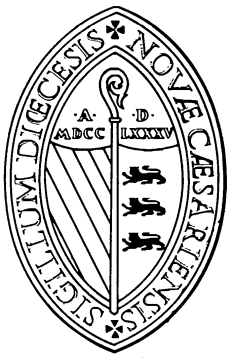

The Diocese of New Jersey

808 West State Street Trenton, New Jersey 08618-5326 609 394-5281

Constitution and Canons

AND

New Jersey Revised Statutes

Relating to

The Protestant Episcopal Church in New Jersey

2022

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CONSTITUTION OF THE DIOCESE OF NEW JERSEY

ARTICLE I.

According to the Constitution and Canons of General Convention of the Church

The Church, in the Diocese of New Jersey, comprising all of the counties of the State of New Jersey, excepting the counties of Sussex, Warren, Morris, Passaic, Bergen, Hudson, and Essex, and the city of Summit, in Union County, as a constituent part of the Protestant Episcopal Church in the United States of America, accedes to the Constitution and Canons of General Convention of that Church and acknowledges their authority.

ARTICLE II.

The Convention

SECTION 1. There shall be a Convention of the Church in the Diocese of New Jersey consisting of the Bishop, other bishops serving the Diocese full time as shall be authorized or elected by the Convention and members of the clergy and laity.

SECTION 2. The Bishop and all other bishops to the extent provided by canon shall each have a seat and vote.

Presbyters who are canonically resident in the Diocese at the opening of any meeting of the Convention shall each have a seat and vote.

Deacons who are canonically resident in the Diocese at the opening of any meeting of the Convention shall each have a seat and vote.

Members of the clergy ordained by bishops of churches in communion with The Episcopal Church who are serving in the Diocese but who are not canonically resident in the Diocese shall have seat and vote to the extent provided by canon.

But no members of the clergy shall be entitled to membership who are under ecclesiastical censure; or who shall have failed unless for good reason to exercise their ministries in the Diocese during the six months preceding the meeting of the Convention unless for reasons of age or infirmity; or who, being non-parochial, shall have failed to report to the Bishop their official acts not less than ten days preceding the meeting of the Convention, provided that no members of the clergy shall lose their right to a seat and vote who shall hold office in any ecclesiastical body organized under the General Convention or the Second Province of the Episcopal Church; or who are engaged as Rector, Principal, or Professor in any incorporated literary, or theological institution of the Church, or who shall be Chaplains in the Armed Forces of the United States of America.

SECTION 3. Parishes in union with the Convention meeting all canonical requirements for admission shall be entitled to representation by three Lay Deputies. Provided, however, that any Parish ceasing to function as such, or which does not continue to fulfill the canonical conditions required for admission into union with the Convention, may at the option of the Convention be suspended from representation therein.

SECTION 4. Other churches shall be entitled to such representation in Convention as may be provided by Canon.

SECTION 5. The Lay Deputies with alternates chosen to represent the Parishes and Missions in the Convention of the Diocese shall be elected by the various congregations from the

Communicants thereof, but no Lay Deputy shall be entitled to a seat who is under sentence of repulsion from the Holy Communion, and no Lay Deputy shall represent more than one Congregation.

SECTION 6. No Parish or Mission shall be entitled to representation in the Convention if it shall have been without a Minister and without regular church services for the two successive years prior to the meeting of the Convention; or if it shall have failed to make to the bishop any annual report required by the Canons within a period of forty-five days from the date when the report is due; or shall have failed to pay the interest on the Parish bonds for the support of the Episcopate, or any assessment levied by the Diocese and the Pension premium for its clergy for twelve months prior to the meeting of the Convention; or if it shall have failed to pay to its clergy the minimum salary required by Canon.

SECTION 7. The Convention shall be the final judge of the qualification of its members.

See also: Credentials of Members - Canon 2

Loss of Representation - Canon 2, Section 5; Canon 73, Section 2(e)

Representation of Churches Other Than Parishes - Canon 50, Section 3; Canon 54, Section 2; Canon 56, Section 2(b); Canon 57, Section 5; Canon 58, Section 2; Canon 59, Section 3.

Members with Seat and Voice - Article IV, Section 3; Article VIII, Section 2; Canon 32.

ARTICLE III.

Meetings of the Convention

SECTION 1. The Convention shall meet annually at such time and place as may be provided by Canon.

SECTION 2. The Bishop, or the Standing Committee, if the Episcopate be vacant or the Bishop be incapable of acting, shall have power to call a special meeting of the Convention by a notice stating the time, place and object thereof, mailed to the members of the clergy and Parishes not less than two weeks preceding the day appointed. At special meetings of the Convention no business shall be transacted other than that stated in the notice.

See also: Canon 1 - Annual Meeting of the Diocesan Convention

ARTICLE IV.

Officers of the Convention

SECTION 1. The president of the Convention shall be the Bishop of the Diocese. In the absence of the Bishop, the Bishop Coadjutor, when there is one, or the Suffragan when there is one, or, if there be more than one Suffragan, such Suffragan as shall be designated by the Standing Committee, shall preside. In case of a vacancy in the Episcopate, or in case no Bishop of the Diocese shall be present, the Convention shall elect a President pro tempore from among its members.

SECTION 2. A Secretary shall be elected at the annual meeting of the Convention, for a term of three years, who shall perform the usual duties of the office until a successor is elected.

SECTION 3. A Treasurer shall be elected by the Convention, who shall perform the duties of the office as provided by Canon until a successor is elected. The Treasurer shall be ex officio a

member of the Convention with a right to speak. The Treasurer shall give, in such manner as the Convention may determine by Canon, satisfactory security for the faithful discharge of the duties of the Treasurer's office, and shall present a statement of the Treasurer's accounts to each annual meeting of the Convention.

SECTION 4. In case of the death, resignation, removal from the Diocese or incapacity of the Secretary, the Treasurer or the Registrar, the Ecclesiastical Authority may declare the office vacant and appoint a successor with the approval of the Standing Committee to serve until the next annual meeting of the Convention.

See also: Constitution Article IX - The Registrar and the Historiographer; Canon 4 - Assistant Secretary; Canon 22 - Treasurer

ARTICLE V.

Transaction of Business

SECTION 1. A quorum for the transaction of business shall consist of one-fifth of the clerical members entitled to vote, together with Deputies from one-fourth of the Parishes entitled to representation.

SECTION 2. In all matters which come before the Convention the members of the clergy and laity shall deliberate and vote as one body, except when a vote by Orders shall be required by the Constitution or Canons of the Diocese, or shall be called for by two clerical members entitled to vote and the Lay Deputies from two Parishes, subject to the provisions of Section 3.

SECTION 3. When a vote by Orders is taken, such vote shall be by ballot; the members of the clergy and Lay Deputies shall vote individually. A concurrent majority in both Orders shall be necessary for a decision.

See also: Canon 5 - Elections

ARTICLE VI.

Admission of New Parishes

A new parish may be admitted into union with the Convention by a majority vote; provided it shall produce to the convention evidence of (1) the regularity of its organization and incorporation; (2) the consent of the Ecclesiastical Authority; (3) its promise of conformity and obedience to the doctrine, discipline and worship of the Protestant Episcopal Church in the United States of America, and to the Constitution and Canons of the General Convention and of this Diocese existing at the time of its admission and as may thereafter be amended; (4) its pledge, pursuant thereto, to hold all assets, real, tangible, and intangible, in trust for the Episcopal Church and the Diocese; (5) its ability to support a minister; and (6) such other requirements as may be provided by Canon.

See also: Canon 60 - Reclassification; Revised Statutes of New Jersey, Section 16:12-1 to 12-2

ARTICLE VII.

The Standing Committee

SECTION 1. The Standing Committee shall consist of four members of the clergy and four members of the laity**,** to be chosen by a concurrent ballot of the members of the clergy and laity. The vote shall be by Orders and subject to Article V, Section 3. The clerical members must be of

those entitled to seats in the Convention, and the lay members must be communicants of some Parish in union with the Convention of the Diocese. At the first election to be held after the adoption of this amendment to the Constitution the Convention shall elect one clerical and one lay member for a term of one year, one clerical and one lay member for a term of two years, one clerical and one lay member for a term of three years, one clerical and one lay member for a term of four years and until their respective successors have been elected. Thereafter the successors of those whose terms expire as aforesaid shall be elected for a term of four years. No members elected by the Convention shall be eligible to succeed themselves**.** As soon as convenient after their election, they shall choose a President and a Secretary from among their members. The proceedings shall be recorded by the Secretary, and be open to the inspection of the Convention.

SECTION 2. A majority of the members of the Standing Committee, the whole having been duly cited to meet, shall be a quorum, and a majority of the quorum so convened shall be competent to act, unless the contrary is expressly required.

SECTION 3. The Standing Committee shall have power to fill vacancies which may occur in their own body or in any body elected or appointed by Convention until the next annual meeting of Convention, unless otherwise provided for by articles of this Constitution, Canons adopted thereunder, or special acts taken by Convention.

ARTICLE VIII.

The Chancellor of the Diocese

SECTION 1. The Bishop with the concurrence of the Standing Committee, shall appoint at the annual meeting of the Convention or in the case of any vacancy, a Chancellor of the Diocese, who shall be a communicant of the Church and an Attorney-at-Law of the State of New Jersey of at least three years' standing. The Chancellor's duties shall be to advise and represent the Bishop, the Convention and other Diocesan interests when requested. The Chancellor may be removed at any time by concurrent order of the Bishop and Standing Committee.

SECTION 2. The Chancellor shall be entitled to a seat and voice at the meetings of the Convention; and shall be allowed such compensation as the Convention by resolution, may direct.

See also: Canon 24 - Vice Chancellors

ARTICLE IX.

The Registrar and the Historiographer

SECTION 1. At the annual Convention, the Ecclesiastical Authority shall appoint a Registrar who shall also be the Historiographer, and who shall continue in office until a successor is appointed. The Registrar's duty shall be to collect, assemble, and preserve journals, records and other documents relating to the history of the Church in this Diocese; and to exchange the journals of the Convention for those of other Dioceses and Missionary Districts. All such books and papers shall become the property of the Convention and shall be kept in some safe place where the members of the Convention can inspect them.

SECTION 2. The Registrar shall report to each annual meeting of the Convention.

See also: Constitution Article IV, Section 4

ARTICLE X.

Deputies to the General Convention

SECTION 1. At the annual meeting of the Convention held in the second calendar year preceding the regular meeting of the General Convention, four clerical and four lay Deputies shall be elected to represent the Diocese at the General Convention. They shall be elected by a vote by orders and subject to Article V, Section 3, and shall hold office until their successors are elected.

At the annual meeting of the Convention held in the calendar year next preceding the regular meeting of the General Convention, four clerical and four lay Alternate Deputies shall be elected to represent the Diocese at the General Convention. They shall be elected by a vote by orders and subject to Article V, Section 3, and shall hold office until their successors are elected. If, during the preceding year, any vacancies have occurred in the office of Deputy to the General Convention, the Convention, before proceeding with the election of Alternate Deputies, shall elect from among those persons nominated for the office of Alternate Deputy, a sufficient number of persons to fill the vacancies.

Any vacancies among Alternate Deputies occurring after such election may be filled by appointment by the Ecclesiastical Authority from among qualified persons of the same order, lay or clergy, as the vacancy.

SECTION 2. It shall be the duty of each Deputy-elect, at least three weeks before the opening of the General Convention, to notify the Bishop whether the Deputy-elect will attend the Convention.

The Bishop shall appoint an Alternate Deputy to serve as Deputy in case a Deputy-elect shall fail to notify the Bishop of the Deputy-elect's intention, or shall be unable to attend. Alternate Deputies shall be appointed in order of precedence according to the number of votes received by them at the election. The order of precedence of appointed Alternate Deputies shall be their date of appointment.

In case of a vacancy in the Episcopate the power hereby conferred on the Bishop shall be exercised by the Standing Committee.

SECTION 3. The order of precedence in which deputies and alternate deputies are elected shall be determined according to the ballot on which they are elected. When two or more persons receive the number of votes necessary for election on the same ballot, the order of precedence shall be determined in the following way. The Chair of the Balloting Committee shall report to the President, according to each order separately, the total number of valid ballots cast, the number of votes necessary for election, the number of votes for the respective candidates, and the percentage of votes received by each candidate as determined by dividing the number of votes received by the total number of valid ballots cast. For each candidate who receives a concurrent majority of the votes in both orders the Chair of the Balloting Committee shall report to the President the percentage of the votes received by the respective candidates in each order and the combined total of the two percentages. Candidates with a higher combined total percentage shall take precedence over those with a lower combined total percentage.

SECTION 4. Within sixty days following their election the Deputies shall meet and elect from their members a Chair and Vice-Chair.

ARTICLE XI.

Election of a Bishop

SECTION 1. A Bishop may be elected at the annual or at a special meeting of the Convention.

SECTION 2. The quorum required in this Constitution for the transaction of business of the Convention shall be present at the election of a Bishop and the vote shall be by Orders. A concurrent majority in both orders shall be necessary for an election.

SECTION 3. When a Bishop is to be elected, a special Nominating Committee shall be appointed as provided by Canon.

ARTICLE XII.

Suffragan Bishop

Upon the death of the Bishop, or during the Bishop's disability or absence from the Diocese, if there be no Bishop Coadjutor, the Suffragan Bishop, if there be one, or if there be more than one Suffragan Bishop, such Suffragan Bishop as shall be designated by the Standing Committee, shall become the Ecclesiastical Authority of the Diocese until such time as the Bishop returns to duty or until a new Bishop shall be chosen and consecrated.

ARTICLE XIII.

Amendment of the Constitution

SECTION 1. Any proposed amendment to this Constitution which may be approved by a majority vote at any meeting of the Convention shall lay over to the next annual meeting. It shall then be acted upon, and if approved by a Vote by Orders shall become a part of this Constitution.

SECTION 2. In case of the division of the Diocese, such immediate amendments as local circumstances shall require may be made in the same mode as is provided for the amendment of the Canons of the Diocese.

See also: Canon 75

CANONS OF THE DIOCESE OF NEW JERSEY

PART I – DIOCESAN CONVENTION

CANON 1

Annual Meeting of the Diocesan Convention

SECTION 1. The Convention shall meet on the first Friday following the first Sunday in March at Trinity Cathedral in the City of Trenton unless another time or place of meeting is appointed by the Ecclesiastical Authority. If directed by the Ecclesiastical Authority, the meeting may be held in whole or in part by means of remote communication. A member participating in a meeting by means of remote communication shall be deemed present in person and shall be entitled to vote at the meeting regardless of whether that meeting is held at a designated place or solely by means of remote communication. The Ecclesiastical Authority shall provide each member participating remotely with a reasonable opportunity to participate in the meeting, including an opportunity to vote on matters submitted to the members, and to read or hear the proceedings of the meeting substantially concurrently with those proceedings, as provided in the Rules of Order.

SECTION 2. At each meeting of the Convention there shall be such services of the Church as the Ecclesiastical Authority may appoint.

See also: Constitution Article III

CANON 2

Diocesan Convention Credentials of Members

SECTION 1. The Ecclesiastical Authority, one week before the date set for any meeting of the Convention, shall certify to the Secretary the names of all clergy canonically resident in the Diocese, annexing the names of their respective cures or stations or engagements, specifying those who have been ordained, or received in the Diocese, within the year immediately preceding, with the dates of their ordination or reception; from which list the Secretary shall prepare, in conformity with the constitution, a roll of all the clergy entitled to votes or seats in the Convention.

The Ecclesiastical Authority shall at the same time also certify the names of all members of the clergy ordained by bishops of churches in communion with The Episcopal Church who are serving as vicars within the Diocese under certificate issued pursuant to Episcopal Church Canon III.10.2(a)(i), who shall also be entitled to have seat and vote at the Convention, annexing the names of their respective congregations and the date of their certification to serve in the Diocese.

The Ecclesiastical Authority shall at the same time also certify the names of all members of the clergy ordained by The Episcopal Church or by bishops of churches in communion with it, not canonically resident in this Diocese but licensed to officiate in this Diocese, who shall also be entitled to have seat and voice but not vote at the Convention, annexing the names of their respective congregations, if any, and the date of their license to serve in the Diocese.

Any Bishops other than the Bishop Diocesan serving in the Diocese, and any retired Bishop canonically resident in the Diocese, shall be entitled to a seat, voice, and vote at the Convention.

Should any dispute arise as to the status of any member of the clergy, it shall be referred to a special committee appointed by the President, which shall report on each case immediately, and the action of the Convention thereon shall not be called in question during the same session.

SECTION 2. The certificates of the election of Lay Deputies shall be in a form approved by Convention and shall be forwarded to Diocesan Congregations during the month of November in each year. The completed certificate shall be signed by the Rector or Vicar or clerk of the vestry, or by the wardens or any two trustees of the Congregation. The signed certificate shall be returned to the Secretary of Convention care of the diocesan offices by the later of (a) January 15 or (b) three days following the annual meeting of the Congregation.

SECTION 3. In case any Deputy shall not be able to attend a meeting of the Convention an alternate shall be admitted to represent the Parish at the meeting. The Alternate shall be designated by the Rector, or in case there be no such Rector, by the Wardens.

SECTION 4. There shall be a Committee on the Credentials of Lay Deputies appointed by the President of the Convention at the annual meeting thereof to serve until the adjournment of the next annual Convention. The Committee shall consist of not fewer than two persons who shall be members of the Convention at the time of appointment.

SECTION 5. On or after August 1, but not later than October 1, the Committee on the Credentials of Lay Deputies shall notify any Diocesan Congregation entitled to representation in the Convention, of any deficiencies for which such representation may be denied pursuant to the provisions of Article II, Section 6 of the Constitution. Such Congregation shall have a period of thirty days within which to supply the deficiencies. The Committee shall report to the Convention any Diocesan Congregation failing to meet the requirements for representation after such period. No Diocesan Congregation whose deputies were seated at the preceding annual meeting of the Convention shall be denied a seat for failure to comply with the requirements of Article II, Section 6 of the Constitution in the absence of such notice.

See also: Constitution Article II - Membership;

Loss of Representation – Constitution Article II, Section 6; Canon 73, Section 2(e)

CANON 3

Committee on Rules of Order and Dispatch of Business

A committee on Rules of Order composed of two members of the clergy and three lay persons, at least one of whom shall also be a member of the Balloting Committee, shall be appointed by the Bishop at the opening of each annual meeting of the Convention, who shall consider and report upon all proposed amendments to the Rules of Order and shall watch the dispatch of business at all sessions, and propose rules to prevent congestion. The present rules shall continue in force until amended or repealed.

CANON 4

Assistant Secretary

At the annual Convention the Ecclesiastical Authority shall appoint an Assistant Secretary. And whenever there shall be a vacancy in the office of Secretary of the Convention the duties shall devolve upon the Assistant Secretary, if there be one; if not, upon the Secretary of the Standing Committee, until the vacancy is filled.

See also: Constitution Article IV, Section 2 - Secretary of Convention

CANON 5

Elections in Diocesan Convention

SECTION 1. In all elections, the number of votes necessary for a choice shall be a majority of the total number of ballots cast.

SECTION 2. In case more than the required number of persons shall have a majority of votes, a sufficient number of those having the highest number of such votes shall be declared elected.

SECTION 3. There shall be a Nominating Committee composed of one clerical and one lay member from each Convocation. The members shall be elected by Convocation at the Fall meeting thereof to serve for two-year terms beginning at the conclusion of the Diocesan Convention the following March. Vacancies shall be filled by the Dean of the Convocation. The President of Convention shall, before the first day of April, appoint from among the elected members a Chair and, in addition, may appoint a Chancellor or a Vice Chancellor as a liaison to the committee, to serve with seat and voice but not vote. The committee shall make suitable nominations for all elective offices**.** It shall report in writing to the Secretary its nominations. It shall in no way affect the right of any member of the Convention to place names in nomination in accordance with the provisions of these Canons and the Rules of Order of the Convention.

The Chair shall convene the first meeting of the Nominating Committee no later than June 1. No later than September 1, the committee shall mail to all clergy and churches in the Diocese a list of the offices to be filled at the next Convention and a form on which names may be submitted to the committee recommending persons for nomination. Meetings of the Nominating Committee shall be open to all clergy and church members in the Diocese. Opportunity shall be given at each meeting of the committee for such visitors to offer advice to the committee.

The Convocational Members of the Nominating Committee may elect up to four additional members-at-large. This election, if there be one, shall be by majority vote of all Convocational Members at a scheduled meeting of the Nominating Committee. In electing the members-at-large, the Convocational Members shall be as inclusive as possible to insure that the committee is representative of the entire membership of the Diocese. Members-at-large shall serve for a term of one year from their date of election and until a successor is elected, and they may be reelected.

SECTION 4. Nominations for elective offices to be filled by the Convention shall be submitted in writing to the Secretary by the Nominating Committee no later than January 1. Additional nominations, if any, may be submitted after this date to the Secretary of Convention care of the diocesan office by any member of Convention, but no later than 45 days before the meeting of the Convention in the form prescribed by the Convention.

The Secretary shall distribute a list of all nominees so received to all members of Convention no later than 30 days before the meeting of the Convention. A ballot shall be prepared on which shall be printed the names of the nominees submitted in the above manner. The ballot shall indicate which names have been submitted by the Nominating Committee. Provision shall also be made on the ballot that write-in votes may be cast for those nominated from the floor of Convention.

See also: Constitution Article V, Sections 2 and 3 - Transaction of Business

CANON 6

Committee on Validation of the Minutes

SECTION 1. There shall be a Committee on Validation of the Minutes of the Convention, consisting of three persons, who shall not be officers of the Convention or of the Diocese, to be appointed by the president of the Convention.

SECTION 2. It shall be the duty of the Committee to review the minutes of the Convention as prepared by the Secretary, prior to printing. They shall, to the extent practical, submit galleys to the proponents of each action reported, and to all members of the Convention who shall in writing so request. All such persons shall be afforded 14 days for comment before final validation.

SECTION 3. If, subsequent to the printing of the minutes, errors shall be established, the Committee, in consultation with the Secretary, shall so report to the next succeeding Convention, and such report, if accepted by the Convention, shall be incorporated in the minutes thereof.

CANON 7

Deputies to Provincial Synod

SECTION 1. Those persons elected as deputies to General Convention pursuant to Article X, Section 1, of the Constitution of the Diocese of New Jersey shall, by virtue of such election, be deputies to the Provincial Synod of the Second Province of the Episcopal Church. Those persons elected as alternate deputies to General Convention pursuant to Article X, Section 1, of the Constitution of the Diocese of New Jersey shall, by virtue of such election, be alternate deputies to the Provincial Synod.

SECTION 2. It shall be the duty of each deputy-elect, at least two weeks before the convening of the Synod, to notify the Ecclesiastical Authority of the Diocese whether or not the deputy-elect will attend the Synod. In case any deputy-elect shall be unable to attend, or shall fail to notify the Ecclesiastical Authority of the deputy-elect's intention, the Ecclesiastical Authority shall appoint a person or persons to serve as deputy to the Provincial Synod from among those elected as alternate deputies. Such appointment shall be made from the alternate deputies according to their order of preference of election as set forth in Article X, Section 3, of the Constitution of the Diocese of New Jersey.

SECTION 3. The Treasurer of the Diocese shall pay to the deputies of the Provincial Synod their traveling and hotel expenses; such sums are to be included in the Diocesan Budget.

SECTION 4. The deputies to the Provincial Synod shall report to each annual meeting of the Convention held in the year following any meeting of the Provincial Synod.

See also: Constitution Article X, Section 1 - Deputies and Alternates to General Convention

CANON 8

The Archivist

SECTION 1. The Bishop shall appoint the Archivist of the Diocese for a three-year term. The person appointed shall have sufficient education and experience as to be able to fulfill the responsibilities of the office.

SECTION 2. The responsibilities of the Archivist shall include:

(a) Periodically publish inventories of archival materials.

(b) Sort and catalog the present holdings of the Diocese.

(c) Assist researchers in the use of archival materials.

(d) Develop and maintain a Records Retention Service to easily make available the records generated by the various departments in the Diocese.

(e) Assist Parish archivists in developing and maintaining appropriate local level archives.

