

**CONSTITUTION**  
**of the**  
**EPISCOPAL DIOCESE**  
**OF EL CAMINO REAL**  
**adopted June 20, 1980**  
**amended through October 29, 2005**

**Article 1.**  
**Territory**

The Episcopal Diocese of El Camino Real shall be that part of the State of California within the counties of Monterey, San Benito, San Luis Obispo, and Santa Cruz and within the County of Santa Clara, except the Cities of Los Altos and Los Altos Hills, the unincorporated lands of Stanford University, and that part of the City of Palo Alto lying south and west of a line starting at El Camino Real and the San Mateo County Line, running along El Camino Real to the intersection of Page Mill Road, thence along Oregon Expressway to the Bayshore (U.S. Highway 101), thence southeasterly along the Bayshore to the city limits of Mountain View.

**Article 2.**  
**Acceding to The General Convention**

The Episcopal Diocese of El Camino Real accedes to the Constitution and Canons of The Episcopal Church and recognizes the authority of the General Convention of the same.

**Article 3.**  
**Authority of the Diocese**

The authority of the Diocese is vested in and exercised by its Bishop, its Bishop Coadjutor, if there is one, its Convention, and its Standing Committee, acting under and in subordination to The Episcopal Church, its General Convention, Constitution, Canons, and Regulations.

**Article 4.**  
**Ecclesiastical Authority**

- Section 1.** The Bishop is the Ecclesiastical Authority of the Diocese and exercises ordinary jurisdiction within the Diocese. The Bishop is also the Chief Pastor and Liturgical Officer of the Diocese and, as such, has the right to officiate within any congregation or elsewhere in the Diocese.
- Section 2.** If the Bishop becomes disabled, the Bishop Coadjutor, if there is one, shall assume all the powers and perform all the duties of the Bishop of the Diocese and shall be the Ecclesiastical Authority.
- Section 3.** If there is no Bishop or Bishop Coadjutor able to act, the Standing Committee shall be the Ecclesiastical Authority.
- Section 4.** If the Bishop is absent, a Bishop Coadjutor or the Standing Committee, if authorized in writing by the Bishop, shall act as the Ecclesiastical Authority until that authority is revoked by the Bishop.
- Section 5.** All controversies between the Rectors of two or more Parishes, or between a Parish or its Vestry and its Rector, or between persons adversely claiming to be members of the Vestry of a Parish shall be referred to the Ecclesiastical Authority for determination.

**Article 5.  
Standing Committee**

- Section 1.** The Standing Committee shall consist of four members of the clergy (Priests or Deacons) and four lay persons. The clerical members must be entitled to seat, voice, and vote in the Convention and the lay members must be communicants of the Church in this Diocese. The Standing Committee shall elect a President and Secretary from among its members.
- Section 2.** The members of the Standing Committee shall be elected by the Convention at its Annual Meeting to terms of four years each, or until their successors are elected. The members shall be divided into four classes, with one clerical and one lay member in each class. A new class shall be elected each year by the Convention. After serving one full term, no person shall be eligible to serve as a member of the Standing Committee until a period of one year has elapsed.
- Section 3.** The powers, the functions, and duties of the Standing Committee shall be those prescribed by the Constitution and Canons of The Episcopal Church and by the Constitution and Canons of this Diocese.
- Section 4.** If a vacancy occurs in its membership, the Standing Committee shall elect a replacement of the same order, who shall serve until the next Annual Meeting. At that meeting the Convention shall elect a member of the same order to fill the unexpired term.

**Article 6.  
Convention Organization**

- Section 1.** The legislative functions of the Diocese shall be exercised by the Convention as duly constituted and assembled.
- Section 2.** Every Parish and Mission in the Diocese at the time this Constitution is adopted shall be considered in union with

and entitled to representation in the Convention, unless and until it is deprived of such standing and right by vote of the Convention.

**Section 3.** The members of the Convention shall be the following:

- a. The Bishop, the Bishop Coadjutor, and the Suffragan Bishop, if there are such, shall each have a seat, voice, and vote.
- b. All clergy canonically resident in the Diocese, attached to a congregation or institution of the Diocese, and having a recognized ministry in that congregation, shall each have seat, voice, and vote.
  1. The Bishop may, at his pastoral discretion, release any clergy from membership in Convention who have requested such action or who have not attended Convention for the past two years.
  2. Any clergy who have relinquished their right to seat, voice, and vote, by the above procedure may be reinstated to Convention by a majority vote of the Diocesan Council.
- c. Lay delegates, selected as specified in the following sections, shall have seat, voice, and vote.

**Section 4.** The lay delegates from each Parish and Mission shall be elected by the congregation at its annual meeting and, if the congregation fails to act, by the Vestry of the Parish or Bishop's Committee of a Mission. Failing that, they shall be appointed by the Rector or Vicar. Each delegate must be a communicant entitled to vote in the annual meeting of the congregation the delegate represents.

**Section 5.** A Parish or Mission shall be entitled to elect the following number of lay delegates, based upon its latest Annual Parochial Report on file with the Diocese:

1 - 150 communicants:	3 delegates
151 - 250 communicants:	4 delegates

251 - 350 communicants:	5 delegates
351 - 450 communicants:	6 delegates
451 - 550 communicants:	7 delegates
551 - 650 communicants:	8 delegates
651 - 750 communicants:	9 delegates
751 - or more communicants:	10 delegates

- Section 6.** Alternate lay delegates shall have the same qualifications as lay delegates and shall be elected in the same manner. The number of alternates elected by a congregation shall not exceed the number of delegates it is entitled to elect. Alternate lay delegates shall be entitled to seat, but not voice and vote, unless acting in replacement of a delegate.
- Section 7.** The delegates and alternates shall take office on the first day of March following their election and shall serve until March first of the following year, or until their successors are elected.
- Section 8.** Each Bishop's Congregation and Parochial Mission shall have seat, voice, and vote at meetings of the Diocesan Convention in the same manner as that described in Sections 4 through 7 of this article.
- Section 9.** When not delegates to Convention, lay members of the Standing Committee and the Secretary, Treasurer, and Chancellor of the Diocese shall have seat, voice, and vote in the Convention.
- Section 10.** The Convention may grant a seat and voice or a seat, voice, and vote to such other persons as it deems appropriate.
- Section 11.** The Convention shall be the judge of the qualifications of its members in accordance with the provisions of the Constitution and the Canons of this Diocese.

**Article 7.  
Meetings of the Convention**

- Section 1.** The Convention shall regularly convene once each calendar year for its Annual Meeting. Additional regular meetings of the Convention may be specified by Canon. Notice of

the time and place of each meeting shall be given in the manner specified by Canon.

**Section 2.** The Ecclesiastical Authority, the Standing Committee, and the Convention shall each have the power to call special meetings of the Convention. The notice of a special meeting, in addition to stating the time and place, shall state the purpose for which it is called. No business other than that stated in the notice may be considered unless such consideration is approved by two-thirds vote of the Convention.

**Section 3.** The Ecclesiastical Authority shall have the power to change the time or place of any meeting, or both. Notice of such change shall be given in the manner specified by Canon.

**Section 4.** A quorum shall be declared to exist only when each of the following requirements is met:

- a. a majority of all clergy entitled to vote is present, with the exception of clergy deemed by the Bishop to be infirmed.
- b. a majority of all lay delegates are present,
- c. a majority of all congregations entitled to representation in the Convention have at least one voting member present.

If less than a quorum is present at any meeting, a majority of those present may adjourn the meeting from time to time without further notice until a quorum is present.

**Section 5.** The Convention shall deliberate as one body. Each member of the clergy entitled to vote and each lay delegate shall have one vote and, except as otherwise provided by this Constitution or by Canon, a majority of all votes cast shall determine any question submitted to the Convention.

**Section 6.** If for any cause a Parish or Mission of this Diocese is not represented in any meeting of the Convention, it shall

nevertheless be bound by all acts of the Convention at that meeting.

**Article 8.  
Convention Officers**

- Section 1.** The Bishop shall be the *ex-officio* President of the Convention. The President may at any time select a member of the Convention to preside in the President's place. If the President is absent and fails to appoint a member to preside, the Convention shall elect a member to act as President *pro tempore*.
- Section 2.** The Secretary of the Diocese shall be the *ex-officio* Secretary of the Convention.

**Article 9.  
Diocesan Officers**

- Section 1.** There shall be a Secretary, a Treasurer, and a Chancellor, and such other officers of the Diocese as the Canons may specify. The methods of their selection and their duties shall be defined by Canon.
- Section 2.** The Convention may at any meeting create by resolution a position of officer of the Diocese with attendant duties. Such a position may not have a duration of more than two years from creation unless confirmed by Canon at a subsequent meeting of Convention.

**Article 10.  
Removal of Officers of the Convention and Diocese**

The Ecclesiastical Authority, with the advise and consent of the Standing Committee, may at any time in the interval between meetings of the convention remove any officer of the Convention or Diocese, except the Bishop, for any cause judged to be sufficient. Any vacancy so created shall be filled in the manner provided by the Canons.

