

CONSTITUTION AND CANONS  
OF THE  
PROTESTANT EPISCOPAL CHURCH  
IN THE DIOCESE OF ARKANSAS



As Revised by Diocesan Convention, February 2015

## TABLE OF CONTENTS

### CONSTITUTION

#### ARTICLE

I. Area: Union with General Convention: Meetings of Convention	I
II. Membership in the Convention	I
III. Quorum	3
IV. Voting in the Convention	3
V. Election of Bishops	4
VI. Ecclesiastical Authority	5
VII. The President of the Convention	5
VIII. The Secretary of the Convention	5
IX. Diocesan Committees and Officers	6
X. Tenure of Church Property	6
XI. Amendments	7

### CANONS

#### CANON

1. Of the Clerical Members of the Convention	8
2. Of the Lay Delegates of the Convention	8
3. Of Meetings of the Convention	9
4. Of the Order of Business of the Convention	10
5. Of the Secretary of the Convention and Diocese	13
6. Of the Treasurer of the Diocese	14
7. Of the Chancellor of the Diocese	14
8. Of the Registrar of the Diocese	15
9. Of the Historiographer and Archivist	15
10. Of Failure to Elect Officers; Vacancies in Office; and Duration of Terms	16
11. Of the Standing Committee	16
12. Of the Commission on Ministry	18
13. Of the Executive Council and Cathedral Chapter of the Diocese	18
14. Of the Board of Trustees of the Diocese of Arkansas	22
15. Of Boards of Trustees of Institutions, Establishments and Functions of the Diocese of Arkansas	23
16. Of the Permanent Episcopate Fund	25
17. Of the Commission on Church Architecture and Allied Arts	26

18. Of Deputies to the General Convention	27
19. Of Deputies to the Provincial Synod	28
20. Of the Church Pension Fund	28
21. Of Fiscal Year, Bonds and Audits	30
22. Of the Formation of a Parish and Its Admission Into Union With the Convention and Its Continued Status Therein	31
23. Of an Organized Mission and Its Admission Into Union With the Convention and Its Continued Status Therein	34
24. Of Parish Meetings and Elections	37
25. Of the Powers and Duties of Parish Vestries	40
26. Of the Selection of Assistant Clergy	32
27. Of Vacant Parishes and of Members of the Clergy	42
28. Of Parish Register and Parochial Report	43
29. Of Auxiliary Organizations	44
30. Of Ecclesiastical Discipline	45
31. Of the Episcopal Day School Commission	48
32. Of Convocations	49
33. Of the Commission on the Constitution and Canons	50
34. Of Amendments of Canons	50

**CONSTITUTION  
OF  
THE EPISCOPAL CHURCH  
IN THE  
DIOCESE OF ARKANSAS**

**ARTICLE I.**

**Area: Union with General Convention:  
Meetings of Convention**

Section 1. That part of The Episcopal Church which is within the State of Arkansas shall be known and designated as the Episcopal Church in the Diocese of Arkansas ("Diocese").

Section 2. The Episcopal Church in the Diocese of Arkansas is a part of that branch of the Holy catholic Church known as The Episcopal Church, and recognizes and accedes to the Constitution and Canons of the same.

Section 3. The regular Annual Convention ("Convention") of the Diocese shall meet at the time fixed by Canon and at the place selected by the preceding Annual Convention. But the Ecclesiastical Authority of the Diocese for good cause may change the time or place of meeting. Special or called meetings of the Convention may be provided for by Canon.

**ARTICLE II.**

**Membership in the Convention**

Section 1. The Convention shall be composed of the Bishop, the Bishop Coadjutor, the Bishops Suffragan, Clerical and Lay Members, and certain persons referred to in Section 4(b) and (c) of this Article, who shall be members of the Convention by virtue of their office.

Section 2. The Bishop, Bishop Coadjutor, and Bishops Suffragan shall have the right of debating and of voting upon any question coming before the Convention.

Section 3. Every ordained person in good standing, and Canonically resident in the Diocese, shall be a member of the Convention; PROVIDED, however, that clerical members who have retired or resigned, or who are not actively employed in an administrative position, a congregation, or an institution of this Diocese, shall not be entitled to a vote unless they have been so employed in this Diocese for at least three years prior to their retirement or resignation; and provided further, that in order to vote in any Convention, any ordained person who has been Canonically

resident for as long as three years, must have attended at least two of the previous three Annual Conventions, unless excused by the Bishop.

Section 4. The Lay Members of the Convention shall be:(a) The regularly selected Delegates from each congregation . They shall be confirmed communicants in good standing of the Congregation and at least sixteen (16) years of age. Each congregation shall be entitled to have two Delegates and two alternate Delegates subject to such restrictions as may be provided by Canon. Additional Delegates from Congregations may be seated based upon the Average Sunday Attendance (ASA) reported in the most recent Annual Parochial Report available to the clerk of the Convention. Congregations with an Average Sunday Attendance of more than 149, but less than 250, shall be entitled to one additional Delegate and one additional alternate Delegate (total of three Delegates and three alternate Delegates). Congregations with an Average Sunday Attendance equal to or greater than 250 shall be entitled to two additional Delegates and two additional alternate Delegates (total of four Delegates and four alternate Delegates).

(b) The Chancellor of the Diocese, Treasurer of the Diocese, Registrar, Historiographer, and lay members of the Standing Committee, the lay voting members of the Executive Council and Cathedral Chapter, and the lay members of the Board of Trustees of the Diocese. Such persons, by virtue of their office, may engage in debate and vote upon any questions, except the election of a Bishop, Bishop Coadjutor, Bishop Suffragan, or where the vote is taken by Orders. This provision is not intended to curtail the rights of persons who, in addition to holding any of the positions mentioned in this sub-paragraph, are lay Delegates or Clerical Members of the Convention.

(c) The Annual Convention of the Episcopal Youth Community of the Diocese shall elect three Delegates and three alternates who are communicants of this Diocese to the Convention of the Diocese, who shall be certified to the Secretary of the Convention by the youth coordinator of the diocese and who shall have seat, voice, and vote in the Convention.

(d) The Bishop, with the advice of the Executive Council, shall select three Delegates and three alternates to the Convention who are full-time students in part-secondary educational institutions and who are communicants of this Diocese. They shall be certified to the Secretary of the Diocese by the Bishop and shall have seat, voice, and vote in the Convention.

### **ARTICLE III.**

#### **Quorum.**

A quorum of the Convention shall consist of one-half of the Clerical Members and one or more of the duly elected Delegates from one-half of the Congregations entitled to representation in the Convention. A smaller number may adjourn from day to day until the third day when, if no quorum is then present, the Convention shall stand adjourned sine die.

### **ARTICLE IV.**

#### **Voting in the Convention.**

##### Section 1.

(a) Except as otherwise provided, in all matters that may come before the Convention the clergy and laity shall deliberate as one body and the adoption or rejection of any matter submitted for their consideration shall be determined by a majority of those voting thereon. But when any five members require it there shall be a vote by Orders. Lay Delegates, from parishes, missions, and the Episcopal Youth Community shall constitute the lay Order; all Clerical Members shall constitute the clerical Order. A majority of the votes in each Order on the same ballot shall be necessary for passage of a measure.

(b) A request for a vote by Orders can be made as to any motion, amendment, substitute motion or motion as amended by any five members of the Convention and will be binding if the request is made at any time prior to the vote thereon.

(c) In a vote by Orders ex-officio Lay Members of the Convention shall not be entitled to vote unless also eligible to vote as Delegates.

(d) In a vote by Orders an unfavorable vote by either Order shall defeat the matter. There shall be no vote by Orders in any election except as provided for in Article V of this Constitution.

##### Section 2.

(a) Election by the Convention to position or office requires a majority of all the votes cast in the ballot, except as hereinafter provided.

(b) In no case may anyone be declared elected to membership on the Standing Committee, the Executive Council and Cathedral Chapter, the Board of Trustees of the Diocese, or as deputy or provisional deputy to General Convention, without having received a clear majority of all the votes cast in the determining ballot.

(c) In any election where there is more than one position to be filled, if a voter votes for fewer or more persons than the total number to be filled, that ballot shall be invalid and not counted.

(d) In any election for the positions specified in paragraph (b) above where there is more than one position to be filled as the result of one ballot, those receiving a majority and the highest number of votes on the first or any subsequent ballot shall be declared elected. If all the positions have not been filled as the result of the first ballot, prior to the taking of the next and each subsequent ballot, the number of candidates shall be reduced to not more than double the number of positions yet to be filled, by eliminating those receiving the smaller number of votes on the previous ballot, unless this is prevented by a tie, in which event the names of all those who tied will be retained on the next ballot.

(e) In elections other than for the positions specified in paragraph (b) above, where there is more than one position to be filled as the result of one ballot, the positions shall be filled by those receiving the highest number of votes on the first ballot unless this is prevented by a tie, in which event all those who tied will be on the next ballot.

(f) In the event that terms being filled at an election are of different duration, those persons receiving the larger number of votes on the ballot on which they were elected shall have the longer term. If more than one ballot is required to fill all the positions those persons elected last shall receive the shorter term.

## **ARTICLE V.**

### **Election of Bishops.**

Section 1. The election of a Bishop, a Bishop Coadjutor, or Bishop Suffragan, shall be made at Annual Convention or at a called special Convention composed of the Clerical Members and Lay Delegates or alternate Delegates appointed for the immediately preceding Annual Convention. After nomination in open Convention, the Clerical Members and Lay Delegates shall vote by Orders by written ballot, and the required majority in each Order on the same ballot shall be necessary to elect. If two-thirds of the members of an Order entitled to vote be present at Convention, a majority vote shall determine the choice of such Order; if less than two-thirds of the members of an Order entitled to vote are present at Convention, the vote of two-thirds of those present in such Order shall be necessary for that purpose.

## **ARTICLE VI**

### **The Ecclesiastical Authority**

Section 1. The Bishop is the Ecclesiastical Authority of the Diocese and exercises ordinary jurisdiction within the Diocese, including the duties in Article VII following. The Bishop is also the Chief Pastor and Liturgical Officer of the Diocese and, as such, has the right to officiate within any congregation or elsewhere in the Diocese.

Section 2. If the Bishop becomes disabled, the Bishop Coadjutor, if there is one, shall assume all the powers and perform all the duties of the Bishop of the Diocese and shall be the Ecclesiastical Authority.

Section 3. If there is no Bishop or Bishop Coadjutor able to act, the Standing Committee shall be the Ecclesiastical Authority.

Section 4. If the Bishop is absent, a Bishop Coadjutor or the Standing Committee, if authorized in writing by the Bishop, shall act as the Ecclesiastical Authority until that authority is revoked by the Bishop.

## **ARTICLE VII.**

### **The President of the Convention.**

The Bishop of the Diocese shall be the President of the Convention. However, in case of a vacancy or disability, then the presidency shall devolve as follows: first, on the Bishop Coadjutor, and then on the President of the Standing Committee. In the event of the absence or disability of said persons, then the Convention shall elect a president pro tempore from its clerical or lay membership.

## **ARTICLE VIII.**

### **The Secretary of the Convention.**

The Secretary of the Executive Council ("Secretary") shall also serve as Secretary of the Annual Convention. The Secretary shall make minutes of the Convention proceedings, preserve its journal and records, attest its official acts, and faithfully deliver to the next Secretary all books and papers held by virtue of the office. The Secretary shall, as soon as possible, after the adjournment of any Annual or Special Convention, publish the journal of its proceedings. The Secretary shall give at least thirty days' prior notice to every member of the clergy entitled to a seat in the Convention and to the Senior Warden or Secretary of each parish and organized mission of the time and place of meeting of each Convention.



