

**CONSTITUTION**  
**THE DIOCESE OF SPRINGFIELD**

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**Constitution of the Diocese of Springfield**  
(as amended by Synod, October 22, 2016)

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Article I

**Declaration and Bounds of the Diocese**

The Diocese exists to proclaim the Historic Faith in our Lord Jesus Christ as the worldwide Anglican Communion has received the same, in conformity with the Preamble to the Constitution of the Episcopal Church, and the Book of Common Prayer.

The Diocese shall be known and distinguished as the DIOCESE OF SPRINGFIELD, a constituent part of the One, Holy, Catholic and Apostolic Church in this land. Said Diocese shall contain that portion of the State of Illinois lying south of the counties of Woodford, Livingston, Ford and Iroquois, and east of the Illinois River.

Article II

**Accession to the General Convention**

The Diocese accedes to the Constitution and Canons of the Protestant Episcopal Church in the United States of America, commonly known as the Episcopal Church, which is a constituent member of the worldwide

Anglican Communion of churches, and recognizes the Constitutional authority of the General Convention of the same.

### Article III

#### **Ecclesiastical Authority**

The Ecclesiastical Authority of the Diocese shall be the Bishop, or if there be no Bishop, then the Bishop Coadjutor; or if there be no Bishop Coadjutor, then the Suffragan Bishop, senior in Consecration; or if there be no Suffragan Bishop, then the Standing Committee.

### Article IV

#### **Regular and Special Synods**

##### Section 1.

There shall be one Regular Synod of the Church in the Diocese each year, the exact day and place being fixed by the Ecclesiastical Authority.

##### Section 2.

The Ecclesiastical Authority may call Special Synods and fix the time, place, and date they shall convene.

##### Section 3.

Notice of the time, place and date when every Synod, Regular or Special, is to convene shall be given to every Member of the Clergy, and to the Wardens of every Eucharistic Community of the Diocese at least thirty days before the time appointed. The notice in case of a Special Synod shall also specify the purpose for which the Special Synod is called, and no business shall be transacted at such meeting other than as stated in the notice.

##### Section 4.

The Synod shall have power to provide for all matters not governed by the Constitution and the Canons of the General Convention or by this Constitution.

##### Section 5.

The Synod shall have power to raise money for the work of the Church from the Eucharistic Communities of the Diocese. All appropriations and proposed expenditures included in the budget adopted by the Synod shall be considered assessments under this Section. Any assessment against any Eucharistic Community shall be reviewed at its request as may be provided by Canon.

### Article V

#### **Members of the Synod**

##### Section 1.

The Synod shall be composed of Clergy and Laity.

##### Section 2.

The Bishop, the Bishop Coadjutor, and the Suffragan Bishop, if there be such, and every Member of the Clergy canonically resident in this Diocese, and in good standing, shall be entitled to a seat and vote in the Synod, except as otherwise provided by this Constitution.

### Section 3.

Every Eucharistic Community of the Diocese shall be entitled to representation by two or more Lay Delegates. Representation shall be based upon average Sunday attendance (ASA) as reported in the most recent Parochial Report filed by the Eucharistic Community, in accordance with the greatest number of delegates derived by application of the following formula: ASA of 74 or fewer, two (2) delegates; ASA of 75 or more, three (3) Delegates; ASA of 125 or more, four (4) Delegates; and ASA of 200 or more, five (5) Delegates. No Eucharistic Community shall have more than a total of five Lay Delegates. Each regular Lay Delegate, elected and present at the Synod shall have one vote. All Lay Delegates must be at least eighteen years of age and confirmed communicants in good standing, as defined in the canons of the Episcopal Church. Lay Delegates shall be elected at the Annual Meeting of each Eucharistic Community. A sufficient number of Alternate Delegates shall be elected at that same meeting. Vacancies in Delegate positions may be filled by the Vestry or Bishop's Committee. The Diocesan Office shall be notified immediately of the names and addresses of all Delegates and Alternates.

### Section 4.

It is the duty of every Member of the Clergy entitled to a seat to attend the meetings of the Synod, and of every Eucharistic Community to send one or more Delegates.

## Article VI

### **The Synod Eucharist**

During every Synod there shall be a celebration of the Holy Eucharist; and if there be a sermon, the Preacher shall be appointed by the Bishop, unless the Bishop personally shall preach or deliver a charge.

## Article VII

### **President of the Synod**

The Bishop presides as President of the Synod, and is entitled to every privilege of membership in the body. In the absence of the Bishop, the Bishop Coadjutor, if there be one, or in his or her absence, the Suffragan Bishop, if there is one, shall preside with like powers. If no Bishop, Bishop Coadjutor or Suffragan Bishop shall be present, the President of the Standing Committee, or in his or her absence any Presbyter of the Standing Committee, shall call the Synod or order and proceed to the election by the Synod of a President *pro tempore* from among the Presbyters of the Synod.

## Article VIII

### **Secretary of the Diocese**

At each Regular Synod, a Secretary of the Diocese shall be elected from among the members thereof, who shall continue in office until a successor be elected. His or her duties shall be to act as the Secretary of the Synod, to take minutes of the proceedings, and, when approved, to enter them in the Journal; to preserve the Journals and records; to attest the public acts of the body; and faithfully to deliver to his or her successor all records which may be in his possession. He or she shall also give the prescribed notice of the meeting of each Synod. An Assistant Secretary may also be appointed by the Secretary from among the members of the Synod, with the approval of the Synod. Whenever there shall be a vacancy in the office of the Secretary of the Synod, his or her duties shall be performed by the Assistant Secretary and if none by the Secretary of the Standing Committee.

## Article IX

### **Treasurer of the Diocese**

#### Section 1.

At each Regular Synod, there shall be elected a Treasurer of the Diocese, subject to the approval of the Ecclesiastical Authority, who shall take office on January 1st of the following calendar year and who shall serve until a successor is elected and qualified. The Treasurer shall receive, disburse, and annually account to the Synod for all money collected under the authority of the Synod. All accounts held by the Treasurer shall be audited annually by an independent Certified Public Accountant or otherwise as the Canons of the General Convention may direct. The Treasurer shall be entitled *ex officio* to all the rights and privileges of membership in the Synod except that of voting. The Treasurer shall be adequately bonded as required by the Canons of the General Convention, the cost of procuring such bond to be provided by the Synod.

#### Section 2.

In the case of a vacancy in the office of Treasurer, the Ecclesiastical Authority shall have power to appoint a Treasurer, with the advice and consent of the Council of the Diocese, to act until the next Synod.

## Article X

### **Transaction of Business**

#### Section 1.

Fifteen of the Clergy entitled to seats in the Synod, and Lay Delegates from ten of the Eucharistic Communities entitled to representation, at any time duly assembled, shall constitute a quorum for the transaction of business, except that a smaller number may adjourn from time to time.

#### Section 2.

In all matters that shall come before the Synod, the Clergy and Laity shall deliberate as one body, and the Clerical and Lay Delegates shall vote as individuals, unless a vote by separate orders is called for by any five members of the Synod.

#### Section 3.

When the Synod deliberates as one body, if a quorum be present, a majority of all members present shall be necessary to a decision. But when a vote by separate orders is taken, the concurrence of a majority of the members present in each order shall be necessary to a decision.

#### Section 4.

The election of officers provided for in this Constitution shall be by ballot, unless the same be dispensed with by the Synod; and in the event of a failure or neglect to elect at any Synod, the person or persons already in office shall hold over until successors are regularly elected and qualified.

## Article XI

### **The Standing Committee**

#### Section 1.

The Standing Committee of the Diocese shall consist of four Presbyters and four Lay Persons. At each Regular Synod there shall be elected by the concurrent vote of both orders one Presbyter and one Lay Person, each to serve for a term of four years. Upon the expiration of the full term of office of a member

of the Standing Committee, he shall not be eligible for election to the Standing Committee until one year shall have elapsed after the expiration of his or her term of office.

#### Section 2.

The Presbyters must be from among those entitled to seats and votes in the Synod and the Lay Persons must be confirmed communicants in good standing (as defined by the canons of the Episcopal Church) of one of the Eucharistic Communities of this Diocese.

#### Section 3.

The Committee, at its first meeting, shall choose a President and a Secretary from among its members. The Secretary shall keep a record of its proceedings, which record shall be subject to ~~the~~ examination by ~~of~~ the Bishop and the Synod. A full report of its acts shall be made at each Regular Synod. Any five of the members, the whole having been summoned, shall be a quorum. It may make rules of procedure not inconsistent herewith and alter and repeal them from time to time. Vacancies in said Committee, occurring by death or otherwise, shall be filled by the concurrent vote of the remaining Clerical and Lay members of the Committee. Such *ad interim* members shall serve until the next Regular Synod which shall elect members to the Standing Committee to fill the unexpired terms.

#### Section 4.

When functioning as the Ecclesiastical Authority, the Standing Committee shall exercise the powers and duties of the Bishop in matters of discipline; provided, that no sentence shall be pronounced upon a member of the Clergy or Laity, except by a Bishop; and when there is such occasion, the Standing Committee may invite a Bishop to exercise this office.

### Article XII

#### **Deputies to the General Convention**

Four Clerical and four Lay Deputies, or such other number as the General Convention or the Synod may prescribe, shall be elected by the Synod to represent this Diocese in the General Convention of The Episcopal Church. The Synod shall also elect a sufficient number of Alternate Deputies to supply any deficiency that may occur in the representation of the Diocese. In case the Regular Synod shall neglect to elect Deputies or Alternate Deputies, those acting as Deputies and Alternate Deputies for the preceding General Convention shall continue to represent the Diocese until their Successors shall be elected.

### Article XIII

#### **Eucharistic Communities**

Every Parish and Mission which has previously been a constituent member of the Diocese is a Eucharistic Community of the Diocese of Springfield. All existing Eucharistic Communities shall retain the rights, privileges and status held by them or conferred upon them at the time of their admission unless those rights and privileges are voluntarily relinquished or are modified pursuant to constitutional or canonical procedures. New Eucharistic Communities may be established in a manner provided by the canons of the Diocese.

## Article XIV

### **Forfeiture of Privileges**

#### Section 1.

Any Eucharistic Community may be suspended from the right of representation in the Synod, or otherwise disestablished, by a vote of two-thirds of those present in each Order, whenever the same shall be deemed necessary. Should the Bishop signify to the Synod that in his judgment action is necessary, the Synod shall proceed at once without regard to the regular order of business to the consideration of such action as the case may in its judgment require.

#### Section 2.

If a Eucharistic Community shall neglect or decline to appoint delegates, or if those appointed neglect or are prevented from attending, or if a Eucharistic Community shall incur any suspension or forfeiture of privileges, owing to the neglect of canonical assessments or otherwise, it shall nevertheless be bound by all the acts of the Synod the same as if fully represented.

