

# CONSTITUTION OF THE DIOCESE OF DALLAS

## PREAMBLE

We, the Clergy and Laity resident in that portion of the State of Texas constituting what is known as the Episcopal Diocese of Dallas, a diocese within the province of the Episcopal Church in the United States of America, which is a constituent member of the Anglican Communion -- a Fellowship within the One, Holy, Catholic, and Apostolic Church, of those duly constituted Dioceses, Provinces, and regional Churches in communion with the See of Canterbury, upholding and propagating the historic Faith and Order as set forth in the *Book of Common Prayer* -- do hereby ordain and establish the following Constitution:

## ARTICLE 1

### AUTHORITY OF GENERAL CONVENTION

The Church in this Diocese accedes to the Constitution and Canons of the Episcopal Church in the United States of America and recognizes the authority of the General Convention of said Church.

The foregoing accession and recognition are expressly premised on the Episcopal Church in the United States of America being and at all times remaining a full, constituent member of the Anglican Communion as set forth in the Preamble of the Constitution of the said Church, "a Fellowship within the One, Holy, Catholic, and Apostolic Church, of those duly constituted Dioceses, Provinces, and regional Churches in the communion with the See of Canterbury, upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer." In the event that such premise shall no longer be applicable in whole or in part to the Episcopal Church in the United States of America, such accession and recognition may be revoked, limited, or otherwise amended by this Diocese immediately, notwithstanding Article 17, by a concurrent two-thirds vote of both orders at any Annual or Special Convention.

Moreover, the foregoing accession and recognition shall in no way be deemed to prevent or limit this Diocese from disassociating (as the word is used in Title IV, 3.21 b) itself from any actions of the General Convention by concurrent majority vote of both orders at any Annual or Special Convention.

## ARTICLE 2

### MEMBERS OF CONVENTION

The Diocese of Dallas entrusts its legislation to a Convention to consist as follows: First, of the Bishop, when there be one; of the Bishop Coadjutor, when there be one; of the Suffragan Bishops, if there be any; Second, of all members of the Clergy canonically resident in the Diocese, and not under Ecclesiastical discipline, and who have not in contemplation of removal from this Diocese, applied for their letters dimissory; and, Third, of Lay Delegates chosen by and representing the several Parishes and Missions of this Diocese. Such Lay Delegates and their Alternates shall be elected by the Congregations of their respective Parishes and Missions at the Annual Parish Meeting, and shall hold office until their successors are elected. The Rectors of Parishes and Vicars of Missions shall have authority to fill such vacancies as may occur in the list of Alternate Lay Delegates between the time of such election and any meetings of the Convention. Lay Delegates shall be confirmed persons in good standing and at least eighteen (18) years of age.

Every Parish and Mission in union with the Convention shall be entitled to Lay Delegates as defined by Canon 2 (MEMBERS OF THE CONVENTION) of the Diocese of Dallas.

### ARTICLE 3

#### ANNUAL CONVENTION

There shall be held an Annual Convention at the Cathedral on the third Friday in October, unless the Bishop, with the consent of the Standing Committee, shall appoint another place or time. Thirty (30) days notice of such change shall be given to each Parish and Mission in union with the Convention.

### ARTICLE 4

#### SPECIAL MEETINGS OF CONVENTION

The Bishop, or a majority of all members of the Standing Committee, may call a special meeting of the Convention upon thirty (30) days notice thereof.

When there is no Bishop, the Standing Committee shall have power to call a special meeting of the Convention, giving thirty (30) days notice thereof. At any special meeting of the Convention, the business to be transacted shall be specified in the call, and no business shall be transacted except that so specified.

### ARTICLE 5

#### QUORUM

At any meeting of the Convention of this Diocese a quorum necessary to transact business shall consist of one-third of the members of the Clergy entitled to seats therein, and the Lay Delegates from one-third of the Parishes and Missions in union with the Convention; but a smaller number shall have the power to adjourn from day to day until a quorum is obtained. If a quorum has been determined to exist and the business of the Convention has commenced, such business may continue to be transacted, even though less than a quorum actually remain present.

### ARTICLE 6

#### PERMANENT OFFICERS OF THE DIOCESE

The permanent officers of the Diocese shall be: the Bishop of the Diocese; and the Bishop Coadjutor, if there be one; the Suffragan Bishop or Bishops, if there be any; a Standing Committee; a Secretary; a Treasurer; a Chancellor; and a Registrar. All such officers who are members of the Clergy shall be canonically resident in the Diocese, and Lay Officers shall be confirmed persons in good standing of a Parish or Mission of the Diocese.

Any such officers, who are not members of the Convention, shall be entitled to all the rights and privileges of members, except the right of voting. If any officer, except a member of the Standing Committee, die or become incapable of acting, the duties of such officer shall be discharged, until the

next succeeding Convention, by someone appointed by the Bishop and confirmed by the Standing Committee. The term of office of all officers, unless otherwise provided for either by this Constitution or by Canon, shall be for one year or until their successors are elected.

## ARTICLE 7

### PRESIDENT OF CONVENTION

At every meeting of the Convention, the Bishop shall be presiding officer; or in the event of the absence or inability to act of the Bishop, the Bishop Coadjutor, if there be one; the Suffragan Bishops, if there be any, in order of seniority; or if there be none, the president of the Standing Committee shall be presiding officer and, if the president of the Standing Committee shall be unavailable to serve for any reason, a clerical member of the Standing Committee shall be designated to serve by the Standing Committee. The presiding officer shall not participate in debate on any question coming before the Convention, nor in any election. The presiding officer, however, may express his views to the Convention upon any subject after debate thereon has been closed and before the vote is taken. The presiding officer may vote upon any matter and in any election if the vote is taken by ballot or if his vote will affect the result.

## ARTICLE 8

### RULES OF CONVENTION

At every meeting of the Convention, the Clergy and Laity shall deliberate as one body, and each member of the Clergy present and each Lay Delegate present shall be entitled to one vote. Unless, a vote by orders is determined or required or otherwise provided by the Constitution and or Canons, a majority of the aggregate votes shall be decisive. Except where the Constitution or Canons require two-thirds vote, whenever a vote by orders is determined or required or otherwise provided, a concurrent majority in both orders shall be necessary. Upon demand of any seven members of the Convention, the vote shall be taken by orders.

The Convention may adopt such reasonable rules of procedure as it may determine to be appropriate to regulate and expedite the orderly disposition of the business of such Convention, including the election of officers or persons to any office or position. Any method of voting prescribed by rules of procedure shall not apply to the election of a Bishop, Bishop Coadjutor, or Suffragan Bishop.

## ARTICLE 9

### CONGREGATIONS IN UNION WITH CONVENTION

Every Parish and Mission in this Diocese in existence at the time of the organization of the Diocese and every Parish and Mission which shall have been created and admitted in accordance with the Constitution and Canons of this Diocese shall be deemed to be in union with and entitled to representation in the Convention of the Diocese, unless deprived of such right either through suspension or dissolution.

If a Parish or Mission shall fail to pay its assessment as levied by the Convention, it may be suspended from the right of representation in the Convention by a concurrent majority of both orders.

With the consent of the Bishop, any Parish or Mission which shall fail to conform with requirements prescribed by Canon or special resolution may be wholly dissolved by a concurrent two-thirds vote of both orders. Such action can be taken only at an Annual Convention.

## ARTICLE 10

### STANDING COMMITTEE

The Standing Committee shall consist of three Priests entitled to seats in the Diocesan Convention and three Lay persons who shall be confirmed persons of the Church in good standing in this Diocese, and who shall possess such other qualifications as may be prescribed by Canon.

When there is a Bishop in charge of the Diocese, the Standing Committee shall be his Council of Advice. If there be no Bishop or Bishop Coadjutor or Suffragan Bishop canonically authorized to act, the Standing Committee shall be the Ecclesiastical Authority of the Diocese.

The members of the Standing Committee shall be elected by ballot, by a concurrent vote of a majority of each order, at an Annual Convention, and their term of office shall be for three years, or until their successors are elected. At each Annual Convention, one Clerical and one Lay member of the Standing Committee shall be elected.

Vacancies occurring prior to the expiration of the term of any member of this committee shall be filled by the vote of a majority of the remaining members of the Standing Committee, and the person so elected shall fill out the unexpired term of the member in whose stead such person was elected.

No one shall be eligible to re-election as a member of the Standing Committee during the year in which such member's term of office expires, but election to an unexpired term shall not constitute a bar to eligibility.

The Standing Committee shall keep a record of all its official acts and shall make a report of the same to the Convention.

## ARTICLE 11

### DEPUTIES TO GENERAL CONVENTION

The Annual Convention in the second year preceding a stated meeting of the General Convention shall elect by ballot four (4) Priests or Deacons and four (4) Lay persons to act as Deputies from this Diocese to the General Convention, a concurrent vote of a majority of both orders being necessary to elect. Following the election of the last Deputy chosen, the floor shall be opened for nomination of Alternate Deputies in accordance with the Rules of Procedure and one (1) ballot shall be taken (unless further voting shall be necessary because of a tie) upon those then nominated and those who had been nominated as Deputies (including those who withdrew), and the four (4) in each order receiving the most votes (both orders voting together) shall be declared elected as Alternate Deputies. Deputies and Alternates shall take office immediately upon election and shall hold office until their successors are chosen.

## ARTICLE 12

### PRINCIPLE OF THE CATHEDRAL SYSTEM

Section 1 (a) The principle of organization underlying the Cathedral system (inaugurated in the Missionary District of Northern Texas) is approved by the Church in this Diocese.

(b) The principle thus approved consists in a practical recognition of the fact that the Bishop is the center of unity of all his jurisdiction, and his Cathedral is the symbol of that unity and an instrument for the diffusion of his influence throughout the Diocese. While for the more convenient administration of his office, the Bishop has his seat of office in his Cathedral Church at the See City or Capitol of his Diocese, he nevertheless, by virtue of his office, has inherent rights at all times and in every Parish, Mission and Congregation within the Diocese, he being the Chief Pastor of all the people in the Diocese.

(c) The Bishop shall be consulted in the order of the ritual of the Cathedral for Diocesan services, may preach when he may so desire, and may use the Church for such official purposes as to him may seem fitting, but he shall not be required to perform pastoral duty.

(d) The City of Dallas is hereby declared to be the See City of this Diocese, and the Parish Church of Saint Matthew is hereby recognized as the Bishop's Cathedral.

(e) The legislation of this Diocese shall be in harmony with, and in furtherance of, the Cathedral system, as thus understood and defined.

Section 2 (a) The governing body of the Cathedral, as such, is a Cathedral Chapter, consisting of the Bishop, the Dean, Wardens and Vestry of the Cathedral Parish, and three members-at-large, who shall be communicants of the Church in this Diocese, appointed by the Bishop. The Bishop shall be President, and the Dean Vice-President of the Cathedral Chapter, and a majority of its members shall constitute a quorum. It may adopt by-laws not inconsistent with the Constitution and Canons of the General Convention or of this Diocese.

