

Selected Canons of the Episcopal Diocese of Atlanta

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The Canons may be viewed in their entirety at:

<https://www.episcopalatlanta.org/Diocese/Governance/Diocesan-Canons-and-Constitution/The-Canons-of-the-Diocese/>

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CANON 31

Of Parish Meetings and Elections

Section 1. The congregation of each Parish shall meet annually on a date to be appointed by the Vestry; notice of which must be given by the Rector or Vicar or, if there be none, by one of the Wardens in any practical manner at least fourteen (14) days prior to the appointed date. The meetings shall be designated as the Annual Parish Meeting. The provision of this Canon relating to the qualifications of Vestry Members shall be read to the congregation at the meeting before nominations for the Vestry are made.

Section 2. Other Parish meetings may be held from time to time as occasion may require, at such times as may be appointed by the Vestry; due notice of which must be given by the Rector or Vicar or, if there be none; by one of the Wardens, in any practical manner, at least fourteen (14) days prior to the appointed date.

Section 3. At the Parish meetings the Rector or Vicar or, if absent, the Senior Warden, or, if absent, the Junior Warden, shall preside.

Section 4. Except when otherwise specified by existing charter, the following shall alone be entitled to vote in any Parish meeting under these Canons: all confirmed communicants in good standing not less than sixteen years of age as certified by the Rector or Vicar or the Vestry. Those voters so qualified and being present at the meeting shall constitute a quorum.

Section 5. All elections and other matters voted upon at Parish meetings shall be decided by a majority of the qualified voters present.

Section 6.

(a).(1). The Vestry shall be elected by ballot at the Annual Parish Meeting and shall take office as stipulated by Parish By-Law; in absence of such a By-Law, the Vestry shall take office at the next following meeting of the Vestry.

(2). Vestry Members may also be elected at any other Parish Meeting held during the three (3) months of the year next preceding the Annual Parish Meeting if the Vestry so determines and gives notice of the time and place of such election as required by Section 1 of this Canon, in which case the term of office of each Vestry Member so elected shall commence on the date of the next Annual Parish Meeting.

(3). The polls shall be open until all qualified voters present have had ample opportunity to cast their ballots. Each member elected on the Vestry shall be given written notice thereof by the Secretary; and the new Vestry shall convene for organization and business as soon as practicable after the election.

(b). The Vestry so elected shall continue to discharge the functions of their office until their successors are elected.

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(c). The Vestry shall consist of not less than three nor more than twenty-one Vestry Members, provided that a Parish having more than 600 communicants may have a maximum of thirty Vestry Members, if it so desires. Vestry Members in Parishes having more than twenty persons qualified to vote in a Parish meeting shall initially be elected in the following manner, viz: one-third to serve for a period of one year, one-third to serve for a period of two years, one-third to serve for a period of three years. Thereafter, Vestry members shall be elected for a period of three years, and no retiring Vestry Member, except those Vestry Members who have served less than one-half of a full term, shall be eligible for re-election until there shall have elapsed a period of one year, or until the Annual Parish Meeting following such retirement. Vestry Members in Parishes having not more than twenty persons qualified to vote in a Parish meeting shall be elected for such terms, not exceeding three years, as the congregation may in Parish meeting determine.

(d).(1). Those qualified for election to the office of Vestry Member shall be as follows: Any confirmed communicant in good standing of the Parish who is not less than eighteen years of age, a regular attendant at the services of the Church in the year preceding election, and known by the Treasurer to have made and fulfilled a stated financial commitment for church support *in the year preceding election.* (Note: this phrase was inadvertently omitted from the June 1997 printing of revised canons. Correction posted on this Web site 1/19/99.)

(2). Those qualified to continue to hold the office of Vestry Member shall be as follows: Any confirmed communicant in good standing of the Parish who is a regular attendant at the services of the church during such term and known by the Treasurer to have timely made and faithfully fulfilled, in accordance with its tenure, a stated financial commitment for church support at all times during such term.

Section 7. The Vestry shall annually elect from the Vestry Members one member as Senior Warden and one member as Junior Warden; or elect a Junior Warden and empower the Rector, or Vicar, to appoint the Senior Warden.

