

THE CONSTITUTION
OF THE EPISCOPAL DIOCESE OF MILWAUKEE

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THE CONSTITUTION

ARTICLE I.

Of the Diocese of Milwaukee.

That part of the Church in the United States of America (commonly known as the Episcopal Church), herewith constituted a distinct Diocese in the same, shall be known as the Church in the Diocese of Milwaukee; and, as approved and set apart by the action of the General Convention, shall have jurisdiction over all that part of the State of Wisconsin lying south of the Counties of Sheboygan, Fond du Lac, Green Lake, Marquette, Adams, Juneau and Vernon, excepting such portion of Dodge County as is or shall hereafter be included in the City of Waupun.

ARTICLE II.

Of Its Relation to the Church in the United States.

The Church in the Diocese of Milwaukee hereby accedes to the Constitution and Canons of the Church in the United States of America (commonly known as the Episcopal Church), and acknowledges its authority as duly represented in the General Convention.

ARTICLE III.

Of the Diocesan Convention.

The Church in the Diocese of Milwaukee shall assemble in Annual Convention every calendar year, as provided for in the Canons.

ARTICLE IV.

Of a Special Diocesan Convention.

The Bishop, or the Ecclesiastical Authority, may convene a Special Convention by giving not less than three weeks notice of the same by letter to each member of the Clergy entitled to membership in the Convention, as duly certified to the Convention next preceding, and to the Wardens of the Parishes in union with the Convention, directing the election of Lay Deputies to the Special Convention. The notice shall designate the time and place of convening and the particular business to be transacted.

ARTICLE V.

Of the President of the Convention.

SECTION 1. The Bishop shall be President of the Convention, ex-officio.

SECTION 2. If the Bishop is absent or is unable to act or so requests, the Bishop Coadjutor, if there be one, shall be the President of the Convention.

SECTION 3. In the absence of both the Bishop and the Bishop Coadjutor, if there be one, or in case of their inability to act, or at their request, the Suffragan Bishop, if there be one, shall be the President of the Convention.

SECTION 4. If the See be vacant, and if there be no Suffragan Bishop canonically connected, as such, with the Diocese, the Ecclesiastical Authority shall, at least one week before the meeting of the Convention, designate and appoint a priest, entitled to a seat and a vote in the Convention, to serve as President Pro Tempore of the Convention until such time as a President Pro Tempore shall be elected by the Convention. Such election shall take place immediately after the report of the Committee on the Certificates of Lay Deputies shall have been received and acted upon by the Convention.

ARTICLE VI.

Of the Members of the Convention.

SECTION 1. The Convention shall be composed of Members of both Orders, Clerical and Lay.

SECTION 2. Each and every bishop canonically connected, as such, with the diocese, whether the Ordinary, the Coadjutor, the Suffragan, the Assistant, or retired, shall have a seat and a vote in the Convention.

SECTION 3. In addition to the bishop or bishops as set forth in Section 2, the Clerical Members shall be priests and deacons who are canonically resident and in good standing in the Diocese, and who, under or with the consent of the Ecclesiastical Authority, are (A) (1) engaged in parochial work in the Diocese, (2) engaged in educational work in the Diocese, (3) functioning in the Diocese in a position created by the Convention or by the Ecclesiastical Authority, or (4) a member of a recognized religious order or Christian community; or are (B) employed in an official capacity under appointment of the Executive Council of the Church; or are (C) under commission as Chaplains in the Armed Forces of the United States; and also (D) all Clergy who are canonically and physically resident in the Diocese, and who have retired from the active work of the Ministry.

SECTION 4. The Lay Members shall consist of Deputies chosen by the Parishes in Union with the Convention. There shall not be more than four Deputies from each Parish. They shall be adult communicants in good standing and residents in the Parish from which they are chosen. Their appointment shall have been certified to the Convention by either the Rector, the Wardens, or the Clerk of the Vestry.

SECTION 5. No Lay Deputy shall be allowed to vote at any session of the Convention if the Parish sending such Deputy (A) has for two successive years next preceding failed to report to the Bishop in accordance with the General Convention and Diocesan Canons, or (B) has failed in whole or in part to pay its Diocesan Assessment for three years preceding such Convention, or (C) has been, for two successive years next preceding such Convention, without a Rector, with

no provision for regular services, and has not notified the Bishop and requested the appointment of a Rector, or (D) has failed during the year next preceding such Convention to pay its full-time Clergy in accordance with at least the then current minimum compensation scale established by Convention for Diocesan Clergy. The Certificate referred to in Section 4 of this Article shall include a Certification as to compliance with the provisions of this Section.

SECTION 6. The Bishop may annually invite one or more persons to represent such Diocesan supported institutions at Convention as the Bishop deems appropriate. Such representatives shall have a seat and voice but shall not have a vote.

SECTION 7. The Members, Clerical and Lay, of a Special Convention, shall be those qualified in accordance with this Article.

ARTICLE VII.

Of the Officers of the Convention.

SECTION 1. The Executive Secretary of the Diocese shall serve as the Secretary of the Convention.

SECTION 2. The Secretary shall: (A) take minutes of the proceedings of the Convention, and record the same; (B) attest the acts of the Convention; (C) insert in each annual Journal, an appendix containing all recent amendments to the Constitution and Canons; and (D) pass into the hands of his or her successor all other books and papers relating to the business of the Convention.

SECTION 3. The Secretary shall also serve as Registrar of the Diocese. The Secretary shall take charge of and preserve all books, journals, records and documents, printed or written, entrusted to him or her by the Diocese, keeping a record of the same and reporting annually to the Convention.

SECTION 4. The Bishop shall have power to appoint a Secretary pro tempore, should the Secretary resign, remove from the Diocese, become unnecessary or acting or die.

SECTION 5. The Convention shall annually elect a Treasurer of the Diocese who shall serve until a successor is elected.

SECTION 6. The Treasurer shall furnish security for the faithful performance of his or her duties, in such manner and to such extent as the Bishop and Executive Council shall from time to time prescribe.

SECTION 7. The Treasurer shall be responsible for: (A) keeping an account of all moneys received or disbursed as Treasurer of the Convention and of the several Funds entrusted to the Treasurer; (B) keeping an account of all amounts assessed upon, or apportioned to, the Parishes, and of all sums received from them on the same; (C) paying such bills and appropriations as the Convention may have allowed or ordered, on receiving a certified statement of the same; and (D) reporting in full to the Convention, all receipts and disbursements as Treasurer.

SECTION 8. In case the Treasurer resigns, removes from the Diocese, becomes incapable of acting, or dies, the Bishop and executive Council shall appoint a Treasurer, who, until one is elected by the Convention, shall serve, subject to the provisions of this Article.

SECTION 9. The records of the Secretary and the books of the Treasurer shall at all times be open to the inspection of the Bishop, the Standing Committee, and the Convention.

ARTICLE VIII.

Of the Transaction of Convention Business.

SECTION 1. The Bishop, or if the See be vacant or the Bishop be absent or unable to act, the President of the Convention, with such Clerical and Lay Members as shall be assembled, shall constitute a quorum for the transaction of business.

SECTION 2. The Clerical and Lay Members shall deliberate and vote as one body. Unless otherwise ordered, the votes of a majority of the members present and voting, shall be decisive.

SECTION 3. In case any five members shall call for the same, the vote shall be taken by Orders, as defined in this Constitution. When thus taken each Parish shall have as many votes as it has deputies. A concurrent majority of both Orders shall be necessary for a decisive vote.

SECTION 4. Whenever an appeal is taken from any decision of the President, it must be seconded by at least five members, and two-thirds vote of all the members present and voting shall be necessary to sustain the appeal.

ARTICLE IX.

Of the Cathedral.

All Saints' Cathedral, in the City of Milwaukee, is and shall be, the Cathedral Church of the Diocese and a Parish in union with the Convention.

ARTICLE X.

Of St. Francis House, Madison.

St. Francis House, the University Episcopal center at the at the University of Wisconsin-Madison, operating under the stewardship of the University Commission of the Episcopal Diocese of Milwaukee, Inc., shall be affiliated with the Diocese of Milwaukee and under the ecclesiastical authority of the Bishop of Milwaukee, and all real and personal property held by or for the benefit of St. Francis House is held in trust for the Church and this Diocese as provided in Title I, Canon 7.4 of the Canons of the Church, as such Canon may be amended from time to time.

ARTICLE XI.

Of the Admission and Exclusion of Parishes.

