

Constitution & Canons—2014

Table of Contents

Constitution

Article I	139
Article II	139
Article III	139
Article IV	140
Article V	140
Article VI	140
Article VII	140
Article VIII	141
Article IX	141

Canons

Canon I	Clerical Members of Convention	142
Canon II	Lay Members and Organization of the Convention	142
Canon III	Call of a Convention and Notices	143
Canon IV	Attending the Meetings of the Convention	144
Canon V	Parishes and Diocesan Chapels	144
Canon VI	Diocesan Clusters	147
Canon VII	Ecclesiastical Authority	147
Canon VIII	Bishop and the Cathedral	147
Canon IX	Standing Committee of the Diocese	148
Canon X	Secretary of Convention	149
Canon XI	Treasurer	149
Canon XII	Chancellor of the Diocese	149
Canon XIII	Deputies to the General Convention, Synod, Triennial.	150
Canon XIV	Diocesan Board	151
Canon XV	Commission on Ministry	152
Canon XVI	Elections	152
Canon XVII	Districts of the Diocese	153
Canon XVIII	Budget of the Diocese, Mission Apportionment	154
Canon XIX	Church Pension Fund	155

Canon XX	Diocesan Corporations	155
Canon XXI	Calling of a Rector	156
Canon XXII	Parish Registers, Parochial Reports and the Removal of Communicants	156
Canon XXIII	Parishes and Diocesan Properties	157
Canon XXIV	Dissolution of the Pastoral Relation	157
Canon XXV	Fiscal Year and Reports to the Convention	157
Canon XXVI	Episcopal Offerings	158
Canon XXVII	Ecclesiastical Discipline of Members of the Clergy not being Bishops	158

Constitution

(Adopted in the Convention of the Diocese of Central New York, June 14, 1870;
as amended in subsequent Conventions)

Article I.

Sec. 1. There shall be an annual Convention of the Church in the Diocese of Central New York, meeting on such day as the Ecclesiastical Authority may determine and select.

Sec. 2. For sufficient cause occurring after the designation of the date or place of meeting the Ecclesiastical Authority may appoint another date or place or both for the meeting of the Convention.

Article II.

The Ecclesiastical Authority may call Special Conventions. The purpose or purposes for which a Special Convention is called shall be stated in the call for such Convention, and no business not germane to such purpose or purposes shall be in order except by the affirmative vote of two-thirds of those present and voting in each of the clerical and lay orders.

Article III.

Sec. 1. The members of any Convention shall be:

- (a) The Bishop;
- (b) The Bishop Coadjutor, if there be one, and also, if there be any, the Assisting Bishop Suffragan;
- (c) All members of the clergy canonically resident in the Diocese not under discipline;
- (d) All shared community pastors in charge of parishes in union with the Convention who shall be clerical members of the Convention;
- (e) From each parish in union with the Convention that number of lay delegates to which it is entitled according to the following table, based on the Table of Parochial Statistics in the Journal of the preceding Convention:

300 or fewer communicants	2 delegates
301-500 communicants	3 delegates
over 500 communicants	4 delegates

provided, however, that no parish shall be entitled to lay representation in any Convention if it is in arrears in payment of its assessment to the Church Pension Fund, or for the Diocesan Mission Apportionment for the calendar year prior to January the

first preceding the Convention, unless, if it is in arrears in such payment for the Diocesan Mission Apportionment, the Convention shall remit such arrearage; and

(f) All Commissioned Evangelists of the Church Army, resident and working in the Diocese for at least one year, who shall be lay members of the Convention.

Sec. 2. Each member of Convention shall be entitled to one vote.

Sec. 3. The lay delegates shall be chosen by the governing body of the parish. Persons meeting the qualifications set out in Canon II shall be eligible to serve as lay delegates to and to vote at any Convention and shall also be eligible for election or appointment to any lay office of the Diocese.

Sec. 4. The definition of a parish, the mode of admitting parishes into union with Convention, and the conditions under which union or representation shall be forfeited, may be prescribed by Canon.

Article IV.

Every Convention shall be opened with prayers and there shall be a Celebration of the Holy Communion during the meeting of Convention at a time set by the Bishop.

Article V.

The Bishop or, if there be one, the Bishop Coadjutor or the Bishop Suffragan, shall preside in the Convention; but in case of a vacancy in the Episcopate, inability to act, or necessary absence, the President of the Standing Committee, or, in his or her absence, the senior in office among the clerical members of the Standing Committee present, shall preside in the Convention.

Article VI.

A Secretary shall be chosen upon the assembling of the Annual Convention, who shall remain in office until the meeting of the next Annual Convention or until a successor shall be appointed. The manner of nomination of the Secretary may be prescribed by Canon. The Secretary may be removed at any time from office by the Standing Committee for any neglect or misconduct, of which they shall be the judge. The duties of the Secretary shall be to take minutes of the proceedings of the Convention, to preserve the journals and records, to attest the public acts of the body, and faithfully to deliver into the hands of his or her successor all books and papers relative to the concerns of the Convention which may be in his or her possession. It shall also be the duty of the Secretary to give due notice to each member of the clergy and the governing body of each parish of the time and place appointed for the meeting of each Convention. The Secretary shall also perform such other duties as may be prescribed by the Canons of General Convention and of the Diocese.

Article VII.

Sec. 1. In all matters which come before the Convention, the clergy and laity shall deliberate, and, except as otherwise provided in the next section, may vote in one body; but if in any case it shall be required by Canon or by ten members the two orders shall vote separately, the clergy as individuals, and the laity as individual delegates; and the concurrence of a majority of each order present and voting shall be necessary to constitute a decision.

Sec. 2. In case of the election of a Bishop, the two orders shall always vote separately by ballot, and the concurrence of a majority of those present and voting in each order shall be necessary to constitute an election.

Article VIII.

The mode of altering the Constitution shall be as follows: A proposition for an amendment shall be introduced in writing, and considered in the Convention, and if approved shall lie over till the next Annual Convention. If again approved in such next Convention by a majority of those present and voting in each order, the change shall take effect immediately unless otherwise expressly provided. The adoption of any alteration or amendment of this Constitution which inserts or repeals an Article, or a Section or Clause of an Article, shall effect the necessary change in numbers or letters of Articles or Sections or Clauses of an Article that follow, and in references made in this Constitution to any other part, without the necessity of specific provision therefore in the alteration or amendment.

Article IX.

No amendment of the Canons shall be made during the sessions of the Convention in which the same shall be proposed, unless by a two-thirds majority of the members present and voting in which event the amendment shall take effect immediately unless otherwise expressly provided; but any amendment, if approved by a majority less than two-thirds, shall lie over for the consideration and final action of the next Annual Convention, and, if again approved by a majority vote, shall take effect immediately unless otherwise expressly provided. The adoption of any alteration or amendment of the Canons which inserts or repeals a Canon, or a Section or Clause of a Canon, shall effect the necessary change in numbers or letters of Canons or Sections or Clauses of a Canon that follow, and in references made in the Canons to any other part, without the necessity of specific provision therefore in the alteration or amendment.

Canons

Canon I.

Of the Clerical Members of Convention.

Sec. 1. At least one week before the meeting of every Convention of this Diocese, the Ecclesiastical Authority shall cause to be prepared a list of all the members of the clergy canonically resident in this Diocese, annexing the names of their respective parishes, or places of residence, designating those who are entitled to seats in the Convention. No member of the clergy, while suspended from the ministry, shall have a place on the list. Such list shall be available to the Convention on the first day of meeting and shall be prefixed to the Journal.

Sec. 2. At least one week before the meeting of every Convention of this Diocese, the Ecclesiastical Authority shall cause to be prepared a list of all shared community pastors in charge of parishes in union with the Convention, annexing the names of their respective parishes or places of residence, who shall be clerical members of the Convention pursuant to the provisions of Article III, Section 1, paragraph (d) of the Constitution. Such list shall be available to the Convention on the first day of meeting and shall be prefixed to the Journal.

