

DIOCESE OF OLYMPIA COMMITTEE ON CONSTITUTION AND CANONS

REPORT TO 2025 ANNUAL DIOCESAN CONVENTION:

At its two (virtual online) meetings this year, our Committee considered clarifications to several canons and provided input to others with respect to resolutions that would require amendments to the Diocesan Constitution or Canons. Our new Bishop also made substantial contributions after reviewing the Constitution and Canons for punctuation and consistency with current practice. As a result, the following are changes that the Committee recommends for passage at Convention.

AMENDMENTS TO CONSTITUTION

First Vote on Changes to Constitution

Our diocesan Constitution provides (in Article XXI) that it may be amended by a majority vote of the two orders voting separately at two successive annual meetings of Convention. The following amendments are proposed for their first vote.

Article XVII, Section 1 (Assessments):

The Convention shall have the power to raise money by ~~tax or~~ assessment on the Parishes and Missions...

[NOTE: "Tax" seems an inappropriate label.]

Article XVII, Section 2 (Assessments):

The Convention may establish procedures to govern congregations that fail to remain in good standing with regard to payment of diocesan assessments, and those procedures may include loss of certification to vote at the Annual Convention. ~~shall also have power to impose such penalty as it may deem proper within its lawful power for neglect to pay such assessment when imposed. If a congregation has paid less than 75% of its assessment in any two consecutive years, then in the following year Convention may vote to deprive that congregation's lay delegates to their right to vote at Convention, but no Non-payment of an assessment, however, congregation shall not deny a congregation its under this article be denied rights to a seat or voice at Convention. A motion to deny voting authority at any Convention meeting must be made no later than the first report of the Committee on Privilege.~~

[NOTE: The existing penalty language conflicts with the process set forth in Canon 14.

See voting certification based on Good Standing or Provisional Good Standing in Canon 2, Section 4(b) and the process for assisting Parishes who fail to pay assessments in Canon 14, Section 3.]

ARTICLE XVIII, Section 2 (Incorporation of the Diocese):

The Bishop, ~~and the~~ Treasurer, ~~and Chancellor~~ of the Diocese, ~~and also the Secretary of Convention~~, shall be ex-officio members of the Board of Directors of said corporation. The other members of the Board shall be chosen in the manner prescribed by the Articles of Incorporation.

[NOTE: This update is consistent with current practice and our corporate bylaws.]

ARTICLE XX (Authentication and Preservation):

The Secretary of ~~the~~ Convention shall procure and keep ~~an updated record-book~~ entitled “Constitution and Canons of the Diocese of Olympia,” ~~in~~ which shall ~~include be recorded~~ this constitution ~~and also a~~ ~~with the~~ certificate of its adoption. All articles, canons and additions thereto, hereafter adopted by the Convention, shall be certified to by the President and Secretary of the Convention, as having been duly adopted, and shall, with the certificate of adoption, be ~~included~~~~recorded~~ in the said ~~record, which book,~~ ~~and the said book~~ shall be taken and regarded as prima facie evidence of the due adoption and correctness of all papers recorded therein ~~under the Article~~. The Archivist and Records Manager, under the direction of the Secretary of Convention, shall ~~keep a record of~~ each change adopted by Convention each year.

[NOTE: This amendment catches up with the fact that these records are no longer in a “book,” but rather in an electronic records format.]

ARTICLE XXII: (Nomenclature)

~~Wherever in this Constitution the reference to a person is in the masculine gender, such reference shall be deemed, where appropriate, to also refer to or include the feminine gender.~~

[NOTE: By deleting the references to “he” and “him” in Canons 3, 5(b) and 9, this Article XXII becomes unnecessary.]

Second Vote on Changes to Constitution

The following amendments are proposed for a second vote, after which they will take effect:

Article IX (Transaction of Business)

[NOTE: Due to the relatively large percentage of retired Clergy eligible to attend Convention under Article IX, Section 1, it has sometimes been difficult to be assured of a quorum for transacting business. We therefore propose basing the quorum on active Clergy members, borrowing language from the standard for a quorum under Article XIX, Section 3, as follows:

One-third of the clergy having regularly assigned congregations, with or without stipend, as determined by the Ecclesiastical Authority~~entitled to seats in the Convention, together with at least one and~~ delegates from one-third of the congregations at any time duly assembled, shall constitute a quorum for the transaction of business, except that a smaller number may adjourn from time to time.