#### Section 3.

Lay Delegates shall not be seated at any Synod unless the Eucharistic Community they represent is current, as specified in the Canons of the Diocese, on all Pledges, Assessments or other sums owed to the Diocese.

## Article XV

### **Election of a Bishop**

#### Section 1.

The election of a Bishop for this Diocese may be made in a Regular Synod, or in a Special Synod called for that purpose.

#### Section 2.

The election shall be conducted in the following manner:

1. The Order of the Clergy and the Order of the Laity shall vote separately by ballot, for some fit and qualified Member of the Clergy for that office, and a concurrence of both Orders shall be necessary to a choice.

2. If two-thirds of all the Clergy entitled to vote are present, and two-thirds of all the Eucharistic Communities entitled to vote are represented by a Lay Delegate or Delegates, then a majority of each Order shall determine a choice.

3. Should there not be present two-thirds of the Clergy and a representation of two-thirds of the Eucharistic Communities, then two-thirds of the votes of each Order shall be necessary to determine a choice.

#### Section 3.

In all cases of the election of a Bishop, no Member of the Clergy shall be entitled to vote unless he or she shall have been for at least six months immediately preceding the election personally and canonically resident in this Diocese. A Member of the Clergy regularly settled and functioning in a Eucharistic Community of this Diocese shall be considered personally resident even if domiciled outside the boundaries of the Diocese.

## Article XVI

### **Amendments**

No amendment shall be made to this Constitution except in the manner following:

A proposed amendment shall be introduced in writing at a Regular Synod, and, if approved by the vote of a concurrent majority of all the Clergy and Lay Delegates entitled to seats, voting by orders, shall lie over to the next Regular Synod; and if again approved in the same manner in said Regular Synod, such amendment shall be valid and obligatory; provided that no amendment to the Constitution, or of Canons enacted under it, shall be valid without the concurrence of the Ecclesiastical Authority.

# **CANONS OF THE DIOCESE OF SPRINGFIELD**

(as Amended by Synod, October 22, 2016)

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## **TITLE I. THE SYNOD**

Canon 1.  
Of the Clerical Members of the Synod

Section 1.

Within one week before the meeting of every Synod of this Diocese, the Ecclesiastical Authority shall prepare or cause to be prepared a list or roll call of the Clergy of the Church canonically resident in this Diocese, annexing the names of their respective Cures; and such list shall be certified by the Ecclesiastical Authority, and shall be evidence of the regular admission of the Members of the Clergy to the rights and privileges of the Synod as provided in the Canons and Constitution of the Diocese.

Section 2.

The right of any Member of the Clergy of this Diocese to a seat in the Synod shall, if disputed or claimed, be determined according to the provisions of Article V of the Constitution, by the Synod itself.

Canon 2  
Of the Lay Members of the Synod

The appointment of a Lay Delegate to the Synod of this Diocese shall be certified in writing by the Clergy in Charge of the Congregation of which that Lay Delegate is a representative, or when there is no Clergy in Charge, by one of the Wardens. Every certificate of the appointment of a Lay Delegate shall show upon its face that the appointment has been made in pursuance of all the requirements of the Canons, and shall certify that the Delegate has the qualifications required by Article V of the Constitution.

Canon 3  
Of the Duties of the Secretary and the Treasurer

### Section 1.

In addition to those duties set out in the Constitution, it is hereby made the duty of the Secretary to transmit to each General Convention a certificate of the appointment of Clerical and Lay Deputies, and to do such other acts as may be from time to time required of him or her by authority of the General Convention or the Diocesan Synod.

### Section 2.

In addition to those duties set out in the Constitution, the Treasurer shall maintain proper accounting records in which shall be entered accounts and statements in detail of all money received and disbursed by the Treasurer. The Treasurer shall make deposits of funds received by him or her, and make disbursements authorized by the Synod or other competent Diocesan bodies, in accordance with such guidelines as may be established by the Department of Finance. The Secretary's journals and records, and the Treasurer's books shall be at all times open to the inspection of the Bishop and the Standing Committee of the Diocese. Before the opening of each Regular Synod, the Treasurer shall prepare a list of all Congregations delinquent in the full payment of pledges, assessments or other charges imposed by the order of the Synod. At each meeting of Diocesan Council, and at each Regular Synod, the Treasurer, in conjunction with the Department of Finance, shall submit a written report concerning the financial position of the Diocese, said report to include an income statement and balance sheet. The Treasurer shall notify the Congregations of all assessments, pledges or other obligations due from them, and shall regularly pay all stipends and salaries authorized by Synod, or by the Council.

### Section 3.

The fiscal year for the purposes of Diocesan financial affairs shall be established by the Department of Finance. The Department of Finance shall obtain a surety bond, at the expense of the Diocese, for the faithful performance of the duties of the Treasurer and of any other persons who may be authorized to handle funds on behalf of the Diocese.

### Section 4.

The Treasurer shall inform the Congregations of the formula by which assessments in support of the Diocese are to be determined, and of any special assessments that may be imposed for the support of the Diocese, and shall also provide the Congregations with a periodic accounting of the assessments made, and money paid, by each Congregation.

### Section 5.

No Treasurer shall be eligible for re-election after having served six consecutive years as Treasurer. A Treasurer who has served six consecutive years in that office shall not again serve as Treasurer, whether pursuant to election or appointment, until two years have elapsed from the date of the Treasurer's last service in that office. The foregoing limitation on the time in office of Treasurer shall become effective on January 1, 2018.

Canon 4  
Of the Business of the Synod

Section 1.

The Bishop shall be the Presiding Officer of the Synod. In the absence of the Bishop, the Presiding Officer shall be the Bishop Coadjutor, if any. In the absence of a Bishop Coadjutor, the Presiding Officer shall be the Bishop Suffragan, if any. In the absence of a Bishop Suffragan, the Presiding Officer shall be the President of the Standing Committee. If the President of the Standing Committee is not present at Synod, or if that office is vacant, the Clergy present shall elect one of their number to serve as Presiding Officer.

Section 2.

Order of Business. The following matters shall be taken up during the Synod, in the Order determined at the discretion of the Presiding Officer. The Presiding Officer may also bring to the attention of the Synod such other matters which may be needful or beneficial to the Diocese, or to the Synod.

1. Declaration of a quorum necessary to conduct business.
2. The election of a Secretary of the Diocese and the appointment of an Assistant Secretary.
3. The names of congregations listed by the Treasurer as delinquent in the payment of pledges, assessments or other charges imposed by the Synod, as of June 30 of the calendar year in which the Regular Synod is held, shall be reported to the Synod for action on the seating of their lay delegates. As used in Article XIV, Section 3 of the Constitution, a Congregation's "Pledges, Assessments or other sums owed to the Diocese" shall be considered to be "paid in full" under those circumstances where the Treasurer of the Diocese has received payment of all "Pledges, Assessments or other sums owed to the Diocese" due through June 30 of the calendar year in which the Regular Synod is held.
4. The appointment of Inspectors of Elections--one Member of the Clergy and one member of the laity for the clerical votes, and one Member of the Clergy and one member of the laity for the lay votes, severally, for the disposition of all issues requiring a ballot.
5. Report of the Treasurer of the Diocese.
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10. Report of the Department of Mission.

11. Elections.
12. Report of the Trustees of the Diocese.
13. Report of the Secretary.
14. Report of the Standing Committee.
15. Report of the Commission on Ministry.

### Section 3.

The Continuing Committees of the Synod are the following:

- a. Legislation--consisting of at least two clerical and two lay members; and
  - b. Resolutions--consisting of two clerical and two lay members.
- Members of the Continuing Committees shall be appointed by the Ecclesiastical Authority and shall serve until their successors are appointed and qualified.

### Canon 5 Of Rules of Order

Except when in conflict with the Constitution, Canons, or Rules of Order adopted by the Synod, the latest edition of Robert's Rules of Order shall govern the procedure to be followed by the Synod in the conduct of its business.

## **TITLE II—THE MINISTRY**

### Canon 6 Of the Definition of Titles

For the purpose of these Canons and of the Constitution, and in order to determine the ecclesiastical and legal contract contained or implied in each case within the Diocese, these respective Titles are defined as follows:

“MINISTER” shall mean in a general or liturgical sense in *executor officii* one who is duly licensed or ordained to perform sacred functions in this Church, and includes, but is not limited to, the three Orders of Bishop, Priest and Deacon, and lay persons authorized to act in any of the capacities set forth in Title III, Canon 4.1.a. of the Canons of the General Convention.

“RECTOR” shall mean a Priest who is canonically settled in a Congregation whose settlement is without limitation of time, and the stipend relating to whose call is held as a permanent contract.

“VICAR” shall mean a Priest who is appointed by the Bishop to be in charge as the Bishop’s representative of Congregation whose settlement is determined as to time and condition by agreement with the Bishop.

“PRIEST IN CHARGE” shall mean a Priest of the Church who is appointed by the Bishop to be temporarily in charge of a Congregation.

“ASSISTANT MINISTER” or “CURATE” shall mean a Member of the Clergy called on the nomination of a Rector, to assist the Rector.

## Canon 7 Of the Commission on Ministry

### Section 1.

The Commission on Ministry of the Diocese shall perform the duties and discharge the responsibilities as may be assigned to a Diocesan Commission on Ministry under Title III of the Canons of the General Convention of the Episcopal Church, or as may be requested by the Ecclesiastical Authority.

### Section 2.

- a. The Commission on Ministry shall consist of nine persons.
- b. Implementation. This Canon shall be implemented through the following procedure: 1. At the next Regular Synod following the effective date of these Canons, the terms of all persons serving on the Commission on that date shall expire. 2. At the next Regular Synod following the effective date of these Canons, the Synod shall elect one Layperson to serve a term of one year, one Presbyter to serve a term of two years, and a second Layperson to serve a term of three years. 3. At the next Regular Synod following the effective date of these Canons, the Bishop shall appoint six persons, two to serve terms of one year each, two to serve terms of two years each, and two to serve terms of three years each, as determined at the sole discretion of the Bishop.
- c. At the second Regular Synod following the effective date of these Canons, and for each regular Synod thereafter, the Synod shall elect a person to serve a term of three years, said person to be of a different ministry order than the member elected by Synod whose term next expires.
- d. At the second regular Synod following the effective date of these Canons, and for each regular Synod thereafter, the Bishop shall appoint two persons, each person to serve a term of three years.
- e. No person, having served on the Commission for a full term of three years, shall be eligible for re-appointment to the Commission until the lapse of one year.

f. The Bishop shall appoint persons to fill any vacancies which may occur among the members of the Commission. Such persons shall serve for the entire unexpired term of the person they are chosen to replace.

h. The Diocesan Deployment Officer, the Chair of the Board of Examining Chaplains and the Dean of the Springfield School for Ministry shall have seat and voice, but not vote, in deliberations of the Commission.

i. The Ecclesiastical Authority may appoint a representative to attend meetings of the Commission on Ministry in the absence of the Ecclesiastical Authority. Such representative shall be accorded seat and voice in all meetings which the representative attends.