(f) Prepare archive-related material for publication.

(g) Increase archival holding through correspondence with individuals and other sources.

(h) Provide for the safekeeping of all archival material.

SECTION 3. Whenever a Parish or Mission shall be declared extinct, or dissolved, the charters, registers and other papers and records shall be delivered immediately to the Archives. This pertains to all Parishes and Missions already dissolved by merger.

SECTION 4. When a presbyter or deacon dies or leaves this Diocese the Bishop's file will be placed in the Archives.

SECTION 5. It shall be the duty of the Archivist to make an annual report to the Convention on the condition of the Archives.

CANON 9

Episcopal Elections

SECTION 1. Prior Consents for Elections of Bishops Coadjutor or Suffragan. Before an election of a Bishop Coadjutor or Bishop Suffragan can be authorized, the election process, including a budget provision for the election and the position, must be approved by a regular or special meeting of the Diocesan Convention.

(a) Whenever the Bishop of the Diocese wishes to call for the election of a Suffragan Bishop or a Bishop Coadjutor, the Bishop shall give written notice to all members of the Convention not later than sixty days before the annual or special meeting of the Convention at which the request will be considered.

(b) The Diocesan Council, with the assistance of the Finance and Budget Committee, shall prepare and adopt a proposed financial plan to defray all expenses to be incurred in connection with the election, in a manner that incorporates the expenses into the Diocesan Budget over a period not to exceed three years. The plan shall include appropriations for the work of the Bishop Search and Nomination Committee and the Transition Committee provided for in this Canon, the cost of the Electing Convention, and the cost of the Consecration Service. The plan shall also set the proposed initial level of compensation for the new bishop and provide for the moving expenses of the new bishop. A copy of the proposed financial plan shall be mailed to all members of the Convention not later than thirty days before the meeting of the Convention referred to in subsection (a) of Section 1 of this canon.

(c) The Convention shall act first on the Bishop's request for the election of a Bishop Coadjutor or Suffragan, and if that is approved the Convention shall then consider the financial plan proposed by the Council. The Convention may adopt the plan as proposed, adopt a modified version of the plan, or reject the plan. Only if the Convention approves both the resolution consenting to the election and the financial plan may the Ecclesiastical Authority of the Diocese proceed to seek the consent of a majority of the Bishops exercising jurisdiction and of the Standing Committees of The Episcopal Church for such election to go forward. Upon receipt of such consents, the Ecclesiastical Authority shall promptly begin the process of electing a Bishop Search and Nomination Committee as set forth in Section 4 of this Canon.

SECTION 2. In the event of the death of the Bishop Diocesan, the dissolution of the pastoral relationship between the Diocese and the Bishop Diocesan, or upon the Bishop Diocesan's giving notice of resignation or retirement, the Ecclesiastical Authority shall promptly begin the process of electing a Bishop Search and Nomination Committee as set forth in Section 4 of this Canon. Simultaneously, the Diocesan Council shall prepare and adopt a financial plan as described in subsection (b) of Section 1 of this Canon for the election of a successor, to be mailed to all members of the Convention not later than thirty days before the next annual or special meeting of the Convention. The Convention may adopt the plan as proposed or adopt a modified version of the plan.

SECTION 3. Composition of the Bishop Search and Nomination Committee. When a bishop is to be elected, there shall be a Bishop Search and Nomination Committee consisting of 16 Convocational Members and six Members-At-Large, elected in the following manner:

(a) One member of the clergy and one lay person shall be elected in each convocation of the Diocese in accordance with the provisions of Section 4 of this Canon.

(b) Six additional Members-At-Large, either clergy or lay, shall be elected by the Convocational Members. The election shall be by majority vote of all the Convocational Members. In electing the Members-At-Large, the Convocational Members shall be as inclusive as possible to ensure that the Committee is representative of the entire Diocese.

(c) In addition to the elected members, a Chair shall be appointed by the Bishop with the advice and consent of the Standing Committee. If there is no Bishop, the appointment shall be made by the Standing Committee. The Committee, including all At-Large Members, shall elect a Vice-Chair from the members of the Committee.

(d) Lay members of the Committee shall be confirmed adult communicants in good standing of a Parish or Mission within the Diocese. Clergy members shall be canonically resident in the Diocese.

(e) Vacancies among Convocational Members shall be filled by appointment of the Dean of the Convocation. Vacancies among the Members-At-Large shall be filled by the Committee.

SECTION 4. Election of Bishop Search and Nomination Committee Members by Convocations. Convocational Members shall be elected in the following manner:

(a) When the Ecclesiastical Authority announces the call for the election of a bishop, the Ecclesiastical Authority shall appoint a specific Sunday for Special Meetings to be held in each Parish and Mission of the Diocese to elect special delegates to a special meeting in each convocation for the purpose of electing members of the Bishop Search and Nomination Committee. On that Sunday, every Parish and Mission in the Diocese shall hold a special meeting of the Congregation, in accordance with the provisions of the

Canons of the Diocese and the laws of the State of New Jersey, for the purpose of electing six special delegates to the special meeting of the Convocation. The Chair of the meeting shall forthwith certify to the Dean of the Convocation and to the Ecclesiastical Authority the names and full contact information of the persons elected.

(b) On the fourth Sunday thereafter, the Dean of each convocation shall convene a Special Meeting to elect members of the Bishop Search and Nomination Committee, due notice having been given to each church in the convocation. The Ecclesiastical Authority shall make provisions (i) for preregistration of those clergy and elected special delegates who will be authorized to vote at the Special Meetings and (ii) for nominations of candidates prior to such meeting to be made by those entitled to vote at such meeting or by self-nomination. Those entitled to vote at the meeting shall be the six duly certified Special Delegates from each Parish and Mission in the Convocation and all members of the clergy, canonically resident in the Diocese, who exercise their ministry within the Convocation. A majority of the votes cast shall be necessary for election. It shall be the duty of each Dean to certify forthwith to the Ecclesiastical Authority the names and full contact information of the persons elected.

SECTION 5. Self-Study and Diocesan Profile. The Bishop Search and Nomination Committee shall be responsible for conducting a Diocesan Self-Study. Using information developed by a Diocesan Self-Study, the Committee shall develop a Diocesan Profile. The Committee may engage such professional assistance as it deems reasonable to complete its task.

SECTION 6. Obtaining Candidates.

(a) The Bishop Search and Nomination Committee shall take the steps necessary to encourage the recommendation of qualified candidates and shall circulate the Diocesan Profile and other pertinent information to all clergy, Parishes, and Missions of the Diocese, the Office of Transition Ministry of the Episcopal Church, the Presiding Bishop and all active Bishops of the Episcopal Church notifying them that recommendations are being received, and stating the process for nomination and election.

(b) The Committee shall screen all candidates recommended and shall establish its own procedures for determining which candidates are best suited for nomination. It shall submit a list of no fewer than four nor more than six candidates to be placed in nomination at the Electing Convention.

(c) Not later than one year after it is constituted, the Committee shall report to the members of the Electing Convention and to the Diocese as a whole, the names of the persons to be nominated by it at the Electing Convention, together with a brief biography of each nominee. The committee shall include notice of the Electing Convention with its report. The date of the electing Convention shall not be less than three months nor more than five months after the date the report is issued.

SECTION 7. Independent Nominations. When the Bishop Search and Nomination Committee has announced its list of nominees, there shall be a period of 30 days after the date when its report is issued during which Independent Nominations to the electing Convention may be made. No independent nominations shall be received after that date. The Committee shall provide, upon request, a Nomination Petition Form on which the deadline for submitting independent nominations and the method of submitting them is clearly stated. The Nomination Petition shall require the signatures of at least two persons from at least five Convocations.

SECTION 8. Final Report of the Bishop Search and Nomination Committee. After the period for receiving independent nominations has expired, the Bishop Search and Nomination Committee shall publish an Election Booklet containing the names, photographs, and biographical sketches

of all nominees and such other material about the nominees as the Committee shall choose to include. The Election Booklet shall state which nominees were nominated by the Committee and which were nominated independently, but in every other respect all nominees shall be treated equally. The Election Booklet shall include a detailed statement of the election process including the Proposed Rules of Order and Agenda for the Electing Convention. The Election Booklet shall be distributed to each member of the Electing Convention not less than 30 days before the electing Convention and also made available to the Diocese as a whole.

SECTION 9. Introduction of Nominees to the Diocese. After the Election Booklet has been distributed, the Bishop Search and Nomination Committee shall provide one or more opportunities for members of the Electing Convention to meet and confer with all nominees. Opportunity shall also be afforded all members of the Diocese to meet the nominees. The Committee shall be responsible for establishing the time, place, and format of any pre-Convention meeting of candidates. All such meetings shall be complete at least seven days prior to the Electing Convention.

SECTION 10. Composition and Duties of the Transition Committee. There shall be a Transition Committee consisting of between eight and twelve members. Lay members of the committee shall be confirmed adult communicants in good standing of a Parish or Mission within the Diocese. Clergy members shall be canonically resident in the Diocese. The composition of the committee and its duties shall be as follows:

(a) Following the organization of the Bishop Search and Nomination Committee by the appointment of its Chair and the election of its Members-At-Large, the Standing Committee shall appoint a Chair for the Transition Committee, and the Bishop Search and Nomination Committee shall choose one of its members to be a liaison member of the Transition Committee. The Chair and the liaison member shall then consult with the Standing Committee to assist it in appointing the remaining members of the Transition Committee. Members should be considered for their aptitude, experience, and expertise in the tasks required of the committee. The committee members should organize themselves at least six months before the expected date of the Electing Convention.

(b) The Transition Committee shall be responsible for planning and overseeing the Electing Convention. Subject to the consent of the Ecclesiastical Authority, and in consultation with the Bishop Search and Nomination Committee, the Transition Committee shall fix the date, time, and place of the Electing Convention. The committee shall strive to ensure that the entire process of nominating and electing a Bishop is conducted in a pastoral manner. The committee shall confer with the Committee on Rules of Order and Dispatch of Business for the Electing Convention to assist it in developing Rules of Order and an Agenda for the Electing Convention. The committee shall communicate regularly with members of the Electing Convention and with the Diocese at large to ensure an active awareness of the entire election process. The Ecclesiastical Authority may for good cause adjourn the date of the Electing Convention and reschedule the same with the advice and consent of the Transition Committee.

(c) The Transition Committee shall provide pastoral and practical assistance to any present bishop, the bishop-elect, and their spouses and families throughout the transition process.

(d) The Transition Committee shall be responsible for planning and overseeing the leave-taking of an incumbent bishop, the relocation of the family of the bishop-elect, and the services of consecration or induction of the bishop-elect.

(e) The Transition Committee should coordinate its tasks as necessary with the Bishop Search and Nomination Committee, the Standing Committee, and diocesan staff.

SECTION 11. Placing in Nomination. At the Electing Convention, the Bishop Search and Nomination Committee shall place in nomination all names listed in the Election Booklet. Nominations from the floor of Convention shall not be permitted. No nominating speeches or laudatory addresses shall be made on behalf of any nominee.

CANON 10

Diocesan Youth Council

The Diocesan Youth Council shall be entitled to seat, voice and vote at Diocesan Convention. The Youth Council shall elect three persons, who are at least 16 years of age and who are communicants in good standing of a Parish within the Diocese, to serve as deputies to Diocesan Convention. The Co-Chairs of the Youth Council or the Director of Youth Ministry shall certify the election of the deputies to the Secretary of Diocesan Convention.

CANONS 11 & 12 RESERVED

PART II – ADMINISTRATION AND FINANCES OF THE DIOCESE

CANON 13

Trustees of Diocesan Trust Funds

SECTION 1. One board of six trustees consisting of the Bishop and five lay persons elected by Diocesan Convention shall serve as trustees of six trust funds of the Diocese. The corporate titles of these trust funds are: The Trustees of the Episcopal Fund of the Diocese of New Jersey; The Trustees of the Aged and Infirm Clergy Fund of the Diocese of New Jersey; The Trustees of the Missionary Funds of the Diocese of New Jersey; The Trustees of Church Property of the Diocese of New Jersey; The Trustees of the Widows, Widowers, and Orphans of Clergy Fund of the Diocese of New Jersey; and The Trustees of the Venture in Mission Endowment Fund of the Diocese of New Jersey.

SECTION 2. Lay trustees shall at all times be communicants in good standing of a Parish, Mission, or other congregation of the Diocese of New Jersey. One lay trustee shall be elected at each annual Convention to serve for a five-year term. After an elected member has served for two full consecutive terms, such elected member shall not be eligible for reelection until a year shall have passed.

SECTION 3. Vacancies among the elected trustees created by death, resignation, removal, incapacity, or removal from the Diocese may be filled by the remaining trustees until the next annual meeting of the Convention, when a trustee shall be elected by the Convention to fill the unexpired term. Any elected trustees deemed negligent of their duties or unqualified to hold office may be removed by a vote of three elected trustees, the Bishop recommending or concurring.

SECTION 4. The Bishop shall be chair of the Board of Trustees. The Treasurer of the Diocese shall serve as treasurer of the funds named above.

The Board of Trustees shall meet at least once yearly, shall keep a minute book which shall clearly delineate their acts with respect to each of the said funds, and all their acts shall be entered as soon as adopted. These books, their books of account, and their securities, shall always be subject to inspection by the Bishop, the members of the Standing Committee and the members of the Finance and Budget Committee. Four trustees shall be a quorum, all having been cited to meet, and a majority of the quorum, duly convened, shall be competent to act.

No investment or reinvestment decision shall be executed unless approved at a duly convened meeting or approved in writing by a majority of the trustees, all of whom shall have been notified of the proposed action.

The disbursement of income and the disposition of property held in trust shall be subject to the conditions of the trust, or as directed by Canon or by resolution of the Convention.

SECTION 5. The trustees shall present to each annual meeting of the Convention separate reports of the various trusts under their control. These reports shall contain a detailed statement of the names and properties in each fund, with all additions and changes therein, including appropriations made therefrom.

The Trustees of the Missionary Funds of the Diocese of New Jersey

SECTION 6. The income of the Missionary Funds, where the conditions of the trust do not conflict, shall be paid to the Treasurer of the Diocese, to be applied to Missionary purposes. The income of funds that are subject to conditions shall be applied only according to the tenor of those conditions.

The Trustees of the Aged and Infirm Clergy Fund of the Diocese of New Jersey

SECTION 7. It shall be the duty of the Rector or Minister-in-Charge of every Parish or Mission to take an annual offering for the Fund for the Aged and Infirm Clergy.

The Trustees of the Fund shall report to the Bishop and to the Standing Committee at its December meeting in each year the amount available, or estimated to become available, for the following fiscal year.

Appropriations shall be made at the discretion of the Standing Committee upon the written recommendations of the Ecclesiastical Authority. Such appropriations shall be paid by the Trustees upon the order of the Standing Committee certified by its Secretary. In cases of extraordinary and urgent need, arising during the recess of the Standing Committee, the Secretary of the Committee is, on the written request of the Ecclesiastical Authority, authorized to issue an interim order for temporary relief, which shall be paid by the Trustees upon receipt of such order. Clergy must be canonically resident in the Diocese to be eligible for the benefits of the Fund.

The Trustees of the Widows, Widowers, and Orphans of Clergy Fund of the Diocese of New Jersey

SECTION 8. It shall be the duty of the Rector or Minister-in-Charge of every Parish or Mission to take an annual offering for the Fund for the Relief of Widows, Widowers, and Orphans of Clergy in the Diocese.

The Trustees of the Fund shall report to the Bishop and to the Standing Committee at its December meeting in each year the amount available, or estimated to become available, for the following fiscal year.

Appropriation shall be made at the discretion of the Standing Committee upon the written recommendations for the Ecclesiastical Authority. Such appropriations shall be paid by the Trustees upon the order of the Standing Committee certified by its Secretary.

In case of extraordinary and urgent need, arising during the recess of the Standing Committee, the Secretary of the Committee is, on the written request of the Ecclesiastical Authority, authorized to issue an interim order for temporary relief, which shall be paid by the Trustees upon receipt of such order. The families of clergy who are canonically resident in the Diocese are eligible to the benefits of the Fund.

Upon the death of any member of the clergy canonically resident in the Diocese, the Trustees shall pay, if the Ecclesiastical Authority shall so order it in writing, a sum not exceeding one thousand dollars to the widow, widower or orphans of said member of the clergy as a death benefit.

The Trustees of Church Property of the Diocese of New Jersey

SECTION 9. The Trustees of Church Property shall have power to receive, hold, and dispose of all funds and other property that may be given, conveyed, or otherwise transferred to it in trust for any religious, charitable, or educational purpose connected with The Episcopal Church in the Diocese of New Jersey or with any congregation in the Diocese, to be held in trust for such Diocese or for such congregation. The disbursement of income and the disposition of property held in trust by the Trustees of Church Property shall be subject to the conditions of the trust or, if not so specified, as directed by canon or as directed by resolution of the Convention. If no express trust is contained in the instrument vesting title or possession in the Trustees of Church Property, or if the Trustees of Church Property shall become the owner of property of a dissolved Parish or other church property, then they shall hold and dispose of such property as may be directed by Section 12 of this Canon.

The Trustees of the Episcopal Fund of the Diocese of New Jersey

SECTION 10. The income of trust funds vested in The Trustees of the Episcopal Fund, where the conditions of the trust do not otherwise provide, shall be paid to the Treasurer of the Diocese to be applied to the support of the episcopate through the diocesan budget.

The Trustees of the Venture in Mission Endowment Fund of the Diocese of New Jersey

SECTION 11. The Trustees of the Venture in Mission Endowment Fund shall receive and invest or reinvest the funds of this trust according to the standards of fiduciary management and in accordance with such requirements as may be set forth in the Constitution and Canons of the Episcopal Church and the Diocese of New Jersey.

After the final allocation of Venture in Mission Funds by the Convention in November 1984, the Principal of this Fund shall be inviolate and shall constitute a permanent endowment of this Diocese.

The income of this Fund shall be delivered periodically to the members of the Diocesan Council to be administered by them in a manner approved and directed by the Convention in support of the programs set forth in the Final Report of the Commission on Planning and Development and approved by the Convention on November 8, 1980, or such programs as may hereafter be authorized by the Convention for purposes consistent with the objectives set forth therein. Each year the Diocesan Council shall present to the Convention for approval a Venture in Mission Endowment Fund Budget for the current year to support the said programs.

The Trustees shall retain the right to receive additional funds on account of principal at any time, and may, with the concurrence of the members of the Diocesan Council, convert to principal any portion of income not currently required for purposes of the Trust.

Sale and Conveyance of Title to Real Estate

SECTION 12. (a) Where the title to real estate of a duly incorporated Parish is vested in the Trustees of Church Property or the Trustees of the Episcopal Fund, such Parish may apply, in writing, to the Trustees of Church Property or the Trustees of the Episcopal Fund, as the case may be, to convey the title to such property to such corporation. Upon receipt of any such applications, and after due consideration, the Trustees of Church Property, or the Trustees of the Episcopal Fund, as the case may be, by a majority vote of such Trustees, is hereby authorized to convey the same; provided, however, that the application for such conveyance of title shall be made by the Parish corporation; and provided, further, that no conveyance shall be made without the written consent of the Bishop and a majority of the Standing Committee.

(b) Where the title to real estate of a Mission, or of a Parish that qualifies by statute for extinction as determined by resolution of the Diocesan Council but has not yet been so declared by the Diocesan Convention, is held by the Trustees of Church Property or the Trustees of the Episcopal Fund, the Trustees of Church Property or the Trustees of the Episcopal Fund, as the case may be, by a majority vote of such Trustees, is hereby authorized to sell and convey the same upon request of the Diocesan Council, and the proceeds of such sale shall be disposed of at the direction of the Diocesan Council.

(c) The Trustees of Church Property shall hold the proceeds of transfers and sales of property of extinct parishes and of closed missions in a separate account to be named the Mission Renewal Fund. The Diocesan Council shall have the authority to approve grants from the Mission Renewal Fund for missional purposes of the Diocese.

(1) Congregations, Diocesan entities, and the Bishop's office may submit grant proposals in such form as the Diocesan Council may require.
(2) The Diocesan Council may invite the Congregational Development Commission, the Board of Missions, or the Loan and Grant Committee to review grant applications and make recommendations to the Diocesan Council.
(3) Final approval of grants shall rest with the Diocesan Council.
(4) The Trustees shall make a complete financial report of the Mission Renewal Fund to the Convention annually.

CANON 14

Diocesan Budget

SECTION 1. There shall be a Budget for the Diocese for each calendar year. The purpose of the Budget is to enable the Diocese to carry on ministries, provide support to the Diocesan Congregations, meet its obligation to The Episcopal Church, and finance its administration. Each Diocesan Budget shall include a comparison of appropriations with actual prior year expenditures, a comparison of income items with actual income for the prior year, and a narrative explanation for each appropriation.

SECTION 2. At each annual meeting, the Convention shall adopt a Preliminary Diocesan Budget for the ensuing calendar year. In January of that ensuing year, the Diocesan Council may change the Preliminary Diocesan Budget and will adopt a Revised Preliminary Diocesan Budget. The Convention in March of that ensuing year may further modify the Revised Preliminary Diocesan Budget and shall adopt such Budget as the Affirmed Diocesan Budget for the then current calendar year.

SECTION 3. Each Diocesan Congregation's Marks of Mission Giving Asking shall be shown in and be a part of the Preliminary Diocesan Budget. The actual Marks of Mission Giving Pledges for each Diocesan Congregation shall be shown in and be a part of the Revised Preliminary Diocesan Budget and the Affirmed Diocesan Budget.

SECTION 4. Diocesan funds shall be expended through the Chief Financial Officer subject to the supervision of the Diocesan Council. Appropriations not spent during the calendar year, or required as of the end of any year to be spent in the future for outstanding liabilities, shall not be carried over or considered authorized to be spent in a succeeding year, without specific approval of the Diocesan Council.

See also: Canon 16 - Marks of Mission Giving Pledge

CANON 15

The Finance and Budget Committee and the Budget Process

SECTION 1. There shall be a Finance and Budget Committee of the Diocese consisting of the Treasurer, two members appointed annually by the Diocesan Council, at least one of whom is a member of the Council, and nine members elected by Convention. The term of office for elected members shall be three years. There shall be three classes in the nine elected members so that three members are elected in each year. Vacancies among the elected members shall be filled by the Committee until the next annual meeting of the Convention when a member shall be elected by the Convention to fill the unexpired term. Vacancies among the appointed members may be filled by the Diocesan Council. The Chair of the Committee shall be the Treasurer. The Ecclesiastical Authority may designate members of the staff to assist the Committee who may speak at all Committee meetings but shall have no vote.

SECTION 2. The duty of the Finance and Budget Committee shall be to assist the Diocesan Council in all phases of the preparation of the Diocesan Budget. The Committee may also consult with the Audit Committee of the Diocese, the Trustees of the Diocesan Trust Funds, other committees of the Diocese, and such others as it deems appropriate. The duty of the Finance and Budget Committee shall further be to maintain general supervision over the financial affairs of the Diocese in the following ways:

(a) To designate the security to be given by the Chief Financial Officer of the Diocese, and the Treasurers of the Convention and of all Boards, Trusts, Funds and Committees over which the Convention has authority;

(b) To designate or approve the depositories of the funds, securities, and valuable property in the custody of such Treasurers;

(c) To secure simplicity, accuracy, and uniformity in the collection, distribution and accounting of all funds and accounts of any diocesan or congregational entities including discretionary accounts and funds;

(d) To advise the Bishop, officers of the Diocese and the Diocesan Council in financial and business matters;

(e) To designate the persons who are authorized to sign checks or otherwise make withdrawals from all diocesan accounts.

The Finance and Budget Committee shall at all times comply with the provisions of Title I, Canon 7, Sections 1 and 2 of the Canons of the Episcopal Church.

SECTION 3. Each Diocesan Congregation shall identify its rector or vicar and the treasurer of that Congregation ("Identified Representatives") to the Chief Financial Officer of the Diocese. Whenever required under the Canons, or by operating procedures, mailings shall be sent to each Identified Representative.

