

THE CONSTITUTION AND CANONS

OF

THE DIOCESE OF EAU CLAIRE

THE DIOCESE OF EAU CLAIRE

Revised by the 85th Convention of the Diocese of Eau Claire
November 8th, 2014

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THE CONSTITUTION

ARTICLE I Of the Diocese

That part of the Holy Catholic Church known in law as The Episcopal Church, situated in the portion of the State of Wisconsin lying West and North of, and including, the counties of Iron, Price, Taylor, Clark, Jackson, Juneau and Vernon, constitutes the Diocese of Eau Claire; and as such accedes to the Constitution and Canons of The Episcopal Church..

ARTICLE II Of the Convention

The legislative power of the Diocese shall be vested in the Convention which shall be held annually at such place and time as the Ecclesiastical Authority shall designate.

ARTICLE III Of a Special Convention

Section 1. The Bishop may call a Special Convention and shall do so when required by the Standing Committee.

Section 2. If the See be vacant, or the Bishop be incapacitated, the Standing Committee shall have power to call a Special Convention.

Section 3. At least thirty (30) days' notice of a Special Convention shall be given to the Clergy of the Diocese and to the Wardens of each Congregation. Such notice shall designate the time, place, and purpose of the Special Convention, and no other business shall be considered thereat except with unanimous consent of the members.

ARTICLE IV Of the Members of the Convention

Section 1. The Convention shall be composed of certified members of both Orders, Clerical and Lay.

Section 2. The Clerical members shall be: the Bishop and all other active and retired Clergy canonically and physically resident of, or assigned to Congregations in, the Diocese and in good standing.

Section 3. The Lay members shall be Deputies chosen in accordance with the Canons of this Diocese, by the Congregations in union with the Convention. They shall be adult communicants in good standing, of the Congregation from which they are chosen; and not Postulants or Candidates for Holy Orders.

Section 4. The number of Deputies, together with the elections of Deputies, and the filling of vacancies, shall be done in accordance with the Canons of the Diocese.

Section 5. No Deputy shall be allowed to vote in any session of any Convention or Special Convention, if the Congregation sending such deputy is not current in its apportionment payments for one year, without the prior consent of the Executive Council.

Section 6. Only those persons, Clerical or Lay, not under ecclesiastical censure or process, shall be seated in any Convention.

Section 7. The Convention shall be the sole judge of the election and qualification of its members.

Section 8. Lay members elected in accordance with this Article shall serve until the next Convention and shall act as deputies to any Special Convention called.

ARTICLE V

Of the Officers of the Convention and of the Diocese

Section 1. The Bishop shall be the President of the Convention and shall have a vote therein.

Section 2. The President of the Standing Committee shall be the Vice-President of the Convention. If the See be vacant, or the Bishop be absent or unable to act, the Vice-President of the Convention shall be the President pro tempore.

Section 3. The elective officers shall be as follows:

- a) the Secretary
- b) the Treasurer
- c) the Standing Committee
- d) the Trustees of the Diocese
- e) the elective members of the Executive Council of the Diocese of Eau Claire, Inc.
- f) the Deputies to the Provincial Synod
- g) the Deputies to the General Convention

Section 4. The appointive officers who shall be appointed by the President with the consent of the Convention shall be:

- a) the Historiographer
- b) the Chancellor of the Diocese, who shall be a member of the State Bar of Wisconsin

Section 5. The duties of the officers shall be those prescribed by the Constitution and Canons of The Episcopal Church and of this Diocese, by resolution of Convention, or by the Bishop.

Section 6. Unless otherwise specified, the term of office shall in every case be one year, or until the office is filled by a duly qualified successor.

Section 7. Any adult communicant in good standing of this Diocese shall be eligible to hold office.

Section 8. Any lay officer not a member of the Convention shall be entitled to a seat therein, and the right to speak on matters pertaining to his/her office, but not the right to vote.

Section 9. All elections shall be by ballot, unless the same be dispensed with by unanimous consent.

Section 10. Any Convention or Special Convention may remove any officer by a two-thirds vote of those present and voting.

Section 11. Unless otherwise provided for in the Constitution and Canons of the Diocese, the unexpired term of any elected officer who does not complete the same shall be filled by appointment by the Diocesan Executive Council upon the nomination of the Bishop.

ARTICLE VI

Of the Transaction of Convention Business

Section 1. At any Convention a majority of the Clergy of the Diocese entitled to vote, and a majority of the total number of authorized Deputies of the Congregations entitled to send such Deputies shall be necessary for a quorum; provided, however, that a smaller number may adjourn from day to day for three days, for the purpose of obtaining a quorum.

Section 2. The Clerical and Lay members shall deliberate as one body except as provided in the following section. The votes of a majority of the members present and voting shall be decisive, unless otherwise provided in the Constitution and Canons of this Diocese.

Section 3. When a vote by orders is required, the Clerical and Lay members shall vote separately. Each member of each order shall be entitled to one vote, and the concurrence of a majority in each order shall be necessary for a decision.

Section 4. The vote shall be taken by orders when called for by three (3) members of the Convention.

Section 5. Whenever an appeal is taken from a decision of the President, it must be seconded by at least three members; and a two-thirds vote of all members present and voting shall be necessary to sustain the appeal.

ARTICLE VII

Of the Admission and Exclusion of Congregations

Section 1. The Convention may, by a vote by orders, admit new Congregations into union with it, when they have presented satisfactory evidence of their compliance with the canonical requirements.

Section 2. Any Congregation may be suspended from representation in the Convention, or its connection with the Diocese wholly dissolved, by a vote by orders for causes specified by Canon. The Convention may, by a like vote, restore to such Congregation its status and privileges.

Section 3. If at any time it shall appear to the Bishop that any of the conditions essential by Canon to the admission of Congregations into Union with the Convention shall have failed for a period of three consecutive years in any Congregation, the Bishop shall follow such procedure as the Canons direct for the dissolution of the Congregation as such if in the Bishop's judgment such action shall be necessary.

ARTICLE VIII

Of the Election of a Bishop

Section 1. The election of a Bishop, Bishop Coadjutor, or Suffragan Bishop for this Diocese shall be made in the annual Diocesan Convention, or in a special Convention called for this purpose.

Section 2. The nomination and election of a Bishop shall be made only in compliance with the Canons of the Episcopal Church and the Diocese of Eau Claire.

ARTICLE IX

Of the Trustees of The Episcopal Church in the Diocese of Eau Claire

Section 1. The Corporation known as "The Trustees of The Episcopal Church in the Diocese of Eau Claire" is hereby empowered and may take and hold title to all land and other property belonging to the Diocese except for current operating funds needed by the Diocese of Eau Claire, Inc., for the purposes and the manner hereinafter specified by the Canons of the Diocese. In addition, said Corporation is entrusted with, and shall have charge of all endowment funds of the Diocese now provided, with any addition that may accrue from any investment thereof. Said Corporation may for investment purposes only take charge of and manage endowment, trust, bequest and other monies belonging to any Congregation in the

Diocese upon the approval of the Vestry of the Congregation placing the funds. Such funds shall be subject to management charges in the same manner as Diocesan endowment funds, and all net income earned on the same shall be remitted to the Congregation owning the same.

Section 2. At each Convention there shall be elected two persons, communicants in good standing, to serve as Trustees of the Diocese; and the persons so elected shall serve for a period of two years.

Section 3. The four Trustees thus elected together with the Bishop and Chancellor shall serve as a six-man Board of Directors of said Corporation but in case of a tie vote the chancellor's vote shall not be counted. The Bishop shall serve as President ex officio of the Corporation and a Secretary and Treasurer shall be elected from among the four elected Trustees by said Trustees. Three members present, two of whom shall be elected members, shall constitute a quorum for transacting all business.

Section 4. All Trust funds in the custody of said Corporation shall be invested in the manner prescribed by law for the investment of trust funds.

Section 5. The Trustees shall present to each Convention a report showing the funds and properties owned by said Corporation which report shall be printed in the Journal. They shall keep a complete and accurate record of the titles of all real estate held by the Corporation and a record of all insurance coverage on property owned thereby.

ARTICLE X Of Temporal Properties.

The Convention shall have authority to do all things necessary to protect and conserve the material resources of the Congregations and other entities under its jurisdiction; and to this end it shall have power to make such rules as it shall deem expedient, by the enactment of Canons or by other legislation, to ensure the proper care, investment and use of trust funds and endowments; to maintain Church property of all forms in due and reverent repair, and properly insured; to provide for the proper accounting and auditing of Church funds; to ensure that legacies or gifts are used in accordance with the intention of their legators or donors; and to have general supervision over titles, conveyances or encumbrances.

ARTICLE XI Of Alterations and Amendments, and Repeal

Section 1. This Constitution may be altered or amended by a vote by orders at two consecutive Conventions.

Section 2. All Articles of any previous Constitution are hereby repealed.

THE CANONS OF THE DIOCESE

Canon 1: Of the Committees of the Convention

Section 1. The President, or in the absence of the President, the Vice-president, shall, at the opening of the Convention or prior thereto, appoint a Committee on Credentials, who shall ascertain that the persons representing Congregations have been duly certified and that these Congregations are in compliance with Article IV, Section 5 of the Constitution of the Diocese.