### Section 3.

The Commission may adopt rules not inconsistent with the Canons of the Diocese or General Convention and subject to the approval of the Bishop.

### Section 4.

The Chair of the Commission shall be appointed by the Bishop from among its members. The Commission may appoint from time to time, with the approval of the Bishop, such other officers or persons it may need to assist in the performance of its duties. Appointees other than the Chair shall serve at the pleasure of the Commission.

## Canon 8

### Of the Support of Ministers

It shall be the duty of the Mission Leadership Team of each Congregation to provide for the payment of the amount stipulated for the compensation of the Member of Clergy in Charge or Assistant Minister at such intervals and on such conditions as have been agreed.

## Canon 9

### Of the Clergy in Charge

#### Section 1.

The control of the worship and the spiritual jurisdiction of the Congregation is vested in the Member of the Clergy in Charge, subject to the Rubrics of the Book of Common Prayer, the Canons of the Church, and the Godly counsel and authority of the Bishop. All other Ministers of the Congregation, by whatever name they may be designated, are to be regarded as under the authority of the Member of the Clergy in Charge.

#### Section 2.

For the purposes of his or her office and for the full and free discharge of all functions and duties pertaining thereto, the Member of the Clergy in Charge shall, at all times, be entitled to the use and control of the Church and Congregational buildings together with the appurtenances and furnishings thereof, and to access all records and registers maintained by or on behalf of the Congregation.

### Section 3.

The Member of the Clergy in Charge shall have the full direction and control of the Church Schools, and all other educational and charitable associations within the Congregation. He or she shall call meetings of the Mission Leadership Team, or officers of the Congregation, and of the Congregation as a whole and is *ex-officio* President of the same, and of all guilds and societies formed in the Congregation and is entitled to speak and vote on all questions before these bodies.

### Section 4.

A Rector shall have the right, with the consent of the Mission Leadership Team, to elect as Assistant Minister (or Curate) from year to year, any Priest whose name has been submitted to the Bishop as provided in the Canons of the General Convention, provided, however, that upon the expiration of the first year, the Rector may remove such Assistant Minister upon ninety days' written notice

Section 5. A Minister is settled, for all purposes here or elsewhere mentioned in these Canons, who has, as applicable, either been called by a Congregation, or appointed by the Bishop to serve in any Congregation, permanently, according to the rules of the Diocese, provided no Assistant Minister shall be considered "settled" in the sense of having a contract of indefinite or unlimited duration.

### Canon 10

#### Of Parish Registers and Parochial Reports

It shall be the duty of every Minister of this Church to keep the Parish Register and records required in the Canons of the General Convention and to make the reports required thereby or by the Ecclesiastical Authority of the Diocese. In every case where a Congregation is without a Minister, the Register and Records contemplated in this Canon shall be maintained by, and the reports shall be made by, the Wardens.

### Canon 11

#### Of Discretionary Funds

In each congregation, and on a monthly basis, an amount of money equal to 25% of open offerings collected by the congregation, not otherwise designated for specific purposes, shall be made available to the Clergy in Charge of the Congregation as a Discretionary Fund, for such pious and charitable uses as the Clergy in Charge of the Congregation sees fit. All funds made available hereunder shall be subject to audit as funds of the Congregation, with due regard for necessary confidentiality which may be associated with their distribution.

Canon 12  
Of Memorial Funds

Records shall be maintained on any special funds given as memorials to a Congregation, which records shall include the names of the persons in whose memory such donations are made and the names of the donors, if known; and if no specific direction for the expenditure of such funds shall be made by the donors, such funds shall be expended at the discretion of the Member of the Clergy in Charge and the Mission Leadership Team. All such memorial funds shall be transferred to the Treasurer and held in a special fund.

Canon 13  
Of Officiating Within Other Cures

No Member of the Clergy shall officiate, either by preaching, reading prayers in public worship, administering the Sacraments, or performing any other sacred function, in a Congregation or cure whose boundaries have been defined by the Bishop without the express permission of the Member of the Clergy in charge of the Congregation or cure. If, because of the absence or disability of the Member of the Clergy in charge, provision has not been made for stated or necessary services within a Congregation or cure, a Warden may give consent.

**TITLE III—CONGREGATIONAL ORGANIZATION**

Canon 14  
Of the Organization and Administration of a Eucharistic Community

Section 1.

Any Congregation that was organized as a Mission on the effective date of these Canons shall be a Eucharistic Community.

Section 2.

A Congregation wishing to be recognized as a Eucharistic Community pursuant to Section 1 above shall be recognized as a Eucharistic Community upon satisfaction of the following requirements:

a. Written application to the Bishop by twelve or more persons of at least eighteen years of age, who are communicants of the Episcopal Church, and who attest that they wish to form a Eucharistic Community within this Diocese, that they will promote the regular worship of the Church, and that they will conform to the Doctrine, Discipline and Worship of the Church;

b. Certification of the Ecclesiastical Authority approving of the establishment of the Eucharistic Community;

c. Approval by the Synod of the organization of the Eucharistic Community, or of a Synod specially convened for the purpose of voting upon the application for admission of the proposed Eucharistic Community; and

d. A pledge to the Diocese in an amount determined the Department of Finance with the advice of the Bishop and the Department of Mission.

### Section 3.

Of the Vicar or Priest in Charge.

The Vicar or Priest in Charge shall be appointed by the Bishop with the advice of the Mission Leadership Team.

### Section 4.

Of the Mission Leadership Team.

As soon as practicable following Synod approval of organization of a Eucharistic Community, a majority of the adult communicants of the Congregation shall convene for the purpose of electing a Mission Leadership Team for the first year, consisting of at least three and not more than twelve members, who shall be communicants in good standing of at least eighteen years of age. Thereafter the members of the Eucharistic Community shall elect members for the Mission Leadership Team at each annual meeting. The Vicar, or Priest in Charge, is an *ex officio* member of the Mission Leadership Team and is its presiding officer. The Mission Leadership Team shall be responsible for the management of the temporal affairs of the Eucharistic Community, and shall meet at least four times annually.

### Section 5.

Of the Wardens.

a. There shall be two Wardens in each Eucharistic Community, to be known respectively as the Senior Warden and the Junior Warden who shall always be communicants in good standing.

b. The Senior Warden shall be nominated annually by the Vicar or Priest in Charge from among the members of the Mission Leadership Team His or her duties shall be to look after the personal interests of the Vicar, or Priest in Charge, to see that his or her stipend is promptly and fully paid, and that provision is made for supplying his or her place in case of his necessary absence.

c. The Junior Warden shall be elected annually by the Mission Leadership Team from among its number. He or she shall represent the members of the Eucharistic Community in the temporal affairs of the Congregation, report to the Mission Leadership Team needed repairs of the Church property, and in the absence or disability of the Senior Warden perform his or her duties.

d. It shall be the duty of the Wardens to procure a place to be used for public worship, to see that the same be kept clean and in good repair, and that it be provided with all things necessary for conducting the services of the Church decently and in good order: and, in case of a vacancy or the absence of the Minister, to take charge of the Sacred Vessels and other property of the Congregation, to be custodian of the Registers and Records and to make entries therein, to fill out the Parochial Reports to the Bishop, and also to endeavor to arrange for maintaining required services subject to the approval of the Bishop. And, further, the Wardens and the Mission Leadership Team shall at all times be responsible to the Bishop for the safe keeping of all the temporalities of the Congregation.

e. In case there be no Vicar or Priest in Charge, or in his or her absence or inability to act, the Senior Warden, or in the absence of the Senior Warden, the Junior Warden, shall preside at all meetings of the Mission Leadership Team, and of the Congregation. Special meetings may be called by the Vicar or Priest in Charge, or in case of a vacancy, or the inability of the Vicar or Priest in Charge to act, by one of the Wardens, at any time; and whenever three members of the Mission Leadership Team request in writing, a special meeting shall be called by the Vicar or Priest in Charge, or if none, or if he shall fail to act within a reasonable time, by a Warden; provided that the Vicar or Priest in Charge shall be notified of such meeting and shall be entitled to be present and to preside. No meeting of a Mission Leadership Team shall be held to be valid in which there shall not be present either the Vicar or Priest in Charge, or one Warden.

#### Section 6.

##### Of the Clerk and Treasurer.

a. A Clerk and Treasurer, who may or may not be members of the Mission Leadership Team, shall be annually elected by the Mission Leadership Team. No Vicar, Priest in Charge, Warden, Clerk, or other Member of the Clergy shall also serve as Treasurer.

b. It shall be the duty of the Clerk, under the direction of the Vicar or Priest in Charge, to keep the minutes of all meetings and generally to handle the correspondence of the Congregation.

c. It shall be the duty of the Treasurer of the Congregation to collect or receive all money contributed to the Congregation; the collection and disbursement of which are not otherwise provided for; and to remit and disburse them in accordance with the Constitution and Canons.

d. No Treasurer shall be eligible for re-election after having served six consecutive years as Treasurer. A Treasurer who has served six consecutive years in that office shall not again serve as Treasurer, whether pursuant to election or appointment, until two years have elapsed from the date of the Treasurer's last service in that office. The foregoing limitation on the time in office of Treasurer shall become effective on January 1, 2018.

Section 7.  
Of Other Congregational Staff.

The Vicar, or Priest in Charge, in consultation with the Mission Leadership Team, shall appoint the Sexton, Organist, Choir Director, Church School Superintendent, and any other staff members as he or she may find necessary or convenient; but in case there be no Minister, the right of such appointment shall rest with the Mission Leadership Team. All members of the Congregational Staff, including but not limited to those staff members specifically described herein, shall serve at the pleasure of the Vicar or Priest in Charge or, in the absence of such Clergy, the Mission Leadership Team.

