
Constitution

ARTICLE I Territorial Limits

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8 This Diocese as established by the Sixty-seventh Convention of the Diocese of North Caro-
9 lina, in May 1883, at Charlotte, embracing all that portion of the territory of the State of North
10 Carolina, which includes the counties of Hertford, Bertie, Martin, Pitt, Greene, Wayne, Samp-
11 son, Cumberland, Hoke and Robeson, and all the counties lying between these counties and
12 the Atlantic Ocean, shall be known as the Diocese of East Carolina.

ARTICLE II Accession to Constitution of Protestant Episcopal Church in the United States of America

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19 The Churches in this Diocese accede to the Constitution and Canons of that branch of the Holy
20 Catholic Church known as the Protestant Episcopal Church in the United States of America,
21 and recognizes the authority of the General Convention thereof.

ARTICLE III Time and Place of Meeting of Annual Convention

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27 Section 1. There shall be an Annual Convention to meet within the Diocese at such time and
28 place as may be determined by the next preceding Convention, or in the event of no such de-
29 termination, at such time and place as may be agreed upon by the Bishop and Standing Com-
30 mittee, or appointed by the Standing Committee, in case of the disability of the Bishop, or a
31 vacancy in the office of Bishop.

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33 Section 2. But the time or place of such meeting may be changed or Special Conventions may
34 be called by the Bishop and Standing Committee or by the Standing Committee in case of dis-
35 ability or vacancy as provided in the preceding section, subject nevertheless to such Canoni-
36 cal provisions as may hereafter be made; provided that no Special Convention shall be called
37 without at least thirty days notice, which notice shall be mailed by the Secretary of the con-
38 vention at least twenty days before the meeting of such Special Convention to each member
39 of the clergy entitled to a seat in the Convention, and to each Clerk of such Parish as has no
40 Rector in charge, and to the Clerk of each Mission that has no missionary in charge, and shall
41 specify the business and purpose for which said Special Convention is to be held; and no other

1 business shall be proposed or acted upon except by a concurrent vote of two-thirds of both
2 orders present, voting by orders.

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4 Section 3. Election shall be held by the several Vestries, or at the option of each Vestry, by the
5 congregation, for delegates to special Conventions, but in the event of the failure to elect such
6 delegates, those who were elected to the preceding Annual Convention - subject to the provi-
7 sions of Article IV, Sections 3 and 4 of this Constitution - shall hold over.

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14 Section 1. The Convention shall be composed of the two Orders - Clerical and Lay. The
15 Bishop of the Diocese, or in the Bishop's absence, the Bishop in charge as representing the
16 Episcopal Authority shall, if present, preside at all meetings of the conventions.

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18 The Bishop Coadjutor and the Bishop-Suffragan, if there be such, shall be entitled to seats and
19 votes in the Convention, and if there be none such present, the Convention shall elect its pre-
20 siding officer.

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22 Section 2. Every member of the Clergy of the Church having been Canonically connected
23 with and resident within the Diocese for three months preceding any meeting of the Conven-
24 tion, including time as a candidate for Orders, shall be entitled to a seat and vote in the Con-
25 vention except in the election of a Bishop, in which case such connection and residence must
26 have been for six months, provided, that the restriction as above in regards to residence shall
27 not apply to professors, tutors or students in any institution of learning maintained in whole or
28 in part by this Church, or to the clerical officers or agents of the Executive Council of the
29 Episcopal Church or to Chaplains in the Armed Forces: provided further that any member of
30 the clergy who has been Canonically connected with the Diocese for at least three years and
31 who has not been in attendance at one of the last three Conventions shall have seat and voice,
32 but no vote, at any meeting of the Convention.

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34 Section 3. (a) Each church within the Diocese, whether a parish or mission, shall be entitled
35 to be represented by lay delegates according to the number of its confirmed communicants in
36 good standing of sixteen years of age or older, as follows: from 10 to 50 such communicants,
37 1 lay delegate; from 51 to 100 such communicants, 2 lay delegates; from 101 to 300 such
38 communicants, 3 lay delegates; from 301 to 500 such communicants, 4 lay delegates; over 500
39 such communicants, 5 lay delegates. The number of confirmed communicants in good stand-
40 ing of sixteen years of age or older shall be determined from each church's parochial report as
41 of December 31 preceding the annual Convention. Each church's delegates shall be chosen by

1 the Vestry, or at the option of the Vestry, by election by the congregation, from the confirmed
2 communicants in good standing of sixteen years of age or older of the church. (b) Any Parish
3 or Mission within the Diocese, which the Ecclesiastical Authority has acknowledged as the
4 sponsoring parish or mission of an Episcopal College or University Student Fellowship, shall
5 be entitled to be represented by one additional student lay delegate. The student lay delegate
6 shall be an adult communicant in good standing in this Church, chosen by the Vestry of the
7 sponsoring parish, or at the option of the Vestry, by election of the Student Fellowship.

8
9 Section 4. Each church shall be entitled to select one alternate lay delegate for each of its lay
10 delegates, such alternate delegates to be chosen in the same manner as the delegates.

11 Section 5. (a) It shall be lawful for the Convention to exclude or suspend from Lay represen-
12 tation any Parish or Mission neglecting or refusing to appoint delegates to the Convention for
13 two successive years, or neglecting or refusing to comply with any lawful requirement of the
14 Convention; providing, that a vote of a majority of all the clergy present in the Convention,
15 and two-thirds of the lay delegates present in the Convention shall be required for such exclu-
16 sion or suspension. (b) Any Parish or Mission which fails to keep or cause the keeping of the
17 records or to file or cause the filing of the reports required by the canonical provisions shall
18 be denied any representation at the next Annual Convention and each one thereafter until such
19 records are brought current and such reports are filed. However, if good cause is shown in the
20 opinion of the Convention delegates, the Parish or Mission may be relieved of the penalty pre-
21 scribed by this paragraph by a vote in favor of such relief by two-thirds of the delegates voting
22 on the question. If a vote by orders is called for, relief of the penalty must carry by two-thirds
23 of the votes cast in each order.

24
25 Section 6. If any Parish or Mission shall neglect or decline to appoint Lay Delegates, or shall
26 have been excluded or suspended from the right of doing so by the Convention, or if any or all
27 those appointed shall not be present, such Parish or Mission shall nevertheless be bound by the
28 acts of the Convention.

29
30 Section 7. In a vote by Orders and Parishes in any session of the Convention, no delegation
31 from any church shall have a vote if such church has not been represented in at least one of the
32 last three, consecutive, regular annual meetings of the Convention.

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ARTICLE V

Powers of Convention

39 Section 1. The Convention shall be sole judge of the election and qualification of its own
40 members. It shall have power to adopt Rules of Order for its own members. It shall have
41 power to adopt Rules of Order for its own government, elect officers and raise funds, and shall

1 have such other legislative powers as may be necessary and proper for the well-being of the
2 Diocese.

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4 Section 2. The Convention shall have no power to pass any Canon infringing the Episcopal
5 Authority, but may adopt resolutions of advice or inquiry or institute any proceedings deemed
6 necessary for the purpose of impeachment of the Bishop.

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9 ARTICLE VI

10 Quorum

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12 To constitute a quorum for the purpose of ordinary business the presence of a majority of all
13 clergy entitled to seat and vote (exclusive of non-parochial clergy) and of a majority of the lay
14 delegates entitled to representation in the Convention shall be necessary. Any fewer number
15 shall be competent to receive reports and to adjourn.

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18 ARTICLE VII

19 Voting by Convention

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21 Section 1. (A). Unless otherwise provided, voting upon all questions before the Convention
22 shall be by Delegates, with a simple majority of all ballots cast to determine the issue. (B).

23 Upon any question before the Convention the two Orders shall vote separately,

24 (i) when required by this Constitution or by the Canons or

25 (ii) when any Lay or Clergy delegate moves for a vote by Orders after the introduction
26 of the question and before the question is called for a vote, seconded by a member of
27 the other Order, and with the approval of a majority of the Convention. Such motion
28 shall take precedence over any other motion on the floor and is not subject to debate.

29 When a vote by Orders is required, each clerical member shall be entitled to one vote
30 and each lay member to one vote, and a concurrence of majorities of both Orders shall
31 be necessary to a decision.

32 (C). A vote by Orders and Parishes is required in the election of a Bishop, or Bishop Co-
33 adjutor, or a Bishop Suffragan, as provided by Article XIII. A vote by Orders and Parishes
34 is required to amend this Constitution, as provided by Article XVI. If a vote by Orders and
35 Parishes is required, each clerical member shall be entitled to one vote and each Parish shall
36 be entitled to the same number of votes as the number of its lay delegates. For example, a Par-
37 ish with five lay delegates shall be entitled to five votes, and a Parish with four lay delegates
38 shall be entitled to four votes. A vote by Orders and Parishes shall be conducted in this man-
39 ner: First, a quorum for the purpose of voting shall be necessary. A quorum for voting by
40 orders and Parishes shall mean the presence of a majority of all clergy entitled to seat and vote
41 (exclusive of non-parochial clergy), and the presence of delegates of two-thirds of the Parishes

1 entitled to representation and vote. Second, the vote shall be taken by first calling the roll of
2 the clergy with each clerical member depositing his or her ballot with the Tellers, and then
3 calling the roll of the Parishes with one lay delegate depositing the ballots of the parish with
4 the Tellers. Third, a majority of both Orders on the same ballot shall be required for an elec-
5 tion or an affirmative vote to amend the Constitution.

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7 Section 2. All elections shall be by ballot unless otherwise unanimously ordered.

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10 **ARTICLE VIII**
11 **Officers of Convention**

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13 Section 1. The Convention shall annually elect a Secretary, a Treasurer, a Chancellor and a
14 Historiographer.

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16 Section 2. Should there at any time be no such election, then the officers last before elected
17 shall hold over until such election shall be had.

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19 Section 3. Should the office of Secretary, Treasurer, Chancellor or Historiographer become
20 vacant at any time preceding the annual election, the Ecclesiastical Authority shall have the
21 power to fill the vacancy till such time as election shall be held.

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24 **ARTICLE IX**
25 **Standing Committee**

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27 Section 1. The Standing Committee shall consist of three Clergy of the Diocese and three lay
28 persons, confirmed communicants in good standing sixteen years or older and residents of
29 the Diocese. The members of the Standing Committee shall be elected by the Convention for
30 three year terms, with one Clergy and one lay person elected annually; provided that the num-
31 ber elected and the terms may be varied initially to produce such staggered terms. No mem-
32 ber who has served on the Committee shall be eligible for reelection, or appointment to fill a
33 vacancy, until one year after the expiration of that term. The Committee shall elect its Presi-
34 dent and Secretary annually and shall have the power to fill any vacancy that may occur on the
35 Committee until the next annual Convention. However, a person otherwise qualified to serve
36 on the Standing Committee who is appointed to fill a vacancy until the next Annual Conven-
37 tion may be elected to complete any remaining time on that term or to a full term immediately.

38
39 Section 2. In case of the absence or inability of the Bishop, the duties assigned to the Bishop
40 by this Constitution shall be performed by the Bishop-Coadjutor (if there be one), in so far as
41 it is not inconsistent with the Constitution and Canons of the General Convention.

