the coming year and to have a continuing Stewardship Program to take care of the same. The Vestry shall adopt an operating budget of the coming year so drawn as not to exceed the expected income of the Parish and other unrestricted funds of the Parish.
- Sec. 21.08** No Parish shall incur any indebtedness for current expenses in excess of the amount required to balance the total operating budget for the current year. Any indebtedness for current expenses unpaid at the close of the fiscal year shall be written into the budget for the succeeding twelve (12) months.
- Sec. 21.09** (a) No Parish shall incur any indebtedness for permanent improvements or for acquisition of property in excess of 150 percent of its average annual income for the three (3) years past without the written approval of the Bishop with the advice and consent of the Standing Committee.
- (b) No Parish shall purchase or otherwise acquire, or financially participate in the purchase or acquisition of, a rectory or other property intended to be used as a

residence, without the written approval of the Bishop, with the advice and consent of the Standing Committee.

Sec. 21.10 (a) Whenever a Parish has been in arrears for nine (9) months in the payment of its Diocesan tithe, the Diocesan Council shall give notice of the delinquency in writing to the Rector, Wardens, and Vestry of said Parish. The Diocesan Council shall request that the Bishop and the Diocesan Treasurer resolve the delinquency in such manner as shall be deemed necessary.

(b) Whenever a Parish has failed to submit twelve months of diocesan tithe payments, the Diocesan Council, with the advice and consent of the bishop, shall have the right to place said Parish in the category of a Mission.

Canon XXII – Parish and Mission Records and Reports

Sec. 22.01 In addition to the Parish Register, required by the Canons, there shall be kept in every Parish a record of all services held in the Parish. It shall be the duty of the Vestry or Bishop's Committee to provide suitable books for all Parish records, and in the absence of the Rector or Vicar or his inability to act, it shall be the duty of the Wardens to see that the Parish Register and Record of Services are properly kept.

Sec. 22.02 The Parish Register, Record of Services, and the books of the Clerk and Treasurer shall be open at all times to the inspection of the Rector, the Vestry, and the Ecclesiastical Authority.

Sec. 22.03 On or before the first day of March of each year, each Parish and Mission shall file with the Bishop of the Diocese an Annual Report in such form as may be prescribed by the Provincial Council, reflecting the status and growth of the congregation in terms of average Sunday attendance (ASA), tithes and offerings, baptisms, confirmations and receptions, marriages, burials, and other important categories of information concerning the preceding calendar year, including new initiatives for mission and ministry. Timely preparation of said Annual Report and subsequent delivery to the Diocesan office shall be the joint responsibility of the Rector and the Vestry or the Vicar and the Bishop's Committee or the Priest-in-Charge of the Parish or Mission, together with the Vestry or Bishop's Committee.

Sec. 22.04 A monthly Tithe and Attendance report shall be sent by each Vicar to the office of the Bishop.

Canon XXIII – Lay Ministry

Sec. 23.01 Lay Ministers will be licensed in the Anglican Diocese of San Joaquin in accordance with the Canons of this Diocese and the Constitution and Canons of the Anglican Province of North America.

Sec. 23.02 (a) A Pastoral Leader is a Lay Person licensed to exercise pastoral or administrative responsibility in a Congregation under special circumstances and may be licensed to lead regularly the Offices authorized by the Book of Common Prayer. Prior to licensing, a Pastoral Leader shall be trained, examined, and found competent in the following subjects:

- (1) The Holy Scriptures, contents and background;
- (2) The Book of Common Prayer and the Hymnal;
- (3) The conduct of public worship;
- (4) Use of the voice;
- (5) Church History;
- (6) The Church's Doctrine as set forth in the Creeds and the Catechism;
- (7) Parish Administration;
- (8) Appropriate Canons;
- (9) Pastoral Care.

(b) A Pastoral Leader shall not be licensed if, in the judgment of the Bishop or Ecclesiastical Authority, the Congregation is able to and has had reasonable opportunity to secure a resident Member of the Clergy in charge.