(b) The three at-large members shall serve as follows: one for one year; one for two years; and one for three years. Thereafter, the Bishop shall appoint one at-large member annually to serve on the Cathedral Chapter for a three-year term. No members shall be eligible for re-appointment until one year has elapsed after the completion of such member's term. The Bishop shall appoint a person to fill an unexpired term in the at-large membership.

(c) When a vacancy occurs in the Rectorship of Saint Matthew, the Bishop shall nominate three presbyters of this Church, of whom the Vestry of Saint Matthew may elect one by a two-thirds majority vote. Should it fail to elect any of the three nominated, the Bishop shall nominate three other nominees (no more than one of which shall be a previous nominee), of whom the Vestry may elect one by a two-thirds majority vote; and such procedure shall be followed until there is an election. When a Rector is elected, he shall then be installed as Dean and Rector of the Cathedral Church of Saint Matthew.

Section 3 The Dean shall be the executive officer of the Cathedral in charge of services and the administration of the Cathedral and shall have charge of the Cathedral congregation. He shall preside at meetings of the Cathedral Vestry and Parish meetings.

Section 4 Except as provided in this Canon, the Cathedral Church shall be a Parish Church with the usual Parish organizations. The Rector and Vestry shall have the customary canonical rights and duties of a Parish Rector and Vestry.

Section 5 The Bishop may appoint honorary Canons of the Cathedral. Honorary Canons shall be members of the Cathedral Chapter, ex-officio, without voting privileges. The Dean and Vestry shall elect Cathedral residentiary Canons with the Bishop's approval.

## ARTICLE 13

### TITLE TO CHURCH PROPERTY

The title to all real property acquired for the use of the Church in this Diocese, which includes all Parishes, Missions and Diocesan Institutions, shall be held in the name of "Corporation of the Episcopal Diocese of Dallas" (known as the "Diocesan Corporation"), pursuant to, and in all ways administered, dealt with, and disposed of as specified in the Canons of the Diocese.

## ARTICLE 14

### POWER TO LEVY ASSESSMENTS

The Convention of this Diocese shall have power, either by Canon or by special resolution, to raise money by assessment or other means upon the Parishes and Missions of the Diocese; and the manner of fixing such assessment upon the various Parishes and Missions may either be specified by Canon or by a resolution of the Convention.

The Convention may by Canon prescribe such regulations and penalties as it may deem expedient to secure the prompt payment of assessments.

## ARTICLE 15

### FUND FOR THE ENDOWMENT OF THE EPISCOPATE

There shall be a Fund for the Endowment of the Episcopate which shall be managed and controlled by a Board of Trustees consisting of not less than five and not more than nine Lay Persons of the Church in this Diocese, who shall be nominated by the Bishop and elected by the Convention at the Annual Meeting. They shall hold office for one year or until their successors are elected.

They shall be entrusted with the investment and management of the said Fund for the Endowment of the Episcopate. Securities purchased by the Trustees in their capacity as such may be registered in the names of such Trustees and their successors in office. They shall make an annual report of the affairs of the said Fund to the Annual Convention.

After paying the necessary expenses incident to the management of this Fund, ten (10) percent of the net annual income remaining shall be returned to, and become a part of, the principal Fund. The remainder of the said net income shall be applied, so far as may be necessary, toward the salary of the Bishop of this Diocese, and of the Bishop Coadjutor, if there be one, and of the Suffragan Bishops, if there be any, after

which any of said net income remaining shall upon the approval of the Convention, either be returned to and become a part of the principal Fund or be made available in whole or in part for general Diocesan purposes.

## ARTICLE 16

### ELECTION OF A BISHOP, BISHOP COADJUTOR OR SUFFRAGAN BISHOP

The election of a Bishop, a Bishop Coadjutor, or a Suffragan Bishop for this Diocese shall take place at the regular meeting of the Convention, or at a special meeting of the Convention called for that purpose. In the election, the vote shall be by ballot and by orders, and concurrent majority of the two orders shall be necessary to a choice if two-thirds of all the Clergy entitled to vote and who have their principal residence within the Diocese and Lay Delegates from two-thirds of the Parishes and Missions entitled to representation are present and voting; otherwise, two-thirds of the votes of each order present shall be necessary to a choice. In any event, the election may not occur unless a quorum be and remain present.

## ARTICLE 17

### ALTERATIONS AND AMENDMENTS TO THE CONSTITUTION

The Constitution of this Diocese may be altered or amended as follows: A proposal for an alteration or an amendment shall be filed in writing with the Secretary of the Convention not less than sixty (60) days before the meeting of an Annual Convention. The Secretary shall, not less than forty-five (45) days before the meeting of the Convention, deliver copies of all proposed alterations or amendments to the Constitution to the Chair of the Committee on Constitution and Canons, consisting of at least two (2) members of the Clergy and two (2) Lay persons. The Committee shall report thereon to the Convention. No other alteration or amendment to the Constitution shall be considered at that meeting except by unanimous consent of the Convention. Such proposed alteration or amendment shall be presented in writing at the meeting of the Convention. Where any amendment or alteration to the Constitution has been so proposed and referred to the Committee, amendments thereto may be made from the floor of the Convention if, within the judgment of the presiding officer of the Convention, such amendments are germane to the pending amendment or alteration. If the proposal, together with any amendments pertinent thereto, receive the majority vote of the Convention, it shall be printed in the Journal and shall lay over until the next Annual Convention, and if then approved by a concurrent majority of the vote of both orders, the Constitution shall be altered or amended accordingly, and such alteration or amendment shall take effect thirty (30) days after the adjournment of the Convention.

## ARTICLE 18

### CANONS

Canons not inconsistent with this Constitution, or the Constitution and Canons of the General Convention, may be adopted, altered, amended, or repealed at any Annual Convention by a majority vote of the Convention; provided that no new Canon and no alteration, amendment, or repeal of an existing Canon shall be adopted unless the same shall have been filed in writing with the Secretary of the Convention not less than sixty (60) days before the meeting of the Convention. The Secretary shall, not less than forty-five (45) days before the meeting of the Convention, deliver copies of all proposed

amendments or alterations to the Canons to the Chair of the Committee on Constitution and Canons. The Committee shall report thereon to the Convention. No other amendment or alterations to the Canons shall be considered at that meeting except by unanimous consent of the Convention.

Where any amendment of a Canon has been so proposed and referred to the Committee, amendments thereto may be made from the floor of the Convention if, within the judgment of the presiding officer of the Convention, such amendments are germane to the pending amendment.

A new Canon or an alteration, amendment or repeal of an existing Canon shall take effect after the expiration of thirty (30) days from the adjournment of the Convention at which such new Canon or such alteration, amendment or repeal of an existing Canon was adopted.

## INTERPRETATION

Whenever any term of one gender is used herein or in a Canon, it shall be understood to include the other gender, as appropriate. Terms used herein and in the Canons in the singular number shall be understood to include the plural number, to the extent appropriate.

## REPEALING CLAUSE

All previous Constitutions of this Diocese are hereby repealed.

## APPENDIX

Articles 15 and 16 were approved by The 113<sup>th</sup> Diocesan Convention of the Diocese of Dallas on October 18, 2008, to be made a part of the Constitution, each must be approved by a second reading. There are here for informational purposes until such time.

Amendment #2008C01 - Amendment of Article 15 (First Reading)  
(Sponsors: Committee on Constitution and Canons)

*Resolved*, that Article 15 of the Constitution of the Episcopal Diocese of Dallas be amended to read as follows:

### ARTICLE 15

#### FUND FOR THE ENDOWMENT OF THE EPISCOPATE

There shall be a Fund for the Endowment of the Episcopate which shall be managed and controlled by a Board of Trustees consisting of not less than five and not more than nine Lay Persons of the Church in this Diocese, who shall be nominated by the Bishop and elected by the Convention at the Annual Meeting. They shall hold office for one year or until their successors are elected.

They shall be entrusted with the investment and management of the said Fund for the Endowment of the Episcopate. Securities purchased by the Trustees in their capacity as such may be registered in the names of such Trustees and their successors in office. They shall make an annual report of the affairs of the said Fund to the Annual Convention.

After paying the necessary expenses incident to the management of this Fund, such portion of this Fund and the earnings thereof, as determined by the Board of Trustees (not to take more from the principal than seven percent of its value at the beginning of the year), shall be applied annually toward the compensation of the Bishop of this Diocese, and of the Bishop Coadjutor, if there be one, and of the Suffragan Bishops, if there be any, or for other expenses of the Office of the Bishop or general Diocesan purposes.

Amendment #2008C02 - Amendment of Article 16 (First Reading)  
(Sponsors: Committee on Constitution and Canons)

*Resolved*, that Article 16 of the Constitution of the Episcopal Diocese of Dallas be amended to read as follows:

### ARTICLE 16

#### ELECTION OF A BISHOP, BISHOP COADJUTOR OR SUFFRAGAN BISHOP

The election of a Bishop, a Bishop Coadjutor, or a Suffragan Bishop for this Diocese shall take place at the regular meeting of the Convention, or at a special meeting of the Convention called for that purpose. In the election, the vote shall be by ballot and by orders, and concurrent majority of the two orders shall

be necessary to a choice if two-thirds of all the Clergy entitled to vote, who have their principal residence within the Diocese and whose attendance at the Convention has not been excused by the Bishop or the acting Ecclesiastical authority due to infirmity or other good cause and Lay Delegates from two-thirds of the Parishes and Missions entitled to representation are present at the Convention; otherwise, two-thirds of the votes of each order voting shall be necessary to a choice. In any event, the election may not occur unless a quorum has been determined to exist.

THE CANONS OF THE DIOCESE OF DALLAS

CANON 1

CLERGY LIST

Immediately before the meeting of each Convention, the Bishop, or in the case of his death or inability to act, the Standing Committee, shall prepare a list of the members of the Clergy canonically resident in the Diocese. No member of the Clergy while suspended from the Ministry shall have a place on such list. The list shall be filed with the Secretary of the Convention and shall be prefixed to the Journal.

CANON 2

MEMBERS OF THE CONVENTION

Section 2.1 Every Parish and Mission in union with the Convention shall be entitled to Lay Delegates determined by the average Sunday attendance reported in the Annual Parochial Report for the year ending December 31 next preceding the Diocesan Convention according to the following table:

50 average Sunday attendance or less	1 Delegate
51 average Sunday attendance to 100	2 Delegates
101 average Sunday attendance to 150	3 Delegates
151 average Sunday attendance to 200	4 Delegates
201 average Sunday attendance to 400	5 Delegates
401 average Sunday attendance to 600	6 Delegates
601 average Sunday attendance to 800	7 Delegates
801 average Sunday attendance to 1000	8 Delegates
1001 average Sunday attendance to 1250	9 Delegates
1251 average Sunday attendance to 1500	10 Delegates

For every additional 250 average Sunday attendance (or any part thereof) add 1 Delegate.

Section 2.2 The selection of the Lay Delegates shall be certified in writing by the Secretary or Clerk of the Vestry of the Parish or Mission; but, in the absence of the Secretary or Clerk, such certificates of election may be signed by one of the Wardens, or by the Rector or Vicar of such Parish or Mission. The Certificate of the election of Lay Delegates shall show upon its face that their election as such Delegates has been made in pursuance of this Canon.