Sec. 3. The right of any member of the clergy of this Diocese to a seat in the Convention if disputed shall be determined by a vote of the Convention itself in accordance with the provisions of Article III of the Constitution.

Sec. 4. The proof of the regular admission of a member of the clergy into this Diocese shall consist of evidence satisfactory to the Convention of a compliance with the Canons of the General Convention; and the proof of a settlement in a parish thereof shall consist of evidence satisfactory to the Convention of a like compliance.

Canon II.

Of the Lay Members and Organization of the Convention.

Sec. 1. The lay delegates and alternates from each parish shall be chosen by the Vestry from laypersons eighteen years of age or older belonging to the parish, who shall be confirmed communicants and who shall have been regular attendants at its worship and contributors to its support for at least twelve months prior to being chosen. The choice of lay delegates and their alternates shall be certified in writing by the rector, vicar or priest-in-charge of the parish which they represent, or by one of the wardens or the clerk of the governing body of the parish. Such certificate shall be forwarded to the Secretary not later than May 31st of each year and shall also state that each delegate

and alternate so certified was eligible to be chosen, that the parish is not in arrears in payment of its assessment to the Church Pension Fund, and that the parish is not in arrears in payment of its assessment for the mandatory portion of the Diocesan Mission Apportionment for the calendar year prior to the Convention (or if the parish is in arrears in such payment for the mandatory portion of the Diocesan Mission Apportionment, that the parish prays that such arrearage be remitted by the Convention for the good and sufficient reasons presented in a paper accompanying such certificate). The Secretary, upon receipt of such paper, shall transmit the same without delay to the Diocesan Board through its Secretary, which body shall review the case and make recommendation to the Convention thereon. The form of said certificate may be prescribed by the Convention; when so prescribed no other certificate of the appointment of any lay delegate or alternate to the Convention of this Diocese shall be allowed or received.

Sec. 2. At least one week before the meeting of every Convention of this Diocese, the Ecclesiastical Authority shall cause to be prepared a list of all Commissioned Evangelists of the Church Army resident and working in the Diocese for at least one year, annexing their place of residence, who shall be lay members of the Convention pursuant to the provisions of Article III Section 1, paragraph (f) of the Constitution. Such list shall be available to the Convention on the first day of meeting and shall be prefixed to the Journal.

Sec. 3. At every Convention the Bishop, as Presiding Officer, shall take the chair and shall continue to preside during its sitting, shall possess the usual powers of presiding officers in deliberative assemblies and, subject to an appeal to the Convention, shall decide all questions of order without debate. The Bishop shall have the right to call the Bishop Coadjutor, if there be one, to the chair, or there being no Bishop Coadjutor, the Bishop Suffragan, or there being no Bishop Suffragan, to name the President of the Standing Committee, or, in his or her absence, the senior in office among the clerical members of the Standing Committee present, as Presiding Officer; but such substitution shall not extend beyond an adjournment unless agreed to by the Convention.

Sec. 4. In case of the absence or disability of the Bishop or of a vacancy in the office, the Bishop Coadjutor, if there be one, or the Bishop Suffragan, if there be one, and there be no Bishop Coadjutor, or the Bishop Coadjutor be absent or disabled, or if there be no bishop present and able to act, the President of the Standing Committee, or, in his or her absence, the senior in office among the clerical members of the Standing Committee present shall call the Convention to order and act as Presiding Officer.

Sec. 5. The presence of at least twenty clerical members of the Convention and of delegates from at least twenty parishes shall be necessary to the transaction of business, except that a smaller number may adjourn from day to day.

Sec. 6. A quorum being found in attendance, the Presiding Officer shall declare the Convention duly organized. The Secretary shall then be elected, who then may nominate one or more assistant secretaries to be approved by the Convention. In the absence of the Secretary, the assistant secretaries shall be nominated from the floor of the Convention. The assistant secretaries shall serve during the sessions of the Convention.

Sec. 7. The Rules of Order of the preceding Annual Convention shall be the Rules of Order until altered by a vote of a majority of the Convention.

Sec. 8. Laypersons, other than delegates, who are members of the Diocesan Board, or members of the Committees of the Board, or trustees of Diocesan corporations, members of the Standing Committee or of standing committees of Convention, Pastoral Leaders licensed by the Diocese, or other officers of the Diocese, shall have the privilege of the floor.

Sec. 9. Prior to every Convention the Bishop may appoint a Committee on Agenda and Arrangements to make appropriate provision for both agenda and program as well as for facilities for such Convention. To the extent practicable, all groups and persons desiring inclusion of agenda items shall submit requests therefore to such Committee at least ten weeks prior to such Convention, together with an identification of the subject matter, whether inclusion is sought for action or information only, the form of the presentation proposed, and the time allocation desired. To the same extent, all groups and persons desiring space, services, or other facilities in connection with such Convention shall submit requests therefore with appropriate details to such Committee at least ten weeks prior to such Convention.

Canon III.

Of the Call of a Convention and Notices Pertaining thereto.

Sec. 1. Notice of the meeting of any Convention shall be given by the Secretary in a letter, transmitted by mail, and or electronic communication, at the expense of the Convention, to every member of the clergy canonically resident in the Diocese, to every shared community pastor in charge of a parish in union with the Convention, to every priest-in-charge, to every Commissioned Evangelist of the Church Army resident and working in the Diocese for at least one year, to the lay authorities in every vacant parish, and to all delegates whose election has been certified to the Secretary, at least six weeks before the meeting. Extracts from the Constitution and Canons relating to the appointment of lay delegates, and a form of certificate of their election shall be sent by the Secretary to every parish by the end of the last full week of April of the year in which Convention is held.

Sec. 2. Whenever, under the provision of the Constitution, a special Convention is called it shall be the duty of the Secretary, in the notice thereof, to specify the purpose or purposes for which it is called.

Sec. 3. The Secretary shall, not less than six months before the meeting of each Annual Convention, notify all trustees or individuals having charge of any funds belonging to the Diocese of the responsibility imposed upon them by Canon XXV, Section 1. The Secretary shall also notify the chair of each special committee appointed by the preceding Convention to report to the next Convention, of the requirements of Canon XXV, Section 2.

Sec. 4. All proposed amendments to the Constitution, or Canons, should be submitted to the Committee on Constitution and Canons at least six weeks before the meeting of Convention; and, after consideration by the committee, a copy of the amendments so submitted shall be sent to all members of the Convention at least two weeks before the meeting at which they are to be considered.

Canon IV.

Of Attending the Meetings of the Convention.

Sec. 1. The regular attendance of the clergy and laity at the meetings of the Convention being of essential consequence to the interest of the Church, this duty is hereby enjoined upon them.

Sec. 2. No member of the clergy of the Diocese actively engaged in work in the Diocese shall, except for good and reasonable excuse, absent himself or herself from meetings of the Convention. In the event of such absence he or she shall make known to the Ecclesiastical Authority the reasons therefore.

Sec. 3. No member of the Convention shall leave during its session without having applied for and received leave of absence from the Presiding Officer.

Canon V.

Of Parishes and Diocesan Chapels.

Sec. 1. **Parishes.** (a) One or more groups of Episcopalians, whether or not incorporated, (joined in appropriate instances with other Christians) shall be a parish when so certified and admitted into union by a majority vote of the members of the Convention present and voting. The application for such certification and admission shall be filed with the District Dean where the applicant is located. The application, with a report of the action taken thereon by the Dean, shall be forwarded to the Bishop within

ninety days after the filing thereof. Thereafter, within one hundred twenty days of receipt, it shall be forwarded with advice of the action of the Bishop thereon to the next Convention of the Diocese for final action by such Convention. The distinctions between parishes and missions shall be eliminated except to the extent required by the Canons of General Convention and the Religious Corporations Law of the State of New York.

(b) A parish in union with Convention shall continue to be in union unless it is determined by Convention that the parish has failed to conduct regular worship services, or has failed to maintain an organized Vestry which meets regularly, or has failed for three consecutive years to meet its pledge for General & Diocesan Work of the Church as accepted by the Vestry, or is failing to make a good faith attempt to compensate its clergy at or above the guidelines adopted by Convention. A recommendation may be submitted to Convention by the Bishop, together with the Standing Committee, that a determination be made that a parish is no longer in union with Convention; furthermore, the Convention vote to terminate requires a two-thirds majority.

