



**REPORT OF THE COMMITTEE
ON CONSTITUTION AND CANONS**

TO

**THE 25TH ANNUAL CONVENTION
OF THE EPISCOPAL DIOCESE OF FORT WORTH**

PROPOSED CANON AMENDMENT

Presented to the Twenty-fifth Annual Convention of the Episcopal Diocese of Fort Worth.

Right Reverend Sir:

On behalf of the Committee on Constitution and Canons, we present the following amendment to Canon 32 of the Canons of this Diocese, as proposed by the Standing Committee:

Existing text:

CANON 32

CONTROVERSY BETWEEN RECTOR AND VESTRY

Sec. 32.1 Once settled in a Parish the Rector shall not be dismissed without the consent of the Bishop of the Diocese. In case of controversy between Rector and Vestry which cannot be settled by the parties themselves, the parties, or either of them, may appeal to the Bishop. The Bishop shall seek to bring the parties to an amicable conclusion. In such case, the agreement between them, signed by them and attested to by the Bishop, shall have the same force as an order made under Section 32.3 of this Canon.

Sec. 32.2 If the matter shall not be amicably settled within a reasonable time, not to exceed six (6) months, the Bishop shall convene the members of the Standing Committee, and shall give notice to the parties to appear before him and them and present their facts and arguments at such time and place as he may appoint. He may adjourn and continue the hearing at his discretion.

Sec. 32.3 When the hearing is concluded and after consultation with the Standing Committee, the Bishop shall make such an order as he may think just and in the best interest of the Church. It shall be the duty of the Rector and the Vestry to submit to and abide by such order as the final and conclusive determination of all matters of controversy between them.

Proposed text:

CANON 32

CONTROVERSY BETWEEN RECTOR AND VESTRY OR BETWEEN A PARISH AND THE DIOCESE

Section 32.1 When a Rector has been regularly settled in a Parish he shall not be dismissed without the consent of the Bishop of the Diocese.

Section 32.2 In case of a controversy between a Rector and Vestry which cannot be settled by the parties themselves, the parties or either of them, may appeal to the Bishop. The duty of the Bishop shall be to seek to bring the parties to an amicable conclusion; and in such case, the agreement between them, signed by them and attested to by the Bishop, shall have the same force as an order made under Section 32.5 of this Canon.

Section 32.3 In the case of a controversy between a Parish and the Diocese, the Rector and a majority of the members of the Vestry may petition the Bishop, whose duty it shall be to seek to bring the parties to an amicable conclusion. To that end, the Rector and majority of the Vestry shall provide a reasonable opportunity for the Bishop, a diocesan chancellor and a member of the Standing Committee to meet on parish property with the entire Vestry and such members of the parish as wish to be present. Both verbal and written notice of the meeting must

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be provided to the members of the parish. It will be the duty of the Bishop to determine the extent to which the members of the parish agree with the Rector and majority of the Vestry. It shall also be the duty of the Bishop to make adequate provision in any resolution to protect the interest of the minority of the parish wishing to remain in union with the Diocese, and to protect the missionary interest of the Episcopal Diocese of Fort Worth. In the case where an agreement is reached, it shall be signed by the Rector and the Bishop and attested to by at least a two-thirds majority of the members of the Vestry and at least a majority of the members of the Standing Committee. This agreement shall have the same force and effect as an order made under Section 32.5 of this Canon. When reaching the conclusion amicably or pursuant to an order made under Section 32.5 of this Canon, consideration will be given to the provisions of Article 14 of the Constitution, Canon 18 and such guidelines as may be established by the Bishop and Standing Committee for the resolution of such disputes.

Section 32.4 If the matter shall not be amicably settled within a reasonable time, not to exceed six (6) months, the bishop shall convene the members of the Standing Committee and shall give notice to the parties to appear before him and them and present their facts and arguments, at such time and place as he may appoint; and he may adjourn and continue the hearing in the matter at his discretion.

Section 32.5 After all hearings as may be called for in Sections 32.2 through 32.4 above are concluded, the Bishop, after consultation with the Standing Committee, shall make such an order in regard to the matter as he may think to be just and for the best interest of the Church. It shall be the duty of the Diocese, the Rector and the Parish, and every member thereof, to submit to and abide by such order as the final and conclusive determination of all matters of difference between them.

The Committee on Constitution and Canons unanimously recommends adoption.