SECTION 4. The Preliminary Diocesan Budget shall be established pursuant to the rules in subsections (a) through (d) below:

(a) Each January, the Finance and Budget Committee shall prepare and present to the Council a draft of the Preliminary Diocesan Budget for the ensuing year. The Preliminary Diocesan Budget shall include the Marks of Mission Giving Asking established under Canon 16, Section 1(a) and (b) for each Congregation.

(b) The Diocesan Council, taking into consideration all information then available, shall adopt a proposed Preliminary Diocesan Budget for the ensuing year in which the appropriations are equal to the anticipated Marks of Mission Giving Pledges and other sources of revenue which may be applied to appropriations. A copy of the proposed Preliminary Diocesan Budget for the ensuing year shall be mailed to each member of the Convention. In the materials provided to the members of Convention the Diocese shall provide a balance sheet, which shows the assets and liabilities of the Diocese as of both the beginning and the end of the most recent calendar year. The amount of cash and investment type assets and the fair market value of investments or reinvestments held by each fund, trust or account shall be disclosed.

(c) The Convention shall consider the proposed Preliminary Diocesan Budget, make whatever changes it deems appropriate, and adopt a Preliminary Diocesan Budget for the ensuing year. A copy of the Preliminary Diocesan Budget for the ensuing year adopted by the Convention shall be mailed to each Identified Representative.

(d) A copy of the audited diocesan financial statements for the calendar year ended prior to the Convention and the related management letter prepared by the independent public accountant engaged by the Diocese shall be sent to any member of the Convention when available upon that member's request.

SECTION 5. The Affirmed Diocesan Budget shall be established pursuant to the following rules and administered in accordance with Section 6 of this Canon 15:

(a) In January of each year, the Chief Financial Officer of the Diocese shall provide the Finance and Budget Committee an accounting of the Marks of Mission Giving Pledges which have been paid by the Diocesan Congregations for the year just completed and the amount of Marks of Mission Giving Pledges to which Diocesan Congregations have committed for the current year.

(b) The Finance and Budget Committee shall prepare and present to the Council a draft Revised Preliminary Diocesan Budget for the current year. The total amount of the appropriations in the Revised Preliminary Diocesan Budget shall be equal to the total amount of anticipated revenue from all sources.

(c) The Diocesan Council shall make whatever changes it deems appropriate and shall adopt a Revised Preliminary Diocesan Budget for the current year, a copy of which shall be mailed to each member of the Convention.

(d) The Convention shall consider the Revised Preliminary Diocesan Budget and make whatever changes it deems appropriate. The Revised Preliminary Diocesan Budget as adopted by Convention shall be the Affirmed Diocesan Budget for the current year.

(e) A copy of the Affirmed Diocesan Budget for the current year shall be mailed to each Identified Representative.

SECTION 6. (a) The Diocesan Council shall direct the Chief Financial Officer of the Diocese to make necessary expenditures in each calendar year until the Diocesan Budget for that year has been affirmed. The rest of the year, funds appropriated in accordance with the Affirmed Diocesan Budget for that year shall be expended through the Chief Financial Officer subject to the supervision of the Diocesan Council. The Diocesan Council shall monitor the finances of the Diocese throughout the course of the year to maintain a balanced budget. The total amount expended through the Affirmed Diocesan Budget in any year shall not exceed the total amount of the receipts, unless a deficit either has been approved by a majority vote of all members of the Diocesan Council to permit the Diocese to timely prepare its financial statements or has been authorized by the Convention.

(b) The Chief Financial Officer or the Treasurer shall have the authority to use funds appropriated for one purpose for another purpose specified in a different line item of the Diocesan Budget so long as the aggregate of all expenditures does not exceed the total expenditures provided in such Budget. The exercise of such authority shall be subject to the review and affirmation or disapproval of the Diocesan Council. This provision shall apply to all funds available for paying expenses contemplated in the Budget, including surplus funds, balances carried forward from previous years, reserves carried forward from previous years in support of line items, all funds received during the course of the year from sources enumerated in the Diocesan Budget and all funds received from other sources. The Diocesan Council must approve in advance any expenditure of funds for new ventures or initiatives not contemplated in the Diocesan Budget construction and approval process.

(c) On a date in January set by the Diocesan Council, the Diocesan Council shall adopt and promptly mail to each member of the Convention a Revised Preliminary Diocesan Budget for the current year.

CANON 16

Marks of Mission Giving Pledge

SECTION 1. Each Diocesan Congregation shall be asked to support the Diocesan Budget with a Marks of Mission Giving Pledge, which shall be determined and paid in accordance with the provisions of this Canon.

SECTION 2. By March 1 of each year, each Diocesan Congregation shall submit an annual Parochial Report for the prior year to the Diocese, as required by Canons of The Episcopal Church. Each Diocesan Congregation's Income Base at any time shall be determined from averaging the income from the Congregation's annual Parochial Reports for the three most recent years. The Income Base shall include all income received by that Congregation and used to meet the Congregation's regular operating expenses; however, the Income Base shall not include income received from the Diocese or amounts spent for principal and interest on obligations for real property held for non-investment purposes. If a Congregation has not submitted any year's Parochial Report to use in making a determination of the Marks of Mission Giving Asking pursuant to Section 3 of this Canon, that Congregation's Income Base shall be estimated by the Finance and Budget Committee.

SECTION 3. By October 1 of each year, the Chief Financial Officer of the Diocese shall mail to Identified Representatives a report on the Income Base and Marks of Mission Giving Askings of all Diocesan Congregations for the ensuing year, and will include in that mailing a pledge commitment form to be used by each Diocesan Congregation in submitting its Marks of Mission Giving Pledge for the following year.

(a) For each Congregation, the amount of the Asking will be:
10% of its Income Base; plus

16% of its Income Base between $150,001 and $200,000, if such Income Base exceeds $150,000; plus
22% of its Income Base in excess of $200,000, if such Income Base exceeds $200,000; subject to the provisions of the following subsections of this Section 3

(b) In no case will a Congregation's Marks of Mission Giving Asking exceed a total of 16% of its Income Base.

(c) In any year where the preceding year's Marks of Mission Giving payments from all Congregations combined exceed eighty-eight percent of that year's total Askings (prior to any reductions subsequently approved by the Board of Consultation) for all Congregations combined, then for the following year a 1% credit will be given to each congregation meeting its full Asking.

(d) For each year, Diocesan Council and the Finance and Budget Committee will recommend to the delegates at the annual convention an amount not less than $500 and not more than $2,000 as an "Outreach Credit" to be treated as a reduction of the subsequent year's Marks of Mission Giving Asking to each Congregation and to be included in the Preliminary Diocesan Budget for the subsequent year pursuant to Canon 14, Section 3. Such recommendation shall be based on any and all factors, financial and otherwise, that Diocesan Council and the Finance and Budget Committee shall deem appropriate to advance the mission and ministry of the Diocese and its Congregations.

SECTION 4. No later than December 31, each Diocesan Congregation shall advise the Chief Financial Officer or the Treasurer whether it will pay the full amount of its Marks of Mission Giving Asking for the following year, in which case it shall submit a Marks of Mission Giving Pledge for such following year. If it will not pledge to pay the full amount, it must by such date apply for an adjustment pursuant to the procedure set forth in Section 5 of this Canon.

SECTION 5. (a) There shall be a Board of Consultation, which shall consist of twelve lay and clergy persons appointed by the Bishop Diocesan in consultation with the Standing Committee, the Deans of the Convocations, and the Diocesan Council. Members shall serve staggered three-year terms and shall be eligible for reappointment. The Bishop shall appoint a chair and shall fill any vacancy for the duration of the vacant term.

(b) On or before December 31 in each year, any Congregation not pledging payment of its full Marks of Mission Giving Asking for the following year must make written application to the Board of Consultation for a reduction in the Marks of Mission Giving amount, supplying such information and engaging in such consultation and oversight as the Board may require. The Congregation must develop and adopt a plan for financial and congregational growth as a condition for any adjustment. The Board of Consultation will have full authority to negotiate and may grant an adjustment under agreed-upon terms for an agreed-upon period of time, in order to give the Congregation the opportunity to resolve its challenges. Any such adjustment shall be incorporated in the Congregation's written Marks of Mission Giving Pledge for any such years.

(c) Following the expiration of any adjustment authorized by the Board of Consultation, the Congregation shall be required to pledge and pay its full Marks of Mission Giving Asking.

SECTION 6. Payment of the Marks of Mission Giving Pledge submitted pursuant to Section 4 or Section 5(b) of this Canon shall be mandatory for all Congregations starting January 1, 2020. Each Diocesan Congregation shall pay its Marks of Mission Giving Pledge in accordance with the billing procedure established by the Chief Financial Officer and approved by the Diocesan Council.

SECTION 7. No provision of this canon shall be construed to require or permit the imposition of any penalties by the Board of Consultation against any congregation that fails to pay all or part of its Marks of Mission Giving Pledge; *provided, however,* that the vestry or mission committee of any such Congregation that fails after 2021 to pay its Marks of Mission Giving Pledge in full may be required to meet with the Diocesan Council to decide any further course of action.

CANON 17

Stewardship Commission

SECTION 1. There shall be a Diocesan Stewardship Commission consisting of six clergy and six lay members appointed by the Ecclesiastical Authority with the consent of the Diocesan Council.

SECTION 2. The terms of office of the members of the Stewardship Commission shall be for three years of staggered terms from annual Convention to annual Convention. The Ecclesiastical Authority shall designate one member as Chair for a three-year term.

SECTION 3. The duty of the Stewardship Committee shall be to hold up before the Church the responsibility of faithful stewardship of time, talent and treasure in grateful thanksgiving for God's gifts. To do this, it shall organize training and provide information supporting spiritual growth in being stewards from which giving and cooperation within the Diocese can flow. It will do this with sensitivity to the cultural and linguistic diversity of our Congregations.

CANON 18

Audit Committee

SECTION 1. The Audit Committee of the Diocese shall consist of three members elected by Convention to serve three-year terms and two members appointed annually by the Diocesan Council, at least one of whom shall be appointed from among its members. There shall be three classes of elected members with one member being elected each year. After an elected member has served for two full consecutive terms, such elected member shall not be eligible for reelection until a year shall have passed. A Chair or two Co-Chairs shall be appointed by the Ecclesiastical Authority from among the members. The Chief Financial Officer of the Diocese and other officers of the Diocese may be designated by the Bishop to assist the Audit Committee.

SECTION 2. The duties of the Audit Committee shall be to ensure that the financial management of all diocesan functions is performed in accordance with generally accepted accounting practices in the following ways:

(a) To prescribe the methods of accounting and record keeping of all such Boards, Trusts, Committees, Treasurers and Financial Officers of the Diocese, with power to summon them or any of them, or their auditors, with their books, records and securities for examination as to the conduct of their offices and the condition of the funds entrusted to them;

(b) To encourage and assist parishes and other congregational entities in their audit processes and to develop guidelines for acceptable fiscal management procedures;

(c) To appoint auditors, as required under the canon on Accounts, for the audit of all diocesan accounts, funds and trusts and to gather and review the audit reports of all such accounts of the Diocese annually;

(d) To designate areas of financial management for internal audit as deemed necessary, and to prescribe the methods for the conduct of such internal audits;

(e) To advise the Bishop and other officers of the Diocese in financial and business matters when requested;

(f) To ensure that all funds and accounts of any diocesan or congregational entities, including discretionary accounts and funds, are audited annually;

(g) To report to the Convention annually the results of any internal and external audits conducted.

SECTION 3. The Audit Committee shall have power to employ counsel subject to the approval of the Ecclesiastical Authority in consultation with the Chancellor.

SECTION 4. The Audit Committee shall at all times comply with the provisions of Title I, Canon 7, Sections 1 and 2 of the Canons of the Episcopal Church.

CANON 19

Diocesan Council

SECTION 1. There shall be a Diocesan Council whose purpose shall be to develop, administer, oversee, coordinate and evaluate the program of the Diocese of New Jersey as committed to it by the Bishop or the Convention of the Diocese, and to maintain general supervision over the budget and the financial affairs of the Diocese.

SECTION 2. The Diocesan Council of the Diocese of New Jersey as incorporated under the laws of the State shall consist of:

(a) The following members who shall have a seat, voice and vote:
(1) The Bishop of the Diocese, who shall be President;
(2) The Bishop Coadjutor, if there be one, who shall be a Vice President;
(3) Suffragan Bishops, if such there be, who shall likewise be Vice Presidents;
(4) Nine members to be elected by the Convention at its annual meeting, who shall be clergy canonically resident in the Diocese, of whom three shall be elected each year to serve for three-year terms.
(5) Nine members to be elected by the Convention at its annual meeting, who shall be lay persons who are communicants of a Congregation in the Diocese, of whom three shall be elected each year to serve for three-year terms.

Members elected by the Convention for a full term shall not be eligible to succeed themselves. Vacancies among the members elected by the Convention, created by death, resignation, removal, incapacity, deposition, ordination of a lay member, or removal from the Diocese may be filled by the Council until the next annual meeting of the Convention.

(b) The following members who shall have a seat and voice, but shall not be entitled to a vote:
(1) The Dean of Trinity Cathedral if not an elected member;
(2) The Chief Financial Officer of the Diocese;
(3) A Secretary who shall be elected annually by the voting members;
(4) The diocesan executive staff as designated by the Bishop and Diocesan Council;
(5) The President of the Episcopal Church Women of the Diocese of New Jersey, if not an elected member;

(6) The Treasurer of the Diocese, who shall also be Treasurer of the Diocesan Council.

SECTION 3. Eleven of the voting members designated in Section 2, Paragraph (a), of this Canon shall be a quorum, and a majority of the quorum, duly convened, shall be competent to act.

SECTION 4. The Council shall organize such Ministries as, in its judgment, may be required for the program of the Diocese committed to them by the Bishop or Convention.

SECTION 5. It shall be the duty of every member to attend meetings of the Diocesan Council. It shall also be the duty of every elected Council member to serve as a member of some other Board or Committee connected with the work of the Council, as the Council shall direct, unless excused from such service by the Council. Members who are unable or unwilling to fulfill their duties may be removed from office by a three-fourths vote of all the Council.

SECTION 6. The Diocesan Council shall have power to employ counsel subject to the approval of the Ecclesiastical Authority in consultation with the Chancellor.

SECTION 7. The Diocesan Council shall report annually to the Convention on the program and financial affairs of the Diocese, with a detailed financial statement. The Bishop may edit the report for publication in the Journal.

CANON 20

Loan and Grant Committee

The Bishop shall appoint a Loan and Grant Committee of no fewer than five persons. The Committee shall at all times conduct itself in accordance with procedures adopted with the approval of the Bishop. The Committee shall review all requests for loans from funds under the control of any Board, Ministry of the Diocese or Committee of the Diocese and shall make recommendations thereon to the Bishop and the appropriate lending authority. When specifically requested by the Bishop, the Committee shall review requests for grants from Diocesan funds and shall report its recommendations to the Bishop and the appropriate Board, Ministry or Committee. It shall be the duty of the Committee to keep the churches of the Diocese informed about the availability of loan and grant money from sources within and without the Diocese, to make recommendations for coordinating the various loan and grant funds of the Diocese, to recommend orderly procedures for making application for loans and grants from Diocesan funds, and to recommend ways of increasing the loan and grant funds of the Diocese.

CANON 21

Venture in Mission Loan Fund, The Capital and Revolving Fund, and the R. Bowden Shepherd Trust Fund

Venture in Mission Loan Fund

SECTION 1. The officers and members of the Diocesan Council shall be the officers and trustees of The Venture in Mission Loan Fund of the Diocese of New Jersey, a New Jersey Corporation perpetually governed by the Convention of the Church in the Diocese of New Jersey.

The trustees shall hold, manage, invest, reinvest, and otherwise administer funds received through Venture in Mission and such other funds as may from time to time be designated, donated, bequeathed, or turned over to its control. The trustees shall provide loans and grants to Parishes, Missions, chapels, or other entities in union with or part of the Diocese of New Jersey

and for such other purposes as may be specifically approved by the Diocesan Convention. No grant shall be made for a sum larger than $25,000 without the approval of the Convention.

The trustees may adopt such bylaws as are approved by Diocesan Convention and shall have such powers as may be granted them by the Constitution, Canons and Laws of the Diocese. The trustees shall administer and manage the Fund subject to said bylaws and such other directions as may be adopted by Diocesan Convention. The management of the corporation may by resolution of Diocesan Convention be transferred to such other entity as the Convention may designate.

The trustees shall fix an interest rate on each loan on an individual basis after hearing recommendations from the Loan and Grant Committee. The rate of interest on any loan shall not exceed 12% per year nor be less than 4% per year unless otherwise specifically ordered by resolution of Convention. The trustees shall make a complete financial accounting of all funds under their control to the Convention annually, including a report of all loans made and the interest rate on each loan.

Capital and Revolving Fund

SECTION 2. The members of the Diocesan Council shall be the trustees of the Capital and Revolving Fund of the Diocese of New Jersey established by resolution of Diocesan Convention in May 1950. The trustees shall hold, manage, invest, reinvest and otherwise administer funds received through the Capital and Revolving Fund Campaign and such other funds as have been and shall be designated, donated, bequeathed or turned over to the Fund. The trustees shall provide grants and interest free loans to Parishes, Missions, chapels or other entities in union with or a part of the Diocese of New Jersey and for such other purposes as may be specifically approved by the Diocesan Convention. The trustees shall administer and manage the Fund subject to such directions and restrictions as may be adopted by Diocesan Convention. No grant shall be made for a sum larger than $25,000 without the approval of the Convention. The management of the Fund may by resolution of the Convention be transferred to such other entity as the Convention may designate. The trustees shall make a complete financial report to the Convention annually.

R. Bowden Shepherd Trust Fund

SECTION 3. The members of the Diocesan Council, being the successors of the Trustees of the Cathedral Foundation, shall be the trustees of a Special Trust Fund established by R. Bowden Shepherd on March 5, 1928, hereafter to be called the R. Bowden Shepherd Trust Fund. In accordance with the terms of the Trust and the terms of the Last Will and Testament of R. Bowden Shepherd, the trustees shall make loans from the principal of the Fund on proper security at 5% interest per year to missionary projects in the Diocese other than those of Parishes and to further extension efforts in the Diocese approved by the Board of Missions and accepted by the Diocesan Council, and the trustees may make grants from the interest accruing on the loans to such projects in the Diocese of New Jersey as may receive the approval of the Board of Missions and the Diocesan Council. All grants and loans from the Fund shall be approved by both the Board of Missions and the Diocesan Council.

Investment of Funds' Balances

SECTION 4. The balances on hand in the three loan funds shall be kept on deposit in one or more interest bearing bank accounts, fully insured by the federal government, or the Diocesan Investment Trust, or a direct obligation of the federal government, or in any recognized money market funds approved by the Finance and Budget Committee of the Diocese. The interest shall be distributed proportionately among the three loan funds in a manner directed by the trustees and shall be added to and become part of the principal of the several loan funds.

CANON 22

Treasurer of Convention and Chief Financial Officer of the Diocese

SECTION 1. The Treasurer, elected annually by the Convention, as provided by the Constitution of the Diocese of New Jersey, shall serve as the executive financial overseer of trust funds and other funds for which the Convention is responsible. The Bishop with the concurrence of the Standing Committee may appoint a Chief Financial Officer of the Diocese who shall provide financial services to the Diocesan Council and the Trustees of Diocesan Trust Funds. The Chief Financial Officer's salary and all allowances for expenses shall be provided for in the Diocesan Budget. The Treasurer and the Chief Financial Officer shall give security as designated by the Finance and Budget Committee for the faithful discharge of their duties.

SECTION 2. The tenure of office of the Treasurer or of the Chief Financial Officer may be ended by action of the Convention. In the interim between meetings of the Convention the tenure of office of the Treasurer or of the Chief Financial Officer may be terminated, by a two-thirds vote of the Standing Committee, the Bishop recommending or concurring.

SECTION 3. The Chief Financial Officer and the Treasurer shall have the authority to invest or reinvest cash balances of diocesan funds for which either of them has responsibility in one or more interest-bearing bank accounts, fully insured by the federal government, or direct obligations of the federal government, or in any recognized money market funds approved by the Finance and Budget Committee of the Diocese.

See also: Constitution Article IV, Sections 3 and 4 - Officers of Convention
See also: Canon 13, Section 4 - Treasurer as Treasurer of Trustees of Diocesan Trust Funds; Canon 39, Section 3 - Treasurer as Treasurer of Christian Knowledge Society

CANON 23

Administrative Assistance for the Bishop

SECTION 1. The Bishop, with the concurrence of a majority of the Standing Committee, may appoint a suitable person or persons to assist with the administration and ministry of the Diocese. They may be given the titles Archdeacon, Canon to the Ordinary, Administrative Assistant or some other title designated by the Bishop.

SECTION 2. Their responsibilities shall be defined in writing by the Bishop. They shall be directly responsible to the Bishop and shall serve under the Bishop's direction and control. Their tenure of office may be ended upon six months' notice by the Bishop.

SECTION 3. The tenure of office of the Administrative Assistants will not extend beyond the termination of the jurisdiction of the appointing Bishop; provided that: (1) When a vacancy occurs in the office of Diocesan Bishop created by the resignation of the Bishop, the Administrative Assistants shall be entitled to at least six months compensation after the date when the resignation is submitted. (2) When a vacancy occurs in the office of Diocesan Bishop created in any way other than resignation of the Bishop, the Administrative Assistants shall be entitled to six months compensation after the date when the vacancy occurs. (3) During a vacancy in the office of Diocesan Bishop the Ecclesiastical Authority with the concurrence of the Standing Committee may continue the services of the Administrative Assistants for all or part of the vacancy. They shall work under the direction and control of the Ecclesiastical Authority.

SECTION 4. The salary, housing, and expense allowance of the Administrative Assistants shall be provided for by the Diocesan Council in the Diocesan Budget.

CANON 24

Vice Chancellors

The Bishop, after consultation with the Chancellor of the Diocese, with the annual concurrence of the Standing Committee, may appoint at the annual meeting of the Convention one or more Vice Chancellors who shall be communicants of the Church and Attorneys-at-Law of the State of New Jersey. Additional appointments may be made by the Bishop with the concurrence of the Standing Committee to serve until the next annual meeting of Convention. The duties of a Vice Chancellor shall be designated by the Bishop in consultation with the Chancellor. A Vice Chancellor may be removed at any time by order of the Bishop.

See also: Constitution Article VIII - Chancellor

CANON 25

Investment Advisory Committee

The Bishop may appoint an Investment Advisory Committee of not more than five persons. The Committee shall at all times conduct itself in accordance with procedures adopted with the approval of the Bishop. It shall be the duty of the Committee, when requested, to give information and advice concerning the investment or reinvestment of funds to the Bishop, to the various Boards of the Diocese that have authority to invest or reinvest funds, and to the vestries and officers of Diocesan Congregations.

CANON 26

Legal Representation of Diocesan Entities

Any diocesan entity seeking to engage counsel may do so with the advice and consent of the Bishop and the Chancellor of the Diocese. A diocesan entity not receiving the consent of the Bishop and the Chancellor within 30 days may in any event engage counsel upon the affirmative vote of six members of the Standing Committee.

CANON 27

Board of Missions

SECTION 1. There shall be a Board of Missions to which shall be entrusted under the Bishop, the Missionary work of the Diocese. The Bishop or some person designated by the Bishop shall serve as Chair of the Board. Each Convocation shall in an annual meeting elect one clerical member and one lay member at least one of whom will be a vicar or a lay member of a Mission church to serve a three-year term, which shall begin immediately upon election, provided, that if there is no Mission church in a Convocation, or if there is no one who is a member of a Mission church willing to serve, then the member or members elected, clergy or lay, may be from any church of the Convocation. The elections shall be staggered such that no more than one-third of the membership shall end their terms in a given year. In addition, both the Bishop and Diocesan Council may each appoint two members for three-year terms. In the event of an unexpected vacancy, Convocations may elect members for the unexpired terms of members previously elected by its Convocation and the Bishop or Diocesan Council may appoint members to fill the unexpired terms of their appointments.

SECTION 2. The Board of Missions shall make recommendations to the Council with respect to financial assistance for the Mission churches of the diocese, make periodic reports to the Council

about the ministries of the Mission churches, and perform such other duties as are assigned to them by the Canons.

