



**ANGELICAN DIOCESE OF THE SOUTHWEST
OF THE
THE ANGELICAN CHURCH IN NORTHAMERICA**

CANONS

ADOPTED APRIL 27, 2013
(including Additions from Synods through 2018)

PREAMBLE

Pursuant to the Constitution of the Anglican Church in North America (the "Province") and the Canons thereof ("Provincial Canons"); and the Articles and By-Laws of the Anglican Diocese of the Southwest ("Diocese"), the Diocese, by its Synod, hereby adopts these Canons for the purpose of establishing and maintaining its own governance.

TABLE OF CONTENTS

TITLE I - Fundamental Declarations and Governing Principles	
Canon 1 – Fundamental Declarations	3
Canon 2 – Governing Principles	4
TITLE II - Organization and Administration of the Diocese and Congregations	
Canon 1 – Order, Governance, and Discipline of the Diocese	6
Canon 2 – Of the Synod	7
Canon 3 – Of the Diocesan Standing Committee	8
Canon 4 – Officers of the Diocese	9
Canon 5 – Committees of the Diocese	11
Canon 6 – The Office of Bishop and Election of a Bishop	11
Canon 7 – Congregations	13
Canon 8 – The Rector and The Pastoral Relationship	15
Canon 9 – Congregation and Diocesan Property	17
TITLE III – Worship and Administration of the Sacraments	
Canon 1 – Conformity with Provisional Canons	18
Canon 2 – Authorized Forms of Public Worship	18
Canon 3 – Christian Marriage	18
Canon 4 – Standards of Morality and Ethics	18
TITLE IV - Ministers, Their Recruitment, Preparation, Ordination, Office, Practice and Transfer	
Canon 1 – Reception and Ordination Committee and Examining Chaplains	20
Canon 2 – Seeking Holy Orders	20
Canon 3 – Candidates for Holy Orders	21
Canon 4 – Deacons and Their Ordination	22
Canon 5 – Presbyters and Their Ordination	22
Canon 6 – Licensed Lay Orders	23
TITLE V - Ecclesiastical Discipline	
Canon 1 – Ecclesiastical Discipline	24
Canon 2 – Rights of the Respondent	24
Canon 3 – The Canonical Investigator	24
Canon 4 – The Ecclesiastical Trial Court of the Diocese	24
Canon 5 – The Trial Attorney	25
Canon 6 – Attorney for the Respondent	25
Canon 7 – Court Rules and Procedures	25
Canon 8 – Clergy Under Ecclesiastical Authority in Another Jurisdiction	25
Canon 9 – Sentences	25
TITLE VI - Enactment, Amendment, and Repeal of Canons	
Canon 1 – Amendments	26
Canon 2 – Effective Date	26
Canon 3 – Statement of Authenticity	27
Appendix A - Ecclesiastical Trial Court Rules of Procedure	28
Appendix B – Timeline for Election of Bishop	31

TITLE I

FUNDAMENTAL DECLARATIONS AND GOVERNING PRINCIPLES

CANON 1 FUNDAMENTAL DECLARATIONS

As the Anglican Diocese of the Southwest, being a part of the One, Holy, Catholic, and Apostolic Church of Christ, we believe and confess Jesus Christ to be the Way, the Truth, and the Life: no one comes to the Father but by Him. Therefore, we identify the following seven (7) elements as characteristic of the Anglican Way and essential for membership:

1. We confess the canonical books of the Old and New Testaments to be the inspired Word of God, containing all things necessary for salvation, and to be the final authority and unchangeable standard for Christian faith and life.
2. We confess Baptism and the Supper of the Lord to be Sacraments ordained by Christ Himself in the Gospel, and thus to be ministered with un failing use of His words of institution and of the elements ordained by Him.
3. We confess the godly historic Episcopate as an inherent part of the apostolic faith and practice, and therefore as integral to the fullness and unity of the Body of Christ.
4. We confess as proved by most certain warrants of Holy Scripture the historic faith of the undivided church as declared in the three Catholic Creeds: the Apostles', the Nicene, and the Athanasian.
5. Concerning the seven Councils of the undivided church, we affirm the teaching of the first four Councils and the Christological clarifications of the fifth, sixth and seventh Councils, in so far as they are agreeable to the Holy Scriptures.
6. We receive the Book of Common Prayer as set forth by the Church of England in 1662, together with the Ordinal attached to the same, as the standard for Anglican doctrine and discipline, and, with the books which preceded it, as the standard for the Anglican tradition of worship.
7. We receive the Thirty-Nine Articles of Religion of 1571, taken in their literal and grammatical sense, as expressing the Anglican response to certain doctrinal issues controverted at that time, and as expressing fundamental principles of authentic Anglican belief.

In all these things, the Anglican Diocese of the Southwest is determined by the help of God to hold and maintain, as the Anglican Way has received them, the doctrine, discipline and worship of Christ and to transmit the same unimpaired to our posterity.

We seek to be and remain in full communion with all Anglican Churches, Dioceses, and Provinces that hold and maintain the Historic Faith, Doctrine, Sacraments and Discipline of the One, Holy, Catholic, and Apostolic Church.

CANON 2 GOVERNING PRINCIPLES

We affirm the following Governing Principles of our life as a part of the Body of Christ:

1. ***The Bishop Evangelist.*** Our vision is of a diocese, minimal in structure, whose Bishop would give priority to four main things: upholding the authority of the Holy Scriptures for faith and conduct, ministering pastoral support to the clergy and people of the Diocese, doing the work of an evangelist, and following the Great Commission through the planting of churches and encouraging discipleship and growth in churches.
2. ***The Congregation as the Fundamental Agency of Mission.*** We affirm that local congregations are the fundamental agencies of the mission of the Church.
3. ***Subsidiarity.*** The Church has wisely chosen the governance principle of subsidiarity; namely, that whatever the province can wisely leave to the dioceses should be left to the dioceses, and whatever the dioceses can wisely leave to the local congregations should be left to the local congregations. This Diocese exists to serve and to coordinate the work of its Member Congregations in their Godly mission and work.
4. ***The Mission and Work of the Diocese.*** The mission of this Diocese is to support the Congregations in extending the Kingdom of God by so presenting Jesus Christ in the power of the Holy Spirit that people will come to put their trust in God through Him, know Him as Savior, and serve Him as Lord in the fellowship of the Church. A principal work of the Diocese is to encourage and assist the Congregations in planting new congregations and to strengthen newly planted and existing congregations.
5. ***Lay Participation.*** The ministry of the Diocese is the responsibility of the laity as well as it is the responsibility of the Bishop and other clergy. The laity shall participate in the mission and governance of the Diocese.
6. ***Exemplary Morality.*** Clergy and laity of this Diocese are called to be exemplary in all spheres of morality, this being a condition of being appointed to or remaining in a position or office of leadership at any level.
7. ***Pastoral Ministry.*** Clergy and laity alike are called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent, receive forgiveness, and be reconciled. All members of the Diocese are called to share in Christ's ministry of prayer and healing to all who suffer spiritually, emotionally, or physically.
8. ***The Sanctity of Life.*** God, and not man, is the Creator of human life. The unjustified taking of life is sinful; therefore, we are called to promote and respect the sanctity of every human life from the moment of conception until natural death. *Exodus 20: 13; Psalm 139*
9. ***The Sanctity of Marriage and Single Life.*** We affirm our Lord's teaching that the Sacrament of Holy Matrimony is in its nature a covenantal union, permanent and lifelong, of one man and one woman in which the two become one flesh. It is both an ordinance of Creation, affirmed as such by our Lord, and commended by Saint Paul as a sign of the

mystical union between Christ and His Church. We are called to promote healthy marriages. Similarly, we affirm with St. Paul that it is also good and acceptable for single people to lead a chaste, unmarried life. *Genesis 2:24; Ephesians 5:31; I Corinthians 7:8-11*

