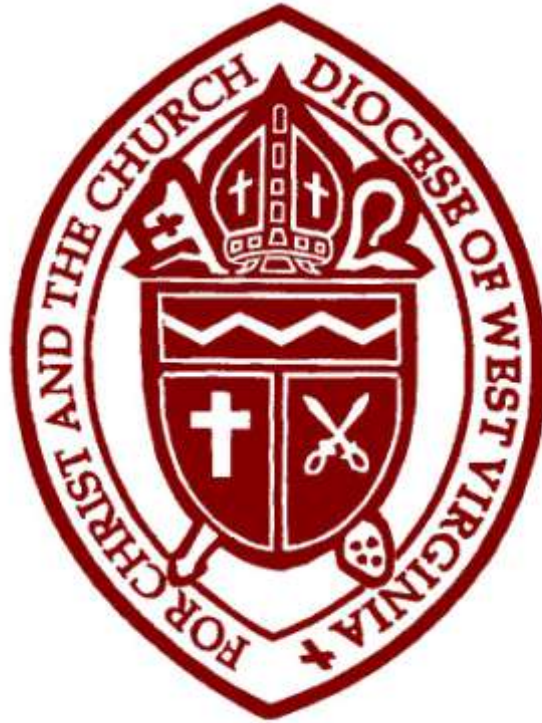


Revised by the 133<sup>rd</sup> Diocesan Convention of the Episcopal Diocese of West Virginia  
September 2010



**Constitution and Canons  
of the  
Episcopal Diocese of West Virginia**



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**CONSTITUTION OF THE EPISCOPAL CHURCH  
IN THE DIOCESE OF WEST VIRGINIA**

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**PREAMBLE**

Being led by the Holy Spirit to fulfill Christ’s teachings, in order to promote righteousness, transparency and harmony in our governance, under the supervision of the Ecclesiastical Authority, we Episcopalians of West Virginia do hereby establish this body of diocesan law: The Constitution and the Canons of the Diocese of West Virginia.

**ARTICLE 1**

**Title, Bounds and Establishment of Constitution**

This Diocese shall be known and distinguished as The Episcopal Church in the Diocese of West Virginia, also known as “The Diocese of West Virginia,” (hereinafter “This Diocese”), and its bounds shall be the bounds of the entire state of West Virginia. This Constitution supersedes all previous Constitutions of The Diocese of West Virginia.

**ARTICLE 2**

**Accession to The Episcopal Church**

This Diocese and all of its Congregations and other organizations accede to and are subject to the Constitution and Canons of The Episcopal Church. The Diocese of West Virginia is a part of The Episcopal Church which is a constituent member of the Anglican Communion, a Fellowship within the One, Holy Catholic, and Apostolic Church, in communion with the See of Canterbury, upholding and propagating the historic Faith and Order as set forth in *The Book of Common Prayer*.

**ARTICLE 3**

**The Ecclesiastical Authority**

The Ecclesiastical Authority of the Diocese shall be the Diocesan Bishop; or if there be no Diocesan Bishop, then the Bishop Coadjutor; or if there be no Bishop Coadjutor, then the Bishop Suffragan at the request of the Standing Committee; and if there are no such Bishops, then the Standing Committee.

**ARTICLE 4**

**The Convention**

**Section 1.** There shall be a Convention of this Diocese to be convened annually at a date, time, and place to be set by the Ecclesiastical Authority. The date shall be set in order that due notice may be given at least 120 days prior to the Convention.

**Section 2.** The Ecclesiastical Authority may call Special Conventions and fix the time and place at which they shall convene upon notice given at least 30 days prior to the Special Convention.

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**ARTICLE 5**  
**Members of Convention**

**Section 1.** The Convention shall be composed of the Bishop, if there be one, the Bishop Coadjutor, if there be one, the Bishop Suffragan, if there be one, and clergy, lay delegates and members ex-officio.

**Section 2.** The clergy entitled to membership shall be all those Bishops, Priests and Deacons who are canonically resident within the Diocese, and who, at the time of the Convention, are legally domiciled or actively engaged in ordained ministry within the Diocese. No clergy person shall lose membership on account of age, infirmity, or of service in the armed forces of the United States as a chaplain, so long as a legal domicile is maintained in West Virginia.

**Section 3.** Each Parish and Mission shall be represented by lay delegates and alternates as authorized herein, subject to such conditions as may be prescribed by Canon. Each Mission shall be entitled to one (1) delegate and one (1) alternate. Each Parish of fewer than one hundred (100) communicants in good standing as listed in the prior year’s parochial report shall be entitled to one (1) delegate and one (1) alternate. Parishes numbering at least one hundred (100) but fewer than two hundred fifty (250) shall be entitled to two (2) delegates and two (2) alternates. Parishes numbering at least two hundred and fifty (250) but fewer than five hundred (500) shall be entitled to three (3) delegates and three (3) alternates. Parishes numbering at least five hundred (500) but fewer than a thousand (1000) shall be entitled to four (4) delegates and four (4) alternates, and Parishes numbering one thousand (1000) or more shall be entitled to five (5) delegates and five (5) alternates. Numbers of each congregation’s delegation shall be determined by the Parochial Reports of the year previous to the Convention. Each lay delegate and alternate shall be a member of the Parish or Mission represented and chosen as prescribed by Canon and a communicant in good standing as defined in Canon I.17.3 of the canons of The Episcopal Church such term always having the same meaning in this Constitution and the Canons of this Diocese.

**Section 4.** No person under ecclesiastical censure or process, whether clergy or lay, shall be entitled to membership.

**Section 5.** Ex-officio members with seat, voice, and vote, shall include the President, Vice President, and Secretary/Treasurer of the Episcopal Youth Council of the Diocese of West Virginia, and such others as the Convention may decide.

**Section 6.** Ex-officio members with seat and voice, but no vote, shall include such others as the Convention may decide and as may be established by Canon.

**ARTICLE 6**  
**Officers of Convention**

1 **Section 1.** The Bishop is President of the Convention. In the absence of the Bishop, the  
2 Bishop Coadjutor, if there be one, shall preside. In the absence of the Bishop and the  
3 Bishop Coadjutor, if there be one, the President of the Standing Committee shall preside  
4 unless the Standing Committee authorizes the Bishop Suffragan, if there be one, or an  
5 Interim bishop to preside. In the absence of a bishop as herein authorized, the President  
6 of the Standing Committee shall preside until a bishop as herein authorized is present.  
7

8 **Section 2.** A Secretary of the Convention shall be elected from among nominees  
9 proposed by the Ecclesiastical Authority. The Secretary's duty shall be to take minutes  
10 of the proceedings, to preserve the journals and records, to prepare the post-Convention  
11 Journal of the Convention, and to perform other duties as established by the Convention  
12 or by Canon. The Secretary shall serve until a successor is elected.  
13

## 14 ARTICLE 7 15 Conduct of Convention 16

17  
18 **Section 1.** Quorum. Fifteen (15) members of the clergy and lay delegates representing at  
19 least twenty (20) congregations shall constitute a quorum.  
20

21 **Section 2.** Voting. The members shall deliberate in one body and each member with  
22 voting privileges shall have a vote. A majority vote shall give validity to any measure,  
23 unless otherwise specified in this Constitution or in the Canons. When three clergy and  
24 three lay delegates from three separate congregations unite to request it, the voting shall  
25 take place by orders, that is, by the clergy order and the lay order, in which case the  
26 concurrence of a majority of each order shall be necessary to adopt any measure.  
27

## 28 ARTICLE 8 29 Election of Bishops 30

31  
32 **Section 1.** The election of a Bishop, Bishop Coadjutor, or Bishop Suffragan, shall be by  
33 Convention either in an Annual Convention or in a Special Convention. Nomination  
34 procedures shall be as prescribed by Canon. In either case the Ecclesiastical Authority  
35 shall notify all Congregations in the Diocese at least thirty days prior to the Convention  
36 of the date and place of such convention called to elect a Bishop, and such notice shall be  
37 published and broadcast throughout the Diocese by all reasonable means, which shall  
38 include but not be limited to a notice directed to all clergy entitled to membership at  
39 Convention and to each Parish, Organized Mission, and Bishop's Mission.  
40

41 **Section 2.** At the Convention called to elect a Bishop, no election shall take place unless  
42 a quorum of two-thirds of the clergy entitled to membership and two-thirds of the lay  
43 delegates entitled to membership be present. When the vote for Bishop takes place it  
44 shall be by orders and by ballot, and when a majority of the clergy and a majority of the  
45 lay delegates have voted for the same person, the President shall declare such person  
46 elected. After a quorum has been declared by the President at the commencement of  
47 voting, if less than a quorum is present for subsequent rounds of voting as may be

1 necessary, the President may declare that voting shall proceed and an election will be  
2 decided when two-thirds of the voters present from each order vote for the same person.  
3  
4

5 **ARTICLE 9**  
6 **Officers of the Diocese**  
7

8 **Section 1.** Treasurer. The Ecclesiastical Authority, in consultation with the Diocesan  
9 Council, shall nominate at every fifth Annual Convention dated from the Convention of  
10 2002, at least one person, but not more than three persons, suitable for Treasurer, of  
11 whom the Convention shall by ballot elect one to serve as Treasurer for five years and  
12 until a successor is elected. The Treasurer takes office at the conclusion of the  
13 Convention at which he/she is elected. If a vacancy should occur, the Ecclesiastical  
14 Authority shall appoint a successor to serve until the next regular Annual Convention, at  
15 which time an election shall be held following the procedures set forth herein to elect a  
16 Treasurer for the remainder of the term in which the vacancy occurred. It shall be the  
17 Treasurer's duty to be a financial adviser to the Diocese, and to perform such other duties  
18 as may be established by Canon. The Treasurer shall be learned in accounting and  
19 finance and shall be a baptized person, who for the three (3) months prior to the electing  
20 Annual Convention, has been a communicant in good standing of a Congregation of this  
21 Diocese and a regular contributor to its support. The Treasurer shall be a member *ex*  
22 *officio* of each Convention, without vote.  
23  
24

25 **Section 2.** Chancellor. The Ecclesiastical Authority, in consultation with the Diocesan  
26 Council, shall nominate at every fifth Annual Convention dated from the Convention of  
27 2009, at least one, but not more than three persons, learned in the Law of the State and  
28 Church, either clergy or lay persons, for Chancellor, of whom Convention shall by ballot  
29 elect one to serve for five years and until a successor is elected. The Chancellor takes  
30 office at the conclusion of the Convention at which he/she is elected. If a vacancy  
31 should occur, the Ecclesiastical Authority shall appoint a successor to serve until the next  
32 regular Annual Convention, at which time an election shall be held following the  
33 procedures set forth herein to elect a Chancellor for the remainder of the term in which  
34 the vacancy occurred. If a lay person, the Chancellor shall be a baptized person, who for  
35 the three (3) months last past prior to the electing Annual Convention, has been a  
36 communicant in good standing of a Congregation of this Diocese and a regular  
37 contributor to its support. It shall be the Chancellor's duty to be legal adviser to the  
38 Ecclesiastical Authority and to the extent not in conflict with said duties, the Standing  
39 Committee. The Chancellor shall be a member *ex officio* of each Convention, without  
40 vote.  
41

42 **ARTICLE 10**  
43 **Boards, Committees, and Commissions**  
44

45 The Convention shall provide by Canon for the appointment or election of a Board of  
46 Trustees, a Standing Committee, a Diocesan Council, a Constitution and Canons  
47 Committee, and other such bodies which the Convention deems necessary for the  
48 administration and governance of this Diocese.

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**ARTICLE 11**  
**Congregations of the Diocese**

The Congregations of this Diocese are Parishes, Missions, and Bishop’s Missions. Their formation, organization, alteration, and dissolution are set by Canon.

**ARTICLE 12**  
**Regional Organizations**

Sec. 1 Deaneries.

The Diocese may be organized into regional groupings, called Deaneries, by the Ecclesiastical Authority. Deanery duties, responsibilities, formation, organization, bounds, and dissolution are set by Canon.

Sec. 2 Regional Ministries.

A Regional Ministry is a formal affiliation of congregations and/or specialized missions with clergy and laity sharing mutual ministry for the purpose of spreading the Gospel. The title used to describe such affiliations may be changed from time to time as the Ecclesiastical Authority may deem appropriate.

**ARTICLE 13**  
**Alterations and Amendments**

Any proposed alteration or amendment of this Constitution shall be submitted in writing to the Ecclesiastical Authority at least ninety (90) days before the meeting of the Annual Convention. Such proposals shall be referred by the Ecclesiastical Authority to the Constitutions and Canons Committee, which shall study such proposals and submit them in proper form to the Convention. From time to time the Constitutions and Canons Committee may be directed by the Ecclesiastical Authority to initiate a general review and general revision of the entire Constitution in order to render it into a more proper and usable form and such a general revision shall be considered as an amendment. All alterations and amendments being presented by the Constitution and Canons Committee shall be publicized by all reasonable means throughout the Diocese prior to the Convention. Amendments to the proposed alteration or amendment may be made from the floor of the Convention following the Parliamentary rules adopted by the Convention. The Convention shall not consider any alterations or amendments to this Constitution except those presented in accordance with the above procedure. Any alteration or amendment must be adopted by a majority of each Order present at Convention voting by Orders. It shall then lie over to the next Annual Convention, and if the same text, without substantive changes as decided by the President, is again adopted by the majority of each Order present at Convention voting by Orders, the amendment or alteration shall be then considered enacted.