Section 8.  
Of the Annual Meeting.

a. A meeting of the Eucharistic Community shall be held annually, at such time and place as the Vicar, or Priest in Charge, or in a congregation lacking resident clergy, the Wardens, may appoint. At this meeting the Vicar, or Priest in Charge, or in his or her absence, the Senior Warden, or in his or her absence the Junior Warden, shall preside. The Annual Meeting will elect members of the Mission Leadership Team, and the Wardens and Clergy shall provide the meeting with such information as is necessary to give the members of the Congregation an accurate picture of the financial and spiritual state of the congregation and its ministry.

b. In lieu of electing the entire Mission Leadership Team annually, any Eucharistic Community, at its annual meeting, by a majority of votes present, may decide, by such plan as they see fit, to divide the members of the Mission Leadership Team into classes in respect to their term of office, but no term of office shall be created for a longer period than three years; and in such case of division into classes, no member who has served a full term shall be eligible for reelection until the expiration of one year thereafter. In such case of a Mission Leadership Team divided into classes, if there shall be a vacancy in the body, the Mission Leadership Team shall fill the vacancy only until the next annual meeting, at which time a member shall be elected to serve any remainder of the unexpired term.

c. Qualifications for voting at the Annual Meeting of a Eucharistic Community shall be the same as those established for Eucharistic Communities in Canon 19, Section 3. Members of the Mission Leadership Teams of Eucharistic Communities shall possess the same qualifications required of members of the Mission Leadership Teams of Eucharistic Communities under Canon 19, Section 1(b)

Section 9.  
Of Relations with the Bishop and Diocese.

a. Each Eucharistic Community shall make an annual pledge to the Diocese, in such form as shall be provided by the Department of Finance, and in an amount determined by the Bishop, in consultation with the Mission Leadership Team of each Eucharistic Community, the Member of the Clergy in Charge of each Eucharistic Community, the Department of

Finance, and the Department of Mission. In the event that such a pledge is not established in accordance with this procedure, the annual pledge for each Eucharistic Community shall be 15% of that Congregation's net disposable income, as defined in Canon 41.

b. The Vicar, or Priest in Charge, or, if none, the Senior Warden, shall prepare annually a report for the Eucharistic Community for the year ending December thirty-first preceding, in such form as may be adopted by the General Convention of the Protestant Episcopal Church, and which shall be sent not later than March first to the Bishop, or the Ecclesiastical Authority.

c. During each quarter of the calendar year, each Eucharistic Community shall submit payment to the Diocese of: (1) an amount equal to at least one quarter of its total pledge for that year; or (2) an amount that shall, when combined with its prior payments during that calendar year, constitutes full *pro rata* payment of its pledge through the quarter of the calendar year in which payment is made.

d. The Mission Leadership Team of every Congregation, in conjunction with the Member of the Clergy in charge of the Congregation, shall annually submit a Mission Strategy Plan, in a manner prescribed by the Ecclesiastical Authority in conjunction with the Department of Mission.

#### Section 10

Dissolution of Eucharistic Communities.

A Eucharistic Community may be dissolved upon action of the Bishop, with the advice and consent of the Standing Committee.

#### Section 11

Construction with Constitution and Canons of Protestant Episcopal Church in the United States of America.

For the purposes of the Constitution and Canons of the Protestant Episcopal Church in the United States, or for any other act of the General Convention, a Eucharistic Community shall be considered to be a "mission" and/or a "mission congregation".

#### Canon 15

Of the Organization and Administration of an Incorporated Eucharistic Community

##### Section 1.

Any Congregation that was organized as a Parish on the effective date of these Canons shall be an Incorporated Eucharistic Community.

##### Section 2.

A Eucharistic Community may be organized as an Incorporated Eucharistic Community upon approval of Synod, following submission of the following documents to the Secretary of Synod not less than sixty days previous to the Regular meeting of the Synod at which the Congregation wishes the matter to be considered:

a. A certificate from the Ecclesiastical Authority approving its change in status from Eucharistic Community to Incorporated Eucharistic Community.

b. A Constitution subscribed by the Wardens, expressly acceding to the Constitution Canons, Doctrine, Discipline and Worship of the Protestant Episcopal Church in the United States of America, and to the Constitution and Canons of this Diocese.

c. Proof of legal incorporation.

d. Minutes showing the adoption of a resolution approving application to the Synod for status as an Incorporated Eucharistic Community.

e. Proof that the Congregation has legal access to a suitable location at which services may be held on a regular basis;

f. Proof of Congregational income sufficient to pay to each Member of the Clergy called by the Congregation a level of compensation to be established by the Synod; provided that, in the event that the Synod shall fail to establish a minimum level of compensation for clergy, that amount shall be set at a total of \$45,000.00 for all elements of compensation used by the Church Pension Group in calculating pension assessment. However, an Incorporated Eucharistic Community may provide compensation to retired, supply and bi-vocational clergy in an amount less than these minimum compensation levels.

g. A Diocesan Pledge in conformance with Canon 21.

h. The Ecclesiastical Authority may recommend to the Synod that the requirements set forth in paragraphs (e) and (f) above be waived, or be required at some time following admission of the congregation as an Incorporated Eucharistic Community. However, the waiver of one or more requirements in individual cases shall not be considered a revocation or amendment of the requirements.

## Canon 16 Of the Wardens

### Section 1.

There shall be two Wardens in each Incorporated Eucharistic Community, to be known respectively as the Senior Warden and the Junior Warden, who shall always be communicants in good standing.

### Section 2.

The Senior Warden shall be chosen by the Rector from the Mission Leadership Team within reasonable time after the annual election, and his or her duties shall be to look after the personal interests of the Rector, to see that the Rector's stipend is promptly and fully paid,

that provision is made for supplying the Rector's place in case of absence, and generally to do all things that may be necessary to promote the Rector's efficiency.

### Section 3.

The Junior Warden shall be elected by the Mission Leadership Team from among their number. The Junior Warden shall represent the members of the Congregation in the temporal affairs of the Incorporated Eucharistic Community, report to the Mission Leadership Team concerning needed repairs of the Congregation's real property, and in the absence of the Senior Warden perform his duties.

### Section 4.

It shall be the duty of the Wardens to ensure that the records concerning the operation of the congregation and kept and appropriately maintained.

### Section 5.

The Wardens shall take measures to ensure that the Church Building and premises be kept in good repair and free from all uses prohibited by the Constitution and Canons.

### Section 6.

In case there be no Rector, or in his absence or inability to act, the Senior Warden, or in absence of the Senior Warden, the Junior Warden shall preside at all meetings of the Mission Leadership Team, and of the Congregation. No meeting of a Mission Leadership Team shall be held to be valid in which there shall not be present either the Rector or one Warden.

## Canon 17

### Of the Mission Leadership Team

#### Section 1.

The Mission Leadership Team shall, in conjunction with the Bishop and the Rector, define and carry out the mission of the Congregation in promoting the Gospel, and shall have the responsibility and authority, within the Congregation, of taking such action, not inconsistent with the Constitution and Canons, appropriate to carry out that mission. The Mission Leadership Team shall ensure that the Congregation is provided with accurate and timely information concerning the affairs of the Congregation.

#### Section 2

The Mission Leadership Team shall meet monthly, where practicable, but, in any event, not less than once in each calendar quarter. A special meeting may be called at any time by the Rector, or in the case of a vacancy, or the inability of the Rector to act, by one of the Wardens. Further, the Rector shall call a special meeting upon the request of any three members of the Mission Leadership Team in writing, or by electronic means. During a vacancy, or upon the failure of the Rector to act within a reasonable time, the requested meeting shall be called by a Warden. In the latter circumstance, the Rector shall be notified of the meeting and shall be entitled to be present and to preside. Reasonable notice, which

may include notice by electronic means, must be given of every meeting to every Member of the Mission Leadership Team and to the Rector.

### Section 3.

It shall not be lawful for the Mission Leadership Team of any Incorporated Eucharistic Community to borrow for the purpose of meeting ordinary current expenses any amount in excess of 20% of the average annual net disposable income of the Congregation, as defined in Canon 41, for the three years preceding the date of the proposed borrowing.

## Canon 18

### Of the Officers of the Mission Leadership Team

#### Section 1.

A Clerk and a Treasurer, who may or may not be members of the Mission Leadership Team, shall be elected annually by the Mission Leadership Team, and shall serve until their successors in office are chosen. No Rector, spouse or child of the Rector, Warden, Clerk, or other Member of the Clergy shall also act as Treasurer. A Treasurer who has served six consecutive years in that office shall not again serve as Treasurer, whether pursuant to election or appointment, until two years have elapsed from the date of the Treasurer's last service in that office. The foregoing limitation on the time in office of Treasurer shall become effective on January 1, 2018.

#### Section 2.

It shall be the duty of the Clerk to attend all meetings of the Mission Leadership Team to take, preserve and attest to minutes of its proceedings; to preserve its reports, journals and other records; to attest the official acts of the Mission Leadership Team and perform such other duties as may be assigned by the Mission Leadership Team, or the Constitution and Canons of this Diocese, or of General Convention of the Protestant Episcopal Church. The Clerk shall deliver into the hands of his or her successor all books and papers which may be in the Clerk's possession.

#### Section 3.

It shall be the duty of the Treasurer to receive all money accruing to or offered to the Congregation, and to disburse all money authorized by the Mission Leadership Team, the receipt and disbursement of which is not otherwise provided for.

#### Section 4.

No money shall be paid out by the Treasurer, except pursuant to prior budgetary authorization or upon approval by the Mission Leadership Team recorded in the minutes. The Treasurer shall present to the Mission Leadership Team, at each regular meeting, a full and accurate statement of all money received and paid out since the last statement. The Treasurer shall also present to the Mission Leadership Team, before the annual meeting of the Congregation complete financial statements showing all receipts and disbursements for the preceding year and the assets, liabilities and fund balances of all Funds as of the end of the preceding year.

## Section 5.

The Treasurer shall attend all meetings of the Mission Leadership Team, be guided by its advice in all matters pertaining to the duties of the office, and be ready to answer all questions as to the state of the treasury. The Treasurer's books and papers shall always be subject to inspection by the Rector, Wardens, Mission Leadership Team, and/or the Diocesan Department of Audit.

## Canon 19.

### Of the Annual Congregational Meeting

#### Section 1.

a. After the meeting for primary organization, each Incorporated Eucharistic Community shall meet annually in January, at such time and place as the Rector may appoint, of which due notice shall be publicly given no later than three weeks prior to the date of the Annual Meeting.

b. At the Annual Meeting, in addition to the other business which may be there transacted, the members of the Incorporated Eucharistic Community who are qualified and entitled to vote for officers as defined in Section 3 of this Canon, shall elect by ballot, by a majority of votes present, a Mission Leadership Team of not less than three nor more than twelve lay persons of at least eighteen years of age who are communicants in good standing as defined in Canon 36, Section 3, and who have been confirmed by a Bishop of this Church or received into this Church as having been properly confirmed. The Mission Leadership Team elected shall continue to discharge the functions of its office during the year, and until its successors are elected, and may fill vacancies in its own body.

c. In lieu of electing the entire Mission Leadership Team annually, any Incorporated Eucharistic Community at any Annual Meeting, by a majority of votes present, may decide, by such plan as they see fit, to divide the members of the Mission Leadership Team into classes in respect to their term of office. In such circumstance, the term of office for members of the Mission Leadership Team shall not exceed three years, and no member of the Mission Leadership Team who has served a full term shall be eligible for re-election until the expiration of one year thereafter. When a vacancy occurs in a Mission Leadership Team that has been divided into classes, the Mission Leadership Team may fill the vacancy until the next Annual Meeting, at which time a member shall be elected to serve for any portion of the term that remains unexpired.