SECTION 3. No later than June 15 of each year, the Board shall distribute information about and application forms for financial assistance for the ensuing calendar year to all Mission churches of the Diocese that receive such aid and to any other church that requests such information. Applications from the churches shall be submitted by October 1.

The Board shall consider the applications, together with recommendations received from the Bishop and diocesan staff, and information received from the Finance and Budget Committee about the availability of funds for the ensuing calendar year.

No later than December 1 of each year the Board shall prepare and distribute a report consisting of a list showing the assistance approved for churches for the current year, the amount of assistance distributed to each church to date in the current year, a list of recommended allocations for assistance for the ensuing calendar year, and information explaining the Board's recommendations. Copies of the report shall be distributed to each member of the Council, the Bishop, the Treasurer, the Chief Financial Officer, the Finance and Budget Committee, and to each church that has applied for assistance.

The Council shall take into consideration the report and recommendations of the Board of Missions, the recommendations of the Bishop and the staff, information received from the Finance and Budget Committee about the availability of funds, and any additional information submitted by the applicants, and no later than December 31 shall adopt a budget for the allocation of assistance to Mission churches for the ensuing calendar year. A copy of this budget shall be sent to the Bishop, the Treasurer, the Chief Financial Officer, the Finance and Budget Committee, and to each church that has applied for assistance.

The Finance and Budget Committee and the Council shall prepare the Revised Preliminary Diocesan Budget so that it provides sufficient funding in the line item for Missions to cover all of the appropriations in the budget for the allocation of assistance.

SECTION 4. During the course of the year, additional applications for assistance and applications for an increase in assistance may be made to the Board. The Board shall consider each such application and forward it with a recommendation to the Council and the Finance and Budget Committee. After due consideration of the application, the recommendations of the Board of Missions, the recommendations of the Bishop and the staff, and information received from the Finance and Budget Committee about the availability of funds, the Council may act to add an allocation for new assistance or to increase an existing allocation for assistance.

SECTION 5. The Board of Missions shall conduct an evaluation of the ministries of each Mission church in the Diocese at least once every five years and report their findings to the Bishop and Council. The Board shall also prepare reports and conduct evaluations from time to time as directed by the Council.

CANON 28

Allocation of Bequests and Other Gifts

SECTION 1. Legacies and other gifts of money left to the Bishop of the Diocese of New Jersey with no designated purpose shall be deposited in an account named "The Bishop's Special Account". This money may be disbursed at the Bishop Diocesan's discretion for the work of the Church in the Diocese of New Jersey. Unless restricted by the donor, both the principal and any income from the account may be expended by the Bishop. This account shall not be considered

a discretionary fund and shall not be subject to the standards set for clergy discretionary funds in the "Manual of Business Methods in Church Affairs."

All or part of the money in this Special Account may be transferred by the Bishop into one of the Bishop's Discretionary Fund accounts, in which case such funds shall thereafter be subject to the provisions governing clergy discretionary accounts. The Bishop shall promptly disclose to the Diocesan Council the amount of each such gift, whether it is being transferred to the Discretionary Fund account or retained in the Special Account, and if it is to be held for a specific purpose, the nature of such purpose.

The receipts and expenditures from this Special Account shall be reported annually to the Convention in a manner determined by the Treasurer of the Diocese in consultation with the Chief Financial Officer of the Diocese and approved by the Finance and Budget Committee and shall be subject to audit.

SECTION 2. Legacies and other gifts of money left to the Diocese of New Jersey or the Convention of the Diocese of New Jersey with no designated purpose shall be allocated in the following manner:

(a) Those valued at less than $50,000 shall be deemed to be the property of the Diocesan Council and shall be put to such use or uses as the Council may think appropriate.

(b) Those valued at $50,000 or more shall be placed by the Diocesan Council under the temporary custody of the Trustees of the Episcopal Fund with authority to invest the same. The Trustees of the Episcopal Fund shall work with the Ecclesiastical Authority, the Treasurer of the Diocese, the Chief Financial Officer, and the Diocesan Council to develop recommendations regarding the appropriate use of the money, and the Trustees of the Episcopal Fund shall present these recommendations to the Convention. Final allocation of the funds shall be made by a resolution of the Diocesan Convention.

The Diocesan Council and the Trustees of the Episcopal Fund shall make a detailed annual report to the Convention regarding such funds.

SECTION 3. Legacies and other gifts of money to the Diocese of New Jersey or the Convention of the Diocese of New Jersey for a specific designated purpose shall be allocated by the Diocesan Council to an existing or new trust to be administered either by the Diocesan Council or by the Trustees of Diocesan Trust Funds. The Diocesan Council shall make a detailed annual report to the Convention regarding all such allocations.

SECTION 4. Legacies and other gifts of securities or other personal property to the Bishop, the Convention, or the Diocese shall be allocated pursuant to the foregoing Sections of this Canon. The person or body responsible for allocating the gift shall promptly sell any securities (other than restricted securities) and allocate the proceeds of sale, or in the case of other personal property shall have discretion to determine whether to hold the property in kind for the designated purpose if any or to sell it and allocate the proceeds of sale.

SECTION 5. The Bishop, the Convention, the Diocese, or any body thereof, shall have the discretionary power to reject any proposed gift.

CANON 29 RESERVED

PART III – COMMITTEES, COMMISSIONS, CONVOCATIONS, AND COLLATERAL AGENCIES AND INSTITUTIONS OF THE DIOCESE

CANON 30

Convocations

SECTION 1. For the purpose of this Canon, the Diocese shall be divided, as the Bishop shall direct, into not less than four Convocations.

SECTION 2. The purpose of the organization of a Convocation shall be for mutual assistance, conference, education, and cooperative action by the Parishes and Missions of the Convocations. Programmed activities shall be subject to the approval of the Bishop and may include all phases of Missionary activity and interest within the Convocation, youth training, education, teachers and leaders training, surveys, and recommendations for vestry coordination, and such other matters as may be recommended by the Bishop.

SECTION 3. Convocations shall be composed of all the Parishes and Missions within their respective boundaries, together with the clergy exercising their ministry therein, and the lay communicants of the said churches and Missions. Every communicant of each Parish and Mission shall have a seat and voice at the meetings of the Convocation. Only official representatives shall have a vote. All priests and deacons exercising their ministries within the Convocation shall be entitled to one vote each and each Parish shall be represented by as many as six deputies who shall be elected at the annual meeting of said Parish or Mission. Certification of election of deputies shall be filed with the Secretary of the Convocation not later than fourteen days after such annual meeting.

SECTION 4. There shall be an annual meeting of each Convocation which shall be held at a date in the month of October or November in each year as may be determined by each Convocation but the Convocation may meet at such other times for the conduct of business and the presentation of programs.

SECTION 5. There shall be a presiding officer known as the Dean of the Convocation who shall be a presbyter canonically resident in the Diocese of New Jersey and in pastoral charge of a Parish or Mission within the Convocation. There shall be a Secretary who may be a lay member of the Convocation. Both the Dean of the Convocation and the Secretary shall hold office for a term of three years. Deans may not be elected for more than two three-year terms of office, provided that if a Dean is elected or appointed to complete a term when the office has become vacant, she or he may be elected to up to two full terms thereafter. The Secretary shall be known as the Secretary of the Convocation, and shall exercise the usual duties of a Secretary and such other duties as may be delegated to the Secretary by the Convocation.

SECTION 6. The Dean and the Secretary shall be elected by the Convocation at the time of its annual meeting. The Dean and the Secretary maybe nominated by a Nominating Committee appointed by the Dean and consisting of three presbyters and three lay delegates of the Convocation or from the floor of a meeting of the Convocation. If proposed by the Nominating Committee, the name of the proposed nominee shall be submitted to the Bishop for the Bishop's approval prior to the meeting at which the election is to take place. If nominated from the floor, the Dean-elect's name shall be submitted to the Bishop for the Bishop's approval.

SECTION 7. Each Convocation may have an Executive Committee appointed by the Dean of the Convocation which shall consist of the Dean, the Secretary and three other members of the Convocation. The Executive Committee may plan a program for each meeting and set forth the nature of such program in the call for the meeting issued to each Parish and Mission.

SECTION 8. If a Convocation so determines at a meeting thereof, each Parish or Mission which is a member of the Convocation shall pay to the Secretary of the Convocation of which it is a member an amount no greater than twenty-five dollars annually at its annual meeting to provide for expenses in the work of calling and holding meetings. There shall be no other required charges.

SECTION 9. The Bishop of the Diocese shall be considered a member of each and every Convocational organization, and shall be entitled to a voice and a vote on all matters coming before the Convocation.

SECTION 10. The Deans of the Convocations, under the chairmanship of the Bishop of the Diocese or a person designated by the Bishop, shall meet regularly for the purpose of coordinating the work of the Convocations and such other matters as the Bishop may determine

SECTION 11. Upon the resignation, death, or transfer from the Diocese of any Dean of a Convocation, the Bishop may either appoint a person otherwise qualified or convene the Convocation within a period of three months for the purpose of electing a successor, in either case to fill the unexpired term.

See also: Canon 5, Section 3 - Election of Nominating Committee

CANON 31

Commission on Ministry

SECTION 1. The Commission on Ministry of the Diocese shall consist of the six persons who are the co-chairs of the following three standing committees of the Commission: the Committee on Lifelong Christian Formation, the Committee on the Diaconate, and the Committee on the Priesthood. The Commission shall include at least one priest, one deacon, and one lay person. The Ecclesiastical Authority shall appoint a chair of the Commission from among its members, who shall serve at the pleasure of the Ecclesiastical Authority. The Commission shall perform such functions as provided under Title III of the Canons of the Episcopal Church, and such duties as may be assigned to it. With the consent of the Ecclesiastical Authority, the Commission may establish additional committees with such membership as it may direct and may delegate any of its duties to its standing committees or to any such other committees. The Commission shall organize itself and establish such rules of order, subject to the approval of the Ecclesiastical Authority, as it finds necessary to conduct its assigned duties, provided that such rules are not inconsistent with the Constitutions and Canons of the Episcopal Church or this Diocese.

SECTION 2. The Committee on Lifelong Christian Formation shall be made up of ten persons, consisting of a reasonable balance of lay persons, deacons, and presbyters, who shall be appointed by the Ecclesiastical Authority at the annual Convention for renewable three-year terms. The Ecclesiastical Authority may appoint additional members for one-year terms for specified projects and shall in addition appoint two Co-Chairs of the Committee, who shall serve at the pleasure of the Ecclesiastical Authority.

SECTION 3. The Committee on the Diaconate shall be made up of twelve persons, consisting of a reasonable balance of lay persons, deacons, and presbyters, who shall be appointed by the Ecclesiastical Authority at the annual Convention. There shall be four classes of persons each serving a four-year term, with three persons appointed in each year. The Ecclesiastical Authority shall in addition appoint two Co-Chairs of the Committee, who shall serve at the pleasure of the Ecclesiastical Authority.

SECTION 4. The Committee on the Priesthood shall be made up of twenty persons, consisting of a reasonable balance of lay persons and members of the clergy, who shall be appointed by the

Ecclesiastical Authority at the annual Convention. There shall be four classes of persons each serving a four-year term, with five persons appointed in each year. The Ecclesiastical Authority shall in addition appoint two Co-Chairs of the Committee, who shall serve at the pleasure of the Ecclesiastical Authority.

SECTION 5. The Ecclesiastical Authority may fill any vacancy on the Commission or any of its committees. The Ecclesiastical Authority may in addition appoint liaisons to the Commission and to any of its committees, with such duties as the Ecclesiastical Authority may designate.

SECTION 6. Each committee of the Commission shall organize itself and establish such rules of order, subject to the approval of the Ecclesiastical Authority, as it finds necessary to conduct its assigned duties, provided that such rules are not inconsistent with the Constitutions and Canons of the Episcopal Church or this Diocese. Each committee of the Commission may appoint subcommittees from among its members, with such duties as the committee may establish.

CANON 32

Committee on Constitution and Canons

The Committee on Constitution and Canons shall be a standing committee of the Diocese. The Committee shall consist of five persons (not less than two of whom shall be clergy and not less than two of whom shall be lay persons) who shall, by reason of their membership, be entitled to a seat and voice in the Convention. The members of the committee shall be elected to serve for three-year terms each, or until their successors are chosen. For the Diocesan Convention to be held in 2015, and for every third year thereafter, the Convention shall elect one member, who may be clergy or lay, to a full three-year term. For the two annual Conventions following such one-member election, the Convention shall elect one clergy member and one lay member to full three-year terms. Any election to fill an unexpired term shall be of a person of the same order as the member whose term was left vacant. Vacancies occurring during the recess of the Convention may be filled by the Ecclesiastical Authority until the next annual meeting of Convention.

See also: Canon 75 - New Canons and Amendments

CANON 33

Commission on Clerical Compensation

SECTION 1. There shall be elected at the Diocesan Convention a Standing Commission on Clerical Compensation, consisting of six clergy canonically resident in the Diocese and six lay persons who are communicants of Congregations in the Diocese. Two clerical and two lay members shall be elected each year for three-year terms. Vacancies on the Commission may be filled by the remaining members until the next annual meeting of the Convention when a member shall be elected by the Convention to fill the unexpired term.

SECTION 2. The Commission shall serve as a source of advice and counsel to all Parishes and employers of clergy in the Diocese, and shall make recommendations on clerical salaries, allowances, housing, and other compensations and benefits as within its discretion it sees fit.

SECTION 3. The Commission, upon request, shall receive appeals on matters of disagreement concerning clerical remuneration, and shall serve as advisor in such matters. Upon request, The Commission may seek approval from the Ecclesiastical Authority for individual exceptions to minimum compensation for clergy as set forth in Canon 74 where such exceptions are acceptable to the Commission, the employing Congregation, and the member of the clergy involved.

SECTION 4. The Commission shall have authority to gather information on all aspects of clergy compensation from clergy, Parish vestries, and employers of clergy in the Diocese. It shall make recommendations on standards and guidelines for clergy compensation to be considered by Convention, and shall report to Convention on the compliance with existing standards.

SECTION 5. The Commission shall review each year that portion of the annual reports of the Parishes and Missions of the Diocese dealing with clergy compensation. It shall have the right to initiate conversations with any Parish vestry or employer of clergy in the Diocese, when, in the Bishop's discretion, this is deemed advisable.

SECTION 6. The Commission shall report annually to the Convention.

See also: Canon 74 - Minimum Compensation for Clergy

CANON 34

Commission on Church Architecture

SECTION 1. There shall be a Commission on Church Architecture, which shall consist of the Bishop together with two members of the clergy and two lay persons appointed annually by the Bishop.

SECTION 2. It shall be the duty of every Mission or Parish receiving aid from the Diocese to lay before this Commission the preliminary sketches of any new church, chapel, parish house or rectory, or of essential changes in any existing buildings; and no such work or erection or change shall be undertaken until the plans have received the approval of the Commission.

SECTION 3. It shall be the privilege of every Parish to lay before this Commission the preliminary sketches of any new church, chapel, parish house or rectory, for their counsel and advice, which counsel and advice shall be given in writing within one calendar month after the receipt of the sketches.

SECTION 4. It shall be the duty of the Commission, when requested by any Parish or Mission, to give counsel and advice in regard to the furnishings and picture windows of any church or chapel.

CANON 35

Church Pension Fund

SECTION 1. In conformity with the legislation adopted by the General Convention of 1913, pursuant to which The Church Pension Fund was duly incorporated, and in conformity with the Canon of the Episcopal Church, "Of The Church Pension Fund," as heretofore amended and as it may hereafter be amended, the Diocese of New Jersey hereby accepts and acknowledges The Church Pension Fund, a corporation created by Chapter 97 of the Laws of 1914 of the State of New York as subsequently amended, as the authorized and approved pension system for the clergy of the Protestant Episcopal Church in the United States of America and for their dependents, and declares its intention of supporting said Fund in accordance with its Rules. In conformity with Resolution D165 adopted by the General Convention in 1991, the Diocese of New Jersey hereby acknowledges and accepts the provisions made therein regarding retirement benefits for eligible lay employees through participation in the Episcopal Church Lay Employees Retirement Plan or in an equivalent plan.

SECTION 2. The Bishop of this Diocese shall appoint, annually, upon the opening of the Convention, a Committee of The Church Pension Fund to consist of two presbyters and two lay persons, for a term of one year and until their successors shall have been appointed or qualified,

and the Bishop may from time to time fill by appointment any vacancies in said Committee caused by resignation, death or inability to act.

SECTION 3. The duties of said Committee shall be as follows:

(a) To be informed of, and to inform the clergy and laity of this Diocese of, the pension system created by the General Convention and committed by it to the Trustees of The Church Pension Fund, in order that the ordained clergy and eligible lay employees of the Church may be assured of pension protection for themselves in the event of old age or total and permanent disability and for their widows and minor orphan children in the event of death.

(b) To receive reports from The Church Pension Fund, from time to time, on the status of the pension assessments payable to said Fund, under its Rules and as required by Canon Law, by this Diocese and by the Parishes, Missions and other ecclesiastical organizations within this Diocese.

(c) To make an annual report to the Convention of this Diocese on such matters relating to The Church Pension Fund as may be of interest to the said Convention.

(d) To cooperate with The Church Pension Fund in doing all things necessary or advisable in the premises to the end that the clergy and eligible lay employees of this Diocese may be assured of the fullest pension protection by said Fund under its established Rules.

SECTION 4. It shall be the duty of this Diocese, and of the Parishes, Missions and other ecclesiastical organizations therein, each through its treasurer or other proper official, to inform The Church Pension Fund of salaries and other compensation paid to clergy and eligible lay employees by said Diocese, Parishes, Missions and other ecclesiastical organizations for services rendered, currently or in the past, prior to their becoming beneficiaries of said Fund, and changes in such salaries and other compensation as they occur; and to pay promptly at the source to The Church Pension Fund the pension assessments required thereon under the Canon of the Episcopal Church and in accordance with the Rules of said Fund. The Diocese is to pay to The Church Pension Fund the Pension Fund premiums of those employees directly employed by the Diocese.

SECTION 5. It shall be the duty of all clergy canonically resident in or serving in this Diocese, and of all eligible lay employees serving in this Diocese, to inform The Church Pension Fund promptly of such facts, as dates of birth, or ordination or reception, of marriage, births of children, deaths, and changes in cures or salaries, as may be necessary for its proper administration and to cooperate with said Fund in such other ways as may be necessary in order that said Fund may discharge it obligations in accordance with the intention of the General Convention in respect thereto.

CANON 36

Life Insurance, Dental and Medical Benefits

SECTION 1. The Ecclesiastical Authority, acting with the advice and consent of the Standing Committee, shall appoint a Benefits Committee of no fewer than five members. The Benefits Committee shall include both clergy and lay members who shall serve for one-year terms and may be reappointed. Vacancies shall be filled by the Ecclesiastical Authority with the advice and consent of the Standing Committee. The Ecclesiastical Authority may appoint members of the Diocesan staff to serve as resource persons for the Benefits Committee.

SECTION 2. The Benefits Committee shall review annually the coverage terms and premium costs of the benefit programs established in Sections 3 and 4 of this Canon. It shall report annually to the Diocesan Convention its findings and recommendations on pertinent matters affecting these programs. The overall level of benefits of these programs shall not be changed without the approval of the Convention. Between meetings of the Convention, in the case of urgent need, or when specifically authorized by Convention to act in its stead, the Benefits Committee may approve changes in the benefit programs as it deems necessary.

The Benefits Committee may, with the consent of the Diocesan Council, engage professional consultants to assist it with its work. Provision for the expense of such consultants shall be made in the Diocesan Budget.

The Benefits Committee shall advise the Chief Financial Officer of the Diocese in matters pertaining to the administration of the benefits programs, including standards of eligibility for participation in the plans. Eligibility shall be defined under Section 3 of this Canon for Active Clergy and Lay Employees, and under Section 4 of this Canon for Retired Clergy and Retired Lay Diocesan Employees, as well as under the Retired Clergy and Lay Diocesan Employees Health Insurance Benefits Policies established by the Benefits Committee and reviewed annually as set forth in the first paragraph of this Section.

The Benefits Committee, with the help of Diocesan staff, shall provide an educational program, offered on an annual basis, to provide information on the eligibility and coverage provisions of the benefits programs.

SECTION 3: There shall be maintained within the Diocese programs for the purpose of providing life insurance, medical, and dental benefits for eligible actively employed (at least 1,000 hours per year) clergy and lay employees in the Diocese. The medical and dental benefits will also be available for the eligible dependents of those clergy and lay employees.

(a) The life insurance coverage must be offered to eligible actively employed clergy, and the employing Congregation must pay the premium cost for that coverage. Life insurance may, at the option of the employing Congregation, be provided to eligible lay employees. If coverage is provided to eligible lay employees, it must be offered on a basis that is non-discriminatory, and the employing Congregation must pay the premium cost for that coverage.

(b) Dental benefits must be offered to eligible actively employed clergy, and the employing Congregation must pay the premium cost for both employee and dependent coverage. Dental benefits may, at the option of the employing Congregation, be offered to eligible lay employees. If coverage is offered to eligible lay employees, it must be offered on a basis that is non-discriminatory and the employing Congregation must pay the premium cost for that coverage.

(c) Medical benefits must be offered to eligible actively employed clergy and lay employees, and the employing Congregation must pay the premium as set forth in the following subsections of this Section 3(c) for both employees and their eligible dependents for those working at least 1,500 hours per year. There is no employer premium payment requirement for clergy and lay employees who work at least 1,000 but fewer than 1,500 hours per year; however, if premium payments are provided, parity between clergy and lay employees must be maintained.

(1) Each year by October 1 the Benefits Committee shall specify and announce a traditional medical plan that shall be the standard for Congregations to pay one hundred percent of the plan's premium cost for its clergy and lay employees for the following calendar year.

(2) If any clergy or lay employee elects to participate in a health plan that has a higher premium cost than that of the standard plan, the Congregation may elect to pay the full, higher premium or may require the clergy or lay employee to pay the difference between the standard plan premium and the chosen higher premium plan, provided that all clergy and lay employees are treated equally.

(3) If any clergy or lay employee elects to participate in a high-deductible health plan option, and the congregation elects to make a contribution to a health savings account of that clergy or lay employee, then parity applies, and the congregation must also make an equivalent contribution to a health savings account for any other clergy or lay employee who participates in a high-deductible health plan option.

(d) For purposes of this Section, "employing Congregation" shall be deemed to include the Diocese of New Jersey, Collegiate Chapels, and schools or institutions under the authority of The Episcopal Church. Where an eligible employee has more than one eligible employer, the employers may apportion payments based on hours worked

SECTION 4: There shall be maintained within the Diocese a program for the purpose of providing medical benefits in addition to Medicare for the eligible retired clergy and lay Diocesan staff and their qualified spouses, widows, and widowers. The Diocese will pay 100% of the premium cost for this coverage if the clergy or lay person's employment in this Diocese commenced prior to January 1, 1991. If the eligible person's employment in this Diocese commenced on or after January 1, 1991, the Diocese will pay a percentage based upon years of employment within the Diocese in accordance with the following schedule:

Years Employed Within the Diocese	Percent of Premium Paid by Diocese	Percent of Premium Paid by Individual
20 or more	100%	0%
15 but less than 20	75%	25%
10 but less than 15	50%	50%
5 but less than 10	25%	75%
Less than 5	0%	100%

No person employed within or retired from the Diocese shall have his or her existing benefits adversely affected by any future amendments to this Section.

CANON 37

Diocesan Investment Trust

SECTION 1. There shall be established in the Diocese, in the manner hereinafter provided, a common trust fund for the purpose of furnishing investments to the Convention and to the Trustees, incorporated or unincorporated, holding funds for the benefit of the Missionary, religious, benevolent, charitable or educational purposes of the Diocese, and to any Diocesan Congregation, whether said funds are held as fiduciary or otherwise.