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**CANONS OF THE EPISCOPAL CHURCH  
IN THE DIOCESE OF WEST VIRGINIA**

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1 **TITLE I: ORGANIZATION AND CONDUCT OF THE CONVENTION**

2  
3 **Canon 1**  
4 **Duties of the Annual Convention**

5  
6 Section 1. Duties. The Diocesan Convention (hereinafter referred to as “the  
7 Convention”) as duly constituted and duly assembled exercises the legislative functions  
8 of the Diocese. These functions shall include but are not limited to the election of  
9 Bishops; election of officers and committees as set forth in these  
10 Canons; ratification of appointments made by the Ecclesiastical Authority as prescribed  
11 in the Constitution and these Canons; election of Deputies to the General Convention;  
12 approval of the budget of the diocese; admission of new congregations as defined in Title  
13 III of these Canons; alteration of the status of Congregations with the advice of the  
14 Ecclesiastical Authority; and approval of amendments to the Constitution and Canons.  
15

16 **Canon 2**  
17 **Members of the Convention**

18  
19 Section 1. Determination and Credentialing of Clergy Members

- 20 (a) List of qualified Clergy. The Bishop shall send to the Secretary at least a week  
21 before the meeting of every Convention a list of clergy who are entitled to  
22 membership pursuant to Article 5, section 2, of the Constitution.  
23 (b) Registration. At the time of registration at the Convention each clerical delegate  
24 shall fill out a registration form, prepared by the Secretary, which shall include, as  
25 applicable, name, address of residence, email address, and charge or current  
26 position in the Diocese. Such registration shall constitute the taking of the  
27 Clerical Roll. The list of clergy members shall be available to all members of the  
28 Convention.  
29 (c) Resolution of questioned membership. If the right of any presbyter or deacon to  
30 membership in the Convention is questioned, the case shall be referred at once to  
31 a special committee of three clergy appointed by the President of the Convention.  
32 After hearing a report from this committee, the Convention will decide by  
33 majority vote whether the person or persons at issue are qualified to be members.  
34

35 Section 2. Determination and Credentialing of Lay Delegates from Congregations

- 36 (a) Lay delegates from Congregations to Convention, as prescribed in Article 5,  
37 Section 3, of the Constitution, and their alternates, shall be elected at the annual  
38 meeting of each Congregation. They shall be communicants in good standing of  
39 the Congregation. Vacancies occurring during the time between a Congregational  
40 meeting and the Convention shall be filled by the Vestry or Mission Committee.  
41 (b) A form for the certification of lay delegates and their alternates shall be sent by  
42 the Secretary to each Congregation eligible to have delegates. The form shall  
43 provide spaces for the name (s) of delegates, the inclusive dates of their period of  
44 service as delegates and alternates, and the name of the Congregation. These  
45 forms will be certified by the senior clergyperson of that Congregation, and sent  
46 promptly upon election to the Secretary of the Convention. Certification of such  
47 forms shall be prima facie evidence of the rights of those named to seats in the

- 1 Convention. The Secretary will prepare a list of all such certified delegates and  
2 alternates for use at the Convention.
- 3 (c) Lay Delegates shall have seat, voice and vote. Alternates shall have seat and  
4 voice, but no vote. In the event that a delegate is unable to function in the  
5 capacity of delegate, the alternate to that delegate shall assume full rights of the  
6 delegate, with seat, voice, and vote.
- 7 (d) Registration. At the time of registration at the Convention each lay delegate and  
8 alternate shall fill out a registration form, prepared by the Secretary, which shall  
9 include name, address of residence, email address, and name of congregation. The  
10 Secretary will make sure that each registrant is properly certified, and will prepare  
11 a list of lay delegates and alternates properly registered and certified. This list  
12 shall be available to all members. Such registration shall constitute the taking of  
13 the Lay Roll.
- 14 (e) Resolution of Questioned Membership. If the right of any lay delegate or  
15 alternate to membership in the Convention is questioned, the case shall be  
16 referred at once to a special committee of three laypersons appointed by the  
17 President of the Convention. After hearing a report from this committee, the  
18 Convention will decide by majority vote whether the person or persons at issue  
19 are qualified to be members pursuant to Article 5 of the Constitution of this  
20 Diocese.

21  
22 **Section 3. Credentialing of Ex-Officio Members**

23 Ex Officio members are those enumerated in Article 5, sections 5 and 6, of the  
24 Constitution. At the time of registration at the Convention each Ex-Officio member shall  
25 fill out a registration form, prepared by the Secretary, which shall include name, address  
26 of residence, email address, and office or position in the Diocese which qualifies that  
27 person to be an ex-officio member. The Secretary will make sure from Diocesan records  
28 that each ex-officio registrant is properly entitled to membership, and will prepare a list  
29 of such ex-officio delegates. The list shall be available to all members. Preparation of  
30 the list shall constitute the taking of the Ex-Officio Roll.

31  
32 **Canon 3**

33 **Attendance Upon Convention and Duties of Delegates**

34  
35 **Section 1. Expenses**

36 It shall be the duty of Congregations to provide the necessary travel remuneration to and  
37 from the Convention, and reasonable expenses for registration, food and lodging, of their  
38 clergy, and, if practicable, of their lay delegates. If clergy are being remunerated by  
39 Regional Ministry Councils, the Councils shall assume responsibility of the aforesaid  
40 expenses.

41  
42 **Section 2. Attendance**

43 It shall be the duty of all clergy entitled to membership in the Convention and all lay  
44 delegates or their alternates to attend the annual Convention.

45  
46 **Section 3. Preparation and Dissemination**

47 It shall be the duty of each delegate and alternate to read, study, and disseminate  
48 throughout their Congregations, by whatever means appropriate, all reports, proposed

1 resolutions, and information contained in the Pre-Convention Journal and other  
2 advisories of Convention activities which may be provided. Delegates shall consult their  
3 Vestries or Committees for advice and counsel concerning issues and votes that might  
4 arise at the Convention.

5  
6 **Canon 4**  
7 **Resolutions**  
8

9 **Section 1. Requirements for Submission**

10 Any group of five or more members of the clergy canonically resident in the Diocese, or  
11 five or more lay communicants in good standing of any congregations in this Diocese, or  
12 any Vestry, Mission Committee, or any board, commission, or committee included in  
13 Canons 2-3-4 of Title II of these Canons, may submit a resolution, or resolutions, to the  
14 Convention. Rules for format of a resolution are in Robert's Rules of Order. The  
15 resolution shall identify the sponsor(s). Any resolution that would, if passed, cause the  
16 expenditure of funds by the Diocese, should be flagged with the label "fiscal note" and be  
17 automatically referred to the budget committee of the Diocesan Council for review and  
18 comment to then be directed to the resolutions committee.

19  
20 **Section 2. Time period for Submission**

21 No resolution, except of appreciation, sympathy, or condolence, may be entertained by  
22 any Convention unless such proposed resolution has been physically received by the  
23 Ecclesiastical Authority at least forty-five days prior to the convening of the Convention,  
24 and has thereafter been published in the Pre-Convention Journal or otherwise  
25 disseminated to all Congregations prior to the Convention. Proposed resolutions which  
26 have been received after the prescribed period may be presented to the Convention by the  
27 Committee on Resolutions if, in its opinion, the resolution refers to events which have  
28 occurred less than 45 days prior to the convening of the Convention and thus could not  
29 reasonably have been submitted during the prescribed time period.

30  
31 **Section 3. Precedence**

32 Resolutions shall be published in the Pre-Convention Journal, and brought before the  
33 Convention, in the chronological order in which they were received by the Ecclesiastical  
34 Authority, except that the Convention may, if recommended by the Resolutions  
35 Committee, and by majority vote, change the order of consideration by grouping  
36 resolutions on similar subjects together in the order of receipt and thus consider all  
37 resolutions in that group before going to the next group or individual resolution.

38  
39 **Canon 5**  
40 **Conduct of the Convention**  
41

42 **Section 1. Rules of Order**

43 The meeting of the Convention shall be conducted by its President in accordance with the  
44 latest edition of Robert's Rules of Order governing general parliamentary procedure,  
45 except that the rules of order may be suspended and other rules substituted by the  
46 Convention by a majority vote. The President of the Convention shall vote as a member  
47 of the body, but when the President is the Bishop, and the vote is by Orders, his/her name  
48 shall be called last. The President may, when the debate seems to have ended, before

1 putting the question, give his/her judgment upon the matter at issue and the vote shall  
2 then be taken unless some subsidiary motion be in order and be moved.

3  
4 Section 2. Appointment of Committees of the Convention

5 The President shall appoint the following committees and the chairs thereof at the  
6 beginning of or prior to the Convening of the Convention:

- 7 (a) Committee on Resolutions
- 8 (b) Committee on Resolutions of Appreciation, Sympathy or Condolence
- 9 (c) Tellers for Lay Vote and the Clerical Vote
- 10 (d) Special Committee on the Rights of Clergy to seats
- 11 (e) Special Committee on the Rights of Lay Delegates to seats.

12  
13 Section 3. Officers of the Convention and Diocesan Officers Elected at Convention

14 The Convention shall elect the following officers in the manner prescribed by the  
15 Constitution:

- 16 (a) Secretary
- 17 (b) Treasurer
- 18 (c) Chancellor

19  
20 Section 4. Consideration of the Budget

21 The proposed Budget for the calendar year following that of the Convention will be  
22 presented by the Treasurer, and considered by the members of Convention sitting as a  
23 Committee of the Whole. Final action shall be taken on the budget, following such  
24 Committee of the Whole consideration, by the members sitting as Convention, subject to  
25 the authority of The Council to amend the budget from time to time except for  
26 authorizing a greater amount of total expenses that would cause an unbalanced budget.  
27 The Council, through a subcommittee it may designate to study and recommend to The  
28 Council for action, may approve a downward adjustment the mandatory apportionment of  
29 a Congregation which has petitioned The Council for review of same based upon  
30 extraordinary circumstances.

31  
32 Section 5. Other Business and Agenda

33 The Convention may consider all other items on its agenda as established by the  
34 President and approved by the Convention. The Convention shall also conduct elections  
35 for committees, commission and other posts as necessary.

36  
37 Section 6. Deputies to General Convention

38 As Deputies to the General Convention need to be elected a full year in advance of the  
39 next General Convention as per the Canons of The Episcopal Church, at the Diocesan  
40 Convention in the year next preceding the next regular meeting of the General  
41 Convention, or at the Diocesan Convention two years next preceding the next General  
42 Convention as may be needed to comply with the one full year rule, the Diocesan  
43 Convention shall elect by ballot four clerical and four lay deputies, and the same number  
44 of alternates, to the General Convention. Clerical deputies and alternates may be  
45 Presbyters or Deacons and must be members of the Diocesan Convention by right  
46 undisputed. Lay Deputies and alternates must be confirmed adult communicants, as  
47 defined in the Canons of The Episcopal Church, of a Congregation in this Diocese but not  
48 necessarily domiciled in the Diocese.

- 1 (a) Nomination procedures for these positions shall be as follows:  
2 (1) Each Deanery may nominate not more than two candidates to each order.  
3 (2) Nominations may be made from the floor of the Convention.  
4 (3) To the extent possible, the Diocesan news media shall be used to acquaint  
5 the Diocese with the candidates.  
6 (b) Appointment of alternates. Any deputy unable to perform the duties of  
7 his/her office must give timely notice to the Ecclesiastical Authority, who  
8 shall notify the alternate who in order of his/her election stands next as  
9 entitled to represent the Diocese that he/she has assumed the duties of the  
10 deputy. If any alternate deputies have been elected by the same number of  
11 votes they shall be notified in alphabetical order. In the event that no  
12 regularly elected deputy or alternate is able to attend the General Convention,  
13 the Bishop may appoint one or more as necessary to represent the Diocese.

1 **TITLE II: ORGANIZATION AND ADMINISTRATION**

2  
3 Introduction: In addition to the Officials and Committees appointed at Convention to  
4 perform functions at Convention, as prescribed in the Constitution and in Title I of these  
5 Canons, the Diocese elects or appoints various officers, boards, commissions, and  
6 committees to carry on its work throughout the year and fulfill its mission of propagating  
7 the Gospel of Jesus Christ in the state of West Virginia. The method of  
8 election/appointment, terms of office, and duties of these officers and bodies are  
9 described in this Title.

10  
11 **Canon 1**

12 **Appointment and Election of Officers and Other Officials, and Their Terms of**  
13 **Office**

14  
15 Section 1. Diocesan Bishop (hereinafter referred to as “the Bishop”)

16 The Bishop is elected according to canon III.11 of The Episcopal Church and Article 8 of  
17 the Constitution of the Diocese of West Virginia.

18  
19 Section 2. Other Bishops

20 The Bishop may choose to have elected a Bishop Coadjutor and/or Bishop Suffragan.  
21 Their election/appointment shall be conducted in accordance with the canons of The  
22 Episcopal Church and Article 8 of the Constitution. Their confirmation and ordination  
23 shall be conducted in accordance with canon III.11.10 of The Episcopal Church.

24  
25 Section 3. Treasurer

26 The Diocesan Treasurer is elected and his/her term of office is established by the  
27 Convention in accordance with Article 9, Section 1, of the Constitution.

28  
29 Section 4. Chief Financial Officer (CFO)

30 With advice of the Treasurer, this Officer is appointed by the Bishop with the term of  
31 office to be set by the Bishop. The CFO shall be qualified for the position by virtue of  
32 his/her educational and professional background and experience in financial accounting  
33 and operations.

34  
35 Section 5. Chancellor

36 The Convention shall elect a Chancellor from persons nominated by the Bishop, in  
37 accordance with Article 9, Section 2, of the Constitution. The Chancellor must be  
38 learned in the law of the State and the Church.