SECTION 1. A Parish may be admitted into Union with the Diocesan Convention by majority vote of those present and voting, and shall thereafter be entitled to representation at the Convention, after the Parish has: (A) ten or more adult communicants in good standing, as certified by the Executive Council; (B) been incorporated, and organized by the election of two Wardens and at least three Vestry persons; (C) given at least one month's notice to the Ecclesiastical Authority of its intention to apply for admission into Union with the Convention; and (D) laid before the Convention a document in which its members accede to the Faith, Order, Worship, Constitution and Canons of the Church in the United States (commonly known as the Episcopal Church). A Parish that is under the direct pastoral oversight of the Bishop, as provided by the Canons, shall also first present to the Convention a certificate from the Bishop approving of the application for Union.

SECTION 2. When the Convention shall have sufficient evidence that a Parish persistently refuses to obey an order issued by the Ecclesiastical Authority, acting under the Canon "Of Disagreements Between Clergy and Congregations", it may by a vote of two-thirds of those present and voting, exclude the Parish from Union with the Convention.

ARTICLE XII.

Of the Election of a Bishop.

SECTION 1. Upon the recognized need for the election of a Bishop, Bishop Coadjutor or Suffragan Bishop, a "Committee on the Election of a Bishop" shall be appointed in accordance with the Canons of the Diocese of Milwaukee. Due notice of the appointment shall be given by the Ecclesiastical Authority to all Clergy and Parishes of the Diocese.

SECTION 2. The Committee on the Election of a Bishop, subject to the approval of Executive Council, shall establish a protocol for the nomination and election process in accordance with this Article XII and the Canons. The Committee shall have the specific responsibility to implement an appropriate procedure for assessing candidates and to ensure that the electors are familiar with the needs of the Diocese and with the qualifications of the nominees to the greatest extent feasible in accordance with the Canons.

SECTION 3. The Ecclesiastical Authority with the advice and consent of the Standing Committee, shall call a Special Convention of the Diocese at which the election of a Bishop shall be the sole order of business, and shall give due notice of the same to all Clergy and Parishes of the Diocese. Without such notice no election shall take place.

SECTION 4. Before entering upon the Election of a Bishop, the Committee on the Election of a Bishop shall place a slate of names in nomination in accordance with the Canons and the protocol established by the Committee. No nominations shall be accepted from the floor of the Convention. The protocol established pursuant to Section 2 of this Article XII shall include an opportunity, by petition or otherwise, for additional nominations from the Clergy and lay

members of the Church in the Diocese after the slate of nominees is announced by the Committee.

SECTION 5. In the Election, the vote shall be taken by ballot. The two Orders shall vote separately, the Clergy voting first, the Laity next voting by Parishes, each Parish having as many votes as it has deputies. The balloting shall be continued until some canonically qualified person shall have received a concurrent majority of the vote of each Order, of all those present and voting, and such person shall thereupon be declared elected.

ARTICLE XIII.

Of the Standing Committee.

SECTION 1. The Convention shall elect by ballot a Standing Committee to consist of four Priests, members of the Convention, and four Laypeople, adult communicants in good standing of the Church in the Diocese. The priests and lay members shall be elected to staggered four year terms. At each Annual Convention one Clerical and one Lay Member shall be elected to hold office until the fourth succeeding Annual Convention. Retiring members of the Standing Committee may not be elected to the Standing Committee for a period of one year. No person who is a Postulant or Candidate for Holy Orders shall be eligible for membership on the Standing Committee.

SECTION 2. The Standing Committee shall, at its first meeting, choose a President and a Secretary from among its members. At any meeting, all of the members being duly summoned, a majority of the members of the Committee shall constitute a quorum and a majority of those present at which a quorum exists shall be competent to act, unless a greater number for quorum or action is required by this Constitution or any Canon of the General Convention or this Diocese.

SECTION 3. The Secretary shall record all of the proceedings of the Committee. All records shall be subject to the inspection of the Bishop and of the Convention. The Secretary shall also prepare, and present to the Convention, a report of all the official acts and expenditures of the Committee during the previous fiscal year.

SECTION 4. In the case of death, resignation or removal of a member of the Committee, the Bishop shall fill the vacancy by appointment until the next meeting of the Convention at which time the vacancy shall be filled by election for the unexpired term.

ARTICLE XIV.

Of the Executive Council.

SECTION 1. The Convention may by Canon create and provide for the organization of an executive body to be known as The Executive Council.

SECTION 2. The functions and powers of the Executive Council shall be such as the Convention shall from time to time prescribe, but shall in no case invade nor conflict with the

canonical duties and prerogatives of the Bishop and the Standing Committee respectively, nor with the functions, powers and duties of the Trustees of Funds and Endowments, Inc. as defined in this Constitution.

ARTICLE XV.

**Of Deputies to the General Convention,
and to the Provincial Synod.**

SECTION 1. The Convention shall elect by ballot eight deputies to represent the Diocese in a General Convention. Four of the deputies shall be Priests or Deacons, who are members of the Convention and four shall be lay people, adult communicants in good standing of the Church in the Diocese. A like number of Supplementary Deputies, of each Order, and similarly qualified shall also be elected to serve in the case of inability on the part of the principal Deputies to attend the Convention.

SECTION 2. The Deputies-elect shall, at least two weeks before a General Convention, signify to the Ecclesiastical Authority, in writing, their intention to attend the Convention. In default of such notice, the Ecclesiastical Authority, shall designate the Supplementary Deputies necessary to complete the representation of the Diocese, and such Supplementary Deputies, duly certified, shall be Deputies to the General Convention. In case the Convention shall fail to elect Deputies, those last previously chosen shall serve until their successors have been elected. Whenever the Bishop and Standing Committee shall certify that there are one or more vacancies in the representation, they may by certificate, signed by the Bishop and the President and the Secretary of the Standing Committee, fill such vacancy or vacancies by appointment.

SECTION 3. The Convention shall also elect by ballot Deputies to represent the Diocese in the Provincial Synod, as provided for in the Constitution of the Province. In case the Convention shall fail to elect such Deputies, those last previously chosen shall serve until their successors have been elected.

SECTION 4. Within five months prior to each General Convention, there be a formal gathering called by the Bishop to which Diocesan Delegates to the General Convention and Parish Delegates, Clergy and Laity, and others with the Bishop to discuss the upcoming critical issues to be brought before the General Convention.

ARTICLE XVI.

Of the Trustees of Funds and Endowments, Inc.

SECTION 1. The Corporation known as the "Trustees of Funds and Endowments, Inc." is hereby empowered and directed to take and hold all deeds, and other papers, relating to donations of land, and of other property, given for the use or erection of churches and chapels, or of other ecclesiastical buildings in the Diocese. However, title to real estate given to or purchased by an unincorporated congregation for church purposes shall be vested in "Episcopal Diocese of Milwaukee, Inc." or as provided by Canon. It shall take care that all taxes on lands and other property currently held by it shall be paid, and that such other property as may be thus secured, shall be properly insured.

SECTION 2. The Trustees of Funds and Endowments, Inc. are hereby entrusted with, and shall have charge of, the Endowment Fund of the Diocese, now provided, with any addition which may be contributed thereto or which may accrue from any investment thereof. The Trustees of Funds and Endowments, Inc. shall have oversight for the development of diocesan endowments, both for general and designated purposes.

SECTION 3. The Trustees of Funds and Endowments, Inc., acting as trustee of the Combined Fund, shall employ a trust company or bank authorized to do trust business in the State of Wisconsin as its agent and/or custodian for its securities, and may seek such counsel, advice, and/or management of such funds as it deems appropriate.

SECTION 4. All real estate granted, or personal property or money given or bequeathed, for the use and benefit of the Church in the Diocese or its objects of beneficence, shall forever be held inviolate, and shall be appropriated only for the purposes aforesaid. No authority to divert them from these purposes, or to employ them in any commercial business, shall be granted to the Trustees of Funds and Endowments, Inc., except by the Convention acting under a Constitutional provision; provided, however, that any such real estate may be conveyed by consent of the Bishop and of the Standing Committee when the Convention is not in Session.

SECTION 5. The Bishop and the Treasurer of the Diocese shall be ex-officio members of the Trustees of Funds and Endowments, Inc. and as such shall have voice and vote.

SECTION 6. Trustees of Funds and Endowments shall take office beginning with the annual meeting of the Trustees of Funds and Endowments, Inc., that follows the Diocesan Convention at which they are elected. The annual meeting shall be held within 120 days of the Diocesan Convention.

