

Constitution and Canons
for the government of the
Episcopal Church
in the
Diocese of Northern Michigan



*Adopted in Diocesan Conventions
1896 through 2014*

2021

CONSTITUTION OF THE DIOCESE OF NORTHERN MICHIGAN

Adopted October 16, 1993

Area

Article I -- The Diocese of Northern Michigan embraces all that part of the State of Michigan comprised of the following counties: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon and Schoolcraft, collectively known as the Upper Peninsula. This Diocese accepts, recognizes, and adopts the Constitution and Canons of the Episcopal Church, and acknowledges their authority.

Cathedral

Article II -- There may be a Cathedral Church in the Diocese of Northern Michigan. The Cathedral Church shall be one of the churches in the Diocese selected for this purpose by the Diocesan convention. No church shall be selected as the Cathedral Church without its consent.

Convention

Article III -- There shall be an annual convention of the Church in this Diocese, at such time and place as may be designated by the Ecclesiastical Authority. Notice of such Convention shall be sent to each congregation by the Secretary of the Convention at least thirty (30) days previous to the Convention.

Special Convention

Article IV -- The Ecclesiastical Authority shall have power to call a special Convention, if one is deemed requisite for the good of the Church, provided that no less than thirty (30) days notice be given of the same. The Authority calling the meeting shall determine its location.

The Bishop shall Preside

Article V -- The Diocesan Bishop shall preside at all meetings of the Convention. In the absence of the Diocesan Bishop, the Bishop Coadjutor if there is one, shall preside. In case of a vacancy in the Episcopate, or of the absence of the Diocesan Bishop and of the Bishop Coadjutor, the members of the Convention shall elect a President pro tempore from among the members present. At the discretion of the Ecclesiastical Authority, a Bishop of this Church may be invited to preside at meetings of the Diocesan Convention. In all cases, the presider shall have the right to vote.

Convention Holy Eucharist

Article VI -- At every Convention, Holy Eucharist shall be celebrated.

Convention Delegates

Article VII -- Every baptized person of the Diocese shall have the right of a seat and a voice in the Convention.

Article VIII -- Each Congregation in this Diocese which has or hereafter shall, by its Charter or Articles of Association, expressly accede to the Constitution, Canons, Doctrine, Discipline and Worship of The Episcopal Church in this Diocese, shall be admitted into union, and shall be entitled to send to the Convention as many as four delegates. Each delegate to the Convention shall be an adult communicant in good standing in a Congregation in union with the Convention of this Diocese and/or a member of the clergy canonically resident in the Diocese. Each delegate shall have one vote. A certificate of appointment of the delegates, signed by a Warden or Secretary of the Vestry, shall be presented to the Secretary of the Convention before such delegation shall be deemed to be present at the Convention. Delegates from any Congregation shall be entitled to vote at the same Convention at which the Congregation has been admitted. No person who is under Ecclesiastical censure or process shall be a delegate to the Convention. Delegations from ten (10) Congregations shall constitute a quorum for any Convention, regular or special.

Article IX -- Questions of Constitutional amendment, Election of a Bishop, and votes requested by a majority of delegates from 3 Congregations shall require votes by a single ballot resulting in both of the following:

- (1) A 2/3 majority of all votes cast.
- (2) A simple majority of all delegations of the diocese present.

A majority of delegations shall be determined as follows: Each delegation shall caucus and vote as a unit. A simple majority of the Congregation's delegates shall determine that delegation's vote. In the event the delegation is unable to render a majority opinion, the delegation's vote shall be recorded as a negative vote.

All other matters before the Convention shall be by a simple majority vote of all delegates.

Standing Committee

Article X -- The Standing Committee shall consist of seven (7) members, at least three (3) of which shall be members of the Clergy, and at least three (3) Lay persons, each of whom is an adult communicant in good standing in a Congregation of the Diocese. Each year the same number of members shall be elected for three (3) years as the number whose terms expire that year. At their first meeting, they shall choose one of their members to be President, and another of their members to be Secretary. At all meetings, a majority of members shall constitute a quorum.

It shall be the duty of the Secretary to keep faithful record of all their proceedings and report such proceedings to the Convention at its annual meeting; to preserve the originals of all papers and letters addressed to the committee, to attest to their acts; and to deliver to a successor all books and papers which, by virtue of that office, have been received.

The minutes of the committee, and all papers in their hands relative to the Church, shall be subject to the examination of the Bishop and of the Convention. They shall have power to fill vacancies which may occur in their body for the unexpired term.

The Standing Committee shall perform such other duties as shall be prescribed by the Constitution and Canons of this Diocese or of the General Convention.

Election of a Bishop

Article XI -- The election of a Bishop of this Diocese shall be made in an annual Convention or in a special Convention called for that purpose. At least sixty (60) days before the time of the Special Convention, the Secretary of the Standing Committee shall send written notices of the Special Convention, which notice expressly states the purpose of the Special Convention, to every Vestry in the Diocese. The election of a Bishop shall follow the voting procedures identified in Article IX of this Constitution. In the event of a special Convention, each Congregation will determine its own delegation.