(c) The Bishop may suggest a parish self-study at any time for the purpose of developing programs to assist the parish.

(d) No certificate of consent to the incorporation of a parish shall be given by the Bishop or by the majority of the Standing Committee unless the applicant for such consent shall then be a certified parish admitted into union with the Convention as provided in Section 1 or 2 of this Canon.

(e) Whenever hereafter any parish shall neglect to make the annual parochial report, and to forward the same to the Secretary of the Convention as required by Canon XXII.5, the Committee on Credentials of Lay Delegates shall so report to the Convention, and such parish shall be denied representation in the Convention of that year; except that, because of unusual circumstances explained to the Convention, such parish may be admitted to representation by a majority vote of the members of the Convention present and voting.

(f) Each parish desiring financial aid from the Diocese shall make application therefore to the Diocesan Board.

(g) No parish shall establish a new place of worship without the consent of the Bishop and the Standing Committee after consultation with the Dean and the District Council, if there be one.

(h) No parish shall encumber or alienate any real property, or any interest therein, other than by lease for not more than five years, without the consent of the Bishop and the Standing Committee and leave of Court as required by Sec. 12 of the New York State Religious Corporations Law.

(i) The qualified voters at any election or special meeting of a parish shall be those persons of full age belonging to the parish, who have been baptized and are regular attendants at worship and contributors to its support for at least twelve months prior to such election or special meeting, or since the establishment of the parish. In any parish which has so determined in the manner provided in section forty-six of the Religious Corporations Law, persons of less than full age, but of the age of eighteen years or more and having the other qualifications of this section, shall also be qualified voters and eligible to be elected members of the vestry and, if confirmed communicants or received in the Episcopal Church, wardens.

(j) Parish Meetings.

(I) Annual Election and Meeting. The annual election and meeting of each parish shall be held on the day, either a Sunday or a secular day, fixed by the vestry.

(II) Special Meetings. Special meetings may be held on any Sunday or secular day fixed by the vestry.

(III) Notice. Notice of each annual election and meeting and of any special meeting shall be read by the priest-in-charge, or if there be none or he or she be absent, by the officiating minister or by a warden, on each of the two Sundays next preceding such annual election and meeting or special meeting, in the time of divine service, or, if for any reason, the usual place of worship shall not be open for divine service, the notice shall be posted conspicuously on the outer door of the place of worship for two weeks next preceding the annual election and meeting or special meeting. Such notice shall specify the place, day and hour of holding the annual election and meeting or special meeting. The notice of each annual election and meeting shall also specify the number and terms of office of each warden and the vestry persons whose terms of office shall then expire, or whose office shall then be vacant for any cause, and the office for which each such officer is to be then elected. The notice of any special meeting shall specify the matter or question to be brought before such meeting and no matter or question not specified in such notice shall be acted on at such meeting.

(IV) Presiding Officer. The presiding officer of each annual election and meeting or special meeting shall be the priest-in-charge of the parish, if there be one, or if there be none or he or she be absent, one of the wardens elected by a majority of the qualified voters present, or if no warden be present, a vestry person elected in like manner. Such presiding officer shall be the judge of the qualifications of voters, shall receive the votes cast, and shall declare the result of the votes cast.

(V) Action. The action of an annual election and meeting or special

meeting on any matter or question shall be decided by a majority of the qualified voters present and voting thereon. The polls of an election shall continue open for one hour and longer, in the discretion of the presiding officer, or if required by a majority of the qualified voters present and voting. The wardens and vestry persons shall be elected by ballot from qualified voters at the meeting, and no person shall be eligible for election as a warden unless he or she is also a confirmed communicant in the Episcopal Church, or be eligible for election as a vestry person unless he or she shall have been baptized.

(k) Vestry.

(I) The vestry shall consist of three, six or nine vestry persons as shall be determined by the parish at any annual or special meeting and of two wardens. At each annual election after the initial election of the vestry, one warden shall be elected to hold office for two years, and one-third of the total number of vestry persons of the parish shall be elected to hold office for three years. Each warden and vestry person shall hold office after the expiration of his or her term until his or her successor shall be chosen.

(II) The vestry of an unincorporated parish shall have the powers, discretion, and responsibilities corresponding to the extent applicable, to those of the vestry of an incorporated parish, and shall likewise be subject to corresponding limitations.

(I) Other Form of Organization. Notwithstanding any other provision hereof, any unincorporated parish may propose such other or different provision for its own organizational structure and operation as it shall deem appropriate. Any such proposal shall be submitted to the District Dean, the Bishop and the Convention in the same manner as an application for certification as a parish in union with the Convention under the provisions of Section 1 of this canon, and the organizational structure and operation of such parish shall conform to the action of the Convention.

(m) When any real estate is acquired or to be acquired for an unincorporated parish, "The Diocese of Central New York" shall have the power to take and hold bare legal title thereto for the benefit of such parish subject to its direction and control as to the acquisition, use and disposition of such property. All expenses incident to the acquisition, management, maintenance and disposition of such property shall be borne by such parish. In the event that an unincorporated parish on re-examination pursuant to the provisions of Section 1 Paragraph (b) of this Canon is not recertified, "The Diocese of Central New York" shall have the

power to make such disposition of any real property, title to which shall have been held by it for the benefit of such former parish (and of the proceeds of any disposition of such property) as to it shall seem appropriate, subject to the directions of the Convention contained in its determination not to recertify such former parish.

Sec. 2 **Diocesan Chapels.**

a) Any group of Episcopalians, whether theretofore comprising an incorporated parish, an unincorporated parish, other ministry or mission association or college chaplaincy or ministry, shall upon their request and certification by the Bishop and designation as such by the Convention of the Diocese become either a Diocesan Chapel or a Diocesan College Chapel or a Diocesan Mission Chapel.

b) Each Diocesan Chapel shall be under the supervision of the Bishop and, subject to the approval of the Bishop, may adopt such procedures for the conduct of its affairs as it may desire. It shall not be a parish in union with the Convention or subject to the provisions of the Canons or other prescriptions with respect to parishes. Each Diocesan Chapel shall have the right, by whatever procedural means it may choose, to designate one lay representative to the Convention of the Diocese, which representative, although not a member of the Convention, shall have the privilege of the floor. Each Diocesan Chapel shall submit an Annual Parochial Report, or at the direction of the Bishop, prepare a Report of such form and content as the Bishop may prescribe.

c) A Diocesan College Chapel may be established on the campus of a University or College situated within the Diocese for the expressed purpose of ministry and chaplaincy to the students, faculty and staff of that University or College. A majority of its Vestry or other Representative Body must be composed of persons who are adult members of the Episcopal Church as defined in the Canons of the General Convention and if a majority of its Vestry, or other Representative Body, is composed of adult members of the Episcopal Church as described above, at least one of whom serves as one of the Wardens, Chair or other leader of the Representative Body, the Diocesan College Chapel shall have the following privileges:

1) Each Diocesan College Chapel shall have the right, by whatever procedure it may choose, to designate one adult student Lay Representative to the Convention of the Diocese, which representative shall be a full member of Convention and shall have full privileges of the floor and vote.

2) Each Diocesan College Chapel shall qualify under Canons of the General Convention as a congregation for the purpose of sponsoring members of the congregation for Holy Orders.

d) A Diocesan Mission Chapel, such as Ephphatha Mission for the Deaf, shall be under the supervision of the Bishop and, subject to the approval of the Bishop, may adopt such procedures for the conduct of its affairs as it may desire. Each Diocesan Chapel shall submit an Annual Parochial Report, or at the direction of the Bishop, prepare a Report of such form and content as the Bishop may prescribe.

1) Each Diocesan Mission Chapel shall have the right, by whatever procedure it may choose, to designate one adult Lay Representative to the Convention of the Diocese, which representative shall be a full member of Convention and shall have full privileges of the floor and vote.