If a vacancy shall occur in the office of the Secretary of the Executive Council/Convention, the Executive Council shall elect a successor Secretary at its next meeting, who shall assume immediately the duties of the Secretary of the Convention and serve until a successor is elected by the Executive Council.

## **ARTICLE IX.**

### **Diocesan Committees and Officers.**

The Convention shall provide by Canon for the appointment or election of a Standing Committee, an Executive Council and Cathedral Chapter, and other committees and boards of the Diocese, and of a Treasurer, and shall regulate by Canon their authority, terms of office, manner of selection, compensation and duties.

## **ARTICLE X.**

### **Tenure of Church Property.**

Section 1. The legal title to all lands and real estate held for the use of the Diocese or for any Mission shall be vested in the Bishop and successors in office.

The legal title to all lands and real estate held for the use of a Parish shall be vested either in the Bishop or in the Rector and Wardens of such Parish and their successors in office.

Section 2. The Bishop, in whose name the property of the Diocese or of any Mission may be vested, shall not lease, encumber, alienate or convey such property without the consent of the Standing Committee. When a Mission becomes a Parish, the vestry may request the transfer of the title of the mission property, real and personal, from the Bishop to the Rector and Wardens and their successors provided that the Parish has, in a manner satisfactory to the Bishop, arranged for the total release of the Diocese from all liability for mortgage or other debts which may have been created by the Diocese for the Mission, the payment of which is secured by a lien on the property being conveyed. Subject to any other conditions which the Bishop may see fit to impose, and to the approval of the Standing Committee, the Bishop may make the transfer.

Section 3. The Rector and Wardens, or other person or persons, in whose names the property of any Parish may be vested shall not lease, encumber, alienate or convey such property without the consent of the Bishop, the Standing Committee and the vestry of such Parish.

Section 4. When any Parish shall cease to exist and that fact has been declared by action of the Convention, the title to all of its

property, both real and personal, immediately shall vest in the Bishop to be held for the use and benefit of any Mission in succession to such Parish. In the event no Mission shall succeed such Parish, after lapse of a reasonable time, which time shall be determined by the Convention, then such property or the proceeds therefrom, shall be used for such work in the Diocese as the Bishop and the Executive Council shall direct. Upon the dissolution of the Parish, all of its personal property shall be delivered by the person or persons who hold same, to the Bishop or the Bishop's designee

Section 5. When any mission shall fail to perform its functions as an organized mission and the Ecclesiastical Authority shall have certified that fact to the diocesan Convention, after lapse of a reasonable time, which time shall be determined by the Convention, then all its real and personal property or proceeds therefrom, shall be used for such work in the Diocese as the Bishop and Executive Council shall direct.

## **ARTICLE XI.**

### **Amendments.**

Any proposed amendment to this Constitution shall be submitted in writing to the Convention and if approved by a majority of those voting thereon, a copy shall be transmitted by the Secretary within three months after the adjournment of the Convention to each Parish and Mission in the Diocese; and if at the next Convention such amendment is approved by a majority of both Orders voting separately and by the Bishop, it shall then become a part of this Constitution; provided, however, that approval by a majority vote at only one Convention shall be required for an amendment to an Article proposed by the Bishop and approved by the Commission on the Constitution and Canons and the Executive Council, which correct typographical, punctuation or verb tense errors or which is a clarification that does not change the meaning or substance of such provision. However, should the Bishop disapprove of any proposed amendment, that Convention may, by a two-thirds vote of each Order, voting separately and concurrently, override such disapproval and the amendment shall become effective.

**CANONS  
OF THE  
EPISCOPAL CHURCH  
IN THE  
DIOCESE OF ARKANSAS**

**CANON 1.**

**Of the Clerical Members of the Convention.**

Section 1. At least one week prior to the meeting of the Convention the Ecclesiastical Authority shall cause to be prepared a list of all the clergy of the Church Canonically resident in this Diocese; and such list shall be transmitted immediately to the Secretary of the Convention. Such list shall give the names, titles, post office addresses, parishes, cures, missions, stations or other work of the clergy, and shall indicate: (a) those who, under Article II of the Constitution are entitled to vote in the Convention; and (b) those who are not entitled to vote.

Section 2. Such list shall be prima facie evidence of status as a member of the clergy in the Diocese. The right of any member of the clergy to seat or vote in the Convention, if claimed or disputed, shall be determined by the Convention in accordance with the provisions of the Constitution, whether the name be included in such list or not.

Section 3. It shall be the duty of each member of the clergy, Canonically resident (and actually) within the Diocese, to attend every meeting of the Convention unless excused by the Bishop for sufficient cause.

**CANON 2.**

**Of the Lay Delegates of the Convention.**

Section 1. Lay Delegates and alternate Delegates from Parishes shall be elected by the vestries and those from organized Missions shall be elected by the Mission vestries of such missions, PROVIDED, that if a vacancy occurs in the delegation within two weeks prior to any meeting of the Convention the member of the clergy in charge of a Parish or Mission shall have the power to fill such vacancy and report the change by certificate; one copy to be furnished to the delegation and another copy delivered to the Secretary of the Convention prior to the first day of the Convention.

Section 2. The evidence of the election of lay Delegates and alternate Delegates shall be a certificate signed by the Presiding Officer or Secretary of the vestry making such appointments. Such certificate shall contain the name and full mailing address of each person so elected or appointed, and shall be executed in as many copies as required by the Ecclesiastical Authority of the Diocese. One copy of this certificate shall be furnished to the delegation, and the number required by the Ecclesiastical Authority mailed to the Secretary of the Convention not later than thirty days prior to the convening of the Convention.

Section 3. No alternate Delegate shall sit as a Delegate except during a vacancy in the delegation. The alternates shall be seated according to the order in which they appear on the certificate of election.

Section 4. The Secretary of the Convention shall prepare a list of the Delegates and their alternates in accordance with the certificates duly submitted. This list shall be laid before the Convention and such list shall be prima facie evidence of their election as such.

Section 5. Should any question be raised as to the right of any person to act as a Delegate the matter shall be referred to a Committee on Credentials to be named by the President. This committee shall proceed at once to hear the evidence presented and make its report without delay to the Convention, which shall determine by a majority vote the right of such person to sit as a Delegate. Until the Convention has voted, the person whose right is questioned shall not be entitled to the privileges of a Delegate.

Section 6. A representative from a Mission Station appointed by the missionary-in-charge or, where there is no missionary-in-charge, by the Ecclesiastical Authority, shall have a seat and voice in the Convention, but no vote.

### **CANON 3. Of Meetings of the Convention.**

Section 1. There shall be an Annual Convention of the Diocese to be held on a date designated by the Ecclesiastical Authority at such place as the preceding Convention has designated provided, however, the Ecclesiastical Authority for good cause may change the time and place of the meeting.

Section 2. Special meetings of the Convention may be called by the Ecclesiastical Authority when the welfare of the Diocese shall require it. Notice of such special meeting shall be given by mail to

each member of the clergy, the senior warden of each Parish, and the warden of the Mission vestry of each organized Mission in the Diocese at least ten days previous to such meeting, in which notice the business to be proposed at such special meeting shall be specified. No business except that for which such meeting may be called shall be transacted at such meeting unless by consent of two-thirds of the Delegates to such Convention.

Section 3. It shall be the duty of each Parish and Mission to defray the expense of its Clerical Members and lay Delegates to any meeting of the Convention.

Section 4. (a) Eligibility of the clergy to membership in a Special Convention and their entitlement to vote in the Convention shall be determined in accordance with Article II of the Constitution, as of the date of the Special Meeting.

(b) Lay Delegates to a Special Convention shall be only those regular and alternate delegates who were appointed by their vestry or mission vestry to attend the Annual Convention immediately preceding the Special Convention; PROVIDED, that any vacancies which have occurred among the regular Delegates shall be filled by the original alternate Delegates, vacancies among alternate Delegates to be filled by appointment of the Rector or Vicar of new alternate Delegates.

Section 5. At least ninety (90) days before the date of each Annual Convention and as far in advance of any Special Convention as practical, the Executive Council shall determine and notify the Rector and vestry of the parish at which said Annual Convention or Special Convention is to convene, of the amount of the registration fees said parish shall charge each person in attendance at the Annual or Special Convention and the items which it shall cover, such fees to be in addition to the diocesan appropriation for Convention expenses.

## **CANON 4.**

### **Of the Order of Business of the Convention.**

Section 1. At the convening of the Annual Convention the Bishop, or if absent, the Bishop Coadjutor, or in the absence of both, the President of the Standing Committee, or if absent, such presbyter designated by the Standing Committee, shall take the chair for the purpose of organization, after which the order of procedure shall be as follows; PROVIDED that there shall always be a corporate celebration of the Holy Communion at some time during each Convention.

(a) The presiding officer shall appoint a Committee on Credentials.

(b) The Secretary shall inform the presiding officer whether or not a quorum of the Clerical Members and Lay Delegates entitled to seats and votes is present as evidenced by certificates forwarded to the Secretary prior to Convention and by said Clerical Members and Lay Delegates having personally registered with the Secretary or a designee prior to the opening session.

(c) If the right of any Parish or Mission to representation be challenged, its right shall be suspended, and the question shall be referred to the Committee on Credentials for report thereon.

(d) In case the Bishop, Bishop Coadjutor and President of the Standing Committee are absent or unable to act, a president pro tempore shall be elected from the clerical or lay membership.

Section 2. The Convention having been organized, the order of business shall be as follows:

(i) Appointment of the following committees by the President:

(a) On Resolutions: To which shall be referred all resolutions, memorials, and comparable matters, not otherwise provided for. This committee shall be available for assistance in drafting and shall also have authority to initiate Resolutions and to alter those submitted to it. In reporting Resolutions to the Convention, the committee shall state whether or not it recommends the adoption of the Resolution or whether it takes no position thereon;

(b) Such other committees as the President deems expedient;

(2) Determination of contested right or claim to seat as a Clerical Member of the Convention;

(3) Certificates of Lay Delegates, laid aside as irregular and defective, shall be reported to the Convention; and the Convention shall decide on the admission of the delegates named therein;

(4) Reading of the names of delinquent parishes and organized missions; and the Convention may take such action in each case as it may deem proper;

(5) The reception and reference of applications by parishes and missions for Admission into union with the Convention ;

(6) Notice given of proposed alterations and amendments for the Constitution or Canons, of resolutions, reports and other matters, for future legislative action;

(7) Annual Address of the Bishop, unless the Bishop should prefer another time for its delivery;

(8) Report of the Secretary when any business has been committed to that officer;

(9) Report of the Standing Committee of the diocese;

(10) Report of the Executive Council and Cathedral Chapter;

(11) Report of the Treasurer and other Officers of the diocese;

(12) Report of the Board of Trustees;

(13) Report of the Commission on Ministry;

(14) Reports from all Educational Institutions in which the diocese has an interest;

(15) Other reports;

(16) Elections; and

(17) New business.

Section 3. On any subsequent day the order of business, after prayers, shall be:

(1) Receiving the report of the Secretary on certificates of lay delegates not previously presented;

(2) Reports not presented the day before; and

(3) Unfinished business.

Section 4. The President may, for the sake of convenience, change the order of business; and may use time between any two items of business to make appointments, to introduce visitors, to have addresses of interest made to the Convention, or for other proper purposes.

Section 5. Where not in conflict with the Constitution and Canons, Robert's Rules of Order shall control on any question of parliamentary law or rules of order.

Section 6.

(a) For each Annual Convention, the Ecclesiastical Authority shall, at least three months prior to the convening date of the convention, appoint a Nominating Committee on which non-members of the Convention shall be eligible to serve. The committee shall be composed of a minimum of five and a maximum of ten, and shall be representative geographically of the Diocese.