1 Section 3. Where there is no Bishop the Standing Committee shall be the Ecclesiastical Au-
2 thority of the Diocese, and, as such, may invite the temporary services of other Bishops, and,
3 for due cause, may change the time or place of the annual meetings of the Convention, and
4 they may also summon special Conventions, and shall do so upon the call of one-third of the
5 Clergy of the Diocese, or of one third of the Parishes in union with the Convention, as appear-
6 ing upon the lists of the Journal last before published. And although there be a Bishop, the
7 Standing Committee shall have power to call Special Conventions for the purpose of proceed-
8 ings relative to impeachment, and shall do so upon a similar requisition by the Clergy or Laity.

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11 **ARTICLE X**
12 **Organization of Missionary Congregations**

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14 Section 1. Any ten or more confirmed communicants in good standing of sixteen years of age
15 or older may organize themselves into a Mission, and be received into union with the Conven-
16 tion, by taking such steps as may be provided for by Canon.

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18 Section 2. The Bishop of the Diocese may, with the written consent of the Rector of any Par-
19 ish (a copy of which shall be filed with the Historiographer of the Diocese), establish, within
20 the limits of such Parish, Missionary Congregations, whose Ministers shall be independent of
21 the Rector and responsible to the Ecclesiastical Authority only; provided, that with the advice
22 and consent of the Standing Committee, the Bishop shall have power to establish such inde-
23 pendent Missionary Congregations without the consent of the Rector.

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26 **ARTICLE XI**
27 **Authority of Rectors**

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29 Section 1. Any Priest regularly called to the charge of a Parish and entering thereupon shall,
30 during the time of such charge, be held to be the Rector of said Parish.

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32 Section 2. The Rector is recognized as having, by virtue of office, the exclusive regulation,
33 subject to the Rubrics of the Book of Common Prayer, the Constitution and Canons of the
34 Church and this Diocese, and the pastoral direction of the Bishop, of all spiritual concerns of
35 the Parish; as being entitled at all times to have access to the Church building and to open the
36 same for services or instruction of this Church; to call meetings of the Vestry of congregation,
37 when present to preside at the same, and in case of a tie to give the deciding vote.

1 (a) Be an adult communicant in good standing in the Parish or Mission; and (b) Shall have
2 subscribed to the following declaration:

3
4 I do hereby consent to be governed by the Constitution and Canons of the Church, as set forth
5 in and by the General Convention of the Protestant Episcopal Church in the United States of
6 America, and by the Constitution and Canons of the Diocese of East Carolina.

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ARTICLE XV

10 Method of Amending Canons

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12 No new Canon shall be passed, nor shall any existing Canon be amended, upon the day upon
13 which said new Canon or amendment may be proposed, without unanimous consent. Nor,
14 without a similar consent shall the question upon the passage of such Canon or amendment be
15 finally put without previous reference to a committee.

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ARTICLE XVI

19 Method of Amending the Constitution

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21 Any proposition to alter this Constitution shall be made in writing, and if approved by a ma-
22 jority of the Convention, shall be submitted to the next Convention, and if then approved by
23 a majority of each of the two Orders present, voting by Orders and Parishes as described in
24 Article VII, it shall become a part of this Constitution.

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ARTICLE XVII

28 When Amendments Become Effective

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30 All Constitutional amendments shall take effect from and after the adjournment of the Con-
31 vention at which they shall have been ratified, unless it shall be otherwise ordered by a vote by
32 Orders.

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Canons of the Diocese of East Carolina

TITLE I. Convention of the Diocese; Diocesan Officers and Representatives.

CANON 1 Members of Convention

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9 Section 1. Clergy. It shall be the duty of the Secretary, before the opening of the Annual Con-
10 vention to apply to the Ecclesiastical Authority for a correct list of the Clergy entitled to seats.
11 Such list shall be prima facie evidence of said title, and from it the Secretary shall prepare the
12 roll for the purpose of organization.

13
14 Section 2. Laity. The Clerk of the Vestry of each Parish and the Clerk of each Mission electing
15 Lay Delegates to the Convention shall furnish three certificates of said election. One shall be
16 handed to the Delegates elect, one shall be forwarded to the Secretary of the Convention, and
17 one to the Convention Registrar, the latter two to be mailed at least six weeks before the time
18 appointed for the opening session of the Convention. From these certificates the Secretary
19 shall prepare a list of Lay delegates to ascertain the presence of a quorum, and shall insert no
20 name upon the list without evidence of one of said certificates, unless specifically directed by
21 the Convention. Defective or doubtful certificates shall be laid aside to be acted upon after the
22 Convention shall have been organized.

23
24 Section 3. Ex-Officio Members. The Trustees of the Diocese, the members of the Standing
25 Committee, the members of the Executive Council, the Directors of the Episcopal Foundation
26 of the Diocese of East Carolina Incorporated, the Deans of the Deanery Council, the members
27 of committees and commissions elected by the Convention, the Secretary, Treasurer, Chancel-
28 lor, Vice-Chancellor, and Historiographer shall be ex-officio members of the Convention, but
29 without the right to vote unless otherwise entitled to vote in the Convention by reason of status
30 other than that enumerated in this section.

31
32 Section 4. The following committees shall constitute the Annual Committees of the Conven-
33 tion. The term of the following Annual Committee appointments shall run from the close of
34 the Convention at which the appointment is made until the close of the following Convention,
35 unless otherwise provided. If an appointee dies, resigns or becomes incapacitated, a successor
36 may be appointed by the Executive Council, upon nomination of the Ecclesiastical Authority,
37 to serve the remainder of the term, unless otherwise provided. (a) The Committee on Constitu-
38 tion and Canons shall consist of three members of the clergy and three lay persons, appointed
39 by the Bishop at the Annual Convention. The Chancellor and the Secretary of the Convention
40 shall be ex officio members of the committee. The Committee on Constitution and Canons

1 shall recommend amendments, changes, additions, deletions and rewrites of the Constitution
2 and Canons for Convention's consideration. The Committee shall also review all changes pro-
3 posed to Convention by the delegates, Departments or other committees and recommend the
4 proper form of any Constitution or Canon changes before Convention acts. The Committee
5 shall conduct any hearing on a proposed change during Convention and may recommend to
6 Convention any revised versions arising out of the hearings as the Committee may in its dis-
7 cretion determine appropriate and helpful to Convention's consideration. (b) The Committee
8 on Relations to and Communications from the General Convention shall consist of the elected
9 clerical and lay deputies to the General Convention and such other persons, not exceeding
10 four, as may be appointed by the Bishop at the annual Convention. The clerical deputy elected
11 by the largest number of votes shall chair the committee. The Committee on Relations to and
12 Communications from the General Convention shall report the actions of the General Conven-
13 tion to the Diocesan Convention and its Regular Committees and shall assure that any neces-
14 sary action in response to the actions of General Convention is taken and communicated back
15 to the General Convention. The members shall serve from the close of the electing Conven-
16 tion until the close of the Convention at which their successors are elected. (c) The Diocesan
17 Convention Committee shall consist of three members of the clergy and four lay persons,
18 appointed by the Bishop. The Secretary of the Convention and the Chair of the Liturgical
19 Commission shall be ex-officio members of the committee. The committee shall make rec-
20 ommendations with regard to the dates and places of Annual and Special Conventions, shall
21 make proper arrangements for each meeting, shall set registration fees and other charges, shall
22 prepare and submit annually to the Finance Committee a budget for expenses of the Conven-
23 tion and for publication of the Diocesan Journal, shall keep records of receipts, disbursements
24 and proceedings, and shall perform such other duties as may be assigned by the Convention
25 or by the Bishop. (d) The Committee on Resolutions shall consist of four clergy and four lay
26 persons, appointed by the Bishop, who shall appoint one of the clergy members as Chair. The
27 committee shall receive and organize the resolutions for submission to the Convention and
28 shall determine the order of their presentation. The Committee shall conduct any hearing on
29 a proposed Resolution scheduled during the Convention and may recommend to Convention
30 any revised versions arising out of the hearings as the Committee may in its discretion deter-
31 mine appropriate and helpful to Convention's consideration. (e) The Finance Committee shall
32 consist of the Treasurer and additional members, one lay person and one clergy person, rep-
33 resenting each Deanery of the Diocese, appointed by the Bishop. The members should have
34 expertise or experience in budgeting, financial management or accounting. The committee
35 shall advise the Bishop, Executive Council and the Convention on the financial affairs of the
36 Diocese. The Finance Committee shall conduct any hearings scheduled for discussion and
37 consideration of the annual budget and shall recommend changes, amendments and revisions
38 for Convention's consideration. (f) The Elections Committee shall consist of two clergy and
39 two lay persons, appointed by the Bishop. The committee shall receive nominations for the
40 offices to be filled by the Convention, recommend nomination and voting procedures, prepare
41 ballots and act as tellers for all elections during the Convention. The committee shall exam-

1 ine the qualifications of nominees to assure conformity with any Constitutional or Canonical
2 requirements for the office.

3
4 Section 5. The following committee shall constitute Regular Committees of Convention. The
5 members of the Regular Committees shall be appointed during the organization of the Con-
6 vention after the Convention is called to order. The members shall serve until the adjournment
7 of the Convention at which they were appointed. (a) The Committee on the Bishop's Address
8 shall consist of two members of the clergy and three lay persons who are members of Conven-
9 tion, appointed by the Bishop. The committee shall consider the Bishop's Annual Address
10 and shall report to the Convention as the committee deems appropriate. (b) The Committee
11 on Courtesy shall consist of three persons who are members of the Convention, appointed by
12 the Bishop. The committee shall make such report to the Convention as the committee deems
13 appropriate. (c) The Committee on Credentials shall consist of two members of the clergy
14 and two lay persons who are members of the Convention, appointment by the Bishop. The
15 committee shall verify the list of clergy and lay delegates qualified to vote in the Convention,
16 determine the presence of a quorum, and report to the Convention.

17
18 Section 6. Expenses of Delegates. Each clerical and lay delegate to an annual or special Dioc-
19 esan Convention, actually attending the same, shall be entitled to have the necessary expenses
20 incurred by such attendance paid by the parish or mission which he or she represents; pro-
21 vided, that the amount in each case shall not exceed such limits as may be fixed by the vestry
22 of such parish or mission.

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24 CANON 2
25 Worship at Convention
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27 The Holy Eucharist shall be celebrated on the first day of each annual or special convention of
28 the Diocese, and any other services of worship may be held at the discretion of the Ecclesiasti-
29 cal Authority.

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31 CANON 3
32 Rules of Order
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34 The Convention shall adopt rules of order, which shall continue in force until altered, and in
35 the absence of such action, its proceedings shall be governed by the latest edition of "Robert's
36 Rules of Order, Revised Edition."

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CANON 4

Secretary

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4 Section 1. The Secretary shall issue notices of all meetings of the Convention under direc-
5 tion of the Ecclesiastical Authority; shall prepare the Canonical list of the Clergy and Lay
6 Delegates entitled to seats therein; in the Absence of both the Bishop and the President of the
7 Standing Committee, shall call the Convention to order for the purpose of organization; shall
8 keep a record of its proceedings, under its direction, in a suitable book to be kept for that pur-
9 pose; and shall be admitted to a seat in the Convention and to participation in its deliberations,
10 without the right of voting, unless otherwise entitled to vote in the Convention by reason other
11 than holding the office of Secretary.

12
13 Section 2. The Secretary shall prepare and issue the Journals as may from time to time be di-
14 rected by the Convention, and shall preserve thirty copies of the same for the use of the mem-
15 bers of the next succeeding Convention, together with such other papers in his or her keeping
16 as may be required for reference. The Secretary shall also prepare a complete list of the par-
17 ishes and missions entitled to representation and shall publish such list in the Journal.