Secretary of Convention

Article XII -- At each Annual Convention, a Secretary shall be appointed by the presiding officer. The Secretary shall continue in office until a successor is appointed. The Secretary shall discharge the duties of that office, as may be required by the Convention. In the event of the death, resignation, or removal from office of the Secretary during the interval between the sessions of the Annual Convention, the Ecclesiastical Authority shall have the power to appoint an acting Secretary, to hold office until the following Annual Convention.

Treasurer of Convention

Article XIII -- A Treasurer of the Diocese shall be elected at each Annual Convention and shall continue in office until removed from office or a successor is elected pursuant to the Canons of this Diocese. The Treasurer shall discharge the duties of that office and as may be required by the Convention. In the event of the death, resignation, or removal from office of the Treasurer during the interval between the sessions of the Annual Convention, the Diocesan Council shall have the power to appoint an acting Treasurer, to hold office until the following Annual Convention.

Amendments

Article XIV -- The Constitution may be changed only by amendment. An amendment to the Constitution shall become effective only if it is approved by two successive conventions, according to the voting procedures identified in Article IX of this Constitution.

CANONS

OF THE DIOCESE OF NORTHERN MICHIGAN

Revised March 2015 **Revised October 2021**

CANON I -- LIST OF THE CLERGY

Section 1 -- Preparation of List

The Ecclesiastical Authority shall prepare a list of all Clergy canonically resident in the Diocese prior to the annual convention.

Section 2 -- Publication

Such list shall be published in the annual Journal of the Diocese.

CANON II -- CONVENTION

Section 1 -- Delegates and Right to Vote

(a) Each Congregation is entitled to be represented in the Diocesan/Special Convention by as many as four Delegates, subject to Article VIII of the Constitution. The term of office for Delegates shall include all adjournments of the Convention, but, in the event a Special Convention is called, each Congregation may select other Delegates.

(b) To be eligible to be a Delegate or an Alternate, a person must be an adult communicant in good standing in the Congregation from which the Delegate or Alternate is selected and not under Ecclesiastical censure or process.

(c) All ordained persons residing in the Diocese are eligible for selection as Delegates or Alternates if selected by a congregation with whom they worship regularly.

(d) The selection of Delegates or Alternates to the Convention shall be according to the custom of that Congregation. Vacancies in the delegation shall be filled from the Alternates. Alternates shall serve as Delegates only for that session of the Convention in which the vacancy occurs.

(e) No Delegate can have more than one vote or represent more than one Congregation.

(f) It shall be the duty of the Secretary of the Vestry or a Warden to present, in writing, the names of all Delegates and Alternates to the Secretary of Convention at least 14 days before the time of the meeting of the Convention.

Section 2 -- Call of Convention

The mode of giving notice of the meeting of a Diocesan Convention shall be by letter signed by the Secretary of the Convention, sent by mail to each Congregation and Regional Convocation at least 30 days before the time appointed for the Convention; provided, however, that the notice of a Special Convention shall be sent as required by Articles IV or XI of the Constitution.

Section 3 -- Organizing Convention

(a) If the Bishop, or the Bishop Coadjutor, if there be one, is not present at the appointed time and place of holding the Convention, the Secretary shall call the Convention to order, and shall preside until a Presiding Officer shall be elected.

(b) The Secretary shall inform the Presiding Officer if the delegates who are present constitute a quorum, and, if so, the Presiding Officer shall declare the Convention duly organized for business.

(c) The Rules of Order in force at the preceding annual Convention shall continue in force unless changed by the Convention.

Section 4 -- Secretary of Convention

(a) In addition to the offices and duties elsewhere declared, the Secretary shall cause minutes to be printed and shall send a copy to the Bishop, the Bishop Coadjutor, if there be one, and to each delegate of the Convention, to all Rectors and Missioners, and to such officials of the General Convention as the Canons of the General Convention of the Episcopal Church require and to such other persons as may be directed by the Ecclesiastical Authority.

(b) The Secretary shall send to the Secretary of General Convention of the Episcopal Church a certificate of election of Deputies and Alternates to that General Convention in the manner directed in Canon V, and such other documents as may be required.

(c) The Secretary may appoint an Assistant Secretary subject to confirmation by the Convention.

Section 5-- Membership Vacancies

If a vacancy occurs in the Standing Committee, Diocesan Council, Trust Association, or other Diocesan Committees before the next annual convention, that body shall select a replacement to fill the term of the vacancy. Vacancies on the Commission on Ministry are to be filled by appointment of the Ecclesiastical Authority.

Section 6 -- Diocesan Apportionment

For the payment of the annual expenses of the Diocese, a fund shall be drawn from apportionments assigned to all Congregations in the Diocese each year. The manner of apportionment shall be upon some fixed and uniform plan recommended by the Diocesan Council and approved by a Diocesan Convention.