Section 2. The President, at the opening of the Convention or prior thereto, shall appoint standing committees as follows:

- a) On Resolutions
- b) On the Dispatch of Business

Canon 2: Of the Clerical Members of the Convention

The Ecclesiastical Authority shall, one week before the convening of the Convention, cause to be delivered to the Secretary a certified copy of the official list of the clergy canonically and physically resident in, or assigned to Congregations in, the Diocese, and in good standing; and a list of those who have been ordained or received into the Diocese within the year immediately preceding, with the dates of their ordination or reception. From these lists, the Secretary shall prepare a roll of clergy entitled to seats and votes in the Convention. This roll shall be official evidence of membership and shall be printed in the Journal.

Canon 3: Of the Lay Members of the Convention

Section 1. The lay members of the Convention shall be deputies chosen and certified according to the Constitution, whose certificates have been presented to the proper committee, and are reported as regular. In every case the certificates shall be on the form provided by the Secretary.

Section 2. Representation shall be determined based on the Average Sunday Attendance reported on the Parochial report filed in the current Convention year. Every organized congregation shall be entitled to have a minimum of two Lay Deputies. Those congregations having from 30 to 59 worshippers shall be entitled to three Lay Deputies. Those congregations having from 60 to 99 worshippers shall be entitled to four Lay Deputies. Those congregations with 100 or more worshippers shall be entitled to five Lay Deputies. Any congregation that has not fulfilled the definition of a “self-supporting congregation” in the two years prior to the Convention year, that would otherwise have more than two Lay Deputies, shall have the number of Lay Deputies reduced by one.

Section 3. All congregations shall elect their deputies and a like number of alternates at the Annual Congregational Meeting. In the case of a failure to elect the deputies and their alternates at the Annual Meeting, they shall be chosen by the Vestry. Should they not be elected by the Annual Meeting or chosen by the Vestry, they shall be appointed by the Priest in charge of the Congregation and the Wardens.

Section 4. In case a deputy be unable to attend, the alternate having received the highest number of votes shall attend in the deputy's place. Should neither deputies nor alternates be able to attend, substitute alternates may be appointed by the Priest in charge of the Congregation and Wardens.

Section 5. Every unorganized congregation in the Diocese may send two lay representatives to the Convention who shall be granted seat and voice, but no vote. These representatives shall be selected in a manner consistent with the election of deputies in organized congregations.

Canon 4: Of Questions Relating to Membership

Section 1. Should a question relative to clerical membership arise, it shall be decided immediately by the Ecclesiastical authority.

Section 2. Certificates of deputies reported as irregular, defective, or contested shall immediately be referred to the Convention for disposition. In every case the decision of the Convention shall be final.

Canon 5: Of Non-Attendance

Section 1. It is the duty of every person entitled to a seat in the Convention to attend every session thereof.

Section 2. Unless previously excused by the Ecclesiastical Authority, a member of the clergy not present shall be required to communicate the reason for his absence to the Ecclesiastical Authority within one week of the adjournment of the Convention.

Canon 6: Of the Services, Order of Business, and Rules of Order of the Convention

Section 1. The President of the Convention shall take order for all services of worship and for devotions held in connection with the Convention. The Convention may by a two-thirds vote prescribe an order of business to be followed and rules of order to be observed at its several sessions.

Section 2. Unless otherwise determined by the Constitution and Canons of the Episcopal Church, the Constitution and Canons of this diocese or the Convention of this diocese,

Roberts Rules of Order shall prevail in all meetings of the Convention. To this end, the President of the Convention shall appoint a person to serve as Parliamentarian for the Convention.

Canon 7: Of Elections

Section 1. Prior to the convening of the Convention, the Secretary shall prepare a ballot on which there shall be designated the officers to be elected, their terms of office, and the Order clerical or lay from which the offices are to be filled.

Section 2. The Convention shall by a plurality elect members of the Standing Committee, deputies and alternates to the General Convention and Provincial Synod, the Secretary, Treasurer and Trustees of the Diocese, and the members of the Executive Council.

Section 3. The election to any office not specifically provided for in this canon shall be by a majority of all votes cast unless otherwise provided for in the Constitution or Canons.

Section 4. Unless otherwise specified in the Constitution and Canons of the Diocese, no person, except the Bishop, shall hold any elected Diocesan office for more than six consecutive years. This rule may be waived by the Bishop, with the approval the Convention of the Diocese or of the Executive Council of the Diocese.

Section 5. There shall be a Nominating Committee of a least three members including both Clerical and Lay persons appointed by the Bishop at each yearly Diocesan Convention, that, during the following year, shall actively solicit candidates for the various positions to be filled at the next Convention. The Nominating Committee shall secure at least two nominations for each position to be filled by the Convention. Nominations shall be solicited from and may be made by any member of the Diocese, and submitted in writing to the Nominating Committee through the Diocesan Office. Nominations shall be closed fifteen days prior to Convention, and announced at least ten working days prior to Convention. There shall be no nominations from the floor during Convention.

Section 6. To be eligible for any office elected by the Convention a lay person must be an adult communicant in good standing in a congregation of this diocese and must not be a postulant or candidate for Holy Orders. To be eligible for any office elected by the Convention a priest or deacon must be canonically and physically resident in the Diocese and in good standing.

Section 7. The Secretary of Convention shall take office immediately upon election. Unless otherwise specified in the Constitution or Canons, the term of office for all other positions elected by Convention shall begin on January 1 of the year following the Convention.

Section 8. This canon shall not govern the election of a Bishop.

Canon 8: Of the Election of a Bishop

Section 1. Whenever the Bishop or the Ecclesiastical Authority shall call for the election of a Bishop, Bishop Coadjutor, or Suffragan Bishop, and the Diocesan Convention, where required, shall have given its consent thereto, there shall be a committee of 4 priests, 2 deacons and 9 lay persons, for a total of fifteen members, selected in accordance with this canon and to be known as the Committee for the Nomination of Candidates for Bishop. All members of the Committee for the Nomination of Candidates for Bishop must meet the requirements for being elected to an office by the Convention throughout their terms of appointment.

The fifteen Committee members shall be selected as follows:

The Standing Committee shall appoint to the Committee one priest and one lay person who are members of the Standing Committee, one of whom shall be the President of the Standing Committee unless the President is a deacon.

The Executive Council shall appoint to the Committee one priest and two lay persons who are all members of the Executive Council, one of whom shall be the Vice President of the Executive Council unless the Vice President is a deacon.

The Lay Deputies of each Convocation shall meet and by a majority vote appoint to the Committee two lay persons from within their respective Convocation.

The priests who are eligible to be members of Convention shall meet and by majority vote appoint to the Committee two priests.

The deacons who are eligible to be members of Convention shall meet and by majority vote appoint to the Committee two deacons.

The Standing Committee, the Executive Council and the Convocations, priests, and deacons shall make their appointments not more than 30 days after the call for an Episcopal election. Any member of the Committee whose name shall be proposed for consideration as a candidate for Episcopal office in this or another diocese must either withdraw as a candidate or withdraw from the Committee within seven days. During these seven days the member shall not take part in any work or deliberations with or on behalf of the Committee unless he or she has withdrawn as a candidate.

Section 2. All members of the Committee initially appointed and those appointed to fill vacancies on the Committee shall continue as members until they shall withdraw by written notice to the Ecclesiastical Authority or until the close of the Convention at which the Episcopal election shall have been accomplished.

Section 3. Should any member of the Committee for any reason decline to serve on the Committee or withdraw after initial service, the Committee shall fill the vacancy at its

discretion. Vacancies must be filled from the constituency from which they were elected and in the order that they represented.

Section 4. The Diocesan Bishop, or Ecclesiastical Authority, in the absence of the Bishop, shall appoint a person who is not a member of the Committee to act as the initial convener of the Committee. The initial convener shall chair the first meeting of the committee. At its first meeting, in addition to any other business conducted, the Committee shall take the following actions:

a) Choose a chairperson from among its own membership who shall assume that position at the end of the initial meeting of the Committee.

b) Choose a secretary who need not be a member of the Committee.

c) Establish the time-line for the election process, along with the means for any necessary adjustment to this time-line.

d) Establish a link to the Diocesan web site plan for immediate implementation which will be used throughout the process beginning with the dissemination of the proposed time line and means for any necessary adjustment thereto.

e) Instruct the Diocesan Deployment Officer, if there is one, or other appropriate staff person to list the call for an election on the Positions Open Bulletin with the Church Deployment Office.

Section 5. The Committee shall appoint a Chaplain for the Committee and may appoint a Chaplain for the electing Convention who may be the same person. The Committee may engage the services of an appropriately qualified consultant in episcopal elections.

Section 6. The Committee is responsible for a survey of the diocese that shall include demographics, perceived strengths, needs, and goals. The survey shall also solicit views on the particular qualities expected in a new bishop that would assist in the work of the Gospel and employ the diocese's strengths to address its needs and accomplish its goals. The survey shall be completed and the results published in both electronic and printed format before the Committee issues the official call for names.