10. *The Importance of the Family.* We affirm the family to be one of the greatest blessings God gives us. We are called to promote and protect healthy family life, including both a father and a mother in the rearing of children whenever possible, and to embrace those who are without family in the fellowship of the church. Similarly, all clergy and laity are stewards responsible for the nurturing and care of each member of the church family. *Psalms 127; Psalm 128; James 1:27*

11. *Respecting Each Person's Dignity.* Acknowledging that every person is made in the image of God, and our baptismal promise to respect each person's dignity, there shall be no tolerance for engaging in sexual harassment or engaging in or remaining silent about sexual abuse or any other form of abuse of any person, particularly children. *Genesis 1:26-27, Psalm 139*

12. *Reconciliation Among Christians.* The role of the Christian life is to be reconciled both with God and with people. God's Word gives us specific guidance about resolving disputes between Christians. When disagreements arise, we should follow the principle of resolving the dispute as quickly and as charitably as possible. Litigation in the civil courts by Christians should be the last resort for the resolution of disputes. *Matthew 18: 15-17; I Corinthians 6*

13. *A Servant Community.* We pray the Holy Spirit to lead us into fullness as a servant community of mutual respect, support, and cooperation, that we may fulfill all righteousness in our mission, our work, and our communal life together as disciples of our Lord Jesus Christ.

In these things we commit ourselves and our ministries to upholding these Fundamental Declarations and Governing Principles.

TITLE II
ORGANIZATION AND ADMINISTRATION OF THE DIOCESE AND CONGREGATIONS

CANON 1
ORDER, GOVERNANCE, AND DISCIPLINE OF THE DIOCESE

The order and governance of, and discipline within, the Diocese shall be vested in the Bishop, the Standing Committee, the Synod, and the Ecclesiastical Trial Court as provided in the Provincial Constitution and Canons and in the Articles, By-Laws, and Canons of the Diocese. The distribution of the authority for order and governance of, and discipline within, the Diocese shall be as follows:

1. The fundamental agencies of mission are the Congregations.
2. Congregations may join together for common mission within the Diocese.
3. The Diocese shall be represented in the Provincial Assembly as provided by Article IV paragraph 3, Article VI paragraph 3, and Canon I.2.3 of the Provincial Constitution and Canons, and by these Canons.
4. The Diocese shall be represented in the Provincial Council as provided by Article IV paragraph 6, Article VII paragraph 3, and Canon 1.1.2 of the Provincial Constitution and Canons, and by these Canons.
5. The Ecclesiastical Authority of the Diocese shall be vested in the Bishop and, in the absence of the Bishop, in the Standing Committee as provided by Article IV paragraph 2, and Canons 1.5.1 and I.5.3 of the Provincial Constitution and Canons, and by these Canons.
6. Ordained ministry in the Diocese shall be exercised only by Bishops, Presbyters, and Deacons under the authority of the Bishop of the Diocese.
7. Lay ministry shall be authorized by each pastor and/or Congregation.
8. The legislative and non-ecclesiastical executive authority of the Diocese shall be vested in the Synod, and in the time between meetings of the Synod, in the Standing Committee, as provided by Article VII of the Provincial Constitution, and by these Canons.
9. The judicial authority of the Diocese shall be vested in the Ecclesiastical Trial Court as provided by Article XI of the Provincial Constitution, and by these Canons.
10. The Diocesan Articles, By-Laws, and these Canons recognize the right of each Congregation to establish and maintain its own governance not inconsistent with the provisions of the Provincial Constitution and Canons, and the Diocesan Articles, By-Laws, and Canons.
11. Any Congregation may withdraw as a member of the Diocese at any time, pursuant to Article IV, Section 4 of the Diocesan By-Laws.

CANON 2 OF THE SYNOD

Section 1. Powers and Duties

The Synod as the legislative body of the Diocese has the power to adopt and amend the Diocesan Articles, By-Laws, and Canons; approve budgets; establish and oversee the program of the Diocese; confirm Standing Committee admission of Congregations into the Diocese; and elect Bishops of the Diocese, members of the Diocesan Standing Committee, members of the Committee on Nominations for Bishop, and Diocesan representatives to the Provincial Assembly and Provincial Council.

Section 2. Membership

The Synod shall be comprised of the Clergy of the Diocese, its Bishops, and Lay Delegates chosen in accordance with these Canons.

Section 3. Membership Lists and Mode of Election of Delegates

a. Clergy Delegates

1. An official list of all duly ordained Presbyters and Deacons under the authority of the Bishop shall be maintained by the Ecclesiastical Authority and kept on file in the office of the Diocese. The list shall contain the addresses and positions of the clergy and shall be published at least 30 days in advance of any meeting of the Synod. Any member of the clergy whose name is not on the list who wishes to vote at the Synod shall bring the omission to the attention of the Ecclesiastical Authority.
2. The official list shall be available to the Synod on the first day of its meeting and shall be the basis for determining a quorum as provided in Article III, Section 4 of the Diocesan Articles.
3. Every member of the clergy under the authority of the Bishop shall attend every meeting of the Synod unless excused by the Ecclesiastical Authority.

b. Lay Delegates

1. An official list of all duly elected Lay Delegates to the Synod of Congregations shall be maintained and kept current by the Ecclesiastical Authority. The list shall contain the addresses and other appropriate contact information of each Lay Delegate and shall be published at least 30 days in advance of any meeting of the Synod. Any Lay Delegate whose name is not on the list who wishes to vote at the Synod shall bring the omission to the attention of the Ecclesiastical Authority.
2. Each Congregation shall be entitled to Lay Delegates as calculated in Article Six, Section 1 of the Diocesan By-Laws.
3. Each Congregation shall select its Lay Delegate(s) according to its respective governing rules with no more than one alternate for each Lay Delegate so chosen and shall report its selection no later than thirty (30) days before the ensuing meeting of the Synod. An alternate shall qualify with the Synod Credentials Committee in order to be able to vote at a Synod meeting in the place of an absent Lay Delegate.
4. Lay members of the Standing Committee shall be deemed duly elected lay delegates of the Synod.

c. Appointed Youth Delegates

There shall be three at-large Youth Delegates, one drawn from each Deanery. Each Youth Delegate shall be entitled to voice and vote. Each Youth Delegate shall be currently enrolled in secondary or post-secondary education, and shall be appointed by the Standing Committee to serve for one year. Youth Delegates are not eligible for reappointment.

Section 4. Meetings of the Synod

- a. The Synod of the Diocese shall meet regularly once a year and may also have special meetings called for a specific purpose, as provided in the By-Laws.
- b. The Standing Committee shall determine the date, time and place of all meetings of the Synod. The Secretary of the Diocese shall give notice of annual meetings at least 90 days in advance and at least 30 days prior to any special meeting.
- c. The agenda for any Synod meeting and all proposed resolutions, including the proposed rules of order, shall be distributed to Synod delegates at least 15 days prior to the meeting. No business shall be transacted at the meeting other than that stated in the agenda, unless two-thirds of those present and voting at the meeting authorize the transaction of such other business.

Section 5. Committees of the Synod

The Synod may establish committees from time to time to implement the policies of the Diocese in particular matters. Such committees shall have the powers and responsibilities as assigned by the Synod. All Synod committee members shall be appointed by the Bishop with the advice and consent of the Standing Committee.

Section 6. Parliamentarian

The Bishop may appoint a Parliamentarian to advise the Bishop and the Synod on parliamentary and credentialing issues. The ruling of the Bishop or the Presiding Officer on any parliamentary or credentialing matter may be overridden by a vote of 2/3 of those present and voting at the Synod.

Section 7. Diocesan Delegates to the Provincial Assembly and Provincial Council

The Synod shall elect the delegates and alternates to the Provincial Council and the Provincial Assembly as provided in Title II Canon 1.3 and 1.4 from a list of nominees provided by the Standing Committee, the Bishop, or Nominees from the floor.