[NOTE: The Committee proposes a parallel rewording of Article XIX below:]

Article XIX (Election of a Bishop):

Two-thirds of the Clergy having regularly assigned congregations, with or without stipend, as determined by the Ecclesiastical Authority Bishop, (or in his absence the Bishop Coadjutor, Suffragan Bishop or in the absence of any Bishop the President of the Standing Committee), together with at least one and L lay Ddelegates from two-thirds of the congregations Parishes and Missions in the Convention, at any time assembled, shall constitute a quorum.

Article XV (Admission of New Parishes and Missions):

A Parish may be admitted into union with Convention on motion, by a majority of votes, provided that the Parish shall have delivered...

(b) Satisfactory evidence that Articles of Incorporation have been adopted by which the Parish irrevocably accedes to the Constitution and Canons of the Episcopal Church in the United States of America, and to the Constitution and Canons of the Diocese of Olympia.

(c) A written statement, subscribed by the wardens, by which the Parish accedes to the doctrine and discipline and worship of the Episcopal eChurch;

Article XVI (Loss of Privilege):

Whenever, in the opinion of the Bishop, any Parish or Mission shall incur be liable for loss of privilege based upon (i) material departures from the Constitution, Canons, doctrine, discipline and worship of the Episcopal Church, or (ii) being an essentially dormant Parish as described in Canon 14, the Bishop shall signify the same to the Convention.

The right of such a Parish or Mission to representation in the Convention, and/or its connection with the Diocese may thereupon be wholly dissolved, by a two-thirds vote of each order at Convention. Upon such a motion passing, the properties of such Parish or Mission shall immediately revert to the Diocese, and

such other action may be taken as allowed under the Constitution and Canons. [Persons with authority in such a congregation shall cooperate in facilitating the required transfers.](#)

Votes on Changes to Canons:

Pursuant to Canons 28 and 29, canons can be enacted or amended by a "vote of a majority of each Order." These amendments "take effect upon the adjournment of the meeting of Convention at which they are enacted," unless the Convention votes unanimously for the changes to take immediate effect.

CANON 2, Section 2 (Lay Members of Convention):

In each Parish and Mission, the adult Communicants in Good Standing of that Parish or Mission, shall select from among themselves, delegates and alternates to provide a full complement of representatives according to the above table. ~~An alternate may qualify to substitute for a delegate of the opposite sex....~~

[NOTE: The Diocese no longer has mandatory gender balancing.]

CANON 3, Section 1(f) (Duties of Officers of Convention):

The Secretary shall:

...

f. Attest ~~to the Secretary's~~ public acts and faithfully deliver to ~~any~~ successor all the books and papers relating to the Convention, which may be in ~~the secretary's~~ possession.

CANON 3, Section 5 (Duties of Officers of Convention):

The Chancellor shall:

b. Act as legal advisor to the [Diocesan Bishops, any Suffragan Bishop, any Assisting Bishop, any Bishop Coadjutor, and any Bishop Provisional, together with](#) the Corporation of the Diocese, Standing Committee, Diocesan Council, and Convention in all matters relating to the Church.

CANON 5(b) (The Business of Convention)

The Secretary shall then call the list of the Parishes and Missions entitled to representation in Convention, which shall have furnished ~~to the Secretary~~ ~~him~~ their certificates...

CANON 6, Section 2 (The Diocesan Council):

The Diocesan Council shall consist of the Bishop, Bishop Coadjutor, Suffragan Bishops, if any, and one member (clergy or layperson), representing each of the Regional Ministries, four at large members (two clergy and two laypersons), and up to six BIPOC (~~B~~black, ~~I~~indigenous, and ~~P~~people of ~~C~~color) members

(clergy or laypersons) appointed by the ~~b~~Bishop. The ~~b~~Bishop may seek recommendation from existing ~~E~~thnic ~~M~~inistry ~~C~~ommunities as may ~~be~~ helpful.