Section 2.3 Every Parish and Mission in the Diocese shall elect alternate Lay Delegates, equal in number to the number of Lay Delegates to which it is entitled. In the absence of a Lay Delegate, an Alternate Lay Delegate from the same Parish or Mission shall have all the rights and privileges of a Lay Delegate. The election of Alternate Lay Delegates shall be certified in the same manner as herein provided in the case of Lay Delegates.

Section 2.4 The rectors of Parishes and vicars of Missions shall have authority to fill such vacancies as may occur in the list of Alternate Lay Delegates between the time of such election and any meetings of the Convention.

Section 2.5 If a Parish or Mission did not pay its full assessment for the preceding year, its Lay Delegation to a Diocesan Convention shall be proportionally reduced as provided in this section. "Full Assessment" means the amount determined to be owed by a Parish or Mission in accordance with the assessment formula of this Canon, or the amount set by the Finance Department of the Executive Council. If a Parish or Mission pays the shortfall for the preceding year and is current on a pro-rata basis in payment of its current year assessment, its full Lay Delegation will be seated.

Thirty days prior to the convening of a Diocesan Convention the Executive Council shall notify a Parish or Mission affected by this section of the proportional reduction of its Lay Delegation.

The reduction shall be based on the following table:

<u>Percentage of Assessment Paid</u>	<u>Percentage of Delegates Seated</u>
90 or more	100
80 to 89.99	80
70 to 79.99	60
60 to 69.9	40
50 to 59.99	20
Less than 50	10

The number of Lay Delegates to be seated is the product of the percentage in column 2 multiplied by the total number of Lay Delegates to which a Parish or Mission is entitled. Fractional results are rounded to the next whole number.

### CANON 3

#### MEETING OF CONVENTION

Section 3.1 The Convention of this Diocese shall meet as provided in Article 3 of the Constitution.

Section 3.2 Special meetings of the Convention may be called only as provided in Article 4 of the Constitution.

Section 3.3 Whenever a special meeting of the Convention is called, the Secretary of the Diocese shall transmit a written notice to each member of the Clergy entitled to a seat in the Convention and also to the Wardens of Parishes and Missions of the Diocese; and said notice shall specify the business to be transacted and the time and place of the meeting.

Section 3.4 It is the duty of every member of the Clergy resident in the Diocese and entitled to a seat in the Convention and of every Lay Delegate or Alternate duly elected to attend all its sessions. A member of the Clergy may be absent from meetings of the Convention only by permission of the Bishop.

Section 3.5 The Secretary of the Diocese shall cause to be delivered to each Parish and Mission, not later than ten (10) days before the opening day of each Convention, as many copies as each has Delegates of the Agenda, Report of the Nominating Committee, proposed Canonical Changes and Resolutions then in hand, and other available material pertinent to Convention business.

Section 3.6 Except to the extent controlled by the Constitution or Canons of this Diocese or adopted Rules of Procedure, the meetings of the Convention shall be conducted in accordance with the most recent edition of Roberts' Rules of Order.

#### CANON 4

##### ORDER OF BUSINESS

At the opening of any Convention, the President shall take the chair. There shall then follow a report by the Chair of the Committee on Credentials or a member of that Committee as to the number of members of the Clergy and Lay Delegates in attendance. The President shall announce a quorum, if present. The Rules of Procedure shall be adopted by a two-thirds vote, and the Order of Business recommended by the President shall be adopted by a majority vote. Following the adoption of these three reports, the Convention shall be considered organized. A Secretary of the Convention shall be elected. The Convention shall proceed to the transaction of business pursuant to the Order of Business recommended by the President and adopted by the Convention.

#### CANON 5

##### EXECUTIVE COUNCIL

Section 5.1 The Executive Council shall administer the Missionary, Social Service and Christian Education work of the Diocese and discharge such other duties as may be entrusted to it by the Convention.

Section 5.2 The following officers shall have full membership in the Executive Council for such time as they lawfully hold their Diocesan positions as:

- a) The Bishop
- b) The Bishop Coadjutor, If there be one
- c) The Suffragan Bishop or Bishops, If there be any
- d) The President of the Standing Committee
- e) The Treasurer of the Diocese
- f) The President of the Episcopal Young Churchmen of the Diocese
- g) The President of the Episcopal Church Women of the Diocese
- h) The President of the Episcopal Church Men of the Diocese, if there be any
- i) The Chair of each of the Convocations of the Diocese

There shall be eighteen elected members of the Executive Council, to be chosen at Annual Convention by a concurrent vote of a majority of each order from the following categories:

- 1) Six (6) members of the Clergy, entitled to seats in the Convention
- 2) Twelve (12) Lay persons, who are confirmed communicants in good standing of Parishes and Missions in union with the Convention.

Two (2) members of the Clergy and four (4) Lay persons shall be elected at each annual Convention for a term of three (3) years. No member who has served three (3) consecutive years shall be eligible for reelection until the lapse of one (1) year after the expiration of his last period of service.

In the event a vacancy occurs among the elective members, the Executive Council shall elect a qualified person for the unexpired term of the place vacated. Any person elected to fill an unexpired term of less than eighteen (18) months is eligible to election for a full term.

Section 5.3 The Bishop shall be President of the Executive Council. In case of his absence or disability, the Bishop Coadjutor or Suffragan Bishop shall act for him. In case of his inability to act or of a vacancy in the Episcopate, the Presidency shall be held by the Bishop Coadjutor, the Suffragan Bishops in the order of their seniority of service in the Diocese, or by the President of the Standing Committee, in the order named. The Executive Council shall elect a Secretary and other officers to serve for such terms as it may provide, subject to removal at any time by the Bishop with the consent of the Executive Council.

Section 5.4 The Executive Council shall carry on the work of the Convention through such departments as the Bishop with its consent may establish and continue, and shall define and supervise the work of such departments.

The Chair and members of the respective departments, who need not be members of the Executive Council, shall be appointed by the Bishop and are subject to removal at his pleasure.

All departments and committees shall keep full records of their proceedings, correspondence, and plans. Reports shall be made by the Chairs as directed by the Executive Council. Department Chairs who are not members of the Executive Council shall have a voice, but no vote, in the Council.

Section 5.5 The Executive Council shall hold an organizational meeting following the Annual Convention. It may hold such other meetings as it may determine, but no less than nine (9) meetings annually.

Special meetings of the Council may be called for any purpose by the President or by the President of the Standing Committee or by any five (5) members of the Council.

Section 5.6 On or before the August meeting of the Executive Council in each year, the Department of Finance shall submit to the Executive Council an Annual Budget setting forth the opportunities and needs of the Diocese together with a worthy share in the program of the National Church for the next fiscal year. The Executive Council shall make such amendments and revisions as it deems necessary and shall submit the Proposed Budget to the Annual Convention for amendment, change and approval, setting forth a table of the amounts it expects to assess each Parish and Mission. As soon as possible after the August Executive Council meeting and at least ten (10) days before Convention, the proposed budget shall be sent to every Parish and Mission for distribution to its Delegates.

The Executive Council has the power for serious cause to adjust and alter the budget adopted by the Convention.

The Executive Council shall further report to the Convention concerning its work and expenditures during the previous and current fiscal year and its plans for the next year, and make such special reports as the Convention or the Bishop may request.

## CANON 6

### STANDING COMMITTEE

Section 6.1 The Standing Committee shall be elected, vacancies filled, and terms of office fixed, as provided in Article 10 of the Constitution of this Diocese.

Section 6.2 The Committee shall choose a President from among the Clerical members and a Secretary who shall be a member of the Committee.

Section 6.3 Four of its members shall constitute a quorum to transact business.

Section 6.4 The Committee shall perform all the duties incident to its office, as provided in the Constitution and Canons of the General Convention, and such other duties as are, or shall be, provided in the Constitution and Canons of this Diocese.

Section 6.5 The Standing Committee shall not approve any loan which shall obligate the Diocese without the prior approval in writing of the Bishop, and the concurrence of the Executive Council of the Diocese.

## CANON 7

### SECRETARY OF THE DIOCESE

Section 7.1 At each Annual Convention, a Secretary shall be elected who shall continue in office until a successor is elected. The duties of the Secretary shall be to take the minutes of the proceedings of the Convention and, when they are approved, to enter them in a proper book which shall be known as the Journal of the Diocese; to preserve such Journals and records and to deliver them to the office of the Bishop for custody not later than four (4) months following Convention; to attest the public acts and records of the Convention; and to perform all other duties required by the Constitution and Canons of this Diocese.

Section 7.2 The Secretary of the Diocese shall each year send a copy of the Journal of the Convention of this Diocese to the Secretary of the House of Bishops and to the Secretary of the House of Deputies. The Secretary shall also transmit to each General Convention a certificate of the election of Clerical and Lay Deputies from this Diocese.

Section 7.3 The Secretary shall, within thirty (30) days after the adjournment of the Annual Convention of the Diocese, furnish to the Treasurer of the Diocese a certified statement of the Budget approved by the Convention for the ensuing year.

Section 7.4 Upon request of and nomination by the Secretary, the Convention may elect one (1) or more Assistant Secretaries, who shall serve until the next Annual Convention under the direction of the Secretary and assist in the discharge of the duties of the office.

## CANON 8

### TREASURER OF THE DIOCESE

Section 8.1 At each Annual Convention a Treasurer shall be nominated by the Bishop and elected by the Convention, who shall continue in office until a successor is elected.

Section 8.2 It shall be the duty of the Treasurer of the Diocese to receive and to disburse all monies contributed by the Parishes and Missions, or collected under the authority of the Convention, and of which the collection and distribution shall not be otherwise regulated.

Section 8.3 The accounts of the Treasurer shall be rendered annually to the Convention, and shall be audited by a Committee acting under its authority.

Section 8.4 If the Treasurer of the Diocese shall die or resign his office, or because of absence, refusal or inability to act, be unable to perform the duties of the office, the Standing Committee shall appoint a Treasurer who shall continue in office until the election be made by the Convention, or until the Treasurer be able to resume the duties of the office.

Section 8.5 The accounts of the Treasurer of the Diocese, to be submitted to any Annual Convention, shall end with December 31<sup>st</sup> next before the meeting of such Convention.

Section 8.6 Upon request of the Treasurer, the Bishop may appoint one or more Assistant Treasurers, who shall serve until the next Annual Convention under the direction of the Treasurer and assist him in the discharge of his duties.

Section 8.7 The Treasurer and each Assistant Treasurer shall be bonded in such sum as shall be fixed by the Standing Committee.

## CANON 9

### CHANCELLOR OF THE DIOCESE

The Convention shall elect annually, on the nomination of the Bishop, the Chancellor of the diocese, who shall hold office for one (1) year or until a successor is elected. To be eligible to serve as Chancellor, one must be a member, in good standing, of the State Bar of Texas. The Chancellor shall be the legal adviser to the Bishop and, to the extent not in conflict with the Chancellor's duties to the Bishop, the Standing Committee. All legal questions affecting the property of the Diocese, the validity of its action in regard thereto, or any other legal questions affecting its interest and welfare shall be referred to the Chancellor for advice and, when requisite, for action. Upon request of the Chancellor, the Bishop may appoint a Vice Chancellor and one or more Assistant Chancellors who shall serve under the direction of the Chancellor.