2) Each Diocesan Mission Chapel shall qualify under Canons of the General Convention as a congregation for the purpose of sponsoring members of the congregation for Holy Orders.

Canon VI.

Of Diocesan Clusters.

Sec. 1. Three or more parishes which are geographically related may apply for recognition as a Diocesan Cluster.

Sec. 2. Such application shall set forth the terms of the proposed Cluster organization, including provisions for governance, for engagement of clergy, for contemplated activities, for financial support, for operating procedures and for such other matters as may be appropriate; and shall be accompanied by agreements of the several parishes involved to participate in the Cluster, signed by the rector or priest in charge or, if there be none, the District Dean, and the vestry of each parish.

Sec. 3. The application for recognition as a Diocesan Cluster shall be submitted to the Bishop. On approval by the Bishop of the application as originally submitted or as subsequently amended, the Diocesan Cluster shall be entitled to recognition as such.

Sec. 4. After Cluster recognition, proposed amendments to the terms of Cluster organization shall be submitted to the Bishop for approval.

Canon VII.

Of the Ecclesiastical Authority.

In the event of the death, resignation, disability or prolonged absence of the Bishop of the Diocese, the Bishop Coadjutor shall become the Ecclesiastical Authority of the Diocese; if there be no Bishop Coadjutor, the Bishop Suffragan, if there be one, shall

become temporarily the Ecclesiastical Authority. The Standing Committee of the Diocese shall be the Ecclesiastical Authority of the Diocese for all purposes declared by the General Convention only in the event of the absence or disability of all the Bishops herein named or of a vacancy in the Episcopate.

Canon VIII.

Of the Bishop and the Cathedral.

The Bishop, with the approval of the Diocesan Convention or, if it not be in session, of the Standing Committee, may from time to time and until a permanent Diocesan Cathedral shall be established, and with the consent of the Rector and Vestry of the parish concerned, select a parish church which shall be known as the Cathedral Church of (here insert the name of the parish). The Bishop, with the approval of the Standing Committee, may thereupon enter into such stipulations, in writing, with the Rector and Vestry of such parish concerning the rights of the Bishop in the

Canon IX.

Of the Standing Committee of the Diocese.

Sec. 1. The Standing Committee of the Diocese, provided for by the General Convention in Article IV of the Constitution of the General Convention, shall consist of four members of the clergy (presbyters or deacons) of this Diocese, and four laypersons, confirmed communicants of full age of the Church in this Diocese, one such member of the clergy and one such layperson to be elected annually by the Convention of the Diocese, each for a term of four years. The election shall be by ballot, and by the concurrent vote of a majority of those present and voting in each order. Vacancies in the Standing Committee occurring by death or otherwise may be filled until the next meeting of Convention by the concurrent vote of the clerical and lay members of the Committee. Any member of the Committee having served two consecutive full terms shall not be eligible for immediate re-election.

Sec. 2. In case the Bishop of the Diocese be incapable of acting or in case there is no Bishop, and there is no Bishop Coadjutor or Bishop Suffragan capable of acting, the powers to be exercised and duties to be performed by the Bishop in matters of discipline shall be exercised and performed by the Standing Committee, except in those cases where such powers and duties are or may devolve and be enjoined upon the clerical members of the Committee in which case such powers shall be exercised and duties performed by the clerical members only provided that no sentence shall be

pronounced upon a member of the clergy save by a Bishop.

Sec. 3. The Secretary of the Standing Committee shall keep a true record of its proceedings and shall preserve all books, journals and papers belonging to the committee and transmit the same to his or her successor in office. The President of the Standing Committee shall report the proceedings annually to the Diocesan Convention.

Sec. 4. In addition to action taken at a meeting duly convened, the Standing Committee is empowered and authorized to take action as follows:

(a) By mail, telegraphic or electronic communication ballot. Notice shall be given to each member of the Standing Committee by mail, telegram or electronic communication describing the action proposed to be taken and setting forth the time (which shall be reasonable) within which and the name and address of the person or persons to whom ballots or other communications with reference thereto shall be sent. Members of the Committee may return ballots by mail, telegram or electronic communication and the results thereof shall be binding and any action so approved shall be the action of the Committee, provided that

(i) The ballots of at least two-thirds of all the members of the Committee favor the proposed action; and,

(ii) Prior to the time set forth in the notice no member of the Committee shall have advised any person designated in the notice of his or her objection in the particular instance to action by mail, telegraphic or electronic communication ballot.

(b) By conference telephone. By means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at the meeting.

Canon X.

Of the Secretary of Convention.

Sec. 1. The Secretary of Convention shall be nominated to the Convention by the Standing Committee with the approval of the Bishop. In case the Convention declines to elect the nominee, the Bishop shall appoint a member of the Convention as secretary of the Convention pro tem, and the Standing Committee shall make, during the same Convention, a new nomination.

Sec. 2. In the event of a vacancy occurring in the Office of Secretary of Convention, the

Bishop or other Ecclesiastical Authority, may, in consultation with the Standing Committee or the President thereof, appoint a Secretary pro tem, who shall serve until the next Annual Convention.

Sec. 3. The Secretary of Convention in addition to discharging the duties imposed by the Constitution and other provisions of these Canons, shall, subject to the orders of the Convention, issue the *Journal* of the Annual Convention and accompanying documents, and when published shall post the *Journal* on the website of the Diocese, and shall provide notice that the *Journal* is posted on the website to each member of the clergy of the Diocese, each lay delegate attending the Convention, and each parish in the Diocese. The Secretary shall maintain a printed copy of the *Journal* in the Diocesan Office and shall provide printed copies to clergy members, lay delegates, and parishes upon request. The Secretary shall provide one printed copy of the *Journal* to each member of the Diocesan Board, one copy to each member of the Standing Committee, two copies to the Secretary of the House of Deputies of General Convention and one copy to the Archives of the Church.

Sec. 4. As required by the Canons of the General Convention, the Secretary shall prepare a certified copy of the testimonials of the deputies elected to the General Convention and forward the same to the Secretary of the House of Deputies, together with a copy of the latest Journal of the Diocesan Convention. The Secretary shall also transmit to the Secretary of the House of Deputies the other documents required by the Canons of the General Convention.

Sec. 5. The Secretary shall maintain the Canonical Register of all clergy canonically resident in the Diocese which shall include the records required by the Canons of the General Convention.

Canon XI.

Of the Treasurer.

The Diocesan Convention shall from time to time elect as Treasurer of the Diocese a person skilled in financial matters, including budgeting, accounting, banking, investment, and financial planning, on nomination of the Bishop with the approval of the Diocesan Board. The Treasurer shall serve at the pleasure of the Bishop and the Board. A vacancy in the office of Treasurer shall be filled by similar election, provided that a vacancy occurring between meetings of the Convention may be filled until the next meeting of the Convention by appointment of the Bishop with the approval of the Board.

Canon XII.

Of the Chancellor of the Diocese.

The Bishop may nominate for the approval of the Convention a person or persons

skilled in ecclesiastical and civil law to be the Chancellor or Vice-Chancellor of the Diocese, who shall act as legal advisers and counselors to the Bishop, the Standing Committee, ecclesiastical courts and the Convention, when called upon to do so, and advisor to the Diocesan Board and its Committees. It shall also be their duty to review any proposed amendments to the laws of the State which affect the Religious Corporations Law or the property interests of the Church and to cooperate with the representatives of the other Dioceses of the State in securing the passage or defeat of such proposed amendments, after reference to the Convention whenever appropriate.

Canon XIII.

Of Deputies to the General Convention and to the Provincial Synod and of Delegates to the Triennial Meeting of the Women of the Church.

