

THE CONSTITUTION OF CANONS
OF THE OLD CATHOLIC DIOCESE OF THE CHESAPEAKE BAY

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TITLE I GENERAL PROVISIONS

§ Canon 1

Self-perception of the Old Catholic Diocese of the Chesapeake Bay

- (1) The Old Catholic Diocese of the Chesapeake Bay (the “Diocese“) is a particular church of the people of God which is a part of the one, holy, catholic and apostolic Church founded on God’s work of salvation perfected in Jesus Christ which in the Holy Spirit faithfully rests on apostolic foundations, institutions and rite, practices the faith in the undivided Church of the first millennium and manages its affairs autonomously.
- (2) Christians associated in the Diocese maintain the faith of the ancient Church as it was passed on by the apostles and witnesses of faith and as it was preserved in ecumenical creeds of faith and universally recognised dogmas and decisions of ecumenical councils of the undivided Church of the first millennium.
- (3) The historical reason why catholic Christians, in their deep conscience crisis, were forced to establish an autonomous church organization, which reason continues to persist, was the impossibility to accept the teachings of the First Vatican Council (1870) on supremacy of the bishop of Rome and his infallibility in matters of faith and morals, as it is in conflict with the Holy Scripture, as well as the faith and teachings of the ancient Church. These crises of conscience continue this day in regards to various social teachings of historic churches--social teachings which do not allow for the primacy of conscience.
- (4) The Diocese further subscribes to the tradition of St. Vincent of Lerins, SS. Cyril and Methodius, the legacy of Magister Jan Hus, and Professor Johann Joseph Ignaz von Döllinger. In these historical predecessors, the Diocese sees a spiritual continuity of the quest for, and finding of, forms of Catholicism and apostolicity faithful to the Holy Scripture and the ancient apostolic tradition of the ancient and undivided Church.
- (5) The Diocese may become a member of various associations and conferences for the furtherance of its mission and may enter into full communion arrangements with other ecclesial communions. In these relationships, the Diocese is represented by its bishop(s) the Diocese retains full autonomy in all administrative matters addressed by the provisions hereof.
- (6) The Diocese strives to serve as a tool and a link in bringing together divided Christians, churches and other Christian church communities while being aware of the unity of the Church of Christ.
- (7) The Diocese has an episcopal-synodal structure and is a local church within the meaning of the ancient church. The bishop exercises direct leadership of the Diocese, with the involvement of and joint decision-making by the people of God congregated in the Diocese.
- (8) Members of the Diocese undertake, in the freedom of their conscience, to live in harmony with their church, to honour its rules and promote its interests and unity.

§ Canon 2

The Historic Formularies, or the Confessions of Old Catholicism

(1) We hold the Ecumenical Creeds, the Canons of the first seven ecumenical councils, and the formularies of the Old Catholic tradition, which are contained in this canon, as authoritative theological statements which our deacons, priests, and bishops are conscience-bound to hold, profess, teach, and maintain. We understand that our understanding of the authority of Holy Scripture, which contains all things necessary for our salvation, and the Canon of St. Vincent are foundational to the documents.

(a) The Apostles' Creed

I believe in God, the Father almighty,
 creator of heaven and earth;
 I believe in Jesus Christ, his only Son, our Lord.
 He was conceived by the power of the Holy Spirit
 and born of the Virgin Mary.
 He suffered under Pontius Pilate,
 was crucified, died, and was buried.
 He descended to the dead.
 On the third day he rose again.
 He ascended into heaven,
 and is seated at the right hand of the Father.
 He will come again to judge the living and the dead.
 I believe in the Holy Spirit,
 the holy catholic Church,
 the communion of saints,
 the forgiveness of sins
 the resurrection of the body,
 and the life everlasting. Amen.

(b) The Nicene Creed

We believe in one God,
 the Father, the Almighty,
 maker of heaven and earth,
 of all that is, seen and unseen.

We believe in one Lord, Jesus Christ,
 the only Son of God,
 eternally begotten of the Father,
 God from God, Light from Light,
 true God from true God,
 begotten, not made,
 of one Being with the Father.
 Through him all things were made.
 For us and for our salvation
 he came down from heaven:

by the power of the Holy Spirit
 he became incarnate from the Virgin Mary,
 and was made man.
 For our sake he was crucified under Pontius Pilate;
 he suffered death and was buried.
 On the third day he rose again
 in accordance with the Scriptures;
 he ascended into heaven
 and is seated at the right hand of the Father.
 He will come again in glory to judge the living and the dead,
 and his kingdom will have no end.

We believe in the Holy Spirit, the Lord, the giver of life,
 who proceeds from the Father.
 With the Father and the Son he is worshiped and glorified.
 He has spoken through the Prophets.
 We believe in one holy catholic and apostolic Church.
 We acknowledge one baptism for the forgiveness of sins.
 We look for the resurrection of the dead,
 and the life of the world to come. Amen.

(c) Quicumque Vult, The Athanasian Creed

The Diocese acknowledges that this Creed has never been codified by an ecumenical council, but has gained ecumenical acceptance as a full and complete statement of Trinitarian theology. In this canon it remains as a translation from its original form. However as it has not been codified by an ecumenical council, we do not regard the anathemas as authoritative. We hold its Christological and Trinitarian statements as authoritative, but the statement regarding salvation are not.

Whosoever will be saved, before all things it is necessary that he hold the Catholic Faith.
 Which Faith except everyone do keep whole and undefiled, without doubt he shall perish
 everlastingly.
 And the Catholic Faith is this: That we worship one God in Trinity, and Trinity in Unity,
 neither confounding the Persons, nor dividing the Substance.
 For there is one Person of the Father, another of the Son, and another of the Holy Ghost.
 But the Godhead of the Father, of the Son, and of the Holy Ghost, is all one, the Glory
 equal, the Majesty co-eternal.
 Such as the Father is, such is the Son, and such is the Holy Ghost.
 The Father uncreate, the Son uncreate, and the Holy Ghost uncreate.
 The Father incomprehensible, the Son incomprehensible, and the Holy Ghost
 incomprehensible.
 The Father eternal, the Son eternal, and the Holy Ghost eternal.
 And yet they are not three eternal, but one eternal.
 As also there are not three incomprehensibles, nor three uncreated, but one uncreated, and
 one incomprehensible.
 So likewise the Father is Almighty, the Son Almighty, and the Holy Ghost Almighty.
 And yet they are not three Almighties, but one Almighty.
 So the Father is God, the Son is God, and the Holy Ghost is God.
 And yet they are not three Gods, but one God.