Section 8. Subdivision of the Diocese into Geographical Deaneries

Every Congregation within the Diocese shall be assigned to one of the geographical Deaneries identified in the By-Laws.

**CANON 3
OF THE DIOCESAN STANDING COMMITTEE**

Section 1. Standing Committee Established

Composition - The members of the Standing Committee pursuant to the By-laws are as follows:

- a. The Standing Committee shall include two (2) lay and two (2) clergy members from each Deanery. These members shall be elected to 2-year terms in accordance with the By-Laws. Elected members may serve no more than two (2) consecutive full terms and retiring elected members are ineligible for reelection for one full year;
- b. The Bishop of the Diocese; and
- c. The Treasurer and the Secretary of the Diocese.

Section 2. Election of Standing Committee Members

Members of the Standing Committee shall be elected by caucuses of delegates from each Deanery at or within 30 days prior to the annual Synod meeting. Candidates for election to the Standing Committee shall be Members of Congregations from such Deanery.

Section 3. Powers and Duties

Except as otherwise provided in the Articles and Canons of the Diocese, the Standing Committee of the Diocese shall have the following powers and duties:

- a. Conduct and manage the business of the Diocese between Synod meetings, as directed by the Synod or in accordance with Synod policy;
- b. Serve as a council of advice and accountability to and for the Bishop;
- c. Serve as the Ecclesiastical Authority of the Diocese in the absence of a Bishop authorized to act;
- d. Subject to confirmation by the Synod, act to accept or deny an application for admission of a Congregation into the Diocese;
- e. Serve as nominating committee for all offices filled by the Synod;
- f. Act to accept or deny applications for ordination to the Diaconate or Presbyterate; and
- g. Perform such other duties and responsibilities as may be assigned by the Synod or the Bishop.

Section 4. Standing Committee Decisions

The act of majority of the members of the Standing Committee present at a meeting at which a quorum is present shall be the act of the Standing Committee, unless the act of a greater number of members is required by law or by the By-Laws.

Section 5. Notice and Quorum

Notice of meetings of the Standing Committee shall be given by email at least ten days prior to the meeting. A quorum of the Standing Committee shall consist of a majority of its members, provided that at least one member from each Deanery is present.

Section 6. Standing Committee Vacancies

Any member of the Standing Committee may resign at any time by giving written notice to the Ecclesiastical Authority or to the Secretary of the Diocese. Such resignation shall take effect at the time specified therein. Any vacancy occurring in the Standing Committee shall be filled by the Standing Committee within 90 days. A person elected to fill a vacancy shall serve for the unexpired term of such member's predecessor in office.

Section 7. Removal of Standing Committee Members

- a. Any Standing Committee member who misses three (3) or more consecutive meetings of the Standing Committee without excuse shall be removed.
- b. Any member of the Standing Committee may be removed with or without cause by a two-thirds (2/3) vote of all the members of the Standing Committee at a meeting of the Standing Committee called for such purpose.
- c. The vacancy so created may be filled by the Standing Committee at the same meeting.

CANON 4 OFFICERS OF THE DIOCESE

Section 1. The Bishop

The Bishop shall serve as the Ecclesiastical Authority of the Diocese and the presiding officer of the Standing Committee and the Synod with the authority and responsibility as set forth in Article Eight, Section I of the By-Laws and those additional express authorities set forth in the Constitution and Canons of the Province and the By-Laws and Canons of this Diocese.

Section 2. The Bishop Coadjutor

The Synod may elect a Bishop Coadjutor, who is intended to succeed the Bishop upon the Bishop's retirement, death, or removal. The Bishop shall prescribe the duties and responsibilities of the Bishop Coadjutor.

Section 3. The Bishop Suffragan

The Synod may elect one or more Bishops Suffragan whose duties shall be prescribed by the Bishop.

Section 4. The Chancellor

The Chancellor, appointed by the Bishop, shall be a communicant and a member in good standing of a Congregation of this Diocese. He or she shall be learned in the law and licensed to practice law in either New Mexico and/or Texas. The Chancellor shall have responsibility for the legal affairs of the Diocese and shall serve as counsel to the Bishop and the Standing Committee. The Bishop may appoint assistant chancellors as necessary.

Section 5. The Secretary

The Secretary shall be elected by the Synod for a term of three (3) years and shall be a member of a Congregation. The Secretary shall keep the minutes of the meetings of the Synod and the Standing Committee, shall submit such reports as the Bishop may request, and perform the other duties as provided in the By-Laws. Vacancies shall be filled as provided in the By-Laws.

Section 6. The Treasurer

The Treasurer shall be elected by the Synod for a term of two (2) years and shall be a member of a Congregation. The Treasurer shall be the custodian for all of the funds of the Diocese. The Treasurer may be bonded in such amount as the Standing Committee from time to time shall deem appropriate, shall assist the Finance and Audit Committee in the preparation of the annual diocesan budget and shall file an annual report to the Synod on the financial status of the Diocese, including a balance sheet, an annual statement of income and expenses, and reports of account for all funds under the custody or control of the Treasurer. The Treasurer shall also be responsible for the preparation of such periodic financial reports as may be required by the Standing Committee, and perform the other duties as provided in the By-Laws. Vacancies shall be filled as provided in the By-Laws.

Section 7. Assistant Officers

The Standing Committee may elect an assistant secretary and one or more assistant treasurer(s) in order to assist in the administration of the affairs of the Diocese.

- A. *A Chairman of the Standing Committee to assist the Bishop in the administration of the Standing Committee and to preside over the Standing Committee in the absence or unavailability of the Bishop. The Chairman shall be a Deanery-elected member of the Standing Committee or a Synod-elected officer and shall be elected for a term not to exceed one (1) year until the next annual meeting of the Synod, but shall have no vote as such officer.*
- B. *An assistant secretary to assist the Secretary in the absence of the Secretary. The Assistant Secretary shall be a member of a congregation and may be a member of the Standing Committee, but shall have no vote as such officer.*
- C. *One or more Assistant Treasurers to assist the Treasurer. The Assistant Treasurer(s) shall be member(s) of congregation(s) and may be a member(s) of the Standing Committee, but shall have no vote as such officer.*

(adopted May 1, 2015 at Synod-Christ the King Anglican, Albuquerque, New Mexico)

**CANON 5
COMMITTEES OF THE DIOCESE**

Section 1. Finance and Audit Committee

- a. Establishment - There shall be a Finance and Audit Committee of the Diocese, consisting of three members appointed for one-year terms by the Standing Committee. The Bishop shall appoint one of the members who shall be a member of the Standing Committee, to chair such Committee. The Treasurer shall be an ex-officio (voting) member of the Committee. In the event of vacancy, the Standing Committee shall appoint a replacement member for the remainder of the term.
- b. Duties - The Finance and Audit Committee shall prepare the annual Budget of the Diocese in consultation with the Treasurer and shall issue guidelines for audits and investment management. The Finance and Audit Committee shall oversee the insurance and benefits programs for the Diocese, its clergy and lay personnel.
- c. Audit- The Finance and Audit Committee shall cause the records and accounts of the Treasurer to be independently audited or reviewed on an annual basis.

Section 2. Canons Committee

- a. Establishment - There shall be a Canons Committee, the membership of which shall be determined by the Standing Committee. The Chancellor shall be a member of this Committee.
- b. Duties - The Canons Committee may make an annual report to the Synod. The Committee shall be responsible for ensuring the conformity of the Diocesan Articles, By-Laws and Canons with those of the Province. All proposed amendments to the Articles, By-Laws, or Canons shall be submitted to the Committee not fewer than 90 days prior to the next Synod meeting. The Committee shall review and report its recommendation to the Synod regarding any proposed amendment at least 30 days prior to the next Synod meeting.