Section 7. The Committee shall call for, receive and may propose names of members of the Clergy who may lawfully be elected to the Episcopal office to be filled, and shall fix the time within which suggested names may be filed with the Committee. The last day for filing suggested names with the Committee shall not be fewer than 60 days prior to the date set for the electing Convention. The solicitation may be by electronic or printed communication, shall include the results of the Diocesan survey, and shall be made from all members of the diocese, clerical and lay, as well as every bishop with jurisdiction, Standing Committee, and diocesan deployment officer of the Episcopal Church.

Section 8. The Committee shall inform itself concerning the persons proposed and, after due consideration, shall select not fewer than three (3) nor more than five (5) whom it deems

qualified for the office. Nominees' names shall not be released until the required criminal and background checks have been completed and verified. The Committee shall then make a preliminary release of the names of the nominees.

Section 9. The Committee shall publish a report electronically in brochure format that includes the results of the diocesan survey, biographical information on each candidate, and the written answers of the candidates to a specified number of questions selected by the Committee to reflect the concerns of the survey. The Secretary of the Convention shall communicate copies of the report of the Committee to the Clerical and Lay members of the Convention and all Congregations of the Diocese not fewer than 30 days prior to the date set for the Convention at which the Episcopal election is to be held.

Section 10. The Committee shall establish and have authority over a properly secured web site for the use of all involved in the nomination and election process. All publications of the Committee shall be available on this web site including the survey and report. A link to the web site shall be clearly positioned on the diocesan web site. The web site shall be maintained in a timely and accurate manner.

Section 11. The Committee shall arrange for all candidates selected for nomination and their spouses or partners to be available in each Convocation for a joint opportunity to personally meet them. These events shall be prepared by the Committee. The diocese shall be responsible for the cost of the events and those costs directly related to those persons nominated by the Committee. The costs directly related to any person nominated by petition shall be the responsibility of the person so nominated.

Section 12. The presentation of the report of the Committee at the Convention shall constitute a nomination of each of the candidates named therein.

Canon 9: Of the Diocese of Eau Claire, Inc.

Section 1. The Convention shall perform for the corporation known as the Diocese of Eau Claire, Inc., the functions usually performed by the membership of such a corporation, no body of members having been provided for in the Articles of Incorporation of said corporation so as to allow the Convention to so act.

Section 2. Said corporation shall be the operating entity of the Diocese of Eau Claire. All apportionments shall be paid to it by the Congregations of the Diocese, and the corporation known as the Trustees of the Episcopal Church in the Diocese of Eau Claire shall pay to it such endowment and trust fund income as is designated to defray the expenses of the Diocese.

Section 3. Said corporation may accept gifts, devises and bequests of both real and personal property. Unless the giver specified otherwise, gifts other than cash needed for the day to day operations of the Diocese shall be transferred to the corporation known as the Trustees of the Episcopal Church in the Diocese of Eau Claire for investment,

Section 4: The Board of Directors shall be known as the Diocesan Executive Council which shall have those powers granted directors of non-stock corporations by the State of Wisconsin in addition to those conferred upon them, but not specifically restricted by these Canons. The Diocesan Executive Council shall adopt rules and procedures for its meetings and operations consistent with the Constitution and Canons of the Diocese of Eau Claire. The Bishop of the Diocese of Eau Claire shall be the President; the Vice President of the Executive Council shall be the Vice President; the Secretary of the Diocese of Eau Claire shall be the Secretary; the Treasurer of the Diocese of Eau Claire shall be the Treasurer.

Canon 10: Of the Vice President, the Secretary and the Treasurer

Section 1. The President of the Standing Committee shall serve as Vice-President of the Convention.

Section 2. In addition to the usual duties of the office, and such duties as may be prescribed by the Constitution and Canons of The Episcopal Church and of this Diocese, or by direction of the Ecclesiastical Authority, the Secretary shall prepare and distribute the annual Journal and within thirty days after the adjournment of the Convention, put into the hands of the Treasurer a certified statement of all bills and accounts ordered by the Convention to be paid. The Secretary shall deliver to the Historiographer at Diocesan Headquarters before the end of the third month of the year commencing three years after the close of the year in which said meetings took place all documents, reports and papers pertaining to all Executive Council and annual and special Convention meetings.

Section 3. The Secretary may nominate some fit person to serve as an Assistant Secretary, who, with the consent of the Convention, shall serve during its sessions.

Section 4. The Treasurer shall keep such accounts as the Convention or the Diocesan Executive Council may determine, in a manner satisfactory to the Diocesan Executive Council, and shall pay such bills and appropriations as the Convention or the Executive Council shall allow.

Canon 11: Of the Diocesan Executive Council

Section 1. The Diocesan Executive Council shall have charge of the development and prosecution of the missionary, educational and Christian social service work of the Diocese, and such other works as may be committed to it by the Convention and shall be charged with the general financial administration of the Diocese between the sessions of the Convention.

Section 2. The voting members of the Executive Council shall be the Bishop of the Diocese and six lay persons and three clergy persons elected at large by the Convention. The term of office for the nine elected members shall be three years with two lay persons and one clergy

person elected each year. The elected members shall not be eligible for reelection until one year after their previous term has expired.

Section 3. The following persons shall have seat and voice, but no vote, at all meetings of the Executive Council: The Secretary of Convention, the Treasurer of the Diocese, and the Chancellor of the Diocese.

Section 4. The Bishop shall be the President of the Diocesan Executive Council. The Council shall annually, at the first meeting of the calendar year, elect a Vice President from among its own membership. The President of the Standing Committee shall not serve as the Vice President of the Executive Council. The Ecclesiastical Authority shall be empowered to call special meetings of the Executive Council.

Section 5. A majority of the number of voting members of the Diocesan Executive Council shall constitute a quorum for the Executive Council. An action by a majority of those present at a meeting at which a quorum is present shall be the act of the Diocesan Executive Council.

Section 6. The Diocesan Executive Council shall submit to each Convention the following:

- a) A report of the work done under its supervision during the preceding conciliar year.
- b) Reports of the Treasurer of the Diocese of Eau Claire, Inc., for the preceding year.
- c) A Diocesan budget for the following fiscal year.
- d) A schedule of apportionments for the Congregations of the Diocese, computed in accordance with the provisions of these Canons.

Section 7. The reports, budgets and schedules described in (b), (c) and (d) of the preceding Section shall be printed and sent to the clergy of the Diocese, to the Wardens of the Congregations, and to the Deputies to Convention, before the convening of the Convention; but no such report, budget or schedule shall be regarded as having been adopted until appropriate action thereon shall have been taken by the Diocesan Executive Council, except by a two-thirds vote of the Convention.

Section 8. The Diocesan Executive Council shall have power to spend all money provided in the budget adopted by the Convention for the purpose therein specified, any money actually received in any year over the amount required by the budget for that year, and any unexpended balances. But in case any expenditures shall in any year exceed the amount provided in the budget for that year, a detailed statement of such excesses shall be made to the next Convention. The Diocesan Executive Council shall have the authority to make changes to the Budget adopted by the Convention if such changes are warranted by unusual and unanticipated circumstances. A detailed report of such changes to the budget and the reasons for making those changes shall be made to the next Convention.

Section 9. All salaries payable from diocesan funds, other than salaries determined by the Convention, shall be fixed by the Diocesan Executive Council. The Diocesan Executive

Council shall determine the compensation package to be paid to clergy by all congregations receiving financial aid from the Diocese.

Section 10. The Diocesan Executive Council shall meet at least four times each year at such dates as the Bishop designates.

Canon 12: Of the Finance Commission

Section 1. The Trustees of the Diocese of Eau Claire shall serve as the Finance Commission of the Diocese of Eau Claire.

Section 2. The Finance Commission shall exercise the authority given to such bodies under the National Canons and shall perform such other tasks relating to finances or business methods in the Diocese as the Executive Council shall assign.

Section 3. The Finance Commission shall make regular reports of their activities to the Executive Council.

Canon 13: Of the Convocations

Section 1. The Diocese shall be divided into two Convocations, the boundaries of which shall be determined by the Bishop and the Executive Council.

Section 2. The Deputies and Alternates to Diocesan Convention shall also serve as Deputies and Alternates to the Convocations.

Section 3. If any clergy person is serving congregations in more than one Convocation, that clergy person shall be entitled to seat and voice at any meeting of either Convocation, but shall only have voting privileges in the Convocation where he or she is physically resident.

Canon 14: Of the Standing Committee

Section 1. The members of the Standing Committee shall be three lay persons and three clergy persons elected at large by the Convention. The term of office for the six members shall be three years with one lay person and one clergy person elected each year. The members shall not be eligible for reelection until one year after their previous term has expired.

Section 2. The Standing Committee shall at its first meeting each year elect from its own body a President. The Bishop shall convene the first meeting of the Standing Committee for the purpose of the election of a President, who will assume office immediately. The Vice President of the Executive Council shall not serve as President of the Standing Committee.

Section 3. The President shall appoint a Secretary who shall prepare and present to the Convention a report of all the official acts of the Committee during the previous councilor year.