39  
40 Section 6. Vice Chancellor

41 With the advice of the Chancellor, the Bishop shall appoint as Vice Chancellor  
42 one or more persons learned in the law of the State and the Church, to serve concurrently  
43 with the Chancellor. The Vice Chancellor(s) shall serve at the will and pleasure of the  
44 Bishop.

45  
46 Section 7. Church Attorney

1 Every third year, contemporaneous with the election of an Ecclesiastical Court, the  
2 Bishop shall appoint a layperson, duly licensed to practice law, to serve a three-year term  
3 as Church Attorney. In accordance with canon IV.15 of The Episcopal Church, the  
4 Church Attorney need not reside in or be a member of the Diocese. The Church Attorney  
5 shall not be from the same law firm as the Chancellor or the Vice Chancellor of the  
6 Diocese. If, in connection with a particular matter, the Church Attorney (i) is related to  
7 any party by blood or marriage, (ii) has knowledge of essential facts involved in the  
8 matter, (iii) has a close personal or professional relationship with the respondent, or (iv)  
9 reasonably believes himself or herself unable to fairly and independently carry out his or  
10 her duties in the matter, the Church Attorney shall be declared by the Bishop disqualified  
11 and excused from service in connection with the matter, and the Bishop shall promptly  
12 appoint a suitable person to serve as Church Attorney in that matter. In the event of a  
13 vacancy in this position, the Bishop shall appoint a suitable layperson to serve as Church  
14 Attorney for the remainder of the three-year term.

15  
16 Section 8. Historiographer

17 The Bishop shall appoint some suitable person to serve as Historiographer of the Diocese  
18 with a term as established by the Bishop.

19  
20 **Canon 2**

21 **Appointment of Members of Boards, Committees, and Commissions, and Their**  
22 **Terms of Office**

23  
24 Section 1. Diocesan Trustees

25 There shall be a board of not less than six nor more than seven Trustees, to be called  
26 “The Diocesan Trustees of the Episcopal Church in the Diocese of West Virginia,” which  
27 shall consist of Five Trustees elected by the Convention for a term of five years and until  
28 their successors are elected. The Bishop shall present nominees for these positions in any  
29 number he/she chooses. In addition to the five elected members, the Treasurer shall serve  
30 on the board ex-officio without vote, and serve as its Treasurer. The Bishop may from  
31 time to time appoint, for a term not in excess of three years, as a seventh Trustee, without  
32 vote, a bank or trust company qualified to act as fiduciary under the Uniform Common  
33 Trust Fund Act of the State of West Virginia. A chair of this board shall be elected from  
34 among the five elected and voting members of the board. No person shall be eligible to  
35 serve more than two consecutive five-year terms as Trustee.

36  
37 As soon as practicable after the election of the members, or of any member, of the  
38 Diocesan Board of Trustees, it shall be the duty of the Secretary of the Convention to  
39 prepare a certificate, verified by affidavit, certifying to the election of such Trustee or  
40 Trustees, which certificate he/she shall transmit to the Treasurer, who shall cause the  
41 same to be recorded in the office of the Clerk of the County Commission of each County  
42 in the State in which the Diocese or the Diocesan Trustees have any property, as required  
43 by the Code of West Virginia. The expense of such recordation shall be considered as  
44 one of the necessary expenses of administration of the Diocese.

45

1 In case of a vacancy occurring on the Board between sessions of the Convention, except  
2 as to the Treasurer and the seventh Trustee, the remaining Trustees shall have the power  
3 to fill such vacancy until the next regular meeting of Convention when the Convention  
4 shall elect a Trustee to fill the remainder of the unexpired term. If there be no Bishop in  
5 office at the expiration of the term for which the seventh Trustee was appointed, such  
6 term shall ipso facto continue until terminated by the other Trustees or by the successor  
7 Bishop in office.

8  
9 Section 2. Standing Committee

10 There shall be a Standing Committee consisting of four presbyters entitled to seats in the  
11 Convention and four laypersons who are adult communicants in good standing of  
12 Congregations in this Diocese, all of whom shall be elected at Convention by ballot.  
13 Nominations should be submitted 45 days before Convention to the Diocesan Office and  
14 may come from Deaneries or other sources, and further nominations may come from the  
15 floor. Terms of each member have been staggered in four steps by previous Conventions,  
16 so that each Convention is only required to elect one clergy member and one lay member  
17 at each Convention, unless vacancies are being filled. In the event of a vacancy the  
18 Standing Committee will appoint a person to fill the vacant seat until the next  
19 Convention. A person who has served on Standing Committee shall not be eligible for  
20 re-election to the Standing Committee until the Diocesan Convention following the  
21 convention at which his/her prior term of membership expired. This restriction shall not  
22 apply to any person who has been elected to fill a vacancy. As soon as practicable after  
23 each Annual Convention, the members of the Standing Committee shall meet at the call  
24 of the Bishop and shall elect a President and likewise a secretary. The Standing  
25 Committee shall make rules for its assembling and government. Five members shall  
26 constitute a quorum at any meeting of the Standing Committee.

27  
28 Section 3. Diocesan Council

29 (a) The Diocesan Council also referred to as "The Council" shall be composed of the  
30 Bishop, the Bishop Coadjutor, if there be one, and the Bishop Suffragan, if there be one,  
31 and the following other members with seat, voice and vote:

- 32 (4) Convener of the Women's Ministries Committee
- 33 (5) President of the Episcopal Churchmen
- 34 (6) President of the Youth Council
- 35 (7) Chair of the Anti-Racism Committee
- 36 (8) One Clergy Member and one Lay Member from each Deanery, elected in  
37 accordance with the Deanery's by-laws and, if either position becomes  
38 vacant, replaced according to the Deanery's by-laws

39 (b) The following shall be ex-officio members of the Diocesan Council with seat and  
40 voice, but no vote:

- 41 (1) Chancellor, or Vice Chancellor if the Chancellor cannot be present
- 42 (2) Treasurer

43 (c) The Bishop shall be Chair of The Council. If there be a Bishop Coadjutor he/she  
44 will be Vice-Chair thereof. If there be no Bishop Coadjutor then the Bishop Suffragan  
45 will be Vice-Chair, and if there be no Bishop, Bishop Coadjutor, or Bishop Suffragan,  
46 then the Council at its first meeting in a year will, as the first order of business, elect a

1 chair and vice chair from among the voting members. A majority of the voting members  
2 shall constitute a quorum.

3 (d) The names of persons elected by Deaneries to the Diocesan Council must be  
4 submitted to the Bishop at least forty-five (45) days in advance of each Convention.

5 (e) The Diocesan Council shall meet at stated times, but not less than four times per  
6 year.

7  
8 Section 4. Disciplinary Board

9 (a) Composition. The Disciplinary Board (the Board) shall consist of not fewer than  
10 seven persons, four of whom are members of the Clergy and three of whom are Laity.

11 (b) Clergy Members. The Clergy members of the Board must be canonically and  
12 geographically resident within the Diocese.

13 (c) Lay Members. The lay members of the Board shall be adult communicants in good  
14 standing and geographically resident in this Diocese.

15 (d) Election. The members of the Board shall be elected by the Convention. Each  
16 member shall be elected for a three (3)-year term; except, if a member is elected to fill a  
17 vacancy, the term of such member shall be the unexpired term of the member being  
18 replaced. The term of the member shall commence on the first (1st) day of the year  
19 following election. The terms of office of the Board shall be staggered and arranged into  
20 three classes.

21 (e) Vacancies. Vacancies on the Board shall be filled as follows:

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

25 (2) The Bishop shall appoint a replacement Board member.

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

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

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

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

45

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

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

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

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

17 (l) Advisors. In each proceeding under this Title, the Bishop shall appoint an Advisor  
18 for the Complainant and an Advisor for the Respondent. Persons serving as Advisors  
19 shall hold no other appointed or elected position provided for under this Title, and shall  
20 not include Chancellors or Vice Chancellors of this Diocese or any person likely to be  
21 called as a witness in the proceeding.

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

24 (n) Costs and Expenses Incurred by the Church. The reasonable costs and expenses of  
25 the Board, the Intake Officer, the Investigator, the Church Attorney, the Board Clerk and  
26 the Pastoral Response Coordinator shall be the obligation of this Diocese, subject to  
27 budgetary constraints as may be established by The Council.

28 (o) Costs and Expenses Incurred by the Respondent. In the event of a final Order  
29 dismissing the complaint, the reasonable defense fees and costs incurred by the  
30 Respondent may, in the discretion of the Bishop in consultation with the Council, be paid  
31 or reimbursed by this Diocese, subject to budgetary constraints as may be established by  
32 The Council.

33 (p) Records of Proceedings. Records of active proceedings before the Board, including  
34 the period of any pending appeal, shall be preserved and maintained in the custody of the  
35 Clerk, if there be one, otherwise by the Diocesan office.

36 (q) Permanent Records. The Bishop shall make provision for the permanent storage of  
37 records of all proceedings under this Title at the Diocesan office and the Archives of the  
38 Episcopal Church, as prescribed in Title IV of the General Canons.

39  
40 Section 5. Committee on Constitution and Canons

41 There shall be a committee consisting of three members of the clergy entitled to seats in  
42 the Convention and three laypersons who are communicants in good standing of  
43 Congregations in this Diocese who have attained the age of 18 years, elected by  
44 Convention for three-year terms. Member seats have been staggered by previous  
45 Conventions, requiring the Convention to elect one clergy member and one lay member,  
46 unless vacancies occur between Conventions. Elections will be from a list of candidates

1 nominated by the Bishop or other nominations made from within the Diocese at large.  
2 Vacancies may be filled by the Committee with the advice and consent of the Bishop, and  
3 any person selected to fill that vacancy shall serve until the next Annual Convention,  
4 which shall elect a successor to complete the unexpired term. The Chancellor and Vice  
5 Chancellor(s) shall be ex-officio members, with seat, voice and vote, and the Chancellor  
6 shall act as Chair. If the Chancellor is absent a Vice-Chancellor shall act as Chair.

7  
8 Section 6. Commission on Ministry

9 This Commission shall consist of no less than three and no more than nine members of  
10 the clergy, and an equal number of laypersons. The numbers of persons on the  
11 Commission shall be decided by the Bishop. Each member shall be appointed by the  
12 Bishop for a three-year term. No person shall serve for more than two consecutive terms.  
13 The chairperson shall be appointed by the Bishop, for a period of one year, but may be  
14 removed at any time at the Bishop's will and pleasure. Vacancies shall be filled by  
15 appointment by the Bishop.

16  
17 Section 7. Committee of the Church Pension Fund

18 The Bishop shall appoint annually, at the Convention, a Committee of the Church  
19 Pension Fund to consist of three members of the clergy and three laypersons, for a term  
20 of one year and until their successors have been appointed. The Bishop may fill any  
21 vacancies on the Committee, such appointees to serve until the next Convention.

22  
23 Section 8. Regional Ministries Commission

24 This Commission shall consist of one lay representative from each Regional Ministry,  
25 chosen in accordance with the by-laws of each Regional Ministry. Each representative  
26 will have a term of one year, but the same person may be reappointed for two successive  
27 years. In addition four clergy members will be appointed by the Bishop from clergy  
28 serving in Regional Ministries. The clergy members will have four-year terms but will  
29 not be capable of serving a second consecutive term. Terms of Clergy members have  
30 been staggered at previous appointments; thus it is only necessary that two clergy  
31 members be appointed in every year that ends with an even number. The chair of this  
32 Commission will be appointed by the Bishop. The Commission will meet at such times  
33 and places as it or the Bishop shall decide, but in no case less than two times in a year.

34  
35 Section 9. Audit Committee

36 This committee shall consist of three to seven lay representatives appointed by the  
37 Bishop who are independent of all other diocese functions and relationships and  
38 knowledgeable in financial and accounting affairs. The committee shall function under a  
39 charter consistent with rules and recommendations for audit committees of not-for-profit  
40 organizations as provided by the AICPA, Inc., or similar organization, and approved by  
41 The Council from time to time.