Section 8. Upon the convening of the Annual Parish Meeting, a suggested order of business shall be as follows:

(a). Prayer;

(b). Election of a Secretary for the meeting;

(c). Appointment of three tellers to count the votes, one of them being designated chairperson. The results of the election shall be declared by the presiding officer and shall be recorded in the minutes by the Secretary before adjournment of the meeting.;

(d). Rector's or Vicar's Report and any recommendations;

(e). Report of the Vestry (required by Canon 33, Section 2) and any recommendations; to be submitted by the Senior or Junior Warden, or, in their absence, by some other member of the Vestry;

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- (f). Reports, in writing, of all Parish organizations;
- (g). Elections;
- (h). Miscellaneous business;
- (i). Prayer and benediction;
- (j). Adjournment.

Section 9. The Secretary of the Annual Parish Meeting shall sign and deliver to the Clerk of the Vestry the minutes and all reports received at the meeting. These shall be transmitted to the Vestry, to be by them examined and duly recorded in the minutes of the first meeting of the Vestry following the Annual Parish Meeting and filed among the permanent records of the Parish.

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CANON 32

Of the Duties of the Wardens

Section 1. There shall be two Wardens in each Parish, who shall always be confirmed communicants in good standing and members of the Vestry and who shall be distinguished as Senior and Junior, although all duties belong equally to both; for every duty which may be assigned to one Warden devolves, in absence or disability, on the other.

Section 2. The Wardens shall see that the Church is duly provided with a standard Bible, containing the Old and New Testaments and other books commonly called Apocrypha, and Prayer Books of proper size and of standard editions, for the lectern, prayer desk and Altar. It shall be their duty to provide fair linen and the elements of bread and wine meet for the celebration of the Holy Eucharist, and all vessels, vestments and things necessary to the conduct of public worship, including those persons necessary to lead such worship.

Section 3. The Wardens shall provide a Parish Register and all necessary record and registration books and, if there be no Rector, Vicar or Cleric in charge, they shall:

- (a). Make or cause to be made all registrations required by the Canons of the Church or of the Diocese; and
- (b). Issue and receive certificates of memberships for members moving from the Parish to another congregation of this or another Church; and
- (c). Cause to be made the Annual Parish Report; and
- (d). Cause to be done by the Vestry any duty which may be required by any present or future Canon of the Church or the Diocese.

Section 4. The Wardens, under the direction of the Rector or Vicar, shall have a care that the church building be kept from all secular or other uses not authorized by or especially named in the Constitution and Canons and that at all times it be kept in good repair and clean, as becometh the house of God, and that the premises around be in proper order.

Section 5. It is the duty of the Wardens, under the direction of the Rector or the Vicar, to preserve order and decorum in and around the church building on all occasions.

Section 6. In case of vacancy or impending vacancy of a Rector or Vicar in a Parish, the Wardens shall immediately notify and consult with the Bishop on measures to be taken. Upon election of a Rector, the Wardens shall sign and send to the Bishop written notice of such election.

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CANON 33

Of the Vestry

Section 1. The Rector, or Vicar, Church Wardens and Members of the Vestry (called the Vestry) shall administer all the temporal business of the Parish; shall see that all things needful for the public services are provided; shall pay with punctuality, at the intervals agreed, the stipulated salary of the Rector or Vicar and others; shall inform themselves of the orders and times of all offerings required by the Canons of the Diocese and of assessments imposed by the Council, and take measures for the obedient fulfillment and due liquidation of these obligations; and before the close of each fiscal year, if the treasury be deficient, the Vestry shall collect, as far as practicable, by subscription or otherwise, a sum sufficient to liquidate all of the current annual obligations of the Parish.

Section 2. The Vestry shall, prior to the Annual Parish Meeting, cause to be written and delivered to the Rector or Vicar or, if there be none, to the Wardens, a full, accurate and faithful statement of the temporal condition of the Parish. This statement (to be designated the Annual Report of the Vestry) shall show, among other things, what money, lands and other property have been received during the year past and from what sources what money has been expended and for what objects, what property has been exchanged or mortgaged or sold and for what purposes and what debts are owing by the Parish and what security, if any, has then owned by the Parish. This Annual Report shall be communicated to the Annual Parish Meeting as provided in Canon 31, Section 8.(e).

The Vestry shall also furnish and read to the Annual Meeting a separate statement of the money and property held in trust by or for the Parish, which shows:

- (a). the nature and purpose of each trust;
- (b). when and by whom the same was created, and the kind of instrument under which it was created;
- (c). the names of the beneficiaries thereof;
- (d). the total value of the original trust fund and the amount of the principal thereof at the end of the preceding fiscal year;
- (e). a brief description of the securities in which the same were then invested;
- (f). the rate of interest on each investment and the amount of interest in default, if any; and
- (g). the disposition of the income therefrom during such year; which statement shall also show whether or not fiduciary bonds required for such funds by Canon have been approved and delivered, the surety or sureties thereon, and the principal amount of each such bond. An exact copy of such separate statement shall be delivered to the Bishop by the Wardens promptly after each Annual Parish Meeting.