18
19 Section 3. The Secretary is hereby authorized upon voucher approved by the Chair, or other
20 designated member of the Department of Administration to draw upon the Treasurer for
21 the amount of expenses necessarily incurred from time to time, in discharging the duties pre-
22 scribed by this Canon.

23
24 Section 4. The Secretary of each Parish or Mission is directed to transmit to the Secretary of
25 the Diocese, as soon as practical after the election of delegates to each annual Convention of
26 the Diocese, a list showing the names of the delegates and alternates to said Convention from
27 his or her Parish or Mission.

CANON 5

Treasurer

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32 Section 1. The Treasurer shall have custody of all funds, monies and securities belonging to
33 the Diocese, except trust funds vested in the Trustees of the Diocese and trust funds held by
34 the Episcopal Foundation of the Diocese of East Carolina, Incorporated. For purposes of the
35 preceding sentence trust funds vested in the Trustees of the Diocese shall include funds, mon-
36 ies and securities (and reinvestments thereof) given or bequeathed to the Diocese or the Trust-
37 ees, or transferred to the Trustees, (a) in trust on specific terms stated in an agreement or will,
38 or (b) with restrictions or designations as to use of principal or income and under conditions
39 which require holding the funds, monies and securities for longer than twelve months. The
40 Treasurer underdirection of the Convention, shall receive, manage, invest, disburse and trans-
41 fer the funds, monies and securities in his or her custody, and shall keep and return an account

1 thereof to the Executive Council for incorporation in its report to the Convention, a reasonable
2 time prior to each annual meeting of the Convention. Said report shall include a complete
3 list of all securities belonging to the Diocese (other than securities vested in the Trustees of
4 the Diocese). The Treasurer shall give bond for the faithful discharge of duties of the office
5 in such sum as the Executive Council shall from time to time designate, such bond to be ap-
6 proved by and deposited with the Trustees of the Diocese. The Treasurer shall be admitted to
7 a seat in the Convention and to participation in its deliberations, without the right of voting,
8 unless otherwise entitled to vote in the Convention by reason other than holding the office of
9 Treasurer

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11 Section 2. The Treasurer is authorized, with the approval of the Executive Council, to trans-
12 fer funds and monies belonging to the Diocese to The Episcopal Foundation of The Diocese
13 of East Carolina, Incorporated, to be held temporarily or for a specified or indefinite time, to
14 be managed and invested by the Foundation and to be returned to the Treasurer in accordance
15 with his instructions.

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CANON 6

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Chancellor

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21 Section 1. The Chancellor, who shall be a member of the legal profession, and a communicant
22 of the Church in this Diocese, shall be elected upon nomination by the Bishop. The Chan-
23 cellor shall be the legal advisor of the Bishop, of the Standing Committee, of the Executive
24 Council and of the Trustees of the Diocese and counsel in all suits of law that may arise in the
25 administration of the affairs of the Diocese, and shall be admitted to a seat in the Convention
26 and to participation in its deliberations, without the right of voting, unless otherwise entitled to
27 vote in the Convention by reason other than holding the office of Chancellor.

28

29 Section 2. If the Chancellor dies, resigns or becomes incapacitated, a successor shall be ap-
30 pointed by the Bishop to serve until the next Annual Convention.

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32 Section 3. Upon advice of the Chancellor and nomination of the Bishop, the Convention may
33 elect one or more Vice Chancellors for a one year term to assist the Chancellor. A Vice Chan-
34 cellor shall have the same qualifications as the Chancellor.

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CANON 7

38

Historiographer

39 Section 1. The duty of the Historiographer shall be to receive and safely keep all books, docu-
40 ments and manuscripts belonging to the Diocese not required to be kept by any other persons
41 or officer; to collect and preserve such materials as can be obtained relative to the history of

1 the Diocese and of particular Parishes; and to catalogue and classify all books, documents and
2 papers, so as to make their contents accessible for reference.

3
4 Section 2. The Historiographer shall annually report in writing to the Convention, showing
5 with such detail as may be expedient, the condition of the materials in the possession of the
6 Diocese, and the additions made to them from time to time, with such suggestions as may be
7 proper. The Historiographer shall be admitted to a seat in the Convention, and to participation
8 in its deliberations without the right of voting, unless otherwise entitled to vote in the Conven-
9 tion by reason other than holding the office of Historiographer.

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12 CANON 8
13 The Executive Council
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15 Section 1. The Executive Council, as hereinafter constituted, shall administer and carry on
16 the missionary, educational and social work of the Church in this Diocese, of which work the
17 Bishop shall be the executive head.

18
19 Section 2. The Executive Council shall exercise all the powers of the Diocesan Convention be-
20 tween the adjournment of the Annual Convention and the convening of the next Annual Con-
21 vention. All actions of the Executive Council shall conform to the Constitution and Canons of
22 the General Convention and this Diocese, and to any prior directives of the Annual Conven-
23 tion.

24
25 Section 3. The Executive Council shall be composed of the following members:
26 (a) the Bishop, and the Bishop Coadjutor or the Bishop Suffragan, if there be either;
27 (b) the President of the Standing Committee, the Secretary of Convention, the Treasurer, the
28 Chancellor, and the President of The Episcopal Foundation of the Diocese of East Carolina,
29 Inc. shall be ex officio members, with seat and voice but no right of voting;
30 (c) sixteen members, nominated and elected as follows:
31 (i) six “at large” members, three of whom shall be clergy and three of whom shall be lay
32 persons who are confirmed communicants in good standing of any congregation in the
33 diocese and are 16 years of age or older, nominated by any delegate to Convention un-
34 der such guidelines as may be published by the Secretary from time to time and elected
35 by Convention as set forth herein; and
36 (ii) 2 members representing each Deanery of the Diocese, one clergy person, and one
37 lay person who is a confirmed communicant in good standing, nominated by the Dean-
38 ery Council under guidelines published by the Secretary from time to time and elected
39 by the Convention annually as set forth herein;
40 (d) the Diocesan President of Episcopal Church Women
41

1 Section 4. The members of the Executive Council shall be elected by vote of Convention for
2 three year terms; provided that at the 1994 annual Convention of the Diocese, one half of
3 the lay members and one half of the clergy members shall be elected to one year terms, such
4 members to be designated at the time of their nomination as candidates to a one year term of
5 office. A member who has served two consecutive years on the Executive Council shall not be
6 eligible for re-election, or for appointment to fill a vacancy, until one year after the expiration
7 of his or her term. The Executive Council shall have power to fill any vacancy in the Council
8 that may occur through death or resignation of any member, provided that the person elected
9 to fill an unexpired term shall meet the classifications for membership of the person whose
10 vacancy is being filled. Appointments to fill any such vacancy shall expire at the close of the
11 next annual Convention following appointment. Any person appointed to fill a vacancy who
12 is eligible for election but is not elected to the Executive Council at the next following Annual
13 Convention may not be appointed to fill any subsequent vacancy for a period of one year fol-
14 lowing such Convention.

15
16 Section 5. The Bishop shall chair the Executive Council. The Council may elect one of its
17 own members, whether clerical or lay, as Vice Chair and prescribe the duties of the office.
18 The Secretary of the Convention shall be the Secretary of the Executive Council.

19
20 Section 6. The Executive Council shall provide for a Department of Administration and shall
21 have power, from time to time, to organize such other departments and committees as it may
22 deem necessary or advisable to carry out its responsibilities, and it shall determine the scope
23 of the work of all departments and committees. The standing departments of the Diocese shall
24 be the following, unless changed by the Executive Council: the Department of Communica-
25 tions; the Department of Mission & Development; the Department of Christian Social Minis-
26 tries; the Department of Christian Formation; the Department of Administration; and the De-
27 partment of Youth and Young Adults. The Bishop shall appoint the chair and members of each
28 department or committee of the Diocese. Each department or committee shall make a report,
29 at least annually, to the Bishop and the Executive Council. The Executive Council may enact
30 all necessary by-laws for its own government, and for the government of each department and
31 committee, subject to the provisions of the Canons of the Diocese and any resolutions adopted
32 by the Convention of the Diocese.

33
34 Section 7. The Executive Council shall submit to each annual meeting of the Diocesan Con-
35 vention a report of the work done under its supervision for the preceding year, which report
36 shall include the annual report of the Treasurer. The Executive Council shall also at each an-
37 nual meeting of the Diocesan Convention submit for its approval and adoption a budget for all
38 the work committed to the Council, including the general work of the Church in the Diocese,
39 and such other work as it has undertaken, or proposed to undertake for the ensuing year. The
40 following, among other items, shall be included in budgeted income: pledges of Parishes and
41 Missions for the support of the Diocese, including pledges from prior years, any budget sur-

1 plus from the preceding year, and unrestricted income from trust funds, investments, perma-
2 nent or unappropriated funds and reserves and unrestricted income from The Episcopal Foun-
3 dation of The Diocese of East Carolina, Incorporated. Provision may be made in said budget
4 for the necessary and reasonable expenses of the officers and members of the Executive Coun-
5 cil. Such budget and estimate shall be considered by the Diocesan Convention and appropri-
6 ate action taken. The Executive Council shall have power to make or delegate to others the
7 making of all decisions with regard to the acceptance, receipt, use, management, investment,
8 disbursement and transfer of unbudgeted receipts and gifts or bequests of money, securities or
9 property received by the Diocese or any officials or agencies thereof (except gifts or bequests
10 to the Bishop's Discretionary Fund and restricted funds of the Episcopal Foundation of The
11 Diocese of East Carolina, Incorporated), subject, however, to the provisions of any will, agree-
12 ment, restriction or designation governing such gifts or bequests and subject to action of the
13 Diocesan Convention.

14

15 Section 8. The Executive Council shall meet with the Bishop at such stated times as it, with
16 the Bishop's concurrence shall appoint, at least twice a year, and at such other times as the
17 Bishop shall convene it. Nine voting members of the Executive Council, including at least five
18 in the Clerical Order and four in the Lay Order, with the Bishop or Vice-Chair, shall constitute
19 a quorum; the Vice-Chair, if a voting member, shall be counted as a member in determining
20 a quorum. A meeting shall be called by the Bishop, or if there is no Bishop in the Diocese,
21 by the Vice-Chair, at any time upon written request of at least five members of the Executive
22 Council. The Secretary shall give ten days notice of a called meeting.

23

24 Section 9. All salaries, other than that of the Bishop, and those fixed by the Diocesan Conven-
25 tion, shall be fixed by the Executive Council.

26

27 Section 10. With the exceptions hereinafter noted, all departments, committees, commissions
28 and boards of the Diocese shall be responsible to and shall report annually to the Bishop and
29 Executive Council. The exceptions are: the Standing Committee; the Committee on Canons;
30 the Committee on Relationship to and Communications from the General Convention; the
31 Trustees of the Diocese; the Committee on Parishes and Missions; the Church Pension Fund
32 Committee; any committee appointed by the Bishop which is directly responsible and to re-
33 port only to the Bishop; and any committee appointed or elected by Convention or under its
34 authority which is directed to be responsible and report only to the Convention or to report in
35 a manner inconsistent with this Section 10. The Executive Council shall be the sole custodians
36 of all existing committee records and reports.