Sec. 23.03 (a) A Lay Preacher is a person licensed to preach. Prior to licensing, the Lay Preacher shall be trained, examined, and found competent in the following subjects:

- (1) The Holy Scriptures, contents and background
- (2) The Book of Common Prayer and The Hymnal
- (3) The conduct of public worship
- (4) Use of the voice
- (5) Church History

- (6) Christian Ethics and Moral Theology
- (7) The Church's Doctrine as set forth in the Creeds and the Catechism
- (8) Appropriate Canons
- (9) Pastoral Care
- (10) Homiletics

(b) Persons so licensed shall only preach in congregations upon the initiative and under the supervision of the Member of the Clergy in charge.

Sec. 23.04 (a) A Lay Eucharistic Minister is a person licensed to this extraordinary ministry. The Lay Eucharistic Minister shall have one or both of the following functions, as specified in the license:

- (1) Administering the elements at any Celebration of Holy Eucharist in the absence of a sufficient number of Priests or Deacons assisting the celebrant;
- (2) Directly following a Celebration of the Holy Eucharist on Sunday or other Principal Celebrations, taking the Sacrament consecrated at the Celebration to members of the Congregation who, by reason of illness or infirmity, were unable to be present at the Celebration.

(b) Qualifications, requirements, and guidelines for the selection, training, and use of Lay Eucharistic Ministers shall be established by the Bishop.

(c) This ministry is not to take the place of the ministry of Priests and Deacons in the exercise of their office, including regular visitation of members unable to attend the Celebration of the Holy Eucharist. A Lay Eucharistic Minister should normally be under the direction of a Deacon of the Congregation, if there be one.

Sec. 23.05 A Catechist is a person licensed to prepare persons for Baptism, Confirmation, Reception, and the Reaffirmation of Baptismal Vows. Prior to licensing, Catechists shall be trained, examined and found competent in the following subjects:

- (1) The Holy Scriptures, contents and background
- (2) The Book of Common Prayer and The Hymnal
- (3) Church History
- (4) The Church's Doctrine as set forth in the Creeds and the Catechism Methods of Catechesis

Sec. 23.06 A Lay Reader is a person who regularly leads public worship under the direction of a Member of the Clergy in charge of the Congregation. Training and licensing shall be under the authority of the Bishop for those persons recommended by the Member of the Clergy in charge of the Congregation, as provided by the Canons of the Diocese.

Sec. 23.07 A Lector is a person trained in reading of the Word and appointed without license by the Member of the Clergy in charge of the Congregation to read lessons or lead the Prayers of the People.

Canon XXIV – Parish Day Schools

Sec. 24.01 The term "Parish Day School" shall be interpreted to mean any school having classes of nursery grade or higher owned, operated and/or supported by a Parish, Mission or Cathedral of this Diocese. The establishment and continuation of any school or day care center shall require the consent of the Bishop.

Sec. 24.02 The Department of Christian Education shall give advice and counsel to all Parish Day Schools within the Diocese.

Sec. 24.03 The properties of such Churches and Institutions of the Diocese devoted to such school purposes, whether vested in a Parish Corporation, the Diocese, or an incorporated Institution, and whether now existing or hereafter organized, are irrevocably dedicated to the Anglican Diocese Holding Corporation. This provision shall not be interpreted as contrary to the provisions of Canon XX on Parishes, or Canon XXXV, on Diocesan Institutions and Corporations.

TITLE IV – Finances of the Diocese

Canon XXV – The Bishop To Be The Corporation Sole or Anglican Diocese Holding Corporation (ADHC)

Sec. 25.01 The Bishop of the Diocese shall be a Corporation Sole under the laws of the State of California, by the title of "The Anglican Bishop of San Joaquin, a Corporation Sole."

Sec. 25.02 The title to trust funds and real estate acquired by gift or purchase for the use of the Anglican Diocese of San Joaquin, or for any unincorporated Parish therein, shall be vested in The Anglican Diocese Holding Corporation, in trust for such purposes as are specified in the deed or are otherwise made a matter of record, provided that the income of the property held in trust for a Parish shall be disbursed

by the Vestry thereof, and provided that the taxes, insurance, and other expenses pertaining to the care and preservation of said property shall be borne by said parish.