PROPOSED CONSTITUTIONAL AMENDMENT A

Presented last year to the Twenty-fourth Annual Convention of the Episcopal Diocese of Fort Worth.
(Action taken: Referred to the Committee on Constitution and Canons)

Right Reverend Sir:

I move that the Convention amend Article 1 of the Diocesan Constitution by deleting the phrase: "... provided that no action of General Convention which is contrary to Holy Scripture and the Apostolic Teaching of the Church shall be of any force or effect in this Diocese."

Existing text:

ARTICLE 1

AUTHORITY OF GENERAL CONVENTION

The Church in this Diocese accedes to the Constitution and Canons of The Episcopal Church, and recognizes the authority of the General Convention of said Church provided that no action of General Convention which is contrary to Holy Scripture and the Apostolic Teaching of the Church shall be of any force or effect in this Diocese.

Proposed text:

ARTICLE 1

AUTHORITY OF GENERAL CONVENTION

The Church in this Diocese accedes to the Constitution and Canons of The Episcopal Church and recognizes the authority of the General Convention of said Church.

Motion submitted by: Timothy Stevens, MD Delegate

Seconded by: Jeanneane Keene Delegate

November 18, 2006

The Committee on Constitution and Canons unanimously recommends rejection.

PROPOSED CONSTITUTIONAL AMENDMENT B

Presented last year to the Twenty-fourth Annual Convention of the Episcopal Diocese of Fort Worth.
(Action taken: Referred to the Committee on Constitution and Canons)

Right Reverend Sir:

I move to amend Article 14 of the Diocesan Constitution by deleting the current Article 14 and substituting the following as the amended Article 14:

Existing text:

ARTICLE 14

TITLE TO CHURCH PROPERTY

The title to all real estate acquired for the use of the Church in this Diocese, including the real property of all Parishes and Missions, as well as Diocesan Institutions, shall be held subject to control of the Church in The Episcopal Diocese of Fort Worth acting by and through a corporation known as "Corporation of the Episcopal Diocese of Fort Worth". All such property as well as all property hereafter acquired for the use of the Church and the Diocese, including Parishes and Missions, shall be vested in Corporation of the Episcopal Diocese of Fort Worth.

Corporation of the Episcopal Diocese of Fort Worth shall hold real property acquired for the use of a particular Parish or Mission in trust for the use and benefit of such Parish or Mission. The income from such property shall belong to such Parish or Mission, which will be responsible for expenses attributable thereto. Such property may not be conveyed, leased or encumbered by Corporation of the Episcopal Diocese of Fort Worth without the consent of the Rector, Wardens and Vestry of such Parish or Mission. Upon dissolution of such Parish or Mission, property held in trust for it shall revert to said Corporation for the use and benefit of the Diocese, as such.

All other property belonging to the Diocese, as such, shall be held in the name of the Corporation known as "Corporation of the Episcopal Diocese of Fort Worth", and no conveyance or encumbrance of any kind shall be valid unless executed by such Corporation and as may otherwise be provided by the Canons of the Diocese.

Proposed text:

ARTICLE 14

TITLE TO CHURCH PROPERTY

The title to all real and personal property acquired, now held and hereafter acquired or held for the use of Parishes, Missions and Diocesan Institutions in this Diocese shall be held in trust for the benefit of The Episcopal Church in the United States of America and its constituent bodies in accordance with the Constitution and Canons of said Church.

Motion submitted by: Margaret Mieuli Delegate

Seconded by: Jeanneane Keene Delegate

November 18, 2006

The Committee on Constitution and Canons unanimously recommends rejection.

PROPOSED CONSTITUTIONAL AMENDMENT C

Presented to the Twenty-fifth Annual Convention of the Episcopal Diocese of Fort Worth.

Right Reverend Sir:

On behalf of the Committee on Constitution and Canons, we present the following amendment to the Preamble of the Constitution of this Diocese, as proposed by the Standing Committee:

Existing text:

PREAMBLE

We, the Clergy and Laity of The Episcopal Church, resident in that portion of the State of Texas, constituting what is known as The Episcopal Diocese of Fort Worth, do hereby ordain and establish the following constitution:

Proposed text:

PREAMBLE

We, the Clergy and Laity of The Episcopal Diocese of Fort Worth, do hereby ordain and establish the following constitution as duly amended:

The Committee on Constitution and Canons unanimously recommends adoption.

PROPOSED CONSTITUTIONAL AMENDMENT D

Presented to the Twenty-fifth Annual Convention of the Episcopal Diocese of Fort Worth.