Sec. 1. The Convention shall, at either one of its two regular annual meetings held not later than twelve months preceding the opening date of the General Convention as shall be determined by the Bishop with the consent of the Standing Committee, elect by the concurrent ballot of the clerical and lay members present and voting, four members of the clergy and four laypersons, who shall be confirmed communicants of full age and residents of the Diocese, to act as Deputies from this Diocese to the General Convention. When the election of Clerical and Lay Deputies shall have been completed, the four members of the clergy and the four laypersons next in order in the balloting shall be declared duly chosen Alternate Deputies. The Deputies and Alternate Deputies shall elect one of the Deputies to serve as chair of the Deputation. The Deputies and Alternate Deputies shall hold office during the term of three years and until Deputies and Alternate Deputies shall next be elected.

Sec. 2. It shall be the duty of the Deputies-elect to signify in writing to the Bishop, not more than four weeks and not less than three weeks before the meeting of the General Convention, the acceptance of the appointment and their intention to perform its duties.

Sec. 3. All vacancies occurring by reason of default in acceptance of appointments under this Canon, or from any other cause, shall be filled by designation of the Bishop from the list of members of the clergy and laypersons elected as Alternate Deputies, in the sequence in which they were elected, and such persons when certified by the Bishop, shall have all the power and authority of Deputies duly elected by the Convention.

Sec. 4. Prior to each meeting of the Provincial Synod, the Bishop, with the advice and consent of the Standing Committee, may appoint not more than four members of the Clergy and not more than four laypersons Deputies to the Provincial Synod and name one of such Deputies the chair of the deputation. The Deputies and the chair so appointed shall hold office until a new deputation and chair shall be appointed. Any

vacancy in the deputation shall be filled by similar appointment. Deputies so appointed shall be members of the Synod of the Second Province from the Diocese of Central New York and as such shall represent the Diocese in the House of Deputies of the Synod. The names of the persons so appointed shall be announced to the Diocese.

Sec. 5. In case of the inability of the Bishop to act or of a vacancy in the Episcopate, the power conferred upon the Bishop by this Canon shall be exercised by the President of the Standing Committee.

Sec. 6. At the regular Annual Meeting at which it elects Deputies to the General Convention, the Convention shall also elect by the concurrent ballot of the clerical and lay members present and voting, three persons who shall be confirmed adult communicants or members of the clergy of the Church and residents of the Diocese, to act, together with the Diocesan Custodian of the United Thank Offering as Delegates from this Diocese to the Triennial Meeting of the Women of the Church. When the election of these Delegates shall have been completed, the two laypersons or members of the clergy next in order in the balloting shall be declared duly chosen Alternate Delegates. Sections 2 and 3 of this Canon shall apply to the Delegates elected under this section in purpose and intent. The elected Delegates and Alternate Delegates shall hold office during the term of three years and until Delegates and Alternate Delegates shall next be elected. The Diocesan Custodian of the United Thank Offering shall hold office as a Delegate until a successor Diocesan Custodian is designated.

Sec. 7. The necessary expenses of the Deputies attending the General Convention and the Provincial Synod and of the Delegates attending the Triennial of the Episcopal Churchwomen and their meetings held in conjunction with the Provincial Synod shall be paid by the Diocese in such amount as the Diocesan Board shall determine upon due presentation of proper vouchers signed by the Secretary of the same.

Canon XIV

Of the Diocesan Board.

Sec. 1. The Diocesan Board shall be the policy making organization of the Diocese, subject to the authority of the Diocesan

Convention. It shall articulate the mission of the Diocese, formulate strategies to carry out that mission, and be responsible for all programmatic activities of the Diocese. It shall be responsible for preparation and submission to the Diocesan Convention of the budget in accordance with Canon XVIII and for the administration of such budget and the collection of the income therefore and the expenditures of Diocesan funds in accordance therewith. It shall direct the operating structures of the Diocese, except as to matters within the jurisdiction of the Standing Committee, and shall coordinate the

units of the Diocese.

Sec. 2. (a) The Board shall be composed of the following members:

- (i) The Bishop and the Bishop Coadjutor if there be one;
- (ii) A member of the Standing Committee elected by that Committee.
- (iii) The Treasurer of the Diocese; and
- (iv) Four persons, adult members of the Episcopal Church and residents of the Diocese, elected by the Diocesan Convention, each to serve for a three year term beginning at the close of the Convention at which elected and until his or her successor is elected, as follows:

--in years divisible by three, one member of the clergy and one member of the laity;

--in the following year, one member of the laity; and

--in the second following year, one member of the clergy.

- (v) Three persons, adult members of the Episcopal Church and residents of the Diocese of either the clerical or lay order, one elected by the Convention on nomination of the Bishop each year, to serve a term of three years beginning at the close of the Convention at which elected and until his or her successor is elected.

- (vi) Provided, however, that no member elected by the Convention under paragraph (iv) may serve for more than two successive full terms.

(b) Vacancies in the membership of the Board elected under paragraph (iv) of subsection (a) shall be filled for the unexpired term by election of the Diocesan Convention (on nomination of the Bishop if the previous occupant of the office was so nominated), provided that a vacancy occurring between meetings of the Convention may be filled until the next meeting of the Convention by the remaining members of the Board.

Sec. 3. The members of the Board shall be the Trustees of "The Diocese of Central New York".

Sec. 4. The Bishop shall be the President and presiding officer of the Board. The Board shall choose, from time to time, one of its members to be Vice President and another person, who need not be a member of the Board, to be its Secretary, each to serve at the pleasure of the Board.

Sec. 5. The Board shall meet at stated intervals but at least four times a year, and at such other times as the Bishop or the Board may determine.

Sec. 6. The Board shall organize itself into such Committees of the Board, and other committees and other subgroups as it may determine appropriate for the discharge of its responsibilities, including Committees on Finance, Ministry Support, Investment, and Property. The Finance Committee shall be the Diocesan body contemplated by the Canons of the General Convention. Additional Board committees shall include the Parish Visitation and Mission Review Committee, and may include the Long Range Planning Committee. Other committees shall be established as determined by the Board. The charge, scope and operating methods of all such Committees and other committees shall be set by the Board.

Sec. 7. The Board shall adopt Bylaws for its governance and the conduct of its affairs.

Sec. 8. The Board shall present to each Diocesan Convention, a report of its activities, including a written report by appropriate category of all moneys and other property received and all moneys expended. The Board shall also cause to be prepared for publication in each *Journal* of the Convention a table by Districts of all parishes in the Diocese, showing the Diocesan Mission Apportionment (including the mandatory portion) and the pledge of each parish. Information concerning the amount of aid given to parishes shall be available from the Diocesan financial office.

Canon XV.

Of the Commission on Ministry.

Sec. 1. At each Annual Convention of the Diocese, subject to confirmation by the vote of the Convention, the Bishop shall nominate a Commission on Ministry to consist of not less than six nor more than twenty persons, one half of whom shall be of the lay order and one half of whom shall be of the clerical order, who shall hold office until their successors are nominated and confirmed.

Sec. 2. It shall be the duty of this Commission on Ministry to assist the Bishop in all matters pertaining to lay and ordained Ministry in accordance with the Constitution and Canons of the General Convention of this Church.

Canon XVI.

Of Elections.

Sec. 1. All elections required by the Constitution and Canons to be determined by ballot, except the election of a Bishop, Bishop Coadjutor, or Bishop Suffragan, shall be held according to the system of preferential voting known as the Single Transferable Vote. The regulations governing the use and counting of the ballots shall be those issued by

the Diocese of Long Island, as revised in 1939, a copy of which has been deposited with the Secretary. Revisions of these regulations which do not affect the principles of the Single Transferable Vote, may be made by resolution of the Convention on the recommendation of the tellers, and filed with the Secretary.

Sec. 2. A concurrent quota of both clerical and lay votes shall be necessary for election, with a majority of both orders present and voting.

Sec. 3. (a) With the notice of the meeting of the Convention, the Secretary shall send to all clergy entitled to vote, to all shared community pastors in charge of parishes in union with the convention, to all Commissioned Evangelists of the Church Army entitled to be lay members of the Convention and to all delegates entitled to seats in the Convention a nomination blank, which shall contain the names of all offices to be filled at such Convention under the Canons of the Diocese, and under the Institutes of the Cathedral adopted pursuant to the provisions of these Canons, together with the names of the office holders whose terms of office expire.