37

38 Section 11. No committee, commission or department shall be created by the Bishop or by the
39 Executive Council or by the Convention of the Diocese without, at the time of its creation,
40 such committee, commission or department being denominated a "standing" committee, com-
41 mission or department of the Diocese, or if not, there being a fixed period of duration or a

1 specified task to be performed by the committee, commission or department, at the expiration
2 or conclusion of which the committee, commission or department shall cease to exist without
3 further action by the Bishop, the Executive Council or the Convention of the Diocese.

4
5 Section 12. The Bishop may appoint members of the clergy and lay persons of the Diocese,
6 not exceeding eighteen in number, as members of a Consulting Committee. Members of the
7 committee shall serve for one year. They may attend meetings of the Executive Council at the
8 invitation of the Bishop and may participate in its deliberations but shall have no right of vot-
9 ing unless otherwise entitled to vote on the Executive Council by reason of status other than
10 that enumerated in this section.

11 12 CANON 9

13 Deputies to General Convention

14
15 Section 1. At each annual Convention held in the year preceding the year in which a regular
16 session of the General Convention is held, there shall be elected four Clerical Deputies, who
17 are Presbyters or Deacons canonically resident in the Diocese, and four Lay Deputies to the
18 General Convention, who shall be confirmed communicants in good standing of this Church,
19 having domicile in the Diocese. There shall also be elected four alternate Clerical and four
20 alternate Lay Deputies, subject to the same qualifications as the original Deputies above men-
21 tioned. Such election may, if the Convention so decrees by a majority vote, be made upon a
22 majority of the votes cast, or upon a plurality, whereby the four persons receiving the four
23 highest number of votes shall be elected as Deputies, and the four next highest shall be elected
24 as Alternates.

25
26 Section 2. (a) The members of the deputation who are elected shall be recorded in the order of
27 their election as indicated by the number of votes cast for each. In the case of the same number
28 of votes having been cast for two or more nominees in either Order, precedence shall be given
29 to the Clerical Deputies and Alternates in the order of date of canonical residence, and to Lay
30 Deputies and Alternates in the order of date of confirmation or reception in The Episcopal
31 Church. The Secretary shall insert the names of the Deputies and Alternates in this order upon
32 the Journal.

33
34 Section 3. Deputies elected to the General Convention, finding themselves unable to attend,
35 shall, four weeks at least before the time of meeting, give notice to the Diocesan Secretary,
36 who shall at once notify the proper alternate.

37
38 Section 4. Each Deputy to the General Convention, actually attending the same, shall be en-
39 titled to have the necessary expenses incurred by such attendance paid out of the funds of the
40 Diocese; provided, the amount shall not exceed such limit as may from time to time be fixed
41 by the Executive Council.

1 keep the Diocesan House in repair and the grounds in good order and are authorized to pro-
2 vide an allowance for these purposes.

3
4 Section 2. The two (2) lay members and two (2) clergy canonically resident in this Diocese
5 of the Board of Trustees shall serve a term of two (2) years and may not serve more than two
6 consecutive terms. The terms of these two (2) lay persons and two (2) clergy canonically
7 resident in this Diocese shall be staggered so that two (2) trustees, one lay and one clergy, will
8 be elected at each Annual Convention. In 2004, one clergy person shall be elected to serve a
9 one year term and one clergy person shall be elected to serve a two year term, as designated by
10 the Bishop upon placing the names in nomination. Thereafter, persons elected to the Board of
11 Trustees shall serve for two (2) years or until their successors are elected. Persons eligible for
12 election shall be eighteen (18) years of age or older, confirmed communicants in good stand-
13 ing and residents within the Diocese.

14
15 Section 3. The Trustees of the Diocese are authorized with the approval of the Executive
16 Council, to transfer trust funds and other investment property of the Diocese, vested in or held
17 by the Trustees, to The Episcopal Foundation of the Diocese of East Carolina, Incorporated,
18 to be held, managed and invested for the benefit of the Diocese, subject in every case to the
19 provisions of any will or agreement controlling investment, management, use or disbursement
20 of said funds and property, and subject to applicable federal and state laws and the constitution
21 and canons of this Diocese and of The Episcopal Church. At any time, on reasonable notice,
22 the Trustees with the approval of the Executive Council may require The Episcopal Founda-
23 tion of The Diocese of East Carolina, Incorporated, to return and transfer back to the Trustees
24 any trust funds or other investment property transferred to the Foundation pursuant to this sec-
25 tion 3.

26
27 Section 4. (a) Whenever the title to real property in any Parish is vested in the Trustees of the
28 Diocese for the benefit of the Parish, the said Trustees shall have the power to convey said
29 property upon the written request of the Vestry of such Parish, if in the opinion of said Trust-
30 ees it is advisable so to do; but if, in their opinion, it is not advisable to make such convey-
31 ance, they shall report the facts to the next Convention. (b) Whenever title to real property is
32 vested in the Trustees for the benefit of any Mission or organization of the Diocese other than
33 a Parish, the said Trustees shall have the power to convey said property upon written request
34 and approval of the Bishop, or the Ecclesiastical Authority, and upon like request shall have
35 the power to convey the property and reinvest the proceeds in other property, such reinvest-
36 ment to be held in trust for the benefit of such Mission or organization. (c) The title to all real
37 estate belonging to the Diocese in its own right is hereby declared to be vested in the Trustees
38 of the Diocese, and the Trustees of the Diocese are hereby authorized to convey said property
39 in fee simple, whenever in their judgment such action is for the best interest of the Diocese,
40 but no such action shall be taken except by unanimous consent of all the Trustees of the Dio-
41 cese.

1 Section 5. Any vacancy occurring in this Board by death or otherwise may be filled by the
2 Ecclesiastical Authority.

3

4

CANON 13

5

Diocesan Commission on Ministry

6

7 Section 1. There shall be a Diocesan Commission on Ministry, consisting of eight Priests
8 canonically resident in the Diocese, two Vocational Deacons, and four lay persons, communi-
9 cants of of this Church and residents of the Diocese. The members of the Commission shall be
10 elected by the Convention, on nomination by the Bishop, for four-year terms. One Vocational
11 Deacon shall be elected every two years. Two Priests and one lay person will be elected annu-
12 ally; provided, that the number elected and the terms may be varied initially to produce such
13 staggered terms. No member who has served on the Commission shall be eligible for re-
14 election or appointment to fill a vacancy until one year after the expiration of the member's
15 previous term of office. The Executive Council shall elect a person of the appropriate order, on
16 nomination by the Bishop, to fill any vacancy that may occur on the Commission between an-
17 nual meetings of the Convention. The Bishop shall designate a Priest from the members of the
18 Commission to serve as chair.

19

20 Section 2. The Commission shall perform the duties and functions prescribed in Canon III.2 of
21 the Canons of General Convention, shall conduct and evaluate the examination of persons for
22 Holy Order; support the development, training, utilization and affirmation of the ministry of
23 the laity in the world; and perform such other duties as may be assigned to it by the Bishop.

24

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26

TITLE II: Deaneries; Parishes and Missions of the Diocese.

27

28

29

CANON 1

30

Deaneries

31

32 Section 1. Deaneries. The Diocese shall be divided into Deaneries, the number and boundar-
33 ies of which shall be fixed from time to time by the Bishop, with the advice and consent of the
34 Executive Council.

35

36 Section 2. Purpose. Deaneries are established for the following purposes:

37 (a) To provide a means of communication among the Congregations, Bishop, Diocesan Staff,
38 and other Diocesan entities as shall from time to time become appropriate.

39 (b) To provide a regional forum, which the Congregations of the Deanery may use for organiz-
40 ing and conducting programs contributing to the enrichment of Congregational and Diocesan
41 life.

1 (c) To organize and conduct an annual pre-convention meeting at which the delegates to Dioc-
2 esan Convention and other members of the Deanery congregations shall be given an opportu-
3 nity to review issues on the proposed convention agenda.
4

5 Section 3. Membership. Each Deanery shall include:

6 (a) The members of the parishes or missions within the deanery.

7 (b) The clergy within the Deanery who are canonically resident or licensed to serve in the Dio-
8 cese.
9

10 Section 4. Parish Representatives. The Vestry of each parish or mission within the Deanery
11 shall select one lay deanery representative for a term decided upon by the Vestry.
12

13 Section 5. Officers. The Bishop shall annually appoint a Dean, clergy or lay, from among
14 the congregations of each Deanery, who shall convene and preside over any meetings of the
15 Deanery. In addition the Deanery may elect such other officers as it deems expedient for the
16 transaction of its business.
17

18 Section 6. Conferences with the Bishop. The Bishop may provide for occasional conferences
19 with clergy or lay groups within the Deaneries.
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CANON 2

Congregations of the Diocese

25 Section 1. Types of Congregations. There shall be two types of congregations recognized in
26 the Diocese: parishes and missions. There shall be no distinction between parishes and mis-
27 sions of the Diocese with regard to representation and voting rights in conventions of the dio-
28 cese, which rights shall be determined in conformity with Article IV of the Constitution of the
29 Diocese, or representation and voting rights in the Deaneries of the Diocese, which rights shall
30 be determined in conformity with Title II, Canon 1, of the Canons of the Diocese.
31

32 Section 2. Boundaries of Congregations. Congregational boundaries shall coincide with the
33 fixed civil political boundaries, as fixed by the laws of the state of North Carolina, of towns,
34 cities, or counties. The boundaries of any parish or mission of the Diocese shall be the largest
35 such political subdivision of the State of North Carolina in which there exists only one con-
36 gregation of the Diocese. In the event that more than one congregation is located within the
37 corporate boundaries of a town or city, the boundaries of each of the congregations so located
38 shall be the corporate limits of such town or city, and the parochial cures of each such congre-
39 gation shall be the same.
40
41

1 Section 3. Missions. An organized mission of the Diocese is a congregation of ten or more
2 confirmed communicants in good standing of the Episcopal Church, 16 years of age or older,
3 together with such other persons who desire to be members thereof, which has not been admit-
4 ted into union with convention as a parish, and which has been recognized and accepted as a
5 mission of the Diocese in accordance with this Canon. A mission may be formed by any of the
6 following methods:

7 (a) by voluntary association of confirmed communicants of the Episcopal Church in accor-
8 dance with Section 4 of this Canon;

9 (b) by extension of any existing parish into a mission congregation with the consent of the
10 Bishop and under the supervision of the Department of Mission and Development; or

11 (c) by establishment of a mission by the Bishop with the advice and consent of the Executive
12 Council of the Diocese under plans formulated by the Department of Mission and Develop-
13 ment.