Section 7 -- Support of Diocesan Missioners

For the payment of the annual expenses for missionaries and other such personnel who serve congregations, a fund shall be drawn from contributions assigned to all Congregations in the Diocese each year. The manner of contribution shall be upon some fixed and uniform plan recommended by the Diocesan Council and approved by a Diocesan Convention.

Section 78 -- Diocesan Expenditures

The Diocesan Council shall develop a process for the creation of a proposed Annual Budget and shall submit it to the Convention for approval. The Diocesan Council will monitor and adjust expenditures according to income.

Section 810 -- Financial Reports

Monthly statements of apportionment payments and diocesan expenses shall be sent to all Wardens and Treasurers of congregations.

Section 910 -- Audit Recommendations

If audit recommendations are made by an independent auditor, the Diocesan Council will have the responsibility to implement the recommendations or explain to the Convention why the recommendations were not implemented.

CANON III -- STANDING COMMITTEE

Section 1 -- Advice to Bishop

The Standing Committee shall be the council of advice to the Bishop. The Committee shall meet at least five times a year and may be called into session from time to time by the Bishop. The Committee may also meet of their own accord, and agreeably to their own rules.

Section 2 -- Vacancy in the Episcopate

In case of a vacancy in the Episcopate, the Standing Committee shall be the Ecclesiastical Authority of the Diocese in all cases except such as are otherwise provided for by the Canons of the General Convention or this Diocese.

Section 3 -- Duties

The Standing Committee shall also perform all other duties as shall be prescribed by the Constitution and Canons of the Episcopal Church in the United States and by the Constitution and Canons of the Diocese.

Section 4 -- Election of

The Standing Committee shall consist of seven (7) members, at least three (3) of which shall be members of the Clergy, and at least three (3) Lay persons, each of whom is an adult communicant in good standing in a Congregation of the Diocese. Each year the same number of members shall be elected for three (3) years as the number whose terms expire that year.

Section-4 5 -- Ineligible for Diocesan Council

No person while serving as a member of the Standing Committee shall be eligible for election to the

Diocesan Council.

CANON IV -- COMMISSION ON MINISTRY

Section 1 -- Appointment to Commission

There shall be a Commission on Ministry consisting of twelve persons to be appointed by the Ecclesiastical Authority and Diocesan Council. Membership of the Commission will be selected giving consideration to inclusivity.

Section 2 -- Duties

The Commission on Ministry shall perform such duties and, in such manner, as prescribed by the Canons of the General Convention and as directed by the Ecclesiastical Authority.

Section 3 -- Report on Activities

The Commission on Ministry shall make a report of its activities to each Diocesan Convention.

CANON V -- DEPUTIES TO THE GENERAL CONVENTION

Section 1 -- Election of Deputies

The number of Deputies to be elected to General Convention, an even number not more than eight and not less than four, shall be determined by majority vote at the Diocesan Convention at least one year prior to the next scheduled General Convention. Thereafter an equal number of canonically resident ordained persons and unordained communicants in good standing shall be elected and shall continue in office until the meeting of the Diocesan Convention at which the succeeding deputation is elected. Those persons nominated but not elected as Deputies shall be listed as Alternates in the rank according to number of votes received. The names of the Deputies and Alternates shall be entered in the minutes in descending order, based upon the number of votes, and shall be sent to the Secretary of the General Convention. ~~as provided in Canon II, Section 4(b).~~

Section 2 -- Vacancies

A Deputy who is unable to attend, shall notify the Ecclesiastical Authority, who shall designate a replacement from the list of Alternates by advancing the name highest on the list. An ordained Alternate shall replace an ordained Deputy; an Alternate who is not ordained shall replace a Deputy who is not ordained. Such Alternate filling a vacancy in the Delegation shall rank at the foot of the list of Deputies.

Section 3 -- Change of Residency Outside of the Diocese

A Deputy who moves to another diocese and ceases regular attendance in this Diocese after election as a Deputy and before the meeting of the General Convention shall have vacated the office of Deputy and shall be replaced as provided in Canon V, Section 2.

CANON VI -- DEPUTIES TO PROVINCIAL SYNOD

The Bishop and Diocesan Council shall appoint Deputies to the Provincial Synod to attend meetings

called by the President of the Province. There shall be three Deputies in the delegation, two who are not ordained and one who is ordained. A Deputy shall continue in office until a successor is elected. The provisions of Canon V shall apply to persons who are Deputies to the Provincial Synod.

CANON VII -- FISCAL YEAR

Section 1 -- Diocese, ~~Regions~~ and Congregations

The Fiscal Year of the Diocese, ~~the Regions~~ and all Congregations in the Diocese shall be the calendar year.

Section 2 -- Audit

All accounts of the Diocese shall be audited annually by a Certified Public Accountant. All accounts of ~~Regions~~, congregations and other institutions shall be audited annually by a Certified Public Accountant, or Licensed Public Accountant, or such audit committee as shall be authorized by the Diocesan Council. Such policy shall be established and published by the Diocesan Council. All reports of such audits shall be filed with the Ecclesiastical Authority not later than thirty days following such report, but not later than September 1st of each year, covering the financial reports of the previous calendar year.