Canon 15: Of the Deputies to the General Convention and the Provincial Synod

Section 1. The Deputies to the General Convention shall consist of four priests or deacons and four laypersons and their respective alternates, each elected for a period of three years.

Section 2. The Deputies to the Provincial Synod shall consist of one priest or deacon and two laypersons and their respective alternates, each elected for a period of three years.

Section 3. Each Deputy-elect to the General Convention or the Provincial Synod shall confirm the Deputy-elect's intention to attend the Convention or Synod to the Ecclesiastical Authority no less than three weeks prior to the opening of the Convention or Synod. If any Deputies are unable to attend, the Ecclesiastical Authority shall designate the number of Alternates, in order of total votes received at the time of their election, required to complete the deputation of the Diocese. Whenever the Bishop and Standing Committee shall certify that there is an insufficient number of Alternates available to complete the deputation of the Diocese, the Ecclesiastical Authority shall fill any remaining vacancies by appointment. Such appointments are subject to the confirmation of the Standing Committee and shall be certified by certificate signed by the Ecclesiastical Authority and the President and Secretary of the Standing Committee.

Section 4. The term limit provisions of these canons shall not apply to the offices of Deputy or Alternate to General Convention or Provincial Synod.

Canon 16: Of the Other Officers

Section 1. The Chancellor shall act as the legal advisor of the Bishop, of the Standing Committee, of the Convention, and of the Trustees of the Diocese and shall be ex-officio a member of the Committee on Constitution and Canons.

Section 2. The Historiographer shall also serve as Archivist and shall receive and safely keep at Diocesan Headquarters all books, documents, reports, pictures, records and similar data and shall collect and preserve all materials of significance or historical value to the Diocese and particular Congregations. This officer may transfer to established historical depositories originals or copies of things of historical import, shall arrange and catalog all materials turned over for ready reference, and with the advice and consent of the Bishop and Priest in charge of a Congregation, may appoint a historiographer for each Congregation whose duty will be to act as parish or mission historian safely keeping and preserving all things of historical significance.

Canon 17: Of the New Congregational Development Board

Section 1. The New Congregational Development Board shall regularly survey and evaluate the missionary needs of the Diocese and shall oversee planning and implementation of efforts to plant new Congregations for the Diocese.

Section 2. The Committee shall be composed of six persons, including two Priests in charge of Congregations in the Diocese, appointed by the Bishop for three year terms; plus any person employed as a Church-Planter in the Diocese.

Section 3. The Committee shall meet at least quarterly and shall report its findings and recommendations to the Bishop, the Executive Council and the Diocesan Convention.

Section 4. The Committee shall elect a Chairperson from among its members.

Canon 18: Of the Committee on Constitution and Canons

There shall be a Committee on Constitution and Canons appointed annually by the Bishop. The Chancellor shall be ex officio a member of this committee.

Canon 19: Of the Commission on Ministry and the Examining Chaplains

Section 1. The Commission on Ministry shall be composed of the following: one priest, one deacon, and two laypersons elected by the Diocesan Convention for two-year terms and four additional persons appointed by the Bishop with the approval of the Convention for one-year terms. No one may serve more than six consecutive years on the Commission except with the approval of the Bishop.

Section 2. At the discretion of the Bishop, the Commission on Ministry may join with like commissions of other dioceses in performing the duties hereinafter prescribed.

Section 3. It shall be the duty of the Commission on Ministry to advise and assist the Bishop in matters pertaining to the enlistment, selection, examination, education, training, pastoral care, deployment and continuing development of postulants, candidates and deacons, and lay readers; in matters pertaining to the continuing development of the Diocese; and in providing guidance and pastoral care for professional church workers.

Section 4. Subject to the Canons of The Episcopal Church and of this Diocese and subject further to the approval of the Bishop, the Commission on Ministry shall have authority to appoint such committees from and beyond its membership as it may find necessary to act on its behalf.

Section 5. The Commission on Ministry shall provide for the conduct of those canonical examinations assigned the Commission by the Canons of The Episcopal Church, provided

that the Bishop shall always appoint the persons who are to conduct said examinations, and provided further that a report of each examination shall be forwarded to the Bishop.

Section 6. Under the guidance and oversight of the Bishop, the Commission on Ministry shall provide that each Candidate be interviewed before ordination to the Diaconate, and if requested by the Bishop, to the Priesthood, to ascertain personal readiness for such ordination, and shall without delay report in writing the findings of each interview to the Standing Committee of the Diocese as well as to the Bishop.

Section 7. The Bishop shall appoint Examining Chaplains who shall perform their duties in such manner as may be required by the Canons and shall keep a proper record of their activities.

Canon 20: Of Guardianships

With the approval of the Bishop, the corporation known as the Diocese of Eau Claire, Inc., may agree to be appointed by a court of competent jurisdiction the guardian of the person and property of any member of the Episcopal Diocese of Eau Claire who has been declared incompetent. The Bishop shall serve as the Chairperson of a Committee consisting of the Bishop and one layperson and one member of the clergy to be appointed by the Bishop, and all decisions affecting the person under guardianship shall be by a majority vote of the Committee, except, in the case of authorization for immediate emergency medical attention, any two members of the committee may grant permission, one of whom shall be the Bishop, if available to act in the matter.

Canon 21: Of Conflicts Of Interest

No immediate family member of a clergy person or officer of a congregation may concurrently hold office in the same congregation without previous approval from the Bishop and the Standing Committee.

Canon 23 Of Meetings by Committees, Commissions, and Councils

Section 1. All Committees, Commissions, and Councils of the Diocese of Eau Claire are authorized to make use of traditional face-to-face meetings, telephone conferencing, video conferencing, and combinations of these and other communication media that allow immediate participation by all members. Any such meeting shall be subject to the same rules as traditional meetings.

Section 2. All Committees, Commissions, and Councils of the Diocese of Eau Claire are authorized to use other communication mediums which do not allow for the immediate participation of all members for decision making if all members agree that:

- a) the question to be voted upon has been reduced to specific wording allowing for a yes or no vote,
- b) the question does not require discussion in a full meeting setting,
- c) the question being considered is of a non-controversial nature, and
- d) all members have all the information necessary to make an informed decision.

Section 3. Decisions made under Section 2 of this Canon:

- a) shall require an affirmative vote by a majority of all members eligible to vote for adoption,
- b) shall be official actions of the Committee, Commission, or Council upon announcement of the final vote by the presiding officer who shall report the vote of each member, and
- c) shall be recorded in the minutes of the following meeting of the Committee, Commission, or Council.

Section 4. Any statement reporting actions taken under this canon that is required to be signed by those voting in favor of the action shall be circulated among the members for their signatures and shall be dated with the date of the meeting held under section 1 or the announcement of the presiding officer under section 3(b).

Canon 24: Of the Appointment and Election of Chairpersons

The Bishop shall appoint the Chairperson of the Commission on Ministry. Unless specified otherwise in the Constitution and Canons of the Diocese or of the Episcopal Church all other committees, commissions, and departments shall elect their own Chairs annually for a term of one year. The Bishop shall appoint a convener to call the first meeting of each committee, commission, or department who shall chair that meeting only until a chair is elected.

Canon 25: Of the Cathedral

Section 1. The congregation heretofore known as "Christ Church, Eau Claire", shall be the Cathedral of the Diocese, and shall bear the title "Christ Church Cathedral". Except as may be hereinafter provided, the Rector, Wardens, Vestry and the other clergy and laity of the Cathedral congregation, shall have all the rights and privileges, and shall perform the appropriate canonical duties, of similar clergy, lay officers and persons in congregations of this Diocese.

Section 2. Whenever the Bishop shall be notified that there is, or is about to be, a vacancy in the Rectorship of the Cathedral congregation, the Bishop shall, as soon as may be conveniently able, nominate to the Vestry any number of priests, not less than five, deemed

fit and suitable; from whom the Vestry shall elect one to be called as Rector, or if for good reasons no one of these shall be selected, the Vestry shall so notify the Bishop, who may then nominate others until a selection be made. Such Rector, when duly elected and installed, shall become the Dean of the Cathedral.

Section 3. The Bishop shall have the right to occupy the Bishop's Seat in the Cathedral sanctuary or choir at the Bishop's pleasure; to take order for all councilor, diocesan and other similar services and to officiate at such other times as may be agreed upon by the Bishop and the Dean. The Bishop shall have the right to meet and confer with the Vestry at their regular meetings.

Section 4. The Bishop shall have the right to use the Cathedral and other buildings for diocesan meetings, but shall in every case give due notice of such intended use to the Dean.

Section 5. Amendments to this Canon shall receive the approval of the Vestry of the Cathedral Congregation before they become operative.

Canon 26: Of Burial Grounds

Section 1. The Priest, Wardens and Vestry of any Congregation, shall form a corporation for the holding of any grounds which may be acquired by them for burial purposes, within the limits prescribed by the Revised Statutes of the State of Wisconsin.

Section 2. Whenever any such corporation shall have obtained a clear title to any grounds for burial purposes, they shall at once apply to the Bishop for consecration of the same.

