

**CONSTITUTION**

**and**

**CANONS**

**FOR THE GOVERNMENT  
OF THE EPISCOPAL  
CHURCH  
IN THE DIOCESE OF  
COLORADO**

**Effective October 4, 2013**



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THE CONSTITUTION OF THE  
EPISCOPAL CHURCH IN THE  
DIOCESE OF COLORADO

Approved on 1<sup>st</sup> Reading on October 2, 1999  
Approved on 2<sup>nd</sup> Reading and Effective on October 7, 2000  
by the  
113<sup>th</sup> Diocesan Convention

## **ARTICLE I: Territory and Accession**

The Episcopal Church in the Diocese of Colorado, the boundaries of which Diocese are identical with those of the State of Colorado, accedes to the Constitution and Canons of The Episcopal Church in the United States of America and to the authority of its General Convention.

## **ARTICLE II: Ecclesiastical Authority**

Section 1. The Ecclesiastical Authority of the Diocese is vested in and exercised by its Bishop (or Bishop Coadjutor or Suffragan Bishop if there be such) acting under and in subordination to The Episcopal Church in the United States of America, its General Convention, Constitution, and Canons.

Section 2. When this Diocese is without a Bishop, a Bishop Coadjutor, or a Suffragan Bishop, the Diocesan Standing Committee shall become the Ecclesiastical Authority of this Diocese.

## **ARTICLE III: Diocesan Convention**

Section 1. An Annual Diocesan Convention shall be held in each calendar year at such time and place within this Diocese as shall be designated by the Ecclesiastical Authority thirty-five (35) calendar days or more in advance of the date thereof.

Section 2. The following shall be ex-officio members of the Diocesan Convention and shall have seat, voice, and vote therein: The Bishop (and the Bishop Coadjutor and the Suffragan Bishop if there be such), all clergy canonically resident in this Diocese and not under discipline, lay members of the Diocesan Standing Committee, lay Deputies to the General Convention, and lay regional missionaries, lay canons of the Office of the Bishop, lay chair of Commission On Ministry, and lay chair of Board of Examining Chaplains, if there be any.

Section 3. Lay Delegates chosen from adult communicants of each Parish and Mission of this Diocese entitled to representation shall be members in the number specified by Canon.

Section 4. The Ecclesiastical Authority or two-thirds of the members of the Diocesan Standing Committee may call a Special Diocesan Convention to be held within this Diocese at any time on at least thirty-five (35) calendar days notice. The notice of a Special Diocesan Convention shall specify the purpose or purposes thereof and no other business shall be transacted at such Special Diocesan Convention.

Section 5. The Diocesan Convention shall have the power to raise money by assessment on the Parishes and Missions of the Diocese.

#### **ARTICLE IV: Diocesan Standing Committee**

Section 1. The membership of the Standing Committee of this Diocese shall be as required by Canon.

Section 2. The clergy members of the Diocesan Standing Committee must be qualified voting members of the Diocesan Convention and the lay members must be communicants in good standing of a Parish or Mission of this Diocese. No person who is a postulant or candidate for Holy Orders may be a member of the Diocesan Standing Committee.

Section 3. The Diocesan Standing Committee shall fill vacancies in its membership occurring between Diocesan Conventions until the next Diocesan Convention. The Diocesan Convention shall fill the vacancy for the unexpired term.

Section 4. The members of the Diocesan Standing Committee shall elect annually from among themselves a President, a Vice-President, and a Secretary. The powers, functions, and duties of the Diocesan Standing Committee shall be those prescribed by the Constitution and Canons of The Episcopal Church in the United States of America and by the Constitution and Canons of this Diocese.

## **ARTICLE V: Deputies to the General Convention and to the Provincial Synod**

Section 1: At the Diocesan Convention held no later than 12 months preceding the opening date of the next General Convention, there shall be elected by a vote by the members of the Diocesan Convention four clergy Deputies and four lay Deputies who shall represent this Diocese in the meetings of the General Convention and who shall continue in office until their successors are elected. The Clergy Deputies shall be clergy canonically and actually in residence in this Diocese at the time of their election and throughout their period of service and not under discipline and the lay Deputies shall be communicants in good standing of a Parish or Mission of this Diocese at the time of their election and throughout their period of service.

Section 2: A majority of all votes cast shall be necessary to elect each Clergy and each Lay Deputy and the Deputies shall be ranked in order of election. Following the election of the full number of Clergy and Lay Deputies, a ballot shall be taken for a like number of Clergy and Lay Alternate Deputies. A majority of all votes cast shall be necessary to elect Alternate Clergy Deputy and each Alternate Lay Deputy and the Alternate Deputies shall be ranked in the order of election.

Section 3: The Ecclesiastical Authority may at any time appoint additional Alternate Deputies to represent the Diocese in the General Convention in the event neither the elected deputies nor the elected alternate deputies are able to attend.

Section 4: Each year, except for any year in which the General Convention is to be held, the Ecclesiastical Authority shall appoint clergy Deputies and lay Deputies to represent this Diocese in the Synod of Province VI. If there is a Provincial Synod in the year that General Convention is to be held, the elected Clergy and Lay Deputies to that General Convention shall be the deputies to represent this Diocese in that Synod.

## **ARTICLE VI: Election of a Bishop**

The election of a Bishop, a Bishop Coadjutor, or a Suffragan Bishop shall take place only in a Diocesan Convention or in a Special Diocesan Convention and only by a concurrent vote by clergy and lay orders. Written notice of such election convention shall be mailed by the Secretary of the Diocesan Standing Committee at least sixty (60) calendar days prior to the

date thereof to all clergy of this Diocese and to each Parish and Mission of this Diocese entitled to representation therein. Each clergy and lay member of the election convention present shall be entitled to one vote. If at least three-fourths of all the clergy entitled to membership and at least three-fourths of all Parishes and at least one-third of all Missions entitled to representation are present, a majority of the votes cast in each order shall determine a choice. Otherwise, two-thirds of the votes cast in each order shall be necessary to determine a choice.

