

REPORT (Part One)
OF THE SPECIAL COMMITTEE TO REVIEW CANONS AND RULES OF ORDER
November 11, 2016

At the request of the 45th Annual Convention of the Diocese, the Bishop appointed a committee "to review the Canons of the Diocese to consider inconsistencies which may be therein and to consider matters which may not conform to the Canons of General Convention" and "report to the 46th annual Convention of the Diocese in 2017 with such recommendation as it determines."

To serve as members of this committee, the Bishop appointed the Chancellors of the Diocese, Kathy Miller, St. Paul's, Mobile and Scott Remington, St. Christopher's, Pensacola; the Secretary of the Diocese, the Rev. Stephen Pankey, St. Paul's, Foley; the Assistant Secretary of the Diocese, David R. Quittmeyer, Trinity, Mobile; and to serve as chair, the Registrar-Historiographer of the Diocese, the Rev. S. Albert Kennington, Immanuel, Bay Minette.

Soon after the committee was formed, all members and the Bishop reviewed the Canons. During the summer, they sent their suggestions for consideration to the chair. Some of these suggestions, while worthy of consideration, were beyond the Convention's charge to the committee to consider matters of inconsistency within our Canons and matters within our Canons not conforming to General Canons. The work in late summer and early autumn was focusing on matters within our charge. The other suggested matters were given to the Bishop for consideration at his discretion.

Resolutions to amend certain of our Canons, with accompanying explanations, as follow, are unanimously recommended by the committee.

A second charge to the committee was to review the Rules of Order for Conducting the Business of the Convention of the Diocese, to consider needs for revision if there be any, and to report such recommendation as it determines to the 2017 Convention. Our Canons require that proposed amendments to Canons be submitted earlier than resolutions not involving Canons. Therefore, this report is submitted in two parts.

The members are honored to have served this task, and are particularly grateful to Bishop Kendrick for his supportive participation in this work.

Respectfully submitted on behalf of the committee,

S. Albert Kennington, Chair,
Vicar, Immanuel Episcopal Church, Bay Minette

RESOLUTION 1: Terminology 5. General Convention

Refer to Canons, page 1, lines 22-25 and throughout canons

Resolved, that Terminology 5 be amended as follows:

~~"General Constitution"~~ and ~~"General Canons"~~ "General Canons" shall refer to the Constitution and Canons of the Church. ~~"Constitution"~~ "Articles" and "Canons" shall refer to the ~~Diocesan Constitution~~ Articles of Incorporation and Canons of the Diocese."

Explanation: The terms "Diocesan Constitution," "Constitution," and "Charter" - wherever used referring to the Diocese should be replaced with "Articles of Incorporation" or "Articles." Our Diocese does not have a constitution or charter. This makes use of the term "General Constitution" redundant, and thus General should be deleted.

RESOLUTION 2: Terminology 9: Vicar

Refer to Canons, page 2, lines 1-2

Resolved, that Terminology 9 be amended as follows:

"Vicar" shall refer to a priest ~~or deacon~~ for a mission Congregation who is canonically resident and is appointed by the ~~ecclesiastical authority~~ Ecclesiastical Authority."

Explanation: "Or deacon" should be deleted. General Canons forbid a deacon from being in charge of a congregation. The matter of "Ecclesiastical Authority" follows.

RESOLUTION 3: Terminology 4: Bishop/Ecclesiastical Authority

Refer to Canons, page 1, lines 19-21

Resolved, that Terminology 4 be amended by adding the following as a second paragraph: "Ecclesiastical Authority" shall refer to the Standing Committee of the Diocese when, within provisions in the Constitution and Canons of the General Convention, it performs certain duties of the Bishop."

Explanation: This resolutions provides clarity as well as consistency within our Canons and conformity to the Constitution and General Canons.

RESOLUTION 4: To amend several canons: Bishop/Ecclesiastical Authority

*Refer to Canon 3.4a, page 3, line 11; Canon 3.7, page 4, line 19;
Canon 3.8, page 4, line 22; Canon 5.1, page 5, lines 20 and 22;
Canon 5.2, page 5, line 28; Canon 6.1, page 5, lines 32 and 34;
Canon 7.1, page 6, lines 15 and 17; Canon 8.1, page 6, lines 36
Canon 10.3, page 8, line 20; Canon 24.2, page 18, line 27*

Resolved that Canons 3.4a, 3.7, 3.8, 5.1, 5.2, 6.1, 7.1, 8.1, 10.3, and 24.2 be amended by replacing the word "Bishop" with "Ecclesiastical Authority."

Explanation: Article IV of the Constitution provides, in the absence of a Bishop, that the Standing Committee may act as the Ecclesiastical authority of a Diocese. However, the Constitution and General Canons withhold several actions for the office of the Episcopate, not be engaged during the interim period. Our Canons have not, thus far, made this distinction with clarity. Therefore, in conformity with General Canons, changes to our Canons are proposed to allow the Standing Committee to act as Ecclesiastical Authority to its fullest possible extent should the need arise. These proposed changes are highlighted in green in the working copy of the Canons accompanying this report.