Section 3. There shall be held at least six regular Vestry meetings in each year. Special meetings of the Vestry may be called by order of the Rector or Vicar, or, in case of vacancy, by the Wardens, at any time deemed expedient; and shall call such meetings when requested, in writing, by a majority of the members of the Vestry, which writing shall declare the object of such meeting.

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Section 4. Vacancies in the Vestry shall be filled for the unexpired term by a majority of the remaining members of the Vestry at any regular meeting, of which election previous notice shall have been given, in writing, to every member of the Vestry by the Secretary or Clerk.

Section 5. The Rector or Vicar shall preside at all meetings of the Vestry and shall be entitled to cast the deciding vote in the case of a tie. If present, the Rector or Vicar may, if desirable, appoint any other member of the Vestry to preside at a meeting of the Vestry, such designee being entitled to cast the deciding vote in the case of a tie. The Rector or Vicar shall be ex officio member of all Committees.

Section 6. In case there is no Rector, or Vicar, or in case of absence or inability to act, the Senior Warden, or if absent the Junior Warden, shall preside at all meetings of the Vestry. No meeting of the Vestry shall be valid in which there shall not be present either the Rector, or Vicar, or one Warden, except for the purpose of electing Wardens if there be no Rector, or Vicar, or Wardens.

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CANON 35

Of the Pastoral Relationship

Section 1. (a). Call of a Rector: No presbyter shall be called as Rector of any Parish in this Diocese without previous conference between the Vestry of the Parish and the Bishop in reference to the expediency of the proposed call.

(b). Any presbyter regularly called to take charge of a Parish as provided by the Canons of the General Convention, and whose letter dimissory has been accepted by the Ecclesiastical Authority of the Diocese, shall, during the time of such charge of said Parish, be held to be Rector of the same.

(c). The Rector, or Vicar, by virtue of office, shall have exclusive jurisdiction, under such Rector's or Vicar's Ecclesiastical superiors, of the spiritual concerns of the Parish, and shall at all times have access to the Church, and may open the same for services or instruction as such Rector or Vicar deems proper. The Rector or Vicar shall have authority to call meetings of the Vestry or congregation, and when present, to preside at the same and, in case of a tie, to cast the deciding vote. The Bishop is the Rector of each Aided Parish. The Minister in charge of any Aided Parish is the Vicar of the Bishop and ministers under the direction of the Bishop, performing the functions of a Rector in the absence of the Bishop. Vicars are appointed by the Bishop.

(d). Should a vacancy occur in the Rectorship of a Parish, the Wardens and Vestry shall at once notify the Bishop thereof and ask advice and assistance in the selection of a successor, submitting information as to the state and requirements of the Parish.

(e). Every cleric hereafter called to any full-time position in the Diocese of Atlanta shall be compensated at or above the financial package for transitional deacons as established annually by the Commission on Ministry.

Section 2. Temporary Absence of a Rector: Every cleric temporarily vacating a Parish shall arrange in advance with the Vestry for the supply of service and care of the Parish during such absence.

Section 3. Dissolution of the Relationship not Occasioned by Disability: The Rector canonically elected and in charge may not resign the Parish without the consent of the Vestry thereof; nor may such Rector be removed except as provided by the Canons of the General Convention.

Section 4. Dissolution Occasioned by Disability.

(a). Proceedings for the Dissolution of the Pastoral Relationship of the Rector of a Parish, occasioned by the long-term medical disability rendering the person incapable of exercising his/her ministry, may be begun in either of one of the following modes:

(1). By resolution of the affected Vestry setting forth in writing and with reasonable certainty the

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facts relied upon and a request that the Pastoral Relationship be dissolved; or

(2). The Bishop, from personal knowledge.

In any such case the Bishop may present such facts, together with any other facts known to the Bishop, to the Standing Committee for its investigation.

(b). Upon receipt of such request, the Standing Committee shall proceed without avoidable delay to investigate the facts. If requested by the Standing Committee, the Bishop shall see that a confirmed communicant of the Church, learned in the law and who shall not be the Chancellor, be appointed to advise the Standing Committee in its investigation. If requested by the Rector, or any interested person on behalf of the Rector, the Bishop shall see that a confirmed communicant of the church, learned in the law and who shall not be the Chancellor, be appointed to advise the affected Rector in the investigation.