**CANON 6
THE OFFICE OF BISHOP AND ELECTION OF A BISHOP**

Section 1. The Bishop's Calling

A Bishop is called by God and the Church to be a shepherd who feeds the flock entrusted to his care. A Bishop is an overseer of the flock and as such is called to propagate, to teach, and to uphold and defend the Faith and Order of the Church. The Bishop should not lord his office over those entrusted to his care, but be an example of a servant minister to the flock. By the tradition of Christ's One, Holy, Catholic and Apostolic Church Bishops are consecrated for the whole Church and are successors to the Apostles through the grace of the Holy Spirit. Bishops are the chief pastors of the Diocese and the administrators of Godly discipline and governance.

Section 2. Criteria for Bishops

To be a suitable candidate for Bishop, a person should:

- a. Be a person of prayer, a student of God's word, and of mature faith.
- b. Be genuine in the practice of Godly moral character and conduct;
- c. Have a zeal for winning souls, and for making disciples for Christ;
- d. Have demonstrated evidence of the fruit of the Holy Spirit in his life;
- e. Possess the leadership and teaching gifts needed to fulfill the office;
- f. Be respected for evidencing Godly pastoral leadership;
- g. Have demonstrated the ability to lead, establish, and grow the Church; and
- h. Be a male presbyter at least 40 years of age.

Section 3. The Election of Bishops

Bishops shall be chosen by the Diocese in conformance with the Constitution and Canons of the Province and with the Canons of this Diocese as set forth hereinafter. The Standing Committee shall declare a vacancy in a position of Bishop and the process for election shall be as follows in this Canon 6.

Section 4. Establishment of a Committee on Nominations

- a. Establishment - A Committee on Nominations, consisting of three Clergy and three Lay Delegates, one from each order from each Deanery, plus one at-large Lay delegate, from among the delegates to the Synod, may be elected by the Standing Committee. The Committee on Nominations shall be responsible for receiving, considering, and publishing all accepted nominations for Bishop, Bishop Coadjutor, and Bishop Suffragan as provided in Canon 4, Sections 1, 2, and 3. The Standing Committee shall appoint a chair from among the members of the Committee on Nominations.
- b. Sources and Contents of Nominations- Nominations for Bishops shall be submitted to the Committee on Nominations, in a form specified by that Committee, not less than 180 days prior to the electing Synod.
- c. Screening of Nominations- The Committee on Nominations shall screen all names placed in nomination to determine whether they meet the criteria established by the Provincial Constitution and Canons and Diocesan Articles, By-Laws, and Canons. Through due diligence and a prayerful process of discernment, the Committee shall arrive at a slate consisting of no less than three and no more than six names, each of whom must have communicated to the Committee written acceptance of the nomination and acknowledgement of publication of the nomination by the Committee. The slate of names shall be published to the Synod delegates at least 120 days prior to the electing Synod.

Section 5. Additional Nominations

- a. Additional nominations for election to Bishop may be made by petition to the Committee on Nominations by the Vestries of three Congregations for each nominee at least 60 days prior to the electing Synod.
- b. Such additional nominations shall include written acceptance of the nomination and acknowledgement of publication of the nomination by the Committee on Nominations.
- c. The Committee on Nominations shall screen all names placed in nomination by petition to determine whether they meet the criteria established by the Provincial Constitution and Canons and by this Canon. The Committee on Nominations may decline to accept such nominations if the nominee does not meet said criteria.

Section 6. Special Electing Synod Meeting

The Standing Committee shall call for a special electing Synod meeting for the purpose of electing a Bishop in accordance with the By-laws and these Canons. The Synod shall be given the names of nominees of the Committee on Nominations and the nominees by petition at least 60 days prior to the electing Synod meeting. The Committee on Nominations shall give opportunities to Members and Congregations to meet all nominees.

Section 7. Nominating Procedure

The Standing Committee shall determine which procedure(s) shall be employed in conducting the special electing Synod meeting and shall determine the exact number of nominees to be selected. Any appeals from the procedure(s) set forth herein or by the Committee on Nominations shall be finally determined by the Standing Committee.

Section 8. Voting for Bishop

Voting for the election of a Bishop at a special meeting of the Synod shall be by secret ballot. Each Synod Delegate shall have one vote. The Synod shall deliberate and vote as one house. A two-thirds majority vote of those delegates present shall be necessary to elect a Bishop. Additional ballots shall be taken until at least one nominee obtains such a majority. If an election is being held to present more than one nominee to the House of Bishops of the Province, each Synod delegate may vote for as many as there are nominees to be chosen.

Section 9. Certification of Election

The Secretary of the Diocese shall promptly certify the election of a Bishop for consent by the House of Bishops of the Province, or certify two or three such nominees from which the House of Bishops may select one for the Diocese, as the case may be. If the Synod shall find only one suitable candidate for the office of Bishop, such name will be submitted for consideration by the House of Bishops. In the event that the Bishop-elect or the nominees are all rejected by the House of Bishops, another special electing Synod meeting shall be promptly called by the Standing Committee. Upon the consent or selection of a Bishop-elect by the House of Bishops, the Archbishop shall schedule the consecration and/or installation of such Bishop in accordance with the Constitution and Canons of the Province.

Section 10. Incapacity of Bishop. When the requisite number of members of the Standing Committee have significant concern regarding the physical or mental capacity of the Bishop to carry out his duties, the Standing Committee shall follow the procedures established in the Provincial Canons (Title III, Canon 8, Section 7).

(adopted September 22, 2017 at Synod- Christ the King Retreat Center, San Angelo, Texas)

**CANON 7
CONGREGATIONS**

Section 1. Congregation Defined

- a. Any group of the faithful may seek to affiliate as a Congregation as provided in this Canon and as provided in Article Four, Section I of the By-Laws. A Congregation shall consist of a group of professing Christians meeting together in regular worship.
- b. A Congregation shall be duly incorporated within the state in which it resides and shall continuously be in good standing with such state.

Section 2. Application Procedure

- a. Any group of the faithful seeking to affiliate as a Congregation shall submit its application to the Standing Committee on forms and in accordance with standards prescribed by the Standing Committee. The Standing Committee may issue provisional membership (defined as participation, including voice but no vote) in the Diocese subject to confirmation by majority vote of the next Synod. Upon confirmation by the Synod, the Bishop shall receive the Congregation into the Diocese. Any Congregation joining the Diocese shall agree in advance in writing to become subject to the Constitution and Canons of the Province and the Articles, By-Laws, and Canons of the Diocese.
- b. A Congregation attached to another Diocese or cluster of the Province, desiring to become a member of this Diocese, shall submit its application to the Standing Committee on forms and in accordance with standards prescribed by the Standing Committee, and with the written consent of the Standing Committee and the Bishop to which jurisdiction that Congregation is

currently attached. The Standing Committee may issue provisional membership (defined as participation, including voice but no vote) in the Diocese subject to confirmation by majority vote of the next Synod. Upon confirmation by the Synod, the Bishop shall receive the Congregation into the Diocese. Any Congregation joining the Diocese from another Diocese or cluster of the Province shall agree in advance in writing to become subject to the Constitution and Canons of the Province and the Articles, By-Laws, and Canons of the Diocese.