14

15 Section 4. Admission of Organized Missions. A congregation as described in Section 2 of this
16 Canon shall be admitted into union with convention and recognized as an organized mission
17 of the Diocese upon vote of convention after certification by the Department of Mission and
18 Development, in consultation with the Deanery Council of the relevant Deanery of the Dio-
19 cese, that the following requirements and conditions have been met:

20 (a) Consent of the Bishop to the organization of the congregation;

21 (b) Consent of the Rector or other clergy in charge of any congregation within the boundaries
22 of which the petitioning congregation intends to locate its primary place of worship;

23 (c) Adoption, with the consent of the Bishop, of a name by which the congregation shall be
24 known;

25 (d) Election of a Vestry in accordance with the Canons of the Diocese;

26 (e) Provision, both financial and otherwise, of a schedule and place of at least weekly worship,
27 with provision for the celebration of Holy Eucharist at least one Sunday of each month;

28 (f) Adoption of a plan of development and mission which has been approved by the Depart-
29 ment of Mission and Development under such guidelines as the Department may adopt from
30 time to time, with provision for adequate congregational financial support and a commitment
31 to the mission, program and financial support of the Diocese;

32 (g) Adoption of the following statement by at least ten confirmed communicants in good
33 standing, sixteen years of age or older, who are members of the proposed mission, signi-
34 fied by their signatures upon a copy of said statement, submitted to the Bishop prior to the
35 consideration of convention of the request for admission: "We, the undersigned, being con-
36 firmed communicants of the Episcopal Church, and being at least sixteen years of age, having
37 formed ourselves into a congregation known as _____, at
38 _____, North Carolina, do hereby certify that all requirements
39 and conditions for admission to union with the Convention of the Diocese of East Carolina as
40 contained in the Constitution and Canons of he Diocese have been met. We further certify that
41 we hereby consent to be governed by the Constitution and Canons of the Episcopal Church, as

1 established by its General Convention, and by the Constitution and Canons of the Diocese of
 2 East Carolina, and we recognize the Bishop of East Carolina as the Ecclesiastical Authority of
 3 the Diocese, and as chief pastor and spiritual and ecclesiastical authority of the congregations
 4 of the Diocese. We hereby request recognition as an organized mission of the Diocese and ad-
 5 mission into union with the convention thereof In witness whereof, we have hereunto signed
 6 our names, this the ____ day of _____, 20__.”

7 (h) Establishment of a relationship with a priest selected by the Bishop with the consent of the
 8 Vestry, with provision for worship services and pastoral care for the congregation under terms
 9 and conditions approved by the Bishop. Upon an affirmative vote of convention to any such
 10 petition, the mission thus admitted shall immediately be seated in the convention of the dio-
 11 cese, with full voice and vote, in accordance with the Constitution and Canons of the Diocese,
 12 and shall thereafter comply fully with all the requirements of said Constitution and Canons,
 13 and of the Constitution and Canons of the General Convention of the Episcopal Church and be
 14 known as an organized mission of the Diocese of East Carolina.

15
 16 Section 5. Parishes. A recognized congregation of the Diocese of East Carolina with at least
 17 twenty-five confirmed communicants in good standing, 16 years of age or older, and in the
 18 case of a new parish, which has existed as an organized mission of the diocese for at least one
 19 year, and which has been admitted to union with the Convention of the Diocese as such, shall
 20 be recognized as a parish. A mission of the Diocese shall be admitted to status as a parish by
 21 vote of convention after certification by the Department of Mission and Development that the
 22 following requirements and conditions have been met:

- 23 (a) Existence as an organized mission of the Diocese for a period of at least one year;
- 24 (b) Maintenance of a regular place of worship;
- 25 (c) Establishment of a relationship with a Rector under the Canons of the Diocese who is com-
 26 pensated in accordance with guidelines established by the Clergy Salary Study Commission of
 27 the Department of Administration;
- 28 (d) Full participation in the life of the Deanery in which it is located and in the life, mission
 29 and ministry of the Diocese of East Carolina.

30

31

32

CANON 3 Parish Meetings

33

34

35 Section 1. Annual Meeting. The Vestry shall call for an annual meeting of the communicants
 36 of the parish. The annual meeting shall occur on the first Sunday of Advent unless the Vestry
 37 designates another date. The annual meeting shall conduct Vestry elections, hear reports from
 38 the Rector, the Wardens and each parish committee and organization, and discuss other matters
 39 of interest to the congregation. Motions, resolutions, elections and all other matters presented
 40 to a parish meeting for vote shall be decided by vote of the qualified members present and vot-
 41 ing.

1 Section 2. Other Parish Meetings. Upon the call of the Vestry, a meeting of the communicants
2 of the parish may be held at any stated time, upon notice of not less than one week to the Rec-
3 tor and the communicants.

4
5 Section 3. Persons Qualified to Vote in Parish Meetings. A person who meets the qualifica-
6 tions set forth in Article XIV of the Constitution of this Diocese may vote when present at any
7 meeting of the parish.

8
9 Section 4. Bylaws. (a) A parish meeting may adopt bylaws
10 (1) for the orderly conduct of parish meetings;
11 (2) for the adoption of a rotating Vestry system as authorized by Canon 4, Section 3;
12 (3) for the election of members of the Vestry and, if so authorized by the Vestry, delegates
13 to the Annual Convention; and
14 (4) for the orderly conduct of Vestry meetings and other business of the parish.
15 (b) Bylaws shall be consistent with the Constitution and Canons of this Church and this Dio-
16 cese.
17 (c) The Rector and the Senior Warden shall file a copy of the parish bylaws and any amend-
18 ment thereto, certified by the Clerk of the Vestry, within thirty days after their adoption with
19 the Ecclesiastical Authority of the Diocese for approval. The Ecclesiastical Authority may,
20 upon the advice of the Chancellor, disapprove any bylaw which is inconsistent with the Con-
21 stitution or Canons of the General Convention of the Protestant Episcopal Church in the Unit-
22 ed States of America, or with the Constitution or Canons of this Diocese. Any bylaw rejected
23 by the Ecclesiastical Authority shall be severable from the remainder and shall not alter the
24 effectiveness of the remainder of the parish bylaws.

25
26
27 CANON 4
28 Vestries
29

30 Section 1. Vestry Declaration and Promise. Every person chosen as a member of a Vestry of
31 a parish or mission of this Diocese shall qualify by subscribing to the following declaration
32 and promise: "I do believe the Holy Scriptures of the Old and New Testaments to be the Word
33 of God, and to contain all things necessary to salvation; and I do consent to be governed by
34 the doctrine, discipline and worship of the Protestant Episcopal Church in the United States
35 of America; and I promise that I will faithfully execute the office of member of the Vestry of
36 _____ Parish or Mission in _____ (City or County), according to the
37 best of my ability."

38
39 Section 2. Size and Composition. A Vestry shall have not fewer than three (3) or more than
40 (12) members, confirmed adult communicants in good standing of the Episcopal Church as
41 defined in Article XIV of the Constitution of this Diocese.

- 1 Section 3. Terms of Office. (a) The annual parish meeting shall elect a Vestry in accordance
2 with one of the following alternative plans:
- 3 (1) Vestry Plan One. At each annual parish meeting all the members of the Vestry shall be
4 elected to serve until the next annual parish meeting or until their successors are elected.
- 5 (2) Vestry Plan Two. The annual parish meeting may select, by vote of the annual parish
6 meeting or bylaw, a rotating Vestry system with three-year terms. At the first election fol-
7 lowing the adoption of this plan, one-third of the members shall be elected to serve one year,
8 one-third for two years and one-third for three years. Thereafter, at the annual parish meeting,
9 one-third of the Vestry shall be elected. Members of the Vestry shall serve until their succes-
10 sors are elected.
- 11 (3) Vestry Plan Three. The annual parish meeting may select, by vote of the annual parish
12 meeting or bylaw, a rotating Vestry system with two-year terms. At the first election following
13 the adoption of this plan, one-half of the Vestry shall be elected for one year and one-half shall
14 be elected for two years. Thereafter, at each annual parish meeting, one-half of the Vestry
15 shall be elected. Members of the Vestry shall serve until their successors are elected.
- 16 (b) A parish may provide that a retiring member of the Vestry shall not be eligible for re-
17 election until a period of one year has elapsed between terms. No member shall serve for a
18 period greater than three consecutive years on any Vestry until a period of at least one year has
19 elapsed between terms, except as provided in Section 10(b) of this Canon.
20
- 21 Section 4. Wardens. (a) The Vestry shall elect annually a Senior Warden and a Junior Warden
22 from among their own number. The Rector shall nominate the Senior Warden. If there is no
23 Rector, the election of the Senior Warden shall proceed without such nomination.
- 24 (b) The Wardens shall: (1) provide the Elements for the Eucharist; (2) keep and disburse the
25 alms when there is no Rector or Priest-in-Charge; (3) provide for the celebration of public
26 worship and instruction of the congregation by clergy or a lay person licensed by the Eccle-
27 siastical Authority; and (4) when there is no Rector or Priest-in-Charge, the Senior Warden
28 shall preside at all meetings of the Vestry, Parish or Mission.
29
- 30 Section 5. Clerk of the Vestry. (a) The Vestry shall annually elect a Clerk, who is not required
31 to be a member of the Vestry. (b) The Clerk of the Vestry shall: (1) take and record the min-
32 utes of all meetings of the Vestry; (2) attest to or certify the public acts of the Vestry; (3)
33 preserve all records and papers of the Parish or Mission; (4) perform all other duties legally
34 assigned to the Clerk of the Vestry; and (5) faithfully and promptly deliver all books, records,
35 files and documents, including electronic files and storage devices, of the Parish or Mission to
36 the succeeding Clerk.
37
- 38 Section 6. Treasurer. (a) The Vestry shall elect a Treasurer, who is not required to be a member
39 of the Vestry. (b) The Treasurer shall: (1) receive and disburse all monies collected under the
40 direction of the Vestry or parish bylaw; (2) keep an accurate account of all monies received
41 and report to the Vestry at least semi-annually or as directed (3) faithfully and promptly deliv-

1 er all books, records of account and financial documents, including electronic files and storage
2 devices, of the Parish or Mission to the succeeding Treasurer.

3
4 Section 7. Duties of the Vestry. (a) The Vestry shall act as the Trustees of the Parish or Mis-
5 sion, and shall take charge of the property of the Parish or Mission. (b) The Vestry shall regu-
6 late the temporal concerns of the Parish or Mission. (c) The Vestry shall elect and call a Rector
7 for the Parish and provide for the Rector's maintenance. (d) The Vestry shall keep order in the
8 Parish or Mission. (e) The Vestry shall act as helpers to the Rector or Priest-in-Charge in what-
9 ever is appropriate to the laity for the furtherance of the Gospel.

10
11 Section 8. Powers of the Rector. (a) The Rector or Priest-in-Charge of the Parish or Mission,
12 or a member of the Vestry designated by the Rector, shall preside in all meetings of the Ves-
13 try. Where there is no Rector or Priest-in-Charge, the Senior Warden shall preside at Vestry
14 meetings as provided in Title II, Canon 4, Section 4 (b) (4). No Interim Rector shall preside at
15 Vestry meetings unless so appointed by the Bishop.

16 (b) The Rector or Priest-in-Charge is entitled to vote only in case of a tie on any question ex-
17 cept those in which he or she may be personally concerned.

18 (c) The Rector or Priest-in-Charge shall have the power to call special meetings of the Vestry
19 at any time, giving reasonable notice and specifying the business for which the meeting is
20 called.

21
22 Section 9. Vestry Meetings. (a) Regular meetings of the Vestry shall be held as the Vestry and
23 Rector or Priest-in-Charge may determine, but there shall be no less than four meetings of the
24 Vestry each year.

25 (b) Upon request of three members of the Vestry, the Rector or Priest-in-Charge shall call a
26 meeting of the Vestry.

27 (c) Should the Rector or Priest-in-Charge refuse to call a meeting of the Vestry when required,
28 the Wardens or any three Vestry members may call a meeting, provided they give reasonable
29 notice to the Rector.

30 (d) When the Rector or Priest-in-Charge is absent or the office is vacant, the Senior Warden
31 or any two members of the Vestry may call special Vestry meetings, upon giving reasonable
32 notice.