Right Reverend Sir:

On behalf of the Committee on Constitution and Canons, we present the following amendment to Article 1 of the Constitution of this Diocese, as proposed by the Standing Committee:

Existing text:

ARTICLE 1

AUTHORITY OF GENERAL CONVENTION

The Church in this Diocese accedes to the Constitution and Canons of The Episcopal Church, and recognizes the authority of the General Convention of said Church provided that no action of General Convention which is contrary to Holy Scripture and the Apostolic Teaching of the Church shall be of any force or effect in this Diocese.

Proposed text:

ARTICLE 1

ANGLICAN IDENTITY

The Episcopal Diocese of Fort Worth is a constituent member of the Anglican Communion, a Fellowship within the One, Holy, Catholic, and Apostolic Church, consisting of those duly constituted Dioceses, Provinces and regional churches in communion with the See of Canterbury, upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer.

The Committee on Constitution and Canons unanimously recommends adoption.

PROPOSED CONSTITUTIONAL AMENDMENT E

Presented to the Twenty-fifth Annual Convention of the Episcopal Diocese of Fort Worth.

Right Reverend Sir:

On behalf of the Committee on Constitution and Canons, we present the following amendment to Article 12 of the Constitution of this Diocese, as proposed by the Standing Committee:

Existing text:

ARTICLE 12

DEPUTIES TO GENERAL CONVENTION

The Annual Convention in the second year preceding a stated meeting of General Convention shall elect by ballot four (4) Priests or Deacons and four (4) Lay Persons as Deputies to the General Convention. The Annual Convention in the year preceding a stated meeting of General Convention shall elect by ballot four (4) Priests or Deacons and four (4) Lay Persons as Alternate Deputies. Deputies and Alternate Deputies shall take office on the first day of January in the year in which the General Convention is to be held and shall hold office until their successors take office. They shall possess the same qualifications as members of The Standing Committee and shall be elected by a concurrent majority of both orders.

The Bishop shall assign the Alternate Deputies according to the order of their election to fill any vacancy in the deputation. In case there be no Bishop or he is unable to act, this power shall be exercised by The Standing Committee.

Proposed text:

ARTICLE 12

DEPUTIES OR DELEGATES TO EXTRA-DIOCESAN CONVENTIONS OR SYNODS

Sec. 1 At each Annual Convention there shall be elected priests and an equal number of lay persons canonically resident within the Diocese to serve as deputies or delegates to any extra-diocesan conventions, synods or meetings that may occur between Annual Conventions and to which this Diocese may wish to send such deputies or delegates. They shall possess the same qualifications as members of the Standing Committee and shall be elected by a concurrent majority of both orders. Such duly elected deputies or delegates shall hold office until their successors are elected.

Sec. 2 At the same Convention there shall be chosen, in the same manner and with the same qualifications, the same number of priests and lay persons to serve as alternate deputies or delegates.

Sec. 3 The Bishop shall assign the Alternate deputies or delegates to fill any vacancy in the delegation. In case there be no Bishop or he is unable to act, this power shall be exercised by the Standing Committee.

The Committee on Constitution and Canons unanimously recommends adoption.

PROPOSED CONSTITUTIONAL AMENDMENT F

Presented to the Twenty-fifth Annual Convention of the Episcopal Diocese of Fort Worth.

Right Reverend Sir:

On behalf of the Committee on Constitution and Canons, we present the following amendment to Article 18 of the Constitution of this Diocese, as proposed by the Standing Committee:

Existing text:

ARTICLE 18

CANONS

Canons consistent with this Constitution, and the Constitution and Canons of the Episcopal Church, may be adopted, altered, amended, or repealed at any Annual Convention by a majority vote of the Convention; provided that no new Canon and no alteration, amendment, or repeal of an existing Canon shall be adopted unless the same shall have been filed in writing with the Secretary of the Convention not less than sixty (60) days before the meeting of the Convention. The Secretary shall, not less than forty-five (45) days before the meeting of the Convention, deliver copies of all proposed amendments or alterations to the Canons to the Chairman of the Committee on Constitution and Canons. The Committee shall report thereon to the Convention on the first day of the meeting.

Where any amendment of a Canon has been so proposed and referred to the Committee, amendments thereto may be made from the floor of the Convention if within the judgment of the presiding officer of the Convention such amendments are germane to the pending amendment.