CANON 6, Section 5 (The Diocesan Council):

Regional ~~R~~epresentatives shall be elected to staggered three-year terms according to the following rotation schedule. Group One: Columbia, Eastside, Holy C, and Willapa. Group Two: Evergreen, Mt. Baker, and Rainier. Group Three: Be Attitudes, Peninsula, and Sno Isle. (with year One elected at the 2022 Convention).

<u>Year One</u>	<u>Year Two</u>	<u>Year Three</u>
<u>Be Attitudes</u>	<u>Peninsula</u>	<u>Columbia</u>
<u>Holy C</u>	<u>Sno Isle</u>	<u>Mt. Baker</u>
<u>Evergreen</u>	<u>Eastside</u>	<u>Willapa</u>
<u>Rainier</u>		

CANON 6, Section 6 (The Diocesan Council);

~~In 2022, a~~At-large members shall be elected to staggered three-year terms, keeping a balance between clergy and lay members as follows: one lay person for a three-year term; one clergy person for a two-year term and one lay person for a two-year term; one clergy person for a one-year term. Beginning in 2023, or as terms expire, at large members shall be elected according to the continuing rotation schedule for three-year terms.

CANON 6, Section 7 (The Diocesan Council):

~~In 2022, b~~Bishop appointments shall ~~be as follows: up to two persons (clergy or lay) for three-year terms; up to two persons (clergy or lay) for two-year terms; and up to two persons (clergy or lay) for one-year terms. Beginning in 2023, or as terms expire, bishop appointments shall be according to the continuing rotation schedule outlined above. The Bishop shall attempt to keep a balance between clergy and lay members to the extent practicable for three-year terms.~~

CANON 6, Section 12 (The Diocesan Council):

...
Said budget shall be balanced on the basis of expected diocesan income at the Assessment rate set pursuant to Canon 7. ~~Copies of the draft budget shall be presented to the clergy, lay delegates and Parish and Mission treasurers one week prior to the Spring Pre-Convention Gatherings. Council may recommend for the Bishop's approval any changes in budget allocations as it may find necessary. Copies of the budget recommended by Council shall be presented to the clergy, lay delegates and Parish and Mission treasurers at least three weeks prior to the Annual Convention.~~

[NOTE: Pre-Convention Gatherings no longer exist. This amendment clarifies the budget timeline and conforms to existing practice.]

CANON 7, Section 2 (The Funds of the Diocese):

- a. All assessments shall be used to support the annual ~~operating program~~ budget of the Diocese.
- b. Any budget surpluses are to be considered as “other funds available” for ~~operating program~~ budget ~~operating~~ purposes.

[NOTE: This conforms to current terminology.]

CANON 9, Section 2(c) (Rectors, Parishes and Vestries):

No member of a Vestry who is elected to ~~two~~ full ~~consecutive~~ three-year terms shall be eligible for re-election to the Vestry until one year after the expiration of the ~~second~~ term for which that member was elected.

[NOTE: This amendment was requested in order to maintain continuity and take advantage of Vestry experience, especially in smaller Parishes.]

CANON 9, Section 6(a):

...The Rector is entitled at all times to have access to the church building, and to open the same as ~~the Rector~~ ~~he~~ may deem proper for public worship...

CANON 11, Section 1 (Missions and Mission Stations):

Furthermore, we agree to abide by ~~all applicable~~~~the general~~ policies and procedures of the Diocese of Olympia.

[NOTE: It is unclear what “general” refers to, and the Bishop’s policies may vary from one Mission to another.]

CANON 11, Sections 3(a), 3(b) and 3(g) (Missions and Mission Stations):

(a) ...The Bishop’s Committee shall consist of not more than twelve nor fewer than six members. If no number is ~~authorized in writing by the Bishop~~~~specified in the Mission’s operating procedures~~, there shall be six members of the Bishop’s Committee.