**Article 11.**

**Deputies to General Convention and Provincial Synod**

- Section 1.** At the Annual Meeting of the Convention held more than twelve months but less than twenty-four months before the opening date of a meeting of the General Convention, four priests or deacons entitled to vote in the Diocesan Convention and four lay communicants resident in the Diocese shall be elected as Deputies of the Diocese to the General Convention and to the Provincial Synod, to serve until their successors are elected. The election shall be by a concurrent majority vote of each order, clergy and lay, voting separately by ballot.
- Section 2.** On the election of the four Deputies in each order, the next four candidates in each order receiving the highest number of votes shall be considered elected as alternates.
- Section 3.** If the required number of Deputies and alternates has not been elected after a third ballot, election of the remainder shall be by both orders voting jointly by ballot and election to the unfilled positions shall be determined in the order of votes received.
- Section 4.** If a vacancy occurs in the representation of the Diocese, the Ecclesiastical Authority shall appoint an alternate of the same order to fill the vacancy. If no alternate is available, the Ecclesiastical Authority may appoint any other similarly qualified member of the clergy or laity, as the case may be.
- Section 5.** The Deputies shall report to the Diocese following each meeting of the General Convention and of the Provincial Synod.

**Article 12.**

**The Election of a Bishop**

- Section 1.** The election of a Bishop, Bishop Coadjutor, or Bishop Suffragan shall be at the Annual Meeting of the Convention or at a Special Meeting called by the Ecclesiastical Authority for that purpose. The election shall be by a

concurrent majority vote of each order, clergy and lay, voting separately by ballot.

**Section 2.** A quorum for the election of a Bishop, Bishop Coadjutor, or Bishop Suffragan shall be declared to exist only when each of the following requirements is met:

- a. two thirds of all clergy entitled to vote are present,
- b. two-thirds of all lay delegates are present,
- c. two-thirds of all congregations entitled to representation in the Convention have at least one voting member present.

### **Article 13. Regulation of Parishes and Missions**

**Section 1.** A Parish or Mission may be admitted into union with the Convention by majority vote of the Convention. In the case of a Parish, it shall produce satisfactory evidence of its recognition by the Ecclesiastical Authority as a Parish pursuant to the Canons. In the case of a Mission, it shall produce a certificate from the Ecclesiastical Authority stating that it is approved and regularly organized.

**Section 2.** The Canons shall provide an orderly procedure to follow in the event a Parish or Mission no longer qualifies as such.

**Section 3.** The union between the Convention and a Parish or a Mission may be dissolved if such Parish or Mission shall fail to conduct its affairs in accordance with the Constitution and Canons of this Diocese and the Constitution and Canons of The Episcopal Church.

### **Article 14. Funding**

**Section 1.** The Convention shall have the power to raise money by such means as it may determine from the Parishes and Missions of the Diocese for the regular expenses of the

Diocese and for other such purposes as the Convention may authorize.

**Section 2.** The Convention shall also have the power to impose such penalty as may be deemed necessary for the failure to meet such obligations when imposed.

**Article 15.**  
**Diocesan Corporation**

**Section 1.** The corporation known as "The Episcopal Church in the Diocese of El Camino Real," incorporated under the laws of the State of California, is recognized as under the authority and jurisdiction of the Convention of this Diocese.

**Section 2.** The Corporation shall be the legal entity of the Diocese. Except as otherwise provided in the Constitution or Canons, it shall hold title to and administer all property of the Diocese. The Corporation shall be governed by a Board of Directors. The composition of the Board shall be provided for by Canon. The members of the Board shall constitute the only "members" of the Corporation.

**Section 3.** This Constitution and the Canons of this Diocese shall constitute the primary bylaws of the Corporation, but the Board of Directors may adopt such additional bylaws as are necessary or useful in carrying on the Corporation's business and are not inconsistent with the Constitution and Canons.

**Section 4.** The Articles of Incorporation of the Corporation may be amended at any meeting of the Convention by a concurrent majority vote of each order, clergy and lay, voting separately. Proposed amendments shall be submitted and introduced in the same manner as provided in the Canons for amendments to the Canons.

**Article 16.  
Corporation Sole**

If authorized by resolution of the Convention, the Bishop may be incorporated under the laws of the State of California as a corporation sole. The purposes and powers of the corporation sole, if there be one, shall be such as are specified by the resolution.

**Article 17.  
Amendment**

**Section 1.** An amendment to this Constitution shall require concurrent action by two successive Annual Meetings of Convention.

**Section 2.** Any proposed amendment shall be submitted and introduced in the same manner as provided in the Canons for amendments to the Canons and, if approved by a concurrent majority vote of each order, clergy and lay, voting separately, shall lie over until the next Annual Meeting.

**Section 3.** If at the next Annual Meeting the amendment is approved by a concurrent majority of each order, clergy and lay, voting separately, and by the Bishop (unless there is a vacancy in the Episcopate or the Bishop is absent), the amendment shall be adopted. If the Bishop does not approve, the Convention shall vote again in the same manner and, if approved by a two thirds vote, the amendment shall be adopted.

**Section 4.** Each amendment shall be in force as of the date of its adoption unless a future date is specified in the amendment itself.

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*There were no amendments to the Constitution adopted by the Convention in 2005.*

**CANONS**  
**of the**  
**EPISCOPAL DIOCESE**  
**OF EL CAMINO REAL**  
**adopted June 20, 1980**  
**amended through October 29, 2005**

**Canon 1.**  
**Membership of the Convention**

- Section 1.** The Ecclesiastical Authority shall maintain a list of the clergy canonically resident in the Diocese who are entitled to seat, voice, and vote, together with identification of their respective responsibilities. This list shall be presented to the Convention at the beginning of business on the first day of each meeting of the Convention, and shall be entered into the minutes of the Convention.
- Section 2.** Clergy asserting the right to seat, voice, and vote shall, at such times as the Ecclesiastical Authority may direct, furnish satisfactory evidence of assignment to the work of the Church and participation in the sacramental functions of ministry. Those who fail to do so shall be removed from the list of those qualified to take part in the Convention.
- Section 3.** Each congregation shall file with the Secretary of the Convention a certified list of lay delegates and alternates no later than February 20 of each year. Alternates shall be listed in the order of votes received and shall be called upon to replace absent delegates in the order listed.

**Canon 2.**  
**Meetings of the Convention**

- Section 1.** The Convention shall form its own organization and adopt its own order of business and rules of order. In circumstances not covered by these rules, *Robert's Rules of Order* shall apply. Once adopted, the order of business and rules of order shall continue in force until amended or cancelled, in whole or in part, by the Convention.
- Section 2.** The Bishop as President shall appoint a committee on Dispatch of Business consisting of the Parliamentarian and two or more members of Convention. The Committee shall present a proposed agenda to each business meeting and shall propose changes in the Rules of Order or special rules as from time to time appear convenient.
- Section 3.** Beginning in 2007, the Annual Meeting shall be held in October or November of each year at such time and place as shall be fixed by the Ecclesiastical Authority within six months after the previous Annual Meeting. At the October or November Annual Meeting, the Convention shall consider and adopt the Diocesan Budget for the following fiscal year. Additional meetings of the Convention may be held. The Ecclesiastical Authority shall fix the times and locations of such meetings.
- Section 4.** At the 2001 Annual Meeting of the Convention, and every fifth year thereafter, the Standing Committee shall cause to be presented to the Convention a written evaluation of our Diocese, its structures, programs and ministries, its leadership and financial condition and the ways in which adopted objectives have been met.
- Section 5.** The Secretary shall mail a notice of each meeting of the Convention, and of any change in its time or place, at least thirty (30) days in advance of the meeting to each member of the clergy at the address shown on the list maintained by the Ecclesiastical Authority and to the delegates of each congregation in union with the Convention.
- Section 6.** The Secretary shall send to the minister in charge of each congregation in union with the Convention, forms or

certificates of election of delegates and alternates at least thirty (30) days prior to the time appointed for any Annual or Special Convention. If any such congregation be without a minister, such forms shall be sent to a Warden of the congregation.

**Section 7.** The following changes shall be applicable to any canon providing for the election or appointment of persons at the Annual Meeting of the Convention:

- (a) Persons elected or appointed to one-year terms at the Annual Meeting of the Convention held in January of 2006 shall serve until the Annual Meeting held in October/November of 2006.
- (b) Persons elected or appointed to two-year terms at the Annual Meeting of the Convention held in January of 2005 shall serve until the Annual Meeting held in October/November of 2006.
- (c) Persons elected or appointed to two-year terms at the Annual Meeting of the Convention held in January of 2006 shall serve until the Annual Meeting held in October/November of 2007.
- (d) Persons elected or appointed to three-year terms at the Annual Meeting of the Convention held in January of 2004 shall serve until the Annual Meeting held in October/November of 2006.
- (e) Persons elected or appointed to three-year terms at the Annual Meeting of the Convention held in January of 2005 shall serve until the Annual Meeting held in October/November of 2007.
- (f) Persons elected or appointed to three-year terms at the Annual Meeting of the Convention held in January of 2006 shall serve until the Annual Meeting held in October/ November of 2008.
- (g) Persons elected or appointed to four-year terms at the Annual Meeting of the Convention held in January of 2003 shall serve until the Annual Meeting held in October/ November of 2006.
- (h) Persons elected or appointed to four-year terms at the Annual Meeting of the Convention held in January of 2004 shall serve until the Annual Meeting held in October/ November of 2007.

- (i) Persons elected or appointed to four-year terms at the Annual Meeting of the Convention held in January of 2005 shall serve until the Annual Meeting held in October/ November of 2008.
- (j) Person elected or appointed to four-year terms at the Annual Meeting of the Convention held in January of 2006 shall serve until the Annual Meeting held in October/ November of 2009.
- (k) This Section shall expire and be removed from these Canons, effective with the adjournment of the Annual Meeting of the Convention in 2009.