CANON VIII -- CHURCH PENSION FUND

The Diocese of Northern Michigan is a participant in the system of the Church Pension Fund as adopted by the General Convention for both clergy and lay employees.

CANON IX -- LICENSED PERSONS

The Bishop, with recommendation by a congregation, may commission and license persons to roles and responsibilities identified by national canons or the Diocese.

CANON X -- CHANCELLOR

The Ecclesiastical Authority may appoint a Chancellor of the Diocese, who shall continue in office until death, resignation, or revocation of the appointment by the Ecclesiastical Authority. The Chancellor shall be an adult communicant in good standing of a congregation in this Diocese.

CANON XI -- TREASURER

Section 1 -- Election

The Treasurer of the Diocese shall be elected by the Convention for a term of one year.

Section 2 -- Duties

It shall be the duty of the Treasurer to receive all money collected and to disburse the same under the authority of the Convention and the Diocesan Council. The Treasurer shall post a security bond

in such sum as the Diocesan Council may determine, premiums of which are to be paid from Diocesan funds. The Treasurer shall be a member ex officio of the Diocesan Council and the Trust Association.

Section 3 -- Account to Convention

The Treasurer shall also render to the Convention a strict account of all funds received and disbursed, which account shall be audited pursuant to Canon VII, Section 2. The report shall be published with the minutes of the Convention.

Section 4 -- Authority to Hire

The Treasurer shall have authority to hire and supervise assistants. Assistants shall be bonded and may be compensated as a budgeted diocesan administrative expense.

Section 5 -- Removal

The Treasurer may be removed from office by the Diocesan Council for neglect, misconduct, or incapacity. In the event of such removal, or in case of infirmity, resignation, or death, the Ecclesiastical Authority may appoint an acting Treasurer for the unexpired term. The books, papers and funds of the Diocese shall be promptly delivered to the Treasurer's successor.

CANON XII -- TRUST ASSOCIATION

Section 1 -- Members

The Trust Association of the Diocese shall be a corporate body, composed of eight Members, including the Bishop, who shall be the Presiding Officer, and the Treasurer of the Diocese. The Members shall all be adult communicants in good standing in congregations of this Diocese. The term of office for each Member is three years, or until a successor is elected.

Section 2 -- Duties

The Trustees are charged with oversight of the Trust funds and property, both real and personal, of the Diocese, and are also charged with seeing such funds are invested to maximize their benefit to the Diocese consistent with prudence and faithful stewardship.

Section 3 -- Election of Trustees

The Ecclesiastical Authority and Diocesan Council shall nominate qualified persons as Members giving consideration to inclusivity. Each Convention shall elect two nominees to three-year terms.

Section 4 -- Employment of Agents

The Trust Association is authorized to employ agents for the management of funds and investment of Trust Association property, provided:

(a) That such agents report to the Trust Association all transactions and account for all assets at least quarterly.

(b) The agents provide to the Trust Association a summary of all transactions for inclusion with the Trust Association report to the Diocesan Convention; and

(c) The agents shall be financial institutions regularly audited by the Federal Reserve System or the Securities and Exchange Commission.

CANON XIII -- REGIONAL CONVOCATIONS

Section 1 -- Regions

The Diocese shall be divided into geographical regions by the Diocesan Council. Each Region shall hold Convocations to support the ministry of its member congregations.

Section 2 -- Rules and Procedures

Each Convocation shall elect its own Presiding Officer and establish its own rules and procedures.

Section 3 -- Function

The Convocation may exercise the following functions:

- (a) to formulate programs necessary to the region;
- (b) to participate in establishing its apportionments and allocating its funds
- (c) to promote communication among local congregations and the Diocese, interpreting Diocesan program, and promoting effective participation of its member congregations in Diocesan Convention and other Diocesan activities;
- (d) to promote planning for the region;
- (e) to call and support Missioners with the advice and consent of the Ecclesiastical Authority.

CANON XIV -- XIII -- DIOCESAN COUNCIL

Section 1 -- Purpose

The Bishop shall be the executive head in the administration of the Diocese. The Diocesan Council participates with the Bishop in administrative deliberations and decisions between Diocesan Conventions.

Section 2 -- Membership

The Diocesan Council shall consist of the Bishop, the Bishop Coadjutor, if there be one, the President of the Standing Committee, the Chair of the Commission on Ministry, the Diocesan Treasurer as members ex-officio; a representative elected by each Regional Convocation, and three at large representatives seven regular members who shall be elected by the Diocesan Convention to serve staggered three-year terms.

Section 3 -- Election to Diocesan Council

(a) Regional Representatives -- Prior to the Annual Convention, each Regional Convocation will elect one representative for a term of one year. No regional representative who has served three consecutive terms shall be eligible for re-election until the Annual Convention following the expiration of one's term of office.