### **ARTICLE VII: Requirements for and Terms of Diocesan Service**

All lay officers and members elected or appointed to serve this Diocese must be communicants in good standing of a Parish or Mission in this Diocese at the time of their election or appointment and throughout their period of service. Clergy officers and members elected or appointed to serve this Diocese must be canonically resident or licensed to officiate in this Diocese at the time of their election or appointment and throughout their period of service. All officers and such members shall serve until their successors are duly elected or appointed.

### **ARTICLE VIII: Treasurer**

The Treasurer of this Diocese shall be elected by the Diocesan Convention. The term of the Treasurer shall be three years and one individual may serve no more than two successive full or partial terms. An individual shall not be eligible for re-election as Treasurer until one year has elapsed from the expiration of his or her second term. In the case of the death of the Treasurer or the Treasurer's inability to act as the Treasurer, the Bishop, with the advice and consent of the Diocesan

Standing Committee, shall appoint a Treasurer *pro tem* to serve until the next Diocesan Convention.

## **ARTICLE IX: Diocesan Corporation**

Section 1. All real property of the Church within the Diocese of Colorado not held by incorporated Parishes canonically organized or by Diocesan Institutions as defined by Canon, and all personal property of the Church within the Diocese of Colorado not held by Parishes or by Diocesan Institutions, shall be Diocesan Property and title thereto shall be vested in the Diocesan Corporation known as The Bishop and Diocese of Colorado. Such corporations shall be the successor corporation to all previous Diocesan Corporations.

Section 2. Members of the Diocesan Standing Committee shall serve concurrently as the Board of Directors of the corporation known as The Bishop and Diocese of Colorado. The President, Vice President and Secretary of the Diocesan Standing Committee shall hold those offices with respect to the Corporation, and the Treasurer of this Diocese shall be the Treasurer of the Corporation.

## **ARTICLE X: Indemnification**

Directors of the Diocesan Corporation shall not be liable to this Diocese, the Diocesan Corporation, or to any voting members thereof, for monetary damages for breach of fiduciary duty as a director; provided however, that such indemnification shall not apply to any breach of a director's duty of loyalty, any act or omission not in good faith or which constitutes intentional misconduct or knowing violation of law, or any transaction from which a director derives, directly or indirectly, an improper personal benefit.

## **ARTICLE XI: Amendment**

Amendments to this Constitution must be approved by two successive Diocesan Conventions by a majority vote of each order.

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THE CANONS FOR THE  
GOVERNMENT OF THE  
EPISCOPAL CHURCH IN THE  
DIOCESE OF COLORADO

REVISED 2012

Approved and Adopted on October 2, 1999  
Amended by subsequent Conventions  
Effective on October 6, 2012.

## **I. DIOCESAN CONVENTION**

### ***CANON 1: Lay Representation at the Diocesan Convention***

Section 1. (a) Each eligible parish and mission of this diocese shall be entitled to lay representation by the diocesan convention, according to the number of its Average Sunday Attendance set forth in the previous year's parochial report, as follows:

| <i>Average Sunday Attendance</i> | <i>No. of Lay Delegates</i> |
|----------------------------------|-----------------------------|
| 1-25                             | 2                           |
| 26-99                            | 3                           |
| 100-199                          | 4                           |
| 200-299                          | 5                           |
| 300-449                          | 6                           |
| 450-599                          | 7                           |
| 600 +                            | 8                           |

(b) A diocesan institution or a special congregation or ministry, constituted in accordance with these canons, shall be entitled to one (1) lay delegate, appointed by the Ecclesiastical Authority of this diocese.

Section 2. Lay delegates shall be appointed, no later than forty-five (45) days prior to the Diocesan Convention for which they are appointed, by the vestry of each parish or the bishop's committee of each mission. The delegation from each parish shall include at least one (1) vestry member, and the delegation from each mission shall include at least one (1) member of the bishop's committee. Each parish and mission of this diocese may appoint alternates to the diocesan convention, with the understanding that alternates shall not have seat, voice or vote unless and until they are called upon to serve as delegates.

Section 3. Lay delegates to the Diocesan Convention shall serve one (1)-year terms, beginning with their appointment and ending upon the appointment of their successors.

### ***CANON 2: Denial or Default of Participation***

Section 1. Any congregation three (3) or more months in arrears in payments of assessments levied for the Church Pension Fund shall be denied lay representation at the Diocesan Convention.

Section 2. All congregations in this diocese, whether having lay representation at the diocesan convention or not, shall nevertheless be bound by all actions duly had and taken at such Diocesan Convention.

### ***CANON 3: Conduct of Business***

Section 1. At any Diocesan Convention, a majority of delegates from the parishes and missions of this diocese that together represent a majority of the parishes and missions of this diocese shall constitute a quorum.

Section 2. The Ecclesiastical Authority, or a person appointed by the Ecclesiastical Authority, shall preside over the conduct of business at the diocesan convention. The Ecclesiastical Authority of this diocese shall appoint the following committees in a timely manner prior to the Diocesan Convention:

- (a) Committee on the Dispatch of Business
- (b) Committee on Arrangements
- (c) Committee on Nominations
- (d) Committee on Legislation
- (e) Committee on Resolutions
- (f) Committee on Conduct of Elections
- (g) Committee to Review the Bishop's Address
- (h) Committee to Approve Minutes

Section 3. Proposed legislation and any debatable resolution to be considered by the Diocesan Convention shall be submitted in writing, together with a brief analysis of the proposer's intent and any fiscal impact, to the secretary of the diocesan convention at least sixty (60) days in advance of the convening thereof or, in the case of a special Diocesan Convention, at least twenty-five (25) days in advance of the convening thereof, and shall be signed by its proposer. Any debatable resolution shall also be signed by a discernment group of at least twelve (12) people chosen by the proposer from at least three (3) congregations in this diocese, who shall certify that they have discussed the resolution with the proposer and support its consideration by the Diocesan Convention. The Secretary shall prepare copies of such proposals and distribute them by mail at least thirty (30) days in advance of the Diocesan Convention.