So likewise the Father is Lord, the Son Lord, and the Holy Ghost Lord.
 And yet not three Lords, but one Lord.
 For like as we are compelled by the Christian verity to acknowledge every Person by
 himself to be both God and Lord,
 So are we forbidden by the Catholic Religion, to say, There be three Gods, or three Lords.
 The Father is made of none, neither created, nor begotten.
 The Son is of the Father alone, not made, nor created, but begotten.
 The Holy Ghost is of the Father and of the Son, neither made, nor created, nor begotten,
 but proceeding.
 So there is one Father, not three Fathers; one Son, not three Sons; one Holy Ghost, not three
 Holy Ghosts.
 And in this Trinity none is afore, or after other; none is greater, or less than another;
 But the whole three Persons are co-eternal together and co-equal.
 So that in all things, as is aforesaid, the Unity in Trinity and the Trinity in Unity is to be
 worshipped.
 He therefore that will be saved is must think thus of the Trinity.

Furthermore, it is necessary to everlasting salvation that he also believe rightly the
 Incarnation of our Lord Jesus Christ.
 For the right Faith is, that we believe and confess, that our Lord Jesus Christ, the Son of
 God, is God and Man;
 God, of the substance of the Father, begotten before the worlds; and Man of the substance
 of his Mother, born in the world;
 Perfect God and perfect Man, of a reasonable soul and human flesh subsisting.
 Equal to the Father, as touching his Godhead; and inferior to the Father, as touching his
 manhood;
 Who, although he be God and Man, yet he is not two, but one Christ;
 One, not by conversion of the Godhead into flesh but by taking of the Manhood into God;
 One altogether; not by confusion of Substance, but by unity of Person.
 For as the reasonable soul and flesh is one man, so God and Man is one Christ;
 Who suffered for our salvation, descended into hell, rose again the third day from the dead.
 He ascended into heaven, he sitteth at the right hand of the Father, God Almighty, from
 whence he will come to judge the quick and the dead.
 At whose coming all men will rise again with their bodies and shall give account for their
 own works.
 And they that have done good shall go into life everlasting; and they that have done evil into
 everlasting fire.
 This is the Catholic Faith, which except a man believe faithfully, he cannot be saved.

(d) Definition of the Union of the Divine and Human Natures in the Person of Christ

Council of Chalcedon, 451 A.D., Act V

Therefore, following the holy fathers, we all with one accord teach men to acknowledge one
 and the same Son, our Lord Jesus Christ, at once complete in Godhead and complete in
 manhood, truly God and truly man, consisting also of a reasonable soul and body; of one
 substance (homoousios) with the Father as regards his Godhead, and at the same time of
 one substance with us as regards his manhood; like us in all respects, apart from sin; as
 regards his Godhead, begotten of the Father before the ages, but yet as regards his manhood

begotten, for us men and for our salvation, of Mary the Virgin, the God-bearer (Theotokos); one and the same Christ, Son, Lord, Only-begotten, recognized in two natures, without confusion, without change, without division, without separation; the distinction of natures being in no way annulled by the union, but rather the characteristics of each nature being preserved and coming together to form one person and subsistence, not as parted or separated into two persons, but one and the same Son and Only-begotten God the Word, Lord Jesus Christ; even as the prophets from earliest times spoke of him, and our Lord Jesus Christ himself taught us, and the creed of the Fathers has handed down to us.

(e) **Fourteen Theses of the Old Catholic Union Conference at Bonn**

September 14-16, 1874

Thesis I The Canon and the Apocrypha

We agree that the apocryphal or deuterocanonical books of the Old Testament are not of the same canonicity as the books contained in the Hebrew Canon.

Thesis II The Original Text and Translations of the Bible

We agree that no translation of Holy Scripture can claim an authority superior to that of the original text.

Thesis III The Use of the Bible in the Vernacular

We agree that the reading of Holy Scripture in the vulgar tongue can not be lawfully forbidden.

Thesis IV Liturgy in the Vernacular

We agree that, *in general*, it is more fitting, and in accordance with the spirit of the Church, that the Liturgy should be in the tongue understood by the people.

Thesis V Justification by Faith, Working by Love

We agree that Faith working by Love, not Faith without Love, is the means and condition of man's justification before God.

Thesis VI Salvation not by Merit

Salvation cannot be merited by 'merit of condignity,' because there is no proportion between the infinite worth of the salvation promised by God and the finite worth of man's works.

Thesis VII Works of Supererogation

We agree that the doctrine of 'opera supererogationis' and of a 'thesaurus meritorum sanctorum,' i. e., that the overflowing merits of the Saints can be transferred to others, either by the rulers of the Church, or by the authors of the good works themselves, is untenable.

Thesis VIII Number of Sacraments

1. We acknowledge that the number of sacraments was fixed at seven, first in the twelfth century, and then was received into the general teaching of the Church, not as a tradition coming down from the Apostles or from the earliest times, but as the result of theological speculation.
2. Catholic theologians (e. g. Bellarmin) acknowledge, and we acknowledge with them, that Baptism and the Eucharist are *principalia, præcipua, eximia salutis nostræ sacramenta.*'

Thesis IX Scripture and Tradition

1. The Holy Scriptures being recognized as the primary rule of Faith, we agree that the genuine tradition, i. e. the unbroken transmission—partly oral, partly in writing—of the doctrine delivered by Christ and the Apostles, is an authoritative source of teaching for all successive generations of Christians. This tradition is partly to be found in the consensus of the great ecclesiastical bodies standing in historical continuity with the primitive Church, partly to be gathered by scientific method from the written documents of all centuries.
2. We acknowledge that the Church of England, and the Churches derived through her, have maintained unbroken the Episcopal succession.

Thesis X The Immaculate Conception of the Virgin Mary

We reject the new Roman doctrine of the Immaculate Conception of the Blessed Virgin Mary, as being contrary to the tradition of the first thirteen centuries, according to which Christ alone is conceived without sin.

Thesis XI Public and Private Confession

We agree that the practice of confession of sins before the congregation or a Priest, together with the exercise of the power of the keys, has come down to us from the primitive Church, and that, purged from abuses and free from constraint, it should be preserved in the Church.

Thesis XII Indulgences

We agree that 'indulgences' can only refer to penalties actually imposed by the Church herself.

Thesis XIII Commemoration of the Departed

We acknowledge that the practice of the commemoration of the faithful departed, i. e. the calling down of a richer outpouring of Christ's grace upon them, has come down to us from the primitive Church, and is to be preserved in the Church.

Thesis XIV The Mass

1. The eucharistic celebration in the Church is not a continuous repetition or renewal of the propitiatory sacrifice offered once for ever by Christ upon the cross; but its sacrificial character consists in this, that it is the permanent memorial of it, and a representation and presentation on earth of that one oblation of Christ for the salvation of redeemed mankind, which, according to

the Epistle to the Hebrews 9:11-12, is continuously presented in heaven by Christ, who now appears in the presence of God for us (Hebrews 9:24).