## CANON 10

### REGISTRAR AND HISTORIOGRAPHER OF THE DIOCESE

Section 10.1 There shall be elected by the Convention, on the nomination of the Bishop, a Registrar and a Historiographer of the Diocese, the offices of which may be held by

Section 10.2 The Registrar shall keep in a separate book a Register of the Clergy canonically resident in the Diocese, showing the dates of the ordination and reception; also all dismissals, depositions or deaths of the Clergy occurring in the Diocese.

Section 10.3 The Registrar shall also keep a Register of all Parishes and Missions connected with the Diocese, showing their organization, admission, succession of Clergy in charge as far as it can be ascertained, and such other particulars as may be necessary to indicate their status and history.

Section 10.4 The Historiographer shall

- 1) Receive, file, index and preserve books, papers, journals reports, manuscripts, pamphlets or other documents pertaining to the Church or its history; and shall, from time to time, endeavor to increase such collections;
- 2) Encourage the appointment of historiographers in each Parish and Mission, provide historiographers with literature to aid in collecting and preserving the records, papers, books, newspaper stories, and other materials which are related to the life and history of the congregation and encourage the writing of parochial histories;
- 3) Report annually to the Convention all official acts and the condition of all materials in the custody of the Historiographer, with suggestions as to arrangement, increase and preservation;
- 4) Be empowered under orders from the Ecclesiastical Authority to issue a proper certificate of fact of record in such documents.

## CANON 11

### CHURCH PENSION FUND

Section 11.1 In conformity with the legislation adopted by the General Convention of 1913, pursuant to which the Church Pension Fund was duly incorporated, and in conformity with the Canon of the General Convention, "Of The Church Pension Fund," as heretofore amended and as may hereafter be amended, the Diocese of Dallas hereby accepts and acknowledges the Church Pension Fund, a corporation created by Chapter 97 of the Laws of 1914 of the State of New York as subsequently amended, as the authorized and approved pension system for the Clergy of the Episcopal Church in the United States of America and for their dependents, and declares its intention of supporting said Fund in accordance with its Rules.

Section 11.2 The Bishop of the Diocese shall appoint annually, at the Convention, a Committee on the Church Pension Fund to consist of a minimum of one (1) Priest and two (2) Lay persons for a term of one (1) year and until successors shall have been appointed, and the Bishop may from time to time fill by appointment any vacancies in said Committee caused by resignation, death or inability to act.

Section 11.3 The duties of the Committee shall be as follows:

- a) To be informed of the pension system created by the General Convention and committed by it to the Trustees of the Church Pension Fund and to inform the Clergy and Laity of the Diocese in order that the ordained Clergy of the Church may be assured of pension protection for themselves in the event of old age or total and permanent disability and for their widows and minor orphaned children in the event of death.
- b) To receive reports from the Church Pension Fund on the status of the Pension Assessments payable to said Fund, under its Rules and as required by Canon Law, by the Diocese and by the Parishes, Organized Missions and other Ecclesiastical Organizations within the Diocese.
- c) To make an annual report of the Convention of the Diocese on the matters relating to the Church Pension Fund as may be of interest to the said Convention.
- d) To cooperate with the Church Pension Fund in doing all things necessary or advisable in the premises to the end that the Clergy of the Diocese may be assured of the fullest pension protection by said Fund within its established Rules.

Section 11.4 It shall be the duty of the Diocese and of the Parishes, Organized Missions and other Ecclesiastical Organizations therein, each through its Treasurer or other proper official, to inform the Church Pension Fund of salaries and other compensation paid to Members of the Clergy by said Diocese, Parishes, Missions, and other Ecclesiastical Organizations for services rendered, currently or in the past, prior to their becoming beneficiaries of said Fund, and changes in such salaries and other compensation as they occur; and to pay promptly to the Church Pension Fund any Pension Assessment required thereon under the Canon of the General Convention and in accordance with the Rules of said Fund.

Section 11.5 It shall be the duty of every Member of the Clergy canonically resident in or serving in the Diocese to inform the Church Pension Fund promptly of such facts as dates of birth, of ordination or reception, of marriage, births of children, deaths, and of changes in Cures or salaries, as may be necessary in order that said Fund may discharge its obligations in accordance with the intention of the General Convention in respect thereto.

## CANON 12

### MORAL DISCIPLINE

Section 12.1 As used in this Diocese, the terms “Holy Matrimony” and Marriage” shall refer to the exclusive physical and spiritual union of one man and one woman, by mutual consent of the heart, mind and will, and with the intent that it be lifelong.

Section 12.2 The blessing of sexual relationships between persons of the same sex is prohibited in churches, missions and congregations of this Diocese; and clergy persons resident or licensed in this Diocese are prohibited from performing such blessings in any venue.

Section 12.3 All members of the clergy of this Diocese, having subscribed to the Declaration required by Article VIII of the Constitution of the Episcopal Church, and all persons seeking Holy Orders in this Diocese, shall be under obligation to model in their own lives, as wholesome examples, the received teaching of the Church that all of its members are to abstain from sexual relations outside of marriage.

## CANON 13

### PARISH MEETINGS

Section 13.1 The Annual Meeting of each of the Parishes of this Diocese shall be held not later than the last day of February. Due notice of said meeting, and its time and place, shall be given by the Rector or, if there be no Rector, by the Wardens.

Section 13.2 Qualified voters at Parish Meetings shall be confirmed persons in good standing of the Parish eighteen (18) years of age or older.

Section 13.3 A special meeting of the Parish may be called by the Rector and Wardens by giving notice of at least one (1) week in advance of its time and place. In case of a vacancy in the Rectorship, the Wardens may call the meeting.

Section 13.4 At the Annual Parish Meeting, the Rector or Minister and the Senior Warden or, in case of his inability to act, the Junior Warden, shall present a full and faithful account of the condition of the Parish.

- (a) The account of the Rector shall include [1] the number of persons baptized and confirmed during the preceding year, [2] the present number of confirmed persons in good standing and families, specifying the number of removals and additions that have taken place, [3] the number of marriages and funerals, [4] the number of services held, [5] the number of parochial calls made, [6] the number of teachers and students in the Church School, and [7] the amount of the Communion Alms received by him, with such statement of the expenditures of same as he may deem proper.
- (b) The account of the Senior Warden shall include [1] what money, lands, or other property have been received during the preceding year, from what source, and the value of same, [2] all offerings, the purpose for which each has been made being separately stated, [3] for what object the offerings have been expended, and the amount being stated, [4] what property has been purchased, exchanged, mortgaged, sold or otherwise alienated or encumbered, and for what purpose, [5] what debts have been contracted and what debts previously contracted are owing, [6] and what improvements have been made, with the cost thereof.
- (c) Following such meeting, these statements shall be delivered to the new Vestry, to be examined by them and entered in the record book of the Parish.

## CANON 14

### WARDENS AND VESTRY OF PARISHES

Section 14.1 Except as otherwise provided in this Canon, all members of the Vestry shall be elected by ballot at an Annual Parish Meeting by a majority of the votes cast by the qualified voters present; and, except as herein otherwise provided, the term of office shall be for three (3) years succeeding their election.

Section 14.2 If, prior to the expiration of the said three (3) years, the office of any member of the Vestry shall become vacant, such vacancy shall be filled by a majority vote of the remaining members of the Vestry. The term of office of the replacement so elected shall be the unexpired balance of the vacated three (3)-year term of office.

Section 14.3 No person having served on a Vestry shall be eligible to serve again until one (1) year after expiration of his period of service, provided, however, that a member who serves a term of less than two (2) years to which he has been elected to fill a vacancy shall be eligible for election to one full term.

Section 14.4 At the first Annual Meeting held in Parishes already organized and at the Parish Meeting held for the purpose of organization in Parishes hereafter to be organized, the qualified voters present shall, by resolution, fix the number which shall constitute the Vestry of that Parish at six (6), nine (9), twelve (12), or fifteen (15). There shall then be elected, by ballot by the qualified voters present, the full number determined upon. The term of office of one-third of the members elected shall be until the first succeeding Annual Parish Meeting, the term of office of another third shall be until the second succeeding Annual Parish Meeting, and the term of office of the remaining third shall be until the third succeeding Annual Parish Meeting. It shall be determined by lot, at the first meeting of the Vestry after said election, as to who shall serve for one (1) year, who for two (2) years, and who for three (3) years.

Section 14.5 At the first meeting of the newly constituted Vestry, following the Parish Meeting, the Rector shall name one of the Vestry to be the Senior Warden, and the Vestry shall elect one (1) of its members Junior Warden, both of whom shall serve for one (1) year. At the same time, the Vestry shall elect a Secretary or Clerk and a Treasurer, but these officers need not be members of the Vestry. If there be no Rector, the Vestry shall elect a member of the Vestry as temporary Senior Warden to hold office until a Rector can make the appointment.

Section 14.6 Any Parish may, at its Annual Meeting, increase or decrease the number of its Vestry, provided that such change must be so made as to operate equally upon each of the three (3) classes into which the Vestry is to be divided under the foregoing provisions of this Canon and any such change must further be so made as not to nullify or impair the provisions of Sec. 14.3 of this Canon and not in any wise to prevent or impair the rotation in office which it is the object of this Canon to secure.

Section 14.7 If, at any time, in any Parish the Vestry shall present to the Bishop reasons which he may deem good and sufficient for so doing, he may suspend the foregoing provisions concerning rotation and make such modifications thereof as the facts of the case may seem to require.

Section 14.8 In case of the continued absence of the member from regular meetings of the Vestry for a period of three (3) months without valid excuse, that member is subject to removal; and the remaining members of the Vestry may elect another qualified communicant in his stead, who shall serve the remainder of the term of the removed member.

Section 14.9 It shall be the duty of the Wardens to see that the Church building is kept from all secular uses and in good repair; in the absence of the Rector, and according to seniority, to preside at meetings of the Vestry and of the Congregation and, in the absence of the Rector, to keep the Church open for Divine Service at the stated times of worship.

Section 14.10 To be eligible as a member of the Vestry, one must be at least eighteen (18) years of age, a confirmed communicant in good standing of the Church in that Parish, and a financial contributor of record for at least one (1) year before the election takes place.

Section 14.11 It shall be the duty of the Vestry to take charge of the property of the Parish and its endowments; to regulate all its temporal concerns; in accordance with the Constitution and Canons, to elect and call a Rector and to provide for his support; to provide for paying all Canonical Assessments on the Parish; and in general, to act as helpers to the Rector in whatever is appropriate to Lay persons for the furtherance of the Gospel--it being understood always that the spiritual concerns of the Church are under the exclusive direction of the Rector, subject to the Ecclesiastical Authority and Canons of the Diocese.

Section 14.12 Meetings of the Vestry may be called by the Rector (or in his absence by the Senior Warden, or in the absence of both by the Junior Warden) or by members of the Vestry constituting a majority of the membership.