SECTION 2. Said common trust fund shall be designated "DIOCESAN INVESTMENT TRUST OF THE DIOCESE OF NEW JERSEY" (hereinafter referred to as "Diocesan Investment Trust"), and shall be under the management and control of a Board of Trustees consisting of the Bishop

of the Diocese and eight other Trustees, four of whom shall be elected by the Convention and four of whom shall be elected by a majority vote of the Board of Trustees. The eight Trustees so elected shall hold office for the term of four years and until their respective successors have been elected; provided, however, that there shall be four classes of elected members with two members being elected each year. The Trustee elected by the Convention shall be communicants of the Church and resident in the Diocese. Any vacancy occasioned by death, resignation, physical disability or removal from the Diocese in the case of trustees elected by the Convention may be filled by the Board of Trustees, until the next meeting of the Convention. Any vacancy occasioned my death, resignation or physical disability of the other trustees may be filled for the unexpired term by the said Board of Trustees.

SECTION 3. The Bishop and the Trustees first elected by the Convention as herein provided shall be incorporated under the laws of the State of New Jersey authorizing the establishment of such common trust fund.

SECTION 4. The Trustees elected as provided by Section 2 shall be the Board of Trustees of the corporation. The Bishop of the Diocese shall be ex officio president of said Board of Trustees.

SECTION 5. The Board of Trustees shall have the power to make by laws providing for the election and appointment of officers and employees, banks, custodians, trust companies, financial advisers, auditors and counsel, fixing the time and place of the meetings of said Board of Trustees, the location of the business office of the corporation, and for the proper management of said trust fund, consistent with the law and with this Canon.

SECTION 6. "Diocesan Investment Trust" shall present to each annual meeting of the Convention a financial report of its affairs.

SECTION 7. The Diocesan Council of the Diocese of New Jersey, the Trustees of Church Property of the Diocese of New Jersey, the Trustees of the Aged and Infirm Clergy Fund of the Diocese of New Jersey, the Trustees of the Widows, Widowers and Orphans of Clergy Fund of the Diocese of New Jersey, the Trustees of the Missionary Fund of the Diocese of New Jersey, the Trustees of the Episcopal Fund of the Diocese of New Jersey, the Trustees of the Venture in Mission Endowment of the Diocese of New Jersey and the Trustees of the Episcopal Evergreens Fellowship Fund of the Diocese of New Jersey, are hereby authorized to invest or reinvest any or all funds held by them in trust in shares or interests in "Diocesan Investment Trust", hereinafter described, and to assign, transfer and set over to it cash and securities in which the trust funds of each of said corporations are invested or reinvested, and any Diocesan Congregation or other diocesan or congregational organization may likewise, with the consent of the Board of Trustees of "Diocesan Investment Trusts", deposit with it, funds for investment or reinvestment held either as fiduciary or otherwise, the same to be invested or reinvested by "Diocesan Investment Trust" and the income from the same to be paid in the manner hereinafter set forth; provided that, in the case of funds held as fiduciary, such investment or reinvestment is not prohibited by the wording of the will, deed or other instrument creating such fiduciary relationship.

SECTION 8. "Diocesan Investment Trust" is in its absolute discretion, authorized to retain or change any investments and securities and invest or reinvest all or any part of the funds entrusted to it in such securities, investments and other property as the Board of Trustees shall deem advisable, without being restricted to those classes of securities which are lawful for the investment of trust funds under the laws of this State.

SECTION 9. All securities received and accepted by "Diocesan Investment Trust" shall be taken at a value to be agreed upon between the depositor thereof and "Diocesan Investment Trust". New Accounts may be opened with a minimum of $1,000 or such higher initial investment as the Board of Trustees in its discretion may establish. Additional incremental investment may be made with amounts of $500 or more, provided, however, that investment of a dividend of any

amount in additional shares shall be permitted; and, provided, further that the Board of Trustees in its discretion may establish that a dividend payment amount between $0.01 and $50 to an individual shareholder shall instead automatically be invested in additional shares. Acceptance of any securities, except cash, may be refused by "Diocesan Investment Trust". The Board of Trustees in its discretion may establish a minimum share balance, below which a shareholder's shares and interest shall be redeemed.

SECTION 10. Upon receipt on or before the 20th of each calendar month, by "Diocesan Investment Trust" of an offer in writing in a form acceptable to the Board of Trustees to subscribe to shares in "Diocesan Investment", the Board of Trustees may accept such offer and a Custodian Bank may issue a statement of share or shares as hereinafter provided with the dollar value fixed by the Board of Trustees, and based upon the net asset value of each outstanding share of "Diocesan Investment Trust" as of the last business day of the previous calendar month.

SECTION 11. The net asset value of each share shall be determined by ascertaining the fair value of the entire fund, as of the first business day of each calendar month in which said statement shall be issued as aforesaid, including income accrued on bonds and dividends theretofore declared on stock held in the common fund, but not then received by the Trustees, and payable to holders of record on a date prior to the said last business day of the previous calendar month, and dividing said value by the number of shares then outstanding on the date of such determination; from this value there shall be deducted the proportionate part of any unpaid expenses then accrued; and the results so determined shall be the net asset value of each share then outstanding. In determining the fair market value of the fund, "Diocesan Investment Trust" shall use market values wherever such values are available, but where they are not available, it, in the discretion of its Board of Trustees, may determine fair value on any other basis, which to the Board seems fair and reasonable.

SECTION 12. The shares aforesaid shall not be transferable, provided, however, that in its discretion the Board of Trustees may approve the transfer of shares to a successor of the shareholder.

SECTION 13. The ownership of shares shall not entitle the shareholder to any title in, or to the whole or any part of, the trust property, or right to call for a partition or division of the same, nor shall the ownership of shares constitute the holders thereof partners; nor shall the shareholder be called upon for the payment of any sum of money or assessment whatever except as provided in Section 9.

SECTION 14. Upon the deposit with and acceptance by "Diocesan Investment Trust", of cash, or checks made payable to the DIOCESAN INVESTMENT TRUST, or securities as aforesaid, a Custodian Bank for the "Diocesan Investment Trust", shall issue to the respective depositors statements representing the share or interest of each depositor in the common trust fund.

SECTION 15. Upon delivery by any depositor of trust funds in cash or securities and acceptance thereof as provided in Section 7 hereof, such depositor shall be relieved of any and all liability whatsoever of or respecting the funds so deposited, except liability which may have accrued before delivery to "Diocesan Investment Trust."

SECTION 16. The income from the common trust fund held by "Diocesan Investment Trust" shall be paid in the manner provided by law and by the by laws of "Diocesan Investment Trust". All gains or losses in said common trust fund shall be shared proportionately by holders of shares or interest in said fund. Dividends shall be declared and paid at times and in amounts determined in the discretion of the Board of Trustees. Subject to the provisions of Section 9 above, any shareholder may elect to receive a dividend check or may reinvest a dividend with a purchase of additional shares.

SECTION 17. The books of account, securities and other records of "Diocesan Investment Trust" shall at all times be available for inspection by the Audit Committee of the Diocese or its duly authorized agent.

SECTION 18. In case any shareholder desires to dispose of its share or shares, such shareholder must present a written request to the Office of the Treasurer, Diocese of New Jersey, 808 West State Street, Trenton, New Jersey 08618-5326 by, or prior to, the 25th day of the respective month. A Custodian Bank will redeem shares on the last working day of any month, computed at the market value for the shares posted at the end of the current month. Purchases of additional shares will be effected on the first day of any calendar month, computed at the market value posted at the end of the previous month. Monies received for purchase of shares will be invested or reinvested in an interest bearing money market account during the month, until the Custodian Bank acquires new shares.

SECTION 19. The power to amend this Canon, or to terminate the trust hereby established, or to dissolve the corporation hereby authorized and to repeal this Canon and any and all amendments thereof, all in a manner consistent and in accordance with the statutes of New Jersey, is hereby reserved.

See also: New Jersey Revised Statutes, Section 16:12-28 - Diocesan Investment Trusts

CANON 38 RESERVED

CANON 39

Christian Knowledge Society

SECTION 1. The Christian Knowledge Society of the Diocese of New Jersey, as now incorporated, shall distribute copies of the Holy Scriptures, the Book of Common Prayer, the Hymnal, and Religious Tracts; and shall aid Candidates for Holy Orders.

SECTION 2. Any person may be constituted a life member by the payment of ten dollars at one time, or a member by the annual payment of not less than one dollar. All membership fees or donations not given for specific objects shall be added to the Endowment Fund and the income from the Endowment Fund shall be expended in furtherance of the objects of the Society.

SECTION 3. The Bishop of the Diocese shall be the President of the Society; the members of Diocesan Council shall constitute the Board of Trustees of the Society; and the Secretary of the Diocesan Council and the Treasurer of the Diocese shall be, respectively, the Secretary and Treasurer of the Society. The Treasurer shall invest or reinvest the funds of the Society subject to the approval of the Finance and Budget Committee of the Diocese. All appropriations out of available income shall be made by the Board of Trustees of the Society which shall have general management of the affairs of the Society, making a full report thereof at the annual meeting of and to the Diocesan Convention.

CANON 40

Anti-Racism Commission

SECTION 1. There shall be an Anti-Racism Commission of the Diocese, consisting of at least six but no more than fifteen persons appointed by the Ecclesiastical Authority, each for a term of three years. Initial appointments to the Commission shall be for staggered terms so that, as nearly as may be practicable, one-third of its membership will be appointed each year. Appointments to the Commission shall include deacons, priests, and lay members, and shall include those who reflect the constituencies of the diocese most affected by the sin of racism.

The Commission shall organize itself designating one or more chairs, a secretary, and a treasurer.

SECTION 2. The responsibilities of the Commission shall be to support the work of the diocese in both Dismantling Racism and Promoting Racial Healing, Justice, and Reconciliation by naming and acknowledging the sin of racism and its consequences in our diocese and the world around us, seeking healing, repair, and reconciliation, facilitating conversation, and making available ongoing programs of training and education. This includes providing programs for those seeking ordination, new clergy in the Diocese, diocesan and congregational leaders, and members of congregations in transition.

SECTION 3. The Commission shall report to Convention annually as to its work and progress and as a part of such report may include recommendations concerning the implementation of training and other aspects of its work.

SECTION 4. Members of the Commission may be reappointed. Any vacancies may be filled by the Ecclesiastical Authority. The Ecclesiastical Authority may appoint one or more liaisons to the Commission who shall have voice but not vote at meetings of the Commission.

CANONS 41, 42, 43, 44, and 45 RESERVED

PART IV – LOCAL CONGREGATIONS AND THEIR STRUCTURE

CANON 46

Classification of Congregations

SECTION 1. All Congregations which are a part of the Diocese of New Jersey shall be classified in one of the following categories:

1. The Cathedral
2. Parishes, including Associated Parishes
3. Missions
4. Chapels
    a. Seasonal Chapels
    b. Collegiate Chapels
    c. Institutional Chapels
    d. Parochial Chapels

Classification shall be determined in accordance with the provisions set forth in the Constitution and Canons of the Diocese. Each Congregation of the Diocese shall be governed in the manner provided in the Constitution and Canons of the Diocese for Congregations in its category.

SECTION 2. The Ecclesiastical Authority, or a committee appointed by the Ecclesiastical Authority, shall submit to the Convention, annually and at least 30 days before the opening day of Convention, a list of proposed changes in the classification of congregations as approved by the Ecclesiastical Authority, as well as findings and recommendations made by Diocesan Council pursuant to Canon 60 Section 2. Such changes in classification may be ratified as presented or may be adopted with amendment by the Convention. The determination of the Convention shall be final.

CANON 47

Congregational Common Call, Mission and Standards

SECTION 1. (a) The people and Congregations of the Diocese share a common call and mission to proclaim and live out the Gospel. The shape and appearance of that call and mission will vary from Congregation to Congregation over time and depending on resources and the needs of the people and communities which they serve. That call and mission will always be defined and prompted by the Gospel.

(b) The people of the Diocese acting in Convention may from time to adopt statements setting forth common expectations for congregational behavior and work in support of the shared call and mission of all Congregations. A statement adopted by Convention and specifically describing itself as a standard under this Canon 47 is referred to in these canons as "Common Expectations for Mission" and if so adopted will be printed as an addendum to this Canon.

(c) It is the mutual responsibility of the Diocese, including its Bishop, staff, the various boards, committees, and commissions established from time to time, the Convocations, and the several Congregations of the Diocese, to support each Congregation in its efforts to discharge the common call and mission described in this Canon 47 or as described in Common Expectations for Mission.

SECTION 2. (a) In exceptional circumstances a Congregation may find itself at risk of being unable to discharge its responsibility to carry out the call and mission which is a part of being a Congregation of this Diocese (a "Vulnerable Congregation"). In such cases a degree of episcopal intervention or oversight may be needed as a means of restoring the health of the Congregation.

(b) Where one or more of the circumstances described in Section 2(c) appear to be continuing, or a Congregation is unable to meet the Common Expectations for Mission, the Diocesan Council, or a committee thereof appointed for this purpose, shall make an inquiry into the circumstances at the request of the Wardens and a majority of the Vestrymembers or Mission Committee of the Congregation in question or its Rector or Priest-in-Charge, as the case may be, or the Ecclesiastical Authority. Except where more time is reasonably required, the Diocesan Council, within 60 days of receiving such a request, shall make a determination that the Mission or Parish in question is a Vulnerable Congregation or not.

(c) One or more of the following continuing circumstances may be the basis for a determination by the Diocesan Council that a Mission or Parish is a Vulnerable Congregation:

(1) the failure to elect Wardens and Vestrymembers in the case of a Parish or a Mission Committee in the case of Mission for a period of more than six months;
(2) the failure to call a Priest-in-Charge or Rector to serve the Congregation for more than two years;
(3) the failure to pay the minimum clergy compensation as required by canon (including for this purpose all insurance premiums and pension contributions);
(4) the failure to maintain the property of the Congregation in good repair or in the event of fire or other casualty the failure to take steps to effect such repair, to the extent that Congregation is unable to hold public services of worship, except in circumstances where the Congregation in consultation with the Ecclesiastical Authority is actively working to relocate to some alternative space for worship and service;
(5) the persistent and significant instability or decline in the financial condition of the Congregation, as evidenced by, for example, substantial invasion of the principal

portion of endowment or trust funds, to such a degree that the long-term viability of the Congregation as a self-supporting entity is in jeopardy;

(6) a Vestry's or Mission Committee's persistent failure or neglect to carry out its fiduciary responsibilities including conforming to the business methods in church affairs required by the Constitution and Canons of The Episcopal Church or of this Diocese, including requirements relating to the proper record-keeping, proper maintenance of books of account, annual audit, and the maintenance of adequate insurance;

(7) the failure to implement in good faith any plan or arrangement agreed to by the Congregation under this Canon.

(8) apart from the foregoing, a deliberate and continuing breach of any canonical obligation of the Congregation.

SECTION 3. If a Congregation is determined to be a Vulnerable Congregation in accordance with this Canon, the Ecclesiastical Authority may require the application of one or more of the remedies below:

(a) The appointment of a Congregational Aid Committee of three or more persons with expertise in the issues leading to the declaration of a Vulnerable Congregation. The Congregational Aid Committee shall propose a plan to restore the Congregation to health (a "Plan of Restoration"). A Plan of Restoration shall be accepted or rejected by the elected representatives of the Congregation within 30 days, and implemented thereafter in accordance with its terms.

(b) If the Congregation is a Parish, a determination by the Ecclesiastical Authority that the continuation of circumstances specified in Section 2 (c) constitutes a failure to comply in a material way with the requirements set for Parishes by Article VI of the Constitution as contemplated by Canon 60, in which case the Ecclesiastical Authority may follow the procedures set forth in Canon 60.

(c) Such other measures as the Ecclesiastical Authority shall determine with the advice and consent of Diocesan Council, until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.

Addendum to Canon 47

WALKING WITH JESUS
A STATEMENT OF OUR COMMON EXPECTATIONS FOR MISSION
(adopted by the 236th Convention of the Diocese of New Jersey
as a standard under Diocesan Canon 47, Section 1(b))

We the congregations of the Diocese of New Jersey share a common call to form people as disciples of Jesus Christ to carry out Christ's mission of reconciliation (BCP p. 855). The ways in which we experience and undertake this call and mission vary widely, but there is much that is common. The purpose of this statement is to affirm both our difference and what we share.

- First, we share the Gospel. We are all called to the love of God and each other. We welcome the in-breaking of the Kingdom of God. Our communities are defined by that love. We learn to care for one another and for those who surround us. We learn to tear down the walls of separation, to seek and serve the face of Christ in all persons, to respect the dignity of every human being.
- We are responsible for each other. By sharing gifts of time and personal resources we make it possible not just for ourselves to live and thrive in our common call but for other to do the same. To the extent possible those of us who are with greater resources, financial

or of people, have a responsibility to share and so to enable all of us to live out the call and mission of love.

- We are a part of a single interdependent community. We are the Diocese of New Jersey. Our participation, our common life together, is not a choice. It is a part of who we are. We are all members of the one Body of Christ. So we expect ourselves and each other to support the common life we share as a diocese, locally, in convocation, in Convention. We do this with our gifts of time, talent and treasure.
- We are very different and celebrate that difference. The richness of difference is a matter of celebration, our heritage, language, ethnicity, location, history. Some of us are small. Some are large. Some are in cities. Some are in the country. We are different. Our celebrations and proclamations are different. The variety of our liturgies reflect the historic diversity of our community. This reflects the diversity of God's reign.
- We share our prayers. We share the Gospel. Above all we share the love of God, the love of Jesus, a love for each other and a yearning to share this all with the world.

CANON 48

Erection of New Church Buildings

The erection of a church building or chapel on a new site must have the previous written consent of the Bishop acting with the advice and consent of the Standing Committee. Any application for the erecting of a church building or chapel on a new site shall be in writing and shall be sent to the Bishop, who shall forthwith lay the matter before the Standing Committee, and at the same time give notice by registered mail to the three Parishes whose houses of worship are nearest to the location of the proposed new building, that such application has been made and that any objections submitted to the Bishop in writing within thirty days after the date of mailing the notice will be duly considered. After the expiration of said thirty days, the Standing Committee shall proceed to the consideration of the application and of any objections thereto and shall advise the Bishop of their conclusions. If approval be given, the Bishop may then give canonical consent in the following form:

The erection of a new Church or Chapel in the city (or town) of ....., County of ..... to be known as ..... Church (or Chapel), having been duly considered by the Standing Committee and approved by them, I do hereby give my canonical consent to the erection of said Church or Chapel.

Given under my hand this..... day of..... in the year of our Lord, two thousand .....

Bishop of New Jersey

Attest:

.....
Secretary of Standing Committee

CANON 49

The Cathedral

SECTION 1. Trinity Cathedral of the Diocese of New Jersey, situated at Trenton in the Diocese of New Jersey, is designated as The Cathedral of the Diocese, with the rights, powers, and privileges conferred upon it by law and by the Joint Consolidation Agreement entered into on the May 4, 1949, between the corporation known as The Cathedral Church of the Diocese of New Jersey and the parish corporation known as Trinity Cathedral in the Diocese of New Jersey, as amended to date, and by the Constitution and Bylaws of the Cathedral adopted pursuant to such Agreement.

SECTION 2. The governing body of Trinity Cathedral shall be a Chapter. The Chapter shall consist of the Bishop, who shall be the presiding officer; the Bishop Coadjutor, if there be one, the Suffragan Bishops, if there be any; the Dean of the Cathedral; four presbyters and four lay persons elected by the Diocesan Convention for three-year terms; three members appointed in writing by the Bishop for three-year terms; the following members elected by and from the Cathedral congregation, namely, a Senior Warden and a Junior Warden each elected for two-year terms, and nine other lay persons elected for three-year terms; and a Treasurer and a Clerk elected by the Chapter.

SECTION 3. There shall be a Minor Chapter, within the Chapter, which shall have such powers and duties as provided by the Constitution and Bylaws of the Cathedral, and which shall consist of the Bishop, who shall be the presiding officer; the Dean of the Cathedral; the Junior and Senior Wardens; the nine lay persons elected by the Cathedral congregation; and the Treasurer and the Clerk.

SECTION 4. Members of the Chapter elected by the Convention may not be elected to succeed themselves, but may be reelected after the expiration of at least one year. The Treasurer shall be elected by the Chapter at its annual meeting, to hold office for one year and until a successor is elected. The Clerk shall be elected by the Chapter at its annual meeting from among the eligible voters of the Cathedral Congregation, for the term of one year and until a successor is elected. Vacancies in the Cathedral Chapter shall be filled as provided in the Constitution and Bylaws of the Cathedral.

SECTION 5. The Treasurer shall annually report to the Convention the condition of the affairs of the Cathedral committed to the Treasurer's charge.

SECTION 6. There shall be an annual meeting of the Congregation of the Cathedral, at which the qualified voters shall elect by ballot, to serve for the ensuing year, from among the voters of the Cathedral congregation, three Deputies and three alternate Deputies to the Diocesan Convention, who shall all be communicants in good standing, and who shall represent the Cathedral in the Conventions of the Diocese. The meeting shall also elect the Wardens and Chapter members provided for in Section 2 of this Canon, convocation representatives, and such other officers as may be provided for by the Constitution or Bylaws of the Cathedral.

CANON 50

Election of Church Officers in Parishes and Missions

SECTION 1. There shall be an annual meeting in every Parish for the election of officers, prayers having been said immediately before said meeting, and due notice having been given as required by law. Said meeting shall be held on a date which may be fixed at a regular or special meeting of the Congregation. There shall be an annual meeting for those Missions that elect officers, to be held also with opening prayers and upon like notice.

SECTION 2. The persons entitled to vote at such meetings must be:

(a) baptized,
(b) at least sixteen years of age,
(c) of good moral character
(d) adhering to The Episcopal Church and to no other religious body,
(e) regular attendants at the services of the Church in said Parish or Mission, and
(f) regular contributors to the current expenses of the Parish or Mission for six months next before the said annual meeting.

A record of the regular contributors for the support of the Parish or Mission shall be maintained by the Treasurer, with the dates of their contributions. Such records shall be sufficient evidence as

to the qualification of a voter with respect to the last preceding requirement. Any voters not baptized in the Parish or Mission must have been enrolled as members in accordance with the provisions of the Canons of The Episcopal Church. Rectors, Vicars, or Wardens shall keep a list of all members of the Congregation who have been received as voters, which list shall be open to inspection by the members of the Congregation. No one shall be permitted to vote or be eligible to office in more than one Parish or Mission in this Diocese, although members of a Parish or Mission may be eligible also to vote or hold office in a Chapel.

SECTION 3. At said annual meeting the qualified voters shall elect by ballot, to serve for the ensuing year, from among the voters in the Parish or Mission, three Deputies and three alternate Deputies to the Diocesan Convention, who shall represent the Parish or Mission in the Conventions of the Diocese, and a Warden or Wardens, who shall all be communicants in good standing; and also such other Vestrymembers or Mission Committee members, and such other officers as may be provided for by the Parish or Mission charter or bylaws, and six Representatives to the Convocation in which the Congregation is located, who shall all be communicants if such suitable for the office can be found.

SECTION 4. For the purposes of this Canon, the term "communicant" shall be as defined by the Constitution and Canons of The Episcopal Church.

See also: Revised Statutes of New Jersey, Sections 16:12-10 and -11

CANON 51

Duties of Rectors, Vicars, Wardens, and Vestrymembers or Mission Committee Members

SECTION 1. The Rector or Vicar has exclusive charge, under the Canons, of all things affecting the spiritual interests of the Parish, subject only to the Bishop. It is the Rector’s or Vicar's duty to give orders concerning the worship of the Church, together with all that appertains thereto. The Rector or Vicar may from time to time appoint fit and proper persons to perform under his or her supervision, such duties relative to the service and the decoration of the church buildings as may be properly done by laity. The Rector or Vicar shall be at all times entitled to access to the church buildings, to open the same for public worship, for catechetical or other religious instruction, marriages, baptisms, funerals, and all other offices authorized by the Church. The Rector or Vicar shall have spiritual direction and control of all Sunday Schools, Parish Schools, and other educational and charitable associations connected with the Parish, and shall preside, with right to vote, at all Parish and Vestry meetings or Mission and Mission Committee meetings.