2. While this is the character of the Eucharist in reference to the sacrifice of Christ, it is also a sacred feast, wherein the faithful, receiving the Body and Blood of our Lord, have communion one with another (1 Corinthians 10:17).

Consensus Article on the 'Filioque'

This article was approved by the Union Conference, but as a separate matter from the Fourteen Theses.

'We agree that the way in which the "Filioque" was inserted in the Nicene Creed was illegal, and that, with a view to future peace and unity, it is much to be desired that the whole Church should set itself seriously to consider whether the Creed could possibly be restored to its primitive form, without sacrifice of any true doctrine expressed in the present Western form.'

(f) **The Declaration of Utrecht**

September 24, 1889

1. We adhere faithfully to the Rule of Faith laid down by St. Vincent of Lerins in these terms: "*Id teneamus, quod ubique, quod semper, quod ab omnibus creditum est; hoc est etenim vere proprieque catholicum.*" For this reason we preserve in professing the faith of the primitive Church, as formulated in the oecumenical symbols and specified precisely by the unanimously accepted decisions of the Oecumenical Councils held in the undivided Church of the first thousand years.

2. We therefore reject the decrees of the so-called Council of the Vatican, which were promulgated July 18th, 1870, concerning the infallibility and the universal Episcopate of the Bishop of Rome, decrees which are in contradiction with the faith of the ancient Church, and which destroy its ancient canonical constitution by attributing to the Pope the plenitude of ecclesiastical powers over all Dioceses and over all the faithful. By denial of this primatial jurisdiction we do not wish to deny the historical primacy which several Oecumenical councils and Fathers of the ancient Church have attributed to the Bishop of Rome by recognizing him as the *Primus inter pares*.

3. We also reject the dogma of the Immaculate Conception promulgated by Pius IX in 1854 in defiance of the Holy Scriptures and in contradiction to the tradition of the centuries.

4. As for other Encyclicals published by the Bishops of Rome in recent times for example, the Bulls *Unigenitus* and *Auctorem fidei*, and the Syllabus of 1864, we reject them on all such points as are in contradiction with the doctrine of the primitive Church, and we do not recognize them as binding on the consciences of the faithful. We also renew the ancient protests of the Catholic Church of Holland against the errors of the Roman Curia, and against its attacks upon the rights of national Churches.

5. We refuse to accept the decrees of the Council of Trent in matters of discipline, and as for the dogmatic decisions of that Council we accept them only so far as they are in harmony with the teaching of the primitive Church.

6. Considering that the Holy Eucharist has always been the true central point of Catholic worship, we consider it our right to declare that we maintain with perfect fidelity the ancient Catholic doctrine concerning the Sacrament of the Altar, by believing that we receive the Body and Blood of our Saviour Jesus Christ under the species of bread and wine. The Eucharistic celebration in the Church is neither a continual repetition nor a renewal of the expiatory sacrifice which Jesus offered once for all upon the Cross: but it is a sacrifice because it is the perpetual commemoration of the sacrifice offered upon the Cross, and it is the act by which we represent upon earth and appropriate to ourselves the one offering which Jesus Christ makes in Heaven, according to the Epistle to the Hebrews 9:11-12, for the salvation of redeemed humanity, by appearing for us in the presence of God (Heb. 9:24). The character of the Holy Eucharist being thus understood, it is, at the same time, a sacrificial feast, by means of which the faithful in receiving the Body and Blood of our Saviour, enter into communion with one another (I Cor. 10:17).

7. We hope that Catholic theologians, in maintaining the faith of the undivided Church, will succeed in establishing an agreement upon questions which have been controverted ever since the divisions which arose between the Churches. We exhort the priests under our jurisdiction to teach, both by preaching and by the instruction of the young, especially the essential Christian truths professed by all the Christian confessions, to avoid, in discussing controverted doctrines, any violation of truth or charity, and in word and deed to set an example to the members.

8. By maintaining and professing faithfully the doctrine of Jesus Christ, by refusing to admit those errors which by the fault of men have crept into the Catholic Church, by laying aside the abuses in ecclesiastical matters, together with the worldly tendencies of the hierarchy, we believe that we shall be able to combat efficaciously the great evils of our day, which are unbelief and indifference in matters of religion.

(2) No dogma, pious doctrine, devotion, teaching, or article of religion whose root and development are outside Holy Scripture and the Formularies may be bound upon the consciences of baptized persons.

TITLE II THE DIOCESE

§ Canon 3

Name and Government

- (1) The name of the Diocese shall be “The Old Catholic Diocese of the Chesapeake Bay.” In the canons it may be called the “Diocese.”
- (2) The Diocese is an autonomous legal entity, an unincorporated non-profit religious association, established pursuant to the laws of the United States.
- (3) The city of the bishop’s residence shall be the seat of the Diocese as a legal entity.
- (4) For purposes of process and operation other addresses may be used for Diocesan business.
- (5) The Diocese pursues its activities in accordance with the laws of the United States in the jurisdictions where it operates.
- (6) The Diocese is for all purposes of law, doctrine, discipline, and worship a hierarchical Church under the Constitutions and laws of the United States and the jurisdictions in which it operates.

§ Canon 4

Diocesan Institutions and Entities

- (1) The Diocese may establish other legal entities in accordance with the laws of the United States and the jurisdictions in which the entities may operate, or may become a member or shareholder of another legal entity. The Diocese may further establish special purpose organizations in furtherance with the achievement of its tasks.
- (2) No individual, group, or entity within the Diocese may represent that it is sponsored-by or connected-with the Diocese or unless it has first met the provisions of these Canons, and only so long as it has been approved by and continues to be so qualified in the judgment of the Bishop.
- (3) A Diocesan entity may be created for any charitable or educational purpose.
- (4) An entity may be recognized as a diocesan institution by the Synod if the Bishop recommend such action and, the entity’s articles of incorporation, organization, and/or by-laws meet the requirements of these Canons.
- (5) The Bishop may require annual or special written reports from any Diocesan entity as deemed necessary providing adequate notice is given.
- (6) After consideration of a report from the Bishop that a diocesan entity does not conform to the requirements of the Diocesan canons or that its standard of performance does not warrant continued recognition, the bishop may revoke the status of the entity as a diocesan institution, or take other appropriate action.

§ Canon 5

Membership in the Diocese

- (1) An individual baptized in the Diocese becomes a member of the Diocese; a person who was baptized with water in the Name of the Father, and of the Son, and of the Holy Spirit in a different Christian denomination and who voluntarily applied to join the Diocese shall also become a member.
- (2) No person is disqualified from joining a parish, oratory, or chaplaincy due to place of residence, sex, sexual orientation, transgender status, citizenship, nationality, economic status or handicap.
- (3) Membership in the Diocese shall terminate upon voluntary exit, expulsion or death. Termination of membership shall be entered in the list of members of the respective parish or other community.
- (4) The synod shall decide on the expulsion of a member of the Diocese on the grounds of a gross violation of principles expressed in Canon 1.