(b) (a) ~~At Large Representatives — One at large representative~~ There shall be seven (7) regular members of Diocesan Council, who shall be elected at each by the Annual Convention in a staggered manner, whereby no less than three (3) are and no more than four (4) are elected by the same Annual Convention, based upon terms expiring. A nominating committee of Diocesan Council will assure that those standing for election broadly represent the demographics of Diocese.

(c) (b) No elected member of the Diocesan Council who has served a full three-year term shall be eligible for reelection until the Annual Convention following the expiration of one's term of office.

(d) (c) None of the elected members of the Diocesan Council shall be eligible for election to the Standing Committee.

Section 4 -- Meetings

The Diocesan Council shall meet regularly, and at other times at the call of the Bishop. The Bishop, or in the Bishop's absence, the Bishop Coadjutor, if there be one, shall preside at the meeting of the Diocesan Council, and in the absence of the Bishop and Bishop Coadjutor, the Diocesan Council shall elect from its members a person who shall preside at that meeting pro tempore. In the event of a vacancy in the Episcopate, the Diocesan Council shall elect a Chairperson.

Section 6-5 -- Quorum

A simple majority of the sitting members of the Diocesan Council shall constitute a quorum to transact business.

Section 76 -- Record of Matters

The Diocesan Council shall appoint its own Secretary who need not be a member of Diocesan Council and may be compensated as a budgeted diocesan administrative expense. The Secretary shall keep a record of all matters coming before the Diocesan Council as well as actions taken on these matters.

Section 87 -- Authority to Bind

The Bishop and Treasurer shall be authorized by annual resolution of the Diocesan Council to execute documents on behalf of the Diocese or the Diocesan Council.

Section 98 -- Report to Convention

The Diocesan Council shall make a report to the Diocesan Convention each year, which report shall be printed in the Journal of the Convention.

CANON ~~XV~~ XIV -- COMMITTEES

Committees may be appointed by the Diocesan Convention or the Bishop and Diocesan Council. The purpose, size, and scope of each Committee shall be defined by the Bishop and Diocesan Council, unless defined by the Canons of the Diocese or of the Episcopal Church.

(a) The Bishop and Diocesan Council shall make an annual review of all Committees and announce Committee appointments for the coming year to the Annual Convention.

(b) A convener shall be designated upon the appointment of each Committee. The Committee shall thereafter agree upon its own organization.

(c) The Bishop and Bishop Coadjutor, if there be one, shall be members ex officio of each Committee.

(d) Each Committee shall make an annual report to the Convention.

CANON ~~XVI~~ **XV -- CONGREGATIONS**

Section 1 -- Establishment of New Congregations

A new Congregation in the Diocese shall be established by a vote of the Convention accepting the congregation into union.

Section 2 -- Application of New Congregations

Whenever in this Diocese, any number of persons (not less than six) wish to unite together for the purpose of regular worship and desire to form a new congregation under the direction, authority and care of the Episcopal Church, application shall be made substantially as follows:

To the Baptized members of the Episcopal Diocese of Northern Michigan meeting in Convention:

We, the undersigned, residents of _____ (city/township) in the County of _____
_____ in the Diocese of Northern Michigan, desire to organize a Congregation in union with The Episcopal Church.

- We believe we are ready, according to our ability, to develop the ministry we received at our Baptism. We therefore request you to guide us in developing our talents so that we can better serve in Christ's Name.
- We declare ourselves individually and collectively ready to do what is necessary to establish and sustain the regular worship of the Church, and to promote the ministry of Christ in our community.
- We pledge ourselves to work cooperatively with all congregations of the Diocese.
- We associate ourselves for the purpose of maintaining the sacramental worship of God and the preaching of the Gospel, according to the Doctrine, Discipline, and Worship of the Episcopal Church, and we promise conformity and obedience to the Constitution and Canons of the Episcopal Church in the United States of America and of the Diocese of Northern Michigan.
- In accordance with these obligations and rules, we now ask the privilege of being known as a Congregation under the name of _____.

Section 3 -- Organizational Meeting

After such form of application has been signed by the requisite number of adults, a meeting of the same may be called on ten days written notice to all persons who have signed the application. At this meeting, no person shall be entitled to vote who has not signed the application required by Section 2 of this Canon. Wardens and Vestry shall be elected, and the name of the Congregation

adopted. The minutes of the meeting shall be recorded in a book to be kept as a record of the proceedings of the Vestry.

Section 4 -- Certification of Meeting

A certified copy of the Application and of the Minutes of the meeting for organizing the Congregation, shall be sent to the Bishop without delay, together with a notice that the Congregation will apply for admission into union with the Convention.

Section 5 -- Application to Convention

Members of the proposed congregation are invited to come to the Convention to present their application for union.

Section 6 -- Acceptance

Acceptance into union with the Convention may be at that same Convention to which the proposed congregation has applied and shall be by a simple majority vote. Delegates of the newly accepted congregation are eligible to vote with the approval of the Bishop immediately upon acceptance.