No other amendments or alterations to the Canons shall be considered at that meeting except by unanimous consent of the Convention.

Changes to the existing Canons shall take effect thirty (30) days after the adjournment of Convention. Typographical errors may be corrected by the Committee on Constitution and Canons and reported to the Convention.

Proposed text:

ARTICLE 18

CANONS

Canons consistent with this Constitution may be adopted, altered, amended, or repealed at any Annual Convention of the Episcopal Diocese of Fort Worth by a majority vote of the Convention, provided that no new Canon and no alteration, amendment, or repeal of an existing Canon shall be adopted unless the same shall have been filed in writing with the Secretary of the Convention not less than sixty (60) days before the meeting of the Convention. The Secretary shall, not less than forty-five (45) days before the meeting of the Convention, deliver copies of all proposed amendments or alterations to the Canons to the Chairman of the Committee on Constitution and Canons. The Committee shall report thereon to the Convention on the first day of the meeting.

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Where any amendment of a Canon has been so proposed and referred to the Committee, amendments thereto may be made from the floor of the Convention if within the judgment of the presiding officer of the Convention such amendments are germane to the pending amendment.

No other amendments or alterations to the Canons shall be considered at that meeting except by unanimous consent of the Convention.

Changes to the existing Canons shall take effect immediately upon the adjournment of Convention. Typographical errors may be corrected by the Committee on Constitution and Canons and reported to the Convention.

The Committee on Constitution and Canons unanimously recommends adoption.

SECOND READING OF PROPOSED CHANGE TO ARTICLE 12

Presented to the Twenty-fifth Annual Convention of the Episcopal Diocese of Fort Worth.

Right Reverend Sir:

On behalf of the Committee on Constitution and Canons, we recommend adoption of the Proposed Constitutional Amendment E and withdrawal of the following proposed change:

Existing text:

ARTICLE 12

DEPUTIES TO GENERAL CONVENTION

The Annual Convention in the second year preceding a stated meeting of General Convention shall elect by ballot four (4) Priests or Deacons and four (4) Lay Persons as Deputies to the General Convention. The Annual Convention in the year preceding a stated meeting of General Convention shall elect by ballot four (4) Priests or Deacons and four (4) Lay Persons as Alternate Deputies. Deputies and Alternate Deputies shall take office on the first day of January in the year in which the General Convention is to be held and shall hold office until their successors take office. They shall possess the same qualifications as members of The Standing Committee and shall be elected by a concurrent majority of both orders.

The Bishop shall assign the Alternate Deputies according to the order of their election to fill any vacancy in the deputation. In case there be no Bishop or he is unable to act, this power shall be exercised by The Standing Committee.

Proposed text:

ARTICLE 12

DEPUTIES TO GENERAL CONVENTION

The Annual Convention in the second year preceding a stated meeting of General Convention shall elect by ballot two (2) Priests or Deacons and two (2) Lay Persons as Deputies to General Convention. The Annual Convention in the year preceding a stated meeting of General Convention shall elect by ballot two (2) Priests or Deacons and two (2) Lay Persons as Alternate Deputies. Deputies and Alternate Deputies shall take office on the first day of January in the year in which the General Convention is to be held and shall hold office until their successors take office. They shall possess the same qualifications as members of The Standing Committee and shall be elected by a concurrent majority of both orders.

The Bishop shall assign the Alternate Deputies according to the order of their election to fill any vacancy in the deputation. In case there be no Bishop or he is unable to act, this power shall be exercised by The Standing Committee.

SECOND READING OF PROPOSED CHANGE TO ARTICLE 13

Presented to the Twenty-fifth Annual Convention of the Episcopal Diocese of Fort Worth.

Right Reverend Sir:

On behalf of the Committee on Constitution and Canons, we present the following amendment to Article 13 of the Constitution of this Diocese for a second reading and ratifying vote:

Existing text:

ARTICLE 13

THE SEE CITY AND CATHEDRAL

The City of Fort Worth is hereby declared to be the See City of this Diocese.

The Bishop and a Parish of the See City may agree to the designation of that Parish as the Cathedral under such terms as both approve.

Proposed text:

ARTICLE 13

THE SEE CITY AND CATHEDRAL

The City of Fort Worth is hereby declared to be the See City of this Diocese.

The Bishop and a Parish may agree to the designation of that Parish as The Cathedral under such terms as both approve.

The Committee on Constitution and Canons recommends adoption.