§ Canon 6

The Diocesan Synod

- (1) Acts of Synod of the Diocese (which include resolutions, budgets, canons, constitutions, and revisions to the same) are binding upon all parishes and alternative ministries unless by their express terms they are not intended to be binding upon some or all.
- (2) If for any reason a parish or alternative ministry does not select delegates to Synod, or if its delegates neglect or cannot attend, or the representation is suspended or forfeited for any reason under Canon Law, the said parish or alternative ministry nevertheless is bound by all acts of Synod as if it had been fully represented at that meeting of Synod.
- (3) The Synod may be held, at the discretion of the bishop, electronically-- synchronously or asynchronously. This shall especially be the case when voting members of the Synod are prohibitively distanced. In such a case, the bishop shall set forth Synod rules and norms in harmony with the Constitution of Canons of the Diocese. Convocation of the synod and its rules of procedure shall be provided for in detail in a special regulation.

§ Canon 7

Deliberations of the Synod

- (1) The synod shall be presided over by the bishop, or, in the bishop's absence, by the bishop's vicar. If even the bishop and vicar are absent, the synod shall be presided over by a member of the Presbyteral council so authorized by the synod.
- (2) Meetings of the synod shall be public. At the request of the bishop representing the chairman of the synod, of the Presbyteral Council or at least one third of the members present, public may be excluded for the entire duration of the synod meeting, or for individual issues being addressed.

(3) Unless stipulated otherwise hereafter, the synod shall resolve by a simple majority of votes of the members present. The synod shall form a quorum if more than one half of all its members are in attendance.

(6) All actions of the synod must have the consent of the bishop, who has the prerogative to veto acts of synod. In the rare event of a veto, the synod, with a three-fourths majority vote, may override the veto.

(7) Actions of synod become effectual with the signature of the bishop.

TITLE III DIOCESAN COMMUNITIES

§ Canon 8

Types of Communities

(1) Christians in this Diocese gather together for prayer, education, fellowship, and sacramental celebrations. Their common lives are ordered by the community's celebration of Holy Baptism and the Holy Eucharist. The primary setting for the eucharistic gathering is a parish. Christians may also gather in oratories, chapels, or mass stations.

§ Canon 9

Concerning Parishes

(1) A parish consists of two or more believers (Matt 18:20) under the direction of a pastor called by the congregation and approved by the Bishop.

(2) A congregation not affiliated with the Diocese may seek affiliation by applying to the Bishop. The application, including the congregation's proposed by-laws, must be signed by the pastor and the congregation's lay representative. If approved, they are granted "parish-in-formation" status. A parish-in-formation's application must be presented by the Bishop at the regular meeting of the Synod for approval by the full Synod. Prior to acceptance, the lay representative(s) are granted observer status (with no vote) at special Synods, should they occur. A parish-in-formation, once accepted by the Diocesan Synod, is immediately granted full representation and voting rights.

(3) Parishes in the Diocese agree to that the full name in a parish's bylaws must include the words: "The Old Catholic Diocese of the Chesapeake Bay" and that all of their activities shall forever conform with the Constitution and Canons, the doctrine, and discipline, and worship of the Diocese.

(4) Parishes and other worshipping communities may be grouped into deaneries or convocations by the bishop. Deaneries or convocations exist for the mutual support, fellowship, and mission of the member communities. Once the bishop has erected a deanery or convocation, he shall appoint a dean or convenor, having first consulted with the clergy of the member communities.

§ Canon 10

The Parish Assembly

(1) The parish assembly shall be a body representing the entire parish.

(2) The parish assembly shall comprise all the members of the parish registered in the list of members of the parish in question who have reached 18 years of age.

(3) The parish assembly shall elect and recall the parish priest, elect and recall the parish council, elect delegates of the parish for the synod, approve the budget and final accounts of the parish, decide on the collection of the church fee, if any was decided on by the synod, decide on the

utilization of a part of the church fee for general requirements of the parish, decide on any disposal with the assets of the parish; where the act concerned pertains to real property, the parish assembly decision shall be subject to approval by the synodal council, file proposals for synod meetings, resolve on a proposal to convene an extraordinary synod, establish legal entities of the parish with the consent of the bishop.

(4) The parish assembly shall be held as required but in any case at least once a year.

(5) The parish assembly shall be convened by the parish council together with the parish priest. The convener shall be obliged to publish the notice of parish assembly, together with the proposed agenda, by announcing the same repeatedly during regular church services, on a notice board and by remote access at least one month prior to the contemplated date of the parish assembly. A parish assembly shall be convened whenever a minimum of 10% of parish members so request. Any potential dispute concerning the parish assembly shall be resolved by the bishop or the synodal council.

(6) The parish assembly shall be chaired and directed by the chairman of the parish council.

(7) The parish assembly shall form a quorum if at least 15% of the parish assembly members are present. If the convened parish assembly does not satisfy the provision of the first sentence, a newly convened parish assembly shall form a quorum regardless of the number of members present. The parish assembly shall adopt resolutions by a simple majority of votes of the parish assembly members present.

(8) Minutes of the parish assembly shall be drawn and sent by the parish council chairman without delay after the parish assembly ends.

(9) A parish may, through parish by-laws, require that all nominations for election to the parish council or other proposals to be acted upon must be submitted to the pastor of the parish in writing on or before a specified date before the meeting, and that no additional nominations or other proposals may be made except in such manner and within such time.

(10) The pastor of the parish must retain all election records for delivery to the Bishop in the event an election is appealed. If no appeal is taken within the period specified for appeal, the election records may be destroyed. Any appeal to the Bishop from the certified result of the election must be made in *writing* within thirty (30) days after the election. In the case of such appeal, the Bishop must recanvass the vote and declare the result of the election. The bishop's judgment on appeal is final.

(11) The pastor must forward to the Bishop promptly after each annual meeting the names, addresses, and telephone numbers of every member of the parish council, delegates, and alternates to Synod, and treasurer and secretary then in office. If any change occurs in any office, the Bishop must be promptly notified of same.

(12) The results of any election or summary of any action taken at a special or annual meeting of the parish or Diocesan entity must be made known to all members and the Bishop within seven (7) days after the meeting.