Sec. 25.03 Whenever any Parish, for any reason, ceases to exist, the property held in trust for said Parish by the Corporation Sole, shall become the property of the Diocese and shall be administered as such except in so far as its administration is affected by specific provisions which are of record.

Sec. 25.04 No real estate or other property held by the Corporation Sole shall be encumbered or alienated save with the consent of two-thirds of the Diocesan Council.

Sec. 25.05 The Bishop shall present to each Annual Convention a report of the transactions of the Corporation Sole since the last meeting of the Annual Convention; which report shall contain an account of each fund in his possession together with a list of the securities in which the funds are invested, a list and description of all real property acquired and disposed of and all other information which will show the true condition of the property held in trust by him.

Sec. 25.06 No ownership or proprietary interest in any real or personal property in which title and/or ownership is held by the Anglican Diocese of San Joaquin shall be imputed to any party other than the Bishop as a Corporation Sole (including a trust, express or implied) without the express written consent of the Bishop and the Standing Committee of the Diocese.

Sec. 25.07 The Anglican Diocese Holding Corporation entity may be employed in place of Corporation Sole when reasonably necessary and shall be authorized and empowered in the same manner as Corporation Sole as provided herein above.

Sec. 25.08 Diocese Organized and Operated Exclusively for Religious Purposes (IRC§501(c)(3).

(a) This Diocese is organized and operated exclusively for religious purposes within the meaning of Internal Revenue Code Section 501(c)(3).

(b) No substantial part of the activities of this Diocese shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the Diocese shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

(c) The property of this Diocese or any of its subsidiaries or related entities is irrevocably dedicated to religious purposes and no part of the net income or assets of this Diocese or any of its subsidiaries or related entities shall ever inure to the

benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of this Diocese or any of its subsidiaries or related entities, its assets remaining after payment, or provision for payment, of all debts and liabilities of the Diocese or any of its subsidiaries or related entities shall be distributed to a non-profit fund, foundation or corporation which is organized and operated exclusively for religious purposes and which has established its tax exempt status under Internal Revenue Code Section 501(c) (3).

Canon XXVI – Diocesan Endowment Funds

- Sec. 26.01** There shall be Diocesan Endowment Funds, all interest and earnings of which shall be appropriated to the support of this jurisdiction and the work of the Diocese.
- Sec. 26.02** All income and contributions derived for said Diocesan Endowment Funds shall be paid and delivered to the Diocesan Treasurer and by him paid over to The Anglican Diocese Holding Corporation.
- Sec. 26.03** The Diocesan Endowment Fund shall consist of all donations and contributions made thereto from private and public sources and from assessments levied by authority of Convention.

Canon XXVII – The Bishop’s Discretionary Fund

- Sec. 27.01** At every service of Confirmation in the Diocese, and at the principal service conducted during the occasion of an official visit by a Bishop to a congregation, an offering shall be taken and promptly remitted to the Treasurer of the Diocese for the use of the Bishop at his discretion for the work of the Church, known as the Bishop's Fund, or Bishop's Discretionary Fund.
- Sec. 27.02** Other gifts and donations may be sent to the Treasurer of the Diocese for the use of the Bishop through the Bishop's Fund.

Canon XXVIII – The Anglican Diocese Holding Corporation

- Sec. 28.01** There shall be a The Anglican Diocese Holding Corporation incorporated according to the laws of the State of California, to accumulate and invest funds designated by the Bishop, or the Diocesan Convention, for the Diocese or to be held in trust for parishes, missions, or other entities not provided for by Canon of the Diocese.