Section 4. Any proposed legislation or debatable resolutions which have not been filed with the Secretary of the Diocesan Convention and distributed as provided in the preceding section of this canon, may be introduced at the Diocesan Convention only by the consent of two-thirds of the delegates entitled to vote at the Diocesan Convention. A debatable resolution offered under this section shall conform to the format and discernment process described in Section 3 of this Canon 3. Notwithstanding the foregoing, proposed legislation and debatable resolutions introduced in the bishop's annual address to the Diocesan Convention may be considered at such Diocesan Convention without the consent of two-thirds of the delegates entitled to vote at the Diocesan Convention. In all cases and prior to the time any vote shall be taken, copies of all proposed legislation and debatable resolutions shall be made available to each individual entitled to vote thereon.

Section 5. New canons may be enacted and existing canons may be amended or repealed, in whole or in part, at any Diocesan Convention or special Diocesan Convention by the affirmative vote of both orders, voting separately. Any new canon, or any amendment or repeal of an existing canon, shall be adopted pursuant to section 3 or section 4 of this canon.

Section 6. A Member of the Clergy of the Evangelical Lutheran Church in America who serves a congregation of the Diocese of Colorado shall have seat, voice and vote at the diocesan convention.

#### ***CANON 4: Official Documents***

Section 1. The office of this diocese shall provide current copies of these canons and the constitution of this diocese to each parish and mission of this diocese. Upon request, the office shall provide one copy of the Constitution and Canons for the Government of the Episcopal Church to each parish and mission in this diocese at cost.

Section 2. The secretary of the Diocesan Convention, with the advice of the Committee to Approve Minutes, shall disseminate an official journal of the proceedings of the Diocesan Convention to each parish and mission in this diocese.

#### ***CANON 5: Financial Support of This Diocese***

Section 1: In order to provide funds which shall be expended, distributed, or used in any way by this diocese, a program of mandatory assessment will be established by Diocesan Convention, under which each parish and mission of this diocese shall be led to report and make an annual payment to this diocese of a portion of its receipts. Such payments shall be made in monthly installments. The program of assessment established by one Diocesan Convention remains in effect unless, and until, changed by a subsequent Diocesan Convention.

Section 2. Each parish and mission of this diocese shall adopt a uniform chart of accounts for financial reporting as prescribed from time to time by the Diocesan Standing Committee or by the Episcopal Church.

## **II. ORGANIZATION AND ADMINISTRATION OF THIS DIOCESE**

### ***CANON 6: The Standing Committee of This Diocese***

Section 1. The Diocesan Standing Committee shall, with the advice and consent of the bishop of this diocese, designate not fewer than four (4) nor more than seven (7) geographic regions of this diocese. Each region shall be geographically contiguous.

Section 2. The bishop of this diocese shall appoint a Regional Missioner for each region. Each Regional Missioner shall serve at the pleasure of the diocesan bishop; provided that in the event a Regional Missioner resigns or ceases to serve when there is no diocesan bishop, the Ecclesiastical Authority may appoint a temporary Missioner for that region, to serve until such time as there is a diocesan bishop.

Section 3. Each geographic region shall be represented by one (1) lay member and one (1) clergy member of the Diocesan Standing Committee. Each shall nominate at least one (1) representative of the same order as the vacancy to be elected to the Diocesan Standing Committee by the Diocesan Convention. No Regional Missioner shall serve on the Diocesan Standing Committee. In addition, the following shall be members *ex officio* of the Diocesan Standing Committee: the bishop of this diocese, the bishop coadjutor, suffragan bishops, the treasurer of this diocese, and the president of the Episcopal Churchwomen of Colorado. The ex-officio members shall have seat, voice, and vote on corporate acts of the body but they shall have no voice or vote when the body is acting in its capacity as Ecclesiastical Authority or advisory council to the Bishop or when the body is performing its canonical duties and functions under the Constitution and Canons for the Government of the Episcopal Church. In the event that a member of the Diocesan Standing Committee is no longer resident and/or canonically resident in the region which he or she represents, his or her position on the Diocesan Standing Committee shall become vacant. A full term is three (3) years. No member of the Diocesan Standing Committee shall be eligible for re-election (or election in the case of an appointed member) until one (1) year has elapsed from the expiration of his or her second full term.

Section 4. The Standing Committee of this diocese shall be selected and shall function as specified in these canons and in the constitution of this diocese. The Diocesan Standing Committee shall, in the absence of a bishop of this diocese, perform all functions required of the Ecclesiastical Authority of this diocese by the Constitution and Canons for the Government of the Episcopal Church or by these canons and the constitution of this diocese, except for those functions requiring ordination or consecration.

Section 5. In addition to those officers of the corporation known as The Bishop and Diocese of Colorado specified in Article IX of the constitution of this diocese, the Standing Committee of this diocese may appoint such other officers and assistant officers as it may deem necessary or appropriate to carry out such duties as it may specify in their appointment.

Section 6. The Diocesan Standing Committee shall have the power to budget and allocate the disposition of moneys and other property of the corporation, in accordance with the Constitution and Canons for the Government of The Episcopal Church and these canons and the constitution of this diocese and the applicable laws of the State of Colorado; provided however, that it shall budget and allocate such moneys and property in consultation with the Regional Missioners. At each Diocesan Convention, the Diocesan Standing Committee shall submit the budget of this diocese for the ensuing fiscal year. This budget and explanatory material, which together comprise the program of this diocese, shall be considered as a debatable resolution and shall be approved by a majority vote of the Diocesan Convention.

Section 7. The Diocesan Standing Committee shall appoint from among its members and from adult communicants in good standing in a mission or parish of this diocese, a finance committee to have oversight of all diocesan finances, and to make recommendations to the Diocesan Standing Committee for the responsible stewardship of diocesan assets and generally to have such responsibility and authority as is granted to such diocesan finance committee by the Constitution and Canons for the Government of the Episcopal Church.