(b) The committee may publicize a list of the offices and positions to be filled by election in order to receive, from the Diocese at large, suggestions to aid in the selection of nominees.

(c) For most elective offices and positions the committee shall endeavor to present at least two nominations for each office or position to be filled but in the case of General Convention Deputies and provisional deputies it shall suffice to nominate half again as many in each Order as the number to be elected.

(d) The Nominating Committee shall provide a brief biographical sketch of its nominees. to include, among other facts, vestry service, occupation or profession, educational background, and service in the General Church program. The committee shall use a standard questionnaire to obtain data for these sketches and it shall include a statement of the nominee's willingness to serve if elected. Copies of this biographical material shall be distributed to the voting members of the Convention not later than the time of the report of the Nominating Committee.

(e) After the report of the Nominating Committee the floor shall be open for the further nominations by members of the Convention and copies of the standard questionnaire shall be furnished to those making nomination. It shall be Nominating Committee's responsibility to obtain the required information about these nominees and to return the completed questionnaires to the committee so that additional biographical sketches may be prepared and distributed before the time of voting.

Section 7. For each meeting of the Convention at which a Bishop, Bishop Coadjutor, or a Bishop Suffragan is to be elected, the Ecclesiastical Authority shall appoint a special nominating committee of the size or representation and with the powers and procedure above set forth; provided, however, that any additional nomination from the floor of the Convention of a person for the office of Bishop, Bishop Coadjutor or Bishop Suffragan, shall be accompanied by written certification that the person nominated has consented thereto . A biographical sketch and photograph of any person so nominated shall be furnished the Secretary of the Convention in form and quantity suitable for distribution at the Convention.

## **CANON 5.**

### **Of the Secretary of the Convention and Diocese.**

Section 1. The Secretary of the Executive Council shall also serve as Secretary of the Annual Convention.

Section 2. In addition to the duties, or the authority conferred upon the Secretary by the Constitution or Canons of the Diocese or by the Canons for the Government of The Episcopal Church, the Secretary shall transmit annually to the Secretary of the House of Deputies of the General Convention, a copy of the journal of each Convention.

Section 3. The expenses incurred by this Secretary in the performance of official duties when approved by the Ecclesiastical Authority shall be paid as provided by the Executive Council.



Section 4. Promptly after the adjournment of the Convention the Secretary shall notify in writing all persons who have been elected or appointed to any Diocesan office, board, committee or commission.

## **CANON 6.**

### **Of the Treasurer of the Diocese.**

Section 1. The Treasurer of the Diocese shall be elected annually by the Executive Council at its first meeting after the Annual Convention and shall continue in office until a successor is elected and is qualified. The Treasurer shall also serve as Treasurer of the Executive Council and shall receive and disburse all monies collected under the authority of the Convention or of the Executive Council, shall deposit all monies or funds that are received in such banks or places of deposit as the Executive Council of the Diocese may authorize, shall keep accurate books of accounts which shall be open to inspection by the Department of Finance of the Executive Council, shall give such information upon the finances of the Diocese and conduct of the office as may be required by said Department of Finance or by the Convention of the Diocese, and shall submit to the Convention an annual report of receipts and disbursements.

Section 2. The Executive Council may also designate one or more Assistant Treasurers with the advice and consent of the Treasurer of the Diocese and may fix such compensation for the Treasurer or Assistant Treasurers as the council deems appropriate.

Section 3. It shall be the duty of the Treasurer of the diocese to prepare before the opening of each Annual Convention a list of such parishes and organized missions as are in arrears, that the same may be placed in the hands of the Committee on Credentials of Lay Delegates, and each such parish or mission shall be excluded from lay representation in the Convention until such arrears be paid in full unless the sums in arrears be remitted by the Convention for reasons which are satisfactory to the Convention.

Section 3. The Executive Council shall fill any vacancy in the office of Treasurer or Assistant Treasurer and the appointee shall serve for the balance of the unexpired term or until the successor is duly elected.

## **CANON 7.**

### **Of the Chancellor of the Diocese.**

Section 1. There shall be a Chancellor of the Diocese who shall hold office under the appointment and at the pleasure of the Bishop.

The Chancellor shall be the legal advisor of the Bishop in all cases and upon all questions in which advice is requested.

Section 2. The Bishop may also designate one or more Vice Chancellors, with the advice and consent of the Chancellor, for the same purposes to serve at the pleasure of the Bishop.

Section 3. For advice and other services which would be considered covered by a legal retainer arrangement there shall be no charge to the Diocese by the Chancellor or Vice Chancellors. For other legal services such as examinations of abstracts of title or representation of the diocese in litigation, reasonable fees may be charged.

## **CANON 8.**

### **Of the Registrar of the Diocese.**

There shall be a Registrar of the Diocese who shall hold office under the appointment and at the pleasure of the Bishop.

It shall be the duty of the Registrar, under the direction of the Bishop, to aid in keeping a record of episcopal acts, in preparation of official documents for signature, and of lists of the members of the clergy and of candidates and postulants for Holy Orders.

The Registrar shall have the custody of the archives of the Convention and of its committees, shall assist the Bishop, as and when required, at ordinations and other religious services and shall perform such other acts in relation to the custody, use, certification, and transmission of official records and documents as the Bishop may prescribe.

## **CANON 9.**

### **Of the Historiographer and Archivist.**

There shall be a Historiographer of the Diocese who shall hold office under the appointment and at the pleasure of the Bishop.

It shall be the Historiographer's duty to collect, preserve, arrange and edit historical and biographical matters pertaining to the Diocese, its Parishes, Missions, institutions and activities; and to submit to the Convention an annual report.

There shall also be an Archivist of the Diocese who shall hold office under the appointment and at the pleasure of the Bishop. The Archivist shall assist the Historiographer in collecting, editing, and preserving documents, writings, and materials of an historical and biographical nature and shall collate and index all such materials. All materials turned over to the Archivist shall become the property of the Diocese and shall not be subject to removal except by permission

of the Archivist. The Archivist shall, in collaboration with the Historiographer, select a suitable repository to permanently house all such materials.

The Archivist shall have the power to appoint, subject to the confirmation by the Bishop, additional persons who are communicants of the Church, whose duty it shall be to assist the Historiographer and Archivist in the discharge of the responsibilities hereunder. The Archivist shall submit an annual report to the Convention.

**CANON 10.**  
**Of Failure to Elect Officers; Vacancies in Office;**  
**and Duration of Terms.**

Section 1. In all cases of failure or omission to elect officers by the Convention, the persons last elected shall continue in office until their successors be chosen.

Section 2. In case of vacancies in office occurring during recess, the filling of which is not provided for by Canon, it shall be competent for the Ecclesiastical Authority, with the consent of the Standing Committee, to fill such vacancies.

Section 3. If any member of a Diocesan committee, council, board or commission, is absent for three consecutive meetings, the other members of the body may, by majority vote, declare such member's position to be vacant and may immediately proceed to select a successor to fill the unexpired term.

Section 4. Whenever these Canons provide that a person is elected to a Diocesan office or organization for a term of a year or a designated number of years, it is understood that the term will end at the time for election in the Annual Convention of the Diocese held in the calendar year when the term would otherwise expire.

**CANON 11.**  
**Of the Standing Committee.**

Section 1. The Standing Committee of the Diocese shall be composed of three members of the clergy, one of whom may be a deacon, who have been Canonically resident and in active service within the Diocese for at least three years, including two consecutive years immediately prior to election, and of three lay persons of not less than twenty-four years of age who have been resident confirmed communicants of the Diocese for at least three years, including two consecutive years immediately prior to election; provided however, no member of the clergy or lay person shall be elected to or serve on the

Standing Committee and the Commission on Ministry at the same time. They shall elect one of their number as President and one as Secretary, who shall have the right to vote on all questions. A majority of the committee shall constitute a quorum.

In the event of a tie-vote, the position taken by the voters agreeing with the President of the committee shall prevail, unless a different vote shall be required by the Canons for the Government of the Episcopal Church in the United States.

The members of the Standing Committee shall be elected for three-year terms and the term of one clerical member and one lay member shall expire each year. No member of the Standing Committee shall be eligible for re-election until the Annual Convention next following the expiration of that member's term.

Section 2. Vacancies in the Standing Committee from any cause shall be filled by the other members of the committee at a regular meeting or at a special meeting called for that purpose. Any person selected for an unexpired term of one year or less shall be eligible for election by the Convention to a three year term.

Section 3. The Standing Committee shall appoint a time and place for regular meetings, notice of which shall be given. Special meetings may be called by the Bishop, by the President of the committee or by a majority of the members, but no special meeting shall be legal unless two days notice thereof in writing or by email has been given each member. Special meetings may be held by conference call.

Section 4. The President of the Standing Committee shall make a report in writing to the Annual Convention of all the official acts of the committee during the preceding year. This report shall be published in the journal.

Section 5. The Bishop or the Ecclesiastical Authority of the Diocese shall not acquire by lease, purchase or gift any real property or interest in real property for the Diocese or any Mission without the consent of the Standing Committee. The Rector and Wardens of any Parish shall not acquire, by lease, purchase or gift, any real property or interest in real property in the name of the Parish without first obtaining the consent of the Standing Committee and the Bishop of the Diocese.

Section 6. The duties of the Standing Committee shall be those prescribed by the Canons for the Government of The Episcopal Church and those additional duties assigned by the Bishop.

## **CANON 12.**

### **Of the Commission on Ministry.**

Section 1. In compliance with the Constitution and Canons for the Government of The Episcopal Church, there shall be a diocesan Commission on Ministry. It shall consist of twelve persons, including both clergy and lay communicants Canonically resident in the Diocese; provided however, no presbyter or lay person shall be elected to or serve on the Commission on Ministry and the Standing Committee at the same time. They shall be nominated by the Bishop, and confirmed by the Annual Convention, two each year for terms of six years.

Section 2. The Bishop shall be, an ex officio member of the commission, as shall be the Bishop Coadjutor and any Bishop Suffragan, if there be such.

Section 3. Should any vacancies occur on the Commission on Ministry when the Convention is not in session, such vacancies may be filled by appointment of the Bishop with the advice and consent of the Standing Committee. Members so appointed shall serve until the next Convention.

Section 4. The duties of the Commission on Ministry shall be those prescribed by the Canons for the Government of The Episcopal Church and those additional duties assigned by the Bishop.

Section 5. The Commission shall make a report concerning its work to each Annual Convention of the Diocese. .

Section 6. The Commission shall meet upon the call of the Ecclesiastical Authority, and a majority of the Commission shall constitute a quorum.

## **CANON 13.**

### **Of the Executive Council and Cathedral Chapter of the Diocese**

Section 1. There shall be an Executive Council, which shall also be the Cathedral Chapter of the Diocese, composed of the Bishop; the Bishop Coadjutor, if there be one; the Bishop Suffragan, if there be one; the Archdeacon, if there be one the Dean of the Cathedral; the President of the Standing Committee; the Chancellor of the Diocese; the President of the Episcopal Churchwomen of the Diocese; the President of the Episcopal Churchmen's Association of the Diocese; the Chair of the Camp Mitchell Board of Trustees, the elected representative of the Episcopal Youth Community of the Diocese; one college student, who shall be a confirmed communicant of this Diocese, to be selected annually in a manner to be determined

by the Executive Council; one member of the clergy and one lay person resident in and elected by each of the convocation assemblies of the Diocese; one member of the clergy and one lay person elected at large by the Annual Convention; and a maximum of three appointed members.