**Canon 3.  
Officers of the Diocese**

**Section 1.** A Secretary who shall be a communicant of the Church in this Diocese shall be elected at each Annual Meeting of the Convention. The Secretary shall take office sixty (60) days from the close of that meeting and shall continue in office until sixty (60) days after the close of the Annual Meeting at which a successor is elected. If the office of Secretary becomes vacant between meetings of the Convention, the Standing Committee shall appoint a replacement to serve until a successor is elected.

**Section 2.** The Secretary, who shall be *ex officio* Secretary of the Convention, shall record the minutes and proceedings of the Convention, prepare and distribute the Journal of the Convention, and shall preserve all records and deliver them to the successor. The Secretary shall make a report of official acts to the Convention each year. The retiring Secretary shall be responsible for preparing the minutes of all meetings of the Convention during the term of office.

**Section 3.** The Secretary shall cause minutes of the proceedings of Diocesan Council to be prepared, and after they have been approved, recorded in a book, and shall deliver to the incoming Secretary all books and papers relating to the Convention.

**Section 4.** The Secretary shall send to the Secretary of the General Convention and Synod, a certificate of the election of

clerical and lay deputies and shall perform such other duties as may from time to time be required by the Secretary of the General Convention.

- Section 5.** The Secretary shall be the Chair of the Agenda Committee (with Dispatch of Business) for the Annual Meeting.
- Section 6.** The Secretary may appoint one or more Assistant Secretaries to assist with these duties.
- Section 7.** A Treasurer who shall be a communicant of the Church in this Diocese shall be elected at each Annual Meeting of the Convention and shall serve until a successor is elected. If the office of Treasurer becomes vacant between meetings of the Convention, the Finance and Stewardship Committee shall appoint a replacement, with the advice and consent of the Standing Committee, to serve until a successor is elected.
- Section 8.** The Treasurer shall have custody of all funds belonging to the Diocese and shall pay, when due, all regularly budgeted items. The Treasurer shall pay other items and invest diocesan funds only upon warrant of the canonical authorities. The Treasurer shall be bonded.
- Section 9.** At each Annual Meeting the Treasurer shall present a written statement of accounts for the previous fiscal year. The Treasurer shall close the several accounts on December 31 of each year. The accounts shall be audited and the auditor's certificate published in the Journal of the Convention.
- Section 10.** The records of the Secretary and the Treasurer shall be open at all times for inspection by the Ecclesiastical Authority, the Standing Committee, and the Convention.
- Section 11.** A Chancellor who shall be a communicant of the Church in this Diocese and shall be learned in the law shall be appointed by the Ecclesiastical Authority at each Annual Meeting of the Convention and shall serve until a successor is appointed. The Chancellor shall be the legal advisor to the Diocese.

- Section 12.** The Archivist shall be appointed by the Ecclesiastical Authority of the Diocese and shall hold office at the pleasure of the Ecclesiastical Authority.
- Section 13.** It shall be the duty of the Archivist of the Diocese to collect and preserve such materials as can be obtained relative to the history of the Diocese, its Bishops, Parishes, Missions, Institutions, and undertakings, and so to arrange, catalog, and classify all such books, documents, photographs, and papers in his or her custody as to make their content accessible for reference and research. All such materials shall remain the property of the Diocese and shall be delivered to the custody of the Archivist.
- Section 14.** Records and materials in the custody of the Archivist shall be available for research purposes and shall be made accessible by the Archivist under such rules as may be reasonably established.
- Section 15.** The Archivist, when requested by either the Bishop or the Convention, shall obtain, prepare and furnish material or data on any specific matter and shall make a report of such findings to the Bishop, or the Convention at its next Annual Meeting, as appropriate.
- Section 16.** The Archivist may from time to time present to the Convention a written report showing the performance of the duties of the office, the condition of the collections and the additions made to them, with such recommendations as may appear proper concerning their safe preservation, arrangement, and increase, and concerning the best method of securing to the Church a knowledge of all matters of importance contained therein.

#### **Canon 4 Committees Serving the Convention**

- Section 1.** There shall be a Committee on Resolutions, which shall consist of four members, either clerics (who shall be canonically resident in this Diocese) or lay persons (who shall be communicants in good standing in a congregation

of this Diocese). Their appointments shall be made at each Annual Meeting of the Convention by the Bishop, or if there be no Bishop, by the Ecclesiastical Authority. The appointment shall designate a Convenor. The Committee shall perform the following functions:

- a. Be available before the deadline for submittal of resolutions prior to each Annual Meeting of the Convention to consult with any Diocesan body or any other person entitled to submit resolutions as to the proper form and substance of a proposed resolution, the better to properly prepare the same;
- b. After the deadline for submittal of resolutions, accept from the Secretary the text of all resolutions submitted (except those dealing with proposed amendments to the Constitution, the Canons, or the Rules), and review them for form and substance;
- c. Propose to the maker any appropriate changes to the text of the resolution;
- d. On the floor of the Convention, present each resolution filed in accordance to the Rules and report on it in accordance with the Rules;
- e. Be available on the floor of the Convention to consult with any member wishing to propose an amendment to any resolution. This consultation shall be directed to ensure that the proposal, if adopted, would be in proper form and substance;
- f. The members of the Committee shall be familiar with the Rules of the Convention of this diocese as well as the Rules of the General Convention in order to facilitate ensuring that resolutions addressed to either body may be considered on substance and not form (or lack thereof).

**Section 2.** There shall be a Committee on Constitution and Canons, which shall consist of six members, either clerics (who shall be canonically resident in this Diocese) or lay persons

(who shall be communicants in good standing in a congregation of this Diocese). Their appointments shall be made at each Annual Meeting of the Convention by the Bishop, or if there be no Bishop, by the Ecclesiastical Authority. The appointment shall designate a Convenor. The Committee shall perform the following functions:

- a. Upon receipt of a request from any Diocesan body or any other Officer entitled to propose changes to the Constitution, the Canons, or the Rules, to draft language suitable to carry out the desired purpose; to correspond with the proposer to ensure that the draft is satisfactory; and to submit the resultant resolution to the Secretary;
- b. Be available before the deadline for submittal of proposed changes to either the Constitution, the Canons, or the Rules prior to each Annual Meeting of the Convention to consult with any Diocesan body or any other person entitled to submit such resolutions as to the proper form and substance of their proposed amendment, the better to properly prepare the same;
- c. After the deadline for submittal of resolutions, accept from the Secretary the text of all resolutions dealing with proposed changes to the Constitution, the Canons, or the Rules which have been submitted, and review them for form and substance;
- d. Propose to the maker any appropriate changes to the text of the resolution;
- e. On the floor of the Convention, present each resolution filed in accordance to the Rules and report on it in accordance with the Rules;
- f. Be available on the floor of the Convention to consult with any member wishing to propose an amendment to any resolution dealing with changes to the Constitution, the Canons, or the Rules. This consultation shall be directed to ensure that the proposal, if adopted, would be in proper form and substance;

- g. The Committee on Constitution and Canons shall ensure that the form of any proposed resolution is in keeping with the form and substance of the Constitution and Canons of this Diocese and of the Episcopal Church. It may amend such proposed resolutions only to effect such consistency and may not amend the substance of the proposed resolution;
- h. The Committee on Constitution and Canons may suggest substantive amendments to the proponent of a proposed resolution. The Committee may likewise suggest substantive amendments to the opponent of any measure that proposes an amendment to the Constitution, the Canons, or the Rules.

**Section 3.** There shall be a Diocesan Leadership Recruiting Committee to be comprised of the Deans of each of the respective deaneries (or, if there be no Dean, by a cleric elected by the deanery) and one lay person from each deanery selected in a manner agreeable to that deanery. Each lay person may serve a maximum of 6 years at any given time. After 6 years, that person may not be reselected for at least 2 years. The Committee shall perform the functions of the Nominations Committee specified in the Rules, and shall be convened by the senior Dean, performing the following other functions:

- a. Consult with the Secretary to determine which elective offices will have vacancies at the next meeting of the Convention;
- b. Consult with the Secretary to determine whoever holding an elective office is eligible for re-election, and ask that person if they desire to be re-elected; such persons shall be placed in nomination;
- c. Consult with each Deanery for suggestions and advice regarding suitable persons for nomination for elective or appointive bodies;

- d. Shall nominate to the Convention suitable candidates for all elective offices and propose to the various boards and commissions suitable candidates for appointment to non-elected membership on diocesan boards and commissions;
- e. Coordinate with the Diocesan Council to ensure that a clear and consistent form be provided for candidate information;
- f. Furnish each of the various candidates for elective office the candidate information form in a timely manner for publication before each Annual Meeting of the Convention;
- g. Consult with each Deanery to help identify potential future members of the various diocesan boards, commissions, and elective offices and arrange for mentoring and encouragement as necessary to ensure their readiness for this work;
- h. Conduct such training events as it may deem necessary to assist the preparation of potential future leaders of the diocese.

**Canon 5.  
Commission on Ministry**

**Section 1.** There shall be a Commission on Ministry to perform the functions specified by the Canons of the Episcopal Church. The Commission shall consist of not more than sixteen (16) members including its presiding officer.

**Section 2.** Four clerical members and four lay members shall be elected at the Annual Meeting of the Convention to serve four-year terms on a rotating basis, one clerical and one lay member to be elected each year. If a vacancy occurs among the elected members on the Commission between meetings of the Convention, the Ecclesiastical Authority shall appoint a replacement of the same order, who shall serve until the next Annual Meeting. At that meeting the

Convention shall select a member of the same order to fill the unexpired term.