ARTICLE XVII.

Of Alterations and Amendments.

SECTION 1. With the exception of Article XVI, the articles of this Constitution may be altered or amended by a concurrent majority of the votes of both Orders, at two consecutive Conventions.

SECTION 2. In altering or amending Article XVI, in addition to the requirements of Section 1 of this Article, a concurrent vote of a two-thirds majority of both Orders shall be requisite.

SECTION 3. In case of a division of the Diocese, or in the event of its union with part or all of another Diocese, such alterations and amendments, as may under the circumstances be immediately required, can be made at once, in the mode as provided for in the case of amendments to the Canons.

THE CANONS
OF THE EPISCOPAL DIOCESE OF MILWAUKEE

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THE CANONS

CANON 1.

Of the Clerical Members of the Convention.

SECTION 1. The Ecclesiastical Authority shall at least one week before the day of meeting of the Convention, cause to be delivered to the Secretary a certified list of the Bishops, Priests and Deacons who under the Constitution are Clerical Members of the Convention; with their respective cures, stations, or engagements. The Clerical Members so certified shall be duly enrolled by the Secretary.

SECTION 2. Should a question relative to membership arise, it shall be referred to a special committee, who shall decide and report to the Convention thereon immediately; and such decision, when accepted by the Convention, shall be conclusive for that session.

CANON 2.

Of the Lay Members.

SECTION 1. The Lay Members of the Convention shall be Deputies chosen and certified according to the Constitution; and whose certificates, having been presented and referred to the proper committee, are reported as regular. No Candidate or Postulant for Holy Orders shall sit as a Deputy in the Council.

SECTION 2. Certificates reported as irregular, defective, or contested, shall be referred to the Convention for disposition.

SECTION 3. The Treasurer of the Diocese and the Chancellor of the Diocese shall have seats with the right of debate in the Convention.

CANON 3.

Of Non-Attendance.

In case of a non-attendance of a Lay Deputy to the Convention an alternate shall be admitted to represent the Parish. Each non-attending Deputy may select his or her alternate from the list of alternates chosen by the Parish; and in case of no such selection, the Rector, or the Wardens if there is no Rector, shall designate which shall serve.

CANON 4.

Of the Meeting of Convention.

The Convention of the Church in the Diocese shall be held at such time and place as the Bishop, or the Ecclesiastical Authority, shall designate.

CANON 5.
Of the Committees.

After the Convention is organized, the Bishop or the President shall appoint Standing Committees, consisting of not less than three members each, as follows:

- (A) A Committee on the Admission of Parishes into Union with the Convention.
- (B) A Committee on Constitution and Canons.
- (C) A Committee on Privilege.
- (D) A Committee on Dispatch of Business.
- (E) A Committee on Nominations.
- (F) A Committee on Resolutions.

CANON 6.
Of Elections.

SECTION 1. Nominations for the elective offices hereafter set forth shall be made not less than 60 days prior to the convening of Convention by any adult communicant of the Diocese in good standing, such nominations to be made in writing addressed to the Secretary of the Diocese. Such elective offices are the following:

- (A) Treasurer.
- (B) Two (2) persons to serve a three-year term as Trustees of the Trustees of Funds and Endowments, Inc.
- (C) Clerical and Lay Members of the Standing Committee in accordance with Article XIII of the Constitution.
- (D) Clerical and Lay members of the Ecclesiastical Trial Court.
- (E) Clerical and Lay members of the Executive Council.
- (F) At the Convention that next precedes a General Convention by more than 12 months, or at such other time requested by General Convention, Clerical and Lay Deputies to which the Diocese is entitled.
- (G) At the Convention next preceding a General Convention, Supplementary Clergy and Lay Deputies equal in number to the Deputies to which the

Diocese is entitled plus Supplementary Deputies needed to fill a vacancy in the rank of Deputies. The Supplementary Deputies shall serve in place of Deputies who are unable to serve in the order of their election in each Order.

- (H) Any other elective officers for which the Convention shall at any time take order.

SECTION 2. Not less than 20 days prior to the convening of Convention, the Chair of the Nominating Committee shall forward to each Parish represented at the Convention a list in suitable form showing the names of the several nominees and the offices for which they have been nominated. From such list the Chair shall prepare the official ballot for use at Convention.

SECTION 3. Additional nominations for any elective office specified in Section 1 of this Canon may be made from the floor of the Convention at which the election is held. Any nomination from the floor must be made by a Clerical or Lay Member of Convention and shall not require a second, and the proposed nominee must consent to such nomination.

SECTION 4. The President shall appoint Tellers and their reports shall at all times take precedence over any other business that may be before the Convention, as soon as the President shall recognize them.

SECTION 5. Immediately after the election of Clerical and of Lay Deputies to the Provincial Synod and to the General Convention shall have been completed, the President shall declare the election of Supplementary Deputies to be in order.

SECTION 6. A vacancy in any of the above elective offices shall, except as otherwise provided, be filled by the Bishop, or by the Ecclesiastical Authority, to serve until the next meeting of the Convention.

CANON 7.

Of The Diocesan Corporation and Executive Council.

SECTION 1. The Diocesan Corporation.

- (a) The Episcopal Diocese of Milwaukee, Inc. is a nonstock, nonmember corporation organized under the Wisconsin Nonstock Corporation Law for the purpose of engaging exclusively in the religious, educational and charitable activities of the Diocese, and particularly the executive and financial administration of the Diocese. Such corporation shall perform such duties consistent with such purposes as delegated to it by these Canons, Convention or applicable law consistent with such purposes.
- (b) The current members of the Executive Council shall be the Board of Directors of the Episcopal Diocese of Milwaukee, Inc., and the current officers of the Executive Council shall be the officers of the corporation, as such members and officers are elected or appointed to such capacity from time to time in accordance with these Canons. No

elected member of the Council may serve for more than two consecutive terms. To the extent the Constitution or these Canons grant duties and responsibilities to Convention, the Standing Committee, the Commission on Ministry, or the Trustees of Funds and Endowments, Inc. which would otherwise be exercised by a corporate board of directors, the Executive Council shall be relieved to that extent from such duties and responsibilities.

- (c) The Executive Council hereby adopts the Canons of the Diocese as bylaws for the Episcopal Diocese of Milwaukee, Inc. and may adopt such other appropriate bylaws that are not inconsistent with such Canons.

SECTION 2. The Executive Council shall:

- (a) Exercise all powers of the Diocesan Convention between meetings thereof other than those specifically delegated to the Standing Committee;
- (b) Annually review the Covenant with the Bishop and the work of the Diocese to ascertain that the policies and directions of Diocesan Convention are being carried out;
- (c) Review and authorize or deny the plans of the Diocese to borrow money or to sell, lease, exchange, dispose of or mortgage, pledge or encumber Diocesan assets other than real estate (see Const. Art. XVI § 4);
- (d) Authorize or ratify and confirm the execution and delivery of all contracts and conveyances entered into by the Diocese and may delegate to officers of the Diocese authority to execute and deliver all such contracts and conveyances.
- (e) Requisition such reports as it deems advisable from the various officers and agencies of the Diocese;
- (f) Conduct a self study of the Diocese periodically;
- (g) Initiate and develop recommendations for long range policies and programs of the Diocese, for submission to the next Diocesan Convention for consideration;
- (h) Present to each annual Convention a resolution on the minimum standard of compensation for clergy;
- (i) Fix the compensation of all officers and employees of the Diocese;
- (j) Authorize the designation or removal of Diocesan supported organizations as affiliates of the Diocese, monitor the financial affairs of these affiliates and appoint officers, directors or trustees of these affiliates who are designated to be appointed by the Diocese (other than those designated to be appointed by the Bishop);
- (k) Approve for submission to each annual Diocesan Convention for approval or amendment a proposal for Diocesan assessments and a budget of Diocesan expenditures during the

following year, including provision for payment of assessments approved by General Convention;

- (l) Submit timely to the Executive Council of the Episcopal Church the annual Diocesan report as required by the Constitution and Canons of the Episcopal Church; and
- (m) Submit to each annual Diocesan Convention a report of the work done under its supervision during the preceding year, which report shall include reports of its committees and task forces.

