

1 *Constitution*

2 **ARTICLE I**
3 **Territorial Limits**

4 This Diocese as established by the Sixty-seventh Convention of the Diocese of
5 North Carolina, in May 1883, at Charlotte, embracing all that portion of the
6 territory of the State of North Carolina, which includes the counties of Hertford,
7 Bertie, Martin, Pitt, Greene, Wayne, Sampson, Cumberland, Hoke and Robeson,
8 and all the counties lying between these counties and the Atlantic Ocean, shall
9 be known as the Diocese of East Carolina.

10 **ARTICLE II**
11 **Accession to Constitution of Protestant Episcopal Church**
12 **in the United States of America**

13 The Churches in this Diocese accede to the Constitution and Canons of that
14 branch of the Holy Catholic Church known as the Protestant Episcopal Church
15 in the United States of America, and recognizes the authority of the General
16 Convention thereof.

17 **ARTICLE III**
18 **Time and Place of Meeting of Annual Convention**

19 Section 1. There shall be an Annual Convention to meet within the Diocese at
20 such time and place as may be determined by the next preceding Convention, or
21 in the event of no such determination, at such time and place as may be agreed
22 upon by the Bishop and Standing Committee, or appointed by the Standing
23 Committee, in case of the disability of the Bishop, or a vacancy in the office of
24 Bishop.

25 Section 2. But the time or place of such meeting may be changed or Special
26 Conventions may be called by the Bishop and Standing Committee or by the
27 Standing Committee in case of disability or vacancy as provided in the
28 preceding section, subject nevertheless to such Canonical provisions as may
29 hereafter be made; provided that no Special Convention shall be called without
30 at least thirty days notice, which notice shall be mailed by the Secretary of the
31 convention at least twenty days before the meeting of such Special Convention
32 to each member of the clergy entitled to a seat in the Convention, and to each
33 Clerk of such Parish as has no Rector in charge, and to the Clerk of each
34 Mission that has no missionary in charge, and shall specify the business and
35 purpose for which said Special Convention is to be held;
36

Constitution

1 and no other business shall be proposed or acted upon except by a concurrent
2 vote of two-thirds of both orders present, voting by orders.

3 Section 3. Election shall be held by the several Vestries, or at the option of each
4 Vestry, by the congregation, for delegates to special Conventions, but in the
5 event of the failure to elect such delegates, those who were elected to the
6 preceding Annual Convention - subject to the provisions of Article IV, Sections
7 3 and 4 of this Constitution - shall hold over.

8 **ARTICLE IV** 9 **Personnel of Convention**

10 Section 1. The Convention shall be composed of the two Orders - Clerical and
11 Lay. The Bishop of the Diocese, or in the Bishop's absence, the Bishop in
12 charge as representing the Episcopal Authority shall, if present, preside at all
13 meetings of the conventions.

14 The Bishop Coadjutor and the Bishop-Suffragan, if there be such, shall be
15 entitled to seats and votes in the Convention, and if there be none such present,
16 the Convention shall elect its presiding officer.

17 Section 2. Every member of the Clergy of the Church having been Canonically
18 connected with and resident within the Diocese for three months preceding any
19 meeting of the Convention, including time as a candidate for Orders, shall be
20 entitled to a seat and vote in the Convention except in the election of a Bishop,
21 in which case such connection and residence must have been for six months,
22 provided, that the restriction as above in regards to residence shall not apply to
23 professors, tutors or students in any institution of learning maintained in whole
24 or in part by this Church, or to the clerical officers or agents of the Executive
25 Council of the Episcopal Church or to Chaplains in the Armed Forces: provided
26 further that any member of the clergy who has been Canonically connected with
27 the Diocese for at least three years and who has not been in attendance at one of
28 the last three Conventions shall have seat and voice, but no vote, at any meeting
29 of the Convention.