(b) ...No member of the Bishop’s Committee who is appointed to ~~two consecutive~~ full three-year terms shall be eligible for reappointment until one year after the expiration of the ~~second~~ term for which that member was appointed, unless such reappointment is permitted by ~~the Mission’s~~ operating procedures ~~approved by the Bishop~~.

(c) A member of the Bishop’s Committee may be removed if the Bishop gives written notice thereof and sets forth the reason(s) therefor. A member of the Bishop’s Committee may resign in writing to the Vicar, or if there is no Vicar, to the Senior Warden. ~~A member of the Bishop’s Committee may also be removed by the Vicar if that member fails, without sufficient cause, to attend three regular meetings of the Bishop’s Committee in a calendar year.~~ A member of the Bishop’s Committee may be removed due to ~~permanent~~ physical ~~disability~~ or mental incapacity if the Vicar determines that such member is unable

to serve for such reason. ~~When a position on a Bishop's Committee becomes vacant (as defined in Canon 31), If the Vicar removes a member of the Bishop's Committee, the Vicar shall notify the Bishop of such removal in writing within thirty days. In the event that a member of the Bishop's Committee is unable to serve due to resignation, death, removal or incapacity,~~ the remaining members of the Bishop's Committee shall select another qualified person to fill the vacancy until the next Annual Meeting of the Mission, at which time the congregation shall elect a person to serve any remainder of the term.

CANON 22, Section 2(a) (The Commission on Ministry):

The Commission on Ministry shall have the duties and responsibilities prescribed by Canons of the General Convention of the Episcopal Church. It shall assist the Bishop in matters pertaining to the ~~discernment~~enlistment and selection of persons for ministry, in the guidance and pastoral care of ~~postulants and~~ candidates for Holy Orders, ~~of Deacons, lay professionals, and other baptized persons,~~ and in matters pertaining to lifelong learning.

[NOTE: The Bishop suggested this clarification.]

CANON 23, Section 1(a) (The Commission on Personnel):

There shall be a Commission on Personnel consisting of up to nine members appointed by the Bishop:

- a. Two members of the Commission shall be clergy canonically resident in the Diocese, ~~one of whom shall be nominated by the Clergy Association of the Diocese of Olympia (CADO) from among its members.~~

[NOTE: CADO no longer exists.]

CANON 23, Section 2 (The Commission on Personnel):

...

No later than July 1⁵ of each year, the Commission shall advise the Diocesan Council as to proposed compensation changes that bear upon development of the proposed Diocesan Program and Budget for the following year. Within the canonical deadline for submission of resolutions to Convention, the Commission shall also recommend cost of living adjustments and levels of minimum annual compensation applicable to all stipendiary clergy employed by any Parish, Mission, or other diocesan institution, which recommendation shall be presented at the ~~fall Regional Ministry meetings and the~~ annual Diocesan Convention.

[NOTE: This is another edit to conform to current practice.]

CANON 26, Section 2(a), 2(b), 2(c) and 3 (Ecclesiastical Discipline):**2(a)**

...The terms of the members shall commence on the first (1st) day of the year following ratification, provided that, the terms of office of the [Disciplinary](#) Board shall be staggered and arranged into three classes. No member shall be eligible for renomination for a year after the end of a third consecutive term.

Vacancies on the Disciplinary Board shall be filled as follows:

2(b):

1. Upon the determination that a vacancy exists, the President of the [Disciplinary](#) Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.
2. The Bishop, following consultation with the Standing Committee shall appoint a replacement [Disciplinary](#) Board member who meets the same eligibility requirements as apply to ratified [Disciplinary](#) Board members. The appointment shall be ratified by Diocesan Council, unless within thirty (30) days before a meeting of the Diocesan Convention, in which event the appointee shall be presented to Diocesan Convention for ratification.
3. With respect to a vacancy created for any reason other than pursuant to a challenge per Section 3, the term of any person selected as a replacement [Disciplinary](#) Board member shall be until the next annual Convention. With respect to a vacancy resulting from a challenge, the replacement [Disciplinary](#) Board member shall serve only in the proceedings for which the elected [Disciplinary](#) Board member is not serving as a result of the challenge.

2(c): A Disciplinary Board member may be removed from office by the Bishop...