**Section 3.** The Ecclesiastical Authority shall appoint up to eight persons to serve four-year terms on a rotating basis and may appoint replacement members to fill vacancies in unexpired terms. The Ecclesiastical Authority shall appoint or ask the Commission to elect as chair one person from among its elected and appointed members for a term at the discretion of the Ecclesiastical Authority.

### **Canon 6. Diocesan Council**

**Section 1.** There shall be a Diocesan Council which shall act on behalf of Convention between meetings thereof, to develop and implement the policies, programs, and budget approved and adopted by the Convention. The Diocesan Council shall make a report to the Convention at each Annual Meeting.

- Section 2.** The Diocesan Council shall consist of no more than twenty three persons including
- a.** the Bishop, the Secretary of the Diocese, the Treasurer of the Diocese, the President of the Diocesan Episcopal Church Women or a designee, and the Chair of the Diocesan Council on Youth or a designee, and one member selected by, each, from the Department of Intercultural Evangelism and Mission, and the Finance Committee from their respective memberships, who all shall be members *ex officio*.
  - b.** Six clerics who are members of the Convention of this Diocese shall be elected by the Convention at its Annual Meeting. Three clerical members shall be elected at each Annual Meeting on a rotating basis.
  - c.** Seven elected lay members. In odd-numbered years, the Central Valley, Santa Cruz and San Luis Obispo deaneries shall each nominate one or more members.

In even-numbered years, the West Valley, South Valley, South Coast, and Salinas Valley deaneries shall each nominate one or more members. Only one person from each deanery, so nominated, shall be elected to the Diocesan Council by the Diocesan Convention at its Annual Meeting. These lay members shall be communicants in good standing in this Diocese.

- d. Three members may be appointed by the Ecclesiastical Authority at each Annual Meeting of the Convention.

**Section 3.** The term of office for an elected member of the Diocesan Council shall be two years, commencing at the first meeting of Council following the Annual Meeting of the Convention and continuing until the second Annual Meeting following. After serving two consecutive two-year terms, such member shall not be eligible for reelection until a period of one year has elapsed. Appointed members shall serve a one-year term, and may be reappointed at the discretion of the Ecclesiastical Authority.

**Section 4.** If a vacancy occurs on the Diocesan Council between meetings of the Convention, a replacement of the same order shall be appointed by the Ecclesiastical Authority subject to confirmation by the Diocesan Council, such replacement to serve until the next Annual Meeting of the Convention.

**Section 5.** The Diocesan Council may adopt bylaws as are necessary or useful in carrying on its business and which are not inconsistent with the Constitution or Canons of this Diocese.

**Section 6.** The term “implement” as used in Section 1 of this Canon is taken to include the authority to reduce the Diocesan Budget in a situation where it is clear the income will not meet budgeted expenditures. Such reduction may be done in a non-uniform manner as the Council may determine.

**Canon 7.**  
**Department of Intercultural Evangelism and Mission**

**Section 1.** There shall be a Department of Intercultural Evangelism and Mission which shall have the following functions:

- a. Congregational Development: the Department shall provide administrative and financial oversight, congregational planning, and goal-setting for mission congregations of the diocese.
- b. Evangelism, Church Growth, and Advocacy: the Department shall support congregations in their efforts to evangelize their local communities; shall encourage the congregations of the diocese to adopt intercultural ministry as essential to their own congregational mission, as well as the mission of the diocese; shall provide training opportunities in intercultural ministry; shall advocate on behalf of all the people of the diocese in matters of social justice.
- c. Mission Planning: the Department shall assist in developing long range plans for organizing new congregations in the diocese.

**Section 2.** The Department of Intercultural Evangelism and Mission shall consist of no more than 21 members including:

- a. The Bishop and the Canon to the Ordinary, *ex officio*. The Canon to the Ordinary shall serve as Chair of the Department. If there be no Canon to the Ordinary, the Bishop shall serve as Chair of the Department.
- b. Fourteen elected members, seven to be elected each year. Each deanery shall nominate one or more members, only one of whom shall be elected to the Department by the Diocesan Convention at its Annual Meeting.
- c. Five members may be appointed by the Ecclesiastical Authority at each Annual Meeting of the Convention, taking into account cultural and ethnic representation.

**Section 3.** The term of office for an elected member of the Department shall be two years, commencing at the first meeting of the Department following the Annual Meeting of the Convention and continuing until the second Annual Meeting following. After serving two consecutive two-year terms, such member shall not be eligible for reelection until a period of one year has elapsed. Appointed members shall serve a one-year term and may be reappointed at the discretion of the Ecclesiastical Authority.

**Section 4.** If a vacancy of an elected member occurs on the Department between meetings of the Convention, a replacement shall be appointed by the Ecclesiastical Authority subject to confirmation by the Diocesan Council, such replacement to serve until the next Annual Meeting of the Convention. The replacement shall be from the same deanery as the former member.

### **Canon 8. Department of Higher Education**

**Section 1.** There shall be a Department of Higher Education which shall have the following functions:  
To oversee all campus ministries of the Diocese; to support local congregations in their efforts of evangelism, outreach and pastoral care to students, faculty and staff of the universities, colleges and community colleges in the Diocese; and to assist appropriate Diocesan agencies in developing long range plans for organizing new campus ministry programs in the Diocese.

**Section 2.** The Department of Higher Education shall consist of no more than fourteen (14) members including:

- a. The Bishop and the Canon to the Ordinary, both *ex officio*. The Bishop shall appoint the Chair of the Department. If there be no Chair, the Bishop shall serve as Chair of the Department.
- b. Seven appointed members. These members, one from each deanery, are to be appointed by the Department for three year terms, beginning with the Annual

Meeting of the Diocesan Convention at which they are to be confirmed. The name of each person appointed shall be submitted to the Diocesan Convention at its Annual Meeting for confirmation. No member may serve more than two consecutive terms without waiting at least a year before being eligible for appointment again. Only one person from each deanery, so appointed, may serve as a member of the Department at any one time. These members shall be either clerics who are members of the Convention of this Diocese, or clerics from other denominations who have been hired by the Department as chaplains, or lay persons who are communicants in good standing in this Diocese.

- c. Five members may be appointed by the Ecclesiastical Authority at each Annual Meeting of the Convention, taking into account cultural and ethnic representation.

**Section 3.** Members appointed pursuant to Section 2.c by the Ecclesiastical Authority shall serve a one-year term and may be reappointed at the discretion of the Ecclesiastical Authority.

**Section 4.** If a vacancy of a member occurs on the Department between meetings of the Convention, a replacement shall be appointed (i) by the Department, for a Section 2.b. member, and from the same Deanery as the member being replaced or (ii) by the Ecclesiastical Authority, for a Section 2.c. member. Any such replacement shall serve the remaining term of the member being replaced.

**Canon 9.**  
**Commission on Children and Youth**

- Section 1.** There shall be a Commission on Children and Youth to perform the following functions:
- a.** Develop, manage, and maintain diocesan youth events that enhance local congregations' work in bringing young people to a deeper knowledge of Christ;
  - b.** Support and assist congregations and people in their work of Christian formation for children and youth of all ages;
  - c.** Organize, manage, and present diocesan conferences and seminars for children, youth, and adults ministering to the young, for the purpose of nurturing church leadership; and
  - d.** Such other activities as are reasonable and appropriate for performing the foregoing functions.
- Section 2.** The Commission shall consist of nine (9) members, not including ex officio members, who shall serve three-year terms on a rotating basis. Members may be either lay or clerical.
- Section 3.** Three (3) members shall be from the north; three (3) members shall be from the central; and three (3) members shall be from the south. At least one (1) but not more than two (2) of the members from each area of north, central, and south shall be young persons between the ages of sixteen (16) and twenty-five (25) at the time of appointment. For purposes of this Section, the north shall consist of the West Valley Deanery, the Central Valley Deanery, and the South Valley Deanery; the central shall consist of the Santa Cruz Deanery, the South Coast Deanery, and the Salinas Valley Deanery; and the south shall consist of the San Luis Obispo Deanery. Members, one from each area, are to be appointed by the Commission each year for three year terms and no member may serve more than two consecutive terms without waiting a year

before being eligible for appointment again. The name of each person appointed shall be submitted to the Diocesan Convention at its Annual Meeting for confirmation.

**Section 4.** In addition to the regularly elected or appointed members of the Commission, the Ecclesiastical Authority, the Canon Educator, the Regional Youth Advocates, and an adult representative from the diocesan camp program, appointed by the Camp Director(s), shall be ex officio members of the Commission. The Canon Educator shall be the Presiding Officer of the Commission. Ex-officio members shall have seat, voice, and vote at all meetings of the Commission.

**Section 5.** If a vacancy occurs among the elected members on the Commission between meetings of the Convention, the Ecclesiastical Authority shall appoint a replacement from the same geographical region of the Diocese; young persons shall be appointed to replace young persons. Appointees shall serve until the next Annual Meeting, at which meeting the Convention shall elect a replacement from the same geographical region of the Diocese to fill the balance of the unexpired term.

**Section 6.** The term of members of the Commission shall commence at the first meeting of the Commission following the Annual Meeting of the Convention. Retiring members of the Commission shall not be eligible for re-election for a period of one year.

