

**CANON 8**  
Of Parish Status and Oversight  
Version 0.9 - Edited 5/23/18

1 SECTION 1. Purpose. This Canon is intended to address the exceptional case of a Parish that appears  
2 to be in jeopardy, such that a degree of Diocesan intervention or oversight may be beneficial as a  
3 means of restoring the health of the congregation. It is not intended to diminish the traditional right  
4 and responsibility of Parishes in the Episcopal Church to govern themselves.

5 When a Parish is declared to be at risk, it shall be the obligation of all parties to labor to restore the  
6 Parish to a greater degree of health, setting forth problems to be addressed in an open, honest manner,  
7 and working toward the resolution of such problems in a climate of respect and charity, and for the  
8 greater good of the Church's witness to its Lord.

9 SECTION 2. Initiation of Inquiry. An inquiry by the Ecclesiastical Authority may lead to the  
10 declaration of a Parish as being under review. This Canon may be initiated only under the following  
11 circumstances:

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13 (a) The Ecclesiastical Authority, believing that two or more of the conditions in Section 4  
14 may exist, may initiate such inquiry; OR

15 (b) The Standing Committee by vote of three-fourths of its members, believing that two  
16 or more of the conditions in Section 4 may exist, may petition the Ecclesiastical Authority to  
17 initiate such inquiry; OR

18 (c) The Rector, or both Wardens, or a majority of the Vestry of such Parish, believing that  
19 two or more of the conditions in Section 4 may exist, may petition the Ecclesiastical Authority  
20 to initiate such inquiry.

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22 After a proper request has been received, and determination by the Ecclesiastical Authority that the  
23 presumption of circumstances presented with the request is credible and would warrant continuation  
24 of the process, the inquiry will be initiated as follows:

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26 (a) The Ecclesiastical Authority shall transmit to the Parish verifiable written notice  
27 summarizing two or more at-risk circumstances, as described in section 4, indicating the  
28 reasons that could warrant designation of the Parish as at risk, and explicitly directing the  
29 Parish to cease and desist from any conduct which constitutes a breach, or to act affirmatively  
30 as canonical obligation requires; and,

31  
32 (b) The Parish shall acknowledge the commencement of the inquiry process in writing  
33 within 60 days. Failure to do so will not inhibit the process from beginning and may be  
34 considered an additional indication of at-risk condition.

35 SECTION 3. Inquiry by the Ecclesiastical Authority. Upon proper initiation as provided in Section 2,  
36 the Ecclesiastical Authority, either itself or through persons it may designate, shall conduct such  
37 inquiry into the condition of the Parish as it deems appropriate. Such inquiry shall include

38 conversations with persons in the Parish. It may also include written or oral questions to the officers  
39 of the Parish or members thereof and examination of any books and records of the Parish. The Parish  
40 must cooperate in the inquiry by answering such questions fully, accurately, and promptly, and by  
41 making available the books and records of the Parish upon reasonable notice. If, after such inquiry,  
42 the Ecclesiastical Authority finds that two or more of the conditions in Section 4 exist in the Parish,  
43 the Ecclesiastical Authority may, with the concurrence of three-fourths of the Standing Committee,  
44 declare the Parish to be at risk, and give notice to the Executive Council of this status. In the event  
45 that the Standing Committee is the ecclesiastical authority, a three-fourths vote of that body shall be  
46 required along with the concurrence of the majority of the Executive Council.