The terms of all elected members shall be for three years and the terms of appointed members shall be for one year; provided, however, that the members first elected by the convocation assemblies and the Annual Convention as herein provided shall serve terms of three, two and one years as determined by lot at the next succeeding Annual Convention. Thereafter, each such member shall serve a term of three years. The Secretary of the Convention shall determine the number of members in each Order to be elected annually so that the terms of one-third of the members in each Order shall expire annually. No retiring member shall be eligible for re-election until the convocation assembly or Annual Convention next following the expiration of such member's term.

The Executive Council and Cathedral Chapter shall have power to fill any vacancies in its elected membership which may occur through death, resignation, removal from convocation area, or removal from the Diocese; provided, that a convocational vacancy shall be filled after consultation with the Convocational Dean. Any person so appointed for an unexpired term of one year or less shall be eligible for election to a succeeding three year term.

The appointed members shall be appointed by the Bishop and each appointment shall be subject to confirmation by the Executive Council. A vacancy among the appointed members may be filled in the same manner as the original appointment.

Section 2. The Executive Council and Cathedral Chapter, herein referred to as the Executive Council, shall exercise the powers of the Convention, between the meetings thereof; shall supervise the temporal affairs of the Cathedral of the Diocese; shall be responsible for the program and budget of the Diocese; and shall perform such other duties as may be committed to it by the Convention. It shall also have the power to initiate and develop such new work, between meetings of the Convention, as it may deem necessary or to the best interests of the Diocese, subject, however, to the provisions of the Constitution and Canons of the Diocese and other directions of the Convention.

Section 3. The Bishop shall be ex-officio President of the Executive Council. In the absence or inability of the Bishop to serve, or by agreement between the Bishop and the Bishop Coadjutor, all

duties devolving upon the Bishop in this Canon shall become the duties of the Bishop Coadjutor. The Executive Council shall elect from among its own members a Vice President . It shall also elect, at the first meeting following the Annual Convention, a Secretary and a Treasurer of the council.

They need not be members of the council but upon election the Treasurer shall become ex-officio a member. The Treasurer of the council shall also serve as the Treasurer of the diocese. The Secretary of the Executive Council shall also serve as Secretary of the Annual Convention

Section 5. The Executive Council may organize such departments, divisions or committees as its work may require, except that there shall always be a Department of Finance.

In the furtherance of these purposes, the Executive Council may adopt By-Laws for its governance.

Section 6. The Bishop shall be ex officio head of each body organized under Section 5, with the duty to appoint, subject to confirmation by the Executive Council, one member as the Chair and executive head, under the supervision of the Bishop, of each body. Each body shall have power to appoint, subject to confirmation by the Executive Council, additional members from outside the Executive Council who are communicants of the Diocese. These additional members shall have seats and votes in the body, but shall be without seat or vote in the Executive Council.

Section 7. The President of the Executive Council shall require and receive at stated times from each body organized under Section 5, a report of the work done under its direction. At the last meeting of the Council before the Annual Convention, each such body shall submit to the President a written annual report covering the year's work of the body, to be consolidated with the report of the Executive Council and transmitted by it to the Convention.

Section 8. It shall be the duty of the Executive Council to encourage and assist every Parish and Mission of the Diocese to make an annual every member canvass for the support and extension of the work of the Church and towards the end that all members pledge to the Church a proportionate part of their income. The Executive Council shall, in such manner as it deems best, encourage each Parish and Mission to determine for itself the amount to be committed to the Diocese for the support of the Diocese and General Church during each calendar year, notification of such commitments to be received by the Department of Finance before December 15 of each year. Commitments shall be payable in 12 equal installments on a date

or dates in each month to be fixed by the Parish or Mission and beginning in January. Monthly installments may be prepaid. Commitments shall not purport to divide the total amount as between the Diocese and General Church.

Section 9. Promptly after December 15 of each year, and on the basis of the commitments received, the Executive Council shall carefully prepare a budget for the operating expenses of the Diocese and for the execution of the program of the Church for the ensuing calendar year. Upon adoption by the Executive Council, this budget shall be the accepted budget for the Diocese for the year and shall be reported to the Convention as such. However, the Convention shall have the right to withdraw, add to, or make changes in any item of said budget relative to the remainder of that calendar year or relative to the calendar years subsequent to its action and the Executive Council must conform thereto.

Section 10. Any Parish or Mission shall have the right, if it deems necessary, to apply to the Bishop or the council for an extension of the time within which to file its commitment and any parish or mission may apply to the council or to the diocesan Convention for revision of the amount of its commitment. A Parish or Mission which does not file its commitment by said December 15 or has not by that date filed a written request for an extension of time in which to file that commitment, and a Parish or Mission which does not pay at least the amount proposed on or before the date set forth in its commitment or as revised with the consent of the Executive Council shall be considered in arrears and delinquent for the purposes of these Canons, and the Treasurer of the Diocese shall report such fact to the Secretary of the next Convention. ; provided that the Executive Council may, on proper showing, waive the penalties of this Canon.

Section 10. The Executive Council shall have power to ask for reports, statements and information as to matters within its power or jurisdiction, from every Parish, Mission, commission, or other institution which is in affiliation with or under the control of the Diocese as it may deem necessary, and such reports, statements and information shall be promptly given.

Section 11. The Executive Council shall meet at least four times each year, the place and time to be decided by the Executive Council in consultation with the Bishop or as the Executive Council may prescribe by By-Laws. The necessary expenses of the members in attending the meetings of the Executive Council shall be paid out of the treasury of the Executive Council upon presentation of



requisition therefor. A majority of the elected and appointed voting members of the Executive Council shall constitute a quorum. Members of the Executive Council may participate in meetings of the Council by conference call.

#### **CANON 14.**

##### **Of the Board of Trustees of the Diocese of Arkansas.**

Section 1. There shall be a Board of Trustees of the Diocese of Arkansas (the "Board") to consist of the Bishop and the Chancellor and the Treasurer, as ex-officio members, and six persons Canonically resident in the Diocese; that is to say, two members of the clergy and four lay persons who shall serve for terms of six years. Two of the lay persons shall be appointed by the Bishop. For the four elected members, the terms shall be so arranged that one member of the clergy and one lay person shall be elected at every third Annual Convention of the Diocese. Persons elected or appointed to the Board shall have knowledge of investments and money management and should have experience in banking, investment banking, financial services or investment advisory services.

Section 2. Each member of the Board shall hold office until a successor is elected, which election shall be held at the sixth Annual Convention subsequent to the original election of that member. In case of a vacancy in the Board by reason of the death or resignation or removal of any member of the same, the remaining members of the Board shall choose some communicant of the Diocese, member of the clergy or lay person as the case may be, to fill said vacancy, such election to be confirmed by the Executive Council of the Diocese. The person so chosen shall hold office for the unexpired term of the person vacating the same.

Section 3. It shall be the duty of the Board to be the Bishop's principal advisors in the investment and management of the capital funds and assets of the Diocese. Such records shall be kept as will enable the board to know at all times the status of property owned by the Diocese, whether it be in the form of real estate, stocks, bonds, mortgages, cash in banks, or of any other nature, as well as capital indebtedness secured by any such properties.

Section 4. The Board shall have title to and control of all the securities and permanent funds of the Diocese. It shall be the duty of the Board thoroughly to safeguard the interests of the Diocese as represented in such funds and securities. The Board shall have the power and authority to sell any security or securities if in its judgment the same should be sold, and to invest any cash coming into its hands

in such security or securities as in its judgment is deemed a sound investment. The Board may accept funds and securities from any Parish or from any organization or instrumentality of the Diocese, and from the Bishop of the Diocese for the safekeeping and for investment in which event the legal title to the same shall be in said Board, which shall account to the beneficial owners in accordance with the terms upon which it accepted the deposit of such securities and any applicable provision of the Constitution or Canons of the Diocese. No member of the Board shall be personally liable for any error or mistake in judgment.

Section 5. The Board shall select a Secretary, either from its own number or some other qualified person of the diocese. The Secretary shall keep record of all meetings and give reasonable notice thereof. The times of its regular meetings shall be set by the Board. Special meetings may be held on the call of the Bishop. The traveling expenses of its members shall be paid by the Executive Council. Action shall be taken by a majority vote of those members present. In the event of a tie vote, the position taken by the voters agreeing with the Bishop shall prevail. Members of the Board of Trustees may participate in meetings of the Board by conference call.

Section 6. The Board may designate and employ a corporate co-trustee for the investment and management of any fund or funds or other assets of which it has title or control and is authorized to execute one or more trust agreements for this purpose and to prescribe therein the duties, responsibilities and authority of said corporate co-trustee.

Section 7. The Board shall make a report to each Annual Convention of the Diocese of all their acts with a detailed statement of all funds in their hands, the investment thereof, the yield therefrom, and of all changes made by them in investment during the preceding year.

Section 8. Four members shall constitute a quorum for the transaction of the business of the Board.

## **CANON 15.**

### **Of Boards of Trustees of Institutions, Establishments and Functions of the Diocese of Arkansas**

Section 1. Until the number of representatives of the Diocese of Arkansas on the Board of Trustees of the University of the South is changed by the latter organization, there shall continue to be three such representatives, one presbyter, and two lay persons, each to

serve a term of three years with the term of one Trustee expiring each year.

Section 2. Until the number of representatives of the Diocese of Arkansas on the Board of Trustees of All Saints' Episcopal School is changed by the latter organization, there shall continue to be three such representatives, one presbyter, and two lay persons, each serving a three year term with the term of one Trustee expiring each year. The Trustees shall be appointed by the Bishop, subject to confirmation by the Convention. No Trustee shall be eligible for reappointment until the Annual Convention next following the expiration of such Trustee's term. Vacancies shall be filled by appointment of the Bishop, subject to confirmation by the Executive Council.

Section 2. The Trustees of the University of the South shall be elected by the Annual Convention and in case of a vacancy the Ecclesiastical Authority may appoint some Communicant of the Diocese for the remainder of the unexpired term, subject to confirmation by the Executive Council.

Section 3.

(a) Camp Mitchell is an institution and function of the Episcopal Diocese of Arkansas, governed by a special commission of the Convention known as the Camp Mitchell Board of Trustees (the "Camp Mitchell Board"), subject to the oversight of the Bishop, the Convention, and the Executive Council. The Camp Mitchell Board shall consist of eleven (11) members: one (1) elected from the Episcopal Youth Community, five (5) elected at large from the Diocese, and five (5) appointed by the Bishop. The Bishop, or his or her designee, shall serve as an ex officio member of the board. Terms of office shall be for three years and may run consecutively not to exceed a total of six consecutive years. Members of the board may be either clergy or lay, provided there shall be at least three clergy and three lay members of the board.

(b) The Bishop shall annually appoint one member of the board to serve as Chair at the pleasure of the Bishop. There shall be an Executive Director who shall be appointed by and serve at the pleasure of the Bishop.

(c) The Camp Mitchell Board shall have the responsibility for the operation and use of the facilities and property, the making and enforcing of policies governing the same, submitting an annual budget for Camp Mitchell for approval by the Executive Council, and the overall responsibility for planning, direction and future development of Camp Mitchell. The Camp Mitchell Board shall be

responsible to the Bishop and to the Convention in the carrying out of its responsibilities.

(d) The Camp Mitchell Board shall meet as frequently as may be deemed necessary by the board, the Bishop, or the Executive Council. The Executive Director shall submit a monthly financial statement to the Executive Council and the Diocesan Treasurer.

## **CANON 16.**

### **Of the Permanent Episcopate Fund**

Section 1. The Permanent Episcopate Fund of the Diocese of Arkansas shall be held and controlled by the Board of Trustees of the Diocese of Arkansas.