SECTION 2. It shall be the duty of the Wardens and Vestrymembers or members of the Mission Committee, under the Rector or Vicar, to protect the Church property, and to see that all things needed for the orderly worship of God, and for the administration of the Sacraments and Ordinances of the Church, be provided. It shall also be their duty to see that the funds of the Parish or Mission are expended properly, to provide for the maintenance of the Rector or Vicar, and in the case of a Parish to elect and call the Rector.

See also: Revised Statutes of New Jersey, Sections 16:12-6, -7, and -9

CANON 52

The Calling of a Rector or an Assistant

SECTION 1. When a Parish is without a Rector, or Mission is without a Vicar, the Wardens or other proper officers shall promptly notify the Ecclesiastical Authority of the Diocese. If the authorities of the Parish or Mission shall for thirty days have failed to make provision for services of public worship, it shall be the duty of the Ecclesiastical Authority to take such measures as may

be deemed expedient for the temporary conduct of public worship. After consultation with the Vestry or Mission Committee, the Bishop may appoint a priest to serve as Interim pending the election of a Rector or appointment of a Vicar, pursuant to the terms of a written agreement with the Parish or Mission.

SECTION 2. In the case of a Parish, no election of a Rector shall be had until the name of the Priest whom it is proposed to elect has been made known to the Ecclesiastical Authority of the Diocese, and sufficient time, not exceeding sixty days, has been given to the Ecclesiastical Authority to communicate with the Vestry thereon, nor until such communication, if made within that period, has been considered by the Vestry at a meeting duly called and held for that purpose. Written notice of the election, signed by the Wardens, shall be sent to the Ecclesiastical Authority of the Diocese. If the Ecclesiastical Authority be satisfied that the person so chosen is a duly qualified Priest and that the Priest has accepted the office, the notice shall be sent to the Secretary of the Convention, who shall record it. The record shall be sufficient evidence of the relation between the Priest and the Parish. The Bishop may submit to the Vestry the names of several clergy whom the Bishop considers suitable to be chosen as Rector. Rectors may have a letter of agreement with the Parish setting forth mutual responsibilities, subject to the Bishop's approval.

SECTION 3. After consultation with the Vestry, the Bishop may appoint a Priest to serve as Priest-in-Charge of any Congregation in which there is no Rector or Vicar. In such Congregations, the Priest-in-Charge shall exercise the duties of Rector or Vicar subject to the authority of the Bishop, pursuant to the terms of a written agreement with the Parish or Mission; Priests-in-Charge shall be eligible thereafter to serve as Rector or Vicar in such Congregation.

SECTION 4. All assistant clergy in a Parish, by whatever title they may be designated, shall be selected by the Rector, subject to the approval of the Vestry, and shall serve under the authority and direction of the Rector. Before the selection of an assistant, the name of the member of the clergy proposed for selection shall be made known to the Ecclesiastical Authority of the Diocese and sufficient time, not exceeding sixty days, shall be given for the Ecclesiastical Authority to communicate with the Rector and Vestry on the selection. Written notice of the selection of an assistant shall be sent forthwith to the Ecclesiastical Authority by the Rector and Wardens. Any assistant selected shall serve at the discretion of the Rector, but may not serve beyond the period of service of the Rector except that, pending the call of a new Rector, the assistant may continue in the service of the Parish if requested to do so by the Vestry of the Parish and under such conditions as the Ecclesiastical Authority and Vestry shall determine.

See also: Revised Statutes of New Jersey, Section 16:12-7

CANON 53

Certificates of Incorporation and Bylaws of Parish Subsidiary Corporations

SECTION 1. Parishes may adopt or amend certificates of incorporation and bylaws for any incorporated activities formed by the parish, provided they are approved in accordance with this canon.

SECTION 2. The rector and wardens shall file with the Ecclesiastical Authority of the Diocese a copy of any certificate of incorporation and bylaws of any such corporation, and any amendment thereto, certified by the clerk of the vestry, within thirty days after their adoption and prior to any filing with a governmental authority. The Ecclesiastical Authority may within thirty days disapprove any certificate or bylaw. No disapproved certificate of incorporation or amendment may be filed with a government authority, and no bylaw or amendment shall become effective, until revised as the Ecclesiastical Authority may direct.

CANON 54

Associated Parishes

SECTION 1. When two or more Independent Parishes wish to share the services of a priest as Rector of both Parishes, they may make application to the Bishop. The application shall include resolutions passed by each Vestry, two-thirds of the members thereof concurring, stating:

(a) That they wish to be associated with another Parish in sharing the services of a Rector,
(b) The name of the priest whom they propose to elect as Rector,
(c) An agreement specifying each Parish's share in the support of the Rector, and
(d) An agreement specifying how the Rector's services are to be shared.

If the Bishop approves the application the Bishop shall obtain the written consent of the priest named in the application to serve as Rector under the conditions set forth in the application, and shall then forward the application together with the consent of the proposed Rector to the Standing Committee of the Diocese for its approval. If the Standing Committee approve the application, the Parishes in question shall be designated Associated Parishes and the election of the Rector may proceed without further notice.

SECTION 2. Each Associated Parish shall be entitled to representation in Convention by three Deputies and three Alternate Deputies, and in Convocation by six Representatives.

SECTION 3. If any Parish wishes to withdraw from an Associated Parish relationship, it shall first obtain the written consent of the Bishop and Standing Committee of the Diocese. Such consent may be conditioned upon the reclassification of one or more of the Parishes involved to Mission status.

SECTION 4. A Mission may enter into an Associated Parish relationship pursuant to the procedures of Section 1 of this Canon if it otherwise qualifies for Parish status and completes all procedures necessary for reclassification prior to the election of the rector of the Associated Parishes.

CANON 55

Missions

SECTION 1. (a) (i) The residents of any municipality who may desire the services of the Church may give notice of their desire to the Bishop of the Diocese, who may take such action as the Bishop may deem proper. If the Bishop approve, application shall be made in the following form:

> To the Right Rev....., Bishop of New Jersey:
>
> We, the undersigned residents of the town of....., County of....., Diocese of New Jersey, being desirous of obtaining the services of the Protestant Episcopal Church, do hereby request you to provide them for us as you think fit. For which benefits we do hereby agree to put ourselves under your charge, promising conformity to the Constitution, Canons, doctrine, discipline and worship of said Church, and to the Constitution and Canons of the Diocese of New Jersey, and in accordance with these obligations we are now desirous to be organized as a Mission, under the name of..... Mission..... and we hereby agree to provide the sum of $..... at least, to support the budget of the Mission for the first year.

All the adults who are willing to become members of the Mission shall affix their signatures to the application, together with the sum each pledges for its support.

(ii) Alternatively, the Bishop may initiate the formation of a Mission at any time.

(b) The Bishop shall then give notice of the application to the three Parishes whose houses of worship are nearest to the location of the proposed Mission. If after thirty days from the giving of such notice, there is no objection on the part of the three nearest Parishes, the Bishop may then consent to the action proposed. If objections be made within thirty days, the Bishop shall lay the application and the objections before the Standing Committee, and if the Standing Committee approve, the Bishop may consent to the action proposed, which consent shall be submitted to the next Annual Convention of the Diocese as set forth in Canon 46, Section 2, for approval of the classification of such Mission.

SECTION 2. (a) Following the Bishop's consent to the formation of the Mission, the Bishop shall appoint a Vicar, or pending the appointment of a member of the clergy a lay Pastoral Leader, who, subject to approval of the Bishop, shall appoint annually the following officers: A Warden, who shall be a communicant, a Treasurer, and a Secretary. If there be no Vicar or Pastoral Leader, the Bishop may appoint these officers.

(b) When the revenue, exclusive of all appropriations from outside sources, shall amount to more than $25,000 per annum, said officers shall be elected annually by the voters of the Mission at an annual meeting of the Mission to be held on a date in the month of January, due notice of said meeting being given in the same manner as prescribed for Parishes. The qualifications for voters shall be the same as those for voters in Parish elections. The voters shall also adopt bylaws, subject to the approval of the Bishop, and shall elect Deputies, Alternate Deputies, and Representatives pursuant to the provisions of Canon 50, Section 3.

SECTION 3. The Warden, subject to the approval of the Vicar, shall provide a place of public worship; see that the same be kept clean and in good repair and furnished with all things necessary for conducting the services of the Church decently and in order. The Warden shall provide and if the Vicar be nonresident, shall have the custody of the Register required by Canon 73 but shall not make entries therein except by the Vicar's request unless there be no Vicar.

SECTION 4. The Treasurer shall receive all money contributed by the Mission and disburse the same as directed by the officers. The Treasurer shall report to the Bishop and the Board of Missions periodically as directed.

SECTION 5. The Secretary shall keep the minutes of all meetings and shall perform the normal duties of this office.

SECTION 6. The Vicar shall preside at all meeting of the officers with right to vote. The Vicar shall appoint the Sexton, Organist, Choir, Sunday School Superintendent and any other helper the Vicar may find necessary. If there be no Vicar, such appointment shall be made by the Warden, with the approval of the Bishop.

SECTION 7. The title to real estate, given to or purchased by the Mission for Church purposes, unless otherwise ordered by the members of the Diocesan Council, shall be vested in The Trustees of Church Property of the Diocese of New Jersey, to be held by them until such time as the said property may be sold pursuant to Section 9 of Canon 13, or until such time as the Mission shall become duly incorporated as a Parish and admitted into union with the Convention, when the title may be transferred to the Church corporation if it shall so elect.

SECTION 8. Each Mission shall report to the Board of Missions and to the Bishop through the Vicar, Pastoral Leader, or Secretary, as may be directed by the Bishop. Every member of the Mission is expected to pledge a definite sum for its support.

SECTION 9. When a Mission reaches a size large enough to warrant additional leadership, the Bishop may, with the consent of the Standing Committee, direct that it shall be organized with the following officers:

(a) The Vicar, appointed by the Bishop
(b) Two Wardens, who shall be elected in alternate years by the voters at the annual meeting for two-year terms
(c) Three, six, or nine Mission Committee members, as the Bishop shall determine and as shall be set forth in the Mission's bylaws, who shall be elected by the voters at the annual meeting for three-year terms, one-third being elected each year
(d) A Treasurer, elected annually by the officers
(e) A Secretary, elected annually by the officers.

The duties of these officers shall be the same as those delineated in Sections 3, 4, and 5 of this Canon and, as regards the Mission Committee, Section 2 of Canon 51. The Bishop's directive, with the Standing Committee's consent, shall be in writing and shall be filed with the Mission and the Board of Missions, and the Mission bylaws shall be amended to conform to it.

SECTION 10. Upon the failure of a Mission to fulfill its purposes, the Bishop may withdraw the Vicar, and dissolve the organization.

CANON 56

Seasonal Chapels

SECTION 1. The temporary residents of any Summer Resort desiring to maintain regular services for a part of the year may give notice to the Bishop of the Diocese of their desire, who may take such action as the Bishop may deem proper. If the Bishop approves, application shall be made in the following form:

> To the Rt. Rev....., Bishop of New Jersey:
>
> We, the undersigned, temporary residents of the town of....., County of....., Diocese of New Jersey, being desirous of obtaining the services of The Episcopal Church, do hereby request you to provide them for us as you think fit. For which benefits we do hereby agree to put ourselves under your charge, promising conformity to the Constitution, Canons, doctrine, discipline and worship of said Church, and to the Constitution and Canons of the Diocese of New Jersey. In accordance with these obligations we are now desirous to be recognized as a Seasonal Chapel under the name of ..... Chapel, ..., and we agree to pay all expenses of the same. Furthermore, it is our wish that this Seasonal Chapel shall be regularly organized as a Mission under Canon 60, Section 3 whenever in the judgment of the Bishop there shall be enough resident communicants in ..... to warrant an all-year organization.
>
> Respectfully your obedient servants,

This application should be signed by all the adults who propose to attend the services of the Seasonal Chapel, and the Bishop shall then take the same action as provided for in the Canons in regard to giving notice to the neighboring Parishes as provided for in Canon 55, Section 1(b). The Bishop shall, at the Bishop’s discretion, appoint clergy to supply for Chapel the services of the Episcopal Church in due season. No member of the clergy shall officiate at any service in a Chapel governed by the provisions of this Canon without the written consent of the Bishop; or, if there be no Bishop, of the Ecclesiastical Authority. After its formation, each Seasonal Chapel shall adopt bylaws in form subject to approval by the Bishop.

SECTION 2. There shall be an annual meeting of every such Congregation on the Monday after the first Sunday in August as may be determined by the bylaws of the Seasonal Chapel for the election of officers. Due notice shall be given of this meeting as required by law in the case of an annual Parish meeting. The voters shall be baptized communicants in good standing of The Episcopal Church at least sixteen years of age who are regular attendants at the services of the Seasonal Chapel and duly enrolled contributors to the current expenses.

(a) At the said annual meeting, the qualified voters shall elect by ballot by a majority of votes cast a Board of Trustees for the ensuing year from among the voters of the Seasonal Chapel. The number of said Board shall be three, six, or nine as determined by the bylaws, of whom one-third shall be elected annually to serve for three years. At the first election, one-third shall be elected for three years, one-third for two years, and one-third for one year.

(b) Any Congregation organized and operating under the provisions of this Canon may, at its annual meeting, elect from among its voting members a communicant in good standing of the Episcopal Church to be its representative to the Diocesan Convention. The representative shall be entitled to a seat and voice, but not a vote.

SECTION 3. Title to all real and personal property and endowment funds of a Seasonal Chapel, unless otherwise directed by the members of the Diocesan Council, shall be vested in the Trustees of Church Property of the Diocese of New Jersey.

SECTION 4. No baptism, confirmations, weddings, or funerals shall be conducted at a Seasonal Chapel without the written consent of the Bishop of the Diocese. Every Seasonal Chapel shall maintain a register as provided in Canon 73, but duplicate entry of every baptism, confirmation, wedding and funeral shall be made in the register of a neighboring Parish or Mission or in the register of the home Parish or Mission of the person receiving the rite or sacrament, as the Bishop shall direct. The entry in the register of the Seasonal Chapel shall not be used for statistical reporting. Every Seasonal Chapel shall maintain a list of the families associated with the Chapel, including the names of the members thereof, and of all individuals not included as members of a family; but it shall not maintain an official communicant list or an official list of baptized members, or include in its annual report any membership statistics.

See also: Canon 47, Section 3 - Parochial Cure

CANON 57

Collegiate Chapels

SECTION 1. At any institution of higher learning in this Diocese it shall be lawful for the Diocese to establish a college chaplaincy and center for ministry to college students and staff. Such establishments are to be made upon the recommendation of the Bishop and the approval of the Diocesan Council. Chapels or other places of meeting or of worship established at such centers, and their congregations, shall have the status of "Chapels of the Diocese." Chaplains shall be members of the clergy under the supervision and authority of the Bishop.

SECTION 2. There shall be a Chaplaincy Committee for each Collegiate Chapel. At least two-thirds of the members of this committee shall be communicants of this Church in good standing. It shall be the duty of the Chaplaincy Committee to care for the properties of the Chapel to which they are appointed, to make recommendations to the proper authority for needed repairs and improvements, to as certain that the use of the Chapel is in accordance with the regulations of the local institution as well as those of the Diocese, and to assist the college chaplain in the furtherance of the church's work on the campus.

SECTION 3. There shall be for each Collegiate Chapel a Register as provided in Canon 73. The Chapel communicant register shall consist only of those persons who have been baptized,

confirmed, or received into The Episcopal Church at the Chapel. It shall be a special duty of the chaplain to seek to transfer such members upon their permanent departure from the institution.

SECTION 4. It shall be lawful for the college chaplain to organize from local parishes and from the faculty and student body of the institution to which the chaplain has been assigned such committees, choirs, auxiliaries, guilds and societies as the chaplain may think advisable for the furthering of the ministry of The Episcopal Church on the campus.

SECTION 5. Any Collegiate Chapel congregation operating under the provisions of this canon may elect from among its regular communicants a communicant in good standing of The Episcopal Church to be its deputy to the Diocesan Convention, who shall be entitled to seat, voice, and vote at Diocesan Convention. The chaplain and any member of the advisory committee shall certify the election of the deputy to the Secretary of Diocesan Convention.

SECTION 6. The chaplain and the Chaplaincy Committee shall make annual reports to the Bishop of the Diocese in such form as the Bishop may direct.

See also: Canon 47, Section 3 - Parochial Cure

CANON 58

Institutional Chapels

SECTION 1. Any educational, health-care, residential, or other institution within the Diocese may establish a Chapel to serve its attendees, residents, and staff. Any erection of a chapel building for Episcopal services must be approved pursuant to the provisions of Canon 48. The appointment of any full-time or part-time member of the clergy of The Episcopal Church to serve as Chaplain for such institution must be approved in writing by the Ecclesiastical Authority of the Diocese. The Chaplain shall make annual reports to the Bishop of the Diocese in such form as the Bishop may direct.

SECTION 2. Institutional Chapels shall have no lay representation in Diocesan Convention or in Convocations.

See also: Canon 47, Section 3 - Parochial Cure

CANON 59

Parochial Chapels

SECTION 1. The establishment of a Parochial Chapel by a Parish must have the previous written consent of the Bishop acting with the advice and consent of the Standing Committee. An application for such purpose shall be in writing and shall be sent to the Bishop, who shall lay the matter before the Standing Committee, and at the same time give notice by registered or certified mail to the three Parishes whose houses of worship are nearest to the location of the proposed Parochial Chapel, that such application has been made and that any objections submitted to the Bishop in writing within thirty days after the date of mailing the notice will be duly considered. After the expiration of said thirty days, the Standing Committee shall proceed to the consideration of the application and of any objections thereto and shall advise the Bishop of their conclusions. If approval be given, the Bishop may then authorize the Parish to organize a Parochial Chapel upon such conditions as may be set forth in such approval. Upon the establishment of such a Parochial Chapel, the Parish shall cause a copy of a certificate of organization to be forwarded to the Bishop, and such establishment shall be reported to the next Diocesan Convention as provided in Canon 46, Section 2.

SECTION 2. Unless otherwise provided in the conditions for approval of the Parochial Chapel, the member of the clergy in charge of a Parochial Chapel shall be appointed by the Rector with the consent of the Bishop, shall be subject to the direction of the Rector, and shall serve at the pleasure of the Rector. Title to property and funds allocated to a Parochial Chapel shall be held in the name of the Parish, which shall be financially responsible for all operations of the Parochial Chapel. The Parish shall make annual reports to the Bishop of the Diocese with respect to the Parochial Chapel in such form as the Bishop may direct.

SECTION 3. Parochial Chapels shall have no lay representation in Diocesan Convention or in Convocations.

CANON 60

Reclassification

SECTION 1. (a) An existing Mission that seeks reclassification as a Parish must show that it has complied with the Constitution and Canons of the Diocese for a period of three consecutive years without receiving financial support from the Diocese and must demonstrate the reasonable prospect that it will able to continue to do so and that it does and will be able to continue to pay its full Marks of Mission Giving Asking according to the formula approved by Diocesan Convention and to continue to pay in full the salary and other required compensation of a Priest on at least a part-time basis, as provided in Subsection 1(b) of this Canon. A congregation which seeks such reclassification will make a written application to the Bishop, signed by the Vicar and Secretary of the Mission and as many members of the congregation as possible, declaring that the prospective Parish will: (1) at all times adhere to and observe the doctrine, discipline, and worship of The Episcopal Church existing at the time of its formation and as may thereafter be amended, and the laws of the State of New Jersey; (2) be subject to the spiritual jurisdiction of the Bishop of the Diocese of New Jersey, or in case of a division of the Diocese, to that of the Bishop within whose jurisdiction it may come; (3) apply as soon as possible after its incorporation for admission into union with the Convention of the Diocese, and become subject to the Constitution and Canons thereof; (4) pay its Rector no less than the canonical minimum salary and provide a rectory or other suitable living quarters; and, (5) hold all Parish assets in trust in perpetuity for the Episcopal Church and the Diocese. The Mission shall also present such documents in support of the application as the Bishop may request. The Bishop shall then give notice of the application to the three Parishes whose houses of worship are nearest to the location of the Mission. If after thirty days from the giving of such notice, there is no objection on the part of the three nearest Parishes, the Bishop may then consent to the action proposed. If objections be made within thirty days, the Bishop shall lay the application and the objections before the Standing Committee, and if the Standing Committee approve, the Bishop may consent in writing to the formation of a Parish corporation pursuant to statute, in the following form:

> The reclassification from Mission to Parish in the city (or town) of ....., County of ..... to be known as ..... Church, having been duly considered by the Standing Committee and approved by them, I do hereby give my canonical consent to the formation of said Parish and the incorporation thereof.
> Given under my hand this..... day of..... in the year of our Lord, two thousand .....
>
> Bishop of New Jersey
>
> Attest:
> .....
> Secretary of Standing Committee

(b) If the congregation seeking reclassification so requests, the Bishop, with the consent of the Standing Committee, may stipulate that for a fixed period of time the pastoral, spiritual and sacramental needs of the congregation will be met by the services of a priest working for a

specified number of hours less than full time, with full compensation appropriate to such part-time service, subject to further review at the end of the period specified. Upon such review, the permission to maintain a part-time rector may be continued for a further specified period, until such time as a full-time position may be justified, or until Section 2 of this Canon may become applicable.

(c) After receipt of the Bishop's consent for incorporation, the congregation shall take the steps necessary to incorporate pursuant to the procedures of the New Jersey Statutes applicable to Episcopal Parishes. Following incorporation and the election of wardens and vestrymembers, the Vicar may with the consent of the Bishop, to be confirmed in writing, be elected to continue as Rector of the new Parish notwithstanding any noncompliance with the prior-notice requirements of Sections 1 and 2 of Canon 52.

(d) Following incorporation, the new Parish shall apply for admission into union with the Convention of the Diocese as provided in Article VI of the Constitution and become subject to the Constitution and Canons thereof. Upon approval by the Diocesan Convention, the Mission shall be deemed reclassified as a Parish and shall thereafter be so reported to the next annual Convention as provided in Canon 46, Section 2.

SECTION 2. (a) If a Parish is unable or anticipates being unable to comply in a material way with the requirements set for Parishes by Article VI of the Constitution for a period of six months, the elected leadership of the Parish shall so inform the Bishop. If it appears that the six-month period has passed and the elected leadership of the Parish has not informed the Bishop, then the Rector of the Parish, the Canon to the Ordinary, if there be one, the Chief Operating Officer of the Diocese, if there be one, the Board of Missions, the Board of Consultation, or the Dean of the Convocation of which the Parish is a part, may so inform the Bishop. In either such event the Bishop shall invite the Rector, Wardens, and Vestrymembers of the Parish to meet with the Bishop and one or more consultants chosen by the elected leadership of the Parish or by the Bishop to discuss and formulate a plan to address the problem. If within ninety days of the Bishop's first being advised of the problem no plan can be agreed by all parties, or, if a plan is agreed but the Parish is unable to achieve complete compliance with such plan within a period of six months after it is adopted, the Bishop may determine that the problem cannot be resolved and that the Parish is no longer viable and should be reclassified as a Mission as governed by Canon 55. The Bishop will inform the Rector, Wardens, and Vestrymembers of the Parish concerned and the Diocesan Council of any such recommendation. The Diocesan Council will make its own determination of whether it does or does not concur with the Bishop’s recommendation. The Bishop’s recommendation and Diocesan Council’s finding shall be reported to Convention for action as provided in Canon 46, Section 2.

(b) If the Rector, Wardens, and Vestrymembers of a Parish wish their Parish to be reclassified for any of the reasons given in Section 2(a) of this Canon, or when, after discussion initiated by the Bishop in accordance with Section 2(a) of this Canon, the Rector, Wardens, and Vestrymembers agree to such reclassification, they may make application to the Bishop in writing to be reclassified. The application shall be signed by a majority of all the current members of the Vestry. If the Bishop consents to the reclassification, the Bishop shall lay the matter before Standing Committee, and if it consents, the Bishop may forthwith reclassify the Parish as a Mission, such reclassification shall be reported to the next annual Convention of the Diocese as provided in Canon 46, Section 2. In such event, no further action by Convention shall be required to effect such reclassification.

