

## Technical Amendments

### *Canons 11.26, 11.31, 11.32, 14.05, and Appendix*

*Resolved*, that the Canons of the Diocese of California be amended as follows (deletions in ~~bold strikethrough text~~, insertions in ***bold italic text***):

1. Canon XI, Section 11.26 is amended to state as follows:

Sec. 11.26 Election of the Rector. The election of a rector shall require an affirmative vote of two-thirds of the lay members of the vestry. No commitment shall be made by the vestry to anyone under consideration as a prospective rector, nor shall any formal call be issued, until the name of the Cleric under consideration as rector has been made known to the Bishop. If the Bishop has not responded within 30 days, or such additional time as has been agreed upon, from the date of notice to the Bishop, the vestry may proceed with the commitment and call. In case the Bishop objects to the choice of the vestry, a second meeting of the vestry shall be held and the person first proposed can be elected only by a unanimous vote of the whole vestry. If the vote is not unanimous, the same procedure shall be repeated for the election of another candidate. The call shall be in the form of an agreement, which shall be signed by the wardens and, when accepted, signed by the new rector. The agreement shall, subject to the provisions of Title III, Canons ~~16.5~~ ***9.7*** and ~~21~~ ***9.13***, of The Episcopal Church and of this Canon XI, Sections 11.32 and 11.33, provide for life tenure. The signed agreement shall be sent to the Bishop who, when satisfied that the person chosen is a duly qualified Cleric and has accepted the office, shall approve the call and acceptance by causing copies of the agreement to be countersigned personally or by a designated representative and returned to the new rector and to the parish. The Bishop shall then notify the Secretary of the Convention, who shall record the appointment and announce it at the next Annual Convention.

2. Canon XI, Section 11.31 is amended to state as follows:

Sec. 11.31 Reconciliation of Disagreements Affecting a Pastoral Relationship. Where the need therefor appears, a reconciliation of the pastoral relationship, as provided in Title III, Canon ~~20~~ ***9.12***, of the Canons of The Episcopal Church, may be sought in accordance with the following procedure.

(a) Appeal to Bishop. In the event of differences between a rector and vestry an appeal may be made to the Bishop for pastoral ministrations to reconcile those differences. The appeal

may be made by the rector, a majority of the whole vestry, or jointly. The appeal shall state in writing that there are differences between rector and vestry and shall invite the Bishop's pastoral ministrations.

(b) Appeal by Rector. If made by the rector, a signed copy of the appeal shall be mailed or delivered to each member of the vestry.

(c) Appeal by Vestry. If made by the vestry, alone or jointly with the rector, the appeal shall state whether it emanates from a regular or special meeting of the vestry. Those voting in favor of the appeal shall sign it.

(d) Special Meetings. Notwithstanding any provision in the bylaws of the parish to the contrary, a special meeting of the vestry to consider the making of an appeal under this Canon may be convened by the rector, a warden, or at least one-quarter of the lay members of the vestry. A special meeting not convened by the rector or a warden shall consider no other business. The convenor(s) of the special meeting shall, at least ten days before the meeting, mail or deliver to each member of the vestry and to the rector a signed written notice of the purpose, time, date, and place of the meeting. A certificate of compliance with this requirement, signed by the convenor(s), shall accompany the appeal.

(e) Nothing in this Section 11.31 shall preclude the application of Title III, Canon ~~19(b)~~ **9.6(c)(2)** of the Canons of The Episcopal Church.

3. Canon XI, Section 11.32, subdivision (h) is amended to state as follows:

Sec. 11.31 Dissolution of the Pastoral Relationship. \* \* \* \*

(h) In the course of proceedings under this Canon, if a charge is made by the Vestry against the Rector that could give rise to a disciplinary proceeding under ~~Section 1 of~~ Title IV of the Canons of The Episcopal Church, all proceedings under this Canon with respect to such charge shall be suspended until the charge has been resolved or withdrawn.

4. Canon XIV, Section 14.05 is amended to state as follows:

Sec. 14.05 General Ordination Examination. When a candidate for holy orders takes the general ordination examination administered by the General Board of Examining Chaplains, the Commission on Ministry and the Standing Committee shall in no case recommend such candidate for ordination to holy orders until it has considered the report of the examination from the General Board in the manner and form

prescribed by Title III, Canon ~~31, Section 4~~ **15.4**, of the Canons of The Episcopal Church.

4. The definitions of “Bishop Coadjutor” and “Bishop Suffragan” in the Appendix are amended to state as follows:

“Bishop Coadjutor” has the meaning set forth in Title III, Canon ~~25~~, **11.10(a)** of the Canons of The Episcopal Church.

“Bishop Suffragan” has the meaning set forth in Title III, Canon ~~26~~ **11.10(b)** of the Canons of The Episcopal Church.

5. The definition of “Court of Review” in the Appendix is repealed as follows:

~~“Court of Review” means the court described in Title IV, Canon 3(B), of the Canons of The Episcopal Church.~~

### ***Explanation and Report of the Committee on Canons***

These technical amendments correct certain cross-references to the Canons of The Episcopal Church. No substantive change is intended. The definition of the term “Court of Review” should be repealed because it no longer appears anywhere in the Canons of the Diocese.

*Submitted by the Committee on Canons. Questions may be directed to Christopher Hayes <christopher.hayes@borowsky.com>.*