47 SECTION 4. At Risk Conditions in the Parish. No declaration that a Parish is at risk may be made  
48 except upon a finding, following inquiry, that two or more of the following conditions exist in the  
49 Parish:

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- 51 (a) The failure of the Parish, for two years or more, to be financially self-supporting; (This  
52 does not apply to congregations who receive grants and development support under  
53 agreements with the diocese.)
  - 54 (b) The failure for at least two years to elect a Vestry;
  - 55 (c) The reliance of the Parish on the use of short-term Supply Clergy for a period of more  
56 than two years, unless the Parish is actively involved in a Clergy search process;
  - 57 (d) The failure to pay clergy compensation, insurance or other benefits as defined by the  
58 current letter of agreement between the clergy person and the parish;
  - 59 (e) A difficult and/or sudden departure of clergy;
  - 60 (f) The refusal or willful failure to arrange for representation of the Parish at an Annual  
61 Convention of the Diocese;
  - 62 (g) The failure or neglect to make canonically-required reports, including the annual  
63 parochial report to the Bishop, to complete the annual Parish financial review, or to pay  
64 diocesan assessments;
  - 65 (h) Persistent and significant instability or decline in the financial condition of the Parish,  
66 as evidenced by, for example, substantial invasion of the principal portion of endowment or  
67 trust funds in violation of the governing instrument of that fund.
  - 68 (i) Persistent failure to conform to the business methods in Church affairs required by the  
69 Constitution and Canons of the Episcopal Church or the Diocese, including those requirements  
70 relating to the bonding of treasurers or other custodians of funds, proper record keeping, proper  
71 maintenance of books of account, and the maintenance of adequate insurance;
  - 72 (j) The purchase, use, or conveyance of property of the Parish, or the incurring of debt,  
73 other than in conformity with the Constitution and Canons of the Episcopal Church and of the  
74 Diocese.

75 SECTION 5. Remedies. If a Parish is declared to be at risk in accordance with this Canon, the  
76 Ecclesiastical Authority, with the concurrence of three-fourths of the Standing Committee, may  
77 require the application of one or more of the remedies below, anything in the articles of incorporation

78 or by-laws of such Parish to the contrary notwithstanding. The remedies shall be considered  
79 independent remedies with no requirement of exhaustion of certain remedies before the application of  
80 others. The remedies shall be set forth within a Restoration Plan for the parish to cure the conditions  
81 which led to their declaration as a Parish at risk, which plan shall be submitted to the Vestry or  
82 Bishop's Committee of the parish for their consideration and comment. The Ecclesiastical Authority,  
83 with the concurrence of three-quarters of the Standing Committee, may amend the plan. The plan shall  
84 take effect within 60 days after such submission in accordance with its terms. The Executive Council  
85 shall be given a copy of the Restoration Plan. Potential remedies may include:

86 (a) Provision of support to the parish in the form of diocesan staff and resources,  
87 consultants, etc. to work with the parish towards the goal of sufficiently ameliorating the  
88 conditions that led to the at-risk status.

89 (b) Appointment by the Ecclesiastical Authority of three or more adult communicants  
90 temporarily as a Bishop's Committee to govern the affairs of the Parish as Warden and Vestry,  
91 notwithstanding any other canonical or other provision for such governance, until the  
92 Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or  
93 applies further measures under the Canons;

94 (c) Designation of the Rector of the Parish as Priest-In-Charge, until the Ecclesiastical  
95 Authority declares the end or sufficient amelioration of such conditions, or applies further  
96 measures under the Canons;

97 (d) A process by which the parish's title(s) of real property shall be reviewed and, if  
98 needed, brought into conformity with the national "Dennis Canon" (1.7.4 in 2015 C&C)

99 (e) Such other measures as the Ecclesiastical Authority shall determine with the advice  
100 and consent of three-fourths of the Standing Committee, until the Ecclesiastical Authority  
101 declares the end or sufficient amelioration of such conditions, or applies further measures  
102 under the Canons.

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104 SECTION 6. Restoration of the Parish to Regular Canonical Status.

105 Progress towards the completion of the Restoration Plan shall be reviewed at a meeting of the  
106 Ecclesiastical Authority and Standing Committee on an ongoing schedule, set within the terms of the  
107 restoration plan itself. The time frame between reviews shall not exceed six months. The review  
108 should include input from the leadership of the affected parish.