Section 3. When such grounds have been duly consecrated, surveyed, divided and platted, and the maps thereof have been recorded, the said corporation may lease lots therein for burial purposes, or may grant permits for burial in single graves.

Section 4. All such leases and single burial permits shall be recorded in a book kept by the Clerk of the Vestry for that purpose; and keep a correct map of the burial grounds, on which the Clerk shall locate every burial made, with the name and date,

Section 5. Persons leasing lots for burial purposes may erect suitable vaults, tombstones or monuments; but the right to forbid the erection of any unsuitable vault, tombstone or monument, or to cause its removal, shall rest with the corporation.

Section 6. All monies received for the lease of lots, or for single burial rights, shall be invested in bonds of the United States or of the State of Wisconsin or other State bonds; or in county, city, school, town or other municipal bonds or any public corporation of the State of Wisconsin; or in bond or note secured by mortgage or real estate in Wisconsin, of at least twice the value of the loan. The monies so invested shall be known as "The Cemetery Fund", and the yearly income only, or so much thereof as may be necessary, shall be used for the care and improvement of the grounds.

Section 7. Such corporation shall not sell, alienate or encumber any such grounds acquired by them for the use of the Church.

Section 8. Such corporation shall certify annually to the Diocesan Executive Council that all reports required by the State of Wisconsin in relation to the Cemetery Association are current.

Section 9. Burial grounds in Lake View Cemetery, Eau Claire, Wisconsin, owned by the corporation known as The Trustees of The Episcopal Church in the Diocese of Eau Claire shall be used for the burial of clergy and members of their families who wish to be buried there, and lots in said cemetery held by said corporation in its capacity as Trustee of the Trust created under the will of Fannie E. Buffington, Deceased, are to be used for the burial of persons who have been beneficiaries of said Trust and wish to be buried there.

Of Congregations in the Diocese

Canon 27: Of Congregations

Section 1. A Congregation is a group of persons united for the purpose of carrying out the mission of the Church, which includes acknowledging the holiness of God, hearing God's word, offering prayer, and celebrating the sacraments and working, praying and giving for the spread of the kingdom of God.

Section 2. An unorganized Congregation is a Congregation which has not been admitted into union with the Convention of the Diocese, but where, with the approval of the Bishop, there are members of this Church who meet for regular services at least four times a year.

Section 3. An organized Congregation is a Congregation which has been admitted into union with the Convention of the Diocese.

Section 4. A self-supporting congregation is an organized congregation that is totally financially self-supporting and has at least 50 adult communicants.

- a) A congregation maintains a place of worship, provides compensation for a priest equivalent to or exceeding the Diocesan Minimum, remains current in payment of its diocesan apportionment, and pays its own operating expenses.
- b) Two or more Congregations may form a single Congregation with the approval of the Bishop and the Diocesan Convention.

- c) Alternately, two or more Congregations may enter an agreement in which they are “yoked,” and share the compensation of a priest without forming a single congregation.

Section 5. The congregations of the Diocese shall be defined in the following manner:

- a) Any congregation that financially supports a full-time Priest shall be defined as a “Large Congregation.” Such a congregation shall be served by a “Rector” (or a “Dean” if the congregation is a cathedral.)
- b) Any congregation with an Average Sunday Attendance (ASA) of 15 persons or more that does not financially support a full-time priest shall be defined as a “Mid-sized Congregation.” Such a congregation shall be served by a “Priest-in-Charge.”
- c) Any congregation with an ASA of 14 or fewer persons shall be defined as a “Small Congregation.” Such a congregation shall be served by a “Priest-in-Charge.” However, the Bishop shall be the chief pastor of all “Small Congregations” and Priests-in-Charge and Wardens of said congregations shall make such reports as required by the Bishop.
- d) Any congregation defined by the above whose membership changes sufficiently as to be redefined must show through their parochial reports that said change has remained over the course of two consecutive parochial reports.

Canon 28: Of the Organizing of Congregations

Section 1. Congregations which seek to be organized shall make written application to the Bishop, over the signatures of all the adult persons who propose to be members thereof. This application must be on the form provided by the Bishop.

Section 2. If the Bishop consents to the organizing of the Congregation as thus applied for, he shall name the Congregation. In consultation with the New Congregational Development Board he shall appoint for the first year fit persons to serve as officers of the Congregation.

Section 3. When a Congregation shall have given notice to the Bishop of its intention to apply for admission into union with the Convention, has laid before the Convention a certificate from the Bishop approving such application, and also a certificate from the Bishop showing that it has ten or more adult communicants, it may be admitted into union with the Convention as provided in the Constitution. When thus admitted, it shall be entitled to representation in the Convention as an organized Congregation of the Diocese.

Section 4. In case of the failure of the people belonging to the Congregation to fulfill the stipulated terms of their organization, the Bishop in consultation with the New Congregational Development Board may dissolve it or withdraw the Priest in charge, if there be one.

Section 5. The title to real estate given to or purchased by an aided Congregation shall be vested in the Corporation known as "The Trustees of the Episcopal Church in the Diocese of Eau Claire", and all trust funds, endowments, or undesignated bequests secured for the benefit of the aided Congregation shall be deposited with the Trustees of the Diocese.

Section 6. When a Congregation previously not self-supporting has been self-supporting for three consecutive years and has at least fifty adult communicants, the Congregation may apply to the Bishop and the Executive Council of the Diocese for permission to proceed to seek incorporation. Its form of incorporation shall be in accordance with the laws of the State of Wisconsin and in harmony with the Constitution and Canons of The Episcopal Church and of this Diocese, and the directions of Convention.

Canon 29: Of the Lay Officers of Congregations

Section 1. The Lay Officers of a Congregation shall consist of two Wardens and other members of the Vestry who shall be communicants in good standing of the Church as defined by the Canons of The Episcopal Church and of this Diocese and they shall be no younger than 18 years of age.

Section 2. The Wardens shall see that the financial obligations of the Congregation are met and that the buildings belonging to the Congregation are kept in good repair and are adequately insured. Under the Priest, they shall see that all things needed for the orderly worship of God and for the proper administration of the Sacraments are provided. They shall prevent or repress all disturbance of Divine Worship. In the absence of a Priest, they shall, with the advice of the Bishop, procure suitable supply for the continuance of the services.

Section 3. Other members of the Vestry, along with the Priest in charge of the Congregation and Wardens, shall be the governing body of the Congregation and shall manage and control its property and material affairs, in accordance with the Constitution and Canons of The Episcopal Church and of this Diocese.

Section 4. In the case of the failure of a Congregational meeting to elect the Wardens and members of the Vestry, the incumbents shall remain in office until their successors are duly chosen. In case a vacancy occurs in their number during the interval between the annual elections, the Vestry shall fill the same for the unexpired term.

Section 5. A Clerk shall be elected annually by the Vestry to serve until a successor has been chosen. The Clerk shall attend all meetings of the Congregation and of the Vestry, taking minutes of all the proceedings and attesting the same in the book of minutes of the Vestry, shall maintain in the said book the annual accounts of the temporal condition of the Congregation, shall keep all original documents, and the list of voters provided for by these Canons.

Section 6. A Treasurer shall be elected annually by the Vestry to serve until a successor has been chosen. Under the authority of the Vestry, the Treasurer shall collect, receive, and disburse the funds of the Congregation. Previous to the Annual Congregational Meeting, the Treasurer shall present to the Vestry a full and accurate statement of the financial condition of the Congregation since the presentation of the last annual statement. This statement shall

also be read at the Annual Congregational Meeting before the election of officers. The Treasurer shall furnish such bond as the Vestry may require, but the cost of such bond shall be borne by the Congregation.

Section 7. Regular meetings of the Vestry shall be held at least quarterly.

Section 8. Special meetings of the Vestry may be called at any time at the request of the Priest in charge of the Congregation, or of any two of the members. Notice of such meeting shall be sent by the Clerk to the Priest, the Wardens and the members of the Vestry. This notice shall specify the time and place of the meeting and the business to be considered thereat. No other business shall come before such meeting except with the unanimous consent of the Priest, the Wardens, and the members of the Vestry.

Section 9. At no meeting shall it be competent for the Vestry to transact any business except there be present the Priest in charge of the Congregation, or, in the event of the absence of the Priest, or if the office be vacant, one of the wardens; and except there be present a quorum consisting of a majority of the Wardens and members of the Vestry. No action affecting the rights of the Priest shall be taken at any meeting at which the Priest has not had the opportunity to be present.

Section 10. At every meeting of the Vestry, the minutes of last meeting shall be read; and, at every regular meeting, the minutes of the last regular meeting shall be read, and, if requested, those of all subsequent special meetings.

Canon 30: Of the Annual Congregational Meeting

Section 1. In every Congregation, the Annual Congregational Meeting shall be held on a date set by the Vestry of the Congregation. The Vestry shall inform the Diocese of the date of the Annual Meeting. Public notice of the Annual Meeting shall be given at all the services on the preceding Sunday. If the Vestry fails to schedule an Annual Congregational Meeting during any calendar year, the Priest-in-Charge or any three Communicants in Good Standing may request the Bishop to schedule an Annual Meeting on behalf of the Vestry. All Annual Reports (with the exception of the Rector's Report) shall be made available to the congregation no later than the Sunday prior to the Annual Meeting.