Section 8. The Diocesan Standing Committee shall meet at least quarterly upon five (5) days' written notice. Special meetings may be called by the President, or upon the request of any five (5) members, with written notice not less than twenty-four (24) hours prior to such meeting. A simple majority of the membership of the Diocesan Standing Committee shall constitute a quorum for the purpose of conducting business. Any action required or permitted to be taken at a meeting of the Diocesan Standing Committee may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote.

Section 9. The Diocesan Standing Committee is designated as the Diocesan Review Committee. The Diocesan Standing Committee shall appoint a Church Attorney, whose appointment shall be "ad hoc" and/or for such term(s) and matter(s) as Standing Committee may determine.

### ***Canon 7: Ecclesiastical Discipline***

Section 1. Governance: The ecclesiastical discipline of a priest or deacon shall be governed by Title IV of the Canons for the Government of The Episcopal Church ("Title IV").

Section 2. Election of Disciplinary Board Members, Terms of Service and Vacancies

- (a) In accordance with the Constitution of the Diocese of Colorado and Title IV, there is hereby established a court to be called a Disciplinary Board (the "Board") consisting of seven (7) members, four (4) of whom shall be clergy canonically and geographically resident in the Diocese, and three (3) of whom shall be adult Communicants in Good Standing and geographically resident and domiciled in the Diocese. The members of the Disciplinary Board shall be elected by the Diocesan Convention. Each elected member shall serve a three year term. The terms of the elected members shall commence on the first day of the year following election, provided that, the terms of office of all members elected in 2010 only shall commence on July 1, 2011. The terms of office of members elected to the initial Board shall be staggered and arranged into three classes, with the first class of membership expiring on December 31, 2011, the second class on December 31, 2012, and the third class expiring December 31, 2013. No member shall be eligible for reelection for a year after the end of his or her third consecutive term. No member of the Diocesan Standing Committee shall be appointed to, or serve on, the Board.
- (b) (i) Vacancies on the Board shall be filled as follows: Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop of the vacancy and request that the vacancy be filled. If a vacancy occurs or exists at a time when there is no President of the Board, then the Bishop shall undertake the actions set forth in Section 2 (b) (ii) hereof on his own volition. (ii) If at the time of the vacancy a meeting of the Diocesan Convention is scheduled to be held within 60 days, the Bishop shall cause that Diocesan Convention to elect a Board member who meets the eligibility requirements set forth in Section 2 (a) hereof to fill the vacancy; if the Diocesan Convention is not scheduled within 60 days, the Bishop shall appoint a Board member who meets the eligibility requirements set forth in Section 2 (a) hereof to fill the vacancy and such

appointment shall be ratified by the Diocesan Standing Committee. (iii) Any member of the Board appointed to fill a vacancy that occurs or exists for any reason shall serve until the next Diocesan Convention.

- (c) Any Board member may be removed from office by the Bishop with ratification by the Diocesan Standing Committee, whenever in the judgment of the Bishop the best interests of the Diocese would be served thereby; the resulting vacancy shall be filled in the manner set forth in Section 2 (b) hereof.

### Section 3. Disciplinary Board Mission and Organization; Duties of Board members

- (a) The primary mission of the Board shall be to resolve equitably and efficiently disciplinary matters arising within this Diocese involving priests or deacons.
- (b) Before December 31st of each year, the Board shall convene to elect a President from among its members to serve for the following calendar year, provided that, in the case of the initial election of members, the members shall meet and select a President prior to July 1, 2011 to serve during the short year of 2011.
- (c) Members of the Board shall be required to sit, from time to time as appointed by the President of the Board, on Reference Panels, Conference Panels and or Hearing Panels, all in accordance with the provisions of Title IV; each of which shall comprise at least one but not more than three (3) members of the Board.
- (d) In appointing members of a Hearing Panel the President of the Disciplinary Board shall endeavor to ensure a level of legal expertise among its members.
- (e) The President shall not appoint a Board member to any panel if, in the President's sole judgment, the work of such panel may extend beyond the term of that Board member.

#### Section 4. Conflicts of Interest

- (a) Board members - In any proceeding under this Canon 7, if any member of the Board shall become aware of a personal conflict of interest of any nature with respect to any activity or decision taken by the Board, or undue personal bias, that member shall immediately notify the President of the Board, or the Bishop if there is no President of the Board. The Board member shall request a replacement member of the Board be appointed, in the determination of the Board member, either (i) permanently or (ii) for a stated period of time during which such conflict is expected to continue.
- (b) Panel members - In any proceeding under this Canon 7, (i) if any member of a Conference Panel or Hearing Panel shall become aware of a personal conflict of interest of any nature, or undue personal bias, with respect to the proceeding for which the panel has been convened, that member shall immediately notify the President of the Board. The panel member shall request the appointment of a replacement member of the panel; and (ii) Respondent, 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 notification to the President of the Board requesting disqualification of the challenged member. The President of the Board shall promptly consider the matter and determine whether the challenged panel member shall be disqualified from participating in that proceeding.

Section 5. Intake Officers: An Intake Officer or Officers, as defined in Title IV, shall be appointed from time to time by the Bishop, and shall serve under the guidance of the Bishop. 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.

Section 6. Investigators: The Bishop shall appoint an Investigator, as defined in Title IV, for each proceeding, in consultation with the President of the Board. The Investigator may, but need not, be a Member of the Church.

Section 7. Church Attorneys: The Bishop shall appoint an attorney or attorneys to serve as Church Attorney(s), in consultation with the Diocesan Chancellor, whenever a proceeding is initiated under this Canon 7. One attorney so appointed may serve with respect to any number of proceedings, in the discretion of the Bishop. Any person(s) so selected must be duly licensed in the State of Colorado and engaged in the active practice of law but need not be a Member of the Church or reside within the Diocese. In the course of his or her duties the Church Attorney may consult freely with the Bishop, the Chancellor, the President of the Board or any other official in the Diocese. Any Church Attorney may be removed from any proceeding, or from the office, by the Bishop.