- Sec. 28.02** The Anglican Diocese Holding Corporation shall be governed for the Diocese by a board of nine (9) members. The Bishop of the Diocese shall serve as President and Chairman of the Board. At least six (6) of the remaining eight (8) members shall be lay communicants in good standing of this Diocese, and the other two (2) may be clergy canonically resident in the Anglican Diocese of San Joaquin. Four (4) of the board members shall be elected by Convention and four (4) appointed by the Board and shall serve for four (4) years on a rotating basis. All members shall have experience in the field of investment and banking. In addition, the Board may appoint an Investment Committee, subject to the Bishop's approval of all appointees.
- Sec. 28.03** The funds for which the The Anglican Diocese Holding Corporation bears management responsibility shall be accumulated and invested. All assets, including earned interest income, dividends and capital gains, if there be any, may be for two purposes: to provide income to the Diocese annually as requested by the Bishop and Diocesan Council, and to invest approximately half of the Trust's funds in loans to Diocesan Parishes and Missions at favorable interest rates determined annually by the Board. All loans shall be subject to the approval of the Standing Committee, the Diocesan Council, and the Bishop.
- Sec. 28.04** The Anglican Diocese Holding Corporation shall make timely recommendations to the Bishop and the Diocesan Council of ways and means of adding to the corpus of the trust.

Canon XXIX – The Diocesan Education Trust Fund

- Sec. 29.01** The Diocesan Education Trust Fund shall be established for the purpose of supporting Christian Education and related programs through contributions and proceeds from monies, properties, securities, and commodities.
- Sec. 29.02** All contributions of monies, properties, securities, and commodities shall be collected and distributed by the Trust Fund Committee. This Committee with the concurrence of the Department of Christian Education shall consist of five (5) persons, Clergy or Communicants in Good Standing. The Trustees shall serve for the terms of three (3) years each, three of whom shall be elected by the Diocesan Convention; one to be elected by the Diocesan Department of Christian Education; and one member to be appointed by the Bishop. Those members elected by Convention shall serve on rotation, with one member elected every year after the first year.

Sec. 29.03 The Trust Fund shall give a report annually to the Convention of its activities and shall submit a treasurer's report for audit.

Canon XXX – Diocesan Budget

Sec. 30.01 Tithes shall be used for the support of the budget recommended by the Diocesan Council and adopted by the Diocesan Convention.

Sec. 30.02 The monthly tithe payment for each Parish and Mission shall be based on the previous month's income for operations. Income for operations includes plate offerings, pledge payments, regular support, funds available for operations from investments, other operating income, and unrestricted bequests used for operating.

Sec. 30.03 Each Parish and Mission will send to the diocesan office a monthly report listing the Sunday attendance, giving figures, and any other operating income.

Sec. 30.04 Each Parish and Mission shall pay to the Treasurer of the Diocese its tithe for a given month on or before the 10th day of the following month.

Sec. 30.05 The bishop of the diocese shall have the liberty to organize the staff of the Bishop's Office as needed, not to exceed the total dollar amount provided for in the diocesan budget listed for the Episcopacy and Diocesan Administration.

Canon XXXI – Diocesan Insurance

Sec. 31.01 All churches and other buildings, together with their contents, belonging to the Anglican Diocese of San Joaquin, or to any of its Parishes or Missions or institutions, shall be insured for full replacement cost. All insurance, whether Blanket, Specific, or Group, shall be placed with reputable insurance companies, selected by and subject to the approval of the Diocesan Council.

Sec. 31.02 Premiums on insurance policies billed directly to the Parishes, Missions, and institutions insured shall be payable when due to the approved insurance companies.

Sec. 31.03 Each Parish, Mission, and institution insured shall pay to the diocesan Treasurer, on or before the tenth day of each month, such premiums as may be billed from the diocese. Any portion of the premiums remaining unpaid at the close of the fiscal year shall constitute a claim of the Corporation Sole upon the property and income of the Parish, Mission, or institutions in arrears.

Canon XXXII – Canonical Offerings

Sec. 32.01 There shall be taken in every congregation in the Diocese certain special offerings as provided by Provincial and Diocesan legislation. These offerings shall be taken on the dates designated in the establishing canons or resolutions, or, if that be impracticable, as soon thereafter as possible. With the sanction of the Ordinary, any Congregation may appropriate from its general funds amounts in lieu of any and all of these special offerings.