109 A Parish shall be declared to be no longer a Parish at risk when the Ecclesiastical Authority, with the  
110 advice of the Standing Committee, determines that all of the requirements of the Restoration Plan have  
111 been satisfied. A written notice of the satisfaction of the Restoration Plan shall be sent to both the  
112 Standing Committee and the Executive Council.

113 **GLOSSARY OF COMMON TERMINOLOGY**

114 The following definitions are provided for convenience, and are not intended to supersede any  
115 canon; the latter shall govern in case of any conflict.

116 **Advice and Consent (In regards to Standing Committee):** In regards to canons requiring a  
117 bishop to consult the standing committee of a diocese, two different terms are used. Advice means  
118 that the bishop must seek the input of the Standing Committee, but does not require a resolution  
119 supporting his or her action. Consent means that the bishop must seek a resolution approved by  
120 the majority (unless specified otherwise in the canon itself) of the Standing Committee before  
121 taking action under canon.

122 **Assisted Parish:** The assisted parish is dependent on diocesan funding, and has a different  
123 governance status than a self-supporting parish. The Bishop is the rector of an assisted parish and  
124 the vicar is the ecclesiastical presence in that parish. In lieu of a vestry there is a bishop's  
125 committee (see Bishop's Committee below).

126 **Bishop's Committee:** A lay committee analogous to the vestry of a parish, with direct oversight,  
127 fiduciary responsibility and leadership of an assisted parish. The bishop's committee may be asked  
128 for input in making appointment of the priest to serve as the bishop's vicar.

129 **Congregation:** A worshipping community of Christians who gather weekly at Christ's altar to  
130 experience God's redemptive love by communal worship, and who then carry on this redemptive  
131 work in the world as the risen body of Christ. Through regular worship and service, the lives of  
132 members are brought before God and one another in a sacramental process that extends from  
133 baptism to burial. A congregation may be a self-supporting parish or an assisted parish.

134 **Ecclesiastical Authority:** Governs and acts for the Diocese in all matters not specifically reserved  
135 to another body (such as the Standing Committee). The Bishop Diocesan is normally the  
136 Ecclesiastical Authority. In his or her absence or disability, the Bishop Coadjutor, a Bishop  
137 Suffragan or the Standing Committee may become the Ecclesiastical Authority, depending on the  
138 circumstances.

139 **Executive Council:** Beyond the Bishop, Standing Committee, and Title IV Committees, national  
140 canons do not specify further representative bodies within a diocese, and dioceses handle these  
141 governance roles in different ways. Established under Article XIV of the diocesan constitution,  
142 the Executive Council's duties are set initially under Diocesan Canon 7 and expanded elsewhere.  
143 The main function of the Council is to "Exercise all powers of the Diocesan Convention between  
144 meetings thereof other than those specifically delegated to the Standing Committee." The  
145 membership of the Council is specified in Diocesan Canon 7 section 3. At-large members include  
146 six lay and six clergy members elected to three-year terms by the Diocesan Convention.

147 **Interim Priest:** An ordained leader of a parish; appointed by and reporting directly to the bishop.  
148 The interim priest has the specific vocation to work with parish leadership in preparation for  
149 calling new clergy leadership. The time of service is mutually agreed upon by the bishop, interim  
150 priest, and vestry or bishop's committee.

151 **Inquiry:** The investigative step of a procedure under the proposed canon 8. During an inquiry,  
152 the Ecclesiastical Authority and any designees examine possible at-risk conditions in a parish. It  
153 is possible, in fact desirable, that during the initial inquiry process those presenting conditions may

154 be ameliorated. Thus, the process could be ended before moving to the next step of a vote by the  
155 bishop and Standing Committee to determine whether to declare the parish at-risk and the  
156 application of formal remedies.

157 **Mission:** A new ministry initiative, approved by the bishop and Standing Committee and overseen  
158 by the bishop, who shall appoint its officers, bishop's committee, and a vicar or priest-in-charge.  
159 For canonical purposes missions shall be treated and governed as assisted parishes.