(c) If the Vestry of a Parish fails to comply promptly with a judgment issued under canons relating to the Dissolution of the Pastoral Relation, the Bishop shall lay the matter before Standing Committee, with notice and opportunity for such Vestry to appear and be heard. If the Standing Committee consents, the Bishop may forthwith reclassify the Parish as a Mission, and such reclassification shall be reported to the next annual Convention of the Diocese as provided in

Canon 46, Section 2. In such event, no further action by Convention shall be required to effect such reclassification.

(d) When a Parish is reclassified as a Mission, the following changes will be made in its organization:

(i) The Rector shall relinquish the Rector's tenure. The appointment of a priest to be Vicar in charge of the Mission, who may be the former Rector, shall be by the Bishop. The Vicar shall serve without tenure. The Bishop may appoint a full-time or part-time vicar as the Bishop thinks best.

(ii) If the reclassification is to status of a Mission and was the result of a failure of the former Parish to conform to and obey the doctrine, discipline, and worship of The Episcopal Church and the Constitutions and Canons of the General Convention and of this Diocese, then the Bishop may forthwith appoint a Treasurer, Secretary, one or two Wardens, and Mission Committee members for the Mission in lieu of their being elected by the Congregation, until such time as the Bishop certifies in writing that the Mission is conforming to such doctrine, discipline, and worship and such Constitutions and Canons, after which the Congregation may elect such officers at its next annual or special meeting called for such purpose.

(iii) If the Bishop does not appoint new officers, the existing Treasurer and Wardens shall continue in office until their successors are elected or appointed, and the Clerk shall continue as the Secretary of the Mission and the Vestrymembers shall continue as members of the Mission Committee, until their successors are elected or appointed.

(iv) The appropriate corporate officers shall take such steps as required by law to consolidate the Parish corporation into the Trustees of Church Property, so that title to all real and personal property and endowment funds of the former Parish shall be transferred by operation of law to the Trustees of Church Property of the Diocese of New Jersey, to be held by them in trust for the purposes of the Diocese. The Trustees of Church Property have the discretion not to consent to any such consolidation; if they do not consent, the Parish officers must otherwise transfer such title to the Trustees of Church Property.

SECTION 3. A Parochial Chapel, or a Seasonal Chapel that provides services throughout the year, may apply to become a Mission by complying with the provisions of Canon 55, Section 1.

PART V – APPEALS TO THE BISHOP

CANON 61

Persons Repelled from the Holy Communion

SECTION 1. When the minister repels a person from the Holy Communion, the minister shall give to the person so repelled a previous written notice of the fact and cause of the repulsion, and also of the person's right to make an appeal to the Bishop.

SECTION 2. If the person thus repelled from the Holy Communion appeals to the Bishop, and is not restored by the Bishop**,** the Bishop may, and if the person repelled demands it, shall appoint one Presbyter and two lay persons, who shall make inquiry into the truth of the facts alleged, and shall report thereof, with their opinion thereon, to the Bishop, who may or may not restore the person as the Bishop may deem proper.

SECTION 3. If no appeal be made, or the Commission of Inquiry sustain the repulsion, and the Bishop approve the action of the minister, the Bishop shall give a written or printed affirmation of the repulsion to the minister, and also to the person who has been repelled, and to the Rector of every Parish in the Diocese; and in like manner, if the Bishop restore the person, the Bishop shall give notice of the same in writing to the minister, the person restored, and to the Rector of every Parish in the Diocese.

CANON 62

Dissolution of the Pastoral Relation

SECTION 1. Proceedings to terminate the tenure of a Rector of a Parish other than by the mutual consent of the Rector and the Vestry shall be governed by the procedures set forth in Canon III.9.13 of The Episcopal Church, as modified by the provisions of this Canon.

SECTION 2. A determination by a Vestry to give the notice required under the first sentence of Canon III.9.13(b) is not an action relating to or affecting the personal or exclusive rights of the Rector and such determination can be made at a duly called meeting of the Vestry whether or not the Rector is present.

SECTION 3. If the Vestry fails to comply with the terms of a judgment as provided in Canon III.9.13(e)(2), this will be a violation of the Discipline of The Episcopal Church that can be grounds for reclassification as a Mission under Canon 60(2)(c).

CANONS 63, 64, 65, 66, AND 67 RESERVED

PART VI – DISCIPLINE

CANON 68

Ecclesiastical Discipline

SECTION 1. Terminology. Capitalized terms used in this Canon shall have the meanings assigned to them in Title IV of the Canons of The Episcopal Church.

SECTION 2. Disciplinary Board. There shall be in the Diocese of New Jersey a Disciplinary Board, to consist of three lay persons and four priests or deacons chosen in the following manner:

(a) The annual Diocesan Convention shall elect each year three lay persons and four members of the clergy who shall serve as members of the Disciplinary Board for one-year terms and as alternate members of the Disciplinary Board for two-year terms following the completion of their one-year terms as members of the Disciplinary Board. Each year at the annual Diocesan Convention, and whenever a vacancy occurs in the office of president of the Disciplinary Board, the Ecclesiastical Authority shall appoint one of the newly-elected members of the Disciplinary Board to act as a convener until the Disciplinary Board elects a President.

(b) No one shall be eligible for reelection to the Disciplinary Board until completing both the one-year term as a member and the two-year term as an alternate member.

(c) Clergy members of the Disciplinary Board shall be priests or deacons who have been canonically resident in the Diocese for at least three years. Lay members shall be adult confirmed communicants in good standing of a congregation in the Diocese. No person specified in the first sentence of Canon IV.5.3(c), nor any person affiliated in the practice of law or

otherwise with any of such persons, shall be eligible to serve as a member of the Disciplinary Board.

(d) Vacancies in the Disciplinary Board due to death, disability, resignation, declination to serve, ordination, the removal of a member from the Diocese, or any other vacancy, shall be filled in the following manner. When the president of the Disciplinary Board becomes aware of a vacancy, the president shall forthwith convene the Disciplinary Board. The vacancy shall be filled by drawing lots from among those alternate members of the Disciplinary Board who are of the same order in which the vacancy has occurred. The alternate so chosen shall fill the vacant office for the remainder of the unexpired term, and having completed that term, shall then complete any balance remaining in his or her term as an alternate.

(e) The President of the Disciplinary Board shall appoint members of the Board to Conference Panels and Hearing Panels, in his or her discretion or by lot, upon the referral of an intake report to the Reference Panel.

SECTION 3. Officers of the Disciplinary Board. At the initial meeting convened following the annual Diocesan Convention, the Disciplinary Board shall elect a clerk, who may but need not be a member of the Board, as well as a president, who must be a member of the Board. In the event of a vacancy in either office, the president or if there is no president the convener shall forthwith convene the Disciplinary Board to fill the vacancy by election.

SECTION 4. Church Attorneys. (a) A Church Attorney shall be elected annually by the Diocesan Convention to serve for a one-year term, and he or she may stand for reelection. The Standing Committee may appoint additional Church Attorneys as necessary. Any remuneration to a Church Attorney must be pursuant to a written retainer agreement approved by the Diocesan Council. Any Church Attorney must be an adult confirmed communicant in good standing of a congregation in the Diocese and member in good standing of the Bar of the State of New Jersey. No Chancellor, Vice Chancellor, Advisor, Conciliator, Intake Officer, or Investigator, nor any person affiliated in the practice of law or otherwise with any of such persons, shall be eligible to serve as a Church Attorney.

(b) Any Church Attorney may be removed from office for cause by the Standing Committee after the Church Attorney has had an opportunity to be heard by the Standing Committee.

(c) A vacancy in the office of Church Attorney shall be filled by the Standing Committee until the next annual meeting of the Convention.

SECTION 5. Intake Officer. (a) An Intake Officer shall be elected annually by the Diocesan Convention to serve for a one-year term, and he or she may stand for reelection.

(b) The Intake Officer may be removed from office for cause by the Standing Committee after the Intake Officer has had an opportunity to be heard by the Standing Committee.

(c) A vacancy in the office of Intake Officer shall be filled by the Standing Committee until the next annual meeting of the Convention.

SECTION 6. Investigators. (a) The Bishop shall after consultation with the president of the Disciplinary Board appoint one or more Investigators annually at the Diocesan Convention to serve for a one-year term. An Investigator may be reappointed at the end of his or her term.

(b) Any Investigator may be removed from office for cause by the Church Attorney.

(c) A vacancy in the office of Investigator shall be filled by appointment by the Bishop after consultation with the president of the Disciplinary Board, to serve until the next annual meeting of the Convention.

SECTION 7. Advisors and Conciliators. The Ecclesiastical Authority shall at all times provide for the designation of at least two qualified Advisors and at least one qualified Conciliator to be available for appointment by the Bishop as needed.

SECTION 8. Extension of Terms of Office. The term of office of any member of a Reference Panel whose original term expires while a matter is pending before that Panel shall be extended until the matter is referred by that Panel or the Panel decides to take no action other than an appropriate pastoral response. The term of office of any member of a Conference Panel whose original term expires while a matter is pending before that Panel shall be extended until thirty days after the entry of an Accord or Order by that Panel. The term of office of any member of a Hearing Panel whose original term expires while a matter is pending before that Panel shall be extended until forty days after the entry of an Order by that Panel. The term of office of an Investigator whose original term expires while a matter is pending before him or her shall be extended until the delivery to the Reference Panel of his or her report of findings and any supplemental report. The term of office of a Church Attorney whose original term expires while a matter is pending before him or her shall be extended until forty days after the entry of an Order by the Hearing Panel, unless earlier removed.

SECTION 9. Expenses. (a) The necessary charges and expenses of the Disciplinary Board shall be a charge upon the Diocese and shall be paid by the Treasurer of the Diocese from the Diocesan Budget Account upon the order of the president of the Disciplinary Board.

(b) Each Church Attorney shall be compensated for services at a rate set in a written retainer agreement between the Church Attorney and the Diocese, not to exceed the customary prevailing rate for legal services of comparable attorneys in the State of New Jersey, and further shall not exceed the sum of $30,000 for each Church Attorney per matter. In addition, the Diocese shall be responsible for reimbursing the reasonable and necessary disbursements and expenses incurred by the Church Attorney.

(c) The reasonable and necessary expenses of the Respondent and the Respondent's counsel shall be a charge upon the Diocese and shall be paid by the Treasurer of the Diocese from the Diocesan Budget Account. Counsel for the Respondent shall be compensated by the Diocese for his or her services at a rate not to exceed the customary prevailing rate for legal services of comparable attorneys in the State of New Jersey, and further shall not exceed the sum of $30,000, inclusive of disbursements, for each matter.

(d) In obtaining legal counsel pursuant to the provisions of Canon IV.19.22, any Hearing Panel shall not be required to follow the procedures set forth in Canon 26, but the services of any attorney must be at a rate not to exceed the customary prevailing rate for legal services of comparable attorneys in the State of New Jersey and must be pursuant to a written retainer agreement previously approved by the Diocesan Council.

CANON 69 RESERVED

PART VII – GENERAL CANONS

CANON 70

Bishop and Ecclesiastical Authority

In the event of the death, disability, or resignation of the Bishop Diocesan, unless another bishop is designated to act pursuant to Article XII of the Constitution of the Diocese, the Standing Committee of the Diocese shall become the Ecclesiastical Authority. In these Canons, except for references to the Bishop Diocesan, references to the Bishop shall include the Ecclesiastical Authority; provided, that the Standing Committee may designate an interim or other bishop to perform such episcopal services on behalf of the Ecclesiastical Authority.

CANON 71

Accounts

SECTION 1. The Fiscal Year shall begin January 1

SECTION 2. All accounts having to do with the receipt and expenditure, or investment or reinvestment of money of all diocesan or congregational organizations, including all discretionary accounts and funds, shall be audited at the close of each year by a certified public accountant, a public accountant, or such audit committee as shall be authorized by the Audit Committee of the Diocese. The person or persons conducting the audit shall in no way be connected with the subject matter of the account.

SECTION 3. Treasurers and custodians, other than banking institutions, shall be adequately bonded; except treasurers of funds that do not exceed $500.00 at any one time during the fiscal year.

SECTION 4. The discretionary funds of all bishops, priests and deacons of the Diocese shall be managed in accordance with the guidelines set forth in the *Manual of Business Methods in Church Affairs* issued by the Office of the Treasurer of the Episcopal Church.

CANON 72

Church Property

SECTION 1. All real and personal property held by or for the benefit of any Parish, Mission, congregation, or corporation of this Diocese is held in trust for this Diocese and the Episcopal Church. The existence of this trust, however, shall in no way limit the power and authority of the Parish, Mission, congregation, or corporation of this Diocese otherwise existing over such property so long as the particular Parish, Mission, congregation, or corporation of this Diocese remains a part of and subject to the Constitution and Canons of this Diocese and the Episcopal Church.

SECTION 2. No sale, conveyance or mortgage of any real estate other than burial lots in churchyards or cemeteries, and no lease for a longer term than one year shall be made by any Parish, Mission, congregation, or corporation of this Diocese without the previous written consent of the Bishop and a majority of the Standing Committee of the Diocese, or in case of a vacancy in the office of Bishop, or of the Bishop's absence from the Diocese, then of a majority of the Standing Committee.

See also: Constitution Article VI clause (4) - Requirements of Parishes; Canon 60, Section 1, clause (5) - Holding Assets in Trust; Revised Statutes of New Jersey, Section 16:12-4 - Consent of Bishop and Standing Committee for Conveyance or Encumbrance

CANON 73

Parochial Registers and Reports

SECTION 1. (a) In every Congregation the Warden or Wardens shall provide a Parish Register.

(b) It shall be the duty of every Minister in charge of a Congregation, or if the Congregation be vacant, the Wardens and Members of the Vestry, to record in the Parish Register all Baptisms, Confirmations, Marriages and Burials, and the names of all Communicants within the Minister's Cure.

(c) The registry of every Baptism shall be signed by the officiating Minister, and the said registry shall include the complete name of each child or adult baptized, together with the place and date of Baptism, the place and date of birth, and the names of the parents and sponsors or witnesses.

(d) The registry of every Confirmation shall include the complete name and the age of the confirmed, and when and where the confirmed was baptized; and each page of the register of Confirmation shall indicate the date and place of administration, and shall be signed at least once by the officiating Bishop and the presenting Minister.

(e) The registry of every Marriage shall be signed by the officiating Minister, by the contracting parties, and by at least two witnesses; and the said registry shall include the place and date of marriage, the status of the contracting parties immediately before the marriage, their age and place of residence, and the names of their parents.

(f) The registry of every Burial shall be signed by the officiating Minister, and the said registry shall include the complete name, the age, the status in the Church, last residence, the date and cause of death, and the date and place of burial of the person buried.

(g) Every Minister in charge of a Congregation shall make out and continue, as accurately as possible, a list of all families within the Minister's Cure, including the names of each member thereof, and of all individuals not included as members of a family; which list shall indicate whether each person is a baptized, a confirmed, or a communicant member of this Church; and the said list shall remain in the Congregation for the use of the Minister's successor.

SECTION 2. (a) Every Minister in charge of a Congregation, or, if there be no such Minister, a Warden thereof, shall prepare annually for the year ending December 31st preceding, a report of the Congregation, upon the form as provided by Canon I.6.1 of The Episcopal Church, and shall send the said report, not later than March 1st, to the Bishop.

(b) Every Minister not in charge of any Parish or Congregation shall also report the Minister's occasional services for the year ending December 31st preceding, and shall send the said report, not later than March 1st, to the Bishop; and if there have been none, the Minister shall state the cause or reasons which have prevented the same.

(c) The above reports, or such part of them as the Bishop may deem proper, shall be entered in the Journal of the Convention.

(d) The officers of each Parish or Mission shall prepare annually a report of the compensation of each member of the clergy employed by the Parish or Mission upon the blank form provided by The Standing Commission on Clerical Compensation, and shall send the said report, not later than March 1st, to the Bishop. The report shall be signed by a Warden, the Treasurer and the member of the clergy.

(e) If the proper report be not made by any Congregation through its Minister or Warden by March 1st of each calendar year, it shall be the duty of the Bishop to cause inquiry to be made into the condition; and if the said report is not in the Bishop's hands within a period of forty-five days from the date when it is due, such Congregation shall not be entitled to representation in the Convention.

See also: Constitution Article II, Section 6 - Disqualification from Lay Representation; Canon 2, Section 5 - Committee on Credentials of Lay Deputies

CANON 74

Minimum Compensation for Clergy

SECTION 1. Each Parish and Mission in the Diocese shall provide compensation for its rector, vicar, assistant, interim, or priest-in-charge in accordance with the provisions of this section. Terms of compensation shall be set forth in a letter of agreement, subject to the approval of the Bishop. Compensation shall include cash salary, housing, professional expense reimbursement, Social Security offset, and continuing education allowance, in accordance with the following subsections:

(a) Cash salary shall not be less than the applicable mandatory minimum for position category established in the Clergy Compensation Chart adopted by Diocesan Convention. The clergyperson may agree with the Parish or Mission to pay a specified portion of such cash salary into a tax deferred savings plan. All churches in the Diocese shall set the compensation for all clergy employees according to a fiscal year that begins on January 1. The employment year for salary schedule purposes will be considered to begin on the 1st of January closest to the date the clergyperson's employment begins; provided, however, that all dates in July shall be considered closest to January 1st of the following year.

(b) Housing shall be provided in accordance with one of the following three alternatives:

(1) The Parish or Mission shall pay the clergyperson a housing subsidy, not less than the minimum amount established by Diocesan Convention. This provision is intended to apply to situations in which the clergyperson owns a home as a primary residence. In special circumstances the clergyperson may make a written agreement with the Parish or Mission to accept a lesser amount for a given period of time, but all such agreements must be reviewed and approved in writing by the Standing Commission on Clerical Compensation.

(2) The Parish or Mission shall provide a rectory, pay the cost of utilities, repairs, and maintenance, and provide a housing equity plan for the clergyperson. As its share of the housing equity plan the Parish or Mission shall pay a sum not less than the amount set forth in the Clergy Compensation Chart per year into a tax deferred savings plan or other account specified by the clergyperson; however, in special circumstances the clergyperson may make a written agreement with the Parish or Mission to accept a lesser amount for a given period of time, but all such agreements must be reviewed and approved in writing by the Standing Commission on Clerical Compensation.

(3) The Parish or Mission shall rent suitable living quarters for the clergyperson and pay the cost of utilities. It may also provide a housing equity plan. When rented housing is provided in accordance with the provisions of this paragraph, the Parish or Mission shall, at the time when the member of the clergy is employed, make an agreement in writing with the member of the clergy stipulating the amount of the rent or rental allowance. A copy of the agreement shall be filed with the Commission on Clerical Compensation. This amount shall not be decreased by the Parish or Mission during the time that the member of the clergy remains employed by the church.

If alternative (1) of this subsection (b) is selected, the clergyperson may require the Parish or Mission to designate a portion of the cash salary as additional housing allowance in an amount specified by the clergyperson, but this additional housing allowance shall be applied to the requirement for cash salary provided for in subsection (a) of this section.

If alternative (2) or (3) of this subsection (b) is selected, the clergyperson may require the Parish or Mission to designate a portion of the cash salary as cash housing allowance in an amount specified by the clergyperson, but this cash housing allowance shall be applied to the requirement for cash salary provided for in subsection (a) of this section.

The foregoing requirements of this subsection (b) for housing or a housing allowance shall not apply to priests who are employed full-time as interim rectors or interim vicars or as assistant or associate clergy. The Congregation and such priest shall negotiate a mutually acceptable written agreement as to compensation, including any agreed-upon housing and/or housing allowance. A copy of the agreement, signed by both parties, shall be filed with the Commission on Clerical Compensation.

(c) The Parish or Mission shall pay the clergyperson a professional expense reimbursement up to the annual amount set by the Clergy Compensation Chart, or a higher negotiated amount, based on one of the following alternatives:

(1) The clergyperson shall submit periodically to the Parish or Mission treasurer an accounting of professional expenses incurred and shall be reimbursed for the amount billed.

(2) The Parish or Mission shall provide the clergyperson with an automobile for professional use and pay the cost of operating it. In addition, the clergyperson shall submit periodically to the Parish or Mission treasurer an accounting of other professional expenses incurred and shall be reimbursed for the amount billed.

Any unused annual professional expense allowance funds may be accumulated for as much as seven years but are forfeited upon termination of the pastoral relationship. Accumulated funds may be used to cover the costs for sabbatical leave approved by the vestry.

(d) Social Security offset shall be one-half the clergyperson's Social Security Self Employment Tax on cash salary and housing provided by the Parish or Mission. If the clergyperson has taken the proper legal steps to be exempt from Social Security, the vestry shall pay the clergyperson an equivalent amount. The clergyperson may direct the vestry to pay all or part of this amount into a tax-deferred saving plan of the clergyperson’s choice. The balance, if any, shall be paid to the clergyperson directly.

(e) The annual amount of continuing education allowance shall be not less than 3% of the minimum cash stipend for a newly ordained full-time Curate or Assistant as

established in the Clergy Compensation Chart adopted by Diocesan Convention. The clergyperson is entitled to two weeks of leave time per year with full compensation for continuing education purposes, including retreat time. Both unused leave time and up to $500 of continuing education allowance per year may be accumulated for as much as seven years. Accumulated leave time and allowance are forfeited upon termination of the pastoral relationship. The leave time and allowance can be used by the clergyperson only in a continuing education pursuit or to cover the costs for sabbatical leave approved by the vestry. If the vestry withholds approval, the clergyperson may appeal to the Standing Committee of the Diocese, and the decision of the Standing Committee shall be final and binding on all parties.

(f) The Parish or Mission shall pay medical, dental, and life insurance premiums to the extent provided in Canon 36; provided, that where the clergyperson has existing medical, dental or life insurance from prior or other employment or from a spouse, the clergyperson may make a written agreement with the Parish or Mission to accept no premium coverage or a lesser amount for a given period of time, but all such agreements must be reviewed and approved in writing by the Standing Commission on Clerical Compensation.

SECTION 2. The standards for compensation of Vicars or Rectors who are employed full time as clergy with pastoral charge of more than one Congregation shall be those provided in Section 1 of this Canon. It shall be the joint responsibility of each of the Congregations and of the Board of Missions, if applicable, to see that the provisions of this Section are carried out.

SECTION 3. The standards of compensation for members of the clergy serving part-time for a Congregation in the Diocese shall be not be less than the mandatory minimum level established in the Clergy Compensation Chart for part-time clergy adopted by Diocesan Convention, based upon the clergyperson's Work Units. (A "Work Unit" is a block of time on the schedule of morning, afternoon, or evening blocks, consisting of two and a half to four hours per block. The assumption is that twelve Work Units is the standard for full-time employment.) The Congregation must pay a Social Security offset and, if the clergy person is not retired, a pension assessment. The amount of professional expense reimbursement and a continuing education allowance shall be prorated for the number of Work Units. Provision of a rectory or a housing allowance, medical, dental, and life insurance coverage, and continuing education leave are not mandatory though strongly recommended to be negotiated between the clergyperson and the Congregation. The Congregation shall enter into a written agreement with the clergyperson setting forth the number of Work Units required and other components of compensation, and a copy of the agreement shall be filed with the Commission on Clerical Compensation. Any proposed compensation below the mandatory minimums must have the written approval of the Standing Commission on Clerical Compensation.

SECTION 4. Upon request and with the written consent of the member of the clergy concerned, the Commission on Clerical Compensation may approve adjustments in the cash salary, housing allowance (if any), and professional expense reimbursement required by Sections 1 through 3 of this Canon if the total of these three items meets the appropriate minimum requirements in these three areas.

SECTION 5. The failure of any Parish or Mission to comply with the foregoing provisions of this Canon is a violation of Section 6 of Article II of the Constitution of the Diocese.

SECTION 6. The Standing Commission on Clerical Compensation shall annually review the all components of clerical compensation and offer its recommendations of changes, if any, to the Parishes and Missions by November 1 of each year, as follows:

(a) The Commission shall annually review provisions of Sections 1 and 3 of this Canon with regard to a Cost of Living Adjustment based on the Bureau of Labor Statistics Consumer Price Index for the Northeast United States for All Urban Consumers (not seasonally adjusted) for a two-month average of August and September of such year compared with the same period of the prior year, and other compensation factors deemed appropriate by the Commission. The COLA shall be applicable to the clergyperson's current cash stipend, and subject to confirmation by Diocesan Convention.