#### Section 2.

In case any Incorporated Eucharistic Community shall fail for the period of two years to elect a Mission Leadership Team, as hereinbefore directed, the Ecclesiastical Authority may call a Congregational meeting, upon ten days' public notice given in such Incorporated Eucharistic Community, for the purpose of electing a Mission Leadership Team to serve until the next annual Congregational meeting or until its successors are elected

### Section 3.

All communicants in good standing as defined in Canon 36, Section 3, who are at least sixteen years of age and who have been duly recorded and are recognized as such, shall be qualified to vote for a Mission Leadership Team and at the Annual Meeting.

### Section 4.

The presiding officer at the Annual Meeting is the Rector or Priest in Charge, or, in the case of his or her absence, or of a vacancy, one of the Wardens. If no Warden is present, a member of the congregation chosen by the meeting shall preside. The presiding officer shall decide on the qualifications of those who offer to vote, subject to an appeal to the decision of the qualified voters present. The meeting shall elect a Secretary. The result of the ballots for election shall be declared by the presiding officer, and recorded by the Secretary before the adjournment of the meeting; the poll shall be open and not closed until all qualified persons present have had the opportunity of casting their votes. Each member chosen to serve on the Mission Leadership Team shall be notified by the Secretary of his or her election, and the new Mission Leadership Team shall be convened for organization and business as soon as practicable after election. In the event any qualified member of the Congregation present at the Annual Meeting challenges the validity of any election concerning the Incorporated Eucharistic Community, whether due to irregularity of procedure, exclusion of qualified voters or inclusion of unqualified voters, the Annual Meeting shall resolve the challenge by either affirming the challenged election or declaring the election void, in which circumstance a new election shall be held. At no time shall voting by proxy be permitted. The Presiding Officer may, at his or her discretion, permit members of the congregation to attend any congregational meeting by electronic means.

### Canon 20

Of the Holding of Church Property, Custody Thereof, and the Reversion and Transfer Thereof

### Section 1.

Every Incorporated Eucharistic Community of this Diocese shall become incorporated under the general law of the State of Illinois providing for the incorporation of religious societies, and thereafter all real estate and personal property given to, or purchased by, any such Incorporated Eucharistic Community shall vest in and be the sole property of such Incorporated Eucharistic Community, subject to the provisions of these Canons.

PROVIDED, that all real estate hereafter purchased or acquired by any Eucharistic Community in the Diocese or by any Incorporated Eucharistic Community prior to its legal incorporation, shall be conveyed to the Bishop of Springfield, his successor or successors in office, as trustee for the use and benefit of the Eucharistic Community or Incorporated Eucharistic Community so purchasing or acquiring such property.

### Section 2.

No Member of the Clergy in charge of a Congregation or in case of vacancy or absence, no Wardens or Mission Leadership Team, shall permit any person to officiate therein, without sufficient evidence of his being duly licensed or ordained to Minister in this Church, or in another Church in full communion with this Church.

### Section 3.

It shall not be lawful for any Mission Leadership Team, Trustees or other body authorized by the law of this State to hold property for a Congregation to encumber or alienate any dedicated and consecrated Church or Chapel, or any Church or Chapel which has been used solely for Divine Service, belonging to the Congregation which they represent, without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee.

Further, no Mission Leadership Team, Trustee, Trustees or other body, authorized by the law of this State to hold, manage or administer real property for a Congregation, shall encumber or alienate the same or any part thereof without the written consent of the Bishop acting with the advice and consent of the Standing Committee. Provided, however, that real property other than a dedicated and consecrated Church or Chapel, may be encumbered in an amount no greater than the Congregation's average annual net disposable income, as defined in Canon 41 for the three years next preceding, without the consent otherwise required by this Section.

### Section 4.

No Church or Chapel shall be removed, taken down, or otherwise disposed of, for any unhallowed, worldly or common uses, nor shall any Congregation change the location of its Church or Chapel, without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee. When a church building shall cease to be used and is to be disposed of for purposes other than worship prescribed by this Church, a service of deconsecration shall be used.

### Section 5.

In case of any disfranchisement as provided in the Constitution and Canons of this Diocese, or upon dissolution of a Congregation, the property belonging to the same shall vest in the Bishop of the Diocese, and his or her successors in office, in trust, to be held and conveyed, subject to the disposition and direction of the Bishop and by and with the consent of the Standing Committee, and not unless that body shall direct and authorize the disposition of the said property. The proceeds of sale or disposition of any such property may be used by the Ecclesiastical Authority with the advice and consent of the Standing Committee for any religious, charitable or educational purpose in the Diocese of Springfield. Whenever the property of any Congregation shall revert to the Bishop, pursuant to this Canon, the Churchwardens, Mission Leadership Team, Trustees, or other persons having possession of any title papers or archives of such Congregation, shall promptly, upon notification by the Ecclesiastical Authority, deliver peaceable possession of such property to the Ecclesiastical Authority.

### Section 6.

In the event that a Eucharistic Community shall become an Incorporated Eucharistic Community, title to the church building and other real property used by the Eucharistic Community in its worship and programs may be transferred to the Incorporated Eucharistic Community, but only upon such terms and conditions as may be agreed upon

between the Ecclesiastical Authority and the Mission Leadership Team of the Incorporated Eucharistic Community.

#### Canon 21

Of Relations to the Bishop and Diocese.

##### Section 1.

Each Incorporated Eucharistic Community shall make an annual pledge to the Diocese of at least that percentage of “net disposable income” (as defined in Canon 41) as has been established by Synod as the standard for giving by Incorporated Eucharistic Communities. In the event that Synod fails to establish such a percentage, the minimum annual pledge to the Diocese from each Incorporated Eucharistic Community shall be 15% of “net disposable income”. During each quarter of the calendar year, each Incorporated Eucharist Community shall submit payment to the Diocese of: (1) an amount equal to at least one quarter of its total pledge for that year, or; (2) an amount that shall, when combined with its prior payments during that calendar year, constitutes full *pro rata* payment of its pledge through the quarter of the calendar year in which payment is made.

##### Section 2.

The Mission Leadership Team of every Congregation, in conjunction with the Member of the Clergy in Charge of the Congregation, shall annually submit a Mission Strategy Plan, in a manner prescribed by the Ecclesiastical Authority in conjunction with the Department of Mission.

#### Canon 22.

Of Legal and Canonical Prerogatives of Eucharistic Communities

##### Section 1.

Secular Corporate Organization. The rights and prerogatives conferred upon Incorporated Eucharistic Communities under civil law, including civil law relating to corporate formation, shall not be limited or impaired by operation of these Canons, nor shall these Canons be interpreted as attempting to limit or impair such rights or prerogatives.

##### Section 2.

Construction with Constitution and Canons. Incorporated Eucharistic Communities shall have all such status, rights and prerogatives, if any, as are conferred upon Parishes under the Constitution and Canons of the Protestant Episcopal Church, or under any valid act taken by the Domestic and Foreign Missionary Society or any of its constituent bodies, and the Mission Leadership Teams of said Incorporated Eucharistic Communities shall have all such status, rights and prerogatives, if any, as are conferred upon Vestries under said Constitution and Canons, or under any such acts.

## Canon 23 Of Communities in Formation

### Section 1. Establishment

A Community in Formation may be established by the Synod, with the advice and consent of the Ecclesiastical Authority, or by the Ecclesiastical Authority, with the advice and consent of the Standing Committee. A Community in Formation shall meet each of the following requirements:

1. The Community in Formation will conduct regular public worship, to include celebration of the Eucharist on all Sundays; provided, that the celebration of the Eucharist on a Saturday in anticipation of the Sunday Eucharistic shall satisfy the requirement that the Eucharist be celebrated on Sunday;

2. Within three years of first holding services, and for each year thereafter, the Community in Formation shall make a financial contribution to the work of the Diocese; and

3. The Community in Formation shall submit to the Ecclesiastical Authority an annual report, at such time and in such form as shall be established by the Ecclesiastical Authority, of the Community's work and mission.

### Section 2 Governance and Administration

A Community in Formation shall come within the oversight of one of more existing Eucharistic Communities or Incorporated Eucharistic Communities. Those persons worshipping with a Community in Formation may be members of a Eucharistic Community or Incorporated Eucharistic Community having oversight of the Community in Formation, but need not be members of any Congregation. Matters concerning governance of the Community in Formation, and the conduct of its financial affairs, shall be determined by collaboration between and among the persons worshipping with the Community in Formation, the Mission Leadership Team of the Congregation having oversight of the Community in Formation, the Bishop, and the Department of Mission.

### Section 3 Transition to Eucharistic Community or Incorporated Eucharistic Community

A Congregation in Formation may become a Eucharistic Community upon satisfaction of the requirements set out in Canon 15 herein, or may become an Incorporated Eucharistic Community upon satisfaction of the requirements set out in Canon 14 herein.

#### Section 4 Dissolution

A Congregation in Formation may be dissolved at the request of the persons worshipping in that Congregation, at the request of the Mission Leadership Team of the Congregation having oversight of the Congregation in Formation, or by the Ecclesiastical Authority, with the advice and consent of the Standing Committee.

#### Canon 24 Of Mission Fields

With the approval of the Diocesan Council, and after receiving relevant information from the Department of Mission, the Ecclesiastical Authority, having sole discretion in the matter, may designate as "Mission Fields" any geographic areas within the Diocesan that are located at such distance from any existing congregation as to make impracticable any joint ministry with an existing congregation.

#### Canon 25 Of Geographic Parishes

A Geographic Parish is formed when two or more Congregations combine their resources for more effective mission and ministry. A Geographic Parish may be formed at the request of the Mission Leadership Teams and Members of the Clergy in Charge of each Congregation to be included in the Geographic Parish, with the permission of the Ecclesiastical Authority. The specific nature of joint ministry, and the means and methods by which the resources of the congregations shall be utilized in that ministry, shall be determined collaboratively by the Congregations comprising the Geographic Parish, and the Ecclesiastical Authority.

#### Canon 26 Of Congregational Boundaries

The boundaries of Eucharistic Communities and Incorporated Eucharistic Communities shall be fixed by the Ecclesiastical Authority, in consultation with the Department of Mission.

#### Canon 27 Of Inactive Congregations

Whenever any Congregation shall for three years either fail to elect a Mission Leadership Team, or to make report as required by the Canons, unless the reasons for these failures are satisfactory to the Bishop, the Bishop may, with the concurrence of the Standing Committee, dissolve the Congregation or, in the case of an Incorporated Eucharistic Community, declare that the congregation shall be considered to be a Eucharistic Community.