SECTION 3. The Executive Council shall consist of the Bishop, who shall be the President; the Bishop Coadjutor (if any); the Bishops Suffragan (if any); the Treasurer of the Diocese; the Executive Secretary of the Diocese (with voice but without vote); the President of the Standing Committee; the President of the Commission on Ministry; the President of the Trustees of Funds and Endowments, Inc.; six clergy, elected by Convention (two elected each year for a three year term); and six lay members, elected by Convention (two elected each year for a three year term). At the Bishop's request, the Canon to the Ordinary, the Bishop's Deputy for Parishes, the Bishop's Deputy for Finance and Administration, the Bishop's Deputy for Youth, the Bishop's Assistant for Congregational Development or other appropriate assistant to the Bishop, as designated by the Bishop, shall attend Executive Council meetings with voice but without vote.

SECTION 4. The officers of the Executive Council shall be a President (who shall be the Bishop), a Secretary (who shall be the Executive Secretary of the Diocese and without vote) and a Treasurer (who shall be the Treasurer of the Diocese). The Bishop, or in the Bishop's absence the Bishop Coadjutor, if there is one, shall preside at meetings of the Executive Council, but if neither the Bishop nor Bishop Coadjutor is present at a meeting the Executive Council shall appoint a temporary president for the meeting. The Executive Secretary shall act as secretary of all meetings of Executive Council but in the absence of the Secretary, the presiding officer may appoint any other person present to act as secretary of the meeting.

SECTION 5. Regular meetings of the Executive Council shall be held at least quarterly at such time and place as the Executive Council shall determine by resolution, and may be held without further notice. Special meetings of the Executive Council may be held on the call of the Bishop or by a majority of the Executive Council at any time following at least 48 hours' prior notice to all members (by telephone, facsimile or other reasonable means of providing actual notice and specifying the purpose) of the meeting. Meetings of the Executive Council may be conducted through the use of any means of communication by which all participating members may simultaneously hear each other. A quorum for the transaction of business shall consist of a majority of the members of the Executive Council. Any member may participate in a meeting of Executive Council and is deemed to be present in person at the meeting if (a) the member participates through the use of any means of communication by which all participants in the meeting may simultaneously hear one another, and (b) each participant has been duly informed that a meeting is to take place at which official business may be transacted.

SECTION 6. The Executive Council may organize such committees and task forces as it shall deem expedient for the efficient execution of its duties. The Bishop with the advice and consent

of the Executive Council shall appoint the members and chairpersons of each committee or task force and fix their terms of office.

CANON 8.

[Reserved for future use]

CANON 9.

Deputies to Province V.

From amongst those elected as deputies to the General Convention pursuant to Canon 6.1(F) the Bishop shall appoint Clerical and Lay Deputies to the Province of the Midwest (Province V) of the Episcopal Church, who shall be persons eligible for such office as provided in the by-laws of the Province. Except as otherwise provided in the by-laws of the Province, the Bishop shall appoint one Clergy Deputy and two Lay Deputies to the Provincial Synod, each to serve a term of three years and until the appointment of his or her successor by the Bishop. In the event that any Deputy shall resign or otherwise not be able to complete such Deputy's term, the Bishop or the Ecclesiastical Authority shall appoint a qualified person to serve for the remainder of the term.

CANON 10.

Of the Commission on Ministry.

SECTION 1. The duties of the Commission on Ministry shall be to assist the Bishop in all matters specified by the Canons of the General Convention as follows:

- (a) Determining present and future needs for ministry in the Diocese;
- (b) Recruiting and selecting persons for holy orders and guiding and examining postulants and candidates for orders;
- (c) Providing for the guidance, pastoral care of clergy and lay persons who are in stipendiary and non-stipendiary positions accountable to the Bishop;
- (d) Promoting the continuing education of the clergy and of lay professionals employed by the Church;
- (e) Supporting the developing, training, utilization and affirmation of the ministry of the laity in the world; and
- (f) Submitting to each Convention a report of the work done under its supervision during the preceding year.

SECTION 2. The Commission on Ministry shall consist of not fewer than eight nor more than sixteen members appointed by the Bishop. The terms of office of members of the Commission on Ministry shall be determined by the Bishop. Insofar as possible, the membership of the Commission shall be made up of clergy and laity in equal numbers and shall represent the

Convocations of the Diocese. Any member of the Commission on Ministry shall be deemed to have resigned from the Commission if he or she fails to attend three meetings of the Commission during any twelve-month period (and shall be replaced by appointment of the Bishop).

SECTION 3. Regular meetings of the Commission on Ministry shall be held at least quarterly at such time and place as the Commission shall determine by resolution, and may be held without further notice. Special meetings of the Commission may be held on the call of the Bishop or by a majority of the Commission at any time following at least 48 hours' prior notice to all members (by telephone, facsimile or other reasonable means of providing actual notice and specifying the purpose) of the meeting. Meetings of the Commission may be conducted through the use of any means of communication by which all participating members may simultaneously hear each other. A quorum for the transaction of business shall consist of one-half of the members of the Commission on Ministry. Any member may participate in a meeting of Commission and is deemed to be present in person at the meeting if (a) the member participates through the use of any means of communication by which all participants in the meeting may simultaneously hear one another, and (b) each participant has been duly informed that a meeting is to take place at which official business may be transacted.

SECTION 4. The officers of the Commission on Ministry shall be a President (who shall be appointed by the Bishop) and a Secretary (who shall be elected by the members of the Commission). The President shall preside at meetings of the Commission, but if the President is absent the Commission shall appoint a temporary president for the meeting. In the absence of the Secretary, the presiding officer may appoint any other person present to act as secretary of the meeting. The Secretary shall preserve an orderly record of all Commission on Ministry meetings and proceedings.

SECTION 5. The Commission on Ministry may organize such committees and task forces as it shall deem expedient for the efficient execution of its duties. Committees may include one or more ordained ministry discernment committees, lay ministry discernment committees, education for ministry committees and ministry care and support committees. The Commission on Ministry may appoint the members of committees and task forces, and fix their term of office. Such appointed members shall not have seats on the Commission on Ministry and shall not exceed twelve in number on each committee or task force. Terms of service on each committee or task force shall be finite and shall be staggered so that new members are added each year.

CANON 11.

Of Architecture and the Allied Arts.

SECTION 1. Any parish or institution of the Diocese receiving aid from the Diocese, before undertaking any new construction, or modification of existing buildings, shall lay the plans or intentions before the Executive Council. No such work or change shall be undertaken without the written approval of the Executive Council, which shall be granted or denied within sixty days of application.

SECTION 2. Any parish or institution of the Diocese not receiving aid from the Diocese shall request the advice of the Executive Council, which shall not be considered binding upon said parish.

SECTION 3. Any parish or agency of the Diocese engaging the professional services of an architect or professional engineer shall immediately inform such person of the provisions of this Canon. Any plans or drawings requiring the approval of both the Executive Council and the Division of Safety and Buildings, Department of Industry, Labor and Human Relations of the State of Wisconsin shall be approved by the Executive Council before being submitted to the State.

SECTION 4. The Executive Council may designate a committee or task force of the Executive Council to act on behalf of the Executive Council under this Canon.

CANON 12.
Of the Chancellor.

At each Convention, a Chancellor of the Diocese, who shall be a person learned in the law and an adult communicant in good standing, shall be appointed by the Bishop, and confirmed by the Convention. The Chancellor shall act as legal advisor and advocate of the Ecclesiastical Authority.

CANON 13.
Of the Archdeacon and Other Assistants.

SECTION 1. The Bishop may appoint an Archdeacon and other deputies, assistants, and coordinators. The Bishop shall appoint an Executive Secretary of the Diocese. The Archdeacon shall be a clergy person. All other such appointees may be clergy or laypersons.

SECTION 2. The duties of the Archdeacon and other deputies, and assistants, both clerical and lay, shall be such as assigned to them by the Bishop from time to time.

SECTION 3. Any references in these Canons to the Bishop's Deputies for Parishes, for Finance and Administration, or for Youth shall mean and include any other deputy, or assistant with a different title but comparable duties and responsibilities.

CANON 14.
Of the Cathedral Staff.

The Bishop shall be empowered, with the approval of the Dean and a simple majority of the Chapter, to appoint honorary canons and canons residentiary.

CANON 15.
Of Convocations

SECTION 1. The congregations of the Diocese shall become members of Convocations, which shall be responsible for the Christian mission and ministries of the Diocese. The Bishop with the advice and consent of the Executive Council shall establish and may alter the list of congregations within each Convocation. Each Convocation may adopt by-laws for its own government and from time to time may alter, repeal, and suspend the same, but no by-laws shall conflict with the provisions of this Article.