3: In any proceeding under this Title, if any member of a Conference Panel or Hearing Panel shall become aware of a personal conflict of interest or bias, that member shall notify the President of the [Disciplinary](#) Board and request a replacement member of the Panel. ...If recusals or challenges reduce the number of qualified Panel members below the number required to act in a particular matter, the President may appoint enough other [Disciplinary](#) Board members to achieve the required number. If there are insufficient [Disciplinary](#) Board members to qualify the Panel to act, the Bishop may appoint additional persons sufficient to qualify the Panel to act in the particular matter.

4: Within sixty (60) days following the annual Convention, the Secretary of Convention shall convene the [Disciplinary](#) Board to elect a President from among its members to serve for the following calendar year. ...

6: The Bishop shall appoint an investigator in consultation with the President of the [Disciplinary](#) Board.
...

9: The [Disciplinary](#) Board may appoint a clerk to assist ~~it the Board~~ with records management and administrative support. The clerk may be a member of the [Disciplinary](#) Board.

10(a): The reasonable costs and expenses of the [Disciplinary](#) Board, the Intake Officer, the Investigator, and Church Attorney(s), the Advisor(s), the [Disciplinary](#) Board clerk and a pastoral response coordinator (if any) shall be the obligation of the Diocese, subject to such budgetary constraints as may be established by Diocesan Council.

11: Records of active proceedings before the [Disciplinary](#) Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the [Disciplinary](#) Board clerk, if there be one, otherwise by the Diocesan offices.

[NEW] CANON 31: (Vacancies on Diocesan Bodies, Vestries, and Bishop's Committees)

[NOTE: Our Chancellor has pointed to the benefits of some consistent standards as to when a vacancy exists. The way in which vacancies are filled will, however, remain variable from one body to another.]

Section 1:

Unless otherwise provided by the Constitution or Canons, the following provisions apply to determine when a position becomes vacant in any Diocesan body, Vestry, or Bishop's Committee. These provisions do not apply to persons serving by virtue of holding another office or canonical position.

Section 2:

An elected or appointed member's position becomes vacant in the following circumstances:

- a. the member dies;
- b. the member becomes permanently disabled or incapacitated and is unable to full the duties of the office;
- c. the member misses two regularly scheduled meetings between successive Diocesan Conventions, unless the absence is excused by the body;
- d. the member, if clergy, is placed under restriction from ministry, placed on administrative leave, or becomes subject to an Order or Accord that includes a sentence of Admonition, Suspension, or Deposition;
- e. the member, if clergy, is released or removed from ordained ministry in this Church under its Constitution or Canons;
- f. certification by the Standing Committee that a priest or deacon has abandoned the Episcopal Church under Title IV of the Canons of that church.
- g. deposition, resignation, or removal of a Bishop serving ex officio; or
- h. for other sufficient cause determined by a two-thirds vote of the body.

Section 3:

A position also becomes vacant when:

- a. a priest or deacon is ordained as a bishop;
- b. a clergy member whose position depends on canonical residence in this Diocese transfers to

another diocese;

- c. a lay member ceases to be a Communicant in Good Standing in this Diocese; or
- d. a lay member is ordained.

Section 4:

When a vacancy occurs as described in this canon, the remedy to fill that vacancy may be set forth elsewhere in the Constitution or Canons of this Diocese, or if not, it may be set forth in rules and/or bylaws adopted by the body where the vacancy occurred. If a conflict arises, the Constitution shall control over the Canons, and the Canons shall control over any conflicting rule or bylaw adopted by a particular body in the Diocese.

Faithfully submitted,

COMMITTEE ON CONSTITUTION & CANONS

Douglas Oles, chair
Bryan Krislock, chancellor
Sarah S. Mack

Donna R. McNamara
Canon Dede Moore, Diocesan Staff
Rev. Stephen Moore
Rev. Marda Steedman Sanborn

P.S. Having served for 27 years as Chair of this Committee and for over 35 years as a member thereof, Mr. Oles acknowledges a deep debt to the ingenuity and humor of the other Committee members and to the indulgence of multiple Bishops.