Section 2. It shall be the duty of all persons, committees or boards having in their possession, custody or control, any money, securities or papers belonging to the said fund, to turn over the same to the custody and control of the said Trustees of the Diocese of Arkansas; and it shall be the duty of all persons who shall hereafter receive any money or property of any character from any source for the endowment of the Episcopate to deliver immediately to said Trustees, the money or property so received.

Section 3. It shall be the duty of the Board to record all properties received by it for the use of the fund, and to invest the same. In acquiring, investing, reinvesting, exchanging, retaining, selling and managing property held in such fiduciary capacity the Board shall exercise the judgment and care under the circumstances then prevailing which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital. Within the limitations of the foregoing standard, the Board is authorized to acquire and retain every kind of property, real, personal or mixed, and every kind of investment, specifically including but not by way of limitation, bonds, debentures, and other corporate obligations, stocks, preferred or common, shares or interests in common trust funds, and securities of any open-end or closed-end management type investment company or investment trust registered under the Federal Investment Company Act of 1940 as amended, which persons of prudence, discretion and intelligence acquire or retain for their own account.

Section 4. The entire income arising from the investment of this fund after deducting the expense incident to the management thereof, shall be paid at least quarterly to the Treasurer of the Diocese

and shall be appropriated by the Executive Council for and applied to the payment of the salaries and expenses of the Bishop(s) of the Diocese, and to all other salaries and expenses incident to the operation of such office(s). The remainder of the income, if any, existing at the end of each fiscal year, shall be added to the principal of the fund.

Section 5. In the management of said fund, the Trustees of the Board are authorized to sign all checks, receipts, releases, acquittances and such other instruments as may be necessary to the legal administration of the Permanent Episcopate Fund.

Section 6. Whenever the Convention shall deem it proper and fitting to procure an Episcopal residence for the Bishop, the Board shall defray the expense thereof out of the Permanent Episcopate Fund, which was originally created for that purpose.

### **CANON 17.**

#### **Of the Commission on Church Architecture and Allied Arts**

Section 1. There shall be a Commission on Church Architecture and Allied Arts of this Diocese which shall consist of the Bishop or the Bishop's Designee, and five (5) members appointed by the Bishop. Two (2) members shall be members of the clergy, and three (3) members shall be lay persons skilled in church architecture and ecclesiastical art. Each member shall serve for a term of five (5) years, with one (1) member being appointed annually. The Bishop shall appoint one member to serve as chair of the commission.

Section 2. Before the Diocese, Parishes or Missions may let contracts or execute plans for construction or renovation of church facilities, including site design, architecture and interior design, the following documents shall be submitted upon completion to the commission for review and approval: 1) all preliminary sketches; 2) all construction documents.

Section 3. The Commission shall respond to all submittals and questions in writing within sixty (60) days. The Diocese, Parishes, and Missions may not let contracts or execute plans until the Commission has approved them.

Section 4. The Diocese, Parishes and Missions shall submit to the Commission, or a designated member of the commission, for immediate consideration all revisions to approved submittals affecting interior or exterior designs. If the Commission or its designated member has not responded within three (3) days of receipt of the revision, it shall be deemed approved. If revisions are

substantial, the Commission reserves the right to require another review and approval.

Section 5. Upon completion of all diocesan, Parish and Mission construction projects, one (1) copy of all construction documents (plans and specifications) and cost information shall be delivered to the diocesan office for permanent storage. They shall be available upon request for review and guidance.

## **CANON 18.**

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

Section 1. The Convention shall, at the regular Annual Meeting in the calendar year next preceding a stated meeting of the General Convention, elect by ballot four members of the clergy and four lay persons to act as Deputies from this Diocese to the General Convention. It shall also elect by ballot four members of the clergy and four lay persons as Alternate Deputies, to act in the case hereinafter mentioned; which Deputies and Alternate Deputies shall hold their respective offices until their successors are appointed, and shall be deputies, or provisional deputies, to any General Convention which may be held during their continuance in office.

Section 2. It shall be the duty of the Deputies-elect to signify to the Bishop at least thirty days before the meeting of the General Convention their acceptance of the appointment and their intention to perform its duties; in default of which the Bishop shall designate from the list of Alternate Deputies, in the order of their election, so many as may be necessary to insure, as far as practicable, a full representation of the Diocese. The Bishop also from time to time shall designate one of the Alternate Deputies to supply, either temporarily or permanently, any vacancy caused by the death, absence or disability of any Deputy. During such period as shall be stated in the certificate issued to the designee by the Bishop, the Alternate Deputy so designated shall possess, and shall be entitled to exercise, the power and authority of the Deputy replaced by that Alternate Deputy.

Section 3. Any person nominated shall be considered nominated for Deputy and Alternate Deputy. The first four elected, according to the Canon, by majority vote (and by the largest majority vote if more than four) shall be declared the Deputies. Others receiving a majority vote on the first or succeeding ballots shall be declared Alternate Deputies in the order of their number of votes received. If all positions are not filled as a result of the first ballot, prior to the taking of the next and each subsequent ballot, the number of

candidates shall be reduced to not more than double the number of positions yet to be filled by eliminating those who received the smaller number of votes on the previous ballot, unless this is prevented by a tie in which event the names of all those who tied will be retained for the next ballot. The remaining positions shall be filled by those receiving a majority and the highest number of votes on each particular ballot.

Section 4. The qualifications to serve as Deputy or Alternate Deputy to General Convention are as follows: In both orders of ministry, persons elected shall be members in good standing of their local congregations and canonical residents of the Diocese of Arkansas, frequent attendants upon the services of their local Congregations, and regular contributors and pledgers of record, or members of family units which are regular contributors and pledgers of record for the support of their local Congregations and/or the Diocese of Arkansas for a minimum of one year preceding their election as Deputy or Alternate Deputy to General Convention.

Section 5. The Bishop shall have the power to fill all vacancies in the delegation to the General Convention to permit full representation therein.

### **CANON 19.**

#### **Of Deputies to the Provincial Synod**

Section 1. The Executive Council of the Diocese shall select four presbyters, canonically resident in the Diocese, and four lay persons, communicants in good standing of this Diocese, and having domicile in this Diocese, as deputies from this Diocese to the Synod of the Seventh Province. The same number of each Order, possessing the qualifications set out above, shall be selected as alternate deputies.

Section 2. The Bishop shall have the power to fill any and all vacancies occurring in the delegation to the Provincial Synod so that this Diocese may have a full representation.

### **CANON 20.**

#### **Of the Church Pension Fund.**

Section 1. In conformity with the legislation adopted by the General Convention of 1913, setting forth the principles upon which a pension system for the clergy of the Church and their dependents should be constructed, pursuant to which the corporation, the Church Pension Fund, has been created to carry these principles into effect, the Diocese of Arkansas accepts and enters into the system of the Church Pension Fund. The Executive Council of the Diocese is

hereby directed to do any and all things that may be required from time to time, or that it may deem necessary or proper, fully to conform to and carry out the Church Pension system.

Section 3. Any Parish or Mission neglecting for six months to pay the full amount of its annual premium due to the Church Pension Fund shall be deprived of its right to lay representation in the Convention of the Diocese, and shall continue so deprived until it has paid in full said annual premiums for such years, when it shall be restored to all its canonical rights in the Convention.

Section 3. Any parish or mission which refuses or fails to pay regularly and fully the premium due to the Church Pension Fund upon the salary paid by such parish or mission to its clergy and/or lay staff shall be ineligible to receive financial assistance from funds administered by the Executive Council until such premiums are paid up to date.

Section 4. Commencing on January 1, 1993, all parishes, missions and other ecclesiastical organizations or bodies subject to the authority of this diocese, and any other societies, organizations, or bodies in the diocese which under the regulations of the Church Pension Fund have elected or shall elect to come into the pension system, shall provide all lay employees who work a minimum of 1,000 hours annually retirement benefits through participation in the Episcopal Church Lay Employees' Retirement Plan (ECLERP) or in an equivalent plan, the provisions of which are at least equal of those of ECLERP. At its commencement, if the plan is a defined benefit plan, the employer contribution shall be not less than 9 percent of the employee's salary; if the plan is a defined contribution plan, the employer shall contribute not less than 5 percent and agree to "match" employee contributions of up to another 4 percent.

The employer may impose a minimum age of 21 years and a minimum employment period not to exceed one year of continuous employment before an employee would be eligible to participate.

If the Trustees of the Church Pension Fund increase or decrease the contribution percentages required for the lay pension plan, those percentages shall supersede the contribution percentages in this Canon and shall determine the percentage of employer contribution.

Section 5. In conformity with the legislation adopted by the General Convention of 2009 in Resolution 2009-A 177, which established the principals to be followed by the Church Pension Fund in establishing and administering a denominational health plan for lay employees of the Episcopal Church, the Diocese of Arkansas accepts and enters into the system of the Church Pension Fund for the



provision of health plan benefits for lay employees of the Congregations in the Diocese. The Executive Council of the Diocese is hereby directed to do any and all things that may be required from time to time, or that it may deem necessary or proper, fully to conform to and implement a plan for health benefits for lay employees.

## **CANON 21.**

### **Of Fiscal Year, Bonds and Audits**

Section 1. The fiscal year of the Diocese shall coincide with the calendar year; and all reports made to the Annual Convention shall be for the preceding fiscal year.

Section 2. The books and accounts of the Board of Trustees of the Diocese, of the Executive Council and the Cathedral Chapter of the Diocese, of the Treasurer of the Diocese, and the books and accounts of every person receiving, expending or investing any money of the Convention or of the Diocese or of any Parish or Mission of the Diocese or of any Diocesan, parochial or mission organization or institution of the Diocese, or under its control or supervision, shall be audited annually upon the close of the fiscal year by a certified public accountant or by such an accounting agency or procedure as shall be permitted by the Executive Council. A copy of the audit shall be filed with the Bishop, or if there be no Bishop, with the Treasurer, on or before the following September 1. The Treasurer of the Diocese shall promptly notify in writing the member of the clergy in charge, Treasurer, and Warden or Wardens of any Parish or Mission failing to file such report by the date due and shall state that unless the said report is submitted within 15 days from the date of such mailing of the notice, the Parish or Mission shall be considered delinquent for the purpose of these Canons and shall be reported to the Bishop of the Diocese as being delinquent and not entitled to representation at the next Convention. Prior to making such report, the Treasurer shall give written notice to the member of the clergy, Treasurer, and Warden or Wardens of the congregation who has failed to file an audit of the fact of this delinquency and of the report to be made to the Bishop. The Bishop and Standing Committee may, on proper showing, waive the penalties of this Canon.

Section 3. The Treasurer of the Diocese and the Assistant Treasurers of the Diocese shall each give such bond as may be required by the Executive Council. Each bond shall be approved by the President of the Executive Council and the Chair of the Department of Finance. Every Treasurer of any Parish or Mission or

of any diocesan, parochial, or mission organization or institution, and the Treasurer of every endowment or trust fund of any such Parish or Mission shall give bond to be approved by the governing body thereof or by such of its members as may be authorized by it so to do. Every such bond shall be in such an amount with such conditions and sureties (corporate surety preferred) as the person or persons approving the same may deem proper.

Section 4. The organization or institution for which any such audit is made or any such bond is furnished shall pay the expense and cost thereof.

## **CANON 22.**

### **Of the Formation of a Parish and Its Admission Into Union With the Convention and Its Continued Status Therein**

Section 1. It shall be lawful for the vestry of an organized Mission, which has been admitted into union with Convention of the Diocese of Arkansas, and which is desirous of organizing a Parish, to proceed in the following manner:

(a) Upon their written request the Ecclesiastical Authority shall communicate to those interested in forming a Parish the various criteria upon which it will base its approval or disapproval of a petition for such formation. Such criteria are to include, but are not limited to, evidence of the ability of the proposed Parish to provide fully for the financial support of its Rector in accordance with standards established by the Ecclesiastical Authority; to support a well-rounded program of parish life; to provide and maintain adequate facilities and staff to support such a program; to make an adequate and proportionate annual financial commitment to the Diocese; and to participate in other ways in the life of the Diocese and the General Church and such other requirements as the Ecclesiastical Authority shall deem appropriate.