SECTION 2. The purpose and duties of each Convocation shall be those prescribed from time to time by Diocesan Convention. Each Convocation shall also:

- (a) Foster communication, fellowship and community among congregations and between the Diocese and congregations;
- (b) Encourage congregations with similar challenges and strengths to support one another and to share ministries;
- (c) Share successful programs and policies among congregations;
- (d) Identify issues, problems and opportunities affecting the various congregations and communities and participate in developing and implementing the mission, ministries and budgets of the Diocese in response to these identified needs;
- (e) Facilitate the development and funding of mission and development opportunities;
- (f) Share resources in stewardship, evangelization, formation and other areas of common interest;
- (g) Provide opportunities for ministry and leadership development for clergy and laity;
- (h) Help congregations prepare to participate in annual Convention in an informed and effective way; and
- (i) Submit to each annual Diocesan Convention a report of the work done under its supervision during the preceding year.

SECTION 3. Each congregation shall send three members to the Convocation, including (a) a member of the clergy serving the congregation appointed by the Rector, and (b) two lay members in good standing appointed by the Vestry based on knowledge of parish governance as well as willingness and interest in actively participating in Convocation meetings, committees and activities. At least one of these appointees is encouraged to be a Warden, Vestry member or recent Vestry member and/or a Convention delegate. Lay appointments shall be for three-year terms, which may be staggered at the Vestry's election. One or both of the lay member appointees shall regularly attend Vestry meetings and report on Convocation proceedings. A congregation may also appoint alternate members to attend Convocation meetings, to vote when

a member is absent, and to report back to the congregation on Convocation activities. The Bishop's Deputy for Parishes, or other appropriate assistant to the Bishop, as designated by the Bishop, shall be a member of each Convocation, with voice but without vote.

SECTION 4. Each Convocation shall organize, elect officers, and conduct its regular meetings, in such manner as best serves the needs of the congregations in the Convocation. Each Convocation shall keep a record of all proceedings and meetings and the records shall be open at all times to inspection by the Bishop and the Executive Council.

CANON 16.

Of the Election of a Bishop.

SECTION 1. When a Bishop, Bishop Coadjutor, or a Suffragan Bishop is to be elected in accordance with Article XII of the Constitution, a Committee on the Election of a Bishop shall be appointed by the Standing Committee of the Diocese, in consultation with the Bishop, which Committee initially shall include a chair person and other Clergy and Lay members. If and to the extent recommended by the Committee and approved by Executive Council, additional members may be appointed in the manner provided in the election protocol established by the Committee.

SECTION 2. The Committee, with the approval of Executive Council, shall establish a protocol for election of a Bishop, including without limitation any addition of members to the Committee subsequent to the initial appointment, the method for selecting and appointing such additional members, and the procedures for soliciting nominations, investigating and evaluating candidates, and determining the slate to be presented to the electors. Such protocol shall further include a plan for appropriate communication with Clergy and Parishes during all phases of the process.

CANON 17.

Of the Endowment Fund and Parish Assessments.

SECTION 1. The Endowment Fund of the Diocese shall consist of such funds as are now, or may hereafter be entrusted to the Trustees of Funds and Endowments, Inc., for the endowment and support of the Diocese. All bequests and other transfers taking effect at death of which the Diocese becomes the beneficiary, unless otherwise restricted or indicated by the testator, shall become a permanent part of Fund upon receipt. Additions to the Fund shall be governed by the endowment policies of this Diocese in effect at the time when the testator's planning agreement was executed.

SECTION 2. The Trustees of Funds and Endowments, Inc. shall adopt and maintain bylaws consistent with the Constitution and Canons of this Diocese as in effect from time to time. The business of the Trustees of Funds and Endowments, Inc. shall be managed by a Board of Directors, also known as the Trustees, and the number of Trustees shall be eleven (11), including six Trustees elected by Convention, three Trustees appointed by the Trustees, the Treasurer of the Diocese, and the Bishop. Each elected and appointed Trustee, other than the Treasurer and the Bishop, shall serve for a three-year term, and may not serve more than two consecutive three-year

terms. Any vacancy in any elected or appointed position on the Trustees shall be filled by a Trustee appointed by the Bishop or the Ecclesiastical Authority to complete the unexpired term.

SECTION 3. The Trustees shall adopt from time to time a distribution policy with respect to the Endowment Fund with a goal of protecting assets against erosion due to inflation and achieving real growth of principal over time and otherwise be in accordance with good practices applicable to comparable endowment funds. Distributions from the Endowment Fund shall be applied to the support of the Episcopate as ordered by the Convention, and to the payment of the general expenses of the Diocese, as ordered by the Executive Council. Distributions from endowment funds that are restricted in nature by the terms of gift but have been accepted by the Diocese and Trustees of Funds and Endowments, Inc. shall be applied to the work of the Diocese as provided by the donor. Until distributions from the Endowment Fund shall be sufficient to meet all the expenses of the Diocese, the deficiency shall be met by assessments on the Parishes of the Diocese.

SECTION 4. The Convention shall every year make such an assessment on the Parishes of the Diocese as, together with the other income of the Diocese, shall make the sum total sufficient to meet the expenses of the Diocese. Such assessment shall be equitably computed. The assessments as adopted by the Convention shall fix the amount of the same for the next year, and shall be binding on the Parishes. The assessments shall be payable to the Treasurer in monthly payments on the first day of each month.

SECTION 5. Whenever a new Parish shall be admitted into union with the Convention, the Convention shall fix the amount assessed upon said Parish, and such assessment shall be subject to the provisions of Section 4 of this Canon.

SECTION 6. Any Parish desiring to appeal with reference to its assessment, shall make such appeal to the Executive Council within such time as may be appointed by such Council. The Executive Council shall from time to time report to the Council, such alterations in the assessments of the Parishes as justice to any Parish, or the exigencies of the case, may demand.

CANON 18.

Of the Bishop's Purse.

SECTION 1. The Bishop's Purse shall consist of the distributions from "The Bishop's Discretionary Fund" within the Endowment Fund of the Diocese, together with any other endowment funds established by bequest or transfer for such purpose, and such additional sums as may be contributed to the Bishop's Purse, by canonical offerings or otherwise. The Purse shall be under the charge of the Bishop, and its proceeds shall be devoted to such charitable and benevolent purposes in the Diocese as the Bishop may deem proper.

SECTION 2. At every official visitation of Parishes by the Bishop, the Bishop Coadjutor, or the Suffragan Bishop, if there be such, an offering shall be taken at the service at which Confirmation or reception is administered, and the whole amount of such offering shall be paid to the Bishop officiating for the Bishop's Purse; providing, however, checks or envelopes noted to be part of the "pledge" or specified purpose shall be excluded.

CANON 19.

Of the Permanent Development Fund.

SECTION 1. Upon the effective date of the merger of the Episcopal Foundation of Milwaukee, Inc. with and into Episcopal Diocese of Milwaukee, Inc., there shall be established a fund known as "Permanent Development Fund," to be administered by the Executive Council. The assets of Episcopal Foundation of Milwaukee, Inc., as constituted prior to the merger, shall become the initial assets of the Fund. The assets of the Fund shall be kept separate from the other assets of the Diocese or any other diocesan corporation, and shall be applied only for the purposes hereinafter set forth.

SECTION 2. The purpose of the Fund shall be: to engage exclusively in religious, educational and charitable activities and endeavors within the Episcopal Diocese of Milwaukee and the State of Wisconsin and elsewhere in the United States of America, and to make gifts, grants, loans or temporary advances, with or without security, to parishes and other organizations or institutions connected with the Diocese of Milwaukee; to receive, hold and administer, outright or in trust, pursuant to any gift, grant, purchase, devise or bequest, any property, real, personal or mixed, wherever situated; to engage or participate in any activity, business investment or enterprise to procure funds for the foregoing; and to invest in, receive, hold, use and dispose of all property, real or personal, as may be necessary or desirable to carry into effect these purposes.

CANON 20.

Of Business Methods in Church Affairs.