§ Canon 11

Parish Council

- (1) The parish council shall be a permanent representation of the parish.
- (2) The parish council shall be comprised of the parish priest or parish administrator authorized by the bishop and elected representatives of the parish. The parish assembly shall elect a minimum of 4 and a maximum of 10 members to the parish council.
- (3) For a lay parish member to be eligible for election, he/she has to be a member of the parish for at least a year, be at least 18 years old and possess full legal capacity.
- (4) The term of office of elected members of the parish council shall be two years and members may be re-elected.
- (5) If the office of an elected member of the parish council becomes vacant prior to the elapse of the term of office of the parish council, the parish council shall elect a substitute from among members of the parish; where a lay person is concerned, conditions for electoral eligibility shall be the same as those for a regular member of the parish council.
- (6) The office of an elected member of the parish council shall terminate upon elapse of the term of office, his/her death, his/her resignation, his removal by the parish assembly.
- (7) The parish council shall elect its chairman from among its lay members.
- (8) The parish council shall prepare a draft budget and final accounts of the parish, perform any and all tasks related to the administration and development of the parish, unless this Constitution entrusts same to the parish assembly or the parish priest or parish administrator.
- (9) The parish council shall meet as required but in any case at least four times a year. Parish council meetings shall be convened informally by the parish council chairman following agreement with the parish priest. Meetings of the parish council shall be chaired by the parish council chairman or by any member of the parish council in his absence.
- (10) The parish council shall form a quorum if a simple majority of its members is present. Resolutions of the parish council shall be adopted by a simple majority of the parish council members present.
- (11) Minutes of the meetings of the parish shall be drawn up and the chairman of the parish council shall make them available for viewing by parish members.

§ Canon 12

Appointment of the Parish Priest and Parish Administrator

- (1) The parish priest shall be elected by the parish assembly. The parish priest is then appointed by the bishop. A refusal to appoint may be appealed to the synodal council both by the elected parish priest and the parish within one month. The decision of the synodal council may be appealed to the synod.

(2) With the consent of the Presbyteral Council, the bishop may appoint an administrator from among the clergy of the Diocese provided that the parish assembly waives its community election rights, the election of the parish priest cannot be held, the community failed to exercise its election rights in the last two years despite repeated notice.

(3) For a candidate to be eligible for election, he must be a member of the community of priests of the Diocese pursuant to this Constitution.

§ Canon 13

Inauguration

(1) The bishop or a priest authorized thereby shall inaugurate the parish priest during a service. In the course of the service, the parish priest shall plead allegiance to the all of the Old Catholic Formularies, in writing.

(2) Prior to the inauguration of the parish priest, the priest referred to above, together with the parish council, shall take stock of the contents of the church worship space, the parish archives, and other assets of the parish and shall draw a record documenting same.

(3) Prior to his inauguration, the parish priest shall receive from the bishop an authorization for parish management.

§ Canon 14

Tasks of the Parish Priest

(1) The parish priest shall have an exclusive right to perform ecclesiastical service stemming from his ordination in the territory of his parish. The foregoing shall create no prejudice to the rights of the bishop. Another clergyman of the Diocese may work in the territory of the parish only by authorization from the bishop, delegation from the parish priest, or in a state of emergency.

(2) Together with the parish council, the parish priest shall keep a list of parish members. The list shall contain, for all the parish members, the names and addresses, dates of birth, baptism or joining of the Diocese, marital status (including wedding date), profession and other information relevant to the status of the member within the community. The parish priest and the parish priest shall continuously update the list of members.

(3) The parish priest shall be responsible for archiving any and all documentation concerning the parish.

(4) The parish priest shall perform other tasks stipulated by special regulations of the synod or the synodal council or their decisions.

§ Canon 15

Termination of the Parish Priest's Service and Transfer of the Administrator to Other Ecclesiastical Service

- (1) The parish priest's service shall terminate upon: his death, defrocking (regulated by a special regulation), resignation, removal by the parish assembly, dissolution of the parish.
- (2) Transfer of the administrator shall be decided on by the bishop with the consent of the Presbyteral Council in the event that the parish was dissolved, or the interests of the church so require; before such decision is made, the administrator concerned and the parish council of the parish concerned must be heard.
- (3) Stock shall be taken at the departure of a parish priest or administrator. A record of stock-taking shall be drawn and deposited in the archives of the parish.

§ Canon 16

Assistant Clergy

- (1) An assistant clergyman shall be a clergyman entrusted with tasks in the ecclesiastical service where a parish priest or parish administrator performs independent ecclesiastical administration.
- (2) The assistant clergyman shall be entrusted with service in the parish by the bishop at the request of the parish assembly. He shall report to the parish priest (administrator) and the parish council and shall be accountable to them. The bishop shall decide on his recall with the knowledge of the parish assembly.

§ Canon 17

Parish Deacon

The deacon shall be authorized and recalled by the bishop from among the clergy to serve in a particular parish, and shall be at the disposal of the parish priest and parish council with a view to the nature of his service.

§ Canon 18

Concerning Other Worshiping Communities

- (1) Other communities gathering for worship include chapels, oratories, and mass stations.
- (2) A community may be designated as a chapel when it regularly gathers for worship in a consecrated or dedicated church or in alternating churches of owned by any Christian denomination. Chapels with regular membership may become parishes by the consent of the bishop.
- (3) A place of worship whose maintenance and organization is provided for by a priest or deacon of this diocese may be designated as an oratory.

(4) A place where the Holy Eucharist is offered a few times annually for the spiritual good of persons requesting such ministry shall be designated a mass station. Mass stations do not normally keep membership records, though they do keep sacramental records. If those served by the mass station wish to keep a list of membership, they may do so with the consent of the bishop.

(5) Chapels, oratories, and mass stations keep the same records required of parishes unless otherwise excused by canon.

(6) The bishop may, at his discretion, operate a bishop's chapel or bishop's oratory which is proper to his person in the office of bishop. The bishop's chapel may serve as a place for liturgies which are necessary to the life of the diocese.

§ Canon 19

Mergers, Consolidations, and Dissolutions

(1) Without the written consent of the Bishop and Presbyteral Council, no parish may merge or consolidate with each other or with any one or more parishes, nor may they dissolve, nor may they distribute their assets in anticipation of any merger, consolidation, or dissolution.

§ Canon 20

Records in Parishes, Chapels, Oratories, and Mass Stations

(1) Every community organized under the Diocese, as soon as reasonably possible, must revise and amend its governing documents to conform to the Constitution and Canons of this Diocese.

(2) Each community organized under the Diocese must keep available printed copy of the current text of the Constitution of Canons of the Diocese, and other governing documents of the Diocesan entity. The minutes of annual parish meetings and, if incorporated, those of the Board of Directors for each Board meeting must be held in the official files, as well as being transmitted to the Bishop within seven (7) days of the close of said meetings. In addition, every entity shall maintain in its office files an inventory of all personal and real property. This shall be updated once a year.