Section 7 -- Incorporation

Any unincorporated Congregation desiring to do so, may incorporate in the State of Michigan, pursuant to relevant statutes.

Section 8 -- Title to Property

(a) The title of real estate given to or purchased by any new Congregation, or any investment property, real or personal, acquired by a new Congregation shall initially be vested in the Trust Association of the Diocese to the benefit of the Diocese of Northern Michigan and the Episcopal Church in the United States of America.

(b) With the approval of the Diocesan Convention and the approval of the Bishop, any incorporated Congregation desiring to do so may be granted title to real property subject to being held in trust for the Diocese of Northern Michigan and the Episcopal Church in the United States of America and appropriate trust funds presently held on its own behalf by the Trust Association.

(c) The Vestry may not convey title, mortgage, or encumber its real property or divert any of its endowments, or in any way alienate any of its property from the use of the Episcopal Church of the Diocese of Northern Michigan without the previous consent of the Bishop and Standing Committee.

(d) It shall be understood that all real property presently vested in existing congregations is impressed with a trust in favor of the Diocese of Northern Michigan and the Episcopal Church in the United States of America and cannot be released therefrom without the approval of the Convention, the Standing Committee, and the Bishop.

Section 9 -- Congregational Meeting Requirements

(a) Every Congregation in this Diocese will hold an Annual Meeting. Public notice of the time and place of such meeting shall be given by a Warden or the Rector, if there be one, at the regularly

scheduled services on the two Sundays immediately preceding. In case services shall not be held on those days, notice shall be given either by publishing or posting, as the Vestry may direct, written notices thereof signed by the Secretary of the Vestry at least one week prior to such meeting.

(b) Special meetings of the Congregation may be called by the Vestry and a like notice shall be given of any such special meetings as is required for an annual meeting and the object of the meeting shall be stated.

(c) A Warden or the Rector, if there be one, or another person appointed shall preside at all meetings of the Congregation.

(d) The right of voting at all meetings of a Congregation subsequent to the organizational meeting shall be confined to Adult Members as defined by Canon 17 Sections 1 and 2.

(e) A full and complete record of all meetings of the Congregation shall be kept by the Secretary of the Vestry and shall, at all times, be open to all members of the Congregation and the Ecclesiastical Authority.

Section 10 -- Of the Vestry

(a) Composition of the Vestry -- At the Annual Meeting of the Congregation a Vestry, consisting of not less than three, nor more than fifteen members shall be elected, who shall continue in office until the next Annual Meeting or until their successors are elected. If desired by a Congregation, a portion of the Vestry may be elected at each Annual Meeting to serve for a stated term, longer than one year.

(b) Vestry of the Whole

- i. Congregations wishing to dispense with the organization of a Vestry may elect to conduct its affairs at meetings of the congregation. Such meetings shall exercise the full responsibility and authority of a vestry as set forth in Section 10, 11 and 12 of this Canon and hereinafter provided.
- ii. The congregation may function as a Vestry at meetings regularly scheduled or called, provided that at least half of the adult members of the congregation are present, and not otherwise excused for health or seasonal location.
- iii. The congregation shall elect officers at its Annual Meeting in accordance with Section 11(e) of this Canon.

(c) Vestry Membership Requirements -- To be eligible to be a member of the Vestry, one must be at least sixteen years of age, a baptized person, and a Communicant in Good Standing as defined by Canon 17 Section 4.

(d) Conduct of the Election -- Members of the Vestry shall be elected by ballot and shall serve until their successors are chosen. The Presiding Officer may appoint tellers of the election to tabulate the votes cast. A majority of all votes cast by those present shall be necessary to elect.

(e) Officers of Vestry

- i. The members of the Vestry shall choose annually by ballot from their own body one or two members, to be Warden(s).
- ii. The Vestry shall also elect a Secretary and a Treasurer for the Vestry, who may be members of the Vestry, and they may employ other agents as may be required. The Secretary and the Treasurer may be the same person.
- iii. The Secretary shall record the actions of the Vestry following an appropriate format. These minutes are to be reviewed and approved or amended at the following Vestry meeting.
- iv. The Vestry shall also elect one from their body or the Rector as Presiding Officer for each year.

(f) Meetings of the Vestry may be called by a Warden, Rector, or any two members of the Vestry. Notice of any such meeting shall be given to all members of the Vestry and to the Rector or Missioner if there be one.

(g) A majority of the Vestry shall constitute a quorum for the transaction of business.

(h) If a vacancy occurs in the Vestry before the next Annual Meeting of the congregation, members of the Vestry shall select a replacement to fill the term of the vacancy whenever possible.

Section 11 -- Duties of Vestry

(a) The Vestry is charged with the Apostolic (oversight) ministry of the Congregation. The Vestry shall seek to further the ministry of Christ through the daily life of the Congregation. The Canons of the Episcopal Church and the Canons of the Diocese of Northern Michigan are the framework for this authority.