TITLE V – The Clergy

Canon XXXIII – Of Deacons and Their Ordination

Sec. 33.01 Concerning discernment/formation

(a) Individuals may be admitted to the discernment/formation process upon the written evaluation and recommendation of their Rector/Vicar and lay representatives of their Parish/Mission/Congregation and acceptance of the Bishop. Upon acceptance into the discernment/formation process the individual, now called a Postulant, will complete a course of study and pastoral development as directed by the Commission on Ministry, in consultation with the Bishop.

(b) The individual shall submit all forms, evaluations, and examinations that may be required.

(c) The individual shall pass a satisfactory examination conducted by those appointed by the Bishop for this purpose, and shall demonstrate sufficient knowledge of Holy Scripture; the Doctrine, Discipline, and Worship of this Church; and any other topics the Bishop shall deem necessary for the office and ministry of Deacons.

(d) The Bishop may, in consultation with the Commission on Ministry, promulgate such requirements and guidelines, as he deems necessary and appropriate to implement an effective, orderly, and efficient discernment and formation process.

Sec. 33.02 Concerning the Required Declaration of Ordinands

No one shall be ordained a Deacon in the Church until such person shall have subscribed without reservation to the following declaration:

“I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I

consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them.”

Canon XXXIV – Of Presbyters and Their Ordination

Sec. 34.01 Concerning Ordination Following Period of Diaconate

- (a) The individual must be male and must have been ordained a Deacon in this church to be eligible to be ordained a Presbyter.
- (b) The individual must serve as an ordained Deacon in this Church for at least one year prior to being ordained Presbyter, unless the Bishop having jurisdiction shall find good cause for the contrary, so that the Deacon’s manner of life and ministry may be tested and observed before admission to the order of Presbyter.

Sec. 34.02 Concerning Prerequisites for Ordination

No man shall be ordained a Presbyter in this Church until he shall have passed a satisfactory examination conducted by those appointed by the Bishop for this purpose, and shall have demonstrated sufficient knowledge of Holy Scripture and the Doctrine, Discipline, and Worship of this Church by examination in the following subjects, and any other qualities that the Bishop deems necessary for the office of Presbyter:

- (1) *Holy Scripture*: the Bible, its contents and historical background and interpretive methods;
- (2) *Church History*;
- (3) *Anglican Church History*;
- (4) *Doctrine*: the Church’s teaching set forth in the Creeds and the Offices of Instruction;
- (5) *Liturgics*: The contents and use of the Book of Common Prayer, and knowledge of the proper use of church music;
- (6) *Moral Theology and Ethics*;
- (7) *Ascetical Theology*: with an emphasis on the prayer life and spirituality of the minister, including the use of the Daily Office;
- (8) *Practical Theology*: The office and work of a Presbyter; the conduct of public worship; principles of sermon composition and delivery; principles and methods of Christian education in the parish; Constitution and Canons of this Church and the Diocese to which the candidate

belongs; and the use of the voice in reading and speaking;

- (9) *The Missionary Work of the Church*: How the Gospel has been passed from one language, tribe and nation to another; basic principles of cross-cultural communication; mission strategies; and personal relational evangelism and apologetics.

Sec. 34.03 Concerning the Required Declaration of Ordinands

No Deacon shall be ordained a Presbyter in the Church until he shall have subscribed to the following declaration:

“I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them.”

Sec. 34.04 Concerning other requirements

Under the Bishop’s oversight, Commission on Ministry may provide additional requirements for vocational discernment, formation, education and ordination, as needed.

Canon XXXV – Of Those Ordained in Another Church

Sec. 35.01 When ministers who have been serving in, or pastoring a Christian ministry for at least three years, and who have been ordained in a Jurisdiction not in Communion with this Church, desire to be a Deacon or Presbyter in this Church, they shall apply to a Bishop of this Church, for Reception, Ordination, or Conditional Ordination.