Section 3. Governance of Congregations

- a. Governing Body of Congregation Defined and How Elected-The Rector and Vestry or Board of Directors shall be the governing body of the Congregation. Every Congregation shall have a Vestry or Board of Directors elected by the Congregation, and each member of the Vestry or Board shall meet the eligibility criteria set forth in Subparagraph c. of this Section.
- b. Governing Documents and Structure
 1. Each congregation shall adopt and maintain governing documents in conformity with the Constitution and Canons of the Province and the Articles, By-Laws, and Canons of the Diocese and shall operate in accordance with the same.
 2. The governing documents of the Congregation shall provide that: (a) the Senior and Junior Wardens shall be selected by either the Rector or the Vestry; and (b) the Rector shall preside at all meetings of the Vestry and, in the Rector's absence, one of the Wardens shall preside. The Standing Committee may for good cause waive the requirements of this subsection.
- c. Vestry Member Eligibility, Qualifications, Duties, Oath and Vacancies
 1. Eligibility. Only those Members of the Congregation who are baptized Christians and in conformity with the By-Laws of the Congregation shall be eligible to serve on the Vestry.
 2. Aspirational Vestry Qualifications. Qualification for Vestry membership should be based on Titus 1:6-9. Candidates should aspire to have the following characteristics:
 - i. A mature Christian;
 - ii. One who maintains an active prayer life;
 - iii. One whose life is in order;
 - iv. Known and respected among the Congregation;
 - v. One who has been or is currently active in ministry;
 - vi. Known as a cheerful giver, not only of money but of time; and
 - vii. One who understands, has counted the cost of, and is committed to fulfilling the responsibilities and duties of a member of the Vestry.
 3. Duties. The vestry shall at a minimum have the following duties:
 - i. Provide for the financial support of the Rector;
 - ii. Support the Rector in all aspects of the Rector's ministry;
 - iii. Provide an adequate place for regular worship;
 - iv. Provide for the compensation of staff members;
 - v. Establish an adequate insurance program for the Congregation that includes, at a minimum, property damage, liability, and personal injury;
 - vi. Encourage a biblically-based program of financial giving by members of the Congregation;
 - vii. Be cautious in the undertaking of debt on behalf on the Congregation;
 - viii. In all aspects, have due regard for the fiduciary responsibilities of the Vestry;
 - ix. Conform (as nearly as possible) with the financial askings of the Diocese; and
 - x. Strive for unity and adopt the principles found in Matthew 18 as the standard for resolving conflict that may develop within the Vestry, the Congregation, the

Diocese, and the Province.

- d. Investments - All investments of the Congregation shall be under the oversight of the Vestry and shall be made with due regard for applicable state law for fiduciaries. Investment funds shall be deposited in banks or other financial institutions where such deposits are adequately insured, unless such requirement be waived in writing by the Vestry in accordance with generally accepted investment standards.
- e. Members and Eligible Voters of the Congregation - The minimum standards for the definitions of " Member" and "Eligible Voter" are as follows:
 - 1. Members: Other than clergy under the authority of the Bishop, members comprise all persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit.
 - 2. Eligible Voters: Only those Members of the Congregation who are at least 16 years of age, who are also recognized by the Rector as regular worshippers and by the Treasurer or Wardens as regular contributors are eligible to vote for Vestry and other matters requiring the vote of the Congregation.
- f. Sacramental Registers and Vestry Minutes - The Rector and Wardens shall maintain a register of official acts such as worship services, baptisms, confirmations, weddings, funerals, and visitations of bishops and other clergy. Minutes of all meetings of the Vestry shall be kept in permanent form.
- g. *Annual Financial Report - On or before the first day of March, the Rector and Wardens shall submit to the Secretary and Budget & Finance Committee of the Diocese an Annual Financial Report reflecting the financial activities of the congregation during the previous year. The report need not be, but may be, prepared by an outside audit or an independent CPA review, but must be reviewed by at least a three-member committee from the congregation, on a form to be prescribed by the Standing Committee. The data thus reported shall be drawn from Registers of the Congregation, and the list of Members and Eligible Voters required to be maintained by this Canon.*
(adopted September 22, 2017 at Synod-Christ the King Retreat Center, San Angelo, Texas)

CANON 8 THE RECTOR AND THE PASTORAL RELATIONSHIP

Section 1. The Pastoral Relationship Defined

- a. A prayerful process of discernment, including appropriate due diligence, shall be undertaken in the calling of a Rector to a Congregation, and the Vestry shall consult with the Bishop as detailed in Section 2 below. The relationship between the Rector and the Congregation is one of mutual trust and dependence in carrying out the ministry of the Congregation. As the spiritual leader of the Congregation, the Rector requires the full cooperation and support of the Vestry. The Rector, with the approval of the Vestry, shall select all assistant or associate clergy and lay employees who shall serve at the pleasure of the Rector. Whenever matters of disagreement develop, it is incumbent on all parties to approach one another with patience, understanding of the views of all parties, and Christian charity to avoid having the relationship imperiled or hindered.

Section 2. The Vestry and the Search Process

- a. The Vestry may appoint a Search Committee to consider appropriate candidates to be considered for election and call as Rector by the Vestry.

- b. The Vestry shall prayerfully seek the guidance of the Holy Spirit in reaching a consensus on which candidate should be called. The Vestry shall determine the numerical vote of its members necessary for the election of the Rector.
- c. Before calling a Rector, the Vestry shall notify the Bishop of the candidate it desires to call. The Bishop then has two weeks to respond to the Vestry, unless that time is extended by the Vestry. If the Bishop objects to the candidate being called, he shall state to the Vestry his reason for objecting. The Bishop may stipulate to the Vestry that his reason be kept confidential. The candidate for Rector shall not be called without the consent of the Bishop.
- d. The Rector-elect shall not be recognized by the Bishop as the Rector of the Parish until canonically received to the Diocese and shall not perform any of the rites or ceremonies of the Church except with special permission of the Bishop.
- e. The Call of the Rector shall include the financial compensation and other benefits to be offered to the Rector.
- f. Restrictions upon Rector's Resignation and/or Removal - Except for reasons required by infirmity, a Rector may not resign as Rector without the consent of the Vestry. A Rector may not be removed against his or her will except as hereinafter provided.

Section 3. Procedure When Pastoral Relationship Imperiled or Hindered

- a. Whenever a Rector or a majority of the Vestry believe the pastoral relationship between the Rector and the Congregation to be imperiled or hindered by reason of dissension, either or both shall present the matter to the Bishop.
- b. Upon notification of such imperilment or hindrance, the Bishop shall intervene and promptly seek reconciliation by whatever means he believes appropriate that is not inconsistent with Holy Scripture. Both the Rector and the Vestry shall participate cooperatively in the process. The Bishop may issue such interim directives appropriate to the cause before issuing a final judgment. Prior to issuing a final judgment, the Bishop may consult with the Standing Committee and the Chancellor of the Diocese. The Standing Committee may schedule a conference with the Vestry and the Rector before rendering its advice to the Bishop. At such conference (if applicable), the parties may be heard and be represented by a person or persons of their choice.
- c. The judgment of the Bishop may include a leave of absence with pay for the Rector, a refusal to dissolve the pastoral relationship, or a judgment of dissolution of the pastoral relationship.
- d. If the relationship is to be dissolved, the judgment of the Bishop may include terms and conditions for compliance by both parties. The Vestry and the Bishop shall work together with the guidance of the Holy Spirit in reaching a consensus on any financial settlement for the departing Rector. The Bishop shall in all cases render pastoral support to the Rector. Upon issuing such judgment, the Bishop shall inform the Standing Committee, Chancellor, and all parties involved.
- e. If for any reason the Rector shall refuse to comply with the judgment of the Bishop from subsection c. above, the Bishop may suspend the Rector from the exercise of the ministry of a Presbyter until the Rector complies with the judgment.
- f. If for any reason the Vestry shall refuse to comply with the judgment of the Bishop, the Bishop may request the Rector and the Vestry to call a meeting of the congregation for the purpose of notifying the Congregation of the Vestry's noncompliance with the judgment. The Bishop may then request the Synod of the Diocese to remove the Congregation from the Diocese in the event of continued noncompliance by the Vestry.
- g. If at the time of need for intervention in the relationship between a Rector and a Congregation there be no Bishop, the Standing Committee shall be the ecclesiastical authority under this Section.

CANON 9
CONGREGATION AND DIOCESAN PROPERTY

Section 1. No Denominational or Diocesan Trust in Congregation Property

All real and personal property owned by or held for the benefit of a Congregation shall belong exclusively to that Congregation, free of any trust or other claim by the Diocese or the Province.