(b) It shall be the duty of the Vestry to ensure that Holy Eucharist and other worship services are provided within the Congregation. The ministry of all the baptized is to be recognized and encouraged. Members of a Congregation may be selected, trained, and affirmed for the ministries of the Church, including the administration of the sacraments.

(c) It shall be the duty of the Vestry to steward the income, property, and endowments of the Congregation.

(d) It shall be the duty of the Vestry of each Congregation to provide for the collection and payment of such sums as shall be apportioned them by the Diocesan Convention and to transmit the same to the Treasurer of the Diocese and Region as required in the support of missioners and other personnel working with congregations.

(e) It shall be the duty of the Vestry, with the advice and consent of the Ecclesiastical Authority to elect and call a Rector and to provide for the maintenance and support of the ministry of the Church. As an alternative Vestries may join together and with the advice and consent of the Ecclesiastical Authority, with the Region and empower the Regional Convocation to call one or more persons to

serve as Missioner(s).

(f) Notice shall be given to the Ecclesiastical Authority of a need for a Rector or Missioner(s) by any Congregation, **or** group of Congregations, ~~or Regional Convocation.~~

Section 12 -- Selection of Rectors and Missioners

The call and selection of Rectors and Missioners are to be undertaken with the advice and consent of the Ecclesiastical Authority.

CANON ~~XVII~~ **XVI -- DEFINITIONS OF MEMBERSHIP IN THE EPISCOPAL CHURCH**

Definition of the terms "Members of Church", "Adult Members", "Communicants of the Church", and "Communicants in Good Standing" shall be in accordance with Title I, Canon 17 of the Canons of The Episcopal Church.

CANON ~~XVIII~~ **XVII -- PASTORAL RELATIONS**

Section 1 -- Calling Authority

For purposes of this canon, the term "Calling Authority" shall mean the Vestry ~~or Regional Convocation~~ **or a group of Vestries joined together**, which has authority to call and affirm the formal ministry of a Rector or Missioner.

Section 2 -- Disputes

If for any reason a Rector, Missioner, or Calling Authority desires a dissolution of the pastoral relation, and the parties cannot agree, the Canons of the General Convention shall be consulted and the process for resolving such disputes shall be followed.

CANON ~~XIX~~ **XVIII -- DISCIPLINE OF CLERGY**

It shall be the duty of the Diocese, in accordance with Canon IV.3.1 of the General Canons of the Episcopal Church to have an Ecclesiastical Discipline Structure for offenses (reported or real) of deacons and priests of the of the diocese.

Whenever any Clergy of this Church, not being a Bishop thereof, shall become liable to presentment and trial in this Diocese, the mode of proceeding shall be as prescribed by the Canons of the General Convention.

CANON ~~XX~~ **XIX -- RECORDS OF CONGREGATION**

Section 1 -- Responsibility for Records

All records, registers, and reports required by this Canon shall be the responsibility of the Rector, if there be one, or the Warden(s) of the congregation.

Section 2 -- Congregational Register

There shall be in each Congregation of the Diocese, a Congregational Register in which a

record of all Baptisms, Confirmations, Marriages and Burials occurring within the Congregation shall be kept, together with the dates of each event and the names of the witnesses where they are required. The person officiating shall sign each entry. A list of Baptized Members and Communicants shall also be kept.

Section 3 -- Report of Congregation

On or before February first of each year a full report of the Congregation shall be prepared and presented to the Bishop or Secretary of the Convention for the calendar year just ended. This report shall be upon the form adopted and provided by the General Convention.

Section 4 -- Disclosure of Assets, Income and Expenses

It shall be the duty of each Congregation to render to the Bishop of the Diocese an accurate account of the income, real estate and other property owned by the Congregation. Such account shall include a fair estimate of the value of the property, a statement of any liens and encumbrances on the same or any part thereof, and the amount of interest paid in consequence of such lien or encumbrance. It shall further be the duty of the Congregation to accurately disclose the full amount of the expenditures of the Congregation and of all money expended for the same, in any way accruing, including all salaries and all other expenses.

Section 5 -- Collection and Payment

(g) It shall be the duty of the Vestry of each Congregation to provide for the collection and payment of such sums as shall be apportioned them by the Diocesan Council and to transmit the same to the Treasurer of the Diocese. Similarly, provisions shall be made for the collection and payment of sums apportioned them by the ~~Regional Convocation~~ **Diocesan Convention**, to be transmitted to the **Diocesan** Treasurer of the Region, **in the support of missionaries and other personnel working with congregations.**

CANON ~~XXI~~ **XX – ECCLESIASTICAL DISCIPLINE**

Section 1 Of the Administration of Ecclesiastical Discipline

The Diocese of Northern Michigan adopts by reference Title IV (Ecclesiastical Discipline) of the Canons of the General Convention, as adopted in 2009, effective July 1, 2011, and as amended from time to time, applicable to the Ecclesiastical Discipline of Priests and Deacons, and as it pertains to the practices and procedures set forth. To the extent, if any, that any of the provisions of this Title are in conflict or inconsistent with the provisions of Title IV (Ecclesiastical Discipline) established by the General Convention, the Canons of the General Convention shall govern.