RESOLUTION 5: To provide consistent use of upper case in several canons

Resolved, that in every use in the Canons, the words "Bishop" and "Ecclesiastical Authority" begin with upper case."

Explanation: This resolution provides consistency within our Canons and conformity to the Constitution and General Canons.

RESOLUTION 6: Canon 3.4.b: Parish Meetings

Refer to Canons, page 3, line 14.

Resolved, that Canon 3.4.b be amended in the last sentence as follows:

"They shall be Communicants in good standing, entitled to vote in ~~congregational meetings~~ Parish Meetings."

Explanation: The term, "Parish Meetings" is the term used in Canon 18. This proposed amendment to Canon 3.4.b is consistent with the intent of Canon 16.4: "The provisions of Canons 17, 18, and 19, which refer to Parishes, shall apply to Missions and Mission Stations where applicable."

RESOLUTION 7: Canon 3.4.b: Lay Delegates:

Refer to Canons page 3, line 13.

Resolved, that Canon 3.4.b be amended to read as follows: "Lay Delegates from the several Congregations in the Diocese, as follows: They shall be Confirmed Communicants in good standing, entitled to vote in congregational meetings."

Explanation: The 2012 Diocesan Convention voted to amend Canon 3 to allow representation in Diocesan Convention to be based on communicants in good standing, a measure on the Annual Parochial Report, rather than Confirmed Communicants in good standing. In doing so, it is the committee's opinion that Section 4.b was amended erroneously as "communicants in good standing, entitled to vote in congregational meetings" are, according to Canon 18, required to be confirmed. This change brings Canon 3 into conformity with Canon 18 as well as the intention of the General Canons (I.17.1.c) and the Book of Common Prayer (p. 412) that expects all adult members of this Church will be confirmed.

RESOLUTION 8: Canon 3.8: Youth representatives in Diocesan Convention

Refer to Canons page 4, lines 21-22.

Resolved, that Canon 3.8 be amended as follows:

"Section 8. All Officers of the Diocese, all clergy canonically resident in the Diocese, but not entitled to vote in Convention, Vocational Deacons, and ~~Youth Representatives of the Diocesan Youth Committee~~ youth representatives as may be appointed . . . "

Explanation: This continues provision for the Bishop to appoint youth representatives but eliminates use of proper names long discontinued in the Diocese.

RESOLUTION 9: Canon 8: Registrar-Historiographer

Refer to Canons page 6, line 36.

Resolved, that Canon 8 be amended as follows:

"Section 1. The Registrar-Historiographer shall be nominated by the Bishop and elected annually by the Diocesan Convention."

Explanation: This is consistent with the procedure for the other General Officers.

RESOLUTION 10: Canons 9.2.c and 12.4: Commission on Finance

Refer to Canons page 7, line 36, and page 8, line 26.

Resolved, that Canon 9.2.c and Canon 12.4 be amended as follows: Where the terms "~~Finance Committee~~" or "~~Department of Finance~~" appear, they shall be deleted and replaced with the term Commission on Finance

Explanation: This provides the proper name long in use.

RESOLUTION 11: Canons 15.1, 16.1, 17.2, and 20.1.a: Minimum age for voting

*Refer to Canons 15.1, page 10, lines 3-4; Canon 16.1, page 10, lines 26-27;
Canon 17.2, page 12, line 2; and Canon 20.1, page 15, lines 15.*

Resolved, a) that Canon 15.1 be amended to read "Confirmed Communicants of the Church in good standing ~~over the age of twenty-one (21) years,~~ nineteen (19) years of age and above;"

b) that Canon 16.1.a be amended to read "Confirmed Communicants of the Church, in good standing, of ~~eighteen (18)~~ nineteen (19) years and upwards above;"

c) that Canon 17.2 be amended to read "Confirmed Communicants ~~eighteen (18)~~ nineteen (19) years of age or over and above;

d) and that Canon 20.1.a be amended to read "Confirmed Communicants ~~over the age~~ of eighteen (18) nineteen (19) years of age and above. "

Explanation: Each of these canons concern organizing a congregation or changing the status of a congregation. The minimum age requirements are not consistent. In each, the minimum age will be changed to nineteen (19). In Alabama, the age of legal majority is nineteen (19); in Florida, it is eighteen (18). This revision will provide throughout the Diocese a uniform age of persons of legal age to conduct business. *Note that no change is recommended for Canon 18.4, the minimum voting age of sixteen (16) in Parish Meetings which conforms with I.17.2 (b) in General Canons.*

RESOLUTION 12: Canon 24 – The University of the South

Refer to Canons, page 18, line 28.

Resolved, that Canon 24, in the last paragraph of Section 2 be amended as follows: "shall ~~nominate~~ appoint a qualified communicant to complete the remainder of the term."

Explanation: Typically, the word "nominate" suggests that an election will follow which is not the case in this instance.