(3) Every pastor or priest-in-charge shall maintain custody and control of the parish register containing a record of all sacraments and burials solemnized in the parish, and with the names of parents and sponsors or witnesses; the names of all communicants with the date of their reception, death, or removal.

(4) The parish register must be preserved as part of the records of the parish and shall be freely available for examination at each Episcopal visitation and at all times be freely available for inspection by members of the parish council, the Bishop or any person designated by the Bishop.

(5) Within thirty (30) days of the closure of a parish, chapel, oratory, or mass station, the pastor or clergy-in-charge of that ministry must transmit to the Diocese for safekeeping all records of the closed ministry.

TITLE IV THE EPISCOPATE

§ Canon 21

The Office of Bishop

(1) Through his election and ordination, the bishop succeeds to the apostolate consisting of a tri-fold service: to sanctify, teach and direct the community of the faithful entrusted into his care. The bishop shall enjoy all the rights and have all the obligations attached by the ecumenical councils of the ancient and undivided Church and the irrefutable Old Catholic tradition to the office of bishop. The synodal council shall participate in the bishop's service of providing direction to the extent stipulated by this Constitution.

(2) The bishop is the main administrator of the sacramental life in the Diocese. He shall exercise sacramental authority in all communities and sacral premises of the Diocese. The bishop shall in particular administer the sacraments and ordinations reserved for bishops.

(3) The bishop shall prepare and review liturgical materials and present proposals for any changes to the synod, or the synodal commissions, as the case may be.

(4) The bishop shall have a priority right and duty to preach the word of God and teach in the Diocese.

(5) The bishop shall further be responsible for the spiritual formation, education, and ordination of priests and deacons.

(6) The bishop shall convene the synod, supervise business affairs of the church, issue regulations and decisions concerning the Diocese together with the synodal council; such regulations may only be issued for implementation by and within the scope of regulations issued by the synod, and represent the Diocese vis-à-vis third parties; the bishop shall advise the Presbyteral Council at its next meeting of any acts taken on behalf of the Diocese vis-à-vis third parties.

(7) The bishop has the right of examination of the state of all parishes and ministries, the state of the clergy, inspecting the behavior of the clergy, and administering the apostolic rite of Confirmation.

(8) The bishop shall direct the liturgical life of the church. He shall have the right to hold services and preach in every community or any sacral premises used by the Diocese. He shall visit all the communities and parts of the church, and inform the Presbyteral Council by means of visitation reports. If the bishop attends a service, he shall preside over same *ex officio*, unless he decides otherwise. It is the bishop's prerogative to make liturgical decisions in regards to any liturgy he celebrates in any community he visits.

(9) Either in connection with a scheduled Episcopal visitation, or without a scheduled visitation, the Bishop is entitled to receive full and accurate information regarding the state of the parish or alternative ministry and its affairs. For that purpose, the parish council is to provide information about the state of the parish, and may pose questions relating to the parish to the Bishop. The Bishop has the right at all times to full, prompt, and complete access to all registers and other records of and pertaining to a parish or alternative ministry.

(10) The Bishop has oversight and gives approval for the places of worship and well as the nature and rite of the dispensation of sacraments. It is the duty of all clergy, parish councils, staff, and lay representative, etc. to cooperate fully during Episcopal Visitations. Under no circumstances is a parish or alternative ministry to withhold individual or collective cooperation, nor bar access to premises, buildings, or records, during an Episcopal Visitation.

§ Canon 22

The Bishop's Vicar

- (1) The bishop may, at his discretion, appoint a vicar who is committed to assisting the bishop in carrying out functions in regards to diocesan administration, including, but not limited to areas of ecumenical relations, liturgical norms, theological matters, and clergy issues.
- (2) The bishop's vicar will normally assist in moderating the diocesan synod. This may include the preparation of a synod assembly book with current statistics, old business, new business, motions, resolutions, courtesies, amendments, and information on previous diocesan synods.
- (3) The bishop's vicar shall keep a roster of all canonically resident clerics and the dates of their canonical residency, which begin at acceptance as a candidate for holy orders or the date of incardination.
- (4) The bishop may ordain the Vicar to the episcopate for the purpose of maintaining continuity. A Vicar ordained to the episcopate shall be a suffragan and will only exercise authority which is delegated by the ordinary. At no time should it be assumed that the suffragan will act on his own authority or have right of succession. In the absence of other bishops in the same tradition of this Diocese, the suffragan will act as principal consecrator for the priest who is elected bishop.

§ Canon 23

Dispensations

- (1) The bishop's historic power of dispensation under canon law is acknowledged. A dispensation of or the relaxation of, but not a negation of, a part of canon law in a particular case may be made by the bishop within the limits of the bishop's jurisdiction, and for just and reasonable cause, taking into consideration the circumstances of a case.

§ Canon 24

Further Authority of the Bishop

- (1) At any time, the Bishop may issue rules, norms, regulations, guidelines or Bishop's Directives consistent with Canon Law to amplify or clarify particular parts of Canon Law, or to fill gaps or omissions in Canon Law.

§ Canon 25

The Election of the Bishop

- (1) The Bishop shall be elected by the synod.
- (2) If the episcopal see (*episcopalis sedes*) becomes vacant, the Bishop's Vicar shall convene the synod within two months for the purpose of election of a bishop. During the time of vacancy if the Vicar is a chorbishop, he shall become bishop *locum tenens* until such a time as there is an election.
- (3) A priest appointed to service in the Diocese, engaged in pastoral service in the Diocese for at least three years, who shall demonstrate his faith, knowledge, morals and other personal qualities adequate to the demands of the episcopal service, may be elected bishop.
- (4) Upon election, the priest shall become the bishop-elect. Until ordination, the bishop-elect shall serve as the diocesan administrator. The Presbyteral Council shall request, within 14 days of the bishop's election, that other bishops in the Old Catholic tradition consecrate the bishop. The bishop-elect shall become bishop upon ordination.
- (5) Election of the bishop shall be provided for in more detail in a special regulation.

§ Canon 26

Termination of Service

- (1) The bishop's service shall terminate upon his death, retirement into emeriture (by resignation or otherwise), or upon termination of his office by the synod.
- (2) The bishop may retire into emeriture upon reaching advanced age or infirmity causing him to be unable to discharge the office. An emeritus bishop of the Diocese shall deserve respect for his experience and the position achieved within the church. If possible, at the invitation of the acting bishop, the emeritus bishop shall take part in confirmations, ordination of priests, and other sacramental acts performed by the bishop by virtue of its ordination, or take part in specific spiritual administration.
- (3) The bishop's office shall terminate by virtue of the loss of his faith as professed upon his ordination as bishop. In such case, the bishop's office shall be pronounced terminated by the synod after a theological hearing conducted by the Presbyteral Council, with its findings sustained by the synod.
- (4) Upon a motion filed by the presbyteral council or at least one half of the parish and filial communities, the synod shall vote on pronouncement of termination of office if the bishop's person grossly contradicts the qualities pursuant to these canons if the bishop has been willfully neglecting his duties in a material way, or if the bishop is unable to hold office due to long-term health problems.