If the prospective petitioners wish to proceed, then the Ecclesiastical Authority shall establish a period (normally not to be less than 1 year) during which the Ecclesiastical Authority or its representatives shall consult with the prospective petitioners in order to assist them in meeting the established criteria and to determine that they are doing so.

(b) If at the end of such period the Ecclesiastical Authority grants permission to proceed, the petitioners shall submit a written petition in the following form:

"We, the vestry of \_\_\_\_\_, an organized Mission of the Episcopal Diocese of Arkansas, and the undersigned communicants,

whose names are hereunto affixed, deeply sensible of the truth of the Christian Religion and conscientiously attached to the doctrine, discipline and worship of the Church known as The Episcopal Church and being earnestly desirous of establishing its authority and securing its holy influences for ourselves, our families and neighbors and those who come after us, do hereby respectfully ask the permission of the Ecclesiastical Authority to associate and organize ourselves and others as a Parish of the Episcopal Church in the Diocese of Arkansas, under the name and title of \_\_\_\_\_, and we do hereby solemnly promise and declare that said Parish shall be forever held under the Ecclesiastical Authority of the Diocese of Arkansas, and in conformity with the Constitution and Canons of the General Convention of the Episcopal Church and the Constitution and Canons of the Diocese of Arkansas, the authority of which we do hereby recognize, and to whose liturgy, doctrines, discipline, rites, and usages we promise for ourselves and our successors corporate obedience and conformity at all times, so help us God. Furthermore, we solemnly engage and stipulate that all lands, real estate and endowments of which the said parish is or may become possessed shall be secured against alienation from the Church known as The Episcopal Church, unless such alienation is in pursuance of the Constitution or Canons of The Episcopal Church and of the Diocese of Arkansas."

Section 2. Upon the approval of the Petition by the Ecclesiastical Authority the petitioners shall proceed as follows:

(a) Notice shall be given, on some occasion of public worship at least two weeks prior to the time of meeting, that the communicants of the Church will meet, at a time and place specified, for the purpose of organizing the Parish and electing a vestry. This notice shall be given by the Bishop or by such member of the clergy who shall have been appointed by the Ecclesiastical Authority to hold service and also to preside on the occasion of the meeting for organization;

(b) Such member of the clergy shall preside at the meeting. A Secretary shall be elected, who shall record the minutes in a well-bound book and also enter therein the following:

- (1) copy of the petition to the Ecclesiastical Authority with the names attached thereto;
- (2) said Ecclesiastical Authority's approval thereof;
- (3) and a record of other instruments incident to the history and background of the organization; and
- (4) a record of those in attendance and qualified to vote.

These proceedings shall be certified to the Ecclesiastical Authority by the presiding officer and Secretary.

Section 3. An application for admission into union as a Parish with the Convention shall be signed by the Bishop or by the member of the clergy who presided at the organization meeting or, if absent, by the member of the clergy in charge and the Wardens, and such application shall be sent to the Secretary of the Diocese at least two weeks before the Annual Convention. There shall be attached the following papers:

- (1) a copy of the petition to the Ecclesiastical Authority;
- (2) a copy of approval by the Ecclesiastical Authority;
- (3) proof of public notice given for organization; and
- (4) certified copy of the minutes of the organization meeting.

Section 4. The foregoing requirements of this Canon having been complied with, the Parish may be admitted into union with the Convention by a majority vote thereof.

Section 5. Each and every promise and stipulation contained in the petition required for the organization of a Parish, as the same are set forth in Section 1 (b) of this Canon shall be binding upon each and every Parish now in union with the Convention.

Section 6. By a majority vote of the Convention, the status of a Parish may be changed to that of an organized mission, whenever in the judgment of the Ecclesiastical Authority, the Standing Committee, and the Convention, such Parish is unable and unwilling to meet the obligations devolving upon it; or, upon receipt by the Ecclesiastical Authority of a written request from a majority of the vestry of a Parish asking that its status be changed to that of an organized Mission, such action may be taken by the Ecclesiastical Authority, the Standing Committee and the Executive Council. Such action shall be reported to the next Annual Convention.

Section 7. No congregation shall establish or change its place of meeting or erect any edifice for public worship and/or Christian formation/education without express written permission of the Ecclesiastical Authority.

Section 8. Whenever any Parish in union with this Convention shall have neglected for two years in succession to make the Annual Parochial Report, the Secretary shall so report to the Convention and such Parish may be declared by the Convention to be no longer entitled to representation. But any such Parish, on making its report for the time elapsed, will be readmitted to representation at the Convention.

Section 9.

(a) Whenever any Parish shall receive financial aid from Diocesan operating funds administered by the Executive Council of the Diocese, during the calendar year in which aid is extended, the Bishop shall have the same control over said parish as over organized missions. Under such circumstances, the Bishop, at his/her discretion, may require that title to property of the Parish be transferred to the Bishop and successors in office.

(b) The preceding subsection shall not apply to an arrangement between the Diocese and a parish whereby the Diocese provides funds for a curacy training program or diocesan missionary except that the Bishop shall have the same control over the appointment and financial support of said clergy as over the clergy of organized missions.

**CANON 23.**

**Of an Organized Mission and Its Admission Into Union With the Convention and Its Continued Status Therein**

Section 1.

(a) It shall be competent for 20 or more confirmed communicants of the Diocese, of not less than 18 years of age, to form an organized Mission as follows: They shall file with the Ecclesiastical Authority a petition in the general form of the petition prescribed for a parish in Canon 22, Section 1 (a). The Ecclesiastical Authority, if consenting to the organization, shall appoint a presbyter to perfect the same. A suitable name shall be adopted. Not less than three nor more than twelve confirmed communicants shall be nominated to the Ecclesiastical Authority for appointment as the mission vestry of the Mission.

(b) If, in the opinion of the Ecclesiastical Authority, the new Mission will have a tendency to draw members from any existing congregation or congregations, the Ecclesiastical Authority shall notify the authorities of said congregation or congregations that the aforementioned petition has been filed and that any objections to the formation of the proposed mission will be duly considered if submitted to the Ecclesiastical Authority in writing within sixty days thereafter.

(c) If, within said period, no objection shall have been submitted, then forthwith the Ecclesiastical Authority may approve the petition. In the event that an objection is filed within said period, then on reasonable notice, the Ecclesiastical Authority and the Standing Committee shall appoint a time and place for a hearing thereon. If

the Ecclesiastical Authority and the Standing Committee then concur that the petition shall be granted, the Ecclesiastical Authority may consent to the organization.

Section 2. Written notice of the perfected organization shall be sent to the Ecclesiastical Authority, together with the application of the mission to be admitted into union with the Convention. The Ecclesiastical Authority, if approving thereof, shall transmit the papers to the Secretary of the Convention and copies thereof to the Standing Committee.

Section 3. An organized Mission may be admitted into union with the Convention by a majority vote of the Convention when the Ecclesiastical Authority and the Standing Committee have recommended such action.

Section 4. By a majority vote of the Convention, the status of an organized Mission may be changed to that of a Mission Station, or it may be disbanded, whenever in the judgment of the Ecclesiastical Authority, the Standing Committee, and the Convention, such organized Mission is unable or unwilling to meet the obligations devolving upon it. Alternatively, upon receipt by the Ecclesiastical Authority of a written request from a majority of the Mission vestry of an organized Mission, such action may be taken by the Ecclesiastical Authority, the Standing Committee and the Executive Council. Such action shall be reported to the next Annual Convention.

Section 5. Each organized Mission shall hold an annual meeting within sixty (60) days before or on the 31st day of January, unless otherwise authorized by the Ecclesiastical Authority, for the purpose of receiving reports, of nominating not less than three nor more than twenty-one confirmed communicants of not less than eighteen years of age to the Bishop for appointment as the mission vestry of the Mission, and of transacting such other business as may properly come before it. In making nominations each Mission where possible shall pattern same after the system of rotation in office and staggered terms now prescribed for members of Parish vestries.

Section 6. The Bishop shall appoint the mission vestry of a Mission, from the nominations made by said Mission, and shall designate one of them as warden. Upon written notice of the appointments having been made, the mission vestry shall elect from the membership of the Mission a Secretary who shall keep minutes of the Mission's proceedings, and a Treasurer who shall keep an account of its finances; PROVIDED, that one person may hold both offices. The members of the Mission vestry shall serve for three years.

Section 7. It shall be the duty of the Mission vestry, of which the member of the clergy-in-charge shall be ex officio Chair, to have charge of and to administer the temporalities and property of the Mission and to provide all things necessary for Church services, the means for the support of the member of the clergy, and the expenses of the mission including the management and care of all property held for the use of the Mission. As provided in Section 10, all real property or interests in real property acquired for the Mission shall be titled in the name of the Bishop and the successors to that office. In conformity with the Constitution and Canons for the Government of The Episcopal Church, all funds and personal property of the Mission shall be held and administered by the Mission vestry as trustees for the benefit of the Diocese and the Episcopal Church.

Section 8. The general provisions of Canons relating to Parish Meetings and Elections shall be binding upon an organized Mission, so far as they are applicable.

Section 9. The Bishop of the diocese, by virtue of his/her office, has the charge and care of the organized Missions and mission stations of the Diocese. To assist in the pastoral care and the administration of a Mission, the Bishop may appoint and send a member of the clergy-in-charge of same upon such terms as to financial support and for such a period of time as may be agreed upon, which appointment shall be in writing.

Section 10. When any real estate is acquired, or to be acquired, for an organized Mission, the title thereof shall be vested in the Bishop of the Diocese and the successors to that office for the use thereof, and said Mission shall provide for and pay all expenses incurred in the management and care of said real estate.

Section 11. With the approval and consent of the Ecclesiastical Authority and the Executive Council of the diocese, a mission may be authorized to elect the mission vestry and officers in the same manner that parish Vestries and Officers are elected. This mission vestry shall have the powers and perform the duties assigned by Canon to the vestry of a parish except that it shall not elect or call a minister or hold title to property. The minister in charge shall be appointed by the Bishop and the title to all property of the mission shall be held by the Bishop and the successors to that office.

Section 12. The Bishop of the Diocese, with the consent of the Standing Committee, may establish, regulate, and abolish mission stations, preaching stations and other operating entities of the Diocese.

**CANON 24.**  
**Of Parish Meetings and Elections**

Section 1. There shall be an annual meeting of the members of each Parish within sixty (60) days before or on the 31st day of January, unless otherwise authorized by the Ecclesiastical Authority, on a date to be appointed by the vestry; notice of which must be given by the Rector or member of the clergy in charge or, if there be none, by one of the Wardens from the chancel on a Sunday at least two weeks prior to the appointed date. This meeting shall be designated as the Annual Parish Meeting. The provision of this Canon relating to the qualifications of members of the vestry shall be published to the congregation at the time the said notice is given, and also at the Annual Parish Meeting or otherwise before nominations for the vestry are made.

Section 2. Other Parish meetings may be held from time to time as occasion may require, at such times as may be appointed by the vestry; due notice of which must be given by the Rector or member of the clergy in charge, or, if there be none, by one of the Wardens from the chancel on the Sunday prior to the appointed date.

Section 3. At the Parish meeting the Rector or member of the clergy in charge shall preside; or in the absence of such, the Senior or Junior Warden shall preside; or if they be absent, a confirmed communicant of not less than 18 years of age shall be chosen by the meeting to preside. The Secretary of the vestry shall be the Secretary of the Parish meeting.