42  
43 **Canon 3**  
44 **Peterkin**  
45

1 Peterkin Board. Peterkin is a diocesan camp and conference center located near Romney,  
2 Hampshire County, West Virginia. The Bishop will appoint a board of not less than 6 or  
3 more than 18 persons who are communicants in good standing of a congregation of this  
4 Diocese, for terms of office as prescribed by the Bishop. The Bishop or a person  
5 designated by the Bishop will chair this Board. It shall meet at times and places  
6 established by the Bishop. The Board will set its own procedures, bylaws, and  
7 responsibilities as approved by the Bishop.  
8

#### 9 **Canon 4**

#### 10 **Appointment and Terms of Office of Other Committees**

11  
12 The Bishop may create other Committees as deemed necessary. Each Committee may  
13 make a report of its activities, and recommendations for action, if any, to the Convention.  
14 These Committees will have no delegates to Convention or seats on the Diocesan  
15 Council, but may bring their concerns before the Bishop and/or Council at any time prior  
16 to a Convention. The Bishop shall appoint all members of these committees and shall  
17 determine their composition, size and terms of office.  
18

#### 19 **Canon 5**

#### 20 **Nominations**

21  
22 All nominations for officers, boards, commissions, committees, and the like, unless  
23 otherwise specifically addressed in these Canons, are to be made pursuant to forms and  
24 requirements as from time to time created by the Bishop with the advice of The Council.  
25

#### 26 **Canon 6**

#### 27 **Powers and Duties of Officers and Other Officials of the Diocese**

##### 28 29 **Section 1. Bishop**

30 The Bishop is the Chief Executive Officer and Ecclesiastical Authority of the Diocese.  
31 His/her duties are delineated in canons of The Episcopal Church.  
32

##### 33 **Section 2. Treasurer**

34 This position is non-stipendiary. The Treasurer shall:

- 35 (a) be learned in accounting and finance and shall be a communicant in good standing  
36 of a Congregation of this Diocese;
- 37 (b) under the direction of the Bishop, shall be responsible for the management and  
38 accountability of all funds and fiduciary matters of the Diocese, except those reserved for  
39 the Trustees in accordance with the Constitution and other provisions of these Canons;
- 40 (c) provide counsel and advice to the Bishop, the Chief Financial Officer and to the  
41 various entities of the Diocese which have need of his/her counsel;
- 42 (d) with the assistance of the Chief Financial Officer, as specified in canon I.7.1(f) of  
43 The Episcopal Church, ensure that an annual audit is performed in accordance with the  
44 laws of West Virginia, and that the audit is duly reported to the Diocesan Council;
- 45 (e) with the assistance of the Chief Financial Officer, report to the Convention on the  
46 financial status of the Diocese, and present a proposed budget to the Convention;

- 1 (f) serve as ex-officio member, with seat and voice, of the Convention, Diocesan  
2 Trustees, and Diocesan Council;  
3 (g) be bonded, in such penalty and with such surety as the Diocesan Council may  
4 approve to secure the faithful performance of the duties of the office. Such bond shall be  
5 made payable to the Diocesan Trustees and shall be held in the custody of such Trustees.  
6

7 Section 3. Chief Financial Officer (CFO)

8 The CFO is a member of the Bishop's staff, and shall:

- 9 (a) be responsible for the day-to-day financial activities, financial record-keeping, and  
10 financial reporting for the Diocese;  
11 (b) coordinate the budget process;  
12 (c) have custody of all funds, monies and securities belonging to the Diocese, except  
13 funds vested in the Trustees of the Diocese;  
14 (d) have the power, with the approval of the Treasurer, Trustees, or Diocesan Council  
15 as elsewhere prescribed in these canons, to transfer, deposit, withdraw and handle  
16 all funds and monies of the Diocese;  
17 (e) be responsible for the receipt, management, disbursement, and transfer of funds,  
18 monies and securities in his/her custody, and shall keep and, in a reasonable time  
19 prior to each annual Convention, return an account thereof to the Diocesan Council  
20 for incorporation in its report to the Convention;  
21 (f) serve as the principal financial liaison for the Diocese with all external and internal  
22 groups, congregations, agencies, banks and other fiduciary institutions, and other  
23 organizations or institutions with which the Diocese has financial transactions;  
24 (g) arrange for an annual audit by an independent public accountant certified or  
25 registered by the West Virginia Board of Accountancy, and selected by the  
26 Trustees, which shall be transmitted directly from the auditor to the Diocesan  
27 Council, which shall examine the same and report their conclusions to the  
28 Convention;  
29 (h) be bonded, in such penalty and with such surety as the Diocesan Council may  
30 approve to secure the faithful performance of the duties of the office and for  
31 monitoring and accounting for all monies and property received and handled by  
32 virtue of the office and accounted for by the CFO. Such bond shall be made  
33 payable to the Diocesan Trustees and shall be held in the custody of such Trustees.  
34

35 Section 4. Chancellor

36 It shall be the Chancellor's duty to be legal adviser of the Ecclesiastical Authority. The  
37 Chancellor shall be an ex-officio member of the Convention with seat and voice, and  
38 shall act as Parliamentarian at meetings of the Convention. The Chancellor shall chair  
39 the Constitution and Canons Committee.  
40

41 Section 5. Vice Chancellor

42 The Vice Chancellor(s) shall have the same qualifications as the Chancellor and shall  
43 assist the Chancellor as requested. With the permission of the Bishop, a Vice Chancellor  
44 may assume the duties of the Chancellor if the Chancellor is unable to perform his/her  
45 duties. A Vice Chancellor shall serve as Chair of the Resolutions Committee at  
46 Convention.

1  
2 **Section 6. Church Attorney**

3 The Church Attorney shall investigate matters of ecclesiastical discipline on behalf of the  
4 Standing Committee, represent the Diocese in the prosecution of presentments against  
5 priests and deacons, and represent the Diocese in an appeal to the Court of Review of a  
6 trial of a priest or deacon. His/her duties are prescribed in Title IV of the canons of The  
7 Episcopal Church.

8  
9 **Section 7. Historiographer**

10 The Historiographer will receive and preserve journals, papers and records of the  
11 convention, and collect articles, documents, and other printed or manuscript written  
12 matters, and any electronic video or audio material available, pertaining to the history of  
13 the Diocese. In preserving this material the Historiographer will use all available means  
14 of storing and preserving material, both paper and electronic.

15  
16 **Canon 7**  
17 **Powers, Duties and Responsibilities of Boards, Committees, and**  
18 **Commissions**  
19

20 **Section 1. Diocesan Trustees**

21 (a) Subject to any direction, action or resolution taken by the Convention or Council in  
22 respect to their duties, which shall be binding upon them, the Diocesan Trustees shall  
23 manage the holdings and funds of the Diocese and all other funds and property given,  
24 devised, or bequeathed for the use or benefit of the Diocese, or of any Diocesan activity,  
25 except those expressly given, devised, or bequeathed to the Bishop for the use of the  
26 Diocese, unless the same shall have been turned over by the Bishop to said Trustees.  
27 They shall take, control and administer any funds or property given, devised, or  
28 bequeathed for the use or benefit of any Congregation in the Diocese which may be  
29 turned over to them for that purpose by the proper authorities of such Congregation, or by  
30 the person or persons having control thereof.

31 (b) The Trustees shall annually report to the Convention showing the condition of the  
32 fund or funds in their charge, together with itemized statements of all receipts and  
33 disbursements, assets, and liabilities, which report shall be referred prior to Convention to  
34 the Diocesan Council, which shall submit it to the Convention along with such  
35 recommendations in relation thereto as they deem advisable. The Secretary shall cause  
36 the report to be printed in the Journal of the Convention.

37 (c) All funds under the control of the Trustees may be invested from time to time under  
38 the Uniform Common Trust Fund Act of the State of West Virginia, or, to the extent not  
39 invested under said Act, such funds shall be invested from time to time under the  
40 direction of the Trustees.

41 (d) The Trustees shall have charge of, and be vested with the legal title to, all real  
42 estate belonging to the Diocese, and it shall be their duty to see that such property is kept  
43 in repair and protected by property and casualty insurance.

44 (e) The income and corpus from funds in the charge of such Diocesan Trustees shall be  
45 applied to the purposes for which such funds, respectively, were established or are  
46 maintained, and such income and/or corpus shall be disbursed to the parties who may be

1 entitled thereto according to other Canons or the instrument creating or establishing the  
2 trust fund, or in the absence of any such provisions, in accordance with the direction of  
3 the authority placing such fund in the control of such Trustees, provided that the income  
4 from such fund shall bear its pro rata share of the necessary expense of administration  
5 and accounting.

6 (f) When any real property belonging to the Diocese is to be sold or encumbered, the  
7 instrument of conveyance or encumbrance shall be executed by such Diocesan Trustees,  
8 or a majority of them, as holders of the legal title to such property, provided that no such  
9 instrument of conveyance or encumbrance shall be executed unless and until the same  
10 shall have been approved by the Convention of the Diocese or the Diocesan Council,  
11 except when the Diocesan Trustees act as custodians for a Congregation in union with the  
12 Diocese, in which case the Diocesan Trustees may execute a deed for such property, or  
13 an instrument of encumbrance, to the Trustees of such Congregations upon the request of  
14 the Ecclesiastical Authority.

15 (g) All devises and bequests of property or money intended for the use and benefit of  
16 the Diocese, or of any Congregation therein, should be made to the Diocesan Trustees of  
17 The Episcopal Church in the Diocese of West Virginia or to the trustees of the specific  
18 Congregation intended, as authorized and provided in the Code of West Virginia.

19 (h) All devises and bequests of property or money intended for the use and benefit of  
20 the Diocese, or of any Congregation therein, which shall have been, or which shall be,  
21 made to the Bishop of the Diocese individually, may be administered by the Bishop in the  
22 furtherance of the purposes of the devises, or bequests, or be turned over by the Bishop to  
23 the Diocesan Trustees, or to the proper Congregation trustees for such administration. In  
24 case such administration is retained by the Bishop, accounts of such funds shall be  
25 audited annually, and detailed report thereof made to the Diocesan Council, who may  
26 report thereon to the Convention, provided, that this provision shall not apply to the so-  
27 called "Bishop's Special Fund."  
28

## 29 Section 2. Standing Committee

30 The Standing Committee shall be an advisory council for the Bishop, and, as such, may  
31 be summoned by the Bishop when the Bishop wishes its advice, and the Committee may  
32 counsel the Bishop of its own motion whenever it deems such a course expedient. Its  
33 powers and duties are specified in Titles I-IV of the canons of The Episcopal Church, and  
34 in other parts of these canons. As prescribed by Article IV of the Constitution of The  
35 Episcopal Church, if there be no Bishop or Bishop Coadjutor or Bishop Suffragan  
36 canonically authorized to act, the Standing Committee shall be the Ecclesiastical  
37 Authority of the Diocese.  
38

## 39 Section 3. Diocesan Council

40 (a) The Diocesan Council shall exercise all the powers of the Convention of the  
41 Diocese during such times as the Convention is not in session, except for such power as  
42 shall be specifically reserved by the Convention to itself by Canon; provided, however,  
43 that the Council may not rescind, cancel or annul any action of the Convention, nor may  
44 it take any action which violates or contradicts or nullifies an action previously directed  
45 or policy previously prescribed by the Convention. It thus functions as the Legislative  
46 Body of the Diocese when the Convention is not in session, and, working with the Bishop

1 as specified in various of these Canons, it generally oversees all activities of the Diocese  
2 when the Convention is not in session, which are not specifically reserved to the  
3 Ecclesiastical Authority.

4 (b) The Diocesan Council, in its discretion, shall have the power to create committees,  
5 including but not limited to a budget committee, and appoint advisers and consultants,  
6 both from within its membership and from without, to facilitate the performance of its  
7 duties. The Council shall not delegate any of its powers as described above to such  
8 committees, advisers and consultants.

9 (c) It shall be the duty of the Council to make careful studies of the opportunities for  
10 carrying on the mission of the Church and propagating the Gospel of Jesus Christ in this  
11 Diocese, and to devise ways and means for the proper performance of such work. It shall  
12 be the duty of the Council to advise the Ecclesiastical Authority in all matters concerning  
13 the welfare of the Church within the Diocese, and to give advice to the Ecclesiastical  
14 Authority on matters concerning which the Ecclesiastical Authority shall seek such  
15 advice.

16 (d) It shall be the duty of the Council to prepare and maintain at all times in a current  
17 status long range plans for carrying on the mission of the Church within the Diocese,  
18 which shall include plans and preparation for financing, implementing, and administering  
19 such plans. In such planning function, the Council shall work closely with the  
20 Ecclesiastical Authority, and shall advise the annual Convention, from time to time, of its  
21 conclusions in these fields.

22 (e) The Council shall each year prepare and present to the Convention of the Diocese a  
23 budget for the Diocese for the ensuing fiscal year, including sums for missionary work,  
24 for emoluments to support the Bishop and her/his staff, for all Diocesan personnel, and  
25 other expenses of the Diocesan office, for support of clergy, in consideration of the  
26 assessment/asking to be paid to The Episcopal Church in accordance with canons I.1.8  
27 and I.4.6 (d) of The Episcopal Church and for all other projected expenses. In preparing  
28 the budget, the Treasurer shall present to the Council the income which may be expected  
29 from interest or other fiduciary sources from Diocesan funds, so that, considering the  
30 financial needs of the Diocese, same may be considered by the Diocesan Council in  
31 making assessments of the various Congregations.

32 (f) Subject to such direction as may from time to time be given by the Diocesan  
33 Convention, and subject to review and revision by the Convention, the Council shall  
34 apportion an assessment on each Congregation, with the exception of Bishop's missions,  
35 and Regional Ministries except as described below, which shall be designed to provide a  
36 sum of money sufficient, when added to the expected income from Diocesan funds as  
37 described in the previous section, to meet all the expenses projected in the budget which  
38 has been proposed. The general basis of such assessments shall be a percentage of net  
39 disposable income of a congregation as reported in its annual Parochial or Congregational  
40 report to the Diocese as required by canon I.6.1 of the canons of The Episcopal Church.  
41 The Council may take into consideration any exceptional conditions which may be shown  
42 to exist in a particular Congregation, and/or which are brought to its attention by the  
43 Congregation, such as a report that shows an extraordinary income because of  
44 exceptional circumstances. The Council shall assign an assessment for the following year  
45 to each congregation each year, which shall be based on its best reasonable judgment of  
46 the expected income of the Congregation for that year. Assessment of Regional

1 Ministries shall only be made if the Regional Ministry has assumed responsibility for the  
2 assessments of some or all of its member congregations. The Council shall fix or  
3 approve all Diocesan Salaries and allowances, and of Clergy under the direct supervision  
4 of the Bishop in their training or other temporary assignments, subject to the approval of  
5 the Convention.

6 (g) Although all positions in the Council are non-stipendiary, the expenses of the  
7 Council, and any traveling expenses of members, or committees, advisers or consultants,  
8 required to travel in the performance of their duties, shall be paid from the budget  
9 established for the Council.