Section 2. Restriction on Right to Alienate Property of Congregation

Prior to the sale of consecrated property, the Vestry should first offer the property to the Standing Committee which, unless such right to purchase is waived, shall have sixty (60) days to elect to pursue its acquisition for purposes of the Diocese.

Section 3. Diocese Empowered to Own Its Own Property

The Diocese shall own its own property to be held in whatever form determined by the Standing Committee and any such property shall be free of any claim of trust or ownership by the Province.

TITLE III
WORSHIP AND ADMINISTRATION OF THE SACRAMENTS

CANON 1
CONFORMITY WITH PROVISIONAL CANONS

Worship and the Administration of the Sacraments in this Diocese shall be in conformity with Title II of the Provincial Canons and Title III of these Diocesan Canons.

CANON 2
AUTHORIZED FORMS OF PUBLIC WORSHIP

The Bishop shall ensure that the forms used in Public Worship and the Administration of the Sacraments be in accordance with Anglican Faith and Order and that nothing be established that is contrary to the Word of God as revealed in the Holy Scriptures.

CANON 3
CHRISTIAN MARRIAGE

Section 1. Christian Marriage in the Diocese

The Diocese affirms our Lord's teaching that the Sacrament of Holy Matrimony is in its nature a union lifelong and permanent of one man and one woman. Christian marriage in this Diocese shall be in conformity with the Provincial Canons.

Section 2. Procedure for Divorced Person to Seek Permission to Be Married in the Diocese

The following procedure is required by Title II, Canon 7, Section 4 of the Provincial Canons: Should a man and a woman, one or both of whom have been divorced, wish to be married to one another in this Diocese, the couple must first secure the Bishop's consent by submitting an application on a form prescribed by the Bishop for such purpose. Within 30 days from the date of receipt of the application signed by the couple and the proposed officiating clergy, the Bishop shall communicate in writing his determination of the application.

CANON 4
STANDARDS OF MORALITY AND ETHICS

Section 1. Exemplary Morality

Clergy and laity of this Diocese are called to be exemplary in all spheres of morality. This is a condition of being appointed to or remaining in a position or office of leadership.

Section 2. Sanctity of Marriage

In view of the teaching of Holy Scripture, the Lambeth Conference of 1998, and the Jerusalem Declaration, this Diocese upholds faithfulness in marriage between a man and a woman in lifelong union, and believes that abstinence is right for those who are not called to marriage, and cannot legitimize or bless same-sex unions or ordain persons who engage in homosexual behavior.

Section 3. Sanctity of Life

God, and not man, is the creator of human life. The unjustified taking of life is sinful. Therefore, all clergy and laity are called to promote and respect the sanctity of every human life from conception to natural death.

Section 4. Pastoral Ministry

Clergy and laity are called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent and receive forgiveness, and offering the ministry of healing to all who suffer physically or emotionally as a result of such sin.

TITLE IV
MINISTERS, THEIR RECRUITMENT, PREPARATION, ORDINATION,
OFFICE, PRACTICE AND TRANSFER

CANON 1
RECEPTION AND ORDINATION COMMITTEE AND EXAMINING CHAPLAINS

There shall be a Diocesan Reception and Ordination Committee comprised of at least two but no more than four clergy and at least two but no more than four laity appointed by the Standing Committee to serve for staggered three-year terms. The Reception and Ordination Committee shall assist the Bishop with the identification, selection, examination, interviewing, and other screening of applicants for admission as postulants and as candidates for ordination to Holy Orders. The Reception and Ordination Committee shall also assist and advise the Bishop in formulating the needs and requirements for the present and future ministry in the Diocese, regarding the manner of selection of persons for ministry, and regarding the guidance of all postulants and candidates for ordination to Holy Orders. The Reception and Ordination Committee shall publish and maintain a set of "Guidelines for Rectors and Those Seeking Holy Orders" to be approved by the Standing Committee. The Bishop may appoint Examining Chaplains from among all Clergy and laity of the Diocese for the purpose of assisting the Bishop with oversight of postulants and candidates for ordination and their examination for ordination.

CANON 2
SEEKING HOLY ORDERS

Section 1. Prospective Postulants for Holy Orders

- a. Any member of this Province who feels called to the ordained ministry should seek the discernment of others to confirm that call. Initially, the prospective postulant should identify himself or herself to the Rector of a Congregation in this Diocese. The Rector and the prospective postulant shall follow the process outlined by the Bishop which, at a minimum, shall: (a) include affiliation of the prospective postulant with a single Congregation in this Diocese for at least two years; and (b) subject the call to the decision of a Discernment Committee or the Vestry of that Congregation. Upon the favorable recommendation of the Discernment Committee or the Vestry, the prospective postulant shall complete an Application for Postulancy, on the form required by the Standing Committee. The Vestry by at least two-thirds vote shall determine whether to recommend the prospective postulant to the Bishop for admission to postulancy, and, if it so determines, shall forward the application to the Bishop. The recommending Congregation shall serve as the applicant's Sponsoring Congregation.
- b. *When a prospective postulant is already ordained in another Christian Denomination and is serving as a pastor of a congregation (or in the process of planting a congregation), the requirement of affiliation with a single sponsoring congregation for at least two (2) years as set forth in subparagraph a. immediately hereinabove, may be waived by the Bishop. When available, a favorable recommendation by a discernment committee of the board of directors of that congregation would be encouraged to give recommendation for postulancy. In the alternative, the prospective postulant must continue to be supervised during postulancy and candidacy by the Bishop or a cleric resident in this Diocese who is appointed by the Bishop, in consultation with the Reception and Ordination Committee. The remaining requirements of postulancy contained in this Canon shall be followed.*

(adopted September 2018 at Synod- St. Clements Anglican, El Paso, Texas)

- c. *Notwithstanding the above and foregoing provisions of Title IV, the Bishop may, with the consent*

and approval of the Reception and Ordination Committee and the Standing Committee make exceptions to the process for seeking Holy Orders.

(adopted September 22, 2017 at Synod- Christ the King Retreat Center San Angelo, Texas)

Section 2. Application and Background Check

Upon receipt of the application, the Bishop shall cause to be conducted an extensive independent background check of the prospective postulant covering the following subjects: the investigation and review of all references and previous employers for the previous ten years, credit reports, records of Departments of Motor Vehicles, and a complete criminal records check, including all registers of sexual predators.

Section 3. Action on the Application for Postulancy

Upon the receipt and review of the Application for Postulancy and background check and after consultation with the Reception and Ordination Committee, within 90 days of the receipt of such application, the Bishop shall determine whether to accept or reject the application and shall notify the applicant in writing of the acceptance or rejection of the application, such notice to include a statement of reasons supporting any rejection determination. If the application is accepted, the acceptance shall be recorded in the records of the Diocese and be communicated to the Reception and Ordination Committee and the Vestry of the sponsoring congregation.

Section 4. Oversight of the Postulant

Upon acceptance of an applicant for postulancy, the Bishop shall, with the assistance of the Reception and Ordination Committee and the Sponsoring Congregation, oversee and direct the preparation, ministry, and study of the Postulant.

Section 5. Removal from Postulancy

At any point in the process for application for Postulancy, the Bishop, in his godly wisdom, may terminate the process or delay the same for a time certain.

CANON 3 CANDIDATES FOR HOLY ORDERS

Section 1. Endorsement of Candidacy

Any postulant who meets the requirements of Title III of the Provincial Canons may apply for admission as a Candidate for Holy Orders. The application must be endorsed by the Reception and Ordination Committee and the Sponsoring Congregation.

Section 2. Physical and Emotional Readiness

Each applicant for Candidacy shall cause to be submitted to the Bishop a report from a licensed, practicing physician regarding the applicant's physical condition, and a report from a licensed, practicing psychiatrist or psychologist, approved by the Bishop, regarding the applicant's mental and emotional health.