SECTION 1. In every Parish Institution and Church organization of the Diocese, the following standard business methods shall be observed:

- (A) Trust and permanent funds and all securities of whatsoever kind shall be deposited with a Federal or State Bank, a Federally insured savings and loan association, or a Diocesan Corporation, or with some other agency approved in writing by the Executive Council, under either a deed of trust, agency or other depository agreement, providing for at least two signatures on any order of withdrawal of such funds or securities. This paragraph shall not apply to funds and securities refused by the depositories named as being too small for acceptance. Such small funds and securities shall be under the care of the persons or corporation properly responsible for them.
- (B) Records shall be made and kept of all trust and permanent funds showing at least the following:
 - (1) Source and date, where practicable.
 - (2) Terms governing the use of principal and income.
 - (3) To whom and how often reports of condition are to be made.
 - (4) How the funds are invested.

- (C) Treasurers and custodians, other than banking institutions, shall be adequately bonded; except for treasurers of funds that do not exceed five hundred dollars at any one time during the fiscal year.
- (D) Books of account shall be so kept as to provide the basis for satisfactory accounting.
- (E) All accounts shall be audited at the close of each fiscal year by a Certified or Independent Public Accountant, or by such an accounting agency or body as shall be permitted by the Executive Council. A certificate of audit shall be forwarded to the Bishop or Ecclesiastical Authority not later than July 1 of each year, covering the financial reports of the previous calendar year.
- (F) All buildings and their contents shall be kept adequately insured.
- (G) The Executive Council may require copies of any or all accounts described in this Canon to be filed with it and shall report annually to the Convention of the Diocese upon its administration of this Canon.
- (H) The fiscal year in the Diocese shall begin January 1.

SECTION 2. No vestry, trustee or other body holding, managing or administering real estate of or for any parish or institution shall encumber or alienate the same or any part thereof (save for the refinancing of an existing loan) without the written consent of the Bishop and the Standing Committee. No vestry, trustee or other body holding any funds or securities of or for any parish or institution shall encumber or alienate the same or any part thereof (save for holding, administering or reinvesting the proceeds thereof on behalf of such parish or institution or otherwise in compliance with the terms of the trust) without the written consent of the Bishop and the Standing Committee. All requests for such approval shall be made in writing, signed by the Rector and a majority of the Vestry, and by the Bishop if the Parish is subject to pastoral oversight as provided by these Canons, and shall specify the purpose for which the proceeds of such encumbrance or alienation is to be used.

SECTION 3. Any vestry, trustee or other body described in Section 2 hereof may undertake unsecured short-term loans for suitable church purposes without the written consent of the Bishop and Standing Committee, under the following conditions:

- (A) That such loan or loans in the aggregate at any one time outstanding shall not exceed an amount equal to ten (10%) percent of the average of Annual Receipts for Local Support for the three years immediately preceding the date of such loan and in no event shall such loan or loans aggregate in excess of ten thousand (\$10,000) dollars at any time outstanding.
- (B) That any such loan or loans shall have a maturity date not more than one year from the date of such loan;

- (C) That the proceeds from such loan or loans shall be used only for current expenses of the parish involved;
- (D) That such loan or loans will be paid in full on or before the date of maturity;
- (E) That any such loan or loans may not be renewed, financed, or extended except with the written consent of the Bishop and Standing Committee and upon suitable application therefore as set forth in Section 4 of this Canon.

CANON 21.

Of Terms and Succession.

Unless the constitution or Canons provide otherwise, all persons elected or appointed at a Convention shall take office or assume their positions immediately upon the close of the Convention, and shall serve until their successors are elected or appointed.

CANON 22.

Of Alterations and Amendments.

No proposed alteration or amendment of these Canons shall be considered by the Convention, until it has been referred to the Committee on Constitution and Canons, and no such alteration or amendment shall be adopted except upon the canonical approval of both Orders.

CANON 23.

Of Parish Meetings.

SECTION 1. In every Parish there shall be held at such time as shall be appointed by the by-laws of the Parish or by a regular meeting of the Vestry, an annual Parish Meeting of which public notice shall be given at the principal service on the preceding Sunday.

SECTION 2. At such Parish Meeting, which shall be presided over by the Rector, or in the absence of the Rector, by one of the Wardens, in addition to other business to be transacted, the following officers shall be chosen by ballot for the ensuing year:

- (A) A Senior and a Junior Warden, who shall be confirmed or received adult communicants in good standing of the Church. No Warden shall serve for more than three consecutive years in the same office or more than six consecutive years in either office.
- (B) Not less than two Vestrypersons, a majority of whom shall be confirmed or received and all of whom shall be adult communicants in good standing.

(C) Four Deputies, and four Alternates, to the Convention.

The Parish may, by resolution of the Parish Meeting, provide for staggered three-year terms for the members of the Vestry. No Vestryperson shall serve more than two complete terms in succession.

SECTION 3. In case of a failure to elect the Wardens or Members of the Vestry, the incumbents shall hold over until their successors are duly chosen. In case a vacancy shall occur in their number, during the interval between the annual elections, the Vestry shall be competent to fill the same for the unexpired term.

SECTION 4. In case of a failure to elect the Deputies and Alternates at the Parish Meeting, they shall be chosen by the Vestry at its first meeting thereafter, or at a special meeting called for that purpose. In case of a failure to elect at such meeting, or in case those who have been elected cannot attend, the Rector and Wardens shall have power to fill the vacancies.

SECTION 5. All adult communicants in good standing in the parish shall be entitled to vote at any Parish Meeting. An adult communicant in good standing is a member of the Episcopal Church (that is a person who has been baptized with water in the Name of the Father, and of the Son, and of the Holy Spirit, and whose baptism has been recorded in the Episcopal Church) who is at least sixteen years of age, and who has been faithful in the past year in corporate worship and in working, praying, and giving for the spread of the Kingdom of God. Baptized persons are expected to make a mature public affirmation of their baptism, after appropriate instruction, and to be confirmed or received by a Bishop of the Episcopal Church.

SECTION 6. A list of all such voters shall be kept in every Parish by the Clerk, under the direction of the Rector, or if there be no Rector, of the Senior Warden, for the use of the Parish Meeting. The list shall be closed against further entries at least two weeks before any election.

SECTION 7. No person shall vote or hold office in more than one Parish in the Diocese at the same time.

SECTION 8. In case of a contested election, the Bishop and the Standing Committee shall constitute a Board of Final Reference for its settlement.

SECTION 9. No provision of this Canon shall apply to any Parish with whose charter or act of Incorporation it shall be in conflict.

CANON 24.
Of Special Parish Meetings.

SECTION 1. A Special Parish Meeting may be held at any time, on the written order of the Bishop, or of the Rector, or by resolution of the Vestry. A special Parish Meeting may also be held pursuant to a petition to the Bishop, or to the Vestry, signed by not less than one-third of the number entitled to vote at the Parish Meeting preceding. All such orders, resolutions or petitions shall specify the time and place of such meeting, and the business to be considered thereat.

SECTION 2. Notice of such meeting shall be read publicly in the Parish at the principal service on the two Sundays next preceding the holding of the same, or shall be posted on the principal entrance of the Church. The notice shall specify the time and place of meeting, the business to be considered and by whose order the meeting is called.

SECTION 3. Such meetings shall be presided over by the Rector; or in the absence or at the request of the Rector, by the Bishop, or in the absence of the Rector and the Bishop, by one of the Wardens.

SECTION 4. No provisions of this Canon shall apply to any Parish with whose charter or act of incorporation it shall be in conflict.

CANON 25.
Of Vestry Meetings.

SECTION 1. Regular meetings of the Vestry shall be held at least quarter-annually at such times as the Vestry shall determine by resolution.

SECTION 2. Special Meetings of the Vestry may be called at any time, at the request of the Rector, or of any two of the members. Notice of such a meeting shall be sent by the Clerk to the Rector, the Wardens, and Members of the Vestry. The notice shall specify the business to be considered, and no other business shall come before the meeting.

SECTION 3. At no meeting shall it be competent for the Vestry to transact any business unless (A) the Rector is present, or in the event of the absence, or the lack of a Rector, one of the Wardens is present, and (B) unless there is a quorum consisting of a majority of the Vestry. No action affecting the rights or interests of the Rector shall be taken at any meeting at which the Rector has not had an opportunity to be present.

SECTION 4. At every meeting of the Vestry the minutes of the last meeting shall be read, and at every regular meeting the minutes of the last regular meeting shall be read, and those of all subsequent Special Meetings, if requested.

SECTION 5. The Bishop of the Diocese, upon at least two weeks written notice to the Rector, Wardens and Clerk of any Parish, may call a Special Meeting of the Vestry at which the Bishop shall preside to consider exclusively such business as the Bishop shall have specified to them in this written notice.