10  
11 Section 4. Ecclesiastical Court

12 The powers and duties of this Court are specified in canon IV.4 of The Episcopal Church.

13  
14 Section 5. Committee on Constitution and Canons

15 All proposed amendments or revisions to the Constitution or Canons must be presented to  
16 the Bishop at least ninety (90) days before the meeting of the annual Convention, and by  
17 the Bishop referred to the Committee on Constitution and Canons for study and report to  
18 the next meeting of the Convention. The Committee may rewrite and make changes to  
19 such proposals as it deems fitting and desirable. The Committee shall report its findings  
20 to the Bishop to the end that such proposals, both in their original form and form altered  
21 by the Committee, may be circulated to all Congregations and other bodies of this church  
22 at least thirty (30) days in advance of Convention by all reasonable means in order to  
23 allow every member of this Diocese to have the opportunity to review them. At  
24 Convention the Chair of the Committee will bring all proposed amendments to the floor  
25 of the convention for decision, and he/she shall inform the Convention whether the  
26 Committee recommends adoption, rejection, a Committee substitute and reasons  
27 therefore, or has no recommendation, for each proposed amendment. From time to time  
28 the Committee will examine the Constitution and Canons in all their parts and shall  
29 undertake a revision of both documents to bring them into accord with practices and  
30 usages which have evolved in the Diocese, and to ensure that they conform to all  
31 prescriptions of the then current Canons of The Episcopal Church. Such major revisions  
32 will be proposed to the Bishop in enough time so that she/he may examine them and  
33 disseminate them throughout the Diocese in sufficient time that all members of the  
34 Diocese may examine them and have an opportunity to register their opinions,  
35 suggestions, and revisions, prior to Convention.

36  
37 Section 6. Commission on Ministry

38 This Commission shall advise and assist the Bishop in the full implementation of all  
39 matters pertaining to Ministry as prescribed in Title III of the Canons of The Episcopal  
40 Church. It shall advise and assist the Bishop:

41 (a) in the determination of present and future opportunities and needs for the ministry  
42 of all baptized persons;

43 (b) in the design and oversight of the ongoing process for recruitment, discernment,  
44 formation for ministry, and assessment of readiness therefore of persons in the process of  
45 becoming ordained clergy;

1 (c) in assisting Congregations in the development, training, utilization and affirmation  
2 of lay ministries;

3 (d) in managing the licensing process for lay ministers, which may include Pastoral  
4 Leader, Worship Leader, Preacher, Eucharistic Minister, Eucharistic Visitor, and  
5 Catechist (Canon III.4.1(a) of The Episcopal Church);

6 (e) in providing multiple opportunities for continuing education of the clergy, and  
7 acting as a canonical support system for the development of professional skills of the  
8 clergy;

9 (f) in all other matters assigned by the Bishop, or in the absence of a Bishop the  
10 Standing Committee. In this regard it shall report in writing and without delay the  
11 findings of its interviews with each Nominee, Postulant and Candidate to the Bishop and  
12 the Standing Committee if there be no Bishop. It shall likewise report annually, or more  
13 often on request, to the Bishop on the performance of its duties.

14 The expenses of the Diocesan Commission on Ministry necessarily incurred in the  
15 performance of its duties are a proper charge upon the Diocesan budget, and provision  
16 shall be made therefore in the budget.

#### 17 18 Section 7. Committee of the Church Pension Fund

19 (a) In conformity with the legislation adopted by the General Convention of 1913,  
20 pursuant to which The Church Pension Fund was duly incorporated, and in conformity  
21 with Canon I.8 of The Episcopal Church, as amended, the Diocese of West Virginia  
22 hereby accepts and acknowledges The Church Pension Fund, a corporation created by  
23 Chapter 97 of the Laws of 1914 of the State of New York, as subsequently amended, as  
24 the authorized and approved pension system for the clergy of The Episcopal Church in  
25 the United States of America and for their dependents, and declares its intention of  
26 supporting said Fund in accordance with its rules.

27 (b) The duties of said Committee shall be as follows:

28 (1) to be informed of, and to inform, the clergy and laity of this Diocese of the  
29 pension system created by the General Convention and committed by it to  
30 the Trustees of The Church Pension Fund, in order that the ordained clergy  
31 of the Church may be assured of pension protection for themselves in the  
32 event of old age or permanent disability and for their widows, widowers,  
33 and minor orphan children in the event of death;

34 (2) to receive reports from the Church Pension Fund, from time to time, on the  
35 status of the pension assessments payable to said Fund, under its Rules and  
36 as required by canon law, by this Diocese and by the Congregations and  
37 other ecclesiastical organizations within this Diocese;

38 (3) to make an annual report to the Convention of this Diocese on matters  
39 relating to the Church Pension Fund;

40 (4) to take all measures necessary or advisable to the end that the clergy of this  
41 Diocese may be assured of the fullest pension protection by said Fund under  
42 its established rules.

43 (c) It shall be the duty of this Diocese and of the Congregations and other ecclesiastical  
44 organizations therein, each through its Treasurer or proper official, to inform the Church  
45 Pension Fund of salaries and other compensation paid to members of the Clergy by the  
46 Diocese, Congregations, and other ecclesiastical organizations, for services rendered,

1 currently or in the past, prior to their becoming beneficiaries of said Fund, and changes in  
2 such salaries and other compensation, as they occur, and to pay promptly to the Church  
3 Pension Fund the pension assessments required thereon under the Canon I.8 of the  
4 Canons of The Episcopal Church, and in accordance with the Rules of said Fund. It shall  
5 be the duty of every member of the clergy canonically resident in or serving in this  
6 Diocese to inform The Church Pension Fund promptly of such facts as dates of birth, or  
7 ordination or reception, of marriages, births of children, deaths and changes in cures or  
8 administration, and to cooperate with said Fund in other ways as may be necessary in  
9 order that said Fund may discharge its obligations in accordance with the intention of the  
10 General Convention in respect thereto.

11  
12 **Section 8. Regional Ministries Commission**

13 This Commission shall conduct oversight of the Regional Ministries. It shall receive  
14 from the Ecclesiastical Authority any petitions referred to it by the Ecclesiastical  
15 Authority of Congregations wishing to form a regional ministry, and make  
16 recommendations concerning the petitions back to the Ecclesiastical Authority regarding  
17 the same. It shall arrange for and conduct a general review of each Regional Ministry at  
18 least once every five years. It shall devise and oversee an annual report from each  
19 Regional Ministry, which shall provide such financial, membership, and activities,  
20 information which the Diocese shall need for the efficient administration of its affairs. It  
21 shall coordinate and provide resources for Regional Ministries to further the evangelistic,  
22 liturgical, Educational, and Outreach programs in those Ministries in order to fulfill the  
23 call of all our Congregations to live out our sacred mission of Baptismal Ministry. It  
24 shall receive from the Ecclesiastical Authority any petitions from Congregations wishing  
25 to withdraw from Regional Ministries, and, after receiving such petitions and undertaking  
26 consultations with the Congregation and Regional Ministry Council, make  
27 recommendations back to the Ecclesiastical Authority. It shall make a report to the  
28 Annual Convention on its activities, and make recommendations to the Convention and  
29 to the Ecclesiastical Authority concerning any measures needed for the furtherance of the  
30 activities and organization of Regional Ministries.

31  
32 **Canon 8**

33 **Deaneries: Composition of Chapter, Delegates To, and Delegates From**

34  
35 **Section 1. Basic Organization**

36 The Diocese may be divided by the Bishop into Deaneries, and the clergy within each  
37 such Deanery, together with lay delegates from the several Congregations therein, shall  
38 meet at least once a year in a Deanery Chapter, at such time and place as its Dean may  
39 determine. Geographical Boundaries of Deaneries shall be set by the Bishop, and  
40 changed at his/her will and pleasure, subject to approval by the Convention. Each  
41 Deanery through its respective representation on the Diocesan Council shall report at  
42 least once a year to the Diocesan Council on the activities of its Deanery. Each  
43 representative is also asked to report regularly to his or her Deanery Chapter on the work  
44 of the Diocesan Council, to the end that the Congregation Representatives on the Deanery  
45 Chapter may communicate the substance of these reports to the individual Congregations  
46 in the Deanery.

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2  
3 Section 2. Officers and By-laws

4 The Dean shall set the agenda and preside at Chapter meetings. Election of a Secretary  
5 and Treasurer and term of office of Officers, handling of funds, and election of Deanery  
6 delegates to the Diocesan Council, shall be as prescribed in the Deanery by-laws. Subject  
7 to approval by the Bishop, by-laws shall be established by each Deanery, and amended as  
8 the bylaws direct. Amendments must be approved by the Bishop.  
9

10 Section 3. Clergy Members

11 All clergy if active, where they are associated, and if retired, where domiciled , within the  
12 Deanery boundary shall be entitled to voting membership in the Deanery Chapter. No  
13 clergy shall lose his or her membership and voting privilege on account of age, infirmity,  
14 or on account of service in the Armed Forces of the United States as a Chaplain. No  
15 member of the clergy shall be entitled to exercise any rights while she/he is under  
16 ecclesiastical investigation, trial or penalty.  
17

18 Section 4. Lay Members

19 Each congregation in the Diocese shall be entitled to lay representation on the Deanery  
20 Chapter of the same number of delegates and alternates which it is entitled to have at  
21 Convention, except that each Bishop's Mission in a Deanery shall also be entitled to one  
22 delegate and one alternate. Lay delegates from Congregations have seat, voice and vote  
23 on the Deanery Chapter. Lay alternate delegates from each Congregation have seat and  
24 voice but no vote on the Deanery Chapter, but shall become delegates if the delegate is  
25 absent. Each lay delegate and alternate shall be a communicant in good standing of the  
26 Congregation represented, and shall be chosen as that Congregation decides. Vacancies  
27 in delegations may be filled by Vestries or Mission Committees. Certificates of valid  
28 delegates and alternates, and changes in delegates or alternates, shall be sent by the senior  
29 clergyperson of each congregation to the Secretary of the Deanery Chapter.  
30

31 Section 5. Voting in Chapter

32 A majority of the clergy and a majority of laypersons representing a majority of the  
33 Congregations shall constitute a quorum. The members shall deliberate in one body, and  
34 a majority vote shall give validity to any measure, except that in the election of clergy  
35 and lay member delegates to the Diocesan Council a vote may be taken by orders if three  
36 delegates unite to request it. In the latter case the delegates elected must receive a  
37 majority of votes from each order.  
38

39 Section 6. Deanery Representation on Diocesan Council

40 Each Deanery is entitled to have one clergy and one lay delegate to the Diocesan Council,  
41 who shall have seat, voice and vote in that Council. These delegates are elected as  
42 prescribed by Section 4 above and by the bylaws of the Deanery. Deaneries may also  
43 elect alternates to the clergy and lay delegates, to assume all powers and functions of its  
44 delegates if the delegates are unable to attend Diocesan Council meetings, in accordance  
45 with its bylaws. Deanery delegates shall serve for four years, and after serving a full  
46 term a person is ineligible for election to the Diocesan Council for two years. Vacancies

1 in delegate seats shall be filled for the remainder of that term by the Deanery Council in  
2 accordance with its bylaws.  
3  
4

**Canon 9**  
**Deaneries: Powers and Duties**

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3  
4 Section 1. Selection of Deans

5 So as to keep good communications between The Council and a Deanery, the clergy  
6 representative of the Deanery elected to be the Deanery's representative to The Council  
7 shall be the Dean for the Deanery.  
8

9 Section 2. Deans

10 The Dean may exercise within the Deanery general administrative and  
11 superintendence functions for the promotion of clerical fellowship and the coordination  
12 and encouragement of clerical persons, as delegated and assigned by the Bishop. Such  
13 authority shall not in any way conflict with the vested rights of the clergy and  
14 Congregations.  
15

16 Section 3. Deanery Chapter

17 The Deanery Chapter shall elect delegates to the Diocesan Council, and nominate persons  
18 for other officer positions or members of Commissions in the Diocese as elsewhere  
19 stipulated in these Canons. The Chapter may also discuss various issues of concern to the  
20 Deanery and to the Diocese, such as proposed resolutions for Convention and proposed  
21 amendments to the Constitution and Canons of the Diocese. The Deanery may forward  
22 advice and recommendations to the Diocesan Council, and Convention, as it sees fit. The  
23 Deanery may engage in evangelism, outreach, educational, mission, and social activities.  
24 It may maintain a bank account and a budget for necessary expenses, and it may request  
25 funds for its budget from its Congregations. The Deanery Chapter shall serve as a means  
26 to exchange information concerning Diocesan affairs to Congregations, and Congregation  
27 affairs to Diocesan bodies.

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**TITLE III**  
**CONGREGATIONS OF THE DIOCESE**

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22

Introduction: In keeping with ancient practice, this Diocese organizes itself into local groups of worshippers, which are called Congregations, and which meet together to worship God and fulfill the mission that we have been given by our Lord and Savior, Jesus Christ. Our types of Congregations are:

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Parishes  
Organized Missions  
Bishop's Missions  
Regional Ministries

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40

**Canon 1**  
**Parish Congregations (hereinafter referred to as Parishes)**

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46

Section 1. Formation of a Parish

Whenever at least twenty (20) members of The Episcopal Church in this Diocese shall desire to form a new Parish, they may assemble and appoint a Committee of Organization. This Committee shall present to the Bishop a petition to be admitted into union with the Diocese as a Parish. Said Petition shall include:

- (a) the facts which render the organization of a new Parish desirable;
- (b) assurances that the new Parish has acceded to the doctrine, discipline and worship of The Episcopal Church in the United States, and to the Constitution and Canons of said church and of this Diocese;
- (c) assurance and documentation of expected income showing that it can:
  - (1) without assistance from any funds from the Diocese, maintain its Rector, by providing at least the minimum stipend and allowances established by the Diocesan Convention, and by providing a suitable residence;
  - (2) discharge its full share of the Diocesan Apportionment; and
  - (3) provide for insurance and other expenses of a Parish as necessary.