**Section 7.** The Commission may adopt bylaws and rules of procedure as are necessary or useful in carrying on its business and which are not inconsistent with the Constitution or Canons of this Diocese.

**Section 8.** At the Annual Meeting of Convention at which the Commission is approved, nine (9) members shall be elected to the Commission, three each from the north, central, and south as described in Section 3 of this Canon. At the initial meeting of the Commission, the elected members shall determine by lot by geographical region which members shall serve for one, two, and three year terms. Thereafter, terms shall rotate as set forth above.

**Canon 10.**  
**Deaneries**

**Section 1.** There shall be seven deaneries in the Diocese with the names set forth below:

West Valley Deanery  
Central Valley Deanery  
South Valley Deanery  
Santa Cruz Deanery  
South Coast Deanery  
Salinas Valley Deanery  
San Luis Obispo Deanery.

Each Deanery shall be constituted as it was on 1 January 1999 until such time as the Bishop and Diocesan Council make changes in deaneries or constituencies thereof.

**Section 2.** Each Congregation organized under the provisions of Canon 15 and not yet admitted into union with the Convention of this Diocese shall be assigned by the Ecclesiastical Authority to membership in an appropriate deanery. The Ecclesiastical Authority shall notify the Convenor of the deanery in writing of such assignment.

**Section 3.** There shall be a convocation for each deanery at least once a year, when the deanery shall nominate or elect persons for offices as required by these Canons. Each deanery may elect a Convenor (Presiding Officer) and other officers and prescribe their respective duties. The convocation of the deanery may make rules and bylaws in the furtherance of its purposes and not inconsistent with these Canons.

**Section 4.** The Bishop shall appoint a presbyter to be the Dean in each deanery. The Dean shall serve within the deanery as described in Section 5. The Dean shall assist the Convenor and the other officers of the deanery in matters pertaining to their respective duties, and shall facilitate communication between the deaneries and the Bishop.

**Section 5.** All clerics serving parishes, missions, Bishop's congregations, parochial missions, and institutions or who have been assigned by the Bishop to duties within the

deanery, and all delegates and alternates of such congregations, including Bishop's congregations and parochial missions, duly organized but not yet admitted as missions in union with Convention, shall be entitled to seat, voice, and vote.

**Section 6.** The Secretary of the Convention shall maintain a list of the membership of the deaneries and shall publish this list in the Journal of the Convention.

### **Canon 11. Task Forces**

**Section 1.** The Ecclesiastical Authority may appoint or the Convention may elect such Task Forces as each deems necessary for the development and implementation of the program of the Diocese, or for other purposes. They may be funded by appropriate action of the Convention.

**Section 2.** Any such Task Force shall remain in existence for a maximum period of three (3) years, unless terminated earlier, and may be continued at the end of such time only by an action of the Convention. Such continuation shall be for a maximum period of three (3) years. Should it be determined, at the end of six years, that such Task Force is necessary to the ongoing life of the Diocese, then a Canon shall be drafted and proposed for adoption to ensure continuity and proper scope of work.

### **Canon 12. Finance and Stewardship Committee**

**Section 1.** There shall be a Finance and Stewardship Committee whose members shall be appointed by the Ecclesiastical Authority, with the advice and consent of the Standing Committee, subject to confirmation by the Convention. Should the Standing Committee be acting as the Ecclesiastical Authority, the members of the Finance and Stewardship Committee shall be appointed by the Ecclesiastical Authority, with the advice and consent of the Diocesan Council, subject to confirmation by the

Convention. The Treasurer of the Diocese shall be a member *ex officio* of the Committee.

- Section 2.** The Committee shall maintain general supervision of the financial affairs of the Diocese and all congregations, institutions, and organizations subject to the Canons of the Diocese to insure that the standard business methods prescribed by the Canons of The Episcopal Church are observed in the conduct of such affairs.
- Section 3.** The Committee shall monitor the stewardship activities of the parishes and shall offer to train parish officials in the ideals and practice of Christian stewardship when such assistance appears to be needed.
- Section 4.** The Committee shall have the right of inspection and audit of all books and financial records of the Diocese, its congregations, and all corporations and other institutions subject to the Canons of the Diocese.
- Section 5.** The Committee shall receive the report of the annual audit of the accounts of the Diocese on behalf of the Diocesan Corporation and the Convention, shall make an annual report to the Convention, and shall deliver, immediately on receipt, copies of both the final audit reports and the final management letter to the Bishop and to all members of the Standing Committee, the Board of Directors of the Corporation, and the Council.

**Canon 13.**  
**Directors of the Diocesan Corporation**

- Section 1.** The Board of Directors of the Corporation known as “The Episcopal Church in the Diocese of El Camino Real” shall consist of eleven persons including the Bishop, the Secretary, and the Treasurer, who shall be members of the Board *ex officio*. The remaining eight persons shall be elected by the Convention to terms in rotation of four years each, two to be elected each year.
- Section 2.** The title of trust funds and real estate acquired by gift, purchase, or otherwise for the use of The Episcopal

Diocese of El Camino Real, or for any Parish, Mission, or Bishop's Congregation, or where there is no congregation, or for any institution, society, or other organization of the Diocese, may be vested in the Corporation, in trust, for such purposes as are specified in the grant.

**Section 3.** Whenever any congregation for any reason ceases to exist, all real and personal property held by the Corporation, in trust, for that congregation shall become the property of the Corporation.

**Section 4.** The Board of Directors of the Corporation shall designate the depositories and investments of the funds of the Diocese.

**Section 5.** After seeking a recommendation from the Finance and Stewardship Committee, the Board of Directors of the Corporation shall choose and engage the auditor for the annual audit of the accounts of the Diocese.

**Section 6.** No real estate or other property held by the Corporation shall be encumbered or alienated without the written consent of the Bishop and the Standing Committee.

#### **Canon 14. Financial Support of the Diocese**

**Section 1.** The development of the annual Diocesan Operating Budget shall be in a manner prescribed by the Diocesan Council.

**Section 2.** The Annual Meeting Convention shall approve the final form of the budget taking into consideration feedback from congregations about programs and priorities. At the same meeting the Convention shall fix the method for computing the fair share support for the year following the next budget year.

**Section 3.** Each congregation is expected to accept its full fair share as part of its financial obligations. In the event that the fair share cannot be accepted, the congregation will either submit an explanation or make appeal to the Diocesan

Council, in a form and manner adopted by the Diocesan Council, for reduction in its fair share support.

- Section 4.** Should a Parish fail to meet its fair share over a period of two consecutive years, the Bishop, acting with the concurrence of the Standing Committee and the Convention, may require the Parish to revert to the status of a Mission, and to transfer all its real and personal property to the Diocese.
- Section 5.** One-twelfth of each congregation's fair share toward the annual budget shall be due and payable by the tenth (10<sup>th</sup>) of each month.
- Section 6.** The Treasurer shall maintain a reserve fund to meet possible short falls in the fair share payments of the Parishes and Missions. The amount of the reserve fund shall be determined by Diocesan Council after consultation with the Treasurer and the Finance Committee.
- Section 7.** The General Convention Assessment and Executive Council Budget of The Episcopal Church shall have high priority in the budgeted program of the Diocese.

### **Canon 15.**

#### **Administration of Congregations other than Parishes**

- Section 1.** The Bishop shall have authority and direction over all Missionary work within the Diocese.
- Section 2.** The Convention shall provide for assistance to the Bishop in the nurture and supervision of Missions and Bishop's Congregations.

### **Canon 16.**

#### **Organizing Congregations**

- Section 1.** When it is desired to establish a new congregation, a letter of application shall be presented to the Bishop, setting forth the site or meeting place proposed. Such congregation may be a Bishop's Congregation or a Mission Congregation; in

the later case, the conditions of Canon 17 must be fulfilled.

**Section 2.** As soon as may be practical after the receipt of such application, the Bishop shall cause copies of the same to be delivered, either personally or by registered or certified mail, to the Minister in charge, and to the Clerk of the Vestry of each of those churches contiguous to or likely to be affected by the proposed new work. The Bishop shall give notice at the same time to each such Minister and Clerk or others appointed by the Vestry to appear before the Bishop, the Department of Missions and Standing Committee at a time to be named by the Bishop, not less than 20 days from the mailing date of said notice, to show cause, if they have any, as to why the application should not be granted. Notice of the time and place of hearing shall be delivered in like manner to the Minister in charge and the Clerk of the Vestry of the applicant if such these be.

**Section 3.** The Bishop and Standing Committee, at the time designated, shall hear any person or persons who may desire to be heard in support of, or in opposition to said application. If the Bishop and Standing Committee approve the application, they shall express their consents thereto in writing, a duplicate of which shall be recorded in the Minutes of the Standing Committee.

**Section 4.** The Bishop, with the advice and consent of the Standing Committee, may establish new congregations whenever and wherever in the Bishop's judgment, circumstances require. In such instances, the Bishop shall show cause, in accordance with Sections 1 and 2 above.

**Section 5.** A Parochial Mission may be established by a Parish or Parishes acting together, only with the consent of the Bishop and the advice and consent of Standing Committee, and in accordance with Canon 16, Section 2 and 3.