## CANON 15

### MISSIONS

Section 15.1 The power to establish a Mission is hereby vested in the Bishop of the Diocese. In a Mission organized in accordance with the provisions of this Canon, a Vicar may at any time be placed or removed by the authority of the Bishop. A Mission shall not be established until application shall have been made by fifty (50) or more baptized persons at least eighteen (18) years of age of whom a majority shall be confirmed persons of the Church, and all of whom shall be charter members. In special cases the Bishop may, at his discretion, reduce the required number of petitioners. The following declaration shall be signed by the aforementioned petitioners.

"Reverend Father in God:

"We, the undersigned residents of \_\_\_\_\_, Diocese of Dallas, being desirous of obtaining the services of The Episcopal Church, and being ready, according to our ability, to sustain the same, do hereby request you to inquire into our estate, and provide for us as you may deem proper and expedient. We do hereby declare ourselves individually and collectively ready to do what in us lies to establish and sustain the regular worship of the said Church, and promote its influence in our neighborhood; and we do promise conformity to its doctrines, discipline, liturgy, rites, and usages. We put ourselves under your charge and will reverently obey your authority. We promise to abide by and to conform to the Constitution and Canons of the General Convention and of the Diocese of Dallas and the rules and regulations of its Convention. In accordance with these obligations and rules, we now ask the privilege of being organized as a Mission under the name of \_\_\_\_\_."

Section 15.2 The Bishop, upon approving the application, shall give a certificate to that effect, which shall be transmitted to the Secretary of the Convention, together with copies of the papers upon which the approval was granted. Such certification shall bring the Mission into union with the Convention, and the

Bishop or his designee shall report to the Convention those Missions admitted subsequent to the last Convention of the Diocese.

Section 15.3 Annual and special meetings of a Mission shall be called and held in the manner provided for Parishes by Canon 13.

Section 15.4 There shall be elected each year at the Annual Meeting in every Mission not less than six (6) nor more than nine (9) adult members who, with the Vicar, shall constitute the Mission Vestry, and whose duty it shall be to promote the temporal and spiritual interest of the Mission. Any Mission may adopt the rotation method of choosing its Vestry members following the same procedure as provided by the Canons for Parishes inaugurating the rotation system.

Section 15.5 The Bishop shall appoint from the Vestry two (2) Wardens, unless otherwise provided by Canon; and the Vestry shall elect a Secretary and Treasurer.

Section 15.6 Every Mission shall be required to remain as such for at least one (1) year before applying to the Convention for Parish status. Procedure to obtain Parish status shall be as follows:

- (a) An application shall be submitted to the Bishop, signed by the Wardens and Vestry of the Mission or Missions and accompanied by evidence of their ability to function as a self-supporting Parish.
- (b) The application and accompanying data shall be submitted to Executive Council and thereafter shall be forwarded to the Secretary of Convention with the recommendation of the Bishop as to approval or disapproval and the comments of Executive Council.
- (c) Upon approval of the application by the Convention the applying, congregation or congregations are granted Parish status and union with the Convention.

Section 15.7 Mission Stations may be established by the Bishop in any place in the Diocese where there are less than the requisite number of persons for the establishment of a Mission. Provisions for the maintenance of Mission Stations shall be made as the Bishop deems advisable. A report shall be made to each Annual Meeting of the Convention stating the number of Mission Stations existing, their location, the means provided for their maintenance and their condition. No Mission Station shall be entitled to a Lay Delegate at any meeting of the Convention.

## CANON 16

### USE OF CHURCH BUILDINGS

The Dedicated or Consecrated Churches and Chapels of the several Parishes and Missions of the Diocese may be opened only for the Services, Rites and Ceremonies, or other purposes, either authorized or approved by this Church, and for no other use.

## CANON 17

### A RECTOR OR MINISTER

Section 17.1 The Rector of a Parish or a Minister of a Mission is ex-officio President of the Vestry and of the Congregation and has the casting vote, in case of a tie, on all questions brought before it.

Section 17.2 The Rector or Minister has the spiritual oversight of the Parish or Mission, and he shall, at all times, be entitled to the use and control of the Church and Parish or Mission buildings with the appurtenances and furniture thereof.

Section 17.3 The rector of a Parish or the vicar of a Mission shall be ex-officio Chair of all guilds and societies engaged in Church work. Said guilds and societies shall exist at his pleasure and their work shall be under his direction and advice.

## CANON 18

### VACANT PARISHES

Section 18.1 Upon the organization of a new Parish or in the event of a vacancy in the Rectorship of an existing Parish, Churchwardens shall notify the fact to the Bishop of the Diocese within three (3) days. The Bishop shall consult with the Wardens of the vacant Parish concerning the continuation of regular services. If the authorities of the Parish shall for thirty (30) days have failed to make provision for such continuation, the Bishop shall then take such measures as he shall deem expedient for the temporary maintenance of Divine Services in the Parish, at the expense of the Parish, until a new Rector is called and takes up his office.

Section 18.2 In the case of a vacancy in the Rectorship of a Parish, the Bishop or his deputy may meet with the Vestry of the vacant Parish to discuss the calling process. The Bishop may suggest the names of three (3) or more Priests to fill the vacancy. The Vestry shall, in the calling process, inform the Bishop of other Priests that it would like to consider for the vacant post.

Section 18.3 Following notice that the Bishop has no objection or after the lapse of thirty (30) days with no notice of objection from the Bishop, the Vestry may proceed to the election of a Rector by a two-thirds majority vote, either from the Bishop's suggestions or from the list submitted to the Bishop.

Section 18.4 If the Bishop objects to any Priest nominated by the Vestry, he must do so in writing within thirty (30) days, giving his reasons therefor. Before proceeding to an election, the Vestry shall consider such objection at a meeting duly called and held for that purpose.

Section 18.5 Written notice of an election, signed by the Wardens, shall be sent to the Bishop immediately. If the Bishop shall be satisfied that the person so chosen is a duly qualified Priest of the Church and that he has accepted the office, he shall notify the Secretary of the Diocesan Convention and the Registrar of the Diocese, both of whom shall record it. Such record shall be sufficient evidence of the relation between the new Rector and his Parish.

## CANON 19

### CHANGES OF PARISHES OR MISSIONS

Section 19.1 Whenever it shall appear to the Bishop that conditions render it advisable to dissolve a Parish or Mission, he shall submit the matter, in writing, to the Standing Committee in the case of a Parish, and to the Executive Council in the case of a Mission. In either case the Standing Committee or the Executive Council shall consider the matter at two (2) consecutive regular meetings. The recommendation of a majority of the appropriate body's members shall be made in writing and filed with the Secretary of Convention at least thirty (30) days in advance of Convention for distribution to the canonically resident Clergy and Delegates at least ten (10) days prior to Convention. In order to declare the Parish or Mission dissolved, a vote by orders shall be required; and, if a two-thirds majority vote be in favor of declaring the said Parish or Mission extinct, it shall be dissolved. The property rights of every kind and character of a dissolved Parish or Mission shall vest in the Corporation of the Episcopal Diocese of Dallas. No disposal thereof may be made without the consent of the Standing Committee.

Section 19.2 No Parish or Mission shall be relocated within the Diocese of Dallas without the approval and consent of the Bishop and the Standing Committee.

Section 19.3 In the event it becomes necessary for a Parish to apply to the Diocese for a grant to enable it to meet its Operating Budget and maintain its Rector, such Parish, upon application to the Bishop, may be changed by him to the status of a Mission, subject to the provisions for Missions as established by the Constitution and Canons of the Diocese.

## CANON 20

### DIFFERENCE BETWEEN RECTOR AND PARISH OR BETWEEN A PARISH AND THE DIOCESE

Section 20.1 When a Rector has been regularly settled in a Parish he shall not be dismissed without the consent of the Bishop of the Diocese.

Section 20.2 In case of a controversy between a Rector and Parish, which cannot be settled by the parties themselves, the parties or either of them may appeal to the Bishop, whose duty it shall be to seek to bring the parties to an amicable conclusion; and in such case, the agreement between them, signed by them and attested to by the Bishop, shall have the same force as an order made under Section 20.3 20.5 of this Canon.

Section 20.3 In the case of a controversy between a Parish and the Diocese, the Rector and a majority of the members of the Vestry may petition the Bishop, whose duty it shall be to seek to bring the parties to an amicable conclusion; provided that the Rector and majority of the Vestry have provided a reasonable opportunity on parish property for the Bishop, a diocesan chancellor and a member of the Standing Committee to meet with the entire Vestry and such members of the parish as wish to meet with the Bishop, with verbal and written notice, that the Bishop might determine the extent to which the members of the parish agree with the Rector and majority of the Vestry, and might make adequate provision in any settlement to protect the interests of the minority of the parish wishing to remain in union with the Diocese, and to protect the missionary interests of the Diocese of Dallas; and in such case, the agreement reached, signed by the Rector and the Bishop and attested to by at least a two-thirds majority of the members of the Vestry and at least a majority of the members of the Standing Committee, shall have the same force and effect as an order made under Section 20.5 of this Canon.

Section 20.4 If the matter shall not be amicably settled within a reasonable time, not to exceed six (6) months, the Bishop shall convene the members of the Standing Committee and shall give notice to the parties to appear before him and them and present their facts and arguments, at such time and place as he may appoint; and he may adjourn and continue the hearing in the matter at his discretion.

Section 20.5 When the hearing is concluded, the Bishop, after consultation with (or if such order involves the disposition of property held by the Diocesan Corporation for the use and benefit of the Parish, the approval of) the Standing Committee, shall make such an order in regard to the matter as he may think to be just and for the best interest of the Church; and it shall be the duty of the Diocese, the Rector and the Parish, and every member thereof, to submit to and abide by such order as the final and conclusive determination of all matters of difference between them.

## CANON 21

### ASSISTANT MINISTERS - CURATES

Section 21.1 If the Vestry of a Parish gives its approval for the position, an Assistant Minister or Curate may be called by the Rector.

Section 21.2 Before calling an Assistant Minister or Curate, the Rector must consult with the Bishop concerning the appointment.

Section 21.3 An Assistant Minister or Curate is directly under the supervision of the Rector and serves at his pleasure.

Section 21.4 If a Rector wishes to dismiss an Assistant Minister or Curate, he must present the matter to the Bishop before the dismissal takes place.

## CANON 22

### PARISH REGISTERS

Section 22.1 It shall be the duty of every Minister within this Diocese to record in a Parish Register all Baptisms, Confirmations, Marriages, Burials, and the names of all Communicants within his Cure.

Section 22.2 The Registrar shall specify the name and the date of birth of each person baptized, with the names of the parents, and the names of the sponsors or witnesses; the names of the persons confirmed and the date of service, together with the name of the member of the Clergy who presents the class and the name of the Bishop confirming the same; the names of the parties married, and of two (2) or more special witnesses of the same, and the date and the place where the marriage was solemnized; the names of the persons buried, the place of interment, and also the date of the service; and a list of the Communicants. This Register shall be kept by the Minister or, in the case of a vacancy by the Senior or Junior Warden, and shall be a part of the records of the Parish or Mission.