Section 2. Approval

Having received the aforesaid petition the Bishop, if he/she approves the formation of a new Parish, will present the petition with his/her recommendation to the annual Convention, which shall then by majority vote either receive the new Parish into full communion with the Diocese, or not. If the vote is affirmative the delegates of the new parish will be afforded all privileges of the Convention.

Section 3. Formation of a Vestry and Parish Organization and Calling of a Rector

Having received notification that its petition has been accepted by the Convention, the Organizing Committee shall give notice to the members of the new Parish to assemble for the election of a Vestry. The election shall be conducted in accordance with Section 5 of this Canon. The duly elected Vestry shall assume all the authority and duties of a Vestry as prescribed in the Canons of The Episcopal Church and section 7 of this Canon. The

1 Vestry shall proceed to the election of a Rector in accordance with Canon III.9.3 of The  
2 Episcopal Church. The Vestry may create by-laws for the conduct of its affairs and the  
3 affairs of the Parish.

4  
5 Section 4. The Rector

6 The Rector shall have full authority and responsibility for the use of Parish buildings, and  
7 for the conduct of the worship and the spiritual jurisdiction of the Parish, subject to the  
8 Rubrics of the Book of Common Prayer, the Constitution and Canons of The Episcopal  
9 Church and of this Diocese, and the pastoral direction of the Bishop. Employees of the  
10 Parish are directly employed by the Rector and are responsible to him/her. Duties and  
11 licensing of Rectors shall be in accordance with Canon III.9 of The Episcopal Church.  
12 Dissolution of the Pastoral relation shall follow the procedures prescribed in Canon III.9  
13 of The Episcopal Church.

14  
15 Section 5. The Annual Meeting and Election of Vestries

16 Annually, during the month of November, or December, or the next following January,  
17 but in no instance later than January 31, there shall be a meeting of all members of a  
18 Congregation, date, time, and place decided by the Vestry and due and effective notice  
19 given. At this meeting ten percent of the adult communicants in good standing of the  
20 Congregation shall constitute a quorum. The Rector, if there be one, or a person whom  
21 he/she designates, or one of the Wardens shall preside at the Annual Meeting. A  
22 secretary shall also be chosen whose duty it is to keep minutes of the proceedings and to  
23 report to the Vestry at its next meeting the names of those chosen to be members of the  
24 Vestry and other pertinent matters. Before proceeding to business, prayer shall be  
25 offered for God's direction and blessing. The annual meeting shall take the following  
26 actions:

27 (a) The presiding officer shall appoint a committee of three persons, competent voters,  
28 to judge the rights of persons to vote, and of the competence, under the law, of persons to  
29 be members of the Vestry; and may appoint tellers to assist the committee in tabulation of  
30 the vote.

31 (b) This committee shall take the ballot, and declare the result. No vote shall be cast  
32 by proxy. The number of persons of which the Vestry is to be composed shall be  
33 determined by the competent voters who assemble.

34 (c) Elect, by ballot, a Vestry of not less than three or more than fifteen persons, the  
35 election being conducted and the persons elected to serve such terms as the by-laws of  
36 the Congregation stipulate. Clergy shall not be eligible to serve. The Diocese  
37 encourages the election of youth to be members of Vestries. If the election be disputed  
38 by any communicant of the Parish the matter may be referred to the Bishop for decision;

39 (d) Elect, by ballot, delegates and alternates of the Congregation to the Diocesan  
40 Convention, and to the Deanery;

41 (e) Elect a representative and alternate to the Regional Ministry Council, if the  
42 Congregation is a member of a Regional Ministry;

43 (f) Conduct other business which the Vestry or the Congregation decides must be done  
44 by the Annual Meeting.

45 (g) Competent voters shall be: All baptized persons who have attained the age of  
46 sixteen years, and who for the three (3) months last past have been regular worshippers in

1 the Congregation and regular contributors to its support, either by subscription, or by  
2 some method by which they shall be known to the Treasurer of the Vestry, and relied  
3 upon as such.

4 (h) Those competent to serve as such members of the Vestry are: All baptized  
5 persons who have attained the age of sixteen years, and who for the six (6) months last  
6 past have been regular worshippers in the Congregation and regular contributors to its  
7 support, either by subscription, or by some method by which they shall be known to the  
8 Treasurer of the Vestry, and relied upon as such.

9 (i) The members of the Congregation present at the Congregational Meeting shall  
10 cast ballots for the election of members of the Vestry, each person being entitled to vote  
11 for as many candidates as there are members of the Vestry to be elected. Any candidate  
12 receiving a majority of all the votes cast shall be declared elected. If the required number  
13 of candidates be not elected by receiving a majority of all the votes cast, announcement  
14 shall be made of the names of those elected as a result of having received such a majority  
15 and of the number of members of the Vestry still to be elected; and the congregation shall  
16 continue to ballot until the Vestry's complement be elected. In case of disputed elections,  
17 appeals shall lay to the Standing Committee, whose judgment shall be final.

18 If those present at a Congregational Meeting should desire to do so, they may  
19 provide for the election to the Vestry of those persons who receive a plurality of votes  
20 cast; provided, however, that the decision to elect by plurality instead of majority shall be  
21 passed by a vote of two-thirds of those present, prior to the balloting for candidates and  
22 such decision may be made prior to the first ballot or prior to any subsequent ballot.

#### 23 24 Section 6. Organization of Vestry

25 As soon as possible after a Vestry has been elected, it shall assemble, presided over by  
26 the Rector or someone he/she designates, and take the following actions:

27 (a) Open its meeting with prayer;

28 (b) All Vestry members, all Officers, and all clergy of the Parish, shall, if they have not  
29 previously done so, before participating in any business, qualify by subscribing to the  
30 following Declaration:

31 "I do believe the Holy Scriptures to be the Word of God, and to contain all  
32 things necessary to Salvation; and I yield my allegiance to The Episcopal  
33 Church in the United States of America, and my adherence to its doctrine,  
34 discipline, and worship, and promise to serve as a member of the Vestry of  
35 \_\_\_\_\_ with fidelity."

36 (c) Choose from its number a Senior and Junior Warden;

37 (d) Choose a Secretary or Registrar from its number;

38 (e) Choose a Treasurer, not necessarily from its number but who shall attend all Vestry  
39 meetings as an advisor, and if not a member, with seat and voice but no vote;

40 (f) Determine its own quorum, fix the time and place of regular or special meetings,  
41 and appoint standing or special committees as it may desire to assist in the performance  
42 of its duties;

43 The Rector may call special meetings of the Vestry as he/she deems desirable.

44  
45

1 Section 7. Duties and Responsibilities of Vestry

2 The Vestry functions as the governing body of a Parish, and has the authority to manage  
3 all of the temporal affairs of the Parish. Among its duties are:

- 4 (a) to elect a Rector in accordance with the these Canons and the Canons of The  
5 Episcopal Church;
- 6 (b) to assist in all ways in gathering adherents to the faith and into the welcoming arms  
7 of Christ;
- 8 (c) to function as the agents and legal representatives of the Parish in all matters  
9 concerning its corporate property, except for those matters reserved to Parish Trustees,  
10 and to represent the Parish in all matters regarding the relations of the Parish to its  
11 Clergy;
- 12 (d) to oversee all the financial aspects of the Parish, and to arrange for audits of all the  
13 accounts of the Parish entrusted to the Treasurer and other officials;
- 14 (e) to see that the Rector and other clergy, and other employees of the Parish, are  
15 properly remunerated, in full and with regularity, that proper pension premiums and  
16 stipulated allowances are paid in full and with regularity, and that housing is provided in  
17 accordance with Diocesan policy;
- 18 (f) to see that all contracts concerning erection, furnishing, maintaining and preserving  
19 the Church edifice and such other properties as belong to the Parish are properly made  
20 and executed;
- 21 (g) to provide for the appointment of Trustees under the law of the State of West  
22 Virginia, and for duly reporting to governmental authorities the names of Trustees as  
23 required by law;
- 24 (h) to provide generally for all the temporal business of the Parish.
- 25 (i) to comply with any letter of agreement entered into with its elected rector.

26  
27 Section 8. Calling of Priests

28 Canon III.9.3 of the Canons of The Episcopal Church shall apply in calling a Rector and  
29 in assigning Priests-in-Charge and Assistant Priests. In filling a vacant position of  
30 Rector, the Bishop may initiate a process of a parish self-study and evaluation before  
31 consideration of nominees is given. The Bishop will have the right to make nominations  
32 to the Vestry, and the Vestry will have the right to make nominations to the Bishop. The  
33 Bishop must approve all nominations that are given interviews. No Priest may be called  
34 or appointed unless the Vestry agrees to provide to the one chosen at least the minimum  
35 stipend and allowances as established by the Diocese in Convention.

36  
37 Section 9. Duties of Wardens

38 It shall be the duty of the Wardens to keep watch over the Church property; to see that it  
39 is duly prepared for every occasion of public worship; to collect the offerings of the  
40 people; to take charge of the font and communion plate; to provide out of the Parish or  
41 Organized Mission funds, under the direction of the Vestry, a sufficient supply of the  
42 vestments and books to be used in public worship, and also the elements for each  
43 celebration of the Holy Communion; to attend to the accommodations of the  
44 congregation with seats, and to maintain order and decorum in the time of public  
45 worship. The Wardens, in addition to the duties appertaining to their office, shall, in case  
46 there be no Rector or Vicar, make the entries in the Parish or Organized Mission

1 Register. In addition, the Senior Warden shall function as Chief Executive Officer of all  
2 the temporal affairs of the Parish, responsible in these functions to the Rector. In all  
3 matters requiring the representation of a lay person to represent the Parish in the  
4 community of which it is a part, the Senior Warden shall be the representative. The  
5 Junior Warden shall perform the duties of the Senior Warden if that person is unable to  
6 function, and shall also assume other duties as assigned by the Senior Warden and the  
7 Vestry.

8  
9 Section 10. Duties of Treasurer

10 The Treasurer shall take charge of all monies of the Parish, manage and disburse same  
11 under the direction of the Vestry, and make such reports to the Vestry as required.

12  
13 Section 11. Trustees

14 For each Parish there shall be not less than three nor more than five Trustees, or where  
15 there are two or more Congregations under one Vestry, not less than three nor more than  
16 five Trustees for each Congregation. A Congregation may elect Trustees or may delegate  
17 to its Vestry or its Committee in lieu of a Vestry the right to elect Trustees. If neither  
18 Congregation, Vestry, nor Committee elects Trustees, the Bishop may appoint same.  
19 Said Trustees shall hold office at the will and pleasure of the body which elected them.  
20 Said Trustees, at all times, shall act as agents of the Congregation if elected by the  
21 Congregation or of the Vestry or Committee if elected by such bodies or of the Bishop if  
22 appointed by her/him. Trustees shall meet the qualifications set forth for members of the  
23 Vestry as set forth in Section 5 of this Canon except that they must be at least eighteen  
24 years of age. Names of Trustees shall be registered with County Clerks in accordance  
25 with the provisions of the Code of West Virginia.

26  
27 Section 12. Duties and Responsibilities of Trustees

28 Trustees may receive, hold, administer, or provide for the administration of any funds or  
29 personal property given or bequeathed to, or for the use and benefit of the Parish, which by  
30 the terms of the gift or bequest are not placed in the charge of some specially named  
31 Trustee, and shall devote such funds, or the income therefrom, as the case may be, in  
32 accordance with the provisions of the bequest or gift, and if there be no special  
33 provisions, then as may be directed by the Vestry or by the Bishop if there be no vestry.  
34 Each year, at the Congregational Meeting, the Trustees shall make a written report  
35 showing the condition of the fund or funds in their charge including assets and liabilities.

36  
37 Section 13. Duties of the Secretary of the Vestry

38 This officer shall ensure that all proceedings of the Vestry, and Annual Meeting, are  
39 recorded and preserved, and shall assist the Rector as necessary in maintaining all Parish  
40 records.

41  
42 Section 14. Parish Records

43 (a) The Rector shall maintain a Parish register in accordance with Canon III.9.5(c) of  
44 The Episcopal Church. It shall contain an accurate record of all baptisms, confirmations,  
45 marriages, and burials within the Parish, and a list of all active and inactive  
46 communicants, baptized members, families, and persons within the Parish.

1 (b) Every Rector shall send to the Ecclesiastical Authority each year, no later than  
2 March 1, a parochial report of the condition of the Parish, following the form and  
3 requirements as per Canon I.6.1 of The Episcopal Church. If there be no Rector, it shall  
4 be the duty of the Wardens to send such report.

5  
6 Section 15. On Restoring Congregational Health/Change of Status Including Dissolution

7 When any Parish shall be reported as having fewer than twenty (20) communicants, or  
8 when a Parish for three (3) successive years fails to be represented by a lay delegate in  
9 the Convention, or when a Parish shall fail for two (2) successive years to meet its  
10 Diocesan Assessment, the Bishop may, at her/his discretion, report such fact or facts to  
11 the Convention, with a recommendation as to its status and its relation to Convention.  
12 The Convention shall then proceed to vote whether the Parish shall cease to exist as such  
13 or not, or whether it shall be changed in status to an Organized or Bishop's Mission  
14 Congregation, or otherwise have its status changed.

15  
16 **Canon 2**

17 **Organized Mission Congregations (hereinafter referred to as "Organized Missions")**

18  
19 Introduction: Organized Missions are Congregations which do not have sufficient  
20 communicants to be able to fully support a Rector, but can do so with varying degrees of  
21 financial assistance from the Diocese, or by joining a Regional Ministry.