Section 2. The Annual Meeting shall be presided over by the Priest, or if the office be vacant, or if the Priest be absent, by one of the Wardens. When the Annual Meeting is called to order, there shall be read the qualifications for voters as defined in these canons.

Section 3. The agenda of the Annual Meeting shall include the reading of the minutes of the last Annual Meeting and all Special Congregational Meetings held since the last Annual Meeting, the report of the Treasurer, and the election of officers. The reading of minutes may be dispensed with by majority action if the minutes have been distributed to all eligible voters prior to the meeting.

Section 4. The congregation shall elect two wardens and not less than three, nor more than nine, members of the Vestry. Wardens and members of the Vestry shall be communicants in good standing of the congregation and they shall be no younger than 18 years of age.

Section 5. The length of one term of office for members of the Vestry shall be three years with one third of the members, or as near as may be, elected each year. The Bylaws of the congregation may specify the length of one term of office of the Wardens which shall be not less than one year nor more than three years. The Bylaws may also make provision for staggered election years for the offices of Wardens and may establish procedures for filling any vacancies that occur prior to the completion of any term of office. If the congregation has no Bylaws or if the Bylaws of the congregation are silent on these issues, then the Wardens shall be elected to serve for one year and the Vestry shall fill any mid-term vacancies in elected offices by majority vote.

Section 6. The Bylaws of the congregation may establish term limits for the offices of Warden, member of the Vestry, Treasurer, and Clerk, which shall be no more than six years. No person may serve more than six consecutive years as Warden, Member of the Vestry, Clerk, or Treasurer of a congregation without the consent of Rector, vestry, wardens and Bishop.

Section 7. Baptized members of the local Episcopal congregation, who are at least 16 years of age, who are regular attendants at the services of the local church, and who are regular contributors to the support of the local church and to the work of the Diocese and National Church, shall be entitled to vote at all Congregational Meetings.

Section 8. A list of all persons eligible to vote in all Congregational Meetings shall be kept in every parish by the Clerk, under the direction of the Priest, or if there be no Priest, one of the Wardens. The list shall be closed against further entries two weeks before the Meeting. At no time shall voting by proxy be permitted.

Section 9. No lay person shall vote or hold office in more than one Congregation at the same time.

Section 10. In the event of all contested elections within the Congregation, except in the case of Deputies to the Convention and their Alternates, the Bishop and the Standing Committee shall constitute a board of final reference for the settlement of such contests.

Section 11. In “Small Congregations” Congregations, the names of all those elected to office in the Congregation shall be reported to the Bishop for approval within thirty days of the Annual Congregational Meeting.

Canon 31: Of Special Congregational Meetings

Section 1. A Special Congregational Meeting may be held at any time on the written order of the Bishop or of the Priest in charge of the Congregation, or by resolution of the Vestry, or on a petition to the Bishop or to the Vestry if such petition be signed by not less than one-third of the number entitled to vote at the last Annual Congregational Meeting. All such orders, resolutions, or petitions shall specify the time and place of such meeting and the business to be considered thereat. At such meeting, no business shall be considered other than that specified in the call.

Section 2. Notice of such meeting shall be read publicly in church at all services on two Sundays prior to the holding of the same and appropriately posted. This notice shall specify the time and place of the meeting, the business to be considered thereat, and by whose order the meeting is called.

Section 3. Such meeting shall be presided over by the Priest, or in the absence of, or at the request of the Priest, by one of the Wardens.

Canon 32: Of the Canonical Parish Register and the Annual Parochial Report

Section 1. In every Congregation, there shall be provided a proper book in which the Priest in charge of the Congregation, or, if the Congregation be vacant, one of the Wardens, shall record the names of all persons baptized, confirmed, married, and buried within the Congregation, with such other facts as to dates, places, and persons as are important matters of record—all of which shall be certified by the signature of the person making the records together with the names of all persons who are communicants of the Church, with memoranda as to their reception, removal, or death.

Section 2. At every visitation, the Priest of the Congregation, or the Warden if there be no Priest, shall submit the parish register to the Bishop for inspection.

Section 3. Provision shall be made for the due recording of such other items and statistics as are required in the annual parochial report form provided by the Secretary of the Convention and prescribed by the Canons of The Episcopal Church and of the Diocese.

Section 4. Communicants known to have neglected for three years the reception of the Holy Communion, in spite of due and sufficient opportunity therefore, shall not be reported for statistical purposes, including the computation of the Provincial Assessment, but their names shall be kept on the list of communicants in the parish register, unless removed by death, transfer, or discipline.

Section 5. The Priest in charge of every Congregation, or if there be no Priest, the Warden or Wardens, shall present the report described in Section 3 of this Canon to the Ecclesiastical Authority by the date specified.

Section 6. It shall be the duty of the Priest to keep, so far as is practicable, a list of the families and individuals within the cure to be retained for the use of a successor.

Canon 33 Of the Reduction and Dissolution of Congregations

Section 1. The Executive Council shall adopt a policy governing the procedure for closing a congregation which shall be consistent with this canon and which shall provide for the preservation and orderly transfer of the assets and records of the congregation.

Section 2. Any one of the following items shall constitute cause for which Convention may implement the provisions of Article VII Section 2 of the Constitution of the Diocese of Eau Claire:

- a) A Congregation laying dormant for three consecutive years without a Priest, Congregation officers, or stated services, or whose church or chapel, if there be such, has become disused and closed.
- b) A Congregation with less than ten adult communicants for three consecutive years.
- c) A Congregation failing to pay its apportionment in full for three consecutive years.

Section 3. For any of the causes listed in Section 1 of this Canon and by concurrent action, the Bishop and Standing Committee may reduce any organized congregation to an unorganized congregation.

Section 4. After consultation with the Standing Committee, the Bishop and the Diocesan Executive Council may dissolve any unorganized congregation.

Section 5. When any congregation shall have been dissolved, its name shall be stricken from the roll of congregations, all of its records shall be forwarded to the Diocesan Office, and the title to all its property, real and personal, including money, shall forthwith vest in the corporation known as the Trustees of The Episcopal Church in the Diocese of Eau Claire.

Canon 34: Of Memorials

Moneys accepted for memorials, designated or undesignated, shall be administered and disbursed by a committee on memorials consisting of the Priest in charge of the Congregation and four members of the Congregation, at least two of whom shall be members of the Vestry, to be named annually by the Priest. Any person wishing to install a memorial of any kind in the church must receive approval of this committee prior to the installation of said memorial. The committee on memorials shall act as a council of advice on memorials and shall have available a list of suitable things needed in the Congregation. The committee on memorials shall regularly report to the Annual Meeting of the Congregation, and, before disbursing any funds or placing any memorial in a church or church building, shall receive the permission of the Vestry for such disbursement or placement. The term "memorials" shall not include any funds left or provision made by devise, legacy, or bequest. Such undesignated funds shall be administered in accordance with the Canon of General Financial

Regulations. Designated memorial funds shall be used only for the purpose specified by the donor.

Canon 35: Of the Priest in Charge of a Congregation

Section 1. The Priest in charge of a Congregation shall have, subject only to the rubrics of the Book of Common Prayer, the Canons of The Episcopal Church and of the Diocese, and the godly counsel of the Bishop, the exclusive charge of all things pertaining to the spiritual interests of the Congregation. The Priest shall order and direct the services and worship and music of the Church and all that pertains thereto and shall have the spiritual direction and general oversight of the Church School, the Altar Guild, and of all organizations connected with the Congregation. The Priest may appoint persons to perform, under clergy supervision, such duties pertaining to the services and to the care and decoration of the Church as are properly performed by lay members.

Section 2. The Priest shall at all times have free access to the Church or Chapel and to the Church Hall, to open and use the same as shall be required for religious services and offices and for such parochial occasions and objects as the Priest shall deem necessary. The Priest may arrange, modify, or improve the furnishings, ornaments, appointments, and conveniences of the Church or Chapel as the Priest shall deem necessary. The Priest shall have control of the use of the Church Hall. In the exercise of these rights and duties, however, the Priest shall not disturb the fabric of the building or involve the congregation or the Diocese in any expenditure of funds not authorized by the Diocese or by the officers of the Congregation.

Section 3. The Priest shall preside, with the right to vote, at all meetings of the Congregation or of the Vestry, and no such meeting shall be held unless the Priest has been duly notified of the same at least twenty-four hours previous thereto.

Section 4. The Priest shall at all times have and exercise such other rights and shall perform such duties as pertain to this office under the laws and usages of The Episcopal Church.

Section 5. The Priest shall keep such records and make such reports as may be directed by National or Diocesan Canons and by order of the Convention.

Section 6. The Priest in charge of a Congregation shall give to the proper officers thereof and to the Bishop at least one month's notice, in writing, of intent to resign such charge.

Section 7. The Bishop shall have the power to confer upon any clerical member of the Diocese such ecclesiastical title and assign duties appropriate thereto as the Bishop shall deem proper. The Bishop may designate the regalia to be worn by the recipient of the title.