Section 22.3 It shall be the duty of every member of the Clergy not regularly settled in any Parish to record such occasional services as he may perform in the Register of the Parish or Mission in which such service was held. In case there be no Register in that place, he shall report such services to the Bishop,

and these reports, or such parts of them as the Bishop shall think fit, may be entered in the Journal of the Convention.

Section 22.4 The word Communicant as used here, and elsewhere in these Canons, means one who has been confirmed and has not been suspended from the right of partaking of the Holy Communion, provided that no Parish shall be required to continue as a communicant anyone (a) who has been absent from the Parish for two (2) full years and whose residence, after diligent search, has not been discovered, or (b) who has abandoned the communion of this Church by an open renunciation of its doctrine, discipline and worship, or by a formal admission into a religious body not in communion with this Church.

## CANON 23

### TRUSTEES OF THE UNIVERSITY OF THE SOUTH

Section 23.1 There shall be elected by the Diocesan Convention three (3) Trustees of the University of the South, consisting of one Clerical and two Lay persons. One (1) Trustee is to be elected each year for a three-year term. Any vacancy shall be filled upon designation by the Bishop, with the concurrence of the Standing Committee.

Section 23.2 A Trustee who has served two (2) consecutive terms may not serve again until at least one (1) year after the expiration of such Trustee's period of service; provided, however, that a Trustee who serves a term of less than two (2) years to which elected to fill a vacancy, shall be eligible for election to two (2) full terms.

## CANON 24

### PROCEEDINGS IN THE CASE OF A PRIEST OR DEACON ACCUSED OF AN OFFENSE

Section 24.1 The mode of the presentment of a Priest or Deacon for any offense for which, by the laws of the General Convention or of the Diocese, he/she is or may be liable to be tried shall be as provided in Title IV, Canon 3(a) of the Canons of General Convention.

## CANON 25

### TRIAL OF A PRIEST OR DEACON

Section 25.1 There shall be an Ecclesiastical Trial Court for the Trial of any Priest or Deacon. The Ecclesiastical Trial Court shall be composed of three members of the Clergy, each of whom shall be canonically resident in the Diocese, and two Lay persons, each of whom shall be a person of at least eighteen years of age who is a confirmed communicant in good standing in the Diocese. The members of the Ecclesiastical Trial Court shall be elected annually by the Convention upon nomination by the Bishop, may be elected to successive terms, and shall remain in office until their successors are elected and qualified. Upon adjournment of the Convention each year, and in no event later than two months thereafter, the five members of the Ecclesiastical Court shall by a majority vote elect one of the Clergy members thereof to be the Presiding Judge of the Ecclesiastical Trial Court to serve until the next election of the members thereof. Upon adjournment of the Convention each year, and in no event later than two months thereafter, the five members of the Ecclesiastical Trial Court shall by a majority vote elect a Church Attorney, as defined in Title IV, Canon 15 of the laws of the General Convention, for a term of

one year and until a successor is elected and qualified. Vacancies occurring in the membership of the Ecclesiastical Trial Court shall be filled by a majority vote of the remaining members of the Court of a person of the same order and requisite qualification as the person creating the vacancy. The death, disability rendering a person unable to act, resignation or declination to serve as a member of the Ecclesiastical Trial Court shall constitute a vacancy on the Court. Notice of resignations or declinations to serve shall be given by members of the Court in writing to the Presiding Judge of the Court. If any member of the Clergy elected to the Ecclesiastical Trial Court is elected a Bishop, or if any Lay person elected to the Ecclesiastical Trial

Court is ordained prior to the commencement of a Trial, that person shall immediately cease to be a member of the Ecclesiastical Trial Court. If either event occurs following the commencement of a Trial, the person shall continue to serve until the completion of the Trial and the rendering of a Verdict thereon.

Section 25.2 The members of the Ecclesiastical Trial Court may be challenged by either the Respondent or the Church Attorney for cause stated to the Court. The Court shall determine the relevancy and validity of challenge for cause. The Ecclesiastical Trial Court shall be governed by the portion of The Federal Rules of Civil Procedure set forth in Appendix A to the Canons of the General Convention. The Ecclesiastical Trial Court shall also be governed by The Federal Rules of Evidence in the conduct of the Trial.

Section 25.3 The Ecclesiastical Trial Court shall appoint a Clerk and, if necessary, Assistant Clerks who shall be Priests or Deacons or persons of at least eighteen years of age who are confirmed communicants in good standing in the Diocese, and who shall serve at the pleasure of the Court. In addition, the Ecclesiastical Trial Court shall appoint a Reporter who shall provide for the recording of the proceedings and who shall serve at the pleasure of the Court. The Ecclesiastical Trial Court shall also appoint at least one but no more than three Lay Assessors, as defined in Title IV, Canon 15 of the laws of the General Convention. Lay Assessors shall have no vote. It shall be their duty to give the Ecclesiastical Trial Court an opinion on any question of law, procedure or evidence, but not on any question of doctrine, upon which the Court or any member thereof, or either party, shall desire an opinion. Any question of whether a question is a matter of doctrine shall be decided by the Court by a majority vote.

Section 25.4 The Ecclesiastical Trial Court shall meet at such time and place within the Diocese as the Presiding Judge of the Court shall direct. The Court shall keep a record of the proceedings in each case brought before it and the record shall be certified by the Presiding Judge of the Court. If the record cannot be authenticated by the Presiding Judge by reason of the Presiding Judge's death, disability or absence, it shall be authenticated by a member of the Court designated for that purpose by majority vote of the Court. Written notice of the time and place of the commencement of the Trial shall be served at least thirty days before the time thereof on the Respondent. The Ecclesiastical Trial Court shall permit the Respondent to be heard in person and by counsel of the Respondent's own selection. If the Respondent, after having had due notice of the time and place of the commencement of the Trial, shall fail or neglect to appear before the Court, unless prevented by sickness or other sufficient cause, the Respondent shall be suspended from the exercise of Ministry for the term of six months, and if, during that period, the Respondent shall not apply for a Trial, the Respondent shall then, at the discretion of the Bishop, be deposed from the Ministry. When the Court shall proceed to Trial, they shall hear such competent evidence as shall be produced. If during the Trial, the Respondent shall confess the truth of the charges as stated in the Presentment, the Court may dispense with hearing further evidence and may proceed at once to state their Judgment. In every Trial the Court may regulate the number of counsel who may address the Court or examine witnesses. The Respondent shall be called upon by the Court to plead to the Presentment and the plea shall be duly recorded; and on neglect or refusal of the Respondent to plead, the plea of not guilty shall be entered for the respondent, and the Trial shall proceed; provided, that for sufficient cause the Court may adjourn from time to time; and provided, also, that the Respondent

shall, at all times during the Trial, have liberty to be present, and in due time and order to produce testimony and to make a defense.

Section 25.5 In all Trials, the Church Attorney shall appear on behalf of the Standing Committee which shall be considered the party on one side and the Respondent the party on the other. Each Complainant and Victim shall be entitled to be present throughout and observe the Trial and each shall be entitled to be accompanied by a person of their own choosing and counsel of their own choosing.

Section 25.6 Before a vote is taken on the findings and in the presence of the Respondent and counsel, counsel for the parties may submit requested proposed instructions. The Presiding Judge of the Ecclesiastical Trial Court, after consultation with the Lay Assessors, shall declare which of the proposed instructions shall be issued and also instruct the members of the Court as to the elements of the Offense and charge them (i) that the Respondent must be presumed to be innocent until the Respondent's guilt is established by clear and convincing evidence, and unless such standard of proof be met the Respondent must be acquitted, and (ii) that the burden of proof to establish the guilt of the Respondent is upon the Church Attorney. A separate vote shall be taken first upon the findings as to the guilt of the Respondent. Voting by members of an Ecclesiastical Trial Court on the findings shall be by ballot. No member shall disclose his or her vote or the vote of any other member.

Section 25.7 For a Judgment on an Offense involving Crime, Immorality or Conduct Unbecoming a Member of the Clergy, the affirmative vote of two-thirds of the members of the Ecclesiastical Trial Court shall be necessary. For a Judgment on any other Offense not involving Crime, Immorality or Conduct Unbecoming a Member of the Clergy, the affirmative vote of two-thirds of the members of the Ecclesiastical Trial Court shall be necessary.

Section 25.8 The Presiding Judge shall cause the Respondent, the Church Attorney, each Complainant, and unless waived in writing, the Victim to be advised of and provided with a copy of the findings of the Court. No vote shall be taken on the Sentence to be adjudged until thirty days from the date the Respondent was advised of the Judgment during which period the Respondent shall have a reasonable opportunity to offer to the Court matters in excuse or mitigation. During the same period, the Court shall provide an opportunity for statements from Complainants or Victims to the Court pertaining to the Sentence to be adjudged and imposed. During the same period, the Church Attorney may make a recommendation to the Court as to the Sentence to be adjudged. The members of the Court shall vote upon the Sentence. No member shall disclose his or her vote or the vote of any other member. The concurrent of two-thirds of the members of the Ecclesiastical Trial Court shall be necessary to adjudge and impose a Sentence upon any Respondent found guilty by the Court.

Section 25.9 The Judgment or acquittal and any Sentence adjudged on a Judgment shall be communicated promptly to the Bishop or the Ecclesiastical Authority, if there be no Bishop, the Standing Committee, the Ecclesiastical Authority of the Diocese in which the Respondent is canonically resident if it be a different Diocese, the Respondent, each Complainant, and unless waived in writing, the Victim.

Section 25.10 The mode of appeal of a Judgment and the Sentence adjudged shall be as provided in Title IV, Canon 4(b) of the Canons of the General Convention.

## CANON 26

### ELECTION OF A BISHOP

Section 26.1 Whenever the Ecclesiastical Authority of the Diocese shall call for the election of a Bishop, Bishop Coadjutor or Suffragan Bishop and the Convention, where required, shall have given its consent thereto, a committee shall be appointed to consist of four (4) Priests or permanent Deacons and four Lay members, appointed by the Standing Committee, six (6) Priests or permanent Deacons and six (6) Lay members appointed by majority vote of Executive Council, and the Chancellor, ex-officio. The members of said Committee shall be appointed not less than four (4) months prior to the date set for the Convention at which such election is to be held.

Section 26.2 The Committee may at any time fill any vacancies in its membership for whatever reason caused. Vacancies in the Clerical membership shall be filled with Priests and in the Lay membership, with Laity.

Section 26.3 The members of the Committee shall continue as members thereof until the close of the Convention at which the Bishop, Bishop Coadjutor or Suffragan Bishop shall have been elected or until the Committee shall have been discharged by action of the Convention.

Section 26.4 The Committee Chair shall be designated by the Standing Committee, and the Committee shall choose its secretary from among its members and shall have power to adopt rules and regulations governing its procedure, not inconsistent with this Canon.

Section 26.5 The Committee shall call for and receive and may itself propose for its consideration names of members of the Clergy who may lawfully be elected to the Episcopal Office to be filled; and fix the time within which such suggested names may be filed with the Committee, but in no event less than thirty (30) days prior to the date set for the Convention at which such election is to be held. Any member of the Committee whose name shall be proposed for consideration as a candidate for Episcopal Office may withdraw his name as a candidate, and if he shall not withdraw as a candidate, he shall withdraw from the Committee.