33
34 Section 10. Vacancies on Vestry. (a) A vacancy on the Vestry may occur by death, resignation
35 or removal. A parish bylaw may authorize the remaining Vestry members to fill the vacancy
36 by appointment to serve the remainder of the unexpired term or to serve until the next annual
37 parish meeting when the meeting shall elect a person to serve the remainder of the unexpired
38 term. (b) A parish bylaw may provide that a person who serves one year or less of an unex-
39 pired term may be eligible immediately for election to a full term.

40
41

1 Section 11. All Vestries of the Diocese of East Carolina shall be required to pay all insurances
2 associated with the operation of their parish. These insurances shall include, but are not lim-
3 ited to the following: (a) adequate property insurance, (b) workers compensation, (c) Officer
4 and Director's Liability, (d) clergy pension premiums, (e) clergy medical and dental insurance.
5

6 CANON 5

7 Duties of the Members of the Church

8
9 Section 1. The members of this Church shall conform to its teachings and to the Creed upon
10 which it is founded, and shall as far as in them lies, live in the exercise of those Christian
11 principles and duties prescribed in the Holy Scriptures and illustrated in the Book of Common
12 Prayer, and shall further instruct their families and those dependent on them in like duties and
13 principles both by example and precept. They shall use all sober and godly conversation, shall
14 daily exercise family worship, be charitable in act and works, and shall celebrate and keep
15 holy the Lord's Day, giving all due attention to the Services of the Church and to public wor-
16 ship.

17 Section 2. It is expected that all adult members of this Church, after appropriate instruction,
18 will have made a mature public affirmation of their faith and commitment to the responsibili-
19 ties of their Baptism, and will have been confirmed or received by a Bishop of this Church or
20 by a Bishop of a Church in communion with this Church.
21

22 CANON 6

23 Dissolution and Suspension of Parishes and Missions

24
25
26 Section 1. When, in the judgment of the Bishop of the Diocese, a parish does not give promise
27 of such sufficient strength as will enable it to maintain its organization, whether from lack of
28 communicants, or from any other cause, this judgment shall be reported to the Convention,
29 which shall thereupon take such action as may seem good.
30

31 Section 2. In the event of the dissolution of any Parish or Mission by the Convention, the real
32 and personal property of the Parish or Mission shall immediately vest in the Trustees of the
33 Diocese, in trust for the dissolved Parish or Mission. The Trustees may require an audit of the
34 assets and liabilities of Parish or Mission, to be paid for out of the assets of the Parish or Mis-
35 sion. The Trustees may dispose of the personal property, and shall retain the proceeds in trust
36 for the dissolved Parish or Mission. Within six months following any dissolution of a Parish or
37 Mission a study of the potential for mission and ministry on the site of any real property vest-
38 ing in the Trustees as a result of the dissolution shall be conducted by a committee appointed
39 by the Bishop and a report of that study shall be sent to the Department of Mission and Devel-
40 opment and to the Executive Council. If the Department and the Executive Council determine
41 together that the Parish or Mission should not be reorganized on the site of the existing real

1 property, all property held in trust by the Trustees for the Parish or Mission shall be freed of
2 the trust and thereafter shall be held, administered and disposed of by the Trustees as property
3 of the Diocese in its own right as provided by Canon I.12.

4
5 Section 3. Whenever the penalty of exclusion or suspension from Lay representation in the
6 Convention shall be inflicted on a Parish or Mission, as provided in Section 5 of Article IV of
7 the Constitution, the sentence shall specify on what terms or at what time said penalty shall
8 cease.

9
10 **CANON 7**
11 **Archdeacons**

12
13 Section 1. The Bishop shall have the power, with the consent of the Convention, to appoint
14 one or more Archdeacons, who shall be Presbyters or Deacons canonically resident in the Dio-
15 cese, and who shall, if practicable, be detached from any Parochial Cure.

16
17 Section 2. The authority and the duties of an Archdeacon shall be such as are committed to
18 him or her in writing by the Bishop. The Archdeacon shall be amenable to the Bishop in all
19 acts and appointments, and shall make such reports as the Bishop may require.

20
21
22 **TITLE III. Bishops, Priests and Deacons.**

23
24 **CANON 1**
25 **The Election of a Bishop, Bishop Coadjutor**
26 **or Bishop Suffragan**

27
28 Section 1. The vote shall be taken by ballot and by Orders and Parishes, in accordance with
29 Article XIII of the Constitution.

30
31 Section 2. Nominations shall be made in open Convention in joint session of Clerical and Lay
32 Delegates, and may be made by any person entitled to vote in the Convention.

33
34 Section 3. When the nominations have been closed, the Secretary shall call the roll of the
35 Clergy, and as the name of each member of the Clergy is called the member's ballot shall be
36 deposited with the Tellers. The roll of the parishes and missions shall then be called by the
37 Secretary, and as each is called it shall deposit its ballot with the Tellers. The Tellers shall
38 count the vote of each Order separately and report the results to the Chair who shall announce
39 the same. If the same person shall receive the necessary votes of both Orders on the same bal-
40 lot, that person shall be declared duly elected. If no person is elected, the delegates may con-
41 tinue to vote as above ordered until an election is made.

1 Section 4. By consent of the Convention, Clergy and Laity may separate for deliberation, to
2 re-assemble in joint session at a specified time, and by like consent may proceed jointly to fur-
3 ther nominations; after which the balloting shall be resumed in accordance with the provisions
4 of Section 3 of this Canon.

5

6

7

8

CANON 2
Salary of the Bishop

9 The salary of the Bishop of the Diocese for each calendar year shall be recommended by the
10 Executive Council and included in the budget submitted by it to the Annual Convention; and
11 the salary as fixed in the budget adopted by the Convention shall be paid to the Bishop for the
12 calendar year for which the budget is adopted. The salary as above determined shall include
13 all income received from the Bishop Watson Fund for the support of the Episcopate. The sal-
14 ary shall be paid in twelve equal monthly installments, the first installment to be paid on Janu-
15 ary 31st of said calendar year and a like amount on the last day of each month in said calendar
16 year.

17

18

19

20

CANON 3
Call of a Minister; Clergy Assistants

21 Section 1. (a) When there is no Rector in a Parish of the Diocese, the Vestry shall have power
22 to call a Minister in accordance with Episcopal Church and Diocesan Constitutions and Can-
23 ons. The Vestry of a parish calling a Minister shall offer a salary and allowances not less than
24 the then existing minimums for members of the clergy recommended by the Clergy Salary
25 Study Commission of the Department of Administration and adopted by the Diocesan Con-
26 vention.

27 (b) When a vacancy occurs in a Mission of the Diocese, the Bishop may, in his or her discre-
28 tion, appoint a priest-in-charge for a period of not more than two years, under such terms and
29 conditions as the Bishop deems appropriate, after consultation with the Vestry of the Mis-
30 sion. In the event of such appointment, the priest-in-charge may be reappointed for successive
31 terms. In the event that the Bishop determines that the Vestry should call a priest-in-charge,
32 the Vestry shall make such call in accordance with these Canons.

33

34 Section 2. When a Parish or Congregation becomes vacant the Church Wardens or other
35 proper officers shall notify the fact to the Bishop. If the authorities of the Parish shall for thirty
36 days have failed to make provision for the services of a priest during the vacancy, it shall be
37 the duty of the Bishop to take such measures as are expedient for the temporary maintenance
38 of Divine Services therein.

39

40 Section 3. No Parish may elect a Rector until the names of the proposed nominees have been
41 made known to the Ecclesiastical Authority, and sufficient time, not exceeding sixty days, has

1 been given to the Ecclesiastical Authority to communicate with the Vestry, nor until the Vestry
2 has considered any such communication at a meeting duly called and held for that purpose. If
3 a church is receiving financial assistance from the Diocese, the Ecclesiastical Authority's writ-
4 ten approval of the Vestry's choice shall be essential to the election of the Priest in Charge.

5
6 Section 4. Written notice of the election, signed by the Church Wardens, shall be sent to the
7 Ecclesiastical Authority of the Diocese. If the Ecclesiastical Authority be satisfied that the per-
8 son so chosen is a duly qualified minister who has accepted the office, the notice shall be sent
9 to the Secretary of Convention, who shall record it. Such record shall be sufficient evidence of
10 the relation between the Minister and the Parish.

11
12 Section 5. A Minister is settled, for all purposes here and elsewhere mentioned in these Can-
13 ons, who has been engaged permanently by any parish, according to the rules of the Diocese,
14 or for any term of not less than one year.

15
16 Section 6. The Rector or Priest-in-Charge of a parish or mission shall have the authority to
17 select and call an assistant, by whatever title called, with the consent of the Vestry of the par-
18 ish or mission. Any assistant clergy shall serve under the authority and direction of the Rector
19 or Priest-in-Charge. Before beginning the process of selection, the Rector or Priest-in-Charge
20 shall discuss with the Bishop and the Vestry the Parish or Mission's readiness to call an assis-
21 tant and present a draft job description. The Rector or Priest-in-Charge shall discuss a list of
22 candidates and job description of the assistant with the Bishop before the final selection is
23 made. Before issuing a call of any assistant the name of the Member of the Clergy proposed
24 for selection shall be made known to the Bishop, and the Bishop shall have sufficient time,
25 not exceeding sixty days to communicate with the Rector or Priest-in-Charge and the Vestry
26 on the selection. Any assistant selected shall serve at the discretion of the Rector or Priest-
27 in-Charge but may not serve beyond the period of service of the Rector or Priest-in-Charge
28 except that, pending the call of a Rector, Priest-in-Charge, or full-time Interim Priest, the as-
29 sistant may continue in the service of the Parish or Mission if requested to do so by the Vestry,
30 and under such terms and conditions as the Bishop shall determine in consultation with the
31 Vestry. No assistant may succeed directly to the position of Rector, Priest-in-Charge, or Inter-
32 im Priest in any parish in which the assistant is currently serving in the event of the removal,
33 resignation or death of the Rector or Priest-in-Charge.

34
35 Section 7. When a parish is vacant, or when a mission is vacant and the Bishop has authorized
36 the Vestry to call a priest-in-charge, a priest may be called as Interim Rector with the consent
37 of the Bishop with all rights and responsibilities attaching to that office except tenure. The
38 Interim Rector shall serve in accordance with the terms and conditions of a written letter of
39 agreement mutually agreeable to the priest, the Vestry and the Bishop. An Interim Rector may
40 or may not be eligible to become the settled Rector or Priest-in-Charge of the congregation,
41 and such eligibility shall be determined in accordance with the wishes of the Bishop prior to

1 entering into an agreement with the proposed Interim Rector and shall be set forth in the letter
2 of agreement adopted by the parties.

3

4

CANON 4

5

Registration, Reports, etc.

6

7 Section 1. Private and Parish Registers. Each member of the Clergy of this Diocese shall keep
8 a register of all baptisms, confirmations, marriages and funerals performed within his or her
9 parish or cure, specifying the names of the persons in each instance, the parentage and date of
10 birth of those baptized, with the names of their sponsors or witnesses and the time when each
11 rite was performed, which register shall be transcribed at least once each month into a book
12 provided for the purpose by the Vestry of the Parish or Mission.

13

14 Section 2. List of Communicants, etc. It shall also be the duty of each member of the Clergy to
15 keep a list of the communicants within the Parish or Mission, and, so far as practicable, of the
16 families and adult persons within the same, to remain for the use of the Parish and any succes-
17 sor called by the Parish.