Section 8. No member of the Clergy shall officiate within the bounds of this Diocese, either by preaching, reading prayers, administering sacraments, or any other sacred functions, within the parochial, missionary, or other cure of a priest or deacon, unless the Clergy

member have received express permission for that purpose from the Priest in charge of the cure, or, in the absence of the Priest in charge, from the church wardens or a majority of the Vestry. In the case of a vacant aided Congregation, permission shall be obtained from the Bishop. Nor shall any member of the Clergy, canonically non- resident, officiate within the bounds of the Diocese in a vacant Congregation without the consent of the Bishop.

Section 9. A member of the clergy serving a Congregation may enter into a contractual agreement with another Congregation for pastoral services. Said contract shall cover all services to be provided by the member of the clergy to the contracting Congregation and all financial arrangements between the contracting Congregation and the member of the clergy. Said contract shall be approved by both Vestries and the Bishop.

Canon 36: Of the Election and Call of a Priest in charge of a Congregation and/or Curate

Section 1. On the occurrence of any ministerial vacancy in any Congregation, the Wardens shall promptly notify the Bishop and, with the advice of the Bishop, make due provision for services, the cost thereof to be paid by the parish.

Section 2. If there be no Priest in charge of the Congregation, or the Priest be absent or unable to act, the Wardens shall preside at the meetings of the Vestry. They shall take care that the church building be kept from all secular and other uses not authorized by the Church. They shall make and certify all entries in the parish register required by these Canons and shall make out and present to the Bishop the annual parochial report.

Section 3. In case of a vacancy in a Congregation, the Vestry shall elect a Priest to be in charge of the Congregation. The said election shall be subject to the following provisions:

- a) it shall be the prerogative of the Ecclesiastical Authority to submit to the Vestry the name or names of priests to be considered by them;
- b) it shall be the prerogative of the Vestry to solicit names from sources other than the Ecclesiastical Authority of the Diocese;
- c) no election shall be had until the name of the priest whom it is proposed to elect has been made known to the Ecclesiastical Authority and shall be subject to the Bishop's approval within a sufficient time not exceeding thirty days. The election being made, a written notice of the election, signed by the church wardens and a copy of the call to the Priest-elect, shall be sent to the Ecclesiastical Authority of the Diocese.

Section 4. The call of the Priest-elect shall be in writing, signed by the Wardens and Clerk of the Vestry for the Congregation. It must express distinctly any special conditions, together with the stipulation of salary or support and provision for residence, which when the Priest is settled shall be held a valid legal contract, and the salary and other emoluments as accruing to be an acknowledged debt, recoverable by process of law, if necessary, of which said call shall be held as substantial evidence. Provided, that the salary may be increased or decreased

as the parties may from time to time agree, due notice of which shall be given to the Ecclesiastical Authority by the Clerk of the Vestry.

Section 5. Any priest appointed by the Bishop to minister to a Congregation, but not elected by the Vestry thereof, is sent by the Bishop upon such terms as to pecuniary support, and for such a period of time, as may have been agreed upon by the Bishop, the priest, and the officers of the Congregation. This appointment and agreement shall be in writing.

Section 6. In the event of the calling of an assistant minister or curate, the Priest in charge of the calling Congregation shall submit the name and conditions of the contract of the call to the Bishop for approval or disapproval before the call is issued. The Ecclesiastical Authority may accept the Letter Dimissory and give the assistant minister or curate canonical residence in the Diocese or annual license to function in this Diocese. The provision of Section 4 of this Canon shall apply, except that the contract of call shall provide for automatic termination upon the resignation or death of the Priest in charge.

Canon 37: Of the Priest's Discretionary and Ministerial Funds

Section 1. The alms and contributions not otherwise specifically designated at the administration of the Holy Communion on one Sunday in each calendar month and other offerings for the poor shall be deposited with the Priest in charge of the Congregation and are to be applied by the Priest to such pious, charitable, and discretionary uses as shall by the Priest deems fit. The amount of each collection shall be duly recorded, and the total be given as a special item in the annual parochial report. During a vacancy, the Vestry shall appoint a responsible person to serve as Almoner.

Section 2. Each congregation may elect to provide certain funds to be deposited with the Priest-in-Charge of the Congregation in the form of a "Ministerial Fund." That fund shall be meant for the use of the promotion of ministry in such forms in which the Priest could be considered a co-beneficiary of the funds. The funds may not be used for the Priest in Charge's sole benefit, but must also benefit current or prospective members of the church. The amount of the Ministerial Fund shall be duly recorded and the total be given as a special item in the annual parochial report. During a vacancy, the Ministerial Fund shall remain unused

Of Finances and Business Methods

Canon 38: Of General Financial Regulations

Section 1. The provisions of the National Canons governing Business Methods in Church Affairs (Title I, Canon 7) apply fully to the diocese, all congregations, and all other institutions connected with this church.

Section 2. The annual budget of every congregation of this diocese shall contain the amount to be paid to the members of the clergy, the amount for rectory utilities or housing allowance, the amount of the clergy pension premium and health insurance, the amount for basic utilities

for the building in which the congregation worships, an adequate amount for the proper insuring of the property of the church, and the amount of the diocesan apportionment. These six amounts, in this order, shall be the first charges against the income of the Congregation each month. These same items as applicable to the Bishop and Diocesan staff shall be the first charges against the income of the Diocese each month.

Section 3. All Congregations and Institutions connected with the Diocese through its convention shall participate in a Diocesan Property/Casualty Insurance Program approved by the Bishop and Diocesan Executive Council, which provides that all property (real and personal) shall be adequately insured including adequate public liability insurance and other coverage deemed necessary by Bishop and Diocesan Executive Council; and that the premiums for said insurance program shall be paid by the congregation and/or other insured institution.

Section 5. Each vestry shall report any legacy, bequest or endowment gift to a Congregation to the Bishop and Standing Committee of the Diocese within 15 days after the receipt of such legacy, bequest or endowment gift. The expenditure of any such legacy, bequest or endowment gift by an aided congregation shall be made by the vestry, only upon the approval of the Bishop and Standing Committee, and in accordance with the terms designated in the legacy, bequest or endowment gift.

Canon 39: Of the Funds of the Diocese

Section 1. All income accruing from the Dulaney Memorial Fund after the deduction of necessary administrative expenses shall be remitted to the Treasurer of the Diocese of Eau Claire, Inc., by the Trustees, and shall be applied to the support of the episcopate and to such other purposes as the Convention shall determine.

Section 2. All income accruing from the Endowment Fund attributable to funds belonging to the Trustees of The Episcopal Church in the Diocese of Eau Claire shall be remitted to the Treasurer of the Diocese of Eau Claire, Inc., by the said Trustees, and shall be applied to diocesan purposes as directed by the Annual Convention and Executive Council.

Canon 40: Of the Apportionment

Section 1. The Convention shall each year apportion to each Congregation such a sum, as, together with the other income of the diocese, shall be sufficient to meet the expenses of the Diocese and of the church's program for the next fiscal year. The apportionment shall be computed on the basis of a percentage of the assessable income of the Congregations.

Section 2. The term "assessable income" is defined as the lower of the subtotal operating income reported in the congregation's most recent parochial report or the average of the

subtotal operating income reported in the congregation's most recent three year's parochial reports.

Section 3. The apportionment shall be due and payable in equal monthly installments on the first day of each month and a congregation shall be considered current if payment is received no later than the fifteenth day of the month. The Executive Council may, at the request of any congregation, establish a schedule of payments for that congregation other than equal monthly payments. If the congregation follows this schedule of payments it shall be considered current..

Section 4. Whenever a new Congregation shall be admitted into union with the Convention, the Convention shall fix the amount to be apportioned to such Congregation, and the first installment of such apportionment shall be payable on the fifteenth day of the month next following the date of admission.

Section 5. On the vote of a two-thirds majority of both Orders, the Convention may remit any delinquency in the payment of the apportionment.

Section 6. Any congregation that is not current in payment of its apportionment shall not be eligible for any loan or grant from any diocesan funds and the Bishop and Standing Committee shall not approve, endorse, or recommend the congregation for any loan or grant using non-diocesan funds.

Section 8. The Diocesan Executive Council shall be charged with the enforcement of this canon and shall have authority to adopt and maintain such reasonable rules and regulations as may be proper and necessary thereto.

Canon 41: Of the Church Pension Fund

Section 1. All matters pertaining to the Church Pension Fund shall be administered by the Diocesan Executive Council who shall do all things necessary to carry out the rules and directions of the Church Pension Fund.

Section 2. The Diocesan Executive Council shall provide for the payment to the Church Pension Fund of the premiums due on behalf of all clergy employed directly by the Diocese.

Section 3. Every member of the clergy receiving a stipend or stipends and every Congregation or other ecclesiastical organization in the Diocese paying a stipend or stipends, or portion thereof, shall furnish a statement of such to the Diocesan Executive Council whenever the said Council shall, in writing, ask for such statement.