Section 26.6 The Committee shall inform itself as to the persons so proposed and, after due consideration of their background, references and qualifications, shall forward to the Convention the names of all those persons (but not fewer than three (3)) whom the Committee deems qualified for such office. The Committee shall prepare a report to the Convention giving the names of the persons nominated which includes biographical information and a photograph of each nominee.

Section 26.7 The Report of the Committee shall be printed and mailed by the Secretary of Convention in the manner provided in Canon 3.

Section 26.8 The presentation of the Report of the Committee shall constitute a nomination of each of the Candidates therein named. Nominations shall not be made from the floor at any time.

Section 26.9 Upon the conclusion of all preliminary business and all nominations, the Convention shall recess for a celebration of the Holy Eucharist. The propers of said celebration shall be those "Of the Holy Spirit," unless the Convention is meeting on a major Holy Day, in which case the propers of the feast shall be used. A sermon shall be preached on the office and work of a Bishop.

Section 26.10 Upon conclusion of the Eucharist, the Convention shall reconvene and proceed to an election in accordance with Article 16 of the Constitution. Each ballot shall be preceded by a period of silent prayer.

As passed at the 113<sup>th</sup> Diocesan Convention on October 18, 2008 and will take effect in 30 days

## CANON 27

### DELEGATES TO THE PROVINCIAL SYNOD

Section 27.1 At each Annual Convention next preceding a stated meeting of the Provincial Synod, four members of the Clergy and four Lay persons shall be elected to represent the Diocese in the Provincial Synod, who shall continue in office until their successors are elected. The Clerical Delegates shall be canonically resident in the Diocese and also entitled to seats in the Diocesan Convention which elects them; and the Lay persons shall be communicants of the Church and residents of the Diocese. The Convention shall also in like manner elect four members of the Clergy and four Lay persons, with the same qualifications as the other Delegates, as Alternate Delegates to act in cases hereafter provided. The names of the Delegates and of the Alternate Delegate shall be entered in the Journal in accordance with the priority of their election and in such order that the one receiving the highest number of votes necessary to an election on any ballot shall be placed first, and so on.

Section 27.2 Any vacancy occurring among the Delegates or Alternate Delegates, Clerical or Lay, shall be filled by advancing into the list of Delegates, or Alternate Delegates, the name highest on the list of the same order. If any such vacancy cannot be filled in this manner, the Bishop shall designate from among Communicants in good standing in the Diocese so many as may be necessary to insure, as far as practicable, a full representation of the Diocese.

## CANON 28

### ANNUAL PARISH REPORTS

Section 28.1 A report from every Parish and Mission shall be prepared annually for the year ending December 31st preceding upon the form provided by the Executive Council of the Episcopal Church in the United States of America. This report shall be sent in duplicate not later than February 1st to the Bishop of the Diocese.

Section 28.2 The Bishop or the Secretary of the Diocese shall send the duplicate copies of the reports, accompanied by a tabulation of the data thereon, to the Executive Council of the Episcopal Church not later than March 1st.

Section 28.3 Copies of the reports and tabulation shall be filed in the Diocesan Office for the use of Commissions and Committees. These reports, or such parts of them as the Bishop may deem proper, shall be entered in the Journal of the Diocese.

## CANON 29

### BUSINESS METHODS

The following standard business methods shall be observed:

Section 29.1 Trust and permanent funds and all securities of whatsoever kind shall be deposited with a federal or state bank, or other agency approved in writing by the Department of Finance of the Diocese under either a Deed of Trust or an agency agreement, excepting such funds and securities as may be

refused by the depositories named as being too small for acceptance. There shall be at least two (2) authorized signatures on any order of withdrawal of such funds or securities.

Section 29.2 Treasurers and custodians, other than banking institutions, shall be adequately bonded.

Section 29.3 Such books of accounts shall be kept as shall make them available for satisfactory accounting.

Section 29.4 All accounts of the Diocese shall be audited annually by an independent Certified Public Accountant. All accounts of Parishes, Missions or other institutions shall be audited annually by an independent Certified Public Accountant, or such Audit Committee as shall be authorized by the Department of Finance of the Diocese.

Section 29.5 Annual reports of all accounts shall be made to the Diocesan Convention, which reports shall be referred to and reported on by the Department of Finance.

Section 29.6 All buildings and their contents shall be kept adequately insured.

## CANON 30

### COMMISSION ON MINISTRY

Section 30.1 There shall be a Commission on Ministry consisting of no fewer than (9) members of the Clergy and no fewer than (9) lay persons. Members of this Commission shall be appointed by the Bishop at an Annual Convention and elected by a vote of the Convention. The terms of office shall be for three (3) years. Should vacancies occur on the Commission when the Convention is not in session, the Bishop shall nominate in the same manner to the Standing Committee upon whose confirmation the person or persons so designated shall be added to the Commission and shall serve the balance of the term for which appointed.

Section 30.2 The Commission on Ministry may adopt rules for its work subject to the approval of the Bishop, provided the same are not inconsistent with the Canons of the General Convention or the Diocese. These rules may include the appointment of committees of the Commission to act on its behalf.

Section 30.3 The Commission on Ministry shall assist the Bishop in matters pertaining to the enlistment and selection of persons for the ministry and in the guidance and pastoral care of all postulants and candidates for Holy Orders.

Section 30.4 The Commission on Ministry shall assist the Bishop in guidance and pastoral care of Deacons and professional Church workers.

Section 30.5 The Commission on Ministry shall assist the Bishop in matters pertaining to the continuing education of the ministry.

Section 30.6 In the presence of the Bishop and under his guidance and oversight, the Commission on Ministry shall interview all candidates before their ordination, alike to the Diaconate and the priesthood, to ascertain their personal readiness for such ordination.

Section 30.7 The Commission on Ministry shall report in writing without delay, the findings of this interview to the Bishop and the Standing Committee of the Diocese.

Section 30.8 The conduct and evaluation of the examination of persons for Holy Orders shall be the responsibility of the Commission on Ministry. The said Commission may use the services of the General Board of Examining Chaplains for the administration and evaluation of the examination.

Section 30.9 The Bishop shall transmit all reports from the General Board of Examining Chaplains to the Standing Committee of the Diocese and to the Commission on Ministry. In no case shall the Standing Committee recommend a candidate for ordination to the permanent Diaconate or to the priesthood until the required examinations have been satisfactorily sustained.

Section 30.10 The Commission on Ministry will make an annual report concerning its work to the Diocesan Convention.

## CANON 31

### DIOCESAN INSTITUTIONS

Section 31.1 Any institution, society or other entity desiring recognition as an institution of the Diocese may be established as such by resolution and approval of the Annual Convention. Application for recognition shall set forth the charter or other organizational documents, as well as the written comments of the Chancellor, Standing Committee, Department of Finance, and the Department of the Executive Council in whose field the area of work of the proposed institution would fall, to each of whom the documents shall be submitted for study and recommendations at least sixty (60) days prior to the meeting of the Convention.

Section 31.2 The Convention shall have final authority with respect to the recognition, establishment, amendment of purpose, and involuntary dissolution of any Diocesan Institution, all of which actions shall be effected by following the procedure for the amendment of the Canons.

Section 31.3 The Executive Council shall have oversight of all Diocesan Institutions and may, with the consent of the Bishop, promulgate such regulations as may be required for uniformity in administration, operations and accounting procedures. The Bishop, or his designee from among the members of the Executive Council, shall serve, with right to vote, as an ex officio member of the governing board of each Diocesan Institution. A Diocesan Institution may dissolve voluntarily with the consent of the Executive Council.

Section 31.4 Any member of the Clergy employed by a Diocesan Institution shall be appointed or removed by the authority of the Bishop, in consultation with the Board of the Institution.

Section 31.5 The Board of a Diocesan Institution shall file an annual written report with the Executive Council prior to each Annual Convention covering the operation of the Diocesan Institution and showing its financial condition. The Executive Council shall be furnished such additional reports and information as it may require, and copies of the Articles of Incorporation or similar trust documents, by-laws, and organizational minutes of each Diocesan Institution shall be filed with the Bishop's office. A complete record shall be made of all funds and monies held, received and disbursed in the operation of the Diocesan Institution. Such funds shall be used solely in the furtherance of the aims and purposes of the Diocesan Institution. All Diocesan Institutions shall comply with the provisions of Canon 29.

## CANON 32

### COMMISSION ON CHURCH ARCHITECTURE AND ARTS

Section 32.1 There shall be a Commission on Church Architecture and the Allied Arts, which shall consist of the Bishop, the Bishop Coadjutor, if there be any, and Suffragan Bishop (s), if there be any, together with two (2) members of the Clergy and three (3) Lay persons, of whom at least three (3) shall be skilled in Church architecture and ecclesiastical art, to be appointed annually by the Bishop.

Section 32.2 The duty of the Commission is to give its counsel on all questions of architecture which may be submitted to it by any Parish or Mission of the Diocese seeking its advice.

Section 32.3 No Parish or Mission which receives financial aid from the Diocese shall erect a Church building, Parish House, Rectory, or make changes of importance in existing buildings until the plans for such erection or alteration shall have been approved by the Commission. Any such Parish or Mission which fails to comply with this provision shall render itself liable to the forfeiture of Diocesan aid.

## CANON 33

### CONVOCATIONS

Section 33.1 The Diocese shall be divided into Convocations which shall be determined by the Bishop, with the concurrence of Convention.

Section 33.2 A Chair of each Convocation shall be elected by the Clergy holding Cures in that Convocation and the Lay Delegates to Annual Convention representing the Parishes and Missions in that Convocation. Such election shall be held bi-annually, unless a vacancy exists, within thirty (30) days prior to the date set for the next Annual Convention.

Section 33.3 The Chair may be either Clergy or Lay and must be a confirmed Communicant in good standing of a Parish or Mission in the Convocation or a Clergyman holding a Cure in the Convocation.

Section 33.4 Duties of the Chair will include but not be limited to convening the meeting to elect the Chair and other acts that will promote the Mission of the Church in the Convocation.

## CANON 34

### DIOCESAN REVOLVING FUND

Section 34.1 There shall be a Revolving Fund which shall consist of such funds as may now exist and as may be added thereto from time to time for the purpose of acquisition of land by the Diocese or for loans to Parishes and Missions, which are unable to obtain loans upon reasonable terms from other sources.

Section 34.2 The Standing Committee of the Diocese shall administer this fund by investing it or by making loans from it to Parishes and Missions upon such terms as it may determine or by acquiring land or improved real estate for the use of Missions to be created at some future date.

Section 34.3 Before making available funds for land or improved real estate for a newly created Mission, the consent of the Bishop and the Executive Council shall be secured, and the terms for the repayment and interest for the use of such funds shall be determined by the Standing Committee.

Section 34.4 The Standing Committee, in making loans to Missions, shall in all cases secure the approval of the Bishop and the Executive Council.