Section 8. Advisors: Advisors, as defined in Title IV, shall be available in accordance with Title IV. Persons serving as Advisors shall be appointed by the Bishop and shall hold no other appointed or elected position provided for under this Canon 7. Advisors shall not be chancellors or vice chancellors of this Diocese or any person likely to be called as a witness in the proceeding for which he or she is appointed. No costs associated with Advisors shall be borne by this Diocese.

Section 9. Board Clerk: The Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk need not but may be a member of the Board.

Section 10. Costs and Expenses: The reasonable costs and expenses of the Board, the Intake Officer, the Investigator, the Church Attorney and the Board Clerk shall be the obligation of the Diocese, subject to such budgetary constraints as may be established by the Diocesan Standing Committee.

Section 11. Records:

- (a) Records of active proceedings before the Board, including the period of any pending appeal, shall initially be preserved and maintained in the custody of the Board Clerk. Such records shall be submitted to the Diocesan Archives not less than bi-annually.
- (b) The Diocesan Archivist or the Bishop shall make provision for the permanent storage of records of all proceedings under this Canon 7 at the Diocese and the Archives of the Episcopal Church, as prescribed in Title IV.

Section 12. Meetings: Any meeting required under this Canon 7, other than a hearing at which evidence may be taken or examined, may be conducted either in person or through telephonic or other electronic communications equipment by means of which all persons participating in the meeting can communicate simultaneously.

Section 13. Shared Resources: The Bishop may enter into an agreement or agreements with other dioceses in The Episcopal Church to share resources, personnel and expertise in connection with any matter or proceeding under this Canon 7 and Title IV.

### ***CANON 8: The Commission on Ministry***

Section 1. The Commission on Ministry shall be appointed by the Ecclesiastical Authority of this diocese and shall consist of a chairperson, at least three (3) lay persons, and at least three (3) clergy. The Commission on Ministry shall perform the duties and responsibilities provided for it by the Constitution and Canons for the Government of the Episcopal Church.

Section 2. The chairperson of the Commission on Ministry shall be appointed annually by the Ecclesiastical Authority of this diocese. The remaining members of the Commission on Ministry shall be appointed for four (4)-year terms, with at least one (1) lay member and at least one (1) clergy member being appointed each year.

Section 3. Vacancies occurring in the Commission on Ministry shall be filled by the Ecclesiastical Authority of this diocese within sixty (60) days to complete the unexpired term.

Section 4. The Commission on Ministry shall adopt rules for its work, subject to the approval of the Ecclesiastical Authority and provided the same are not inconsistent with the Constitution and Canons for the Government of the Episcopal Church or with these canons. These rules may include the appointment of committees of the Commission on Ministry to act on its behalf.

Section 5. A report of the activities of the Commission on Ministry for the preceding year shall be included in the official journal of each Diocesan Convention.

### ***CANON 9: Other Standing Commissions***

At each Diocesan Convention the Ecclesiastical Authority of this diocese will appoint such commissions as it may deem necessary, each to be composed of clergy and lay persons. Each commission shall submit annually for the approval of the Ecclesiastical Authority of this diocese a set of guidelines appropriate to the discharge of its responsibilities for the succeeding year.

### ***CANON 10: The Diocesan Chancellors***

The Ecclesiastical Authority of this diocese shall appoint a chancellor and may appoint chancellors, who shall be legal advisor(s) to the bishop of this diocese and to the Diocesan Standing Committee in matters of both civil and canon law. Each such appointee shall be licensed to practice law in the State of Colorado and shall be a member in good standing of the Colorado bar. Each such appointee shall also be an adult communicant in good standing of a parish or mission of this diocese.

## **III. CHURCHES AND OTHER INSTITUTIONS**

### ***CANON 11: Diocesan Institutions***

Section 1. Unless an organization or association in this diocese is a parish, mission, special congregation or ministry, in order to represent itself to be an authorized affiliated organization, entity, or association of the Episcopal Church in the Diocese of Colorado for any purpose whatsoever, such affiliated organization, entity, or association shall have qualified and shall continue to qualify in the judgment of the Ecclesiastical Authority as a diocesan institution pursuant to the basic requirements set forth in this canon.

Section 2. A diocesan institution may be created for any religious, charitable or educational purpose.

Section 3. Each diocesan institution shall obtain from the Ecclesiastical Authority of this diocese and from the Diocesan Standing Committee written approval of a proposed set of articles of incorporation. Each diocesan institution, in its articles of incorporation, shall accede expressly to the Constitution and Canons for the Government of the Episcopal Church and to the canons and the constitution of the diocese. The so constituted diocesan institution shall:

- (a) thereafter be incorporated, and maintain itself, as a Colorado non-profit corporation;
- (b) be prohibited from amending its articles of incorporation or alienating or encumbering real property without the written consent of the Ecclesiastical Authority and the Diocesan Standing Committee;
- (c) maintain adequate property and liability insurance coverage through Church Insurance Company or through another insurance company approved in writing by the Diocesan Standing Committee;
- (d) provide that the Ecclesiastical Authority, or the Ecclesiastical Authority's representative, shall be an ex-officio member of the governing board;

- (e) provide that the election of any person to the governing board is subject to the written consent of the Ecclesiastical Authority and Standing Committee; and may be removed by the Ecclesiastical Authority for due cause;
- (f) provide that at least a majority of the members of the governing board must be Clergy canonically resident in the diocese or members in good standing of a parish or mission of the Episcopal Church in the Diocese of Colorado;
- (g) maintain, and remain in compliance with, a set of policies for ministries with children and youth. These policies shall meet the minimum requirements as set by the Ecclesiastical Authority and the Diocesan Standing Committee;
- (h) maintain, and remain in compliance with, other policies as set from time to time by the Ecclesiastical Authority or the Diocesan Standing Committee; and
- (i) present, or cause to be delivered, reports to the Ecclesiastical Authority in the manner and form as requested from time to time by the Ecclesiastical Authority or the Diocesan Standing Committee.