Sec. 35.02 The Applicant shall become canonically resident in the diocese by either being received or confirmed into this Church. The bishop may assign a mentor to the applicant to assist in the applicant’s instruction and introduction to this Church and this Diocese.

Sec. 35.03 The Applicant shall submit to a background investigation, medical examination, and psychological examination.

Sec. 35.04 Supplemental studies in Anglicanism, and any other areas as needed for ministry in this Church will be assigned. This supplemental training shall include Sexual Misconduct Prevention Training, and familiarization with the Constitution and Canons of ACNA and this Diocese.

Sec. 35.05 The applicant shall be examined on subject areas of Canon 34.02, as well as on the points of Doctrine, Discipline, Polity, and Worship in which the Jurisdiction from which the applicant has come differs from this Church, and any other subject which the Bishop deems necessary and appropriate.

Sec. 35.06 Being satisfied of the Applicant's soundness of faith, theological qualifications, the appointment to a Cure, and upon successful completion of the examination specified in Canon 35.05, the Bishop may, with the recommendation of the Commission on Ministry and with the advice and consent of Standing Committee:

- (1) Receive the person into this Church in the Orders to which already ordained by a Bishop in the Historic Succession; or
- (2) Ordain the person as a Deacon, and no sooner than four months thereafter, ordain the person a Presbyter. If necessary, the Bishop may conditionally ordain the person to either or both orders, if the applicant was ordained by a Bishop whose authority to convey such orders has not been recognized by this Church.

Sec. 35.07 Before being received or ordained, the person shall sign the Oath of Conformity.

Sec. 35.08 The priest or deacon shall be mentored by another priest or deacon for one year following ordination or reception into this Church.

Canon XXXVI – Of the Conduct of the Clergy

Sec. 36.01 All members of the clergy of this Diocese shall be under the obligation to model in their own lives the received teaching of the Church, and specifically that all clergy are to abstain from sexual relations outside of Holy Matrimony.

Sec. 36.02 Sacrament of Confession

(a) Only a bishop or priest is authorized to act as minister of the sacrament of confession.

(b) The sacramental seal of confession is inviolable. There are never any circumstances whatsoever in which communications between a penitent and a confessor, made under the sacramental seal, may be disclosed by the confessor in any manner, directly or indirectly, to any third party, not even to a third party that purports to act under ecclesiastical or legal authority.

(c) A confessor is completely prohibited from using knowledge acquired during confession to the detriment of the penitent, even when any possibility of revelation is excluded. A person who has been placed in authority cannot use knowledge about sins which he has received in confession in any manner for external governance.

Sec. 36.03 Sacrament of Marriage

(a) The Sacrament of Holy Matrimony is a lifelong covenant between a man and a woman in which the two become one flesh. It is both an ordinance of Creation, affirmed as such by our Lord, and also a sign of the mystical union between Christ and His Church, as commended by Saint Paul.

(b) All members of the clergy of this Diocese are prohibited from solemnizing or blessing any union or intimate personal relationship other than between one man and one woman in Holy Matrimony

(c) No church facility may be used to solemnize, bless, or celebrate any union or intimate personal relationship other than Holy Matrimony between one man and one woman.

(d) All members of the clergy of this Diocese may refuse to solemnize the marriage of any couple for any reason.

Canon XXXVII – Of Annual Reporting Requirements

Sec. 37.01 Every Presbyter or Deacon whose ministry report is not included in an Annual (Parochial) Report shall also report on the exercise of his office, and if there has been none, the causes or reasons which have prevented the same. These reports, or such parts of them as the Bishop may deem proper, shall be entered in the Journal.

Sec. 37.02 Any Deacon or Priest who has entered or plans to enter non-ecclesiastical employment without renouncing the exercise of the office of Deacon or Priest shall make this desire known to the Bishop of the Diocese, Network, or Cluster in which the Deacon or Priest is canonically resident. The Deacon or Priest shall demonstrate to the Bishop that reasonable opportunities for the exercise of the person's office exist and that good use will be made of such opportunities. After having determined that the person will have and use opportunities for the exercise of the office to which he or she was ordained, the Bishop may approve the person's continued exercise of the office on condition that the Deacon or Priest report annually in writing, in a manner prescribed by the Bishop.