22  
23 Section 1. Creation of an Organized Mission

24 Such a Congregation may be formed from an extinct Parish, a Bishop's Mission, or any  
25 group of The Episcopal Church members wishing to form a Congregation. To form an  
26 Organized Mission there must be associated not less than twelve communicants who shall  
27 petition the Bishop in writing to organize and constitute the Congregation. In their  
28 petition they shall give assurances that the new Organized Mission has acceded to the  
29 doctrine, discipline and worship of The Episcopal Church, and to the Constitution and  
30 Canons of said Church and of this Diocese. If the Bishop approves the petition he/she  
31 shall so inform the Diocesan Council and proceed to appoint a Mission Committee to  
32 organize the Mission. The Committee shall then proceed as rapidly as possible to elect a  
33 Vestry in accordance with the procedures prescribed for Parishes in Canon III.1 above.  
34 At the next Convention after organizing the new Mission, the Bishop, with the advice and  
35 consent of the Diocesan Council, will present the new Congregation and ask the  
36 Convention to approve its enrollment in the registry of Congregations in this Diocese,  
37 and to accept its delegates and alternates as participating members of the Convention.

38  
39 Section 2. Organization, Responsibilities, and Duties

40 The duties of the Vestry and such Officers as they elect shall have the responsibilities and  
41 follow the procedures which are prescribed for Vestries, Officers and Congregations of  
42 Parishes in Canon III.1 above, with the exception of calling a senior clergy person. All  
43 Vestry members, officers, and all clergy of the Organized Mission, shall, if they have not  
44 previously done so, before participating in any business, qualify by subscribing to the  
45 following Declaration:

1 “I do believe the Holy Scriptures to be the Word of God, and to contain all  
2 things necessary to Salvation; and I yield my allegiance to The Episcopal  
3 Church, and my adherence to its doctrine, discipline, and worship, and  
4 promise to serve as a member of the Vestry of \_\_\_\_\_ with  
5 fidelity.”  
6

7 Section 3. Appointment of Clergy

8 The Bishop, after close consultation with the Vestry, will assign a Vicar to be the senior  
9 clergy person of the Organized Mission, or will make other arrangements for the conduct  
10 of worship, and will assign in like manner Vicars to fill vacancies. This procedure will  
11 not be applicable if the Organized Mission is part of a Regional Congregation.  
12

13 Section 4. Membership in a Regional Ministry

14 In order to be able to afford to remunerate priests and staff members, and more  
15 effectively to perform its mission, any Organized Mission shall be able to join itself to a  
16 Regional Ministry with the procedures prescribed in Canon 4 of this Title. It shall then  
17 share resources and clergy as outlined in Canon 4. If an Organized Mission is a member  
18 of a Regional Mission, its Vicar shall be called in accordance with Canon III.4.4, but no  
19 Vicar, or other clergy, shall be assigned without the consent of the Vestry of the  
20 Organized Mission.  
21

22 Section 5. Representation at Convention

23 Each Organized Mission will have one delegate, with seat, voice and vote, and one  
24 alternate, with seat and voice, to the Convention, and to the Deanery Council. Such  
25 delegates shall be chosen in the same manner as Parishes choose delegates.  
26

27 Section 6. Finances and Property

28 The Vestries and Trustees of Organized Missions shall have the same fiduciary and  
29 property control powers and responsibilities as the Vestries and Trustees of Parishes.  
30

31 Section 7. Transition to Parish Status

32 Whenever an Organized Mission believes that it has the requisite number of  
33 communicants and financial capabilities to become a Parish, it shall so petition the  
34 Bishop, using the procedures prescribed in Canon III.1.1.  
35

36 Section 8. Dissolution of an Organized Mission

37 In case an Organized Mission shall fail for three years to: maintain 10 or more  
38 Communicants; send a delegate to Convention; meet its designated portion of the  
39 appointed clergy’s remuneration; meet its designated portion of a Regional Ministry  
40 Budget; meet its Diocesan apportionment; or otherwise experience conditions which  
41 warrant such a change, the Bishop, with the advice and consent of the Diocesan Council,  
42 may remove its name from the list of organized Missions or otherwise change its status.  
43 Such action by the Bishop shall be reported to the next Annual Convention.  
44

1 **Canon 3**

2 **Bishop’s Mission Congregations (hereinafter referred to as “Bishop’s Missions”)**

3  
4 Introduction: A Bishop’s Mission is a special congregation established and governed by  
5 the Bishop to bring worshippers together in special situations, when the persons  
6 worshipping therein are unable to form a Parish or Organized Mission for lack of  
7 numbers, financial resources, or other special reasons.  
8

9 Section 1. Formation

10 A Bishop’s Mission may be formed by the Bishop either as a result of a petition from a  
11 group of communicants, or on his/her initiative to fill a special need. The Bishop shall  
12 take such action with the advice and consent of the Diocesan Council, and the decision to  
13 form a Bishop’s Mission shall be reported to the next Annual Convention.  
14

15 Section 2. Property, Indebtedness and Fiduciary Matters

16 All property of a Bishop’s Mission shall be vested in the Trustees of the Diocese, and the  
17 Bishop shall have charge of its furnishings. The financial affairs and any matters of  
18 indebtedness of the Bishop’s Mission shall be the responsibility of the Bishop and  
19 managed by a person, or committee, appointed by the Bishop, and such person or  
20 committee shall be responsible to the Treasurer of the Diocese for the conduct of its  
21 financial affairs. Bishop’s Missions shall not be subject to a Diocesan Assessment.  
22

23 Section 3. Mission Committee

24 The Bishop shall appoint a Mission Committee to administer the Bishop’s Mission. This  
25 Committee shall exist at the pleasure of the Bishop, and shall perform the normal  
26 functions of a Vestry insofar as possible. It shall be the responsibility of this committee  
27 to make an annual report to the Diocese of its affairs in the form and fashion required by  
28 the Bishop.  
29

30 Section 4. Membership in a Regional Ministry

31 The Bishop may propose that a Bishop’s Mission become a member of a Regional  
32 Ministry, and it shall become a member if the Regional Ministry Council, and each of the  
33 Vestries in the Regional Ministry, accept its membership by majority vote and is  
34 otherwise approved by the Bishop who may refer the matter to the Regional Ministries  
35 Commission pursuant to Canon 4, Section 2 of this Title below. If it becomes a member,  
36 it shall have the same representation on the Regional Ministry Council as the other  
37 member Congregations, and shall contribute to the Regional Ministry’s budget insofar as  
38 it can.  
39

40 Section 5. Representation at Convention

41 If a Bishop’s Mission is able to maintain ten (10) communicants for a year, it shall then  
42 be able to send a lay delegate and an alternate to the Convention, who shall have the same  
43 privileges as lay delegates and alternates from Organized Missions. Otherwise it shall  
44 have the right to send one delegate and one alternate to Convention who shall have seat  
45 and voice but no vote.  
46

1 Section 6. Clergy and Worship

2 The Bishop shall make all arrangements as practicable to provide clergy on a part-time  
3 basis, and Lay Ministers, in order that Holy Worship may be conducted at the Bishop's  
4 Mission on a regular basis. If the Bishop's Mission is a member of a Regional Ministry,  
5 the Missioner of that Regional Ministry shall make arrangements for clergy or Lay  
6 Ministers as appropriate and practicable, and the Missioner of the Regional Ministry shall  
7 have the title of Vicar at the Bishop's Mission.

8  
9 Section 7. Change of Status or Dissolution

10 If a Bishop's Mission maintains twelve or more communicants for a year, it may petition  
11 the Bishop to become an Organized Mission. If the Bishop accepts the Petition he/she  
12 shall present the proposed new Organized Mission to the Diocesan Council for approval,  
13 and to the next Convention for approval, and the procedures of Canon III.2 above shall  
14 then be followed. If the Bishop's Mission fails to maintain at least seven (7)  
15 communicants for a year, and has not the means or will to continue in existence, the  
16 Bishop at his/her pleasure shall dissolve it and so report such action to the Diocesan  
17 Council and to the next Convention.

18  
19 **Canon 4**  
20 **Regional Ministries**

21  
22 Section 1. General Description

23 A Regional Ministry is a formal affiliation of Congregations and/or specialized ministries  
24 with clergy and laity sharing a mutual ministry for the purpose of spreading the Gospel.  
25 Although the individual Congregations of the Regional Ministry retain their autonomy,  
26 the congregations of the Regional Ministry as a body may engage in corporate worship  
27 and mutual activities such as Outreach. The Congregations of the Regional Ministry may  
28 join their resources together in order to support clergy and administrative staff to support  
29 the mission of each Congregation and of the Regional Ministry.

30  
31 Section 2. Establishment

32 Should two or more Congregations in geographical proximity desire to join together to  
33 form a Regional Ministry, the Congregations shall petition the Bishop to join them  
34 together to form a Regional Ministry. The decision to make such a petition shall be made  
35 by at least a three-fourths vote of the Vestries or Mission Committees of the  
36 Congregations wishing to make such a petition. After receiving the petition the Bishop  
37 may refer it to the Regional Ministries Commission for advice. Having received such  
38 advice, the Bishop may then decide to form a Regional Ministry, and will report the  
39 formation of same to the next Annual Convention.

40  
41 Section 3. Organization

42 The Regional Ministry Governing Body shall be a Regional Ministry Council, composed  
43 of at least two representatives from each member Congregation, and Clergy of the  
44 Regional Ministry. The Council shall establish by-laws for the conduct of affairs of the  
45 Regional Ministry. By-laws and amendments thereto must be approved by the Regional  
46 Ministry Commission and Bishop. The bylaws shall provide for election of clergy,

1 election of officers, numbers and appointment procedures of lay representatives of  
2 Congregations on the Council, Budgetary matters, conduct and organization of Council  
3 meetings, and such other matters as the Council may deem necessary. The by-laws shall  
4 be consistent with the Canons of The Episcopal Church and of this Diocese.

5  
6 Section 4. Clergy, Titles and Method of Election

7 Each Regional Ministry shall have a Ministry Team to fulfill all Canonical Duties in  
8 relation to all activities of the Regional Ministry Congregation and of individual  
9 Congregations. The team shall consist of positions for ordained clergy, administrators,  
10 and/or Lay Ministers as needed and as decided by the Bishop. The clergy person called  
11 by the Regional Council or appointed by the Bishop as “Missioner” or other title as  
12 prescribed by the Bishop, may also have the title of “Rector” or “Vicar” in the individual  
13 Congregations as mandated by Diocesan and National Canons. In all cases, the Rector or  
14 Vicar of each Congregation shall be designated in consultation with each vestry, the  
15 Regional Council, and the Bishop. The Regional Ministry by-laws shall stipulate the  
16 process by which the Clergy are called, but such process must be consistent with the  
17 Canons of The Episcopal Church and of this Diocese. In all cases, when a vacancy  
18 occurs in the Ministry Team, the Bishop, with the advice of the Regional Ministries  
19 Commission, shall have the right to make nominations, or to approve nominations, made  
20 to fill the position. No member of the Ministry Team shall be called unless the Vestries  
21 or Mission Committees of each member Congregation, and the Bishop, have approved of  
22 the choice.

23  
24 Section 5. Clergy, Duties of

25 The Missioner shall be the person who facilitates the coordination and development of  
26 the Regional Ministry Team. Specific duties of the missioner are to be enumerated in the  
27 missioner’s contract and may vary from Regional Ministry to Regional Ministry. In  
28 relation to the Ministry Council the Missioner is to be Spiritual Guide, Counselor, and  
29 resource for canonical interpretation. Voice and vote of the Missioner are to be  
30 determined by the by-laws of each Regional Ministry in accordance with Diocesan and  
31 National Canons.

32  
33 Section 6. Fiduciary Matters

34 The Regional Ministry shall have the authority to possess funds, open and manage bank  
35 accounts, disburse funds in accordance with its budget. Any grant or other sum, which  
36 comes from the Diocese, may be paid directly to the Regional Ministry.

37  
38 Section 7. Budget and Management of Financial Affairs

39 The Regional Ministry shall create an annual budget, according to its by-laws, which may  
40 include the payment of clergy and other employee stipends and benefits, outreach,  
41 canonical supplies, and other program expenses deemed necessary by its Council. Each  
42 Congregation member of the Regional Ministry will inform the Regional Ministry  
43 Council of its contribution to the budget in time for the budget to be created and  
44 approved, in each instance no later than the first week of December. The budget income  
45 may also include bequests, income from Trust funds, Regional Ministry fund-raising

1 events, tithes directly to its budget, grants from the Diocese, and other funds as it may  
2 expect to receive.

3  
4 Section 8. Autonomy of Members

5 Each Congregation belonging to a Regional Ministry shall retain its own identity, Vestry,  
6 Mission Committee, Congregational budget, representation at Deaneries and Diocesan  
7 Conventions, and such other appurtenances of autonomy as specified elsewhere in the  
8 Canons of The Episcopal Church and of this Diocese. Vestries and Mission Committees  
9 shall retain full control over their respective Congregational properties and temporal  
10 affairs, as provided by the Canons of The Episcopal Church and of this Diocese.

11  
12 Section 9. General Review

13 The Regional Ministries Commission shall conduct a general review of each Regional  
14 Ministry at least once every five (5) years.