CANON 26.
Of the Rector.

SECTION 1. The Rector shall have, subject only to the Bishop, the exclusive charge of all things pertaining to the spiritual interests of the Parish. The Rector shall order and direct the Services and Worship of the Church and all that appertains thereto. The Rector shall have the

spiritual direction and general oversight of the Sunday School, the Parish School and all guilds, and associations, connected with the Parish. The Rector shall give order as to the collections to be taken at the services of the Church. The Rector may appoint persons to perform, under the Rector's supervision, such duties pertaining to the Services, and to the care and decoration of the Church, as are properly performed by lay members.

SECTION 2. The Rector shall at all times have free access to the Church or Chapel, and to the Parish or Guild Hall: to open and use the same as shall be required for the purposes of public worship; for catechetical or other religious instruction; for baptisms, marriages, funerals and other offices authorized by the Church; and for such parochial occasions and other objects as the Rector deems necessary. The Rector may arrange, modify or improve the appointments and conveniences of the Church or Chapel as the Rector deems desirable. The Rector shall have control of the use of the Parish or Guild Hall. The Rector shall not disturb the material fabric, or involve the Parish in any expenditure of its funds not authorized by the Vestry.

SECTION 3. The Rector shall preside, with the right to vote, at all Parish and Vestry meetings except as provided elsewhere in these Canons. The Rector may designate a Warden or member of the Vestry to preside at a meeting of the Parish or Vestry. The Rector shall at all times have and exercise such other rights as pertain to the office under the laws and usages of the Church in the United States. No Parish Meeting shall be held unless the Rector has been duly notified of the same at least twenty-four hours previous thereto.

SECTION 4. The Rector, or the member of the Clergy in charge, of every Parish shall record in a suitable Register the names of all persons baptized, confirmed, married and buried within the Parish with such other facts as to dates, places and persons as are important as matters of record. All such entries shall be certified by the signature of the person making the record. The names of all persons who are communicants of the Church, with memoranda as to their reception, removal or decease shall also be recorded, together with such other items and statistics as are required in the blank form provided by the Secretary of the Council, and prescribed by the General Canons of the Church in the United States. From these records a report shall be made out and presented to the Bishop, at the close of each Canonical year as required in the aforesaid blank form.

SECTION 5. Whenever the term "Rector" is used in the Constitution or in these Canons, it shall include Vicars and Priests-in-Charge. Vicars and Priests-in-Charge shall be subject to the authority of the Bishop.

CANON 27.

Of Wardens and Vestry.

SECTION 1. The Rector, Wardens and members of the Vestry shall together constitute the Vestry, as that term is used in the Constitution and Canons of the Diocese.

SECTION 2. The Wardens shall care for, and protect the Church building or buildings, and see that they are kept in good and reverent repair, and are sufficiently insured. Under the Rector, the Wardens shall see that all things needed for the orderly worship of God, and for the proper administration of the Sacraments, are provided. They shall prevent or repress all disturbance of

Divine Service. In the absence of the Rector, the Wardens shall procure, under the advice of the Bishop, a suitable supply for the continuance of the services.

SECTION 3. In case there be no Rector, or in the Rector's absence or inability to act, the Wardens in their order of seniority shall: preside at the meetings of the Vestry; take care that the Church building be kept from all secular and other uses not authorized by the Church; make and certify all entries in the Parish Register required by these Canons; and make out and present to the Bishop the annual report therein provided for.

SECTION 4. In case of a vacancy in the rectorship, the Vestry shall elect a Rector, and, after notifying the Ecclesiastical Authority, according to the General Canons of the Church in the United States, and these Canons, and procuring a certificate that the Rector elect is a duly qualified Priest of the Church, call that person and make suitable provisions for the Rector's proper maintenance. In the absence of the Wardens, the members of the Vestry shall perform the duties severally devolved upon those officers. The Vestry shall see that due efforts are made to maintain the finances of the Parish in good condition, and shall take care that all funds of the Parish, other than those set aside for special and charitable objects, are properly expended or invested.

SECTION 5. A Clerk and a Treasurer shall be elected annually by the Vestry, who shall serve until their successors in office have been chosen.

SECTION 6. The Clerk shall attend all meetings of the Parish and the Vestry shall take minutes of all proceedings, shall enter and attest the same in the book of minutes of the Vestry, shall enter in the said book the annual accounts of the temporal condition of the Parish, and shall keep all the original documents, and the list of qualified voters, provided for by these Canons.

SECTION 7. The Treasurer, under the authority of the Vestry, shall collect, receive and disburse the funds of the Parish, and present to the Vestry, previous to the Parish Meeting, a full and accurate statement of the financial condition of the Parish, with vouchers for all moneys disbursed by the Treasurer since the presentation of the last annual statement. The annual statement, having been audited, shall be read at the Parish Meeting before it proceeds to the election of officers.

SECTION 8. The Vestry of each parish shall enter into a Covenant Agreement with the Rector, in consultation with the Bishop. The Covenant Agreement shall cover all major areas of parish life and the manner in which the Rector and parishioners will share the responsibilities for the major areas of parish life. The Vestry shall review implementation of the Covenant Agreement annually with the Rector, including remuneration and benefits.

CANON 28.
Of Congregations.

SECTION 1. All regularly-organized congregations within the Diocese shall be known and styled as "Parishes". Parishes may be incorporated and admitted into union with the Council of the Diocese as hereinafter provided.

SECTION 2. All Parishes which are unable to support a Rector without financial assistance, or which otherwise receive financial aid from the Diocese, and all Parishes which do not, because of temporary financial difficulties, pay fully their diocesan Asking (or a reduced Asking approved by the Executive Council) for a period of two (2) years, shall be under the direct pastoral oversight of the Bishop and the Executive Council, as provided in these Canons. The Bishop shall have the right to approve the selection of Wardens and Vestry members nominated to him by all such parishes. A member of the clergy appointed by the Bishop as his Vicar for any such congregation shall serve at the Bishop's pleasure, but shall otherwise have such rights and duties as are designated to Rectors by these Canons or those of General Convention. The Executive Council and other commissions and committees of the Diocese shall assist the parish to understand and to correct the financial problem beginning promptly with the first inability of a parish to accept and pay the full Asking. All disputes arising under the provision of this section shall be referred for settlement to the Standing Committee. The Standing Committee shall meet with the Bishop, the officials of the parish concerned and other parties in interest, after giving due notice thereto, and shall then render final judgment. If the Standing Committee shall determine that the failure to accept and pay the full Asking is not the result of temporary financial difficulties, the parish shall be deemed to be receiving financial aid from the Diocese for purposes of these Canons.

SECTION 3. No new parish shall be formed within the Diocese without the written consent of the Bishop and of the Standing Committee. Parishes may be admitted into union with the Convention of the Diocese upon its vote, the Convention being satisfied by an appropriate committee that the necessary consents have been received and that the parish to be admitted has been properly incorporated as provided below.

SECTION 4. If a parish seeking to be admitted into union with the Convention of the Diocese has no corporate character, those persons intending to be members thereof shall, upon receipt of the consents specified above, meet, subsequent to due notice, for the purposes of (A) electing Wardens and Vestry members as provided in Canon 15, and (B) adopting such By-Laws as shall distinctly accede to the constitution and Canons and the Doctrine, Discipline and Worship of the Diocese of Milwaukee, and which shall otherwise serve to govern the parish. The Wardens and Vestry members, when elected, shall proceed to incorporate the parish.

SECTION 5. In the event of the dissolution of any parish, all property, real and otherwise, owned by or held for the use of such parish shall be conveyed to and transferred to the custody of "The Episcopal Diocese of Milwaukee, Inc." and the parish corporation, if any, dissolved in the manner provided by law.

SECTION 6. Title to any real estate given to or purchased by any parish not yet admitted into union with the Convention of the Diocese as provided above shall be vested in "The Episcopal Diocese of Milwaukee, Inc." until such time as the parish shall be so admitted as provided above, whereupon title to such real estate shall be conveyed to the parish by the Diocese, as trustee.

CANON 29.

Of the Dissolution of the Pastoral Relation.

SECTION 1. Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed therefrom by the Vestry against the Rector's will, except as hereinafter provided.

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

SECTION 3. Within sixty days of receipt of the written notice, the Bishop, as chief pastor of the Diocese, shall mediate the differences between Rector and Vestry in every informal way which the Bishop deems proper and may appoint a committee of at least one Priest and one Lay Person, none of whom may be members of the Parish involved, to make a report to the Bishop.