(b) Clergy, shared community pastors, Commissioned Evangelists of the Church Army, or Lay Delegates, or a duly certified alternate who has been designated to attend the Convention in place of any Lay Delegate, entitled to a seat in the forthcoming Convention, may file, prior to the assembling of the Convention, nominations for the offices to be filled at the Convention provided:

(i) Such nominations shall be made on the nomination blank furnished by the Secretary and shall be signed by a member of the clergy, a shared community pastor, a Commissioned Evangelist of the Church Army entitled to a seat in the Convention, or a Lay Delegate.

(ii) With such nominations shall be forwarded the written consent of the nominee to serve if elected, a biographical sketch of the nominee in not more than one hundred twenty words (to include residence, parish, Ecclesiastical status, profession or occupation, and a brief description of participation in relevant activities of the community, Diocese and national Church), and, if possible a photograph of the nominee.

(iii) Such nominations and accompanying data shall be filed with the Secretary at least four weeks before the opening of the Convention.

(iv) Such nominations shall not be accepted unless the certificate of election of delegates to the Convention which includes the name or names of those making the nominations has been first filed with the Secretary and also complies with the Canons of the Diocese.

(c) The Secretary of the Convention shall prepare and forward to all members of

the clergy, shared community pastors, Commissioned Evangelists of the Church Army entitled to be members of Convention, and Lay Delegates, so that it shall be received at least four days before the opening of Convention, a brochure containing a statement of all offices to be filled at the Convention, and the names, biographical sketches and photographs of the persons nominated in accordance with this Canon for each office, arranged in alphabetical order.

(d) All nominations made in accordance with this Canon shall be reported by the Secretary to the Convention on the first day according to the Rules of Order. The form of ballot shall include the names of the nominees for each office nominated in accordance with this canon and arranged by lot, together with the names of persons nominated from the floor of Convention, arranged thereafter in the order of such nomination.

Sec. 4. In all cases of failure or omission to elect officers by the Convention, the persons last elected shall continue in office until others be chosen.

Sec. 5. In case of vacancies in office, the filling of which is not otherwise provided for in the Canons, occurring during recess, it shall be competent for the Standing Committee, with the approval of the Bishop, to fill, ad interim, any position which the Convention, if in session, might fill.

Canon XVII.

Of Districts of the Diocese.

Sec. 1. The Diocese shall be divided into Districts, the number and boundaries of which may be changed from time to time by the Bishop, after consultation with the Districts involved, and with the advice and consent of the Diocesan Board. Consultation with the Districts shall be with the District Council, if there be one, and with the Dean.

Sec. 2. It shall be the responsibility of each District, in concert with the Diocesan Board, to undertake and coordinate regional ministries that fall predominantly within the District. The Dean shall report thereon as required by the Diocesan Board.

Sec. 3. Each District shall meet in Convocation at least once in each year, prior to Diocesan Convention. The members of each Convocation shall include the members of the clergy and shared community pastors resident in the District and such number of lay delegates representing each parish within the District as the District shall determine. Such lay delegates shall be chosen in the manner determined by the governing body of the parish.

Sec. 4. The principal officer of each District shall be the Dean, who shall be appointed

by the Bishop, from the members of the clergy of the District. The Dean shall take office immediately upon appointment, and shall serve at the pleasure of the Bishop. The Dean shall have such responsibilities as may be required by the Bishop, the Diocesan Board, or the District Council, if there be one.

Sec. 5. There may be a District Council in each District comprised of the Dean, other officers determined by the District, and additional members, the number and method of election of whom shall be determined by the District, taking into consideration the various interests to be represented within the District.

Sec. 6. Each District, meeting in Convocation, may make by-laws, not inconsistent with the Canons, for the conduct of its own affairs and those of its District Council, if there be one.

Canon XVIII.

Of the Budget of the Diocese and the Diocesan Mission Apportionment.

Sec. 1. The Diocesan Board shall prepare an annual budget for consideration by the Diocese. Expenditures shall be divided into mandatory and non-mandatory categories.

(a) Expenditures identified as mandatory shall include only those items of expenditures deemed appropriate:

(i) to the discharge of the Ecclesiastical functions of the Office of the Episcopate in the Diocese;

(ii) to the conduct of the Diocesan Convention and to the participation of the Diocese in the General Convention and in the Provincial Synod, and in the Lambeth Conference; and

(iii) to the payment of financial support of the National Church.

(b) Mandatory expenditures shall be identified by a separate tabulation, or equivalent means. The mandatory expenditures shall be met from endowment income restricted to these purposes and the mandatory portion of the Diocesan Mission Apportionment assessed upon each parish.

(c) All other Diocesan expenditures shall be non mandatory.

Sec. 2. The Diocesan Board, as a first step, shall prepare a draft unified budget. Such draft budget shall be presented to all Members of Convention by mail and or by electronic communication; and as appropriate, by Regional meetings in the Diocese; to facilitate, review and respond.

Sec. 3. Thereafter the Diocesan Board shall prepare a proposed unified budget and

shall submit such budget to the Diocesan Convention.

Sec. 4. The Diocesan Convention may make changes to the proposed budget by a two-thirds vote of its members present and voting. On approval by the Convention, the budget so approved shall become the budget for the Diocese for the ensuing calendar year, provided however, that the Diocesan Board shall have authority from time to time to make such adjustments thereto, as to items of either income or expenditures or both, as it deems necessary and appropriate to accommodate changes that occur after the approval by the Convention.

Sec. 5. After approval of the budget by Diocesan Convention, the Diocesan Board shall have authority and responsibility to determine, and thereafter to adjust, the Diocesan Mission Apportionment of each of the parishes of the Diocese to fund the budget and to designate the portion thereof that shall be mandatory. In making such apportionment the Board shall use a uniform percentage applied to the average of the income of each parish for the preceding three years, provided that in determining the non-mandatory portion of the apportionment the percentage may be set higher to compensate for predictable shortfalls based on historical giving patterns. Income shall be defined as all parish income, including but not limited to, income from pledges and plate collections, net receipts from special parish projects, and investment income, but excluding income or receipts designated for non-operating expenses or for purposes external to the parish, and shall not include proceeds from the sale of property, receipts from capital drives, loans, diocesan aid or shared clergy compensation received from another religious body, or gifts or bequests designated for capital improvements or as trust principal by the donor or by the vestry in the year of such receipt. The Board shall inform the parishes of the apportionments so made.

Sec 6. The Diocesan Board shall have authority and responsibility to make expenditures of Diocesan moneys in accordance with the budget as approved by the Diocesan Convention and subsequently adjusted by the Board.

Sec. 7. The Secretary of the Diocesan Convention shall prepare, before the opening of each Convention, a list of those parishes that are in arrears in the payment of the mandatory portion of the Diocesan Mission Apportionment with the amount of such arrears for the preceding calendar year and the same shall be placed in the hands of the Convention Committee on Credentials of Lay Delegates. Each such parish shall be excluded from representation in the Convention until such arrears have been paid in full or have been remitted by the Convention for satisfactory reasons. Application for remission of arrears shall be made no later than thirty days prior to the Convention to the Diocesan Board in the first instance, and the recommendations of the Board with respect thereto shall be reported to the Convention.

Canon XIX.

Of the Church Pension Fund.

Sec. 1. The Treasurer of the Diocese shall provide for the annual payment of the premiums assessed on salaries paid directly by the Diocese to the Bishops and other clergy employed by the Diocese.

Sec. 2. (a) The Secretary of the Convention, whenever required, shall furnish or cause to be furnished to the Church Pension Fund the canonical roll of the members of the clergy of this Diocese, and of the members of the clergy canonically belonging to other dioceses who may be licensed to officiate in this Diocese, with a statement of the stipends received by each from any parish or other Ecclesiastical organization in the Diocese.

(b) The Secretary shall inform the Church Pension Fund or cause it to be informed of the members of the clergy and widows and minor orphans of members of the clergy canonically connected with this Diocese, who may be entitled to receive pensions from the Church Pension Fund.