Section 4. The following alone shall be entitled to vote in any Parish election or meeting under these Canons: All worshipers of not less than 16 years of age, being communicants in good standing and regular contributors of record, or members of family groups which are regular contributors of record, for the support of the Parish, and who shall have been Canonically connected with the Parish for thirty days prior to the date on which the Parish meeting is held. This provision as to financial support shall not apply to those communicants who are unable to contribute. Those voters so qualified and being present at the Parish meeting shall constitute a quorum.

Section 5. All matters voted upon at Parish meetings and Parish elections shall be decided by a majority of the qualified voters present and voting. In any election such as that for members of the vestry, where there is more than one position to be filled, as the result of one ballot, those receiving a majority and the highest number of votes on the first or any subsequent ballot shall be declared elected for the respective positions and the ensuing terms thereof and until their



successors shall have been elected and qualified. In any election where there is more than one position to be filled, if a voter votes for fewer or more persons than the total number of positions to be filled, that ballot shall be invalid and not counted. If all positions are not filled as the result of the first ballot, prior to the taking of the next and each subsequent ballot, the number of candidates shall be reduced to not more than double the number of positions yet to be filled by eliminating those who received the smaller number of votes on the previous ballot unless this is prevented by a tie in which event the names of all those so tied will be retained for the next ballot.

In the event that terms being filled in an election are of a different duration, those persons receiving the larger number of votes on the ballot on which they are elected shall have the longer term. If more than one ballot is required to fill all of the positions, those persons elected last shall receive the shorter term.

Section 6. (a) Within thirty (30) days following the reception of a congregation as a parish of this diocese, there shall be a parish meeting to determine the number of positions on the vestry. The positions shall be filled by the said meeting in accordance with the requirements of these Canons.

(b) New members of the vestry shall be elected by ballot at the Annual Parish Meeting or at an election called by the vestry for that purpose held before or after the principal Sunday worship service(s) not more than two weeks prior to the Annual Parish Meeting. In the latter case, run-off election(s) may be held on two (2) successive Sundays or at the Annual Parish Meeting. Notice of the election shall be given in accordance with Section 1 of this Canon. The polls shall be open until all qualified voters present have had ample opportunity to cast their ballots.

(c) The qualifications for a member of the Parish vestry shall be as follows: A confirmed communicant of the Parish in good standing of not less than 18 years of age, a frequent attendant upon the services of the Parish for the six months next preceding the election and a regular contributor and pledger of record, or a member of a family unit which is a regular contributor and pledger of record for the support of the Parish; PROVIDED (1) a husband and wife shall not both be members of the vestry at the same time; and (2) members of the paid staff (including clergy) of a Parish working more than ten (10) hours per week, and their spouses, shall not be eligible to serve. In case of a question as to eligibility, the report of the Rector in consultation with the Treasurer shall be final, provided that

subparagraph 2 of this paragraph shall not apply to vestry members taking office prior to March 1, 1999.

(d) The vestry shall consist of not less than three nor more than twenty-one members. Members of the vestry shall be elected in the following manner: One-third to serve for a period of one year; one-third to serve for a period of two years; one third to serve for a period of three years; and thereafter one-third of the vestry shall be elected for a period of three years; and no retiring member of the vestry shall be eligible for re-election until there shall have elapsed a period of at least one year, or until the Annual Parish Meeting next following the expiration of the term; PROVIDED, however, that in Parishes where the members eligible to serve on the vestry are less than twenty-five, a retiring member of the vestry may be re-elected to another full term without the interval of one year.

(e) In the event the vestry votes to recommend to the Annual Parish Meeting a change in its number it shall maintain as even a rotation of the vestry as possible with the length of each term not to exceed three years. If the recommendations are adopted by the Annual Parish Meeting, any new positions shall be filled at the same meeting.

Section 7. The vestry shall, prior to the Annual Parish Meeting, cause to be written and delivered to the Rector or member of the clergy in charge or, if there be none, to the Warden, a full, accurate and faithful statement of the temporal condition of the parish. This statement (to be designated the annual report of the vestry) shall show, among other things, what money, lands and other property have been received during the year past and from what sources; what money has been expended and for what objects; what property has been exchanged or mortgaged or sold and for what purposes; what debts are owing by the Parish and what security, if any, has been given therefore; and what money, lands and other property are then owned by the Parish. This annual report shall be submitted to the Annual Parish Meeting by the Senior or Junior Warden or by some other member of the vestry.

Section 8. Each organization and activity of the Parish shall also make its report to the meeting. Said meeting shall provide for such officers and matters as may be needed to enable the Parish to execute its full program, and shall transact such other business as may be brought before it.

Section 9. The Secretary of the Annual Parish Meeting shall record in the minutes the results of the elections as announced by the presiding officer. The Secretary shall transmit the signed minutes,

together with all reports received at the meeting, to the vestry to be by them examined and incorporated in the minutes of the first meeting of the vestry following the Parish Meeting and filed among the permanent records of the Parish.

It shall be the Secretary's duty to notify promptly the vestry members-elect of their election and to inform them of the time and place appointed for their qualifying as members of the vestry.

## **CANON 25.**

### **Of the Powers and Duties of Parish Vestries**

Section 1. As soon as may be after their election, the persons elected to the parish vestry shall assemble at such time and place as the Rector or priest-in-charge shall appoint or as shall be designated by any two members of the vestry, the Rector or priest-in-charge and each member of the vestry being notified, and proceed to organize the vestry. The proceedings of this and every meeting of the vestry shall be opened with prayer by the Rector or priest-in-charge or if absent by any member who may be chosen to preside over the meeting.

Section 2. Every person elected to the vestry shall, in order to qualify as such, subscribe to the following declaration and promise: "I believe the Holy Scriptures of the Old and New Testaments to be the Word of God, and to contain all things necessary to salvation; and I do yield my hearty assent and approbation to the doctrine, worship and discipline of The Episcopal Church; and I promise that I will faithfully execute the office of a member of the vestry of \_\_\_\_\_ Parish, or Church, in \_\_\_\_\_ County, according to my best knowledge and skill." No person shall act or vote as a member of the vestry without first subscribing to this declaration and promise in a public service of the Church.

Section 3. A Senior Warden shall be appointed annually from among the vestry by the Rector or priest-in-charge, or if there be none, then by the Bishop. The vestry shall elect annually, from among its members, a Junior Warden. The vestry shall likewise elect annually a Secretary and a Treasurer, who need not be chosen from among the vestry. All persons so appointed or elected shall continue in office until their successors shall have been chosen and qualified.

Section 4. All vestries shall meet at least once a month except for good cause. With the agreement of the Wardens, the Rector or priest-in-charge may postpone or combine regularly scheduled meetings, but in no event shall less than 9 meetings be held in a given year. The Rector or priest-in-charge if present, shall preside at all

meetings of the vestry, and be entitled to give the deciding vote in case of a tie. In the absence of the Rector or priest-in-charge the Senior or Junior Warden may preside. All vestry meetings shall be subject to call of the Rector or priest-in-charge; but in case of failure, at the request of members of the vestry, to call a meeting, such members of the vestry, if they deem it necessary, may themselves call a meeting, giving notice thereof to the Rector or priest-in-charge and to each member of the vestry. A majority of the vestry who have qualified, exclusive of the Rector or priest-in-charge shall constitute a quorum.

Section 5. Vacancies occurring in the vestry shall be filled within a reasonable time by vote of the remaining members and the person so elected shall serve for the remainder of the unexpired term of the person succeeded. The failure of any member-elect of the vestry to qualify within a reasonable time; the continued neglect of any member to attend the meetings of the vestry without adequate reason; the failure of a member to maintain the requirements for vestry members set forth in Canon 24, Section 6(c); or the failure of a vestry member to comply with the oath set forth in Canon 25, Section 2 may, after due warning, be deemed to create a vacancy. Any person so elected for an unexpired term of one year or less shall be eligible for re-election by the Annual Meeting for a successive three (3) year term. Whether or not a vacancy exists shall be determined by a majority vote of the vestry present at a meeting at which there is a quorum, after receiving the recommendations of the Rector. Any member of the vestry who resigns or is removed from the vestry shall not be eligible for election to the vestry either by an Annual Meeting or by the vestry until more than one (1) year has expired following the date of such removal or resignation.

Section 6. It shall be the duty of the vestry to determine upon and elect a Rector or priest-in-charge; to cooperate in promoting the spiritual welfare of the cure; to support the Rector or priest-in-charge properly; to see that the salary is paid regularly and punctually; to make and execute all contracts for the erection, furnishing, preserving and insuring the Church edifice and other property; to make all necessary provisions for Church music, with the advice and consent and subject to the control of the Rector or priest-in-charge; and generally, as the constituted agent of the parish or congregation, to transact all its temporal business.

Section 7. It shall be the duty of the Wardens to keep watch over all Church property, to see that it is duly prepared for every occasion of public worship; to provide out of the parish funds, under the

direction of the vestry, a sufficient supply of vestments and books to be used in public worship, and also the elements for each celebration of the Holy Communion; to attend to the accommodation of the congregation with seats, and to maintain order and decorum in the time of public worship. Real property and interests in real property held or to be acquired by the Parish shall be acquired in the name of the Rector and Wardens of the Parish and their successors in interest or in the name of the Bishop of the Diocese and the successors to that office as determined by the Vestry. In accordance with Title I, Canon 7.4 of the Canons for the Government of The Episcopal Church, all real and personal property owned or held by the Parish shall be held and administered by the Wardens and Vestry as trustees for the benefit of the Diocese and the Episcopal Church.

Section 8. In case there shall be a non-parochial presbyter or deacon of the Church residing within the parish whose conduct is unbecoming or contrary to the Canons of the Church, the Wardens shall, in writing, give notice thereof to the Ecclesiastical Authority.

Section 9. It shall be the duty of the Secretary of the vestry to keep correct entries of all proceedings of the vestry in a well bound book to be provided for that purpose.

Section 10. It shall be the duty of the Treasurer to take charge of all parish funds, except Communion alms and other special offerings and funds, to disburse the same under the direction of the vestry, and to render accounts to the vestry as may be required.

## **CANON 26.**

### **Of the Selection of Assistant Clergy**

Section 1. Assistant clergy, by whatever title they may be designated, shall be selected in accordance with the Provisions of the Canons for the Government of The Episcopal Church.

Section 2. The selection by the Rector of assistant clergy shall be made known to the Bishop along with a proposed letter of agreement containing a description of the duties and responsibilities of the assistant clergy. The Bishop shall be given sufficient time, not exceeding thirty (30) days, to communicate with the Rector and the vestry on the selection.

## **CANON 27.**

### **Of Vacant Parishes and of Members of the Clergy Without Cures.**

Section 1. When a Parish becomes vacant the Wardens or other proper officers shall notify the fact to the Ecclesiastical Authority. If

the authorities of the Parish shall for thirty days have failed to make provision for the services, it shall be the duty of the Bishop to take such measures as may be deemed expedient for the temporary maintenance of Divine services therein.

Section 2. It shall be the duty of the vestry of a vacant Parish to provide for the compensation of any member of the clergy who may be appointed by the Ecclesiastical Authority for the maintenance of temporary religious services therein.

Section 3. No election of a Rector shall be had until the name of the member of the clergy whom it is proposed to elect has been made known to the Ecclesiastical Authority, and sufficient time, not exceeding thirty days has been given to communicate with the vestry thereon.

Section 4. Written notice of the election, signed by the Wardens, shall be sent to the Ecclesiastical Authority of the Diocese. If the Ecclesiastical Authority be satisfied that the person so chosen is a duly qualified member of the clergy, and has accepted the office, the notice shall be sent to the Secretary of the Convention, who shall record it. And such record shall be sufficient evidence of the relation between the member of the clergy and the parish.