Section 5. When there is an arrearage in the payment of premiums reported by the Church Pension Fund in excess of the six-month grace period on any clerical pension, notice shall be sent to the member of the clergy and treasurer of the congregation involved and the Congregation so defaulting shall be billed for immediate payment. Any congregation two

months or more in arrearage on pension premiums shall be subject to the same provisions that apply to non-payment of diocesan apportionment.

Canon 42: Of the Finances of Aided Congregations

Section 1. It shall be the duty of every Congregation not able of itself to provide the entire stipend of the clergy ministering to it to prepare and submit to the Executive Council when requested a budget showing probable income and expenses for the following year, and when requested a monthly or quarterly report showing all income and expenses, together with bank balances at the beginning and end of the period covered.

Section 2. The clerical stipend of a Congregation shall become due and payable at least monthly, and should the payment of any part of the stipend not be paid by its due date, the member of the clergy and the Warden must immediately notify the Bishop to that effect.

Section 3. In cures with multiple Congregations, the cost directly relating to the clergy shall be divided among the Congregations in a manner to be determined by the Bishop and the Executive Council, in consultation with the Congregations.

Canon 43: Of the Bishop's Discretionary Fund

At the official visitation by the Bishop, a special offering shall be taken, and the whole amount of such offering shall be paid by check to the Bishop's Discretionary Fund within thirty days of the visitation. The Bishop's Discretionary Fund shall be under the charge of the Bishop and be used for such benevolent purposes as the Bishop may deem proper.

Canon 44: Of General Regulations Regarding Records and Reports

Section 1. All official books, papers, documents and other similar property of the Diocese, shall be kept safely; shall at all times be available for use or inspection of the Ecclesiastical Authority and of the Convention and of such persons as either may designate; and shall be delivered promptly to the successor of the person who, while an officer or agent of the Diocese, has had them in custody.

Section 2. A complete and accurate record of the titles of all real estate held by the Trustees of The Episcopal Church in the Diocese of Eau Claire, together with a similar record of all insurance policies, shall be kept by some competent person designated by the Trustees of the Diocese.

Of Regulations Respecting the Laity and Clergy

Canon 45: Of Repelled Communicants

When a Communicant who has been repelled from Communion appeals to the Bishop and is not thereupon restored by, the Bishop may, and if the appellant demands it shall, refer the matter to the Ecclesiastical Court of the Diocese for adjudication as provided in these Canons.

Canon 46: Of the Dissolution of the Pastoral Relation

Section 1. Except upon mandatory resignation by reason of age, a Priest in charge of a Congregation may not resign that position without the consent of its Vestry, or by giving proper notice of resignation in writing at least thirty days prior to said resignation, with the written consent of the Bishop, nor may any Priest canonically or lawfully elected and in charge of a Congregation be removed therefrom by the Vestry against the will of the Priest, except as hereinafter provided.

Section 2. If for any urgent reason a Priest or Vestry desires dissolution of the pastoral relation and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon.

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

- a) The Bishop shall give notice to the Priest and Vestry that a godly judgment will be rendered in the matter after consultation with the Standing Committee and that either party has the right within ten days to request in writing an opportunity to confer with the Standing Committee before it consults with the Bishop.
- b) If a timely request is made, the President of the Standing Committee shall set a date for the conference, which shall be held within thirty days.
- c) At the conference each party shall be entitled to representation and to present its position fully.
- d) Within thirty days after the conference or after the Bishop's notice, if no conference is required, the Bishop shall confer with and receive the recommendation of the Standing Committee; thereafter the Bishop, as final arbiter and judge, shall render a godly judgment.
- e) Upon the request of either party the Bishop shall explain the reasons for the judgment. If the explanation is in writing, copies shall be delivered to both parties.
- f) If the pastoral relation is to be continued, the Bishop shall require the parties to agree on definitions of responsibility and accountability for the Priest and the Vestry.
- g) If the relation is to be dissolved:
 - a. The Bishop shall direct the Secretary of the Standing Committee to record the dissolution.

- b. The judgment shall include such terms and conditions including financial settlement as shall seem to the Bishop just and compassionate.

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

Section 6. In the event of the failure or refusal of either party to comply with the terms of the judgment, the Bishop may impose such penalties as may be set forth in the Constitution and Canons of the Diocese and in default of any provisions for such penalties therein, the Bishop may act as follows:

- a) In the case of a Priest, suspend the Priest from the exercise of priestly office until the Priest shall comply with the judgment;
- b) In the case of a Vestry, invoke any available sanctions including recommending to the Convention of the Diocese that the Congregation be placed under the direct supervision of the Bishop until it has complied with the judgment.

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

Section 8.

- a) Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Canon 52 provided that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.
- b) In the course of proceedings under this Canon, if a charge is made by the Vestry against the Priest that could give rise to a disciplinary proceeding under Canon 52, all proceedings under this Canon shall be suspended until the charge has been resolved or withdrawn.

Section 9. If any member of the Clergy not under presentment shall declare, in writing, to the Ecclesiastical Authority of the Diocese, a renunciation of the Ministry of this Church, and a desire to be removed therefrom, it shall be the duty of the Ecclesiastical Authority to record the declaration and request so made. The Bishop, being satisfied that the person so declaring is not amenable for any canonical offense, and that the renunciation of the Ministry is not occasioned by foregoing misconduct or irregularity, but is voluntary and for causes, assigned or known, which do not affect that Member of the Clergy's moral character, shall lay the matter before the clerical members of the Standing Committee, and with their advice and consent the Bishop may pronounce that such renunciation is accepted, and that the Member of the Clergy is released from the obligations of the Ministry and is deprived of the right to exercise the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in Ordination. The Bishop shall also declare in pronouncing and recording such

action that it was for causes which do not affect the person's moral character, and shall, if desired, give a certificate to this effect to the person so removed from the Ministry. In all other cases of renunciation of the Ministry, where there may be a question of foregoing misconduct or irregularity, the Bishop shall not pronounce sentence of deposition save as provided by National Canon.

Canon 48: Of Ecclesiastical Discipline

Section 1. Title IV of General Canons

The provisions of Title IV of the General Canons are hereby incorporated as part of this Canon. To the extent, if any, that any of the provisions of this Canon are in conflict or inconsistent with the provisions of Title IV, the provisions of Title IV shall govern.

Section 2. Of Disciplinary Structure

(1) Disciplinary Board

A Board is created which shall consist of not less than seven persons, four of whom are members of the Clergy and three of whom are Laity.

(2) Clergy Members

The Clergy members of the Board must be canonically and geographically resident within the Diocese.

(3) Lay Members

The lay members of the Board shall be Adult Communicants in Good Standing, and geographically resident in the Diocese.

(4) Election

The members of the Board shall be elected by the Convention. Each member shall be elected for a three (3)-year term. The term of the member shall commence on the first day of the year following election. The terms of the office of the Board shall be staggered and arranged into three classes.

(5) Vacancies

(A) Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.

(B) The Bishop shall appoint a replacement Board member in consultation with the Standing Committee.

(C) Persons appointed to fill vacancies on the Board shall meet the same eligibility requirements as apply to elected Board members.

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

(6) Preserving Impartiality

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

(7) President

Within sixty (60) days following the annual Convention, the Board shall elect a President to serve for the following calendar year. Such election may be conducted by telephone, by electronic polling, by written ballot distributed to members, or at a meeting of the Board.

(8) Intake Officer

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

(9) Investigator

The Bishop shall appoint an Investigator in consultation with the President of the Board. The Investigator may, but need not, be a Member of the Church.

(10) Church Attorney

Within sixty (60) days following each annual Convention, the Bishop in consultation with the Standing Committee shall appoint an attorney to serve as Church Attorney to serve for the following calendar year. The person so selected must be a Member of the Church and a duly licensed attorney, but need not reside within the Diocese. The

Church Attorney may be removed with or without cause by the Bishop in consultation with the Standing Committee.

(11) Pastoral Response Coordinator

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

(12) Advisors

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

(13) Clerk

The Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk may be a member of the Board.

Canon 50: Of Policies and Procedures Concerning Allegations and Incidents of Sexual Misconduct

The "Policies and Procedures Concerning Allegations and Incidents of Sexual Misconduct", including all Sections and Appendices, as initially adopted by the Executive Council on January 28, 1995, is hereby adopted. The said policies and procedures are incorporated herein by reference, the same as if set forth herein in full, and shall constitute the official regulations of the Diocese of Eau Claire as to such matters. The Executive Council shall have authority to modify said policies and procedures by majority vote.

Canon 51: Of Alterations and Amendments

Section 1. Proposed alterations or amendments to or creation of an Article of the Constitution or a Canon must be referred to the Committee on Constitution and Canons in writing at least sixty days prior to the Convention at which such alteration, amendment or creation is to be considered, and no such alteration, amendment or creation shall be adopted except by majority vote of the Convention,

Section 3. The Committee on Constitution and Canons is hereby authorized to edit the Constitution and Canons of the Diocese as adopted, changed and amended from time to time;

such editing to include renumbering, rearranging, retitling and any other non-substantive changes as deemed desirable by said Committee.

Section 4. All action affecting the Canons shall be effective upon its passage, unless otherwise provided by the Convention at the time of such passage.

Section 5. All previous Canons of this Diocese are hereby repealed.