30 Section 3. (a) Each church within the Diocese, whether a parish or mission,
31 shall be entitled to be represented by lay delegates according to the number of its
32 confirmed communicants in good standing of sixteen years of age or older, as
33 follows: from 10 to 50 such communicants, 1 lay delegate; from 51 to 100 such
34 communicants, 2 lay delegates; from 101 to 300 such communicants, 3 lay
35 delegates; from 301 to 500 such communicants, 4 lay delegates; over 500 such
36 communicants, 5 lay delegates. The number of confirmed communicants in
37 good standing of sixteen years of age or older shall be determined from each

Constitution

1 church's parochial report as of December 31 preceding the annual Convention.
2 Each church's delegates shall be chosen by the Vestry, or at the option of the
3 Vestry, by election by the congregation, from the confirmed communicants in
4 good standing of sixteen years of age or older of the church. (b) Any Parish or
5 Mission within the Diocese, which has been acknowledged by the Bishop as the
6 sponsoring parish or mission of a College or University Student Fellowship,
7 shall be entitled to be represented by one additional student lay delegate. The
8 student delegate shall be chosen by the Vestry by the sponsoring parish, or at the
9 option of the Vestry, by election of the Student Fellowship.

10 Section 4. Each church shall be entitled to select one alternate lay delegate for
11 each of its lay delegates, such alternate delegates to be chosen in the same
12 manner as the delegates.

13 Section 5. (a) It shall be lawful for the Convention to exclude or suspend from
14 Lay representation any Parish or Mission neglecting or refusing to appoint
15 delegates to the Convention for two successive years, or neglecting or refusing
16 to comply with any lawful requirement of the Convention; providing, that a vote
17 of a majority of all the clergy present in the Convention, and two-thirds of the
18 lay delegates present in the Convention shall be required for such exclusion or
19 suspension. (b) Any Parish or Mission which fails to keep or cause the keeping
20 of the records or to file or cause the filing of the reports required by the
21 canonical provisions shall be denied any representation at the next Annual
22 Convention and each one thereafter until such records are brought current and
23 such reports are filed. However, if good cause is shown in the opinion of the
24 Convention delegates, the Parish or Mission may be relieved of the penalty
25 prescribed by this paragraph by a vote in favor of such relief by two-thirds of the
26 delegates voting on the question. If a vote by orders is called for, relief of the
27 penalty must carry by two-thirds of the votes cast in each order.

28 Section 6. If any Parish or Mission shall neglect or decline to appoint Lay
29 Delegates, or shall have been excluded or suspended from the right of doing so
30 by the Convention, or if any or all those appointed shall not be present, such
31 Parish or Mission shall nevertheless be bound by the acts of the Convention.

32 Section 7. In a vote by Orders and Parishes in any session of the Convention, no
33 delegation from any church shall have a vote if such church has not been
34 represented in at least one of the last three, consecutive, regular annual meetings
35 of the Convention.
36

Constitution

ARTICLE V
Powers of Convention

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Section 1. The Convention shall be sole judge of the election and qualification of its own members. It shall have power to adopt Rules of Order for its own members. It shall have power to adopt Rules of Order for its own government, elect officers and raise funds, and shall have such other legislative powers as may be necessary and proper for the well-being of the Diocese.

Section 2. The Convention shall have no power to pass any Canon infringing the Episcopal Authority, but may adopt resolutions of advice or inquiry or institute any proceedings deemed necessary for the purpose of impeachment of the Bishop.

ARTICLE VI
Quorum

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To constitute a quorum for the purpose of ordinary business the presence of a majority of all clergy entitled to seat and vote (exclusive of non-parochial clergy) and of a majority of the lay delegates entitled to representation in the Convention shall be necessary. Any fewer number shall be competent to receive reports and to adjourn.

ARTICLE VII
Voting by Convention

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Section 1. (A). Unless otherwise provided, voting upon all questions before the Convention shall be by Delegates, with a simple majority of all ballots cast to determine the issue. (B). Upon any question before the Convention the two Orders shall vote separately,
(i) when required by this Constitution or by the Canons or
(ii) when any Lay or Clergy delegate moves for a vote by Orders after the introduction of the question and before the question is called for a vote, seconded by a member of the other Order, and with the approval of a majority of the Convention. Such motion shall take precedence over any other motion on the floor and is not subject to debate.