## Canon 28 Of Dependent Incorporated Eucharistic Communities

### Section 1.

In order to assist any Incorporated Eucharistic Community facing financial or other difficulties that might impair its ability to continue to sustain its work, the Ecclesiastical Authority may designate the Incorporated Eucharistic Community to be a Dependent Incorporated Eucharistic Community, if requested to do so by the Mission Leadership Team of that Incorporated Eucharistic Community, or, on advice of the Standing Committee, under any of the following conditions:

- a. That in the preceding year the Rector's stipend was less than level of compensation of Members of the Clergy in Charge of Incorporated Eucharistic Communities, unless it be shown that a part-time Rector is sufficient for the needs of a given Incorporated Eucharistic Community;
- b. That for the two years next preceding, the pledge payment by that Incorporated Eucharistic Community to the Diocese was less than the minimum pledge for Incorporated Eucharistic Communities established by Synod, or as otherwise provided for under these Canons.

### Section 2.

The Incorporated Eucharistic Community designated as a Dependent Incorporated Eucharistic Community may request aid from the Diocese for an amount and purposes to be negotiated with the Department of Finance, in consultation with the Department of Mission, and under such terms as may be set by Council.

### Section 3.

During its term as a Dependent Incorporated Eucharistic Community, any such Incorporated Eucharistic Community shall retain its Congregational status as regards holding and custody of church property and the retention of a Rector. Should the office of Rector be vacated during the term of a Dependent Incorporated Eucharistic Community, the Bishop shall appoint a Minister in charge until the end of the appointed term or such time as the conditions requiring Diocesan aid have been relieved.

### Section 4.

If, at the end of the appointed term or negotiated extension, the conditions requiring designation as a Dependent Incorporated Eucharistic Community have not been relieved, said Incorporated Eucharistic Community shall be designated a Eucharistic Community subject to the Constitution and Canons pertaining thereto, and the Mission Leadership team shall deed over to the Diocese all property at such time and in such manner as may be required by the Ecclesiastical Authority.

## **TITLE IV—ORGANIZATION OF THE DIOCESE**

Canon 29.

Of Deaneries, Deans and Diocesan Assistants

Section 1.

This Diocese recognizes and adopts the use of the title ‘Dean’ and hereby establishes the office and jurisdiction of each.

a. The territorial jurisdiction of a Dean, except for the Dean of the Cathedral, shall be a geographical subdivision of the Diocese as defined by the Synod of the Diocese and changed by the Synod as the needs of the Church may demand, and to be known as a Deanery. There shall be one Dean for each such Deanery such Dean to be nominated biennially from among the Priests of the Deanery.

b. The Dean of each Deanery shall be nominated by majority vote of the delegates to the Deanery Convocation and appointed by the Bishop, such meeting of the Deanery Convocation to be held as determined by the Dean, in consultation with the Ecclesiastical Authority, and he shall take office upon the adjournment of the Regular Synod following his appointment. The Dean shall be eligible for re-election, which shall be by secret ballot. (The senior priest of the Deanery shall call and preside over the first such meeting of the Convocation.) The Dean shall take office upon the adjournment of the Regular Synod following appointment, and shall be installed in office at such time and in such manner as may be determined by the Ecclesiastical authority.

c. In the event of a vacancy in the office of Dean, a new Dean shall be nominated at a regular or special meeting of the Deanery Convocation called by the senior priest of the Deanery as soon as practicable following the occurrence of the vacancy.

Section 2.

The Dean shall assist in the administration of the Diocese within the bounds of his or her Deanery in such a manner as may be determined by the Ecclesiastical Authority.

Section 3.

The Dean, under the Ecclesiastical Authority, shall be the spiritual leader of the Deanery.

a. The Dean shall serve as the coordinator of ministerial functions within the Deanery as determined by the Deanery Convocation and as desired by the Ecclesiastical Authority.

b. Whenever an Ordination is held by the Bishop, the candidate shall be presented by the Dean from whose Deanery the candidate may come. If the said Dean be absent, then the candidate shall be presented by the Dean of the Deanery within which the Ordination is held or by a priest designated by the latter.

#### Section 4.

Each Dean shall call a meeting of the Deanery Convocation at such other times as the Dean shall deem necessary, but at least annually. Voting delegates of the Deanery Convocation shall consist of the clergy of each Congregation within the Deanery, and one or two lay members from each Congregation within the Deanery elected at the annual meetings thereof, at least one of whom is an elected delegate to the Synod of the Diocese next following. The Dean shall preside at such meetings. The Deanery Convocation may establish such committees as may be necessary to facilitate its work. The Deanery Convocation shall elect a Recording Secretary who shall take office upon the adjournment of that meeting and who shall serve for a term of one year, or until a successor is elected and qualified. The Deanery's lay representative to the Council of the Diocese shall be elected from among the elected lay delegates to the Deanery Convocation in accordance with Section 2(c) of Canon 31 and shall take office upon the adjournment of the Regular Synod next following. Each Deanery may elect an alternate lay representative to the Council of the Diocese, in the same manner as provided for the election of the lay representative to Council, from among the elected lay delegates to the Deanery Convocation, and subject to the provisions regarding lay representatives set out in Canon 31, section 3(c). An alternate lay representative of a Deanery may attend any meeting of Council at which the elected lay representative from that Deanery is absent, and at such meetings shall have all such rights and privileges as the elected Deanery representative.

#### Section 5.

The foregoing duties and responsibilities of Deans do not apply to the Dean of the Cathedral unless he is also elected to the office of Dean in the Deanery within which the Cathedral is located.

#### Section 6.

a. Diocesan Assistants, with additional titles specified at the time of selection, may be appointed by the Ecclesiastical Authority, with the approval of the Diocesan Council. Any Assistant so appointed shall hold office at the pleasure of the Ecclesiastical Authority and shall perform such duties as shall be assigned in writing by the Ecclesiastical Authority or set forth in the Constitution or Canons of this Diocese.

b. Compensation of a Diocesan Assistant shall be in the manner and amount agreed between the Assistant and the Ecclesiastical Authority and approved in accordance with Diocesan budgetary procedures.

#### Canon 30

##### Of Trustees of the Diocese of Springfield

#### Section 1.

Trustees. The elected body known as the Trustees of the Diocese is recognized as a Diocesan Corporation. The corporation may hold and administer trust funds of the Diocese and such other property, real and personal, as may from time to time be conveyed to it and may receive property in the name of the Diocese of Springfield by gift, devise or purchase and may, with the advice and consent of the Ecclesiastical Authority, make, erect,

and build thereon such houses, buildings or other improvements as may be necessary for the convenience and comfort of any organization of the Diocese of Springfield. The Trustees may, in their discretion, create a common fund for the investment of such money or other properties which may be invested or deposited in said fund either by the Trustees or by other persons or organizations. Upon the creation of such fund, the Trustees shall provide by written declaration the rules and regulations to be applied to the calculation and distribution of income; provided that said declaration shall not discriminate between or among holders of certificates of beneficial interest therein. Upon the creation of such common fund, the management thereof shall be in accordance with the provisions of this Canon. All documents authorizing financial transactions by the Trustees regarding funds managed by the Trustees shall be signed by at least two members of the Trustees, exclusive of members *ex officio*, by the Ecclesiastical Authority, in conjunction with the Treasurer of the Diocese.

#### Section 2.

Membership. The Trustees of the Diocese of Springfield shall consist of five members, exclusive of the Bishop, Treasurer of the Diocese, and Chancellor. At each Regular Synod one member shall be elected for a term of five years. Members of the Trustees shall hold office until their successors are elected. If a member shall die or resign, the place may be filled by the remaining trustees to serve until the next Synod, at which a new member shall be elected to fill the unexpired term

#### Section 3.

Officers. The Officers of this Corporation shall be a Chairman and a Secretary-Treasurer, who shall be elected at the meeting of the Trustees which shall be held as soon as practicable following adjournment of the Regular Synod. The Chairman and Secretary-Treasurer shall be chosen from among the members of the Corporation.

#### Section 4.

Duties of the Officers. It shall be the duty of the Chairperson to preside at all meetings of the Trustees and to see that all orders of the Trustees are duly executed. The Secretary - Treasurer shall keep the minutes of all meetings. The Secretary-Treasurer shall keep an accurate account of the receipts and disbursements of the Trust Funds.

#### Section 5.

Meetings. Regular meetings of the Trustees shall be held at least once in each year, exclusive of the meeting for organization, for the transaction of business, and the preparation of a report for the past year. Special meetings, for the transaction of such business as may come before the Trustees may be held at the call of the Chairman or Bishop upon reasonable notice thereof having been given to all the Trustees. At all meetings for the transaction of business and the election of Trustees to fill vacancies on the Board, the presence of a majority of the Trustees shall be necessary to constitute a quorum, but a lesser number may adjourn from time to time.

Section 6.

Investments. The Trustees may invest (where not otherwise instructed by the will, deed, decree, gift, grant or other instrument whereby assets or other funds are donated to the Diocese) in any property, real, personal or mixed, including, but not limited to, shares of capital stock or other interests in or obligations of domestic or foreign corporations, situated in or out of the State of Illinois; may sell or retain any such property as well as any property originally received for management by the Trustees and may reinvest the proceeds of any such sale or sales in the manner aforesaid. In the management of the trust investments, the Trustees may act directly or through any state or national bank or brokerage institution regulated under the laws of the United States or of the State of Illinois.

Section 7.

Seal of the Corporation. The Trustees shall have and use a Corporate Seal bearing the legal title of the Corporation. The Seal shall be in the custody of the Secretary-Treasurer.

Section 8.

Chancellor of the Diocese. The Chancellor of the Diocese of Springfield shall be *ex-officio* the Legal Advisor of the Trustees, and shall, upon request of the Trustees, meet with and advise the Trustees in the making of loans, or other investment of Trust Funds, and in the investigation of the title to real estate offered as security for the investment of Trust Funds held by the Corporation, and his legal advice shall be asked by the Corporation in all other business as need may arise therefor. The Chancellor of the Diocese shall be a member *ex officio* of the Trustees, having seat and voice, but shall not be entitled to vote concerning matters coming before the Trustees.

Section 9.

The Bishop of the Diocese. The Bishop of the Diocese of Springfield shall be *ex-officio* a member of the Trustees, having seat, voice and vote in all matters coming before the Trustees, and shall have access at any time to the books, records, and accounts of the Trustees for inspection of the same and for such information as he shall desire to obtain; and he may call meetings of the Trustees as he may deem necessary.

Section 10. The Treasurer of the Diocese. The Treasurer of the Diocese shall be a member *ex officio* of the Trustees, with seat and voice, but without vote concerning matters coming before the Trustees.

Section 11.

The financial records of the ~~Board~~ of Trustees shall be audited annually by an independent Certified Public Accountant.

Canon 31  
Of The Council

Section 1.

The Diocesan Council shall work in concert with the Bishop in carrying out the mission and ministry of the Diocese.

Section 2.