Section 4. Upon written petition of a diocesan institution, the Ecclesiastical Authority and the Diocesan Standing Committee in their sole discretion may waive the requirements of Canon 11 Section 3 above for any diocesan institution owning or operating facilities in more than one diocese of The Episcopal Church, provided that a majority of the members of the governing board of the diocesan institution are members in good standing of The Episcopal Church in one or another of those dioceses (or institutions in which The Episcopal Church participates with other religious denominations), or in which community or other considerations justify such exception.

Section 5. Each diocesan institution will be required to present, or cause to be delivered to the diocese, an annual canonical audit of its finances. A diocesan institution shall prepare special written reports as requested by the Ecclesiastical Authority or the Diocesan Standing Committee.

Section 6. All real and personal property held by or for the benefit of any diocesan institution is held in trust for the Episcopal Diocese of Colorado unless otherwise approved in writing by the Ecclesiastical Authority and Diocesan Standing Committee.

Section 7. After consideration by the Ecclesiastical Authority and the Diocesan Standing Committee that a diocesan institution does not conform to the requirements of the canons, or that its standards of performance do not warrant continued recognition, the Ecclesiastical Authority, with the advice and consent of the Diocesan Standing Committee, may dissolve the diocesan institution, or take other action as it deems appropriate. Upon such dissolution, the Ecclesiastical Authority may elect to reorganize the dissolved diocesan institution into a new form. Title to all real and personal property of the dissolved institution shall revert automatically and immediately to the Bishop and Diocese of Colorado upon such dissolution unless otherwise approved in writing by the Ecclesiastical Authority and Diocesan Standing Committee.

Section 8. The Secretary of Convention shall certify in the Journal of Convention the names of all diocesan institutions.

Section 9. The acceptance, under this Canon 11, of any group or entity as a diocesan institution, or the continued recognition of any diocesan institution as such, is made without any warranty, representation, surety, or undertaking of any kind of any responsibility whatsoever on the part of the Ecclesiastical Authority, the diocese, or any part of the diocese, or any of its employees, agents, or representatives for any financial, contractual, or legal obligations or liabilities then existing, or which may later exist, by or on behalf of any such diocesan institution. Only obligations expressly undertaken under a written agreement executed with appropriate corporate action by the diocese and expressly approved by the Ecclesiastical Authority may be assumed.

## ***CANON 12: Special Congregations or Ministries***

Section 1. Any ministry or other unincorporated association may be recognized as a special congregation or ministry by the Ecclesiastical Authority of this diocese.

Section 2. The governance of all special congregations or ministries of this diocese shall be vested in the Ecclesiastical Authority of this diocese; provided however, that the Ecclesiastical Authority of this diocese may assign this responsibility to a suffragan bishop or such other person as the Ecclesiastical Authority of this diocese may designate, by written document setting forth the details of the duties and responsibilities so assigned and the means by which such assignment may be rescinded.

Section 3. A special congregation or ministry may be formed by application to the Ecclesiastical Authority by (i) a priest designated by the Bishop to be the church planter of a new congregation, (ii) a sponsoring congregation, (iii) a Region, or (iv) a group of at least twenty (20) adults committed to the special congregation or ministry. The application shall address (i) a strategy for evangelism and growth, (ii) the financial means to support that strategy, (iii) a mechanism for accountability and supervision, and (iv) a financial contribution to the diocese and region to support the ministry of the wider Church.

Section 4. Each special congregation or ministry shall:

- (a) present, or cause to be delivered, reports to the Ecclesiastical Authority in the manner and form as requested from time to time by the Ecclesiastical Authority or the Diocesan Standing Committee;
- (b) maintain, and remain in compliance with, a set of policies for ministries with children and youth. These policies shall meet the minimum requirements, as set by the Ecclesiastical Authority and the Diocesan Standing Committee.

Section 5. The Secretary of Convention shall certify in the Journal of Convention the names of all special congregations and ministries.

### ***CANON 13: Missions***

Section 1. Mission congregations shall be formed from special congregations as either a diocesan mission or a parochial mission. Mission congregations may receive financial aid to sustain their ministry. Mission congregations may be on a growth track to become self sustaining and attain parish status or may be in a location where there is a desire to retain an Episcopal presence for ministry. No mission shall be organized as a separate business entity under state laws and no mission shall hold title to any real or personal property.

Section 2. Each mission in this diocese shall:

- (a) annually hold a canvass of its membership, or exercise such other means of raising financial support for the mission as its bishop's committee shall determine;
- (b) annually perform or cause to be performed a canonical audit of its finances, and prepare or cause to be prepared a parochial report, each in the manner and form which shall be prescribed by this diocese and The Episcopal Church;
- (c) annually hold an annual meeting at which, among other matters to be discussed and decided, the annual budget of the mission shall be presented to those adult communicants in good standing of the mission in attendance;
- (d) annually have a clerk and a treasurer appointed from among the adult communicants in good standing of the mission;
- (e) present, or cause to be delivered, reports to the Ecclesiastical Authority in the manner and form as requested from time to time by the Ecclesiastical Authority or the Diocesan Standing Committee;

- (f) maintain, and remain in compliance with, a set of policies for ministries with children and youth. These policies shall meet the minimum requirements, as set by the Ecclesiastical Authority and the Diocesan Standing Committee.

Section 3. The governance of all diocesan missions shall be vested in the Ecclesiastical Authority; provided however, that the Ecclesiastical Authority may delegate this responsibility to a bishop coadjutor, a suffragan bishop, or other representative by written document setting forth the details of the duties and responsibilities so delegated and the means by which such delegation may be rescinded. The Ecclesiastical Authority shall appoint and supervise all vicars assigned to diocesan missions in this diocese.