(c). After appropriate investigation, which shall include appropriate consultation with medical and legal professionals, the Standing Committee shall make its report to the Bishop as to whether or not the affected Rector is so disabled as to warrant the dissolution of the Pastoral Relationship.

(d). Upon receipt of the recommendation of the Standing Committee, the Bishop, as final arbiter and judge, shall render a godly judgment as to whether or not the Pastoral Relationship should be dissolved; and

(1). If the Pastoral Relationship is to be continued, the Bishop shall define the responsibility to and accountability of the Rector; or

(2). If the Pastoral Relationship is to be dissolved, the Bishop shall set forth such terms and conditions, including financial settlements, as shall seem to be Bishop to be just, proper, and compassionate.

Section 5. Clergy Liable to Missionary Duty: Every cleric of the Diocese receiving aid from the missionary funds shall perform from time to time such missionary duties within the Diocese and outside of such cleric's cure as may be prescribed by the Bishop, and the amount of compensation for each such service so performed shall be fixed by the Department of Congregation Development.

Section 6. Of Instruction: Every Rector or Vicar shall:

(a). have direction and control of the Church School and classes for religious instructions;

(b). ensure that children, youth and adults receive instruction in the Holy Scriptures, in the subjects contained in An Outline of the Faith, commonly called the Catechism, and in the Doctrine, Discipline and Worship of this Church, and in the exercise of their ministry as baptized persons;

(c). appoint the superintendent, teachers and other officers;

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- (d). authorize the books and system of instruction and the library, in accordance with the authority and teachings of the Church;
- (e). prepare persons for baptism and, before baptizing infants or children, instruct both the parents and godparents concerning the significance of Holy Baptism and their responsibilities for the Christian training of the baptized child and how these obligations may be properly discharged;
- (f). seek out for systematic instruction all who are ready to make a mature public affirmation of their faith and commitment to the responsibilities of baptism and to receive the laying on of hands by the Bishop;
- (g). give instruction both publicly and privately on the nature and responsibilities of Holy Matrimony; and
- (h). instruct all persons in their charge concerning Christian stewardship, including the Biblical standard of the tithe for financial stewardship, reverence for the creation and the right use of God's gifts, generous and consistent offering of time, talent and treasure for the mission and ministry of the Church at home and abroad, and the responsibility of all persons to make a will, not neglecting to leave bequests for the use of the Church if they are able.

Section 7. Of Church Music: It shall be the duty of every Rector to see that music is used as an offering for the glory of God and as a help to the people in their worship in accordance with the Book of Common Prayer and as authorized by the rubrics or by the General Convention of this Church. To this end, the Rector shall have final authority in the administration of matters pertaining to music. In fulfilling this responsibility, the Rector shall seek assistance from persons skilled in music. Together they shall see that music is appropriate to the context in which it is used.

Section 8. Of Continuing Education of Clergy: As to the Continuing Education of Clergy of this Diocese:

- (a). In case of a clergy vacancy, every employer of clergy in this Diocese, by whatever name, shall consult with the Bishop of the Diocese or the designated authority prior to any call to develop a definite proposal for continuing education for whomever is to be called.
- (b). The "conference" referred to in Canon 35, Section 1 (a) shall include consideration of continuing education for whomever shall be called as Rector.
- (c). Every cleric hereafter called to any full-time position in a Parish, Aided Parish, or any other ministry within this Diocese shall have a definite agreement with the employer concerning continuing education. This agreement shall be deposited in writing with the Bishop of the Diocese.
- (d). Every cleric and employer, by whatever name, shall review together annually the above described agreement to update it and assure that it meets current needs of the cleric. Terms of

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this updated agreement shall be sent to the Bishop within thirty (30) days after being officially arrived at and recorded in the employer's minutes.

(e). Nothing in this Canon shall be construed to establish minimum standards of Continuing Education of a cleric as a prerequisite for continued employment or for the future employment of a cleric.

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CANON 36

Of Parochial Reports

Section 1. The Rector, or Vicar, and Wardens of every Parish or aided Parish, or, if there be no Rector or Vicar, the Wardens shall make written reports annually to the Bishop of its spiritual and temporal conditions in such form as may be directed by the Bishop or the Council in blanks furnished by the Secretary of the Council not later than the first day of January each year; which reports shall be sent to the Bishop not later than the fifteenth day of January each year. The Rector, or Vicar, shall make out the report of matters pertaining to such Rector's or Vicar's functions. And if there be in any Parish or Aided Parish in addition to the Treasurer thereof, any other Treasurer or Treasurers handling monies of which a report is called for in the report blanks furnished by the Secretary of the Council, it shall be the duty of the Rector or Vicar to secure reports of receipts and expenditures from each such Treasurer, and then it shall be the duty of the Wardens or the Vestry to appoint some one to consolidate all such reports into the one financial report of the Parish or Aided Parish.