When a vote by Orders is required, each clerical member shall be entitled to one vote and each lay member to one vote, and a concurrence of majorities of both Orders shall be necessary to a decision. (C). A vote by Orders and Parishes is required in the election of a Bishop, or Bishop Coadjutor, or a Bishop Suffragan, as provided by Article XIII. A vote by Orders and Parishes is required to amend this Constitution, as provided by Article XVI. If a vote by Orders and Parishes

Constitution

1 is required, each clerical member shall be entitled to one vote and each Parish
2 shall be entitled to the same number of votes as the number of its lay delegates.
3 For example, a Parish with five lay delegates shall be entitled to five votes, and

4 a Parish with four lay delegates shall be entitled to four votes. A vote by Orders
5 and Parishes shall be conducted in this manner: First, a quorum for the purpose
6 of voting shall be necessary. A quorum for voting by orders and Parishes shall
7 mean the presence of a majority of all clergy entitled to seat and vote (exclusive
8 of non-parochial clergy), and the presence of delegates of two-thirds of the
9 Parishes entitled to representation and vote. Second, the vote shall be taken by
10 first calling the roll of the clergy with each clerical member depositing his or her
11 ballot with the Tellers, and then calling the roll of the Parishes with one lay
12 delegate depositing the ballots of the parish with the Tellers. Third, a majority
13 of both Orders on the same ballot shall be required for an election or an
14 affirmative vote to amend the Constitution.

15 Section 2. All elections shall be by ballot unless otherwise unanimously ordered.

ARTICLE VIII Officers of Convention

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18 Section 1. The Convention shall annually elect a Secretary, a Treasurer, a
19 Chancellor and a Historiographer.

20 Section 2. Should there at any time be no such election, then the officers last
21 before elected shall hold over until such election shall be had.

22 Section 3. Should the office of Secretary, Treasurer, Chancellor or
23 Historiographer become vacant at any time preceding the annual election, the
24 Ecclesiastical Authority shall have the power to fill the vacancy till such time as
25 election shall be held.

ARTICLE IX Standing Committee

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28 Section 1. The Standing Committee shall consist of three Clergy of the Diocese
29 and three lay persons, confirmed communicants in good standing sixteen years
30 or older and residents of the Diocese. The members of the Standing Committee
31 shall be elected by the Convention for three year terms, with one Clergy and one
32 lay person elected annually; provided that the number elected and the terms may
33 be varied initially to produce such staggered terms. No member who has served
34 on the Committee shall be eligible for reelection, or appointment to fill a
35 vacancy, until one year after the expiration of that term. The Committee shall
36 elect its President and Secretary annually and shall have the power to fill any

Constitution

1 vacancy that may occur on the Committee until the next annual Convention.

2 However, a person otherwise qualified to serve on the Standing Committee who
3 is appointed to fill a vacancy until the next Annual Convention may be elected
4 to complete any remaining time on that term or to a full term immediately.

5 Section 2. In case of the absence or inability of the Bishop, the duties assigned
6 to the Bishop by this Constitution shall be performed by the Bishop-Coadjutor
7 (if there be one), in so far as it is not inconsistent with the Constitution and
8 Canons of the General Convention.

9 Section 3. Where there is no Bishop the Standing Committee shall be the
10 Ecclesiastical Authority of the Diocese, and, as such, may invite the temporary
11 services of other Bishops, and, for due cause, may change the time or place of
12 the annual meetings of the Convention, and they may also summon special
13 Conventions, and shall do so upon the call of one-third of the Clergy of the
14 Diocese, or of one third of the Parishes in union with the Convention, as
15 appearing upon the lists of the Journal last before published. And although there
16 be a Bishop, the Standing Committee shall have power to call Special
17 Conventions for the purpose of proceedings relative to impeachment, and shall
18 do so upon a similar requisition by the Clergy or Laity.

19 **ARTICLE X**
20 **Organization of Missionary Congregations**

21 Section 1. Any ten or more confirmed communicants in good standing of
22 sixteen years of age or older may organize themselves into a Mission, and be
23 received into union with the Convention, by taking such steps as may be
24 provided for by Canon.

25 Section 2. The Bishop of the Diocese may, with the written consent of the
26 Rector of any Parish (a copy of which shall be filed with the Historiographer of
27 the Diocese), establish, within the limits of such Parish, Missionary
28 Congregations, whose Ministers shall be independent of the Rector and
29 responsible to the Ecclesiastical Authority only; provided, that with the advice
30 and consent of the Standing Committee, the Bishop shall have power to
31 establish such independent Missionary Congregations without the consent of the
32 Rector.