Section 2 Of the Discipline **Structure**

Disciplinary Board

The Board shall consist of not fewer than seven persons, the majority of whom shall be priests and/or deacons, but by no more than one.

- 1) The members of the Board shall be appointed by the Bishop with the advice and consent of the Diocesan Council. Membership on the Board shall meet the limitations set forth in

Title IV, Canon 5, Section 3 (Of Disciplinary Structures: Rules of operation) of the Canons of the General Convention.

- 2) Vacancies on the Board shall be filled by the Bishop with the advice and consent of the Diocesan Council, upon notice by the President of the Board of such vacancy.
- 3) Persons appointed to fill vacancies shall complete the vacated term and shall be of the same order as the Board member replaced.
- 4) Should a vacancy occur as a result of a challenge, a replacement Board member shall serve only for the proceeding for which the regular Board member is not serving as a result of the challenge and shall be of the same order.
- 5) The Board shall elect from its members a President. The Board shall also appoint a Clerk, who shall be custodian of all records and provide administrative services as needed by the Board. The Clerk may be a member of the Board.
 - a) The REFERENCE PANEL shall be composed of an Intake Officer, the Bishop, and the President of the Disciplinary Board. The Reference Panel shall review the Intake Report to determine how to refer the Report for further considerations. All deliberations shall be confidential, except as required by the law or as deemed pastorally appropriate by the Bishop.
 - b) A HEARING PANEL of three members of the Disciplinary Board, selected by the President of the Board, shall serve as the body before which a hearing is held as provided by Title IV, Canon 13 (Of Hearing Panels) of the Canons of the General Convention.

Section 3 Of Personnel

- A. INTAKE OFFICER. An Intake Officer shall be appointed from time to time by the Bishop. The Bishop may appoint one or more Intake Officers according to the needs of the Diocese. The Bishop shall publish the names and contact information of the Intake Officer(s) throughout the Diocese, with methods and means of reporting information concerning alleged offenses. All communications shall be confidential, except as required by law or as deemed pastorally appropriate by the Bishop.
- B. INVESTIGATOR. The Bishop shall appoint an Investigator, in consultation with the President of the Board. The Investigator may, but need not be, a member of the Church. The Investigator shall be skilled and able to conduct investigations under this Title.
- C. CHURCH ATTORNEY. Within 60 days following each Annual Convention, the Diocesan Council, in consultation with the Bishop and Disciplinary Board, shall appoint an attorney to serve as Church Attorney for the following calendar year. The person so selected must be a member of the Church and a duly licensed attorney but need not reside within the Diocese.

The Church Attorney will represent the Church in proceedings under this Title.

- D. PASTORAL RESPONSE COORDINATOR. The Bishop may appoint a Pastoral Response Coordinator, to serve at the pleasure of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Title IV, Canon 8 (Of Pastoral Response) of the Canons of the General Convention and this Title. The Pastoral Response Coordinator may be an Intake Officer but shall not be a person serving in any other appointed or elected capacity under this Title.
- E. ADVISORS. In each proceeding under this Title, the Bishop shall appoint an Advisor each for the complainant and for the respondent. A person serving as an Advisor shall hold no other appointed or elected position provided for under this Title; and shall not include persons serving as Chancellors, Vice-Chancellors, or Assistant Chancellors of this Diocese, or any person likely to be called as a witness in the proceeding. An Advisor shall be available for purposes of support, assistance, consultation, and advice regarding the process provided in this Title and the pertinent rights, responsibilities, consequences, and alternatives.
- F. CONCILIATOR. The Bishop shall appoint a Conciliator to assist in reconciling the parties and issues involved. The Conciliator shall be a person skilled in dispute resolution and without conflict of interest in the matter.
- G. PROCESS COORDINATOR. The Bishop shall appoint a Process Coordinator to assure all parties are working through the discipline process in a timely manner as relates to the applicable deadlines of the proceeding.

CANON ~~XXII~~ XXI -- REPEALED CANONS

Whenever a Canon which repealed another Canon, or part thereof, shall itself be repealed, such previous Canon or part thereof shall not thereby be revived or reenacted, without express words to that effect.

CANON ~~XXIII~~ XXII -- AMENDMENT OF CANONS

These Canons may be altered, amended, added to, or repealed at any Convention, provided, however, that such proposed amendment or amendments shall have been sent to the Secretary of the Convention at least forty days before the day appointed for the opening of the Convention. All proposed Canonical revisions shall be sent to each Congregation and all delegates with the call of such Convention. Changes in the Canons for the purpose of clarifying existing Canons may be adopted at any regular Convention without the foregoing notice.

CANON ~~XXIV~~ XXIII -- REPEAL OF PRIOR CANONS

These Canons shall take effect immediately upon their passage and all other Canons are hereby repealed.