Membership

The Council shall consist of members who hold their office by election, by appointment, or by virtue of the office or position they hold in the Diocese, as follows:

a. The following shall be members of Council with seat, voice and vote: the Bishop of the Diocese; the Bishop Coadjutor of the Diocese, if there be one; the Suffragan Bishop of the Diocese, if there be one; the President of the Standing Committee; the Archdeacon or Canon to the Ordinary of the Diocese, if any; the Deans of the several Deaneries; a Lay Representative of each of the several Deaneries, as elected by the Convocations of those Deaneries: two Members of the Clergy elected at large by the Synod; two Laypersons who shall be elected at large by the Synod; and not more than two persons who may be appointed by Bishop, if the Bishop sees the need for representation of some interim body, or of a group whose interests, in the judgment of the Bishop, would not otherwise be adequately represented on the Council.

b. The following shall be members of the Council with seat and voice, but without vote: the Secretary of the Diocese; the Treasurer of the Diocese; the Chancellor of the Diocese; the Chair of the Department of Finance; the Chair of the Department of Audit; and the Chair of the Department of Mission.

Section 3.

The term of Office for members of the Council shall be as follows:

a. Members of the Council who hold office by virtue of an office or position which they hold in the Diocese shall be members of the Council so long as they occupy that office or position.

b. Members of the Council who hold office by virtue of appointment by the Bishop of the diocese shall be members of the council for two years, and shall be eligible for re-appointment at the pleasure of the Bishop. Such appointments shall be limited to 3 terms in the case of Department Chairs. One year shall have elapsed after the expiration of said 3 full terms before eligibility for re-appointment is again established.

c. Members of the Council who are elected by the Convocations of the Deaneries shall hold office for two years, and are eligible for re-election, not to exceed two consecutive terms. Two years shall have elapsed after the expiration of said 2 full terms before eligibility for re-election is again established.

d. Members of the Council who are elected by the Synod of the Diocese shall hold office for two years, one Clerical member and one Lay member being elected each year; and shall be eligible for re-election, not to exceed two consecutive terms. One year

shall have elapsed after the expiration of said 2 full terms before eligibility for re-election is again established. In the event of a vacancy during the first year of a term of office, the Synod next following shall fill the unexpired term caused by the vacancy.

#### Section 4.

The work of the Council shall be directed by the following officers:

a. The Bishop of the Diocese shall be the President of the Council, and shall preside at all meetings of the Council at which he or she may be present.

b. The Bishop Coadjutor of the Diocese, if there be one, or the Suffragan Bishop of the Diocese, if there be one, or the President of the Standing Committee of the Diocese, if there be no Bishop Coadjutor or Suffragan Bishop, shall be the Vice-President of the Council, and shall preside at any meetings of the Council at which the President of the Council may not be present. No meeting of the Council may be held unless the President or Vice-President be in the Chair.

d. The Secretary of the Diocese shall be the Secretary of the Council, and shall keep an accurate Record of all business transacted by the Council, and each year shall compile from the Record a summary of the actions of the Council, which shall be submitted to the Synod of the Diocese for its information.

#### Section 5.

The Council shall meet at least three times during the year, of which one meeting shall be held as soon as practicable following the adjournment of the Regular Synod of the Diocese.

a. A meeting of the Council may be called by the Ecclesiastical Authority of the Diocese upon reasonable notice to the members thereof, including notice by electronic means.

b. Ten voting members, with the President or Vice-President, shall constitute a quorum for the transaction of business.

c. Decisions of the Council shall be determined by a vote of the majority of the members present, the whole having been duly summoned and a quorum determined. In the event of a tie vote, the presiding officer may cast the deciding vote.

#### Section 6.

There shall be a Department of Finance, of which the Treasurer shall be a member *ex officio*, whose duty it shall be to plan and supervise the finances of the Diocese, subject to the approval of the Synod and Council, and to supervise the work of the Treasurer. It shall make recommendations to the Council annually to enable the Council to fulfill its responsibilities in preparing a budget for the operation of the Diocese, and may, from time to time, make such recommendations as it may deem necessary for the financial well-being of the Diocese.

#### Section 7.

There shall be a Department of Audit, whose duty it shall be to monitor the work of the Treasurer, and any other persons involved in financial transactions of the Diocese. The Department of Audit shall have the authority to engage a Certified Public Accountant, or other professional chosen at its discretion, to audit the financial records of the Diocese; to review all financial reports tendered to the Diocese by any congregation or other entity; and to audit the financial accounts of any congregation or other entity within the purview of the Diocese.

#### Section 8.

There shall be a Department of Mission, whose duty shall be to assist the Bishop in promoting the mission of the Church in the Diocese. The Department shall report concerning such matters as are assigned to them by the Bishop, and shall investigate the potential for congregational development in particular geographic areas of the Diocese; the potential and advisability of consolidating congregations, or of closing congregations; the advisability of changing the canonical status of congregations; and exploring means to assist the ministry of congregations facing financial difficulties, or other factors that may impair its mission work.

#### Section 9.

The Bishop shall appoint the members of the Departments set out in Sections 6-8 above, including the Chair of the Department, with the advice and consent of the Synod. The Bishop may appoint members to each Department in such number as he or she feels necessary to permit each Department to effectively carry out its work. The members of the Department shall consist of communicants in good standing of congregations of the Diocese, and clergy canonically resident in the Diocese, but the Bishop may, at his or her own discretion, or at the request of the Chair of each Department, appoint other persons whose presence may benefit the work of the Department. Each Department member shall serve a term of one year, and shall be eligible for re-appointment, subject to the term limitations imposed on Department chairs in Section 3(b) above. However, a Department chair who is barred under that provision from re-appointment as Chair shall be eligible for re-appointment to the Department in a capacity other than Chair,

#### Section 10.

All appointed and elected members of the Council shall take office on the adjournment of the Regular Synod at which they are appointed or elected, and shall hold office for such terms as are stipulated in Section 3. of this Canon, or until their successors are duly selected and qualified.

#### Section 11.

The Bishop of the Diocese shall be a member *ex-officio* of each Department of the Council, and shall have a right to seat, voice and vote in the deliberation of each Department

#### Section 12.

The Council shall have the power to receive and administer all funds raised for the development and prosecution of such work for the Church as shall be committed to it by

the Synod of the Diocese, subject to the provisions of the Constitution and Canons of this Diocese, and to the directions of the Synod; provided, that all trust funds now in the possession of the Trustees of the Diocese, or that shall hereafter come into their possession, shall remain in their hands, and that the income from such funds shall be appropriated according to the terms of the trust.

Section 13.

Between meetings of the Synod and as circumstances may require, the Council shall initiate and have power to propose amendment of the Budget adopted by the Synod and such other measures as may be necessary to meet the financial needs of the Diocese.

Section 14.

The Council shall hear and determine any request by Eucharistic Community or Incorporated Eucharistic Community for adjustment of its assessment or of any pledge made by it to the Diocese.

Section 15.

All salaries and stipends other than those fixed by the Synod shall be fixed by the Council.

Section 16.

The Council shall submit to the Diocese at the Regular Synod each year, for its approval and adoption, a Budget for all the work of the church, or for such action as the Synod may desire to take. Provision shall therein be made for the reasonable expenses of the Council.

Section 17.

If at any time it shall become apparent that any Department as established by this Canon shall no longer meet the needs of the Church in the areas in which it operates, the Bishop may, with the consent of the Council, suspend the operation of such Department indefinitely by withholding appointment of the Chairman and members of the Department. At any subsequent time the work of the suspended Department may be reactivated by the appointment of a Chairman and members as provided in this Canon.

Section 18.

The Bishop may, with the consent of the Council, at any time he sees need for such action, establish Provisional Departments under either of the Departments provided for in this Canon. He shall set forth in writing to the Council his reasons for this action, and shall delineate the areas of concern to which the Provisional Department shall address itself. This statement shall be entered in the Record of the Council by the Secretary, and the establishment of such Provisional Departments shall be reported to the next Regular Synod for confirmation as regular Departments.

a. Chairs and members of such Provisional Departments shall be appointed in the same manner as Chairs and members of regular Departments of the Council, as provided elsewhere in this Canon.

b. Such Provisional Departments shall function in every respect, saving vote for their Chairs, as regularly established Departments of the Council, until and unless confirmed and established by a Regular Synod of the Diocese.

Canon 32  
Of the Chancellor of the Diocese

There shall be appointed by the Bishop, subject to the approval of the Synod, an officer learned in the law and a communicant of the Church, under the title of “Chancellor of the Diocese,” whose duty it shall be, as legal counselor of the Bishop and of the Standing Committee in matters affecting the interests of the Church, to give such professional counsel as may be asked or required. As Chancellor of the Diocese he shall be *ex-officio* entitled to a seat but no vote in the Synod. The Chancellor of the Diocese shall hold his office for the term of three years. In event of a vacancy, the Bishop with the approval of the Standing Committee shall have power to appoint a Chancellor to act until the next succeeding Synod.

Canon 33  
Of the Archivist

There shall be an Archivist, whose duties shall be to safeguard and organize the historic records and archives of the Diocese, to receive such documents from Congregations and sources outside the Church, and to facilitate access to such documents by persons interested in same. The Archivist shall be appointed by the Ecclesiastical Authority, and shall hold office for a term of three years. In the case of vacancy in the office, the Ecclesiastical Authority shall appoint a successor for the unexpired term.

## **TITLE V—DISCIPLINE**

Canon 34  
Of the Trial and Discipline of a Member of the Clergy Not Being a Bishop

Section 1.

Those provisions of Title IV of the Canons of the General Convention of the Domestic and Foreign Missionary Society (“the Episcopal Church”) which are applicable to the Diocese are hereby incorporated as part of this Canon. To the extent that any of the provisions of this Canon are in conflict or inconsistent with the provisions of Title IV, the provisions of Title IV shall govern.

Section 2.

a. Disciplinary Board. The Board shall consist of seven persons, four of whom shall be members of the Clergy and three of whom shall be Laity. Members of the Standing Committee are not eligible for service on the Disciplinary Board.

b. Clergy Members. The Clergy members of the Board must be canonically resident within the Diocese.

c. Lay Members. The Lay members of the Board shall be adult Communicants in good standing of a congregation within the Diocese of Springfield.

d. Election. The members of the Board shall be elected by the regular Synod. Each member shall be elected for a three (3) year term; except, if a member is elected to fill a vacancy, the term of such member shall be the unexpired term of the member being replaced. The term of the member shall commence upon the election of that member to the Board. The terms of office of the Board shall be staggered and arranged into three classes.

e. Vacancies. Vacancies on the Board shall be filled as follows:

1. Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.

2. Bishop shall appoint a replacement Board member with the advice and consent of the Diocesan Council.

3. Persons appointed to fill vacancies on the Board shall meet the same eligibility requirements as apply to elected Board members.