Section 3. Admission as a Candidate

- a. Following the receipt of a Postulant's Application for Candidacy, the Bishop, with the consent of the Standing Committee, may admit the applicant as a Candidate for ordination, and so note the same in the records of the Diocese and advise the Reception and Ordination Committee and the Diocesan Examining Chaplains.

- b. The Bishop may consider accepting as a Candidate for ordination any person who has been refused admission as a Candidate for Holy Orders in any other Diocese, Cluster or Network of this Province, provided he consults with the Bishop who refused to admit that person to Candidacy for the purpose of determining whether sufficient reasons continue to exist to warrant denial of the application.
- c. If the Bishop determines that the Postulant shall not be admitted as a Candidate for ordination, the Bishop shall so notify both the applicant and the Rector of the Sponsoring Congregation in writing and provide the reasons for such a determination.
- d. Upon acceptance of the Candidate for ordination, the Bishop shall continue to oversee and direct the preparation, ministry, and study of the candidate for ordination.

CANON 4 DEACONS AND THEIR ORDINATION

Section 1. Concerning Prerequisites for Ordination

No person shall be ordained a Deacon in this Diocese until that person shall have passed a satisfactory examination conducted by those appointed by the Bishop for this purpose, and shall have demonstrated sufficient knowledge of Holy Scripture, the Doctrine, Discipline and Worship of the Province; and any other topics the Bishop shall deem necessary for the office and ministry of Deacons, and shall have subscribed without reservation to the declaration set forth in Section 2 of this canon.

Section 2. Concerning the Required Declaration of Ordinands

No person shall be ordained a Deacon in the Diocese until such person shall have subscribed without reservation to the following declaration:

"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them."

CANON 5 PRESBYTERS AND THEIR ORDINATION

Section 1. Ordination Following Period of Diaconate

No person shall be ordained a Presbyter in this Diocese until that person shall have been ordained a Deacon for at least six months.

Section 2. Theological Requirements and Examination of Candidate for Ordination

No Deacon shall be ordained a Presbyter in this Diocese until that person shall have passed a satisfactory examination prescribed by the Bishop. The examination shall encompass those subjects set forth in Title III, Canon 4, Section 2 of the Provincial Canons. The candidate shall also be examined as to the candidate's qualities for such ministry specified in Title III, Canon 2 of the Provincial Canons.

Section 3. Concerning the Required Declaration of Presbyters

No person shall be ordained a Presbyter in the Diocese until such person shall have subscribed without reservation to the following declaration:

"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry

thereto, and I do solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them."

CANON 6
LICENSED LAY ORDERS

The Diocese recognizes that the ministry of the laity is indispensable to the work of the Diocese and that this ministry originates within each Congregation. All clergy and Congregations of the Diocese are strongly encouraged to equip the laity for ministries in their communities. To this end, Rectors and clergy overseeing Congregations with Vestry approval may license members as Lay Church Planters, Lay Evangelists, Lay Pastors, Lay Preachers, Lay Catechists, and Lay Eucharistic Ministers for ministry in the local Congregation.

**TITLE V
ECCLESIASTICAL DISCIPLINE**

**CANON 1
ECCLESIASTICAL DISCIPLINE**

All clergy under the authority of the Bishop who exercise ministry in the Diocese shall be subject to the disciplinary provisions of Title IV of the Provincial Canons and to the provisions of these Diocesan Canons.

**CANON 2
RIGHTS OF THE RESPONDENT**

Any member of the clergy against whom disciplinary measures are initiated shall be presumed innocent until he or she has been determined guilty according to the provisions and procedures described herein. All disciplinary procedures shall be undertaken speedily in a manner consistent with principles of fairness, due process, and natural justice.

**CANON 3
THE CANONICAL INVESTIGATOR**

The Standing Committee of the Diocese may appoint a Canonical Investigator to ascertain the merit of any accusations made against clergy of the Diocese and to make a recommendation to the Standing Committee as to whether further judicial process should be pursued.

**CANON 4
THE ECCLESIASTICAL TRIAL COURT OF THE DIOCESE**

Section 1. Ecclesiastical Trial Court Established, Composition, Number of Members, Mode of Election and Term of Office

There may be an Ecclesiastical Trial Court ("Court") of the Diocese consisting of seven members elected by the Standing Committee for a time certain. Three members shall be chosen from the laity and four from the clergy.

Section 2. Court Advisor

The Bishop may appoint an attorney at law to advise the Court as to its procedures.

Section 3. Court Officers and Recorder of Proceedings

The Court shall elect its President and Secretary from its members, and shall appoint a recorder of proceedings, which recorder may be a court reporting agency not affiliated with the Diocese.

Section 4. Quorum and Composition of Court

A panel of no fewer than five members of the Court shall be necessary for the conduct of a trial or for a judgment. Any panel of the Court shall comprise an odd number of members with one more clergy than laity.

Section 5. Judgment of the Court

An affirmative vote of sixty percent of the members of a panel of the Court shall be required for any judgment.

CANON 5 THE TRIAL ATTORNEY

The Bishop shall appoint a Trial Attorney who shall have the responsibility of preparing all presentments and presenting the evidence to the Court.

CANON 6 ATTORNEY FOR THE RESPONDENT

The Respondent shall have the right to an attorney. The Standing Committee may, in its discretion, authorize the payment in whole or in part of the legal fees incurred by a Respondent.

CANON 7 COURT RULES AND PROCEDURES

The rules governing proceedings in the Court are set forth in Appendix A to these Diocesan Canons.

CANON 8 CLERGY UNDER ECCLESIASTICAL AUTHORITY IN ANOTHER JURISDICTION

Regardless of whether any member of the clergy under the authority of the Bishop is also under the authority of another bishop, whenever it is believed that such a member of the clergy may have committed a canonical offense in this Diocese, the same shall be reported by the Bishop to the other bishop or Archbishop who also has ecclesiastical authority over such member of the clergy. Such member of the clergy shall be subject to disciplinary proceedings in this Diocese in accordance with Title V of the Diocesan canons.

CANON 9 SENTENCES

Upon any conviction, the Bishop shall pronounce sentence as outlined in Title IV, Canon 8 of the Provincial Canons, which shall include the implied authority of the Bishop to prohibit the convicted member of the clergy from serving in the Diocese.

TITLE VI
ENACTMENT, AMENDMENT, AND REPEAL OF CANONS

CANON 1
AMENDMENTS

The Canons of the Diocese may be amended by the Synod at any regular meeting or any Special Meeting called for that purpose. No amendment may be adopted until it has been reviewed by the Canons Committee and its recommendations given to the Synod. Notwithstanding any provision in these Canons to the contrary, the Synod may by two-thirds majority allow the consideration of proposed amendments to the Diocesan Canons.

CANON 2
EFFECTIVE DATE

These Canons shall be effective upon the admission of the Anglican Diocese of the Southwest to full Diocesan status by the Provincial Council of the Anglican Church in North America.

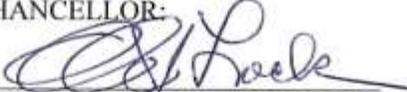
**CANON 3
STATEMENT OF AUTHENTICITY**

These Canons correctly set forth the provisions of the Canons as adopted on April 27, 2013.

IN WITNESS WHEREOF, the undersigned authorized officers of the Anglican Diocese of the Southwest have executed these Canons in duplicate originals and certify to the truth of the facts herein stated on December 3, 2015.