160 **Priest-in-Charge:** Ordained leader of a parish or mission; elected by the vestry for a specific  
161 period of time. At a future date as mutually agreed upon a decision will be made about extending  
162 a call as Rector to the Priest-in-Charge. The Priest-in-Charge is the chief sacramental and liturgical  
163 leader of a parish and the ecclesiastical authority of the parish. The priest-in-charge serves a self-  
164 supporting parish. He/she has authority and responsibility for worship and the spiritual jurisdiction  
165 of the parish, subject to the doctrine and discipline of the Episcopal Church, and the pastoral  
166 direction of the bishop. The use of the church and parish buildings and furnishings are under the  
167 control of the priest-in-charge. The priest-in-charge or a designated member of the vestry presides  
168 at all vestry meetings.

169 **Rector:** Ordained leader of a parish; elected by the vestry; having tenure in their position from the  
170 time of their election. A rector is the chief sacramental and liturgical leader of a parish; the  
171 ecclesiastical authority. A rector serves a self-supporting parish. The rector has authority and  
172 responsibility for worship and the spiritual jurisdiction of the parish, subject to the doctrine and  
173 discipline of the Episcopal Church, and the pastoral direction of the bishop. The rector is  
174 responsible for selection and supervision of all assistant clergy and lay staff, who serve at the  
175 discretion of the rector. The use of the church and parish buildings and furnishings are under the  
176 rector's control. The rector or a member of the vestry designated by the rector presides at all vestry  
177 meetings.

178 **Self-supporting Parish:** It is the policy of the Diocese that all Parishes should be "Self-  
179 Supporting." A Parish which is "Self-Supporting" is defined as a Parish or parish ministry  
180 initiative that exhibits these characteristics:  
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- 182 (a) It is able to maintain a place of worship.
- 183 (b) It provides or exceeds the minimum clergy compensation approved by  
184 convention.
- 185 (c) It remains current in payment of its diocesan assessment and pays its own  
186 operating expenses.
- 187 (d) It relies mainly on the freewill offering of its members and its own resources for  
188 its core financial support.
- 189 (e) It does not endanger its future well-being by depleting its capital assets.

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191 A self-supporting parish will also display the following hallmarks of health and vitality, which are  
192 identified as attributes to ascribe to, rather than as benchmarks of performance or success:

- 193  
194 (a) It is mission-focused and able to come into alignment with Diocesan strategic  
195 priorities.

- 196 (b) It is outward-looking and seeks to make an impact on its surrounding community.  
197 (c) It has clergy (full or part-time) and active lay leadership with the skills to manage  
198 the programs and property of the parish ministry to meet its own sense of mission.  
199 (d) It has the energy and resources to engage the challenges of the community it serves  
200 and to provide for the future well-being of parish life.

201 **Supply Priest:** A priest supplying pastoral and/or sacramental ministry in the absence of a rector,  
202 priest-in-charge or vicar. A list of approved supply priests is maintained by the Diocese.

203 **Vestry:** The elected lay-leaders of the parish, including the Senior and Junior Wardens, who, in  
204 concert with the Rector or Priest-in-Charge has responsibility for the direct oversight, fiduciary  
205 responsibility, and leadership of the self-supporting parish.

206 **Vicar:** An ordained leader of a parish; appointed by and reporting directly to the bishop with an  
207 annual Letter of Agreement. The vicar is the chief sacramental and liturgical leader, and the  
208 ecclesiastical authority of the parish. The vicar serves an assisted parish. He/she has authority and  
209 responsibility for worship and the spiritual jurisdiction of the parish, subject to the doctrine and  
210 discipline of the Episcopal Church, and the pastoral direction of the bishop. The use of the church  
211 and parish buildings and furnishings are under the control of the vicar. The vicar or a designated  
212 member of the bishop's committee presides at all vestry meetings.

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