**Canon 17.  
Missions**

- Section 1.** A Mission is a congregation that has a Vicar and a Bishop's Committee and has been admitted into union with the Convention of this Diocese.
- Section 2.** A Bishop's Congregation may become a Mission in union with and entitled to representation in the Convention of this Diocese in the following manner:
- a.** An application, following a diocesan form, shall be made to the Bishop describing the assets, membership, and stewardship support of the congregation. The application shall clearly provide for a commitment on the part of the congregation to remain a part of the Diocese and The Episcopal Church in accordance with Title I, Canon 6, Section 4 of the Constitution and Canons of The Episcopal Church. The approval of the application by the Bishop, with the advice and consent of the Standing Committee, or by the Standing Committee when serving as the Ecclesiastical Authority, shall be required before any further action under this canon may be taken.
  - b.** Upon approval of the establishment of a Mission the Bishop shall appoint a Vicar and a provisional Bishop's Committee of at least five members to serve until the first annual meeting of the Mission. The presiding officer of that meeting shall be the Bishop or the Bishop's representative. The congregation shall elect a full Bishop's Committee, defining initial terms so as to provide a regular rotation in subsequent years. The qualifications for candidates and voters shall be the same as for Parishes. From among the elected members of the Committee, the Bishop shall appoint a Senior Warden upon the nomination of the Vicar, and a Junior Warden upon the nomination of the Bishop's Committee. The Bishop's Committee shall elect a Clerk and a

Treasurer. Officers of the Bishop's Committee shall perform the duties usually pertaining to these offices in a Parish.

- c. The Treasurer shall make such reports as the Ecclesiastical Authority or the Bishop's Committee shall require. At the close of each year the Treasurer's accounts shall be audited by an agency approved by the Finance Committee of the Diocese. A complete copy of the audit shall be forwarded to the Finance Committee before September 1 of the next year. The Treasurer shall be bonded.

**Section 3.** At the next meeting of the Convention following its organization as such, the Mission shall present an application for admission into union with the Convention. The application shall be accompanied by a certificate from the Ecclesiastical Authority stating that the Mission is approved and regularly organized.

**Section 4.** The Convention delegates and the Bishop's Committee of each Mission shall hold at least one meeting to discuss program, budget, and other matters in preparation for each Annual Meeting of the Convention.

### **Canon 18. Parishes**

**Section 1.** A Mission may apply to the Ecclesiastical Authority for parish status when normal expenses of the congregation have been met, including any financial obligations prescribed by the Convention, for a period of two consecutive years. Normal expenses include, among other expenses, fair and equitable salary, housing, and insurance expenses for the Vicar, and pension fund contributions when applicable.

**Section 2.** The applicant congregation shall submit the following to the Ecclesiastical Authority:

- a. A copy of its proposed Articles of Incorporation as a Parish, which will include the following: "All

property held by or for the benefit of this corporation is forever held in trust for the Episcopal Church and the Episcopal Diocese of El Camino Real,” and that the congregation will abide by the Rules, Regulations, and Discipline of The Episcopal Church and this Diocese. The same Rules, Regulations, and Discipline of The Episcopal Church, the Constitution and Canons of the same, as well as the Constitution and Canons of this Diocese must always form a part of its bylaws.

- b. A certificate from the Vicar or Warden providing satisfactory evidence of a congregation having sufficient numbers and balance to assure the Convention of the viability of the proposed parish.
- c. A certificate from the Department of Intercultural Evangelism and Mission if the congregation applying for parish status has not employed a full-time priest for the previous two years, certifying that the application is consonant with the mission of the Diocese and the demographics of the region.
- d. The approval of the application by the Bishop, with the advice and consent of the Standing Committee, or by the Standing Committee when serving as the Ecclesiastical Authority, shall be required before any further action under this Canon may be taken.

**Section 3.** If the application is approved, the applicant congregation may be organized as a Parish and incorporated as such under the laws of the State of California. At the next meeting of the Convention, the Parish shall present an application for admission into union with the Convention. The application shall be accompanied by a certificate from the Ecclesiastical Authority recognizing the applicant's status as a Parish.

**Section 4.** When a congregation has been organized, incorporated, and admitted into union with the Convention as a Parish, the Diocesan Corporation shall, upon written request by the Parish, transfer to it the property held in trust for the congregation, provided that all expenses and obligations of

the Corporation pertaining to such property have been discharged or otherwise provided for.

**Section 5.** A Parish shall not encumber or alienate its real property, or any part thereof, without the written consent of the Bishop and the Standing Committee.

**Section 6.** All real and personal property held by or for the benefit of any Parish, Mission, or Bishop's Congregation is held in trust for The Episcopal Church and this Diocese. The existence of this trust, however, shall in no way limit the power and authority of the Parish, Mission, or Bishop's Congregation otherwise existing over such property so long as the particular Parish, Mission, or Bishop's Congregation remains a part of, and subject to The Episcopal Church, its Constitution and Canons, and the Constitution and Canons of this Diocese.

**Section 7.** No Parish shall incur any indebtedness for permanent improvements or for acquisition of property in excess of one hundred fifty percent (150%) of its average annual operating income for the past three years without the written approval of the Bishop and the Standing Committee.

**Section 8.** Should a Parish fail to meet its financial obligations without diocesan aid for two consecutive years, the Bishop, acting with the concurrence of the Standing Committee and the Convention, may require the Parish to revert to the status of a Mission, and to transfer all its real and personal property to the Diocese.

**Section 9.** A Parish may retain parish status without a full-time rector under the following conditions:

- a.** That normal expenses are met, including any financial obligations prescribed by the Convention. Normal expenses include, among other expenses, fair and equitable salary, housing, and insurance expenses for the Rector, and pension fund contributions when applicable.

- b. That the Parish submit to the Bishop and Standing Committee satisfactory evidence that its mission is consonant with the Mission of the Diocese of El Camino Real.

**Section 10.** A parish may request to be admitted to mission status by a petition to the Bishop, signed by a majority of the Vestry, and by the Rector, if there be one. The Bishop, after seeking the advice of the Standing Committee may grant such petition. The Bishop shall notify the Convention of such action at its next Annual Meeting.

### **Canon 19. Parish Organization**

**Section 1.** In each Parish the Rector, Wardens, and Vestry shall be the directors or other officers authorized by law or by the Articles of Incorporation to manage the affairs of the Parish as a corporation.

**Section 2.** Each Parish may determine the size of its Vestry provided that there are no less than six and no more than sixteen members including the Rector who shall be a member *ex officio* and presiding officer. All except the Rector shall be lay persons qualified to vote in parish meetings. A majority of the Vestry must be communicants.

**Section 3.** The annual meeting of the Parish shall be held before February 15<sup>th</sup> of each year. Lay members of the Vestry shall be elected at the annual meeting by secret ballot. Voting by proxy shall not be permitted. Ballots cast shall be sealed and preserved, together with the report of the tellers and the voting list, if there be one, for one year. Only the Ecclesiastical Authority shall have access to the ballots prior to their disposal following the next annual meeting. The Rector and officers of the congregation may have access to the tellers' reports while in storage. Every person, fourteen (14) years of age or older, listed in the Parish Register as a communicant for the previous six (6) months and every baptized person eighteen (18) years or older, listed in the Treasurer's books as a contributor for

the same period shall be entitled to vote at parish meetings. Any question of procedure in the meetings not covered by Canons shall be decided by a majority vote, with appeal to the Ecclesiastical Authority.

**Section 4.** Each Parish shall provide for rotation of vestry membership so that at least one member shall be elected each year. Retiring members shall not be eligible for reelection for a period of one year. The term of office of the lay members of the Vestry shall not exceed three years; *provided, however,* that when the tenure of the Rector of the Parish terminates (by retirement, resignation, death, or removal), the incumbent Senior Warden shall remain eligible for reelection to the Vestry for an additional one-year term.

**Section 5.** The Vestry may fill vacancies until the next annual meeting at which time the appointed members must stand for reelection to the unexpired term. A member appointed to an unexpired term of less than one year shall be eligible for immediate election to the succeeding full term.

**Section 6.** The Vestry shall meet for organization as soon as is practical after the annual meeting. From its members the Rector shall appoint a Senior Warden and the lay members shall elect a Junior Warden, both of whom shall be communicants. If there is no Rector, both Wardens shall be elected.

**Section 7.** The Vestry shall hold regularly scheduled meetings. Special meetings may be called by the Rector or, in the Rector's absence or inability to act, by the Senior Warden on the written request of two Vestry members.

**Section 8.** The Rector shall preside at all vestry and parish meetings, but if the Rector is absent or unable to act, the Wardens, in order of seniority, shall preside. No meeting of the Vestry shall be valid unless the Rector or one Warden is present.

**Section 9.** A Clerk and a Treasurer shall be elected annually by the Vestry and shall serve until their successors are elected. If they are not vestry members, they shall be entitled to seat and voice, but no vote. They shall also be the Secretary

and the Financial Officer, respectively, of the Parish as a corporation.

- Section 10.** The Clerk of each Parish shall keep and preserve a printed copy of the current Constitution and Canons of The Episcopal Church, and a copy of the Constitution and Canons of this Diocese, to which shall be attached a copy of any special bylaws adopted by the Parish.
- Section 11.** The Treasurer shall make such reports as diocesan authority or parish vestry shall require. At the close of each year the Treasurer's accounts shall be audited by an agency approved by the Finance Committee of the Diocese. A complete copy of the audit shall be forwarded to the Finance Committee before September 1 of the next year. The Treasurer shall be bonded.
- Section 12.** The Vestry shall prepare a tentative budget of proposed expenditures for the coming year and shall have a continuing stewardship program to achieve necessary income. The Vestry shall adopt an operating budget for the current year and shall report the same to the annual parish meeting.
- Section 13.** The Convention delegates and the vestry of each parish shall hold at least one meeting to discuss program, budget, and other matters in preparation for each Annual Meeting of the Convention.
- Section 14.** In a parish with one or more Parochial Missions, no person shall be counted in the Annual Parochial Report as belonging to more than one congregation within the parish. Each person shall be counted either in the Annual Report of the Parish itself or in the Annual Report of the appropriate Parochial Mission, but not in both. This section shall no way restrict the ability of any parishioner to participate in any aspect of the life or governance of the parish.