Sec. 3. Every member of the clergy receiving a stipend or stipends and every parish or other Ecclesiastical organization in the Diocese paying a stipend or stipends, shall furnish a statement of such stipend or stipends to the Treasurer of the Diocese whenever the Treasurer of the Diocese shall, in writing, ask for such statement, and shall furnish to the Treasurer of the Diocese a statement of such stipend or stipends and the name and address of the treasurer and the name of the rector or minister-in-charge whenever there occurs any change in such stipend, treasurer, rector, or minister-in-charge.

Sec. 4. The Secretary of the Convention shall prepare, before the opening of the Annual Convention, a list of such parishes as are in arrears to the Church Pension Fund, with the amount of such arrears for the period prior to January first preceding, and the same shall be placed in the hands of the committee on Credentials of Lay Delegates. Each such parish shall be excluded from representation in the Convention until such arrears are paid in full.

Canon XX.

Of Diocesan Corporations.

Sec. 1. The Diocese of Central New York. The members of the Diocesan Board shall be

the trustees of the corporation.

Sec. 2. The Foundation of the Diocese. The directors of the corporation shall be not less than seven nor more than twenty-five persons, as prescribed in the By-laws of the corporation, elected by the Convention annually on nomination of the Bishop (or Ecclesiastical Authority). The Bishop and the Bishop Coadjutor, if there be one, shall be ex-officio directors of the corporation. Vacancies in the Board of Directors shall be filled for the unexpired term by a majority of the remaining directors.

Sec. 3. Unified Investment Fund. The members of the Diocesan Board shall be the directors of the corporation.

Sec. 4. Thornfield Foundation, Inc. The members of the Diocesan Board shall be the directors of the corporation.

Sec. 5. A person may serve as a trustee of one or more or all of the diocesan corporations at the same time.

Canon XXI.

Of the Calling of a Rector.

Sec. 1. Whenever a parish is without a rector it shall be the duty of the governing body to give immediate notice thereof to the Bishop. The procedures to be followed in calling a rector shall comply with the requirements contained in the Canons of the General Convention and otherwise shall conform to the process therefore prescribed from time to time by the Bishop. If a call shall be extended to a member of the clergy of this Church, there shall be included an agreement of the governing body to pay the premiums as assessed by the Church Pension Fund.

Sec. 2. Whenever a parish is without a rector, the Bishop shall appoint a member or members of the clergy of this Church to supply such parishes as have been reported to be without a rector at such time as may be deemed convenient and proper. Any parish thus supplied shall defray all the expenses incident to such occasional services.

Canon XXII.

Of Parish Registers, Parochial Reports and the Removal of Communicants from One Parish to Another.

Sec. 1. The Parish Register, in which the minister is required by the Canons of the General Convention to record all Baptisms, Confirmations, Marriages, Burials and the

names of Communicants, shall be provided by the governing body at the expense of the parish and shall be in the custody of the Rector or priest-in-charge for the purpose of such record. Every Parish Register, when it has been filled, shall be carefully preserved by the governing body as a part of the records of the parish.

Sec. 2. The record in the Parish Register shall specify the names and dates of birth of children baptized, with the names of parents and sponsors; the names of adults baptized and their chosen witnesses; the names of persons confirmed or received; the names of parties married and of two or more witnesses of the marriage, and the place where the marriage was solemnized; the names of persons buried; and also the date when each Rite was performed. The Parish Register shall also contain a list of the families and adult persons of the cure as far as practicable.

Sec. 3. The governing body of a parish shall be jointly responsible with the Rector or priest-in-charge for an accurate record of communicants and baptized persons resident in the parish and that the record be available at the annual election of the parish and be submitted to the Bishop at the time of the Bishop's Visitation, together with such changes as have occurred since the previous report.

Sec. 4. No name shall be removed from the lists of communicants in the parish except by: (1) death, (2) removal by issuance of a certificate of membership or letter of transfer, or (3) disciplinary action by competent Authority. There shall be indicated on the list of communicants those (a) whose domicile is unknown and (b) who live in the community but are inactive.

Sec. 5. In order that the annual report of the ministers of parishes in this Diocese may contain the information which is required by the Canons of the General Convention, such annual reports shall be made out in accordance with the form therefore authorized by the General Convention, which reports shall be forwarded to the Secretary of the Diocesan Convention on or before March first in each year.

Sec. 6. In every case where a parish is without a rector, the Register contemplated by this Canon shall be kept by the governing body thereof, or by some person appointed by the governing body whose duty it shall also be to prepare and forward to the Bishop the Annual Parochial Report.

Sec. 7. No rector or priest-in-charge of any parish in the Diocese shall receive as a regular communicant, or enter upon the list of communicants the name of any person who has been a communicant in any other parish without a certificate of membership or letter of transfer from the parish to which the communicant last belonged. Except, however, if it shall appear that a communicant not under censure of Ecclesiastical discipline has not received a certificate of membership or letter of transfer within six months after request therefore, the name of such person shall be added to the list of

communicants in the new parish, and written notice of this action shall be sent to the former parish.

Sec. 8. Any communicant not under censure of Ecclesiastical discipline shall be entitled to such a certificate of membership or letter of transfer on application therefore to the rector or priest-in-charge of the parish to which the communicant belongs, and in case of a vacancy in the pastoral cure of a parish, and in case of any person under discipline, the application shall be referred to the Bishop of the Diocese, or, if the Episcopal office be vacant, to the President of the Standing Committee, and the answer and decision of the Bishop or of the President of the Standing Committee as above provided shall be final.

Canon XXIII.

Of Parishes and Diocesan Properties.

In conformity and consistent with the provisions of the Canons of the General Convention, it is hereby explicitly reaffirmed that all real and personal property held by or for the benefit of any mission, chapel, or congregation located in the Diocese of Central New York is held in trust for the Episcopal Church and The Diocese of Central New York. The existence of this trust, however, shall in no way limit the power and authority of the parish, chapel, or congregation, or the power and authority of the Trustees of the Diocese holding title thereto, otherwise existing over such property so long as the particular mission, chapel, or congregation remains a part of, and subject to, The Episcopal Church and the Diocese of Central New York and the Constitution and Canons of each of them.

Canon XXIV.

Of the Dissolution of the Pastoral Relation.

Sec. 1. Subject to the provisions of Section 2 of this Canon, a priest who after January 1, 1986 is canonically elected rector of a parish and the vestry that elects such priest may, with consent of the Ecclesiastical Authority of the Diocese, at the time of such election enter into a written agreement specifying the term for which the priest is to serve as rector of the parish. Not earlier than six months nor later than three months prior to the expiration of the term agreed on, the rector and the vestry may, with the consent of the Ecclesiastical Authority of the Diocese, by written instrument further

extend the term for which the priest is to serve as rector. Subsequent extensions may similarly be made. The failure of either the priest or the vestry to agree to any such extension at least three months prior to the expiration of the term previously agreed on or extended shall constitute a failure to agree on any further extension.

Sec. 2. Notwithstanding the provisions of Section 1 of this Canon, the provisions of the Canons of the General Convention concerning dissolution of the pastoral relation (as amended from time to time) shall apply in this diocese in the event no agreement is made pursuant to Section 1 of this Canon and as well during the term of any agreement so made or extended, but the relevant provisions of the Canons of General Convention shall not apply to preclude dissolution of the pastoral relation at the end of the term so agreed on or extended.

Canon XXV.

Of the Fiscal Year and Reports to the Convention.

Sec. 1. The fiscal year of the Diocese shall begin on the first day of January in each year, and the Treasurer of the Diocese and all trustees having in charge any funds belonging to the Diocese shall make their reports annually to the Secretary of Convention at least four months before the meeting of the Convention in each year.

Sec. 2. All special committees appointed by one Convention to report to the next Convention shall send their report to the Secretary of the Convention four weeks before the date of Convention, and the Secretary may cause such report to be printed, and a copy to be sent to each member of the clergy and lay delegate at least one week before the meeting of Convention.

Canon XXVI.