Sec. 37.03 Any Deacon or Priest who has entered or plans to enter non-ecclesiastical employment without continuing to exercise the office to which

ordained must comply with the requirements for renunciation.

Sec. 37.04 Whenever a Member of the Clergy of this Church shall have been absent from the Diocese for a period of more than two years, and shall have failed to make the annual report, and whose whereabouts are unknown or who is a Member of the Clergy in secular employment, the Bishop may send the name of such Member of the Clergy to the Secretary of the College of Bishops (or Province), who shall keep a list of such Clergy, noting in each instance the date when each such name was added to the List.

Canon XXXVIII – Ecclesiastical Discipline

Sec. 38.01 The forms and methods of Ecclesiastical Discipline in the Anglican Diocese of San Joaquin shall follow the provisions set forth in Title IV of the Canons of the Anglican Church in North America.

Sec. 38.02 There shall be an Ecclesiastical Trial Court consisting of four (4) priests or deacons and three (3) adult lay communicants in good standing. The term of office for the clerical members shall be four (4) years. The term of office for the adult lay members shall be three (3) years. At each meeting of the annual Convention there shall be elected one (1) clergy and one (1) lay communicant in good standing. The Court shall elect a presiding judge and appoint a recorder of proceedings.

Sec. 38.03 The Ecclesiastical Court shall adopt procedures that acknowledge the presumption of innocence of the accused and the right to representation by counsel. The procedures shall be consistent with principles of fairness, due process and natural justice and shall require expeditious handling. The standard of proof shall be by clear and convincing evidence. The affirmative vote of not fewer than a majority of the members of the Court shall be required for any determination by the Court.

Sec. 38.04 Vacancies other than by challenge shall be filled by appointment by the Ecclesiastical Authority with consent of a majority of the Standing Committee.

Sec. 38.05 Members of the Ecclesiastical Trial Court may be challenged by either the accused or the church advocate for cause. The method of challenge shall be in written form, addressed to the presiding judge of the Ecclesiastical Court.

Sec. 38.06 Vacancies arising from challenges as to the members of the Ecclesiastical Court shall be filled by random draw from the members of the Standing Committee and Diocesan Council: Clergy names for a clergy vacancy and lay names for a lay vacancy.

TITLE VI – Other Diocesan Institutions and Corporations

Canon XXXIX – Diocesan Institutions and Corporations not Governed by the Canons of Title III

Sec. 39.01 Any institution, society, or corporation, which is not governed by the Canons of Title III, that desires to represent itself to be an institution of the Anglican Diocese of San Joaquin, shall apply to the Bishop for recognition as an affiliated organization. The Bishop, in consultation with the Diocesan Council and the Chancellor, has sole and exclusive discretion to grant or deny such requests. The Bishop, in consultation with the Diocesan Council and the Chancellor, may promulgate such guidelines and requirements he deems necessary to implement an effective, orderly, and efficient process for implementing this Canon.

TITLE VII – The Province

Canon XXXX – Constituent Member of the ACNA

Sec. 40.01 The Anglican Diocese of San Joaquin is a constituent member of the Province of the Anglican Church in North America.

Title VIII – Amendments

Canon XXXXI – Requirements and Procedures for Amending These Canons

Sec. 41.01 Proposed amendments to the Canons must be submitted to the Chairman of the Committee on Constitution and Canons no later than sixty (60) days before the Annual Convention. The Chairman of said Committee shall send a summary of the proposed changes together with the Committee action on these proposals to each Parish and Mission at least thirty (30) days before the Annual Convention; provided, however, the foregoing requirements may be dispensed with by a three-fourths vote of the members of Convention present, voting by orders.

Sec. 41.02 Proposed amendments to the Canons shall be reported on by the Chairman of the Committee on Constitution and Canons; provided, however, the foregoing requirements may be dispensed with by a three-fourths vote of the members of the Convention present, voting by orders.