BISHOP:

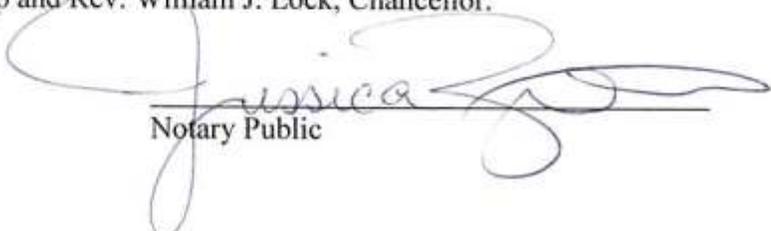
RT. REV. JOHN MARK ZIMMERMAN

CHANCELLOR:

REV. WILLIAM J. LOCK

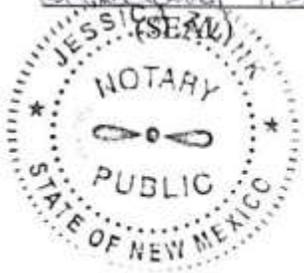
Acknowledgment

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

The foregoing Canons were acknowledged before me on December 3, 2015, by Rt. Rev. John Mark Zimmerman, Bishop and Rev. William J. Lock, Chancellor.


Notary Public

My commission expires:
January 7, 2017



APPENDIX A

ECCLESIASTICAL TRIAL COURT RULES OF PROCEDURE

Rule 1: Application and Scope of Rules

These Rules govern procedure in the Ecclesiastical Trial Court (the "Court") in all presentment actions. They shall be construed and administered to secure the just, speedy, and inexpensive determination of every such action.

Rule 2: Institution of Presentment Action

(a) Form. A presentment proceeding authorized by the Court shall be instituted by the service of a Summons, together with a copy of the Articles of Presentment. The Summons and Articles of Presentment shall be signed by the President of the Court, identify the Court and all the parties to the proceeding, be directed to the Respondent and state the name and address of the Trial Attorney representing the Diocese. It shall state the time within which the Respondent must file with the Court an Answer to the Articles of Presentment, and notify the Respondent that failure to do so may result in a Judgment that an Offense was committed by the Respondent and place the Respondent at risk for a Sentence to be pronounced at a later date. The Court may allow the Summons to be amended.

(b) Service. The service of the Summons and Articles of Presentment shall be made either by hand delivery or by mailing by certified mail with return receipt. The Respondent may waive personal service in writing.

(c) Proof of Service. The person effecting service of the Summons and Articles of Presentment shall make proof of service by affidavit or sworn statement to the Court. If service is waived, the written waiver of service shall be filed with the Court.

Rule 3: Service and Filing of Pleadings and Other Papers

Except as otherwise expressly provided in these Rules, every pleading, paper, motion and notice subsequent to the Summons and Articles of Presentment required to be served on a party shall be served upon either the party or the attorney that enters an appearance for the party, unless otherwise ordered by the Court. Service shall be made by hand delivering a copy to the party or the party's attorney or by mailing it to the party's or the attorney's last known address. Service by mail is complete upon mailing. The filing of papers with the Court shall be made by filing them with the President of the Court unless otherwise directed by the Court. The parties may by agreement approved by the Court also provide for service by other means such as electronic mail and/or facsimile transmission.

Rule 4: General Rules of Pleading

(a) Articles of Presentment. The Articles of Presentment shall contain a short and plain statement of each Offense with express reference to applicable provisions of Canon 2 of Title IV of the Canons of the Province, and a plain and concise statement of the facts upon which each such allegation is made.

(b) Answer. The Answer shall state in short and plain terms the Respondent's response to each allegation of the Articles of Presentment, including any defense thereto, and shall admit or deny the factual allegations of the Articles of Presentment. If the Respondent is without knowledge or information sufficient to form a belief as to the truth of any factual allegation, the Respondent shall so state and this has the effect of a denial. Denials may also be made in part or with qualification.

(c) Style. Pleadings are to be plain and concise. No technical forms of pleadings or motions are required.

(d) Construction. All pleadings shall be so construed as to do substantial justice.

(e) Form of Pleadings. Every pleading shall identify the name of the Court, name of the Respondent, and file number, if any. All allegations in the Articles of Presentment and the Answer thereto shall be made in separately numbered paragraphs. Exhibits may be attached and identified by reference within the pleading.

(f) Signature. All pleadings shall be signed by the attorney for the party on whose behalf it has been prepared, or the party if not represented by an attorney. Each paper shall state the signer's address and telephone number.

Rule 5: Defenses and Objections

(a) When Presented. Unless a different time period is prescribed, a Respondent shall serve an Answer to the Articles of Presentment upon the Trial Attorney and file it with the Court within 30 days after being served with a Summons and Articles of Presentment.

(b) How Presented. The following defenses may be asserted either in the Answer or by motion: (1) insufficiency of service or process; (2) lack of jurisdiction; (3) failure to state the factual basis of an Offense; and (4) expiration of the applicable period of limitations as stated in Canon 3 of Title IV of the Canons of the Province. The Respondent may also move for a more definite statement before filing an Answer if the Articles of Presentment are so vague or ambiguous that Respondent cannot reasonably be required to frame a responsive pleading.

Rule 6: Amended and Supplemental Pleadings

The Court may, in the interest of justice, permit the filing of amended and supplemental pleadings.

Rule 7: Voluntary Disclosures, Discovery

(a) Voluntary Disclosures. The parties shall provide to each other and the Court not later than sixty days prior to trial a list of all the witnesses expected to testify at trial, including the name and address of each witness; and copies of all documents and exhibits intended for use at trial.

(b) The parties may conduct discovery through written or oral depositions or written interrogatories. The Court may limit the number, length and scope of depositions or interrogatories. The Respondent shall not be required to make any statement or admission against himself or herself in any discovery procedure.

Rule 8: Taking of Testimony

In all Court proceedings, the testimony of witnesses shall be taken orally in open Court by the Recorder of proceedings, unless otherwise provided by the Court. Such testimony shall be given under oath or solemn affirmation.

Rule 9: Summary Judgment of Offense

(a) How Made. If the Respondent fails or refuses to Answer the Articles of Presentment or otherwise respond by motion, except for reasonable cause to be allowed by the Court, the Trial Attorney may, no sooner than thirty days after the Answer is due, move with or without supporting affidavits for Summary Judgment. A Respondent may also move, with or without supporting affidavits, for Summary Judgment on part or all of the allegations of the Articles of Presentment.

(b) Opposing Affidavits. Prior to the day of any hearing set by the Court on a Motion for Summary Judgment, the party responding to the motion may submit affidavits in support of such party's response to the Motion.

(c) Proceedings Thereon. The court shall convene a hearing to consider any Motion for Summary Judgment and may, in the Court's discretion, receive oral testimony at any such hearing. If the Articles of Presentment, together with affidavits, if any, and any oral testimony or other admissible evidence presented to the Court show that there is no genuine issue as to any fact material to a determination

that the Respondent committed an Offense, the Court shall render Summary Judgment as sought by the Motion for Summary Judgment.

(d) Form of Affidavits. Supporting and opposing affidavits, and any oral testimony, shall be made on the basis of personal knowledge, shall state such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify as to the matters stated. Copies of papers referred to in an affidavit shall be attached to and served with the affidavit.

(e) Defense Required. When a motion is made and supported as provided in this rule, the opposing party may not rest upon mere allegations or denials of the adverse party's pleading but must, by affidavits or otherwise provided in *this* rule, set forth specific facts to show that there is a genuine issue for trial.

Rule 10: Trials

Each Respondent is entitled to a speedy and just trial of the allegations set forth in the Articles of Presentment. Each Respondent is entitled to confront the evidence against him. The facts alleged in the Articles of Presentment must be proved by clear and convincing evidence and the Diocese bears the burden of going forward and of proof as to each and every allegation in the Articles of Presentment. Trials shall be governed by the Federal Rules of Evidence and, where applicable under those rules, the rules of evidence of the state in which the Diocese has its principal office.

Rule 11: Judgment

The Court shall render its Judgment no later than sixty days after the date of the conclusion of the hearing upon a Motion for Summary Judgment or trial.

APPENDIX B TIMELINE FOR ELECTION OF BISHOP

Anglican Diocese of the Southwest (in formation) Timeline for Election of Bishop – Canon 6