Of Episcopal Offerings

At the Episcopal Visitations, each parish shall take an offering, which shall be given to and used at the discretion of the Bishop.

Canon XXVII.

Of Ecclesiastical Discipline of Members of the Clergy not being Bishops.

Sec. 1. All matters with respect to Ecclesiastical Discipline of members of the clergy not being Bishops in the Diocese of Central New York shall be governed by the relevant provisions of Title IV of the Canons of the General Convention, as amended from time to

time, which provisions are hereby incorporated by reference.

Sec. 2. (a) There shall be a Disciplinary Board, elected by the Diocesan Convention, consisting of nine (9) members; five (5) of whom shall be clergy, retired or active, canonically and geographically resident in the Diocese, and four (4) of whom shall be Adult Communicants in Good Standing and geographically resident and domiciled in the Diocese. The members of the Board shall be elected for three (3) year terms, arranged in three (3) classes, and serve no more than two (2) consecutive, three (3) year terms. The term shall begin at the close of Convention. No member shall be eligible for reelection for one (1) year after two (2) consecutive terms.

(b) The Ecclesiastical Court shall continue to function as provided in the current Diocesan Canon XXVII, Sec. 2 until the new Title IV takes effect July 1, 2011. The Disciplinary Board will commence on July 1, 2011 and the current Ecclesiastical Court will cease to exist, except to conclude any matters pending before it. The Disciplinary Board that will serve beginning on July 1, 2011 until Convention in November, 2011 will be appointed by the Bishop Diocesan in consultation with the Standing Committee and announced at Convention 2011. At the November 2011 Diocesan Convention all persons to serve on the Disciplinary Board will be elected by Convention in staggered terms and arranged in three classes, the terms of the first of which will expire in 2012, that of the second expiring in 2013 and that of the third expiring in 2014.

(c) Vacancies on the Disciplinary Board shall be filled as follows: Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop Diocesan of the vacancy and request appointment of a replacement member of the same order as the member to be replaced. The Bishop Diocesan, with the advice and consent of the Standing Committee, shall appoint a replacement Board member who meets the same eligibility requirements as apply to elected Board members. This person will serve until the next Diocesan Convention at which time the position will be filled by the election of Convention for the balance of the term of the replaced Board member. A Board member may be removed from office by the Bishop Diocesan, with the advice and consent of the Standing Committee, whenever in the judgment of the Bishop Diocesan the best interests of the Diocese would be served thereby.

(d) Within sixty (60) days following the annual Convention, the Disciplinary Board shall convene to elect a President from among its members to serve for the following calendar year, Provided that in the case of the initial appointment of members, the members shall meet and select a President prior to July 1, 2011 to serve until Diocesan Convention 2011. Education and training in the requirements of Title IV shall be conducted within the same period under the Direction of the Bishop Diocesan.

(e) The Panels of the Disciplinary Board are comprised as follows: the Reference

Panel is made up of the President of the Disciplinary Board, the Bishop Diocesan and the Intake Officer; the Conference Panel and the Hearing Panel shall be chosen by the President of the Disciplinary Board from among its members. Persons who are members of the Disciplinary Board may serve on either Panel, but no one person can serve on both the Conference Panel and the Hearing Panel for a single matter.

(f) In any proceedings under Title IV, if there is any member of a Conference Panel or Hearing Panel that becomes aware of a personal conflict of interest or bias, that member shall immediately notify the President of the Board and request a replacement member of the Panel. Respondent, Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subjects of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that matter.

Sec. 3. (a) The Intake Officer is the initial Diocesan contact person regarding the reporting of Offenses involving possible ecclesiastical discipline. This person is empowered to conduct a preliminary investigation and is required to submit a written intake-report, copied to the Reference Panel and the Church Attorney, advising one of the following courses of action:

- (1) If the information from the Complainant is not true, or, if the information is true but would not constitute an Offense, as determined by the Intake Officer, the Intake Officer shall report in writing to the Reference Panel and the Church Attorney an intention to dismiss. Under these circumstances the Intake Officer may retain copies of documents for consideration if additional information surfaces regarding the involved cleric. In case of the Complainant's appeal of this decision, it is the responsibility of the Intake Officer to assist the Complainant in preparation of the appeal, which will be forwarded to the President of the Disciplinary Board, who will affirm or overrule the dismissal.
- (2) If the information from the Complainant is true, and would be an Offense, the Intake Officer will promptly refer the complaint in a written report to the Reference Panel for Referral.

(b) There shall be two Intake Officers, of different genders, in the Diocese, one of which to be a member of the clergy and the other of the lay order. The responsibilities and authority of the Intake Officer are limited to this Diocese. Neither the Bishop Diocesan nor the Church Attorney, nor any member of their respective staffs, shall serve as Intake

Officer.

(c) The Intake Officer, upon invitation, may appear before any of the Boards or Panels described in these canons, but, with the exception of the Reference Panel, may not serve on any other of these said Boards or Panels in any formal elected or appointed position.

(d) So as to conform to the July, 2011 implementation date mandated by General Convention, the following two-stage method of appointment shall be employed:

(1) The Intake Officers shall be appointed by the Bishop Diocesan, in consultation with the Standing Committee, to a term of office which expires at the convening of the 2011 Diocesan Convention, unless an investigation is ongoing, in which case the term of the investigating Intake Officer expires with the completion of that Officer's completion of duties concerning that investigation.

(2) At the 2011 Diocesan Convention, the Bishop Diocesan, in consultation with the Standing Committee, will appoint the Intake Officers, whose term of office shall be three (3) years, renewable for one succeeding three-year term.

Sec. 4. The Bishop Diocesan, in consultation with the Standing Committee, shall appoint, on an annual basis, an attorney or attorneys to serve as Church Attorney(s). The person(s) so selected must be a duly licensed attorney in the State of New York. No person serving as Chancellor, Vice Chancellor or member of the Standing Committee, or any attorney affiliated in the practice of law with said persons, shall be eligible to serve as Church Attorney. Payment to the Church Attorney shall be pursuant to a written Retainer Agreement with the Diocese. In the course of his or her duties the Church Attorney may also consult with the President of the Disciplinary Board. A Church Attorney may be removed from office by the Bishop for cause, after the Church Attorney has had an opportunity to be heard by the Standing Committee. A vacancy in the office of Church Attorney shall be filled by the Bishop in consultation with the Standing Committee.

Sec. 5. The Bishop Diocesan shall make Advisors available to the Respondent and to the Complainant at the times prescribed in and subject to the restrictions provided in Title IV.19.10. Advisor shall mean a person designated to support, assist, consult with and advise a Complainant or Respondent in any matter of discipline under this Title and the rights, responsibilities, consequences and alternatives pertaining thereto. Complainants and Respondents shall be advised that Advisors are not intended to act as lawyers for them and should not be so considered by them. Respondents and Complainants are free to reject an Advisor who has been offered by the Bishop Diocesan and to select another of their own choosing.

Sec. 6. The Disciplinary Board shall appoint a Board Clerk to assist the Board with records management and administrative support, who may be a member of the Board.

Sec. 7. (a) The necessary costs, expenses and fees of the Disciplinary Board, Intake Officer, Investigator, Church Attorney, Board Clerk, Conference Panel, Hearing Panel, and Advisors made available by the Bishop Diocesan, and person designated by the Bishop Diocesan to be responsible for implementation of a pastoral response pursuant to Title IV.8 shall be the obligation of the Diocese.

(b) In the event of a final Order dismissing the complaint, or by provisions of an Accord approved by the Bishop Diocesan, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by the Diocese, subject to such budgetary constraints as may be established by the Diocesan Board.

Sec. 8. Any meeting required under these disciplinary canons, other than a hearing at which evidence may be taken or examined, may be conducted in person or through telephonic or other electronic communications equipment by means of which all persons participating in the meeting can communicate with each other at the same time.

Sec. 9. The Disciplinary Board may in its discretion seek legal counsel as it deems appropriate or necessary, or request counsel for the parties before it to brief legal issues on which it may seek advice. Fees incurred by the Board in this connection are the obligation of the Diocese.