18

19 Section 3. Parochial Reports.

20 (a) It shall be the joint duty of the Rector or Priest in Charge and the lay leadership to report
21 annually to the Bishop, through the Secretary of Convention, not later than March 1st preced-
22 ing the Annual Convention, all official acts performed since the last such report to and includ-
23 ing December 31st of the preceding year, and all information concerning the state of the Par-
24 ish, Mission or other Cure, according to the form prescribed by the Executive Council of the
25 General Convention. Each such report shall also include all official acts performed by the Rec-
26 tor or Priest in Charge outside the Parish, Mission or Cure. The Vestry's approval is required
27 before filing the Parochial Report.

28 (b) In the case of a Parish without a Rector, Priest in Charge or Interim Rector, it shall be the
29 duty of the Vestry to make the required Parochial Report. (c) In making the Parochial Report,
30 all communicants shall be included, except those who have been repelled by the proper au-
31 thority under Canon I.17 of the Canons of the General Convention.

32

33 Section 4. Annual Audit Report. The Vestry of each Parish or Mission shall provide for an
34 Annual Audit of all accounts. Such audit shall conform to the requirements of Canon I.7 of the
35 Canons of the General Convention. The Vestry shall review the Audit Report and recommen-
36 dations and file them together with an action plan to correct any deficiencies with the Bishop
37 or Ecclesiastical Authority not later than September 1 following the close of the Parish or Mis-
38 sion's fiscal year.

39

40

41

1 Section 5. Penalties. Failure to keep records or to file the reports required by this Canon or by
2 the Canons of General Convention shall result in the imposition of those penalties set forth in
3 Article IV, Section 5(b) of the Constitution of the Diocese.

4

5 Section 6. Transfer of Communicants. It shall be the duty of the Rector or Minister in Charge
6 of every Parish or Mission, learning of the removal of any communicant of the minister's Par-
7 ish or Mission to another cure, without having secured a letter of transfer as provided for by
8 General Church Canons Title I, Canon 17, Section 4, paragraph (a), with the consent of said
9 communicant, to transfer the communicant to the new Cure.

10

11 Section 7. Disclosure of Parish Register. It shall be the duty of the Rector or Minister in
12 Charge of a Parish or Mission to submit for the Bishop's examination at the time of the Bish-
13 op's annual visitation the Parish Register. The Bishop shall determine that all entries are prop-
14 erly made, all members accounted for and that the register is properly indexed.

15

16

CANON 5

17

Clergy Liable to Missionary Duty

18

19 All members of the Clergy of the diocese receiving aid from its missionary funds or from the
20 General Missionary funds, shall perform such missionary duties within the Diocese as may be
21 prescribed by the Bishop, and the amount of compensation therefore shall be fixed from time
22 to time by the Executive Council.

23

24

CANON 6

25

Dissolution of the Relationship between

26

Congregation and Priest

27

28 Section 1. Except under mandatory resignation by reason of age, a Rector may not resign as
29 Rector of a congregation without the consent of its Vestry, nor may any Rector canonically or
30 lawfully elected and in charge of a congregation be removed therefrom by the Vestry against
31 the Rector's will, except as provided in this Canon.

32

33 Section 2. If for any urgent reason a Rector or Vestry desires a dissolution of the pastoral rela-
34 tionship between the priest and the congregation, and the parties cannot agree, either the priest
35 or the Vestry, but no other person or group, may give notice in writing to the Ecclesiastical
36 Authority of the Diocese. Whenever the Standing Committee is the Ecclesiastical Authority
37 of the Diocese, it shall request the Bishop of another Diocese to perform the duties of Bishop
38 under this Canon.

39

40 Section 3. Within sixty days of receipt of the written notice the Bishop as chief pastor of the
41 Diocese shall mediate the differences between Rector and Vestry in every informal way which

1 the Bishop deems proper, including the appointment of a consultant to confer in the matter,
2 and may appoint a committee of at least one priest and one lay person, none of whom may be
3 members of the congregation involved, to make a report to the Bishop.

4

5 Section 4. If differences between the parties are not resolved after completion of the mediation,
6 the Bishop shall proceed as follows:

7 (a) The Bishop shall give written notice to the Rector and the Vestry that a godly judgment will
8 be rendered in the matter after consultation with the Standing Committee and that either party
9 has the right within ten days to request in writing an opportunity to confer with the Standing
10 Committee before it consults with the Bishop.

11 (b) If a timely request is made, the President of the Standing Committee shall set a date for a
12 conference, which will be held within thirty days.

13 (c) At the conference, each party shall be entitled to representation and to present its position
14 fully.

15 (d) Within thirty days after the conference or after the Bishop's notice if no conference is re-
16 quested, the Bishop shall confer with and receive the counsel of the Standing Committee,
17 which shall not be binding upon the Bishop and which the Bishop shall consider along with
18 such other information as the Bishop deems proper; thereafter, the Bishop, as final arbiter and
19 judge, shall render a godly judgment.

20 (e) Upon the request of either party the Bishop shall explain the reasons for the judgment. If
21 the explanation is in writing, copies shall be delivered to both parties.

22 (f) If the pastoral relation is to be continued, the Bishop shall require the parties to agree on
23 definitions of responsibility and accountability for the Rector and the Vestry.

24 (g) If the relation is to be dissolved:

25 (1) The Bishop shall direct the Secretary of Convention to record the dissolution.

26 (2) The judgment shall include such terms and conditions including financial settlements
27 as shall seem to the Bishop just and compassionate.

28

29 Section 5. In either event the Bishop shall offer appropriate supportive services to the Priest
30 and the congregation.

31

32 Section 6. In the event of the failure or refusal of either party to comply with the terms of the
33 judgment, the Bishop may impose such penalties as are consonant with the Constitution and
34 Canons of the General Convention of the Episcopal Church, and of the Diocese of East Caro-
35 lina, including the following:(a) In the case of a priest, suspend the priest from the exercise of
36 the priestly office until the priest shall comply with the judgment. (b) In the case of the Vestry,
37 invoke any available sanctions including those set forth in Article IV of the Constitution of the
38 Diocese until it has complied with the judgment.

39

40

41

1 Section 7. For cause, the Bishop may extend the time periods specified in this Canon, provided
2 that all be done to expedite these proceedings. All parties shall be notified in writing of the
3 length of any extension.

4

5 Section 8. (a) Statements made during the course of proceedings under this Canon are not
6 discoverable nor admissible in any proceedings under Title IV of the Canons of the Episcopal
7 Church, or under Title III, Canon 7 of the Canons of this Diocese, provided that this does not
8 require the exclusion of evidence in any proceeding under the Canons which is otherwise dis-
9 coverable or admissible.

10 (b) In the course of proceedings under this Canon, if a charge is made by the Vestry against
11 the Rector that could give rise to a disciplinary proceeding under Title IV of the Canons of the
12 Episcopal Church or Title III, Canon 7 of this Diocese, all proceedings under this Canon shall
13 be suspended until the charge has been resolved or withdrawn.

14

15

16

17

CANON 7

18

Trial of Members of the Clergy

19

20 Section 1. Whenever any Priest or Deacon of this Diocese is subject to ecclesiastical discipline
21 as set forth in Title IV, Canon 1 of the General Convention, all matters related to such ecclesias-
22 tical discipline shall be governed by the provisions of Title IV of the General Convention, which
23 provisions are incorporated by reference as if fully set forth herein.

24

25 Section 2. An Ecclesiastical Trial Court of the Diocese shall be established for the trial of any
26 Priest or Deacon subject to its jurisdiction.

27

28 Section 3. The Ecclesiastical Trial Court shall consist of three clerical members, two of whom
29 must be priests, and two lay persons, to be elected by the Convention of the Diocese for three
30 year terms. The priests and deacons shall be canonically resident in this Diocese and the lay
31 persons shall be persons eligible for election as lay delegates to the Convention of this Diocese.
32 No member of the Standing Committee shall be eligible to serve on the Ecclesiastical Trial
33 Court.

34

35 Section 4. The Convention of this Diocese shall elect at its annual meeting in 1996 [and there-
36 after every three years at its annual meeting,] three clerical members, two of whom must be
37 priests, and two lay persons, to serve as an Ecclesiastical Trial Court. Any vacancies among the
38 members of the Ecclesiastical Trial Court arising while the Convention is not in session shall be
39 filled for the unexpired term by the Ecclesiastical Authority.

40

41

1 Section 5. Pursuant to Canon IV.4.2 of the Canons of the General Convention, within two
2 months following the Convention of their election, the Ecclesiastical Trial Court of this Diocese
3 shall elect from its members a Presiding Judge.

4
5 Section 6. The Standing Committee of the Diocese shall serve as the Diocesan Review Com-
6 mittee for purposes of all proceedings pursuant to Title IV of the Canons of General Conven-
7 tion.

8
9 Section 7. The Convention shall appoint a Church Attorney upon nomination by the Bishop.
10 The Church Attorney shall be licensed to practice law in North Carolina and shall be a con-
11 firmed adult communicant in good standing in a parish of this Diocese. The Church Attorney
12 shall not be a current member of the Diocesan Review Committee or the Ecclesiastical Trial
13 Court. The Church Attorney is entitled to be reimbursed for all expenses incurred in the perfor-
14 mance of the prescribed duties.

15

16

17

TITLE IV. Church Institutions.

18

19

CANON 1

20

The Episcopal Foundation of The Diocese of East Carolina, Incorporated

21

22

23 Section 1. The Episcopal Foundation of The Diocese of East Carolina, Incorporated, herein
24 called the Foundation, is a diocesan corporation created under the laws of the State of North
25 Carolina for the purpose of holding, managing and investing property of the Diocese of East
26 Carolina, either temporarily, for a specified or indefinite period of time, or permanently, and for
27 the purpose of providing (1) funds, the income from which is to be used for the promotion of
28 new work in the Diocese of East Carolina and for the development of the religious, educational
29 and charitable work of the Protestant Episcopal Church in the Diocese of East Carolina, (2)
30 funds to be used for making loans to parishes, missions, diocesan institutions and church organi-
31 zations for capital improvements, and (3) funds for capital grants to parishes, missions, diocesan
32 institutions and church organizations for capital improvements.

33

34 Section 2. The Foundation is authorized to receive gifts, devises and bequests of real and per-
35 sonal property from individuals, contributions or donations from churches, corporations and
36 organizations, transfers of funds from the Treasurer of the Diocese pursuant to Title I, Canon 5,
37 and transfers of property from the Trustees of the Diocese pursuant to Title I, Canon 12, Section
38 3. Money or property given by donors to the Foundation without restrictions on disposition or
39 use may be placed in an income fund, a loan fund, a capital grant fund or an unrestricted fund
40 in the discretion of the Board of Directors of the Foundation. Gifts will be accepted subject to
41 restrictions by donors that only income from gifts may be spent, that the principal may be used

1 only for revolving loans or for capital grants, or that the gifts or the income therefrom may be
2 used only for designated purposes in or for the benefit of the Diocese of East Carolina; provid-
3 ed, however, that the Foundation may decline to accept any gift, bequest or devise the purpose
4 of which does not conform to the purposes set out in Section 1 of this Canon and the charter of
5 the Foundation, or which would be burdensome or impractical to administer.

6
7 Section 3. The operation of the Foundation shall be under the control of its Board of Directors,
8 who shall be elected by the Diocesan Convention as set out in the by-laws of the Foundation.
9 Foundation income available for expenditure for diocesan purposes, after payment of operating
10 expenses of the Foundation, and funds available for loans and grants to churches or other recipi-
11 ents thereof shall be paid to the Treasurer of the Diocese for disbursement.