TITLE V THE CLERGY

§ Canon 27

General Principles

- (1) The clergy congregate around the bishop. The bishop determines the sacramental actions of the clergy and supervises their practice, thus administering the sacramental life of the Diocese with the assistance of the clergy.
- (2) The clergy shall be accountable to the Diocese for sacramental actions within the scope of their ordination and for the exercise of other powers entrusted to them by the Diocese.
- (3) All clergy canonically resident (that is, the connection with a diocese that a member of the clergy acquires by ordination in and for that diocese or by transfer to the diocese and acceptance by its bishop) and in good standing in the Diocese must perform the duties of their respective orders in accordance with these Canons. This canonical residence is synonymous with receiving faculties from the bishop.
- (4) The Bishop has final authority in all matters of clergy discipline pending final determination of appeals made to the Diocesan Synod. The pastor controls the worship and the spiritual interests of the parish, subject to the Canons, and to the Godly council of the Bishop.
- (5) The pastor at all times has the right of ultimate direction and control of all guilds, societies, organizations, associations, or non-parochial ministries that are affiliated with, associated with, or sponsored by the parish, chapel, oratory, or mass station, including the right and responsibility to ensure that the leadership of such groups is fairly chosen and appropriately rotated among suitable members of the parish or alternative ministry.
- (6) The Bishop may prevent preaching, administering the Sacraments, or holding any public service by any non-canonical clergy coming into the Diocese.
- (7) Clergy of this Diocese may work ecumenically in settings which are found not to be in opposition to the ethos of the Diocese and Old Catholicism. A cleric wishing to work ecumenically shall request, in writing, permission from the bishop for such work, and the request shall describe the setting and type of work to be done. The bishop, if approving, shall grant a letter of permission to that cleric for the time period of one year, after which time the permission may be renewed in writing.
- (8) Each clergy person has the right of due process. Whether accused by the Bishop, fellow clergy, laity or the society at-large, all are considered not guilty until proven otherwise. Any clergy proven guilty of a felony may be dismissed at the will of the Bishop. Any clergy accused of violating the Canons of the Diocese has the right to a hearing by the Presbyteral Council with the Bishop as chair of the hearing. The decision of this group may be appealed to the Diocesan Synod.
- (9) If the bishop finds a cleric in violation of church or civil laws under Canon 27.8, the Bishop may place that cleric under a temporary inhibition, given in writing, for a period of six (6) months. During that time, the cleric shall discern a response, choosing either to deny the charge and face trial before the Presbyteral Council with the bishop as chair or may repent and submit to admonition, being required to show amendment. If after the inhibition period the cleric does not repent and

does not deny the charge, the bishop shall depose that cleric from the ordained ministry of the church. If the cleric denies the charge, a trial shall commence with the Presbyteral Council, whose decision of restoration or deposition shall be carried out by the bishop.

(10) Selection of candidates for ordination requires discernment of call and thoughtful formation. Similarly, incardination into the diocese requires discernment and exploration of call. Candidates for incardination shall meet all the requirements that candidates for ordination meet, which shall be set out by special regulation. Priests who are incardinated into the diocese shall be given faculties for the celebration of the sacraments, but shall be in the category of ‘probationer’ for a period of six (6) months before being allowed to vote in Presbyteral Council. The bishop will then decide whether to admit the incardinating priest into full union with the diocese, taking into serious consideration the wishes of the Presbyteral Council.

(11) Clerics who desire to transfer from the jurisdiction of this Diocese to that of another Diocese, religious order organized in such a way that provides for the issuance of faculties, or clerical oratory must request the receiving ordinary to apply to the Bishop, in writing, for a letter dimissory. Letters dimissory will not be granted to institutions who do not uphold the Ecumenical Creeds. Any cleric who presumes to self-separate from the Diocese without adhering to canonical procedure will subject to discipline under Canon 27.9 for abandonment of the communion of this Diocese. A cleric who refuses to answer the charge of abandonment will be understood to have renounced his or her orders and will be immediately deposed. In such a case where the cleric refuses communication, the time allowances stipulated in Canon 27.9 may be amended at will by the Bishop.

§ Canon 28

Priests

(1) A priest in the Diocese shall be a member of the Diocese who received the respective ordination, a member of the Diocese who was ordained in a different church and satisfied the conditions stipulated by a special regulation of the synod, a priest of a member church, with whom the Diocese has a full sacramental communion, and who was accepted by the bishop under contract, or has received the bishop’s consent to act as a priest in the territory administered by the bishop.

(2) The main mission of priests in the Diocese is the sacramental service in line with their ordination, ecclesiastical administration of Diocese members in their territory, catechism, evangelisation and religious instruction in public schools, as the case may be.

(3) Only a candidate priest meeting conditions stipulated by a special regulation of the synod, which shall provide for background screening, education, and formation, may be ordained as priest.

(4) No person shall be ordained priest before having reached the age of twenty-five (25) years.

(5) A candidate for priesthood shall have been a member of the Diocese for at least six (6) months before acceptance as a candidate and must spend two (2) years in formation before ordination to priesthood. At least six (6) months of that time in formation shall be spent in the transitional diaconate.

(6) The standard education for a priest shall be a Master of Divinity program accredited by the Association of Theological Schools. However, the bishop, via special regulation, may provide other ways for the candidate for priesthood to attain an equivalent education.

(7) The priests of the Diocese together form the Presbyteral Council, which exists solely to advise the bishop, present a clear image of the life of the Diocese to the bishop, and to fulfill the functions mentioned in other places in these canons.

§ Canon 29

Deacons

(1) A deacon in the Diocese shall be a member of the Diocese who was ordained as deacon, a member of the Diocese who was ordained in a different church and satisfied the conditions stipulated by a special regulation of the synod, a deacon of a member church, with whom the Diocese has a full sacramental communion, who was accepted by the bishop under contract, or has received the bishop's consent to act as a deacon in the territory administered by the bishop.

(2) The main mission of deacons is to serve those in need (charity, diaconate), take care of the poor, sick and elderly, catechism, evangelisation and religious instruction in their territory. Deacons shall be at the bishop's disposal, and based on his instructions, at the disposal of other clergy, in the discharge of ecclesiastical administration and liturgical life. The deacons shall participate in sacramental life of the church in line with their ordination.