Section 4. The Ecclesiastical Authority shall select and appoint annually the lay members of the bishop's committee in each diocesan mission, either in its own discretion or upon the request and recommendation of the members of the diocesan mission. The bishop's committee shall consist of the vicar of the mission, the bishop's warden, and no fewer than three (3) adult communicants in good standing of the mission. The vicar shall serve as chairperson of the bishop's committee. The treasurer of the mission shall provide quarterly income and expense statements for the mission to the controller or chief financial officer of the diocese.

Section 5. A special congregation may apply to the Ecclesiastical Authority for mission status with a detailed mission development plan that addresses (i) a strategy for evangelism and growth, (ii) the financial means to support that strategy, (iii) ministry development and leadership goals, (iv) the provision of facilities for worship, and (v) a financial pledge to the Diocese and Region that supports the ministry of the wider Church and that reflects a commitment to meet the requirements set forth in these canons. The Ecclesiastical Authority may grant mission status to a special congregation after consultation with the Canon Missioner and the Standing Committee.

Section 6. Any parish may apply to transfer a diocesan mission to parochial mission status. The Ecclesiastical Authority may consent to such transfer after consultation with the Canon Missioner and the Diocesan Standing Committee. The vestry of a parish wishing to transfer a diocesan mission to its jurisdiction shall include in its application an agreement to underwrite any and all of the mission's financial obligations. The vicar of such parochial mission shall be the representative of the rector of the responsible parish.

Section 7. Parish status for missions shall be granted only by the Ecclesiastical Authority, acting with the advice and consent of the Canon Missioner and the Diocesan Standing Committee.

Section 8. The Secretary of Convention shall certify in the Journal of Convention the names of all mission churches.

#### ***CANON 14: Parishes***

Section 1. Every parish in this diocese shall be organized from a mission. Every parish in this diocese shall be incorporated under the laws of the State of Colorado as a non-profit corporation. The articles of incorporation of each parish shall accede to the Constitution and Canons for the Government of the Episcopal Church and to these canons and the constitution of this diocese and shall be approved by the Ecclesiastical Authority and by the chancellor or a vice-chancellor. Every mission that applies for parish status must be financially self-sustaining and be able to demonstrate (i) the ability to provide and maintain permanent facilities for worship, (ii) the ability to support a rector at the minimum level set forth in the diocesan clergy compensation guidelines, and (iii) a record of giving financial support to the diocese and region that meets the requirements set forth in these canons.

Section 2. Every parish in this diocese shall comply with the laws of the State of Colorado relating to non-profit corporations. No parish shall amend its articles of incorporation without the prior written consent of the Ecclesiastical Authority and of the chancellor or a vice-chancellor of this diocese. Every parish in this diocese shall maintain adequate property and liability insurance coverage through Church Insurance Company or through an insurance company approved in writing by the Diocesan Standing Committee.

Section 3. Every parish in this diocese shall be governed by a vestry which shall act as the board of directors of the non-profit corporation. The rector of the parish shall be an officer thereof. The members of such corporation shall be the communicants in good standing of the parish. Each vestry shall consist of the rector of the parish, two (2) wardens, and no fewer than three (3) and no more than fifteen (15) members who are adult communicants in good standing of the parish. The wardens and members of the vestry shall be elected by the members of the parish. The senior warden may be nominated by the rector. Each vestry shall elect a treasurer and a clerk from the communicants in good standing of the parish. Terms of wardens, vestry members, and the treasurer and clerk shall be as set forth in the by-laws of the parish.

Section 4. No parish shall alienate or encumber any real property or incur any indebtedness secured by such real property except with the written consent of the Ecclesiastical Authority and the Diocesan Standing Committee.

Section 5. Each parish in this diocese shall:

- (a) annually hold a canvass of its membership, or exercise such other means of raising financial support for the parish as its vestry shall determine; and
- (b) hold an annual meeting at which, among other matters to be discussed and decided, the annual budget of the parish shall be presented to the members of the parish in attendance, and

- (c) annually present, or cause to be delivered to the Ecclesiastical Authority, a canonical audit of its finances in the manner, form, and completed by a deadline which shall be prescribed by the Ecclesiastical Authority and Diocesan Standing Committee, and
- (d) annually present, or cause to be delivered a parochial report, in the manner, form, and completed by a deadline which shall be prescribed by the Ecclesiastical Authority, Diocesan Standing Committee, and The Episcopal Church; and
- (e) present, or cause to be delivered, other reports to the Ecclesiastical Authority in the manner and form as requested from time to time by the Ecclesiastical Authority or the Diocesan Standing Committee; and
- (f) maintain in its office a printed copy of the current text of the Constitution and Canons of The Episcopal Church, and of the Constitution and Canons of the Episcopal Church in the Diocese of Colorado, together with a copy of the governing documents of the parish; and
- (g) maintain a register. The register must be preserved as part of the records of the congregation, and must be freely available for examination at each Episcopal visitation and at all reasonable times be freely available for inspection by Wardens, members of the Vestry, the Bishop, or any person designated by the Bishop. The register must contain all of the following items: (i) a record of all baptisms, confirmations, receptions, marriages, and burials solemnized in the Congregation, and including a list of persons confirmed in the parish; the names and dates of birth of the person baptized together with the names of parents and sponsors or witnesses; and the names of persons married or buried, and the date of every such rite performed; and (ii) the names of all communicants with the date of their reception, death, or removal.

- (h) maintain, and remain in compliance with, a set of policies for ministries with children and youth. These policies shall meet the minimum requirements, as set by the Ecclesiastical Authority and the Diocesan Standing Committee.