## CANON 35

### ASSESSMENT OF PARISHES AND MISSIONS

The Executive Council of the Diocese is hereby given the power and authority to assess the Parishes and Missions of the Diocese of Dallas to support the budget as established by the Diocesan Convention.

In case of undue hardship, the Executive Council may adjust the assessment of any Parish or Mission. A committee from Executive Council shall be appointed to meet with representatives of the Parish or Mission Vestry for a review. In the event that the committee determines that undue hardship exists, it shall recommend to the Executive Council that the assessment be adjusted.

## CANON 36

### CORPORATIONS

Section 36.1 Any Parish, Mission or Diocesan Institution which desires to incorporate, or to organize a corporation to use in connection with the administration of its affairs, may do so upon compliance with the following requirements.

- (a) The Articles of Incorporation must expressly provide that such corporation is subject to, and its powers and rights shall be exercised in accordance with, the Constitution and Canons of the Episcopal Church in the United States of America and the Constitution and Canons of this Diocese.
- (b) Such corporation shall not hold title to real estate acquired for the use of the Church in the Diocese, which title must be vested and dealt with in accordance with the provisions of Article 13 of the Constitution of the Diocese.

- (c) The proposed Articles of Incorporation and Bylaws of such corporation, and any amendments thereto, shall, prior to filing or adoption, be submitted to the Chancellor of the Diocese for his approval as being in conformity with these provisions.

Section 36.2 Those in charge of the affairs of any corporation, organized by any Parish, Mission or Diocesan Institution, shall review its Articles of Incorporation and Bylaws and bring them into conformity with provisions of this Canon, if inconsistent therewith.

## CANON 37

### COMMISSION ON EPISCOPAL SCHOOLS

Section 37.1 There shall be a Commission on Episcopal Schools in the Diocese which shall consist of at least six (6) members and not more than fifteen (15) members elected by the Diocesan Convention, upon nomination by the Bishop, on a rotating basis for a term of three (3) years. Members may not serve more than two (2) consecutive terms.

Section 37.2 The duty of the Commission on Episcopal Schools is to establish guidelines and standards for the establishment, recognition and certification of any and all Episcopal Schools now or in the future operating within the Diocese.

Section 37.3 The Commission shall report annually in writing to the Convention of the Diocese.

## CANON 38

### CORPORATION OF THE EPISCOPAL DIOCESE OF DALLAS

Section 38.1 The Corporation of the Episcopal Diocese of Dallas is a nonprofit benevolent and charitable organization organized under Texas laws, also known as the "Diocesan Corporation." In addition to its regular powers, it may receive, hold, manage and administer funds and properties acquired by gift or by will or otherwise for the use and benefit of the Diocese and any Diocesan Institution.

Section 38.2 The management of its affairs shall be conducted and administered by a Board of Trustees of seven (7) elected members, all of whom are either Lay persons in good standing of a Parish or Mission in the Diocese or members of the Clergy canonically resident in the Diocese, in addition to the Bishop of the Diocese, who shall serve as Chair of the Board, or who may designate the President or other officer of the Corporation to serve as such. The Board of Trustees shall have the power and authority to conduct the affairs of said Corporation in accordance with its charter and bylaws and in accordance with the Constitution and Canons of the Diocese from time to time adopted.

Section 38.3 Each member of the Board of Trustees shall be elected at Annual Convention and each member shall serve a term of five (5) years. The terms of members shall be so arranged that the term of at least one (1) member shall expire annually. The Board of Trustees shall fill any vacancy which occurs on the Board until the annual election. The Bishop shall nominate the members of the Board of Trustees.

Section 38.4 The Board of Trustees shall adopt its own Bylaws and shall elect such officers as its Bylaws require.

Section 38.5 The Board of Trustees shall submit a report at each Annual Convention covering its operations for the preceding fiscal year and showing its financial condition. If and when required by the Standing Committee of the Diocese, the Board of Trustees shall make such additional reports and furnish such additional information as may be requested. The books and records of the Board of Trustees shall at all times be open for inspection and examination by the Standing Committee of the Diocese or its representatives.

## CANON 39

### TITLE TO PROPERTY

Section 39.1 Title to all real property now owned or acquired by the Diocesan Corporation (the "Corporation") for its use and benefit and for the use and benefit of Parishes, Missions, and Diocesan Institutions (including parish schools) shall be held in the name of the Corporation and sold, leased, encumbered and otherwise dealt with, only in accordance with the provisions of Section 39.4 and Section 39.5.

Section 39.2 Real property held or acquired by a Parish, Mission or Diocesan Institution by purchase, gift or devise shall be conveyed by it to the Corporation, unless held for investment or income-producing purposes and no ad valorem tax exemption is claimed on it.

Section 39.3 Real property held by the Corporation for a particular Parish, Mission, or Diocesan Institution shall be held by the Corporation, subject to the Constitution and Canons of the Diocese and General Convention, solely for the use and benefit of such Parish, Mission or Diocesan Institution. It is immaterial how, when or by what process title was vested in the Corporation, provided the original acquisition of the property was through purchase by, or gift or devise to, the Parish, Mission or Diocesan Institution, or the expenditure of funds for the improvement of the property, by the entity concerned, since acquisition, has greatly exceeded the original purchase price of the property. Such Parish, Mission or Diocesan Institution shall be entitled to any income from the property, unless otherwise committed, and will be responsible for expenses attributable to the property, but not for any administrative expense of the Corporation.

Section 39.4 In case of liquidation, dissolution or winding up of the Corporation, whether voluntary, or by operation of law:

- (a) the property held by the Corporation for a particular Parish, Mission or Diocesan Institution shall be conveyed to the governing body of such Parish, Mission or Diocesan Institution for its use and benefit, subject to the Constitution and Canons of the Diocese and General Convention.
- (b) the other assets or properties of the Corporation shall be distributed in such manner as the Board of Trustees of the Corporation shall direct, provided, however, that any such distribution shall be such as is calculated to be exclusively to carry out the purposes for which the Corporation is formed or for one or more other exempt purposes within the meaning of the applicable provisions of the Internal Revenue Code of 1986, as amended, or any similar federal statute then in effect and rules and regulations pursuant thereto. "The liquidation, dissolution or winding up of the corporation," within the meaning of this Canon and of the Constitution of the Diocese, shall refer to the actual cessation of operation of the Corporation and not to a change in its structure, so long as it can continue to perform its functions, duties, and obligations set forth in this Section 39.

Section 39.5 the Corporation may sell, convey, lease, mortgage, encumber, grant easements affecting, or otherwise deal with and dispose property held by it upon obtaining:

- (a) the advice and consent of the Standing Committee, and
- (b) the written consent of the rector of the Parish or vicar of the Mission and resolution of the vestry of the Board of Trustees (or similar governing body) of the Diocesan Institution, for whom the property is held.

#### CANON 40

##### TRUSTEES OF THE EPISCOPAL SEMINARY OF THE SOUTHWEST

Section 40.1 The Corporation known as the Episcopal Theological Seminary of the Southwest, organized and existing as a non-profit Corporation under the laws of the State of Texas, is hereby recognized by the Diocese of Dallas. Its Trustees shall be elected and shall serve in such manner and to such extent as is provided for in the governing documents of the Seminary.

#### CANON 41

##### VACANCY IN THE OFFICE OF THE BISHOP

Section 41.1 Upon the death or resignation of the Bishop and if there is no Bishop Coadjutor, then the Standing Committee may ask the ranking active Suffragan Bishop to be in charge of this Diocese and shall be temporarily the Ecclesiastical Authority of this Diocese until such time as a new Bishop shall be chosen and consecrated.

Section 41.2 If the Standing Committee declares the disability of the Bishop and there is no Bishop Coadjutor able and present, then the Standing Committee may ask ranking active Suffragan Bishop to be in charge of this Diocese and shall be temporarily the Ecclesiastical Authority of this Diocese until such time as the Standing Committee shall declare the Bishop able to serve.

Section 41.3 If the Bishop shall give written notice to the Standing Committee of his extended absence or leave and his desire that provision be made for a temporary Ecclesiastical Authority and there is no Bishop Coadjutor able and present, then the Standing Committee may ask ranking active Suffragan Bishop to be in charge of the Diocese and shall be temporarily the Ecclesiastical Authority of this Diocese until such time as the Bishop shall give the Standing Committee written notice of his return. In any event, such leave shall not exceed 36 months.

Section 41.4 During any period in which a Suffragan Bishop shall temporarily be the Ecclesiastical Authority of this Diocese, the Bishop (or, if the Bishop has resigned or is permanently unable to perform the duties of office or is deceased, the Standing Committee) shall nevertheless retain the authority to call for the election of a Bishop, Bishop Coadjutor or Suffragan Bishop, pursuant to Canon 26.1.

As passed at the 113<sup>th</sup> Diocesan Convention on October 18, 2008 and will take effect in 30 days.

#### AUTHENTICATION

We hereby authenticate the foregoing as the official copy of the Constitution and Canons of the Diocese of Dallas of the Episcopal Church in the United States of America.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Richard D'Antoni  
Secretary of Convention

\_\_\_\_\_  
Mr. Timothy A. Mack  
Chair of the Committee  
on Constitution and Canons

\_\_\_\_\_  
Mr. Timothy A. Mack  
Chancellor

## **GEOGRAPHIC DESCRIPTION OF THE DIOCESE OF DALLAS**

The Diocese of Dallas shall consist of those Clergy and Laity of the Episcopal Church in the United States of America resident in that portion of the State of Texas including the twenty-five (25) counties of Bowie, Camp, Cass, Collin, Dallas (excluding the portion of the city of Grand Prairie that is in Dallas County), Delta, Denton, Ellis, Fannin, Franklin, Grayson, Henderson, Hunt, Kaufman, Lamar, Morris, Navarro, Rains, Red River, Rockwall, Titus, Upshur, Van Zandt, and Wood.

## **RECORDING DATA TRANSFERRING TITLE TO ALL PROPERTY TO CORPORATION OF THE EPISCOPAL DIOCESE OF DALLAS**

In the case of The Episcopal Diocese of Dallas et al v. Jim Mattox, Cause No. 84-8573, the 95th District Court of Dallas County, Texas, entered a judgment in which title to all property standing in the name of the Bishops of the Episcopal Diocese of Dallas and located within the present boundaries of the Episcopal Diocese of Dallas was vested in the name of the Corporation of the Episcopal Diocese of Dallas. Said judgment has been recorded in the County Clerk's office in each County within the Episcopal Diocese of Dallas and the recording data for each County is as follows:

<u>County</u>	<u>Deed Records Vol.</u>	<u>Page</u>
Bowie	731	506
Camp	210	354
Cass	727	572
Collin	1973	593
Dallas	84172	3771
Delta	178	244
Denton	1479	197
Ellis	711	901
Fannin	647	760
Franklin	184	377
Grayson	1712	466
Henderson	1077	873
Hopkins	442	70
Hunt	20	474
Kaufman	784	54
Lamar	675	875
Morris	184	688
Navarro	1036	849
Rains	234	769
Red River	357	711
Rockwall	208	467
Titus	478	213
Upshur	459	8
Van Zandt	1037	579
Wood	938	808

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