(b) The Commission shall review the Clergy Compensation Chart in years divisible by three in order to adjust the minimum salaries of the position categories, housing equity or allowance, professional expense, and continuing education expense as needed based on market and economic factors, such as COLA.

SECTION 7. All proposed changes in the level of insurance benefits provided for in Canon 36, Section 2 shall be submitted to the Commission on Clerical Compensation for its study, report and recommendations, if any, at least sixty days prior to the Convention at which they are to be considered.

See also: Canon 33 - Commission on Clerical Compensation

CANON 75

New Canons and Amendments

SECTION 1. All proposed amendments of the Constitution or Canons shall be submitted electronically or by mail to the Standing Committee on Constitution and Canons for its study, report and recommendation, if any, on or before the December 1 prior to the Convention at which it is to be considered. No proposed amendment of the Constitution or Canons shall be considered by the Convention unless such proposed amendment shall have been referred to the Standing Committee on Constitution and Canons.

SECTION 2. Amendments of the Constitution shall go into effect in accordance with the provisions of Article XIII. Amendments of the Canons shall go into effect immediately upon their passage, unless otherwise provided.

SECTION 3. Whenever a new or amended canon calls for the election or appointment of members of a body for staggered terms, the initial terms of some members of the body shall be for such reduced number of years as is necessary for an orderly implementation of the canon. When the body is to be appointed, the method of staggering and reduction of terms shall be determined by the Ecclesiastical Authority.

SECTION 4. Following each meeting of the General Convention, the Standing Committee on Constitution and Canons must (a) review any changes to Canons of The Episcopal Church approved by such meeting and (b) propose to the next diocesan Convention amendments to Diocesan Canons so as to conform them to such changes in Canons of The Episcopal Church.

See also: Constitution Article XIII - Amendments

CANON 76

Openness, Accountability and Full Disclosure

SECTION 1. The Affairs of the Diocese shall be conducted in accordance with the principles of openness, and full disclosure.

SECTION 2. All meetings of Diocesan boards, departments, committees, commissions, and other agencies shall be open. Any member of the Convention or any member in good standing of any church in the Diocese shall be entitled to attend to observe and listen. Visitors may not address the meeting unless they are invited to do so. Information about the time, date and place of meetings shall be made available upon request. Copies of minutes, financial reports and other documents considered during meetings shall be made available upon request. This Section shall not apply to the Diocesan Commission on Ministry or the Standing Committee of the Diocese.

SECTION 3. Complete financial reports shall be made to the Convention of all funds of the Diocese and of all funds under the control of any board of trustees, committee, commission, or other agency of the Diocese.

SECTION 4. Upon request any member of the Convention shall be entitled to receive a copy of any and all financial reports available on an annual, quarterly, monthly, or current basis. This Section shall not apply to discretionary funds of any Bishop of the Diocese.

EXCERPT FROM THE REVISED STATUTES OF NEW JERSEY
[AS AMENDED BY PUBLIC LAW 2017, CH. 151 EFFECTIVE JULY 21, 2017]

TITLE 16
CORPORATIONS AND ASSOCIATIONS, RELIGIOUS

CHAPTER 12
PROTESTANT EPISCOPAL CHURCH

ARTICLE 1
Congregation or Parish

16:12-1. Incorporation; meeting

Any congregation or parish of the Protestant Episcopal Church in this State, duly organized in accordance with the constitution and canons of such church, may incorporate in the following manner.

A meeting shall be called by notice, designating the time and place of such meeting and the object for which it is called, signed by the minister, if there be one, and five members of full age, and read during public service at the usual place of worship, on the two successive Sundays next preceding. At such meeting only those persons who are qualified in accordance with the constitution and canons of the Protestant Episcopal Church in the diocese in which the parish is located shall be entitled to vote or act as officers. Five qualified voters shall constitute a quorum, and all questions shall be decided by a majority vote of those present. The minister shall preside at the meeting, but if the minister is absent, or if there be no minister in charge of the congregation, another person shall be chosen to act as chairperson. The presiding officer shall be the judge of the qualification of voters, shall receive the votes and declare the result. A secretary shall be chosen to record the proceedings.

The meeting shall determine by ballot whether the congregation shall become incorporated, and if so, the meeting shall determine further:

a. The corporate title, which shall be in the form as follows: "The Rector, Wardens and Vestry of ..... Church in .....";

b. The date of the annual meeting, which shall not be inconsistent with the constitution, canons or laws of such church; and

c. The number of vestrymembers, which shall be three, six, nine, or twelve.

The meeting shall then elect, by ballot, two wardens, one to hold office until the first annual meeting, and the other to hold office until the second annual meeting thereafter. The number of vestrymembers determined upon shall be elected in like manner, one-third to hold office until the first annual meeting, one-third until the second annual meeting, and one-third until the third annual meeting thereafter.

16:12-2. Certificate; acknowledgment; contents; filing and recording.

A certificate shall be executed, under the hands and seals of the chairman and the secretary of the meeting and acknowledged or proved in the same manner as deeds of real estate, setting forth:

a. That the meeting was called and organized as provided in R.S.16:12-1;

b. The name assumed as the corporate title;

c. The day fixed for the annual meeting;

d. The number of vestrymembers; and

e. The names of the persons elected as wardens and vestrymembers and their terms of office.

The certificate shall be filed and recorded forthwith in the office of the clerk of the county in which the parish is located, whereupon such wardens and vestrymembers, together with the rector, shall be a corporation, and shall constitute the trustees and the vestry of the parish.

16:12-3. Powers

Any parish of the Protestant Episcopal Church, duly incorporated hereunder or under any other law or charter or letters patent, notwithstanding any restriction contained in its charter, letters patent, act of incorporation, or certificate of organization, shall have all the powers enumerated in section 16:1-4 of this title except as hereinafter specifically provided.

16:12-4. Sale, conveyance, mortgage or lease of real estate; consent of bishop and standing committee.

No sale, conveyance or mortgage of any real estate other than burial lots in churchyards or cemeteries, and no lease for a longer term than one year shall be made by such corporation without the previous written consent of the bishop and a majority of the standing committee of the diocese within which the corporation is located, or in case of a vacancy in the office of bishop, or of the bishop's absence from the diocese, then of a majority of the standing committee. Such consent shall be acknowledged or proved and recorded with the deed, lease, mortgage or instrument of conveyance. Without such consent the sale, conveyance, mortgage or lease shall be void.

16:12-5. By-laws

By-laws made by any such corporation shall be consistent with the laws and with the constitution and laws of the Protestant Episcopal Church.

16:12-6. Members and officers

The rector shall be a member and the presiding officer of every such corporation, but if there be no rector, the wardens and vestrymembers shall constitute the corporation, and one of the wardens shall be elected the presiding officer. A clerk or secretary, who shall be one of the vestrymembers, and a treasurer shall be elected annually by the vestry, in such manner and subject to such restrictions as may be provided by the by-laws.

16:12-7. Rector; filling vacancy

When a vacancy shall occur in the office of rector, in any manner whatsoever, the wardens and vestrymembers, two-thirds of them concurring in the choice, may, subject to the constitution and canons of the Protestant Episcopal Church in the United States, and of the diocese in which the parish is located, choose some fit person, duly qualified, to be rector of the parish.

16:12-8. Meetings of vestry

Meetings of the vestry shall be called on at least twenty-four hours' notice by:

a. The rector at any time;

b. The wardens, if there is no rector, or if the rector is absent from the diocese for three calendar months, or is incapable of acting, or if the rector has refused to call the meeting within one week after the receipt of a request signed by a majority of the members of the vestry; or

c. A majority of the members of the vestry, in case of failure of the wardens to call such meeting within one week after the receipt of such request.

16:12-9. Vestry; quorum

To constitute a quorum of the vestry there must be present either:

a. The rector, one of the wardens and a majority of the vestrymembers, or

b. The rector, both wardens and one less than a majority of the vestrymembers; or

c. The rector and two-thirds of the vestrymembers; or

d. If the rector is absent from the diocese, or is incapable of acting, and shall have been so absent or incapable for more than three calendar months, or if the meeting is called by the rector and the rector is absent therefrom, or if the meeting is called by the wardens or vestrymembers and the rector is absent therefrom, one warden and a majority of the vestrymembers, or both wardens and one less than a majority of the vestrymembers.

If there is a rector called to or settled in the parish, no action shall be taken in the rector's absence, relating to or affecting the personal or exclusive rights of the rector, or the alienation of the capital or principal of any investments held by the corporation, or the sale of its real estate, or the encumbrance thereof, except as may be necessary for ordinary repairs.

16:12-10. Annual parish election; notice; officers; qualifications of voters; ballot; quorum

The annual election of any such parish shall be held on such day as may be designated in its certificate of incorporation, if consistent with the constitution, canons or laws of such church. Notice of the time and place of the annual election shall be given by advertisement set up in open view at the door of the church or usual place of worship, ten days prior to the election and shall also be read by the rector or officiating minister on the two Sundays next preceding the election, in time of public service.

The rector shall preside, with the right to vote, or if the rector is absent or if no rector is settled in the parish, the meeting shall choose one of the wardens, or if neither of the wardens is present, one of the vestrymembers, or if no vestrymember is present, then some duly qualified voter to act as chairperson. The secretary of the vestry, or in the secretary's absence a person appointed by the chairperson, shall enter the proceedings in the minutes book of the vestry, and shall sign the same together with the chairperson. The qualifications for voters, and for such officers as may be elected by the meeting, shall be as provided from time to time by the constitution and canons of the Protestant Episcopal Church in the diocese in which the parish is located; provided, however, that, at any annual parish meeting held for the election of wardens or vestrymembers, a by-law may be adopted providing that no wardens or vestrymembers who have been duly elected at any parish meeting may succeed themselves, which by-law shall remain in full force and effect until repealed at a subsequent annual parish meeting. The chairperson shall be the judge of the qualifications of the voters, shall receive the votes and declare the result. The election shall be by ballot, and the polls shall remain open for one-half hour, and for such longer time as may be required to receive the ballots of the persons present and ready to vote. Three persons shall constitute a quorum. In case of failure to elect on the first ballot the required number of wardens or vestrymembers to be elected at the meeting, one or more further ballots shall be taken in the same manner.

16:12-11. Election of officers; tenure

At each annual election of any such parish incorporated after March twentieth, one thousand nine hundred and one, one warden shall be elected to hold office for two years, or until a successor is chosen, and one-third of the total number of vestrymembers shall be elected to hold office for three years, or until their successors are chosen, and of any such parish incorporated prior to March twentieth, one thousand nine hundred and one, both wardens and all the vestrymembers may be elected to hold office for one year, or until their successors are chosen, or one warden shall be elected to hold office for two years or until a successor is chosen and one-third of the total number of vestrymembers shall be elected to hold office for three-years, or until their successors are chosen, notwithstanding any provisions in the charters or certificates of incorporation of any such parishes, congregations, societies or churches.

16:12-12. Warden or vestrymember; filling vacancy

In the event of a vacancy in the office of warden or vestrymember caused by the failure of any candidate to receive a majority of the votes cast, the vacancy shall be filled at a special meeting of the parish, called forthwith and conducted as hereinafter provided. In the event of a vacancy caused by the death, resignation, removal, incapacity, refusal or neglect for six months of any duly elected warden or vestrymember to serve in such capacity, the vacancy may be filled by the vestry until the next annual meeting.

16:12-13. Special parish meetings

Special meetings of the parish for any of the purposes provided in this article may be called by the rector at any time, or if there be no rector, by the wardens, upon the same notice as prescribed in R.S.16:12-10. The notice shall specify the object for which the meeting is called,

and no vote shall be taken upon any question not specified in the notice. Special meetings shall be conducted in the same manner as the meetings for the annual election, but the votes may be counted, and declared forthwith upon any question except the election of wardens and vestrymembers.

16:12-14. Changes; corporate title; number of vestrymembers; tenure; annual meeting

Any parish of the Protestant Episcopal Church, however incorporated, may change its corporate title, the number of its vestrymembers, the terms of office of its wardens and vestrymembers, or the date of its annual meeting. Such changes shall in all respects conform to the requirements of this article, and shall be made in the following manner:

A meeting of the vestry shall be called and held in the manner provided by R.S.16:12-8 and R.S.16:12-9, except that at least one week's notice, stating the object thereof, shall be given to each member. If the vestry, by a two-thirds vote of all the members thereof, shall recommend such change or changes, a special parish meeting shall be called in the manner provided by R.S.16:12-13. If the meeting of the parish shall ratify the recommendations of the vestry by a two-thirds vote of those present balloting separately upon each proposed change, then a certificate shall be executed by the rector and secretary, in the same manner as provided in R.S.16:12-2 for the execution of the certificate of incorporation, and shall be immediately filed and recorded in the office of the clerk of the county in which the parish is located, whereupon the change shall take effect.

16:12-15. Consolidation

Two or more incorporated parishes of such church may consolidate and become one parish in the following manner:

A meeting of the vestry of each parish may be called by the rector or wardens upon one week's notice to each member. If each vestry shall determine by a vote of three-fourths of all the members thereof that such consolidation is advisable, a further resolution shall be adopted by a like vote, requesting the consent of the bishop and standing committee of the diocese in which the parishes are located. Such consent shall be given in writing, signed by the bishop and a majority of the standing committee, and acknowledged or proved in the same manner as deeds of real estate.

A special meeting of the congregation of each parish shall then be called and conducted in the manner provided in R.S.16:12-13. Each meeting shall determine by a vote of three-fourths of those present balloting separately upon each question:

a. Whether such consolidation is advisable, and, if the determination is favorable; then

b. Whether the consolidated parish shall act under the charter of one of the consolidated parishes, or under a new certificate of organization

c. The corporate title of the consolidated parish, which may be identical with the name of the parish whose charter has been adopted. If no such charter is adopted, or if any change is made in the corporate title, it shall be in the form provided in R.S.16:12-1;

d. The date of the annual meeting, which shall not be inconsistent with the constitution, canons or laws of such church;

e. The number of vestrymembers, which shall be identical with the number fixed by the charter adopted, or if any change is made, shall be three, six or nine; and

f. The wardens and vestrymembers, who shall be chosen either in accordance with the provisions of the charter adopted, or as hereinbefore provided for new parishes.

A certificate shall then be made by the rector and secretary of each parish, and executed and acknowledged in accordance with R.S.16:12-2, setting forth:

a. The meeting and action of the vestry;

b. That the bishop and a majority of the standing committee have consented; and

c. The meeting of the congregation, and its action upon the questions required to be determined.

All such certificates, and the written consent of the bishop and standing committee, shall be forthwith filed and recorded together in the offices of the counties in which the parishes are

located. Thereupon the consolidated parish shall immediately become vested with all the temporalities and real and personal property of the parishes so consolidated.

16:12-16. Extinct parish or congregation; disposition and use of property and income; filing and recording of certificate showing parish extinct

If and when the convention of said church which has ecclesiastical jurisdiction over a parish shall determine that regular church services are no longer maintained by such parish, or that the parish no longer elects wardens and a vestry in accordance with its certificate of incorporation, said convention may declare such parish extinct, and thereupon the corporation having title to the property of said parish shall be thereby dissolved and the property of said parish and all rights and interest of said parish pertaining to property shall vest in the corporation organized to hold in trust property under the control of said convention, in trust, for the same religious purposes and with the power of disposition and sale to the same extent as the same vested or would have vested in the corporation having title to the property of said parish before it became extinct; provided, however, that this act shall not affect the reversionary interest of any person or persons in such property. Said property and the income therefrom and the proceeds of sale thereof shall be applied to religious and charitable uses connected with the church, and the convention may direct the use to which the same or any part thereof shall be applied and may direct the transfer thereof or any part thereof to any incorporated parish or other corporation, the funds of which are devoted to carrying on any of the objects or purposes of said church in said diocese. If and when the convention of said church shall make such determination and declare a parish extinct, a certificate of such action by the convention under the seal of the convention, signed by the bishop or other officer who presided at the meeting of the convention at which such action was taken and attested by the secretary of said convention and duly acknowledged, shall be filed and recorded in the office of the county clerk of the county where the certificate of incorporation of said parish has been filed, or where such extinct parish is located.

16:12-17. "Parish" as meaning "congregation"

The word "parish" when used in this chapter shall be construed to be equivalent to "congregation" whenever necessary to carry out the object and intent of the chapter.

ARTICLE 2.
Diocesan Convention

16:12-18. Incorporation

When any diocese now or hereafter created in this State under and by virtue of the authority of the general convention of the Protestant Episcopal Church in the United States of America shall desire to incorporate, the convention of the diocese may, at any regular meeting thereof, in which a majority of the parishes belonging thereto are represented by both clerical and lay deputies, declare their desire and intention to become such corporation by resolution. A copy of such resolution, together with a certificate stating the name of such diocese and the name of its president, secretary and standing committee, which shall consist of not less than four clerical and four lay members, duly signed by such president and secretary in the presence of one of the judges of the Superior Court or one of the justices of the Supreme Court, shall be filed in the office of the Secretary of State. Thereupon such convention shall be a corporation by the name or title stated in such certificate.

16:12-19. Powers; holding property in trust

Such corporation shall have all the powers enumerated in section 16:1-4 of this title, except the power stated in paragraph "i" of said section.

All the estate and property of such diocese shall be vested in and managed by such corporation, which may also take and hold by gift, grant, devise, bequest or otherwise, any property in trust for religious, ecclesiastical, charitable or educational objects, appertaining to or under the control of the convention or other ecclesiastical authority of the Protestant Episcopal

Church in the diocese, and may carry out the objects of such trust, if consistent with the constitution, canons or laws of such church.

16:12-20. Trustees; certificate of incorporation; filing; powers

The corporation may appoint or elect as trustees, in such manner as may be determined, not less than five discreet persons, who are members of the Protestant Episcopal Church, and citizens of this state, residing within the limits of the diocese. A certificate, under the hand and seal of the president and secretary of the convention, stating the corporate name selected for such trustees and also the names of such trustees, shall be filed in the office of the secretary of state. Thereupon such trustees and their successors shall be a corporation, under the name and title so certified, with the powers enumerated in section 16:1-4 of this title, except the power stated in paragraph "i" of said section.

16:12-21. Management of funds: property in trust

Such trustees shall have the management and care of any fund already existing, or which may hereafter be contributed, acquired or received, and any accumulations thereof, for the support of the episcopate of the diocese, and the appropriation of the income of the fund for that purpose, according to the direction to be from time to time given by the convention of the diocese. Such trustees may also take and hold by gift, grant, devise, bequest, or otherwise, any property, funds or securities of any kind in trust for religious, ecclesiastical, charitable or educational purposes, appertaining to or under the control of the convention or other ecclesiastical authority of the diocese, and may carry out the objects of such trust, if consistent with the constitution, canons or laws of such church.

16:12-22. Statement of proceedings and account; removal of trustee; filling vacancy

Such trustees shall present to each regular diocesan convention a statement of their proceedings, exhibiting the condition of the fund, together with an account of their receipts and disbursements. They may provide by laws for the removal of a trustee for good cause, and, on such removal, may declare the place vacant. Any vacancy in the office of trustee whether the same occur by death, resignation or removal of a trustee may be filled by the trustees until the next regular meeting of such convention. The convention shall permanently fill all vacancies existing in the trustees.

16:12-23. Division of property on division of diocese

When any diocese of the Protestant Episcopal Church in the United States of America within the state of New Jersey, has been or shall be divided into two or more dioceses, the body of trustees holding in trust or having control of the fund for the support of the bishop of such original or dividing diocese may make such division of all property as agreed upon by the original and the new diocese, whether after or in prospect of such division, and may assign, transfer and set over the same to such trustees as may be appointed for such new diocese, to hold to them and their successors for the trusts imposed upon them. If such division is made, all trusts in relation to the securities thereby conveyed, incumbent upon the former trustees, shall cease and be discharged.

16:12-24. Change of corporate names; filing certificate

The incorporated convention of any diocese of the Protestant Episcopal Church may, by resolution at any regular meeting thereof, change the corporate name of the diocese or the corporate name of any or all boards of trustees selected by them, that have been or shall become incorporated. Such change shall take effect upon filing in the office of the secretary of state a copy of the resolution, certified by the president and secretary of the convention, under their hands and seals, and acknowledged by them.

16:12-25. Effect of change on property rights and liabilities

After such change of name such corporations shall respectively hold, convey and administer, under and by their new name, all the property, estates, trusts, rights, privileges and franchises which they had under their former name, and may receive, hold, convey and administer all

estates, gifts, bequests, devises, conveyances and trusts, given or made to them by their new name or any former name, as fully and to the same intent as if such name had not been changed and such estates, gifts, bequests, devises, conveyances and trusts had been given or made to them by their former name.

Such change of name shall not impair any legal liability or obligation of or to such corporations.

16:12-26. Establishment of Trust Fund

The Diocesan Convention of any Diocese of the Protestant Episcopal Church within the State of New Jersey may, by canon or by-law, establish a common trust fund for the purpose of furnishing investments to itself and to any trustees, incorporated or unincorporated, holding funds for the benefit of the missionary, religious, benevolent, charitable or educational purposes of said Diocese and to any church, parish, congregation, society, chapel or mission of, or connected with the Protestant Episcopal Church in said diocese, whether said funds are held as fiduciary or otherwise

16:12-27. Investment in Trust Fund

Notwithstanding the provisions of any other law of this State in any way limiting the right of said trustees, parishes, congregations, societies, chapels or missions as fiduciaries or otherwise, to invest funds held by them, it shall be lawful for said trustees, parishes, congregations, societies, chapels or missions as fiduciaries or otherwise, to invest any or all of their funds in shares of or interests in such common trust fund; provided, that in case of funds held as fiduciary, such investment is not prohibited by the provisions of the will, deed, or other instrument creating such fiduciary relationship.

16:12-28. Name of fund; management; incorporation; powers of corporation

Said common trust fund, shall be designated as the Diocesan Investment Trust of the Diocese of ..... (name of Diocese) and shall be under the management and control of trustees who shall be elected as provided by the canons or by-laws of the Diocesan Convention of the Diocese in which said investment trust fund is created. The trustees of said fund, and their successors, shall be incorporated by filing a certificate under the hand and seal of the president and secretary of the convention stating the corporate name, as aforesaid, and also the names of such trustees, in the office of the Secretary of State and, thereupon, such trustees and their successors shall be a corporation under the name and title so certified with the following powers:

a. Have perpetual succession as such corporation;

b. Sue and be sued, plead and be impleaded in any court;

c. Adopt and use a common seal and alter and renew the same at pleasure;

d Appoint and employ such officers, agents, employees, advisers, banks and trust companies as may be necessary in the proper management of said trust and fix their compensation;

e. Make by-laws and rules consistent with law, for the regulation and management of its affairs, properties and institutions;

f. Acquire, purchase, receive, have and hold and take by devise, bequest or gift without limit, real and personal property of all kinds, church edifices, schoolhouses, college buildings, parsonages, sisters' houses, hospitals, orphan asylums, and all other kinds of religious, ecclesiastical, educational and charitable institutions, and the lands whereon the same are or may be erected, and cemeteries or burial places, and any real estate suitable for any or all of said purposes;

g. Lease, grant, sell and dispose of all or any part of such property;

h. Borrow money for the purposes of the corporation, and give bonds and mortgages therefor on any part of its property;

i. Exercise any corporate powers necessary and proper for the carrying out of the above-enumerated powers and the purposes of the corporation and its institutions.

16:12-29. Authority to retain investments

The corporation is authorized to retain in its absolute discretion and for such period as to the said trustees shall seem advisable any and all investments and other properties which may be entrusted to it by any of the said trustees, parishes, congregations, societies, chapels or missions.

16:12-30. Reinvestment; securities in which funds may be invested

The corporation is also authorized to change investments and properties and to invest and reinvest all or any part of the fund in such securities, investments, or other property as to the said trustees shall seem advisable without being restricted to those classes of securities which are lawful for the investment of trust funds under the laws of this State.

16:12-31. Dividends

The corporation shall pay ratably among the holders of shares or interests then outstanding, annually, or, in the discretion of said trustees, more frequently, dividends which shall approximately equal in each fiscal year, the net income of the trust, after establishing such reserves as they may deem advisable.