12
13 Section 4. The Board of Directors of the Foundation shall annually make a report to the Dioc-
14 esan Convention showing the names of the several funds, trusts or endowments held by it, the
15 sources, dates and amounts thereof, the terms governing the use of principal and income, the
16 manner in which the funds are invested, the disbursements or payments made during the year
17 and the purposes for which said disbursements have been made. The Board of Directors of the
18 Foundation shall make a similar report to the Executive Council as often as required by the Ex-
19 ecutive Council and not less frequently than each six months.

20

21

22

23

24

CANON 2 The Church Pension Fund

25 Section 1. In conformity with the legislation adopted by the General Convention of 1913, pur-
26 suant to which The Church Pension Fund was duly incorporated, and in conformity with the
27 Canon of the General Convention, "Of the Church Pension Fund," as heretofore amended
28 and as it may hereafter be amended, the Diocese of East Carolina hereby accepts and acknowl-
29 edges The Church Pension Fund, a corporation created by Chapter 97 of the Laws of 1914 of
30 the State of New York as subsequently amended, as the authorized and approved pension system
31 for the clergy of the Protestant Episcopal Church in the United States of America and for their
32 dependents, and declares its intention of supporting said Fund in accordance with its Rules.

33

34 Section 2. The Bishop of this Diocese shall appoint annually during the opening of Convention
35 a Church Pension Fund Committee to consist of three presbyters and two lay persons, for a term
36 of one year and until their successors shall have been appointed or qualified, and the Bishop
37 may from time to time fill by appointment any vacancies in said Committee caused by resigna-
38 tion, death or inability to act.

39

40 Section 3. The duties of said Committee shall be as follows:

41 (a) To be informed of, and to inform the Clergy and the Laity of this Diocese of the pension sys-

1 tem created by the General Convention and committed to it by the Trustees of the Church Pen-
2 sion Fund, in order that the ordained clergy of the Church may be assured of pension protection
3 for themselves in the event of old age or total and permanent disability and for their surviving
4 spouse and surviving minor children, if any, in the event of death.

5 (b) To receive reports from The Church Pension Fund from time to time on the status of the
6 pension assessments payable to said Fund, under its Rules and as required by Canon Law, by
7 this Diocese and by Parishes, Missions and other ecclesiastical organizations within the Dio-
8 cese.

9 (c) To make an annual report to the Convention of this Diocese on such matters relating to the
10 Church Pension Fund as may be of interest to the said Convention.

11 (d) To cooperate with the Church Pension Fund in doing all things necessary or advisable in the
12 premises to the end that the Clergy of this Diocese may be assured of the fullest pension protec-
13 tion by said Fund under its established Rules.

14

15 Section 4. It shall be the duty of this Diocese and of the Parishes and Missions and other eccle-
16 siastical organizations therein, each through its Treasurer and other proper official, to inform
17 the Church Pension Fund of salaries and other compensation paid to members of the Clergy by
18 said Diocese, Parishes, Missions and other ecclesiastical organizations for services rendered,
19 currently or in the past, prior to their becoming beneficiaries of said Fund, and changes in such
20 salaries and other compensation as they occur; and to pay promptly to The Church Pension
21 Fund the pension assessments required thereon under the Canons of the General Convention
22 and in accordance with the Rules of said Fund.

23

24 Section 5. It shall be the duty of every member of the Clergy canonically resident in or serving
25 in this Diocese to inform The Church Pension Fund promptly of such facts as date of birth, ordi-
26 nation, reception, or marriage, birth of children, deaths and changes in cures or salaries, as may
27 be necessary for its proper administration and to cooperate with said Fund in such other ways as
28 may be necessary in order that said Fund may discharge its obligations in accordance with the
29 intention of the General Convention in respect thereto.

30

31 Section 6. It shall be the duty of this Diocese and of the Parishes and Missions and other eccle-
32 siastical institutions and organizations therein, to participate in all medical care, hospitalization,
33 health, accident and life insurance plans for clergy which are made mandatory on a nation-wide
34 basis for clergy of the Episcopal Church by action of the General Convention, or under its au-
35 thority, and to pay promptly to The Church Pension Fund the premiums or assessments required
36 to maintain such coverage in accordance with the Rules of the Fund. The Diocesan Convention,
37 or when it is not sitting the Executive Council, shall make all decisions and take all action to
38 carry out the provisions of this Canon.

39

40 Section 7. Lay Pension Plans.

41 (a) All Parishes, Missions and other ecclesiastical organizations or bodies subject to the author-

1 ity of this Diocese, and any other societies, organizations, or bodies in the Church which under
2 the regulations of The Church Pension Fund have elected or shall elect to come into the pen-
3 sion system, shall provide all lay employees who work a minimum of 1,000 hours annually,
4 retirement benefits through participation in the Episcopal Church Lay Employees Retirement
5 Plan (ECLERP) or in an equivalent plan, the provisions of which are at least equal to those of
6 ECLERP. Such participation shall commence no later than January 1, 1993. At its commence-
7 ment, if the plan is a defined benefit plan, the employer contribution shall be not less than 9
8 percent of the employee's salary; if the plan is a defined contribution plan, the employer shall
9 contribute not less than 5 percent and agree to "match" employee contributions of up to another
10 4 percent.

11 (b) The employer may impose a minimum age of 21 years and a minimum employment period
12 not to exceed one year of continuous employment before an employee would be eligible to par-
13 ticipate.

14 (c) The Trustees of The Church Pension Fund shall have authority to increase or decrease the
15 contribution percentages as required for the lay pension plan.

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CANON 3
Trinity Center

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21 Section 1. There shall be a Board of Managers of Trinity Center consisting of twelve persons,
22 clergy and lay, elected by the Convention on the nomination of the Bishop, for three year terms,
23 provided that the terms of the initial members elected by Convention on nomination of the
24 Bishop shall be four members elected for a one year term, four members elected for a two year
25 term, and four members elected for a three year term. The Bishop shall be ex officio Chair of
26 the Board of Managers.

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28 Section 2. The function of the Board of Managers is to oversee the operation and management
29 of Trinity Center, including, but not limited to, the employment of a Director, formulating and
30 administering an annual budget, establishing rules and regulations for sound and efficient man-
31 agement and performing such other duties as may be attendant thereto or directed by Conven-
32 tion.

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34 Section 3. Any vacancy occurring on the Board of Managers may be filled by the Bishop until
35 the next Convention when a new member shall be elected upon nomination by the Bishop for
36 the completion of the unexpired term.

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38 Section 4. The Board of Managers shall make an annual report to Convention.

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CANON 4

Commission on Planning, Design and Construction

Reserved for future use.

CANON 5

Trustees of the University of the South

Section 1. The Convention in the Diocese of East Carolina shall elect one presbyter and two lay communicants to serve for a term of three (3) years as Trustees of the University of the South, which terms shall be staggered.

Section 2. Trustees so elected shall meet the following criteria:

(a) Trustees shall be personally committed to the aims and purposes of the University as set forth in its Mission Statement and Constitution, Ordinances and other governing documents.

(b) Each Trustee shall demonstrate his or her personal commitment to the University by, among other things, attending the Board of Trustees annual May meeting, such other special meetings as may be called, and one orientation session for new Trustees, which sessions are held immediately prior to each annual meeting. Trustees shall also familiarize themselves with the Trustee Handbook and the University's governing documents, including its charter, as amended, Constitution and Ordinances.

(c) Trustees shall serve as direct communicators between the University and the Diocese from the time the Trustee was elected, and shall timely inform the Diocese of the actions of the Boards of Trustees and Regents and the University administration.

(d) Trustees shall provide a meaningful level of annual financial support to the University as a symbol of their commitment to its mission and financial well-being.

Section 3. In the event a Trustee becomes unwilling or unable to serve, the Bishop of this Diocese shall nominate a qualified communicant to complete the remainder of the term.

TITLE V. Amendment; Effective Date; Repealer.

CANON 1

Amendment of Canons

Section 1. Amendments to the Canons shall be made in accordance with Article XV of the Constitution, and shall take effect upon their passage, unless otherwise ordered by the Convention.

Section 2. The Chair of the Committee on Constitution and Canons, together with the Chancellor and the Secretary of Convention, or the designees of each of them, shall review all changes

1 made to the Constitution and Canons within 120 days after the Convention adjourns. This
2 subcommittee shall be known as the Editing Subcommittee and shall have the power to correct
3 references made in any Canon to another, to renumber and determine the proper arrangement of
4 the Constitution and Canons, and make minor grammatical or editorial corrections that do not
5 alter or change the substantive meaning or purpose of the enacted amendment, which changes
6 shall then be certified by Executive Council. The Secretary of Convention shall publish the
7 certified changes.

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9 Section 3. (a) If a Canon, a Section of a Canon or Clause of a Section of a Canon is to be
10 amended or added, the enactment shall be in substantially one of the following forms:

11 (i) “Canon (cited as provided in Title V, Canon 4) is hereby amended by adding a Section
12 (or Clause) reading as follows: (here insert the text of the amendment or addition);” or

13 (ii) Canon (cited as provided in Title V, Canon 4) is hereby amended by adding Section
14 (or Clause) reading as follows: (here insert the text of the new Section or Clause).”

15 (b) If amendments are to be made at one meeting of the Annual Convention to more than one-
16 half of the Canons in a single Title of the Canons, the enactment may be in the following form:
17 “Title (number) of the Canons is hereby amended to read as follows: (here insert the new word-
18 ing of all Canons in the Title whether or not the individual Canon is amended).”

19 (c) In the event of insertion of a new Canon, or a new Section or Clause in a Canon, or of the
20 repeal of an existing Canon, or of a Section or Clause, the numbering of the Canons, or of a
21 division of a Canon, which follows shall be changed accordingly without the necessity of enact-
22 ing an amendment or amendments to that effect.

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CANON 2 Effective Date of Canons

28 These canons shall become effective upon ratification by the Convention of the Diocese of East
29 Carolina, and all subsequent canons and amendments ratified by the Convention of the Diocese
30 shall take effect immediately upon their ratification unless otherwise specified in the newly ad-
31 opted canon or amendment. Additional canons enacted by the Convention of the Diocese shall
32 be grouped under the appropriate title, and numbered consecutively within the separate titles of
33 the canons.

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CANON 3 Official Copies of Constitution and Canons

39 There shall be provided by the Secretary of the Convention three official copies of the Consti-
40 tution, Canons and Rules of Order as they now exist, each certified by the Secretary that it is a
41 correct copy. One shall be delivered to the Bishop of the Diocese, one kept by the Secretary of

1 the Diocese, and one delivered to the Chancellor of the Diocese; and as changes are made from
2 time to time certified copies of said changes shall be furnished by the Secretary to each of said
3 officials to the end that there shall always be preserved for the use of the officials of the Diocese
4 three sets of these documents.

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CANON 4
Citation of Canons

10 All references to the Canons of the Diocese of East Carolina shall refer to Title, Canon and Sec-
11 tion and Clause number, if any, in the following form: the Title, the Canon, the Section and the
12 Clause, in each case separated by a period.

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CANON 5
Repealer of Prior Canons

18 All former canons of the Diocese of East Carolina, not specifically incorporated in these revised
19 canons, are hereby repealed.

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21 Ratified in Convention and effective, February 13, 1993

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