4. With respect to a vacancy created for any reason other than pursuant to a challenge as provided below, the term of any person selected as a replacement Board member shall be until the next regular Synod. With respect to a vacancy resulting from a challenge, the replacement Board member shall serve only for the proceedings for which the elected Board member is not serving as a result of the challenge.

f. Preserving Impartiality. In any proceeding under this Canon, if any member of a Conference Panel or Hearing Panel of the Board shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the Board and request a replacement member of the Panel. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subjects of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that proceeding.

g. President. Following each regular Synod, the Board shall convene as early as practicable to elect a President to serve for the following calendar year.

h. Intake Officer. The Intake Officer shall be appointed from time to time by the

Bishop after consultation with the Board. The Bishop may appoint one or more Intake Officers according to the needs of the Diocese. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the Diocese.

i Investigator. The Bishop shall appoint an Investigator in consultation with the President of the Board. The Investigator may, but need not, be a Member of the Church.

j Church Attorney. Following each regular Synod, the Bishop shall, as soon as practicable and in consultation with the Standing Committee, appoint an attorney to serve as Church Attorney to serve for the following calendar year. The person so selected must be a Member of the Church and a duly licensed attorney, but need not reside within the Diocese.

k Pastoral Response Coordinator. The Bishop may appoint a Pastoral Response Coordinator, to serve at the will of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Title IV.8 of the Canons of the General Convention, and of this Canon. The Pastoral Response Coordinator may be the Intake Officer, but shall not be a person serving in any other appointed or elected capacity under this Canon.

l Advisors. In each proceeding under this Canon, the Bishop shall appoint an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Canon, and shall not include chancellors or vice chancellors of this Diocese, or any person likely to be called as a witness in the proceeding.

m Clerk. The Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk may be a member of the Board.

### Section 3

The reasonable costs and expenses of the Board, the Intake Officer, the Investigator, the Church Attorney, the Board Clerk and the Pastoral Response Coordinator shall be the obligation of the Diocese, subject to budgetary constraints as may be established by the Synod and Diocesan Council. In the event of a final Order dismissing the complaint, or by provisions of a Covenant approved by the Bishop, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by the Diocese, subject to budgetary constraints as may be established by the Synod and the Diocesan Council.

### Section 4.

a Records of Proceedings. Records of active proceedings before the Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Clerk, if there be one, otherwise by the Diocesan offices, under the direction of the Archivist.

b Permanent Records. The Bishop shall make provision for the permanent

storage of records of all proceedings under this Title at the Diocesan office, under the direction of the Archivist, and the Archives of the Episcopal Church, as prescribed in Title IV of the Canons of the General Convention.

#### Section 5.

All proceedings convened under this Canon, or in accordance with Title IV of the Canons of the General Convention, shall proceed within the geographic area of the Diocese, and at a place convenient to the residence of all interested parties.

#### Section 6.

No hearing convened under this Canon, or in accordance with Title IV of the Canons of the General Convention, shall proceed with less than thirty days' written notice to the Respondent, the Respondent's Attorney, and all Complainants and Complainant's Attorneys. Notice shall be considered to be effective upon any of the following: personal delivery; delivery to a person's residence or regular place of business; or the mailing of such notice via U.S. Postal Service, or any commercial courier service to a person's residence and/or regular business address. Notice by U.S. Postal Service or commercial courier service shall be considered to be effective four days after mailing.

#### Section 7.

To the extent not inconsistent with provisions of Title IV of the Canons of General Convention of the Episcopal Church, all proceedings of the Hearing Board shall be governed by the Illinois Supreme Court Rules and the Illinois Code of Civil Procedure. All public hearings of the Hearing Board shall be recorded by a method to be selected by the Disciplinary Board.

#### Canon 35

##### Of the Due Celebration of the Lord's Day

It is the duty of all persons within the Church to hallow and keep the Lord's Day, commonly called Sunday, by regular participation in the public worship of the Church, by receiving the Holy Communion, by hearing the Word of God read and taught, by private and public prayer, by other exercises of devotion, and by works of charity, using all godly and sober conversation, and abstaining as much as possible from common secular business and employments.

#### Canon 36

##### Of Members of the Church

#### Section 1.

All persons who have received the sacrament of Holy Baptism with water, in the Name of the Father, and of the Son, and of the Holy Spirit, whether in this Church or in another Christian Church, and whose Baptisms have been duly recorded in this Church, are members thereof.

Section 2.

All members of this Church who have received Holy Communion in this Church at least three times during the preceding year are to be considered communicants of this Church.

Section 3.

All communicants of this Church who for the previous year have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying and giving for the spread of the Kingdom of God, are to be considered communicants in good standing.

Section 4.

Communicants sixteen years of age or older are to be considered adult communicants.

Canon 37

Of the Transfer of Members

Section 1.

A communicant or baptized member of this Church may apply for transfer of his or her congregational membership by presenting a certificate from the minister of the Eucharistic Community or Incorporated Eucharistic Community of his or her last residence, or if there be no Minister, from one of the Wardens, stating that he or she is a communicant or baptized member in good standing; and the Minister of the Eucharistic Community or Incorporated Eucharistic Community into which such person moves shall not record his or her name on the Eucharistic Community list or Incorporated Eucharistic Community list until such letter of commendation shall be delivered or a satisfactory reason be given why the same cannot be obtained.

Section 2.

Members of the Clergy in charge of congregations, or, in the absence of such Clergy, either of the Wardens of a Congregation, may issue a certificate of good standing in the following form:

“I hereby certify that A. B., who has signified to me his or her desire to be transferred to the Congregation of \_\_\_\_\_ is a member of the Protestant Episcopal Church in the United States, and has been a communicant or baptized member in good standing for \_\_\_\_\_ years last past in the Eucharistic Community of \_\_\_\_\_ and as such is affectionately commended to the charge of \_\_\_\_\_ as his or her Pastor in the Church of God.

This certificate, if not presented within six months from date, may be held to be void, and it is not to be used as a general testimonial.

Signed,

Rector or Minister or Warden

-if there be no Rector or Minister

Dated \_\_\_\_\_”

## **TITLE VI. MISCELLANEOUS PROVISIONS**

### **Canon 38 Of Elections**

Elections by ballot when required by the Canons, can only be dispensed with by a vote of the Synod; and when an election is by ballot, a majority of the votes in each Order shall be necessary to a valid election, unless a two-thirds vote be specially required.

### **Canon 39 Of the Requisites of a Quorum**

In all cases in which a Canon of this Diocese directs a duty to be performed, or a power to be exercised by any body consisting of several members, a majority of said members, the whole having been duly called to meet, shall be a quorum, and a majority of the quorum so convened shall be competent to act, unless otherwise expressly required by the Constitution or a Canon. The Chairman or President of any such body shall not abate nor be excluded from his full privilege as a member, by reason of his being in the chair, but may exercise the same entirely as another member, and may, in addition, when he has not otherwise voted, give a casting vote in the case of a tie.

### **Canon 40 Of Business Methods in Parochial and Diocesan Affairs**

In every Congregation and Institution connected with this Diocese, the following business methods shall be observed:

1. Funds held in trust, endowment and other permanent funds shall be deposited in an insured financial institution, placed in the combined investment funds maintained by the Trustees of the Diocese, or invested with a financial firm or institution duly licensed and authorized to engage in such business. Securities represented by physical evidence of ownership or indebtedness shall be under the care of the persons or corporations properly responsible for them, as shall such funds too small to be accepted by a financial institution. All financial transactions shall require the signatures, written approval or authorization of at least two members of the Congregation or other entity on whose behalf the transaction is made. No Member of the Clergy shall be authorized to enter into any financial transaction on behalf of a congregation or other Diocesan entity; however, this prohibition shall not apply with respect to Discretionary Funds over which the Member of the Clergy has authority or control.

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

- a. Source and date.

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

3. Treasurers and other persons having possession and/or control of financial assets belonging to a Congregation shall be bonded. Insurance coverage providing indemnity in the event of defalcation of funds by congregational officers and employees shall be considered to constitute a "bond" for the purpose of this Section.

4. Books of account shall be so kept as to provide the basis for satisfactory accounting.

5. All accounts of congregations or other institutions shall be audited annually by an independent Certified Public Accountant, or independent Licensed Public Accountant, or such audit committee as shall be authorized by the Department of Audit, or other appropriate Diocesan authority. All reports of such audits, including any memorandum issued by the auditors or audit committee regarding internal controls or other accounting matters, together with a summary of action taken or proposed to be taken to correct deficiencies or implement recommendations contained in any such memorandum, shall be filed with the Bishop or Ecclesiastical Authority not later than 30 days following the date of such report, and in any event, not later than September 1 of each year, covering the financial reports of the previous calendar year. Audits of funds collected and distributed pursuant to Canon 11, and any other discretionary funds, shall be conducted and reported with due regard for necessary confidentiality which may be associated with the distribution of such funds.

6. All buildings and their contents shall be kept adequately insured.

7. The Department of Audit may require copies of any or all records described in this Canon to be filed with it and shall report upon reasonable request to the Synod of the Diocese, the Bishop, and the Diocesan Council upon its administration of this Canon.

## Canon 41

### Of Definitions

The term "net disposable income", as applied to a Congregation, is defined to include the aggregate of all plate offerings, pledge payments received from members of the Congregation, unrestricted contributions received from organizations within the Congregation, operating investment income, assistance from the Diocese, unrestricted testamentary and non-testamentary gifts except to the extent that such gifts are designated by the Mission Leadership Team to be used for endowment or capital improvement purposes, and all other operating income.

## Canon 42 Of Enactment, Amendment, and Repeal of Canons

### Section 1.

These Canons may be amended at the Regular Synods of the Diocese by resolution adopted by the concurrence of a two-thirds majority of both Orders present, provided that the proposed Canon or change shall have been submitted to the Secretary of the Diocese in writing, by at least two delegates to the Synod, or by the Committee on Constitution and Canons, at least sixty days prior to the Synod. The Secretary shall transmit a copy of the proposal to the Eucharistic Communities and Incorporated Eucharistic Communities at least thirty days before the meeting of the Synod. The proposed Canon or change, before final adoption in accordance with this section, may itself be amended by the Regular Synod by resolution adopted by a majority of delegates present. Any such amendments must be germane to the substance of the proposed Canon or proposed amendment to an existing Canon, germaneness to be determined by the Ecclesiastical President of the Regular Synod.

### Section 2.

The resolution, if by way of amendment of an existing provision, shall be in substantially the following form: "Resolved, that Canon ... (or Section ... or Clause ... of Section ... of Canon ...) be, and is hereby amended to read as follows: (here insert the new reading)." In the case of a new canon, or of a new section, or clause, in a canon, or of the repeal of an existing canon, or of a section or clause, the numbering of the canons, or of divisions of a canon, which follow shall be changed accordingly.

### Section 3.

All canons and all amendments and repeals of canons, unless otherwise expressly stated in the enacting resolution, shall take effect on the first day of January following the adjournment of the Synod at which they were enacted or made.