Section 6. In the event a parish experiences a decline in average Sunday attendance of twenty (20) percent or more over a three (3)-year period, or is unable to substantially perform its fiscal responsibilities over the course of one (1) year, including, but not limited to, (i) the ability to pay the rector's compensation, (ii) the ability to pay the rector's pension, or (iii) the ability to pay the mortgage, the rent, or any outstanding debts, then the Ecclesiastical Authority, with the advice of the Canon Missioner and the Standing Committee, may place the parish in "Imperiled Parish Status." When a parish is placed in Imperiled Parish Status, the parish, at the direction of the Ecclesiastical Authority, shall undertake an assessment process to discern an appropriate course of action, including, but not limited to, (i) intentional redevelopment, (ii) relocation, (iii) merging or partnering, or (iv) closing. The Ecclesiastical Authority may identify a consultant to work with the congregation during the assessment process and may take whatever actions the Ecclesiastical Authority deems reasonably appropriate in response to such an assessment. The Ecclesiastical Authority may, when agreed upon conditions are met, restore the congregation to parish status.

Section 7. In the event a parish ceases to accede to the Constitution and Canons for the Government of the Episcopal Church or to these canons and the constitution of this diocese, the Ecclesiastical Authority, with the advice and consent of the Regional Missioners and the Diocesan Standing Committee, may dissolve the parish. Upon such dissolution, the Ecclesiastical Authority may elect to reorganize the dissolved body as a diocesan mission. Title to all real and personal property of the dissolved parish shall revert automatically and immediately to the Bishop and Diocese of Colorado upon such dissolution.

Section 8. The Ecclesiastical Authority, with the advice and consent of the Canon Missioner and the Diocesan Standing Committee, may merge two (2) or more parishes into a single parish upon terms satisfactory to the vestries of such parishes. Title to the real property of such merged parishes shall vest in the parish resulting from such merger when and only when the resulting parish is incorporated.

Section 9. When the position of rector is vacant in any parish, the vestry, in consultation with the Ecclesiastical Authority, may select a priest to serve the parish temporarily until a new rector is elected. The vestry shall elect a new rector from all qualified candidates whose names are submitted for consideration, including those submitted by the Ecclesiastical Authority. The Ecclesiastical Authority shall be notified immediately upon the proposed election of a new rector. The Ecclesiastical Authority shall have thirty (30) days thereafter to communicate with the parish concerning the proposed election, and the vestry shall consider any such communication before the election becomes final. If the priest is either (a) a duly-qualified priest from outside this diocese holding letters dimissory, or (b) a priest in good standing, canonically resident in this diocese and having accepted the office, then the election shall be deemed complete once the vestry has considered any communication from the Ecclesiastical Authority and the Ecclesiastical Authority has given notice of the election to the Secretary of the Diocesan Convention.

### ***CANON 15: The Church Pension Fund***

Section 1. It shall be the duty of the Diocesan Standing Committee to provide for, and the Treasurer of this diocese to make payments as due to, the Church Pension Fund of the assessments payable on behalf of the bishop of this diocese and of all employees of this diocese.

Section 2. It shall be the duty of every member of the clergy of this diocese receiving a salary or salaries, and the duty of every congregation or institution of this diocese, to furnish a statement of such salary or salaries to the Diocesan Standing Committee.

Section 3. It shall be the duty of all congregations and institutions of this diocese employing members of the clergy in any capacity to arrange for and pay the assessment due to the Church Pension Fund on behalf of such employees.

### ***CANON 16: Parish and Mission Employment***

Section 1. To the extent practicable, the compensation, work and leave schedules, ministry review process, and other matters related to the relationship between a rector and a vestry, or between the Ecclesiastical Authority, a vicar and a bishop's committee shall be considered and defined in written goals and objectives agreed to by the participants.

Section 2. To the extent practicable, all clergy of this diocese shall be paid at least a minimum salary consistent with the guidelines established and amended from time to time by the Commission on Ministry.

Section 3. The relationships between rectors and parishes and between the Ecclesiastical Authority and this diocese shall be as defined by Constitution and Canons for the Government of the Episcopal Church.

Section 4. Any paid employee serving a parish (including the vicar of any parochial mission) shall be an employee of such parish and not of this diocese.

Section 5. Every parish, mission, special congregation, or diocesan institution shall provide for each of its adult lay employees who have worked for at least twelve (12) months at least one thousand (1,000) hours annually, retirement benefits through participation in the Episcopal Church Lay Employees Retirement Plan, or through an equivalent plan approved in writing by the Diocesan Standing Committee. Each such employer shall make such percentage contributions to the plan as are established by the Church Pension Fund from time to time.

### ***CANON 17: Mission Partnerships***

Section 1. With the recommendation of the Office of the Bishop, two or more congregations or Diocesan Institutions in geographical proximity may join together to form a Mission Partnership, provided that at least three fourths of the Vestry or Bishop's Committee, or governing board of each entity votes affirmatively to do so. These entities shall retain parish, mission, or institution status so long as they meet provisions for the same under Diocesan Canons.

Section 2. Each congregation belonging to a Mission Partnership shall retain its own identity, Vestry or Bishop's Committee, congregational budget and delegates to Diocesan Convention. The congregations in a Mission Partnership shall, therefore, be represented in Regional Meetings and Diocesan Convention as individual congregations. Each Vestry or Bishop's Committee, shall retain full control over their respective congregational properties and temporal affairs, as provided by the Canons of the National Church and of this Diocese.

Section 3. The Bishop shall, after consulting with the Mission Partnership Clergy, appoint from among the Mission Partnership Clergy the Mission Partnership Vicar. In the calling of a new clergy to the Mission Partnership, the Bishop shall be consulted and will have oversight of the calling of clergy in keeping with the Diocesan Policy and Canons.

Section 4. From and after the adoption of this Canon, any entity that becomes a member of a Mission Partnership does so for a commitment of not fewer than three (3) years. After the initial three (3) year period, any entity desiring to withdraw from the Mission Partnership may do so only upon the action of all of the following:

- (a) An affirmative vote of at least three fourths of its own Vestry, Bishop's Committee, or governing board.
- (b) Consent of the Bishop's Office.

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