(3) Only a candidate deacon meeting conditions stipulated by a special regulation of the synod may be ordained as deacon.

(4) A candidate for the diaconate shall have been a member of the Diocese for at least six (6) months before acceptance as a candidate and must spend one (1) years in formation before ordination to the diaconate.

(5) The bishop shall, via special regulation, provide for the background screening, formation, and education of candidates for the diaconate.

TITLE VI THE SACRAMENTS

§ Canon 30

Conformity with Old Catholic Sacramental Theology

(1) The Diocese in accordance with the teaching of Thesis VIII in the Fourteen Theses proclaimed by the Old Catholic Union Conference at Bonn in 1874, accepts, practices, and proclaims the Church's ancient understanding that there are Seven Sacraments, being Holy Baptism, Holy Eucharist, Confirmation, Holy Orders, Marriage, Reconciliation, and Anointing.

§ Canon 31

Accessibility of Sacraments

The sacraments of the Church are open to all baptized persons, without regard to gender, race, sexual orientation, citizenship, nationality, economic status, or handicap.

§ Canon 32

Divorce and Remarriage

(1) Remarriage of a baptized person(s) who has received a divorce does not require a dispensation from marital vows prior to remarriage. If a divorced Baptized person seeks remarriage after more than two (2) marriages, it is up to the pastor to decide whether or not they would grant permission to remarry. On such occasions, the Pastor must seek the counsel of the Bishop.

(2) In some cases, the marriage of two persons, contracted under the auspices of the Church, or in some other manner, may be annulled by the Diocesan Bishop. Such persons requesting the annulment of a marriage must apply for such an annulment, in writing, to the Diocesan Bishop. The norm for annulment under this canon requires that both parties consent to the annulment and sign the written application to the Ordinary. The Diocesan Bishop alone has the authority to grant or deny the request for the annulment of a marriage, but may ask the advice of presbyters in the Diocese. The necessary grounds for annulment include, but are not limited to impotence of either party, non-consummation, fraudulent contracting of the marriage, consanguinity, or the duress of one or both parties in contracting the marriage. Once an annulment is granted, the marriage is declared null and void in the judgment of the Church. The Decree of the Annulment of a Marriage shall be provided to each of the parties and one copy shall be kept in the Diocesan files.

§ Canon 33

Location of the Solemnization of Marriages

The solemnization of marriage is normally held in a consecrated church, but, may occur at another location other than a consecrated church. If the marriage ceremony occurs outside a consecrated church, the clergyperson authorized by these Canons to solemnize marriage should assess the appropriateness of the location so as not to bring disrepute or public scandal upon the Church. Such location should maintain and enhance the dignity of the ceremony.

§ Canon 34

Clergy and Solemnization of Marriages

All clergy performing marriages in the Diocesan jurisdiction are required to be licensed as ministers within the state of practice, and furthermore, comply with all rules, regulations, and statutes pertaining to lawful marriage. When deemed necessary pastorally, clergy may perform the solemnization and blessing of a marriage in which case said clergy person acts for the church only and not for both the church and state.

§ Canon 35

Marriage Equality

The Diocese recognizes and solemnizes marriages regardless of the gender of either party to the marriage. All marriages are considered a Sacrament.

§ Canon 36

The Seal of the Confessional

All Priests exercising the faculty of their right to hear private Confessions are bound by the ancient and holy seal of the confessional. This seal is absolute – without exception, including civil law. No priest may violate this seal. Violation of the seal is *ipso facto* inhibition of the priest. Only the bishop may absolve a priest of violating this seal.

TITLE VII THE CHURCH AND PROPERTY

§ Canon 37

Solicitation of Funds

- (1) Solicitation of funds from outside the Diocese for work within a parish or other ministry, affects the interests and standing of the whole Church. No solicitation of this type may be made without the prior written authorization of the Bishop.
- (2) The nature, cost, and necessity of work for which external support is solicited must be established in writing and the Diocesan entity must indicate the extent of its own financial participation in the work. Regular reports of the project, with detailed financial statements, must be made to the Bishop by the parish/non-parochial ministry.
- (3) Records must be kept of all permanent and trust funds showing source, date, and terms governing the use of principal and income. These records must be made available to the Bishop and/or Diocesan Council upon request.

§ Canon 38

Business Methods

- (1) Business methods required by the Canons of the Diocese must be observed strictly by every Diocesan entity. The treasurer of each parish or other ministry, the Trustees of every Diocesan institution, and each person acting as Trustee carrying on any Church work or administering funds for any work of the Church shall present a full financial statement and report of activities respecting such work or fund at the annual meeting of the Synod during the preceding year.

§ Canon 39

Inheritance

- (1) Ownership of all real property bought with parish belongs to the parish. In the event that a parish, chapel, or oratory ceases to exist and has not named an inheritor of its temporal goods, the Diocese is automatically the inheritor.

TITLE VIII Harassment Policy

§ Canon 40

General Principles

(1) The church is a gathering of Christian men, women and children, professing faith in the Holy Trinity and striving to follow the example of Jesus set forth in the Gospel which includes acceptance of the dignity of each person and that each person must be respected. Therefore the Diocese must be free of any form of harassment, so that any and all clergy or lay, member or guest may participate in the life of the Diocese in an atmosphere that is safe and respectful of all.

§ Canon 41

Types and Expressions of Harassment

Harassment occurs when an individual is subjected to treatment which is hostile or intimidating. Harassment includes, but is not limited to, verbal harassment (derogatory comments and jokes; threatening words spoken to another person or sent), physical harassment - (unwanted physical touching, contact, assault, deliberate impeding or blocking movements, or any intimidating interference with normal work or movement), visual or written harassment (derogatory, demeaning or inflammatory posters, cartoons, written words, drawings, gestures, email or text messages or letters), or sexual harassment (unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any or all of the following occurs).

§ Canon 42

Reporting Harassment

(1) A charge of harassment shall not, in and of itself, create the presumption of wrongdoing. However, substantiated acts of harassment will result in disciplinary action, up to and including discharge. Persons found to have filed false or frivolous charges will also be subject to disciplinary action, up to and including discharge.

(2) Anyone experiencing or witnessing harassment should report the incident to the pastor if at the parochial level. Other incidents should be reported to the Bishop's Vicar, or to the Bishop if the Bishop's Vicar stands accused. The claim will be investigated thoroughly, involving only the necessary parties. Confidentiality will be maintained as much as possible.

TITLE IX AMENDMENTS

§ Canon 43

Proposed Canonical Amendments

(1) Every proposal to amend these Canons shall be served to the delegates at least thirty (30) days before the Synod at which the amendment will be considered.

§ Canon 44

Approval of Amendments

(1) An amendment must be approved during the same Synod by a two-thirds majority and must receive the consent of the bishop.