

## Resolution D-182B

### **Resolution D-182B: A resolution of the Committee on Constitution and Canons to effect certain amendments to the Constitution and Canons of the Episcopal Church in the Diocese of Missouri**

WHEREAS, the 182<sup>nd</sup> Convention of the Episcopal Church in the Diocese of Missouri (the “Diocese”) voted to postpone consideration of Resolution D-182B until the 183<sup>rd</sup> Convention of this Diocese; and

WHEREAS, the 183<sup>rd</sup> Convention of the Episcopal Church in the Diocese of Missouri (the “Diocese”) voted to postpone consideration of Resolution D-182B until the 1184<sup>th</sup> Convention of this Diocese; and

WHEREAS, in consultation with the Offices of the Bishop and in consideration of practices and procedures enacted in other Dioceses of the Protestant Episcopal Church in the United States of America, the Committee on Constitution and Canons drafted a proposed new Canon IV.22 to articulate more clearly the manner in which the resources of the Diocese may be best employed to assist a Parish confronting existential challenges;

NOW, THEREFORE, be it resolved that the Constitution and Canons of the Episcopal Church in the Diocese of Missouri be amended as follows:

**Canon IV.22** is hereby added in its proper numerical order and shall read in its entirety as follows:

#### **CANON IV.22 Of Restoring Congregational Health**

SECTION 1. Concerning all that follows, it shall be the intention and obligation of all parties to labor to restore any Parish under Review to a greater degree of health, setting forth problems to be addressed in an open, honest manner and working toward the resolution of such problems in a climate of respect, charity, and collaborative power sharing.

SECTION 2. Action under this Canon may be initiated in any of the following ways:

(a) The Rector or Vestry of any such Congregation may invite the pastoral intervention of the Bishop.

(b) The Bishop, being aware of the conditions enumerated in Section 3 of this Canon, and acting in his or her capacity as Pastor of the Church in this Diocese, may appoint a committee of three persons to seek amelioration of the condition(s), and to report to the Bishop thereon.

(c) The Standing Committee may initiate the pastoral intervention of the Bishop upon the affirmative vote of two-thirds of the members of the Standing Committee (or as determined by the Standing Committee acting unanimously, if it then be the Ecclesiastical Authority of the Diocese).

SECTION 3. Following the initiation of any action under this Canon pursuant to the procedures set forth in Section 2 above, the Bishop, with the advice and consent of the Standing Committee, may declare a Congregation to be a “Parish under Review” when two or more of the following conditions shall exist:

(a) The Parish fails to assemble and elect a Vestry, as provided in these Canons; or fails to send delegates to any Convention of this Diocese; or shall fail to pay diocesan assessments in a timely manner.

(b) The Parish fails to search for and elect a Rector after a reasonable period of time.

(c) The Parish fails to compensate its Clergy with at least the minimum recommended stipends and allowances set forth in accordance with the compensation guidelines of the Diocese, or does not pay canonically required pension assessments for its Clergy and eligible lay employees, or does not maintain adequate insurance for the property of the Parish.

(d) The Parish fails to make timely reports or to submit a certificate of audit as required by CANON IV.10.

(e) Financial reports reveal invasion of the principal portion of endowment funds, or other evidence of financial instability sufficient, in the judgment of the Bishop and Standing Committee, to warrant action under this canon.

(f) The Parish attempts to or effects an alienation or encumbrance of the real property of the Parish in violation of CANON IV.11.

(g) The Parish permits its property to be used for purposes incompatible with its consecration; or the Parish engages in any persistent course inconsistent with the doctrine, discipline or form of worship of this Church.

SECTION 4. In the event that the Bishop, with the advice and consent of the Standing Committee, shall have declared a Congregation to be a Parish under Review pursuant to Section 3 of this Canon, the Bishop, with the advice and consent of the Standing Committee, may require the application of one or more of the following measures to restore health to the Congregation:

(a) appointment by the Bishop of five or more adult Communicants of the Parish to govern the affairs of the Parish as the Vestry during the pendency of the specified condition(s), notwithstanding any other provisions in these Canons for (i) such governance, or (ii) the election of a Vestry;

(b) designation of the Rector of the Parish as Vicar, during the pendency of the specified condition(s);

(c) conveyance of title of all real property to the Trustees of COEDMO, who shall hold the same in trust during the pendency of the specified condition(s);

(d) such other measures, during the pendency of the specified condition(s), as the Bishop, with the advice and consent of the Standing Committee, shall determine.

SECTION 5. When any Parish fails to elect a Vestry, the Bishop, with the advice and consent of the Standing Committee, may appoint at least three trustees to take charge of the property of the Parish and exercise the rights and functions of a Vestry, until the earlier of (i) the Parish shall have elected a Vestry in accordance with the provisions of CANON IV.5 or (ii) the appointment of a new Vestry under Section 4(a) of this Canon.

SECTION 6. When, in the judgment of the Bishop, with the advice and consent of the Standing Committee and in consultation with the Parish under Review in question, a Parish under Review has either completed its mission or exhausted its resources, the Bishop may end the existence of the Parish, and its property and other assets shall be transferred to the Trustees of COEDMO. The Diocese will take appropriate steps to conclude the affairs of the Parish. The Diocese shall assist the people and Clergy of the affected Parish in continuing their lives in faith in the Diocese.

SECTION 7. The Bishop, with the advice and consent of the Standing Committee and in consultation with the Parish under Review in question, may remove a Parish's designation as a Parish under Review, thereby terminating any actions or restrictions imposed upon it under this Canon during the period of time it was deemed a Parish under Review.