33 **ARTICLE XI**
34 **Authority of Rectors**

35 Section 1. Any Priest regularly called to the charge of a Parish and entering
36 thereupon shall, during the time of such charge, be held to be the Rector of said
37 Parish.
38

Constitution

1 Section 2. The Rector is recognized as having, by virtue of office, the exclusive
2 regulation, subject to the Rubrics of the Book of Common Prayer, the
3 Constitution and Canons of the Church and this Diocese, and the pastoral
4 direction of the Bishop, of all spiritual concerns of the Parish; as being entitled
5 at all times to have access to the Church building and to open the same for
6 services or instruction of this Church; to call meetings of the Vestry of
7 congregation, when present to preside at the same, and in case of a tie to give the
8 deciding vote.

9 **ARTICLE XII**
10 **Canons for Trial of Clergymen**

11 The Convention shall pass Canons for the trial of members of the Clergy.

12 **ARTICLE XIII**
13 **Rule of Voting for Election of a Bishop**
14 **Bishop Coadjutor, or Bishop Suffragan**

15 In the election of a Bishop, or Bishop Coadjutor, or a Bishop Suffragan, the
16 Convention shall vote by ballot and by Orders and Parishes, as described in
17 Article VII, Section 1, and the concurrence of a majority of all the Clergy
18 entitled to seats in the Convention and a majority of the lay delegates voting by
19 parishes (churches) shall be necessary to an election. All Clergy who have been
20 retired on account of age or disability and all non-parochial Clergy are entitled
21 to a seat and, if otherwise entitled thereto, to a vote in the Diocesan Convention,
22 but their absence at any Convention shall not be counted in determining a
23 constitutional majority.

24 **ARTICLE XIV**
25 **Qualifications for Voting in**
26 **Parochial and Mission Elections:**
27 **Definitions**

28 Section 1. The following definitions shall apply wherever these terms appear in
29 this Constitution or in the Canons of the Diocese:

30 (a) Member: A person who has received the Sacrament of Holy Baptism with
31 water in the Name of the Father, and of the Son, and of the Holy Spirit, whether
32 in this Church or in another Christian Church, and whose Baptism has been duly
33 recorded in this Church. (b) Adult member: A member sixteen years of age and

Constitution

1 over. (c) Communicant: A member who has received Holy Communion in this
2 Church at least three times during the preceding year. (d) Communicant in good
3 standing: A member who for the previous year has been faithful in corporate
4 worship, unless for good cause prevented, and has been faithful in working,
5 praying, and giving for the spread of the Kingdom of God. (e) Adult
6 communicant in good standing: A communicant in good standing who is sixteen
7 years of age or older.

8 Section 2. Those entitled to vote in all Parish and Mission elections shall meet
9 the following qualifications:

- 10 (a) Be an adult communicant in good standing in the Parish or Mission; and
11 (b) Shall have subscribed to the following declaration:

12 I do hereby consent to be governed by the Constitution and Canons of the
13 Church, as set forth in and by the General Convention of the Protestant
14 Episcopal Church in the United States of America, and by the Constitution and
15 Canons of the Diocese of East Carolina.

16 **ARTICLE XV**
17 **Method of Amending Canons**

18 No new Canon shall be passed, nor shall any existing Canon be amended, upon
19 the day upon which said new Canon or amendment may be proposed, without
20 unanimous consent. Nor, without a similar consent shall the question upon the
21 passage of such Canon or amendment be finally put without previous reference
22 to a committee.

23 **ARTICLE XVI**
24 **Method of Amending the Constitution**

25 Any proposition to alter this Constitution shall be made in writing, and if
26 approved by a majority of the Convention, shall be submitted to the next
27 Convention, and if then approved by a majority of each of the two Orders
28 present, voting by Orders and Parishes as described in Article VII, it shall
29 become a part of this Constitution.

ARTICLE XVII

When Amendments Become Effective

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3 All Constitutional amendments shall take effect from and after the adjournment
4 of the Convention at which they shall have been ratified, unless it shall be
5 otherwise ordered by a vote by Orders.