Section 5. Any member of the clergy without cure who is not Canonically resident in this Diocese but who is domiciled in or visiting this Diocese, and who desires to take temporary or occasional service in the diocese shall so signify to the Ecclesiastical Authority and apply for a license therefor, the granting of which is within the sole discretion of the Bishop. The Ecclesiastical Authority shall keep a list of the members of the clergy who have been so licensed.

## **CANON 28.**

### **Of Parish Register and Parochial Report**

Section 1. In the parish Register of baptisms, confirmations, receptions, communicants, marriages and burials, required by the Constitution and Canons for the Government of The Episcopal Church to be kept by every member of the clergy of this Church, the records shall specify the name and date of birth of each child baptized, with the names of the parents and sponsors; the name and date of birth of each adult baptized; the name of each person confirmed or received; the names of the parties married; with the names of the witness or witnesses required by the civil laws; the name of each person buried; and also the date when each rite was performed.

Section 2. All members of the clergy in charge of congregations shall deliver to the Bishop of the Diocese, or if there be no Bishop, to the Secretary of the Diocese, on or before March 1st of each year the Annual Parochial Report for each such congregation, as required by the Constitution and Canons for the Government of The Episcopal Church, and on the form of report adopted by the General Convention. The Secretary of the Diocese shall promptly notify in writing the member of the clergy in charge, Treasurer, and Warden or Wardens of any Parish or Mission failing to file such report by the date due and shall state that unless the said report is submitted within 15 days from the date of such mailing of the notice, the parish or mission shall be considered delinquent for the purpose of these Canons and shall be reported to the Bishop of the diocese as being delinquent and not entitled to representation at the next Convention. Prior to making such report to the Ecclesiastical Authority the Secretary shall give written notice to the member of the clergy, Treasurer, and Warden or Wardens of the congregation who has failed to file a Parochial Report of the fact of this delinquency and of the report to be made. The Bishop and Standing Committee may, on proper showing, waive the penalties of this Canon.

Section 3. Where a congregation is without a member of the clergy, the Register shall be kept by one of the Wardens, who shall also prepare the Annual Parochial Report and file it pursuant to Section 2.

Section 4. The Registers of all Congregations shall be inspected from time to time by the Bishop or by such persons as may be appointed by the Bishop.

Section 5. Upon the dissolution of a Parish , the Registers provided for by this Canon shall immediately become the property of the Diocese and shall be deposited with the Registrar.

### **CANON 29.** **Of Auxiliary Organizations**

Each auxiliary organization or guild connected with any Parish or Mission shall submit to the vestry of the Parish or to the Wardens, or in case of a Mission to the mission vestry, an annual report of the number composing said organization; its work accomplished during the year; the amount of money on hand and raised and expended during the year or since the last report, and the purpose for which it was expended; that said report may be included by the vestry or mission vestry in the Annual Parochial Report to the Convention and to the Annual Parish Meeting.

**CANON 30.**  
**Of Ecclesiastical Discipline**

Section 1. Those provisions of Title IV of the General Canons of the Episcopal Church which are applicable to the Diocese are hereby incorporated as part of this Canon 30. To the extent, if any, that any of the provisions of this Canon 30 are in conflict or inconsistent with the provisions of such Title IV, the provisions of Title IV shall govern.

Section 2. There is hereby established a Disciplinary Board in and for the Diocese of Arkansas.

Section 3. Discipline Structure

3.01 Disciplinary Board. The Board shall consist of seven persons four of whom shall be members of the clergy and three of whom shall be laity.

3.02 Clergy Members. The clergy members of the Board must be Canonically and geographically resident within the Diocese.

3.03 Lay Members. The lay members of the Board shall be adult communicants in good standing, and geographically resident in the Diocese.

3.04 Election. The members of the Board shall be elected by the Convention. Each member shall be elected for a three (3)-year term; except, if a member is elected to fill a vacancy, the term of such member shall be the unexpired term of the member being replaced. The term of the member shall commence on the first (1<sup>st</sup>) day of the month following election. The terms of office of the Board shall be staggered and arranged into three classes.

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

- (a) Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.
- (b) The Bishop shall appoint a replacement Board member in consultation with the Standing Committee.
- (c) Persons appointed to fill vacancies on the Board shall meet the same eligibility



requirements as apply to elected Board members.

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

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

3.07 President. Within sixty (60) days following the annual Convention, the Board shall convene to elect a President to serve for the following year.

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

3.09 Investigator. The Bishop shall appoint an Investigator in consultation with the President of the Board. The Investigator may, but need not, be a Member of the Episcopal Church and a duly licensed attorney, but need not reside within the Diocese.

3.11 Pastoral Response Coordinator. The Bishop may appoint a Pastoral Response Coordinator, to serve at the will of the Bishop in coordinating the delivery of appropriate

pastoral responses provided for in Title IV.8 of the General Canons and this Canon. The Pastoral Response Coordinator may be the Intake Officer, but shall not be a person serving in any other appointed or elected capacity under this Canon.

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

3.13 A Church Attorney shall be appointed by the Bishop with the advice and consent of the Standing Committee for a term of three (3) years. Assistant Church Attorneys may also be appointed by the Bishop, upon the recommendation of the Church Attorney and with the approval of the Standing Committee. The Church Attorney and any Assistant Church Attorney shall be a duly licensed attorney, admitted to practice before the courts in the State of Arkansas and a member of a congregation in the Diocese; provided however, in special circumstances, the Bishop, upon a recommendation from the Church Attorney, and with the approval of the Standing Committee, may appoint a Special Church Attorney not licensed to practice law in the State of Arkansas, or not a member of a congregation in the Diocese, to assist the Church Attorney in any proceeding under this Canon. The Chancellor of the Diocese may not serve as the Church Attorney in any proceeding under this Canon. The Bishop, with the concurrence of the Standing Committee, may remove any duly appointed Church Attorney or Assistant Church Attorney for any reason. The duties and responsibilities of the Church Attorney shall be those provided in Title IV of the General Canons of the Episcopal Church.

#### Section 4. Costs and Expenses

4.01 Costs Incurred by the Diocese. The reasonable costs and expenses of the Board, the Intake Officer, the Investigator, the Church Attorney, the Board Clerk and the Pastoral Response Coordinator shall be the obligation of the Diocese, subject to budgetary constraints as may be established by the Executive Council.

4.02 Costs Incurred by the Respondent. In the event of a final Order dismissing the complaint, or by provisions of a Covenant approved by the Bishop, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by the Diocese, subject to budgetary constraints as may be established by the Executive Council.

#### Section 5. Records

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

5.02 Permanent Records. The Bishop shall make provision for the permanent storage of records of all proceedings under this Canon at the Diocese and the Archives of the Episcopal Church, as prescribed in Title IV of the General Canons.

### **CANON 31.**

#### **Of the Episcopal Day School Commission**

Section 1. There shall be a special commission of the Convention known as the Episcopal Day School Commission, which shall consist of the principal or head of each Episcopal School in the Diocese, three appointed members, and the Bishop, who shall be a member *ex officio*. The appointed members shall be appointed by the Bishop, one each year, to serve for terms of three years. At least two of the members (besides the Bishop) shall be members of the clergy. If the position of an appointed member becomes vacant the Bishop shall appoint someone to fill the unexpired term.

Section 2. An Episcopal School within the Diocese is defined as any school sponsored by or affiliated with a parish or the Diocese or a Diocesan unit offering the daily curriculum of studies embodying any of the levels nursery through grade twelve (12).

Section 3. The Episcopal Day School Commission shall establish, and shall, from time to time, revise minimum standards for the official recognition of all Episcopal Schools in the Diocese. Recognition of a school may be withdrawn by action of the Commission if any school fails to maintain minimum standards. The Commission may authorize, at any time, an Evaluating Committee to visit a school.

(a) Any parish or diocesan unit desiring to establish a school shall notify the Episcopal Day School Commission. It shall be

the responsibility of this Commission to determine the merits of this application and consult with the applicant in an advisory capacity with respect to the establishment of an approved school.

(b) Any parish or diocesan unit desiring evaluation and recognition of an established school shall apply to the Commission. Applications for recognition shall be investigated by a committee, appointed by the Commission, which may grant recognition or provisional acceptance.

(c) The Commission may recognize without the necessity of a formal evaluation any school, established under the relevant constitutional and Canonical provisions, which submits application and provides written evidence that the school has been approved by a recognized accrediting body, such as the State Board of Education.

Section 4. All schools shall submit, upon request, an annual report to the Commission.

### **CANON 32. Of Convocations**

Section 1. The Congregations within the Diocese shall be constituted into regions called convocations. There shall be no less than four nor more than eight convocations, the exact number and bounds of each to be determined from time to time by the Bishop and the Executive Council.

Section 2. There shall be a Dean of each Convocation, who shall be a presbyter, resident therein, and who shall be appointed by the Bishop for a term not exceeding three (3) years.

Section 3. There shall be a Convocation Assembly to be convened at least once a year by the Dean of each Convocation. Delegates to the Assembly shall be the active members of the clergy and all lay delegates to the Convention from the various parishes and missions within each Convocation, such delegates to serve until their successors are elected. In addition, other members of the Convention, as defined in Article II of the Constitution, shall qualify as delegates to the Assembly without vote for the Convocation in which the parish or mission of which each is a communicant is located. An Annual Assembly of each Convocation should occur before the Convention but after the election of delegates to that Convention

### **CANON 33. Of the Commission on the Constitution and Canons**

Section 1. There shall be a diocesan Commission of the Constitution and Canons of the Diocese.

Section 2. It shall consist of six members appointed by the Bishop and confirmed by the Annual Convention. The Chancellor and any Vice Chancellor shall serve as an ex officio member.

Section 3. Each member shall serve for a term of three years, except the members of the first commission appointed hereunder shall serve terms of one, two and three years respectively. The Bishop shall designate the member who shall serve as Chair of the commission.

Section 4. Should any vacancy occur on the commission when the Convention is not in session, such vacancy may be filled for the unexpired term by appointment by the Bishop with the advice and consent of the Standing Committee.

Section 5. The duties of the commission shall be those prescribed by Canon or assigned by the Bishop. It shall make a report of its work to each Annual Convention. It shall be the responsibility of the commission to see that accurate, current copies of the Constitution and Canons are available throughout the Diocese. The commission shall assist members of the Convention and others in the drafting of proposed Constitutional amendments, Canons and amendments to Canons. The commission may initiate legislative changes and may revise legislation submitted to it. In reporting legislation to the Convention, the commission shall state whether or not it recommends the adoption of the legislation or whether it takes no position thereon.

Section 6. All proposed Constitutional amendments, Canons, and amendments to Canons shall be referred to the Commission on Constitution and Canons.

### **CANON 34. Of Amendments of Canons**

These Canons or any part of them may be amended, modified or repealed by majority action of the Convention after the proposed amendment, modification or repeal shall have been referred to the Commission on the Constitution and Canons and such commission has sent written notice of the proposed amendment, modification, or repeal to the parishes and missions of this diocese at least 30 days prior to the Convention. Provided, however, the thirty day time limit may be waived, and the proposed amendment, modification or repeal may be considered by Convention, upon a three-fourths affirmative vote of the Convention; and provided, further, the Bishop, with the

advice of the Commission on the Constitution and Canons, with the approval of the Executive Council, shall have the authority to make amendments to the Canons to correct typographical errors, punctuation, and verb tense errors and to clarify provisions, so long as such amendments do not change the meaning or substance of the provision. The Commission on the Constitution and Canons shall report such amendments to the following Convention.