15  
16 Section 10. Of the Mode of Securing an Accurate View of the State of the Regional  
17 Ministry

18 Each Regional Ministry shall submit an annual report to the Regional Ministries  
19 Commission, which shall be in such form and include all matters that the Regional  
20 Ministry Commission deems necessary for the proper oversight of the Regional Ministry  
21 and to perform its duty to inform the Convention of the State of the Regional Ministries  
22 Congregations. The Regional Ministry Commission will annually provide budgetary and  
23 membership information concerning all Regional Ministries to the Convention, and such  
24 information shall be published in the Convention Bulletin.

25  
26 Section 11. Tenure and Withdrawal

27 Any Congregation that becomes a member of a Regional Ministry shall assume a  
28 commitment to remain in the Regional Ministry for a period of not less than two years. A  
29 general review of each newly formed Regional Ministry will be held after two years.  
30 After that period any Congregation wishing to withdraw from the Regional Ministry may  
31 do so only after all of the following have occurred:

- 32 (a) An affirmative vote of two-thirds (2/3rds) of its Vestry or Mission Committee;
  - 33 (b) An affirmative vote by a majority of the representatives of the Regional Ministry  
34 Council;
  - 35 (c) After such vote, referral of the request to the Bishop  
36 with a plan showing provisions for pastoral oversight and financial stability if the  
37 Congregation withdraws which the Bishop may send to the Regional Ministries  
38 Commission as he/she sees fit;
  - 39 (d) Regional Ministry Commission investigation of all aspects of the request, which  
40 may include discussions with the Congregation wishing to withdraw, with other  
41 Congregations in the Regional Ministry, and with the Regional Ministry Council.
  - 42 (e) Referral of the request back to the Bishop by the Regional Ministries Commission  
43 with a recommendation;
  - 44 (f) Decision of the Bishop to allow the withdrawal.
- 45  
46

1 Section 12. Dissolution or Restructuring

2 If the Bishop decides, after consultation with the Regional Ministries Commission, that a  
3 Regional Ministry is no longer viable in its present form, he/she may dissolve it or  
4 change its composition. Any such action will be reported to the next Convention.  
5

6 **Canon 5**

7 **Property and Indebtedness of Congregations**

8  
9 Introduction: this Canon refers only to Parish, Organized Mission, and Regional Ministry  
10 Congregations. Bishop's Missions shall not have the authority to own property or incur  
11 Indebtedness, as specified in III.3.2 above.  
12

13 Section 1. Property

14 (a) All real property acquired by the Parish, Organized Mission, or Regional Ministry,  
15 shall be conveyed to, and the legal title thereto shall be vested in the Trustees of the those  
16 Congregations. It shall be the duty of the Vestry or Regional Ministry Council to have  
17 incorporated in any deed for the conveyance of any property acquired by the  
18 Congregation a clause providing that such property shall be held by said Trustees for the  
19 use, benefit, and advantage of such Parish, Organized Mission, or Regional Ministry, and  
20 of such persons as shall belong thereto who shall yield their assent and approbation to the  
21 doctrine, discipline, and worship of the Episcopal Church in the Diocese of West  
22 Virginia.

23 (b) When it is deemed advisable to sell or encumber any real estate belonging to any  
24 Congregation, direction shall be given accordingly by formal resolution of the Vestry or  
25 Regional Ministry Council, which resolution shall be recorded upon the minutes of said  
26 body, and shall be incorporated in the deed of conveyance, or the instrument creating the  
27 encumbrance, when executed by the Trustees; but no such property shall be sold or  
28 encumbered without the written consent of the Ecclesiastical Authority of the Diocese.  
29 Subject to such consent, proceedings to sell or encumber any such property shall be  
30 governed by Sections 9,10, and 11 of Article 1 of Chapter 35 of the Code of West  
31 Virginia, and it is hereby made the duty of the Vestry or Council to comply with the  
32 foregoing sections of the Code of West Virginia. The Trustees shall not execute  
33 conveyance for such property until they have been furnished with the written consent of  
34 the Ecclesiastical Authority above provided for, the fact of which consent shall be recited  
35 in the deed, and until they have been furnished with the affidavit regarding publication as  
36 called for by said Section 10, Art. 1 of Chapter 35 of the Code of West Virginia, which  
37 affidavit shall accompany and be recorded with the conveyance or the instrument creating  
38 the lien.

39 (c) When it is deemed advisable to rent or lease a consecrated church building, the  
40 written consent of the Ecclesiastical Authority of the Diocese must be had before any  
41 contract of rental or lease is entered into, and such consent shall be recited in such  
42 contract.

43 (d) In case any Congregation shall become extinct or be dissolved, or shall have ceased  
44 to use its property for religious or charitable purposes, or in case its property may be  
45 regarded as abandoned, the charge and custody of the property thereof shall vest in the  
46 Ecclesiastical Authority, and proceeding may be taken in the name of the Ecclesiastical

1 Authority, or in the name of a Trustee or Trustees appointed by the Ecclesiastical  
2 Authority, to procure the sale of such property, as provided in Section 12, Art. 1 of  
3 Chapter 35 of the Code of West Virginia, and the proceeds of said sale shall be disposed  
4 of in accordance with the special provisions of the conveyance, dedication, devise, gift,  
5 or bequest of such property, and if there be no such special provision for such disposition,  
6 then said proceeds shall be used for the benefit of the Episcopal Church in the Diocese of  
7 West Virginia in such a way as the Ecclesiastical Authority may determine.

8  
9 Section 2. Indebtedness

10 No indebtedness shall be incurred by a Parish, Organized Mission, or Regional Ministry  
11 Congregation without the written approval of the Ecclesiastical Authority of the Diocese,  
12 except:

13 (a) Indebtedness for permanent improvements or additions to real estate or equipment,  
14 where the amount of such indebtedness, plus indebtedness of every kind already existing,  
15 shall not exceed one hundred and fifty per cent of the average of the current annual  
16 revenue of such Congregation during the then preceding three fiscal years, and the  
17 payment of all such indebtedness shall be provided through some plan of amortization or  
18 periodical payments.

19 (b) Indebtedness for current expenses where the amount of such indebtedness, plus all  
20 indebtedness theretofore incurred for current expenses and then still existing shall not  
21 exceed twenty percent of the total current revenue of such Congregation during the  
22 preceding fiscal year; and the payment of all such indebtedness shall be provided for in  
23 the budget of the ensuing fiscal years in such proportion that there shall result a  
24 reasonable expectation of such indebtedness being paid from the revenues of such years  
25 not exceeding three.

26 (c) In computing current revenues under the above limitation on indebtedness, receipts  
27 from endowments shall not be included when the same are designated for any purpose  
28 other than the general or regular expenses of the Congregation, nor shall there be  
29 included any revenues designated for other than purposes than support of the  
30 Congregation .

31 (d) Whenever the approval of an indebtedness is required under this Canon, there shall  
32 be submitted to the Ecclesiastical Authority a statement of the plan for amortization or  
33 payment, and the incurring of the indebtedness shall only be approved after the approval  
34 of such plan.

35 (e) Whenever indebtedness of a Congregation is to be secured by a lien upon property  
36 thereof, the requirements of this Canon shall be in addition to those of Section 1(b) of this  
37 Canon relating to the encumbering of Church property.

1 **TITLE IV: MINISTRY**

2  
3 **Canon 1**  
4 **Election or Appointment of Bishops**

5  
6 The Diocesan Bishop, and Bishops Coadjutor and Suffragan, if it is decided that such  
7 shall be needed, are elected in accordance with canon III.11 of the canons of The  
8 Episcopal Church and Article 8 of the Constitution of the Diocese of West Virginia.  
9 Nominations for these positions shall be made by a Search and Nominating Committee,  
10 appointed by the Standing Committee and consisting of one Clerical and one lay member  
11 from each Deanery.

12  
13 **Canon 2**  
14 **Clergy**

15  
16 The ordained Clergy of this Diocese shall consist of Bishops, Priests, also called  
17 Presbyters, and Deacons. Title III of the Canons of The Episcopal Church prescribes the  
18 process of selection, life, duties and discipline of ordained clergy.

19  
20 **Canon 3**  
21 **Priests**

22  
23 **Section 1. Ordination**

24 The process for bringing persons forward to ordination shall be under the direction of the  
25 Bishop with the assistance of the Commission on Ministry, and shall be in accordance  
26 with canon III.8 of the Canons of The Episcopal Church. Appointment and duties of the  
27 Commission on Ministry are in Title II of these Canons.

28  
29 **Section 2. Mandatory Support of Priests**

30 It shall be the duty of all Vestries and Mission Committees, or Regional Ministry  
31 Councils if remuneration of clergy has been assigned to such Councils, to provide and  
32 pay at stated and regular intervals competent sums for support of their priests, such sums  
33 for priests in the full-time ministry to be not less than the minimum established by  
34 Diocesan Convention. The Commission on Ministry will assist the Bishop to examine  
35 the manner in which this sacred obligation is being met in each congregation.

36  
37 **Section 3. Dissolution of the Pastoral Relation**

38 Provisions of canon III.9 of The Episcopal Church shall apply to the dissolution of the  
39 pastoral relationship between a Rector and a Congregation.

40  
41 **Section 4. Retired Priests**

42 All retired priests who meet the requirements of Article V, Section 2, of the Constitution  
43 of this Diocese, are entitled to all the rights and privileges of the Convention, and those  
44 accorded to them in the Constitution and Canons of the Diocese, except that no retired  
45 priest shall be eligible to serve in the following capacities:

- 46 (a) As a member of the Vestry, or member of a Mission Committee

- 1 (b) As a member of the Standing Committee
- 2 (c) As a member of the Diocesan Council

3  
4 **Canon 4**  
5 **Deacons**  
6

7 Section 1. General

8 Deacons serve directly under the authority of and are accountable to the Bishop. Their  
9 life and work are prescribed in Canon III.7 of The Episcopal Church. The Bishop may  
10 assign Deacons to work in Congregations, or in other ministries of the Diocese. If  
11 assigned to a Congregation the Deacon will act under the authority of the Member of the  
12 Clergy or other leader exercising oversight in all matters concerning the Congregation.  
13 No Deacon may be put in charge of a Congregation.  
14

15 Section 2. Distribution of Holy Communion

16 When the services of a priest cannot be obtained, the Bishop may, at discretion, authorize  
17 a Deacon to distribute Holy Communion to the Congregation from the reserved  
18 Sacrament. The distribution procedures are prescribed on pages 408-409 of the Book of  
19 Common Prayer.  
20

21 Section 3. Support

22 Deacons may receive stipends, housing, allowances, and expenses, as arranged by the  
23 Bishop, from the Congregation or other Ministry to which they are assigned, or from the  
24 Diocesan budget, or a combination of the two, as necessary to support their assigned  
25 duties. Deacons may also serve in non-stipendiary positions as assigned by the Bishop.  
26

27 **Canon 5**  
28 **Lay Ministry**  
29

30 The Bishop may license confirmed communicants in good standing as Pastoral Leaders,  
31 Worship Leaders, Preachers, Eucharistic Ministers, Eucharistic Visitors, or Catechists  
32 ("Lay Ministers"). Requirements and guidelines for the selection, training, continuing  
33 education, and deployment of such persons, and the duration of licenses, shall be  
34 established by the Bishop in consultation with the Commission on Ministry.  
35

36 **Canon 6**  
37 **Liturgy**  
38

39 In all questions pertaining to the Liturgy of the Church, or to the ornaments,  
40 arrangements and appointments of the Church, or of the Holy Table, where there is no  
41 specific Rubric or Canon of The Episcopal Church or of this Diocese, the judgment of the  
42 Bishop, given in writing to the Clergy and Vestries or Mission Committees, shall be  
43 decisive.  
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**Canon 7**  
**Ecclesiastical Discipline**

The ecclesiastical discipline of a priest or deacon shall be governed by Title IV of the Canons for the Government of The Episcopal Church. Those provisions of Title IV of the Canons for the Government of The Episcopal Church which are applicable to this Diocese are hereby incorporated as part of this Title. To the extent, if any, that any of the provisions of the Canons of this Diocese are in conflict or inconsistent with the provisions of Title IV, the provisions of Title IV shall govern.

1 **TITLE V: AMENDMENTS**

2  
3 **Canon 1**  
4 **Amendments**

5  
6 Proposed amendments to these Canons must be submitted to the Ecclesiastical Authority  
7 at least ninety (90) days prior to an Annual or Special Convention. The Ecclesiastical  
8 Authority will refer the proposed amendment (s) to the Constitutions and Canons  
9 Committee, which shall review the proposals and make recommendations thereon to the  
10 Ecclesiastical Authority in time that any proposed amendments may be publicized  
11 throughout the Diocese, and in the pre-convention journal, prior to the Convention in  
12 accordance with Canon II.6.5 herein. At Convention the Chair of the Constitution and  
13 Canons Committee will present the proposed amendments, with any recommendations  
14 which the Committee thinks proper, in the form of motions. Such motions shall follow  
15 the normal Parliamentary procedures of Robert’s Rules, except that in order for an  
16 amendment to be adopted it must receive a two-thirds vote of the delegates attending  
17 convention, or, if voted upon by orders, must receive a two-thirds vote of each order at  
18 the Convention. If the motion to amend Canons does not receive a two-thirds vote of  
19 acceptance, but does receive a majority vote, the matter shall then lie over to the next  
20 Annual Convention. At the next Annual Convention the amendment which received a  
21 majority positive vote at the previous Convention, without any substantive changes as  
22 decided by the President, shall be considered adopted if it receives a positive vote of a  
23 majority of the delegates.

24  
25  
26 **Canon 2**  
27 **References to the Constitution and Canons of The Episcopal Church**

28  
29 The identifying numbers of references made herein to the Constitution and Canons of  
30 The Episcopal Church are to be considered changed as needed to maintain consistency as  
31 changes may be made to said numbers in the documents to which reference is made.