Upon failure of a Rector, Vicar or Wardens to substantially comply with this Section, the Bishop may take such disciplinary action as is deemed appropriate against such Rector, Vicar or Wardens, including withholding any financial support of the Diocese to a delinquent Aided Parish.

Section 2. It shall be the duty of every cleric in charge of any Parish or Aided Parish in the Diocese, on termination of such charge

(a). to prepare a report of all official acts and services held in the Parish or Aided Parish from the date of such cleric's last report to and including the date of the cessation of such cleric's pastoral charge, one copy to be delivered to the Clerk of the Vestry of the Parish or Aided Parish and one copy to be delivered to the Cleric who succeeds,

(b). to make out a complete list of the names and addresses of all persons in the Parish or Aided Parish showing their connection with the Church as Baptized, Communicants, Confirmed Communicants in Good Standing, or Adults and to record this in the Parish Register; and if space is not there provided, to make out the list and leave it with the Senior Warden or Clerk of the Vestry or Aided Parish who shall deliver it to the successor.

Section 3. A supplement to the Parochial Report, on a form approved by the Bishop, shall be mailed to the Diocesan Treasurer not later than the 15th of January of each year.

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CANON 37

Of the Transfer of Communicants

Section 1. Whenever any Rector or Vicar shall receive a member without the certificate of membership provided by the National Canons, it shall be such Rector's or Vicar's duty to require such member to procure such certificate from the last parish without delay or request such certificate from that member's previous Parish. Until the reception of such certificate or other satisfactory evidence, no Rector or Vicar shall enter the name of a member from another Parish upon the register, nor shall any Rector or Vicar retain upon the register the name of any member whose certificate of membership shall have been acknowledged by the authorities of the Parish or Congregation of this or another church to which such transfer shall have been made.

Section 2. Should a member's previous Parish or Congregation fail to respond to such request upon reasonable notification, the Rector or Vicar may, upon such evidence as is sufficient in such Rector's or Vicar's judgment, enter the name of a member upon the register thereby entitling such person to all rights, duties and privileges of membership noting, however, the failure to receive such certificate.

Section 3. Upon receipt of such certificate, the Rector or Vicar shall cause the name of the member to be entered upon the register. It shall further be the duty of a Rector or Vicar to issue such certificates for members moving from the Parish or Aided Parish.

Section 4. Worshipping communities authorized by the Bishop under the provisions of these Canons shall establish registers and exchange certificates with other congregations. If such a community is dissolved or discontinued, all members on the register are to be issued certificates of membership in order that they may be transferred to extant congregations of the Church.

Section 5. The provisions of this Canon apply to any communicant of any Church in communion with this Church so far as it can be made applicable.

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CANON 38

Of Memorials

Section 1. No memorial shall be placed in any Church without the consent of the Rector or Vicar and the Vestry.

Section 2. No memorial shall be altered or removed without consent of the Rector or Vicar and the Vestry; provided, that when there is no Rector, or Vicar, the consent of the Ecclesiastical Authority of the Diocese, with that of the Vestry, shall suffice.

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CANON 39

Of Emergency Powers

In the event that the Vestry or other authorities of a Parish are unable to function adequately due to natural disaster or other emergency, loss of personnel, or abandonment of The Episcopal Church (TEC) by parish officials, the Bishop, in the Bishop's discretion, may declare an Emergency in the Parish. Disputes among Parish officials who remain within TEC shall not in themselves constitute an Emergency within the meaning of this Canon.

When an Emergency is declared, the Bishop may exercise the authority otherwise given to the Vestry or other parish authorities, call and conduct elections, and take the appropriate action to deal with the Emergency ("Emergency Powers"). The Bishop shall relinquish the Emergency Powers described in this Canon as soon as is practical and is consistent with the best interests of the Diocese, TEC, and the Parish. Further, the Bishop shall not exercise the Emergency Powers for more than ten days without the approval of the Standing Committee of the Diocese, except that if it is not practical to consult the Standing Committee within ten days, the Emergency Powers may be continued until the Standing Committee can reasonably be Consulted. This Canon does not change the procedures for ecclesiastical discipline provided for in the Canons of TEC.

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