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

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

- (2) The judgment shall include such terms and conditions including financial settlements as shall seem to the Bishop just and compassionate.

SECTION 5. In either event, the Bishop shall offer appropriate supportive services to the Priest and the Parish.

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

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

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

SECTION 8 (a) Statements made during the course of proceedings under this Canon are not discoverable nor admissible in any proceedings under Title IV provided that this does not require the exclusion of evidence in any proceeding under the Canons which is otherwise discoverable and admissible.

(b) In the course of proceedings under this Canon, if a charge is made by the Vestry against the Rector that could give rise to a disciplinary proceedings under Canon IV.1, all proceedings under this Canon shall be suspended until the charge has been resolved or withdrawn.

CANON 30.

Of Absenting Members.

Any member of a Parish willfully absent from Holy Communion for one year shall be required by the Rector to give a reason for such absence. The Rector shall use all possible means to secure the return of the delinquent to her or his duty, but such member shall not be repelled from Holy Communion for such cause. The name shall not be stricken from the list of members of the Parish, but the lapses from the Church shall be noted on the list opposite the name.

CANON 31.

Of Repelled Members.

When a member of the Church who has been repelled appeals to the Bishop and is not thereupon restored by the Bishop, the Bishop may, and if the appellant demands it, shall appoint three Priests as a Board of Inquiry. The Board shall inquire into the truth of the charges alleged and report thereupon, with their opinion of the same, to the Bishop; who shall then adjudicate the case as the Bishop shall deem just and proper.

CANON 32.

Of Burial Grounds and Burial Rights.

SECTION 1. The Rector, Wardens and Vestry of any Parish, or the Bishop, and the Rector, Warden, Clerk and Treasurer of any unincorporated Parish, who have acquired any grounds for burial purposes, shall vest the title of such grounds with the corporation of any such Parish or, in the case of an unincorporated Parish with the Episcopal Diocese of Milwaukee, Inc. Whenever clear title shall have been obtained to any ground for burial purposes, the Vestry or Executive Council shall at once apply to the Bishop for the consecration of the same.

SECTION 2. The legal owner shall immediately appoint a committee to manage such burial grounds. At least one member of such committee shall be a member of the Vestry. Such committee shall elect its own officers and shall operate the cemetery under such by-laws or regulations as shall be approved by the legal owner. The committee shall make an annual report to the Vestry or Executive Council, regarding operation of such burial grounds.

SECTION 3. When such grounds shall have been duly consecrated, surveyed, divided and plotted and the maps thereof have been recorded, the committee, as agents for the legal owner, may sell lots for burial purposes only, or may grant permits for burial in single graves, and the legal owner shall furnish the purchaser a deed as evidence of ownership of said burial rights. The committee shall establish in its by-laws the right to make reasonable rules and regulations for the mutual protection of every purchase of burial rights and the legal owner. The committee shall establish and charge, as necessary, fees for the purchase of burial rights, for perpetual care, and for any services rendered by the cemetery.

SECTION 4. The committee shall keep a permanent record of the purchase of burial rights, transfers of burial rights, affidavits of heirship and an up-to-date plot showing the location, date and name of every individual buried in the cemetery, along with the other information required of cemeteries by the Wisconsin, Statutes.

SECTION 5. A portion, pre-determined by the committee with consent of the legal owner, of the monies received from the sale of burial rights, to be known as a "Cemetery Fund", or "Reserve Fund", may be used for the operating expenses and improvement of the cemetery, or may be deposited in a fund, to be invested as determined by the legal owner, or said predetermined portion may be lodged with the Trustees of Funds and Endowments, Inc. for administration by it under its charter and by the Constitution and Canons of the Diocese.

SECTION 6. The committee shall provide for the endowment of perpetual care of the cemetery. A portion, pre-determined by the committee with consent of the legal owner, of the monies received from the sale of burial rights, is to be deposited in a fund, to be invested in trust by the

legal owner, as prescribed by the laws of Wisconsin, to be known as an "Endowment Care Fund" or "Perpetual Care Fund". The annual income only from this fund shall be used for the care of the cemetery in accordance with the terms of such endowed care contract as shall be provided for in the by-laws.

SECTION 7. The legal owner of any burial grounds shall not sell, alienate or encumber any such grounds owned for the use of the church, except as prescribed in deeds or other legal documents, under which the lands were acquired.

CANON 33.
Ecclesiastical Discipline

SECTION 1. Title IV of General Canons. Those provisions of Title IV of the General Canons which are applicable to the Diocese are hereby incorporated as part of this Title.

SECTION 2. Disciplinary Structure.

(a) The Disciplinary Board. The Disciplinary Board shall consist of no fewer than seven (7) persons (Clergy and Laity), the majority of whom are members of the Clergy.

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

(c) Lay Members. The lay members of the Board shall be Adult Communicants in Good Standing, and geographically resident and domiciled in the Diocese.

(d) Election. The members of the Board shall be elected by the Convention of the Diocese. Each member shall be elected for a three (3)-year term; except, if a member is elected to fill a vacancy, the term of such member shall be the unexpired term of the member being replaced. The term of the member shall commence on the first day of the year following election. The terms of office of the Board shall be staggered and arranged into three classes. Notwithstanding the foregoing, a term shall be deemed extended to permit the completion of a trial actually commenced before the expiration of a term. Members of the Board may be re-elected except that no person may serve more than two consecutive three year terms. No person may simultaneously serve as a member of the Court and a member of the Standing Committee, nor may any member of the Court participate in a case in which that member had direct prior involvement, either as a member of the Standing Committee, as Church Attorney, or otherwise.

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

- (1) Upon the determination that a vacancy exists, the Board shall appoint a replacement member of the same order as the member to be replaced.
- (2) Persons appointed to fill vacancies on the Board shall meet the same eligibility requirements as apply to elected Board members.

- (3) With respect to a vacancy created for any reason other than pursuant to a challenge as provided below, the term of any person selected as a replacement Board member shall be until the next annual Convention of the Diocese. With respect to a vacancy resulting from a challenge, the replacement Board member shall serve only for the proceedings for which the elected board member is not serving as a result of the challenge.
- (4) The President of the Board shall select the appropriate replacement member when a vacancy is determined to exist on a Reference Panel of a Hearing Panel.
- (f) Preserving Impartiality. In any proceeding under this Canon, if any member of a Conference Panel or Hearing Panel of the Board shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the Board and request a replacement member of the Panel. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subject of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that proceeding.
- (g) President. Within sixty (60) days following the annual Convention, the Board shall convene to elect a President to serve for the following calendar year.
- (h) Intake Officer(s). The Intake Officer(s) may be appointed by the Bishop based on the needs of the Diocese after consultation with the Board. The Bishop shall publish the name(s) and contact information of the intake Officer(s) throughout the Diocese.
- (i) Investigator. The Bishop shall appoint an Investigator after consultation with the President of the Board.
- (j) Church Attorney. Within sixty (60) days following each annual Convention, the Bishop, in consultation with the Standing Committee, shall appoint an attorney to serve as Church Attorney to serve for the following calendar year. The person so selected must be a member of the Church and a duly licensed attorney but need not reside within the Diocese.
- (k) Pastoral Response Coordinator. The Bishop may appoint a Pastoral Response Coordinator, to serve at the will of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Title IV.8 of the General Canons and this Canon. The Pastoral Response Coordinator may be an Intake Officer, but shall not be a person serving in any other appointed or elected capacity under this Canon.
- (l) Advisors. In each proceeding under this Canon, the Bishop shall appoint an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Canon, and shall not include the chancellor or vice chancellors or any person likely to be called as a witness in the proceeding.
- (m) Clerk. The Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk may be a member of the Board.

(n) Publication to Each Diocese. Pursuant to Title IV.6 of the General Canons, the Bishop shall publish to the congregations of the Diocese information concerning the methods and means of reporting Offenses.

SECTION 3. Costs and Expenses.

(a) Costs Incurred by the Church. The reasonable costs and expenses of the Board, the Intake Officer, the Investigator, the Church Attorney, the Board Clerk and the Pastoral Response Coordinator shall be the obligation of the Diocese, subject to budgetary constraints as may be established by the Convention.

SECTION 4. Records.

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

(b) Permanent Records. The Bishop shall make provision for the permanent storage of records of all proceedings under this Canon at the Diocese and the Archives of the Episcopal Church, as prescribed in Title IV of the General Canons.