**Canon 20.**  
**Compensation Standards**

- Section 1.** The minimum salary which shall be paid to any member of the clergy employed full time by the Diocese or any Parish or Mission, together with minimum requirements for housing, utilities, automobile allowances, insurance, and all relevant increments, shall be fixed from time to time by the Convention. Separate classifications of the clergy may be made for the purpose of fixing minimum standards.
- Section 2.** All parishes, missions, and other ecclesiastical organizations or bodies subject to the authority of this Church in the Diocese of El Camino Real shall provide retirement benefits to all qualified lay employees according to standards which may be adopted from time to time at the Annual Meeting of Convention upon recommendation of the Diocesan Council.

**Canon 21.**  
**Ecclesiastical Discipline**

- Section 1.** Title IV (Ecclesiastical Discipline) of the Canons of the Episcopal Church is incorporated by reference.
- Section 2.**
- a.** There shall be a Diocesan Review Committee, and a standing Diocesan Ecclesiastical Trial Court, to carry out such responsibilities directed, and in the manner in which they are mandated, by the provisions of section 1 above.
  - b.** The members of the Diocesan Review Committee shall be elected by the Convention of this Diocese. Except as may occur from time to time under the circumstances described under Subsections (c) and (d) below, the Diocesan Review Committee shall consist of five members, three clerics (either priests or deacons) who shall be canonically resident in this Diocese, and two lay persons, each of whom shall

each be a communicant in good standing in a congregation of this Diocese.

- c. The members of the Diocesan Review Committee shall each serve a term of three years, *provided however*, that any member whose term is to expire while a specific charge against a specific person is in the process of adjudication before the Committee shall remain a member of the Committee for purposes of those matters only - until consideration of the adjudication has been completed, at which time that member's term shall expire.
- d. Replacement members of the appropriate order shall be elected at each Annual Meeting of the Convention. If a replacement member is to replace a member who is remaining on the Committee until consideration of pending adjudication has been completed, the replacement member shall become the new member of the Committee for all other purposes except those matters.
- e. Unexpired vacancies shall be filled by a replacement of the appropriate order who shall be elected by the remaining regular members of the Committee and who shall serve until the next Annual Meeting of the Convention when a replacement member of the appropriate order shall be elected to fill the unexpired term.
- f. The Diocesan Review Committee shall, within two weeks following each Annual Meeting of the Convention, elect one of its members to serve as President.

- Section 3. a.** The members of the Diocesan Ecclesiastical Trial Court shall be elected by the Convention of this Diocese. Except as may occur from time to time under the circumstances described under Subsections (b) and (c) below, the Diocesan Ecclesiastical Trial Court shall consist of seven members, four clerics (either priests or deacons) who shall be canonically

resident in this Diocese, and three lay persons who shall each be a communicant in good standing in a congregation of this Diocese.

- b.** The members of the Diocesan Ecclesiastical Trial Court shall each serve a term of three years, *provided however*, that any member whose term is to expire while cases are pending before the Court shall remain a member of the Court for purposes of those cases only - until those cases become final, at which time that member's term shall expire.
- c.** Replacement members of the appropriate order shall be elected at each Annual Meeting of the Convention. If a replacement member is to replace a member who is remaining on the Court until pending cases become final, the replacement member shall become the new member of the Court for all other purposes except those cases.
- d.** Unexpired vacancies shall be filled by a replacement of the appropriate order who shall be elected by the six remaining regular members of the Court and who shall serve until the next Annual Meeting of the Convention when a replacement member of the appropriate order shall be elected to fill the unexpired term.

**Section 4.** The Diocesan Ecclesiastical Trial Court shall:

- a.** Within two weeks following each Annual Meeting of the Convention elect one of its members to serve as Presiding Judge.
- b.** Make provision for a Church Attorney. The Church Attorney shall be a member in good standing of the State Bar of California.
- c.** Be governed by the Rules of Procedure found in Appendix A of Title IV of the national Canons and the Federal Rules of Evidence as required by national Canons IV.4.9 and IV.4.10.

- d. Keep a record of the proceedings in each case brought before it as required by national Canon IV.4.14.
- e. Make provision (pursuant to national Canon IV.14.8) for the appointment of one or more Consultants for one year terms renewable at the will of the Court.

**Section 5.** The chancellor of the Diocese is the legal advisor to the Bishop, and shall have no other or further role in the investigation or hearing of matters under this canon.

**Section 6.** The Church Attorney investigates matters of ecclesiastical discipline on behalf of the Standing Committee, represents the Church in the prosecution of Presentments against Priests and Deacons, and represents the Church in an appeal to the Provincial Court of Review.

**Section 7.** The Consultant shall be a priest, pastoral counselor, chaplain, an attorney-at-law or other person familiar with the procedures, alternatives, requirements and consequences of this title and who is made available to a Member of the Clergy pursuant to national Canon IV.14.8.

[From the “DRC Resolution”, 29 October 2005:]

*Resolved, that as the new Canon 21 has taken effect this day, that in the event the Diocesan Review Committee is required to function prior to the election of its members at the Annual Meeting in January 2006, that the Standing Committee be designated as acting for the Diocesan Review Committee per Title IV.3(A).1;*

And be it further *Resolved,*

That the members of the Diocesan Review Committee shall be elected at the Annual Meeting of the Convention in January 2006. In this election, the member of the clergy and the member of the laity receiving the highest vote totals shall be elected to a term of 3 years; the member of the clergy and the member of the laity receiving the next highest vote total shall be elected to a term of 2 years; and the member of the clergy receiving the third highest vote

total shall be elected to a term of 1 year. At the next Annual Meeting of the Convention the normal cycle of electing members of the Diocesan Review Committee to 3 year terms shall commence.

**Canon 22.**  
**General Provisions**

- Section 1.** It shall be the policy of the Diocese of El Camino Real to support the ministry, in and for the Diocese, of all lay persons and non-stipendiary clergy, by striving to include all races, condition of persons, and people of all professions and vocations in its decision making bodies. It is recommended that no meetings of the Diocesan Convention, Commission on Ministry, or Diocesan Council shall be held on weekdays, during normal business hours, except by the unanimous consent of the members of that body.
- Section 2.** Except where the Constitution or Canons of this Diocese provide otherwise, a quorum of any committee, task force, or other similar body at a duly called meeting shall be a majority of its members; and a majority of such quorum shall be competent to act.
- Section 3.** Where no presiding officer is designated, any committee, commission, task force, or other similar body may elect one of its members as its presiding officer.
- Section 4.** If a vacancy occurs in any office or in the membership of any committee or commission for which neither the Canons nor the Constitution specify a method of replacement, the Ecclesiastical Authority with the concurrence of the Standing Committee, shall appoint a replacement to serve until the next Annual Meeting of the Convention, or until a successor is elected or appointed, as the case may be.
- Section 5.** Except where the Constitution or Canons of this Diocese provide otherwise, the terms of office for officers and members of commissions or committees elected or appointed at an Annual Meeting of the Convention shall

begin at the close that meeting and, unless a term of years is specified, they shall end at the close of the next Annual Meeting. Where a term of years is specified a “year” shall mean the period from the close of one Annual Meeting to the close of the next Annual Meeting.

**Canon 23.  
Amendments**

- Section 1.** These Canons may be amended by a majority vote of the Convention.
- Section 2.** Proposed amendments to these Canons must be filed with the Secretary at least sixty (60) days before the Annual Meeting. The Secretary shall refer the proposals to the Committee on Constitution and Canons. The Committee may alter the language of any proposed amendment to ensure consistency with existing Canons. The Secretary shall mail the same as proposed or altered, with arguments pro and con, to all members of the Convention at least 20 days before the Annual Meeting. These requirements may be waived by a concurrent two-thirds vote of each order, clergy and lay, voting separately.
- Section 3.** Each amendment shall be in force as of the date of its adoption unless a future date is specified in the amendment itself.
- Section 4.** When Articles of the Constitution or Sections of a Canon are renumbered or reordered, the Secretary shall adjust any references to such Articles or Sections as necessary. The changes made by the Secretary shall be reviewed and approved by the Convenor of the Constitution and Canons Committee or his/her delegate.

**RULES OF ORDER**  
**of the CONVENTION**  
**of the EPISCOPAL DIOCESE**  
**OF EL CAMINO REAL**  
**adopted June 20, 1980**  
**amended through October 29, 2005**

**ORDER OF CONVENTION**

**Section 1**  
**Procedure for Resolutions**

- 1.1** Any resolutions to be considered by any meeting of the Convention, other than those arising out of the business of the Convention or the Bishop's address or the reports of any official diocesan body, must be filed with the Secretary of the Convention at least (60) days prior to the meeting of the Convention at which it is desired to have the resolution considered.
- 1.2** The Secretary shall submit a copy of each resolution to the Chair of the Committee on Resolutions, or in the case of resolutions affecting changes in the Constitution or the Canons, to the Chair of the Committee on Constitution and Canons. These committees may suggest revisions of a proposed resolution to its proponent.
- 1.3** In the case of resolutions which may have a financial impact, the Committee on Resolutions shall ask the

Treasurer for analysis and advice; and likewise the Committee shall solicit the advice of pertinent official diocesan bodies and officers about resolutions affecting their work and purview.

- 1.4** The Committee on Constitution and Canons shall insure that the form of any proposed resolution is in keeping with the form and substance of the Constitution and Canons of this Diocese. It may amend such proposed resolutions only to effect such consistency and may not amend the substance of the proposed resolution. The Committee on Constitution and Canons may suggest substantive amendments to the proponent of the proposed resolution.
- 1.5** The Secretary of Convention shall cause all resolutions to be printed in the packet of information sent to all members either in the form received or as revised by the proponent in agreement with the Committee on Resolutions.
- 1.6** Any resolution that does not meet the foregoing criteria may be considered by the Convention only upon the affirmative vote of two-thirds (2/3) of those present and voting in Convention.
- 1.7** Any proposed amendments to a resolution may be filed with the Secretary of Convention at or before the opening of the convention, who shall refer them to the Committee on Resolutions. Any amendments so filed shall be included in the report of the Committee on Resolutions. Resolutions may also be amended from the floor.

## **Section 2 Order of Business**

The Convention shall open with Divine Worship, at which Service the Bishop may read his address. Following the Service, the President shall take the chair, after which the Order of Business shall be as follows:

- 2.1** Report of the Committee on Credentials and acceptances of any credential dispute.

- 2.2 A quorum being present, the President shall declare the Convention organized for business.
- 2.3 Adoption of the Order of Business.
- 2.4 Appointment of a Parliamentarian.

## **RULES OF ORDER IN THE CONVENTION**

### **Section 3**

#### **Concerning the Business of the Convention**

- 3.1 All elections shall be by written ballot, and shall be conducted in accordance with the applicable Canons and the Rules of this Convention. In the case of elections to a body where there are not provisions made otherwise, if an election requires more than two ballots, the third ballot shall decide the election, with the election determined in the order of votes received.
- 3.2 The Parliamentarian and all Special Committees shall be appointed by the President, unless otherwise ordered. The Ecclesiastical Authority shall appoint a Committee on Credentials in advance of any meetings of the Convention.
- 3.3 The Diocesan Leadership Recruiting Committee shall present its nominations to the Convention for all elective offices. Nominations may also be made from the floor. Information in support of nominations made from the floor shall be limited to that of the standard diocesan "Candidate Data". Formal speeches are prohibited.
- 3.4 The reports of all Committees shall be in writing, and shall be received in course without motion for acceptance. They shall be included in the Journal of the Convention, unless otherwise ordered. If recommending or requiring any action or expression of opinion by the Convention, they shall be accompanied by a Resolution or Resolutions, for their consideration. Written reports shall be accepted or

acted upon as written. Convention time shall be limited to discussion, debate, and voting upon any proposed action and shall exclude the reading of written reports already in the hands of delegates.

- 3.5** The prescribed Order of Business shall not be departed from, nor shall any Rule of Order be suspended, unless by a vote of two thirds of the members present.
- 3.6** No Order of Business shall be changed or rescinded except by a vote of the Convention.
- 3.7** An Alternate Delegate may not vote or have voice in the Convention, unless and until certified by the Committee on Credentials as a substitute for Delegate.
- 3.8** The Chair is authorized to appoint a Committee to examine the minutes of each days session to certify their accuracy.
- 3.9** Following the close of the Convention, the President of the Convention, the Chair of the Convention, and the Secretary of the Convention are authorized to certify the minutes of the Convention for publication.
- 3.10** The courtesy of seat and voice shall be granted the heads of all Committees and Task Forces and the representatives of special projects for the purpose of explaining their work and responding to questions.

**Section 4**  
**Concerning Parliamentary Procedure**

- 4.1** No principal motion, amendment thereto, or substitute therefore shall be acted upon by the Convention until duly seconded and submitted in writing. No amendment or substitute shall be finally adopted until the same has been read to the Convention.
- 4.2** When a question is before the Convention, no motion, except as hereinafter provided, shall be received, but to lay on the table, to move the previous question, to limit debate, to postpone to a certain time, to commit, to amend, or to postpone indefinitely, which motions shall have precedence in the order named.
- 4.3** All amendments shall be considered in the order in which they are received. When a proposed amendment is under consideration, a motion to amend the same may be made; no further amendment to such a second amendment shall be in order.
- 4.4** A motion to lay on the table shall always be decided without debate.
- 4.5** A motion to adjourn shall always be in order, when no member is speaking.
- 4.6** The person who has made a motion or moved a resolution may withdraw the same, without the consent of the seconder, at any time before decision or amendment, in which case it shall not be entered upon the minutes.
- 4.7** If a question under debate contains several distinct propositions the same shall be divided, at the request of any member and a vote taken separately, on each division thereof.
- 4.8** The votes shall be taken by ayes and noes. On any single question, each member of the Convention shall have one vote. No vote shall be taken by Orders unless prescribed by the Constitution and Canons.

- 4.9** Any member whose character or motives have been attacked or questioned in debate shall have the right to speak to a question of personal privilege.
- 4.10** A question that has been decided shall not be reconsidered during the same session except when significant new circumstances can be adduced to support reconsideration. No question shall be reconsidered more than once. In a motion to reconsider a resolution or motion previously adopted, the reconsideration of said action shall be preceded by the reading by the Secretary of the resolution as recorded in the minutes of the Convention.
- 4.11** All questions of order shall be determined in the first instance by the Chair, but any member may appeal from any decision of the Chair, and on such appeal no member shall speak more than once without the leave of the Convention.
- 4.12** During all debates the Chair shall call alternatively upon those wishing to speak for and against the question, so long as there are those both pro and con who wish to speak.
- 4.13** No applause shall be permitted during debate or discussion of issues at any meeting of Convention.
- 4.14** The proponent of a motion may, after having spoken to the motion, respond to questions from the floor before the debate begins.
- 4.15** A motion to caucus will always be in order, even after debate upon a question has been terminated. The motion is not debatable. Should it be carried by a majority, the chair will set the time allotted for the caucus.
- 4.16** In circumstances not covered by these rules, *Robert's Rules of Order* shall apply.
- 4.17** A meeting at which a quorum is initially present may continue to transact business notwithstanding the departure of delegates, except in the case of the election of a Bishop.

**Section 5**  
**Concerning Resolutions**

- 5.1** Any resolution other than those arising out of the business of the Convention or the Bishop's address or of the reports of any official diocesan body which has not been submitted in accordance with the procedures in Section 1 of these Rules, must be in writing and filed with the Secretary of Convention, together with sufficient copies for distribution to all members of Convention, prior to the first report of the Committee on Resolutions. Any such resolutions may be offered at the conclusion of the report of the Committee on Resolutions, and if it receives the affirmative vote of two-thirds (2/3) of the members present and voting, it may be considered on its merits as any other resolution.
- 5.2** The Committee on Resolutions shall report to the Convention without exception on each resolution properly submitted. The Committee may report such resolution properly submitted. The Committee may report such resolutions in a sequence at its discretion in consultation with the Committee on Dispatch of Business. All reports of the Committee on the Committee on Resolutions shall be in one of the following forms:
- (a) Recommends adoption with or without amendment. The question shall be on adoption of the resolution or the resolution as amended;
  - (b) Recommends rejection, with or without reasons. The question shall be on adoption of the resolution;
  - (c) Makes no recommendation. The question shall be on the adoption of the resolution;
  - (d) Asks that the Committee be discharged from further consideration of the resolution because (1) the matter is not within the scope of the Convention's authority or (2) the matter has already been dealt with by action of Convention. The question shall be on acceptance of the Committee report. If the report is accepted and the Committee discharged, the resolution shall not be in order.

- 5.3** A majority vote shall be required for the adoption of a resolution.
- 5.4** Within thirty (30) days following the close of the Convention, it shall be the duty and responsibility of the delegates to the Convention to communicate to the membership of their Parishes and Missions the contents of such resolutions adopted by the Convention. Resolutions passed at the Annual Meeting of the Convention shall be published to the Diocese in print or electronically within two months after the Annual Meeting.

**Section 6**  
**Concerning Debate on the Budget**

- 6.1** After the budget has been presented to Convention and moved for adoption, the debate and consideration shall be postponed until the time appointed in the written agenda.
- 6.2** Members of Convention who wish to propose amendments to the budget shall submit their proposals in writing to the Committee on Dispatch of Business not less than one hour before the time debate is to begin. All amendments so presented shall be reported to the Convention for action prior to conclusion of the debate.
- 6.3** The Committee shall call proposed amendments up for debate in a convenient order. In general, proposals affecting larger sums shall be considered before smaller items, and related matters shall be considered in sequence. The Committee may call up some proposals as secondary amendments or substitutes.
- 6.4** When any proposal comes to the floor, its mover shall be allowed up to three minutes to explain and support the motion. Thereafter, a person designated by the Chair shall be allowed up to two minutes for rebuttal and then speakers pro and con may be recognized from the floor.
- 6.5** The total time allotted for debate on the budget shall be divided by the number of proposals submitted to the Committee and the result shall be announced as the time

limit of debate for any one item. When the limit is reached, the Chair shall proceed to put the question to a vote without delay. After all submitted proposals have been acted upon, further debate shall be in order.

- 6.6** If any amendment is proposed to increase a proposed